

ORDINANCE NO. 7667

AN ORDINANCE AUTHORIZING A CONTRACT WITH EMNET LLC AND DECLARING AN EMERGENCY

WHEREAS, the City is required to minimize the occurrence of overflows from the Combined Sewer System; and,

WHEREAS, a feasibility study undertaken at municipal expense concluded that the implementation of a Real Time Decision Support System to actively manage and better coordinate the operation of pumps in the Kingsbury, Karnes Avenue, Kettenring and Maumee East lift stations will increase the utilization of storage capacity within the existing collection and transport systems and maximize the rate of delivery to the Water Pollution Control Treatment Works and, thereby, contribute significantly to the municipality's effort to achieve regulatory compliance at an affordable cost; and,

WHEREAS, EmNet, LLC has proposed to design the recommended improvements necessary to implement the proprietary control system at a cost of \$111,358.24;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City Administrator is authorized to execute the Consulting Agreement between the City and EmNet, LLC now on file in the office of the City Law Director and deliver the same to EmNet, LLC.

Section 2: The Finance Director is authorized to pay costs arising under the approved contract from 2014 Budget Line 589-540-5-2-973-004.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety and welfare of the community for the reason that implementation of the Real Time Decision Support System at the earliest feasible time is necessary to enable the collection of data useful to the development of the revised Combined Sewer Overflow Control Plan that is required to be submitted to the Ohio Environmental Protection Agency in 2015. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than 5 Members of Council and approval of the Mayor.

Passed: October 14, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Mike McCann, Acting Clerk

Approved: October 14, 2014

Bob Armstrong
Mayor

Ordinance No. 7668

AN ORDINANCE ACCEPTING THE FINAL PLAT OF STONEGATE ESTATES, A RE-PLAT OF STONEGATE ESTATES SUBDIVISION AS MOST RECENTLY APPROVED BY ORDINANCE 7337

WHEREAS, Ordinance 6836 authorized recording of the final plat of Stonegate Condominiums, a subdivision of lands comprising parts of Lots 29 and 34 of the Auditor's Plat of Lots North of the Maumee River; and

WHEREAS, Ordinance 7270 authorized the recording of an amended Plat of a portion of Stonegate Condominiums as Stonegate Estates; and,

WHEREAS, Ordinance 7337 approved a re-Plat of certain lots established by the Plat approved by Ordinance 7270; and,

WHEREAS, the developer desires to reduce the number and enlarge the boundaries of undeveloped lots remaining for sale by reestablishing the boundaries of lots numbered 1-8 and lots numbered 19-22 by re-platting the same as lots 1-7 and 19-21; and,

WHEREAS, the Zoning Commissioner has determined that Lots conforming to the proposed boundary descriptions are suitable for development in conformity with applicable zoning regulations and the Planning Commission has recommended that the amended Plat of Stonegate Estates be approved; and,

WHEREAS, all Subdivision Regulations pertaining to the preparation of said Plat have been met and all public infrastructure depicted thereon has previously been accepted for public use and maintenance by Ordinance 6836;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The Final Plat of Stonegate Estates with the lot numbers and dimensions noted thereon, as approved by the Planning Commission on September 15, 2014, is hereby approved. All municipal officers are authorized to endorse such approvals as may be necessary or convenient to facilitate Recording of the approved Plat. The previous acceptance of all depicted public rights of way by Ordinance 6836 is hereby ratified and confirmed and shall remain in full force and effect.

Section 2: The Clerk is directed to prepare and certify a copy of this Ordinance to the Recorder of Defiance County.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective from and after the earliest date permitted by law.

Mike McCann
President of Council

Passed: October 14, 2014

Attest: Mike McCann, Acting Clerk

Approved: October 14, 2014

Bob Armstrong
Mayor

ORDINANCE NO. 7669

AN ORDINANCE AUTHORIZING REPAIR OF RIVER INTAKE LIFT PUMP #3 AND DECLARING AN EMERGENCY

WHEREAS, seals essential to the operation of river intake pump #3 have failed and the City Administrator has properly approved delivery of the pump to Professional Pump, Inc., of Belleview, Michigan for emergency service and repair; and,

WHEREAS, the \$21,500.00 estimated cost to repair the disabled pump exceeds the discretionary spending authority of the Board of Control;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City Administrator is authorized to contract with Professional Pump, Inc. to supply all necessary parts and perform all labor and technical services detailed in the price proposal dated September 29, 2014, and such additional work as may be deemed necessary upon disassembly and inspection of the failed pump.

Section 2: The City Finance Director is authorized to pay all costs arising under the authorized contract from budgeted funds allocated for equipment repair by Line 591-537-5-2-735007 of the 2014 annual budget.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 4: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety or welfare of the community for the reason that the estimated lead time required to manufacture necessary parts and rebuild the failed pump is 6 weeks necessitating that the work be immediately authorized to minimize the risk of a second pump failure during the time pump #3 is out of service. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than 5 Members of Council and approval of the Mayor.

Passed: October 14, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Mike McCann, Acting Clerk

Approved: October 14, 2014

Bob Armstrong
Mayor