

ORDINANCE NO. 7646

AN ORDINANCE AUTHORIZING THE CITY ENGINEER TO PROCEED WITH PREVIOUSLY APPROVED IMPROVEMENTS TO THE WATER POLLUTION CONTROL WORKS AND DECLARING AN EMERGENCY

WHEREAS, Ordinance 7518, passed July 16, 2013, authorized the City Administrator to improve electric distribution facilities on the grounds of the Water Pollution Control Works at an estimated cost of \$38,000; and,

WHEREAS, The engineer's estimate of project costs was found to be unrealistically low; and,

WHEREAS, minor changes have been made to the original design to accommodate requirements imposed by Toledo Edison and to minimize on-site project costs; and,

WHEREAS, bids were properly solicited to supply and install the specified switching and related equipment in conformity with the revised plans and specifications and FET Construction submitted the lowest responsive and responsible bid in the amount of \$60,655.00 exclusive of charges to be levied by Toledo Edison for necessary modifications to supply facilities owned and operated by the utility; and,

WHEREAS, Council finds that installation of the previously approved improvements is necessary;

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

Section 1: The City Administrator is authorized to award a contract to FET Construction to supply and install improvements to the electric distribution facilities on the grounds of the Water Pollution Control Treatment Works previously approved by Ordinance 7518 and in substantial conformity with the revised plans and material specifications incorporated into the solicitation.

Section 2: The City Finance Director is authorized to pay costs arising under the contract authorized by Section 1 and such additional costs as may be imposed by Toledo Edison for relocation of power supply lines or other modifications to the power supply grid necessitated by the authorized work from 2014 Budgetary Line 590-540-5-2-900.000.

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 installation of the authorized improvements at the earliest feasible date is necessary to minimize risks to machinery and equipment resulting from power supply interruptions occasioned by bird strikes. 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: August 5, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: August 5, 2014

Bob Armstrong
Mayor

Ordinance No. 7647

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR A GRANT OF STATE CAPITAL IMPROVEMENT PROGRAM FUNDS TO ASSIST THE MUNICIPALITY WITH THE COST OF SEWERAGE IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, the City is subject to Findings and Orders issued by the Director of the Ohio Environmental Protection Agency and a judicial Consent Order requiring improvement of the municipal sewerage system to eliminate overflows from combined sewers; and,

WHEREAS, the estimated cost of improvements required to minimize intrusion of river water into the Auglaize interceptor is \$700,000; and,

WHEREAS, the municipality requires financial assistance to timely complete the mandated work in accordance with construction schedules imposed by the Findings and Orders and Consent Order; and,

WHEREAS, the proposed improvements are eligible for funding under guidelines established for the State Capital Improvement Program;

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

Section 1: The City Administrator is authorized to make application to the Ohio Public Works Commission for a grant of State Capital Improvement Program funds to offset a portion of the costs to be incurred by the municipality to line, repair or replace deteriorated manholes and otherwise improve the Auglaize interceptor sewer and is further authorized to execute and deliver such contracts, agreements, program compliance covenants and other documents as may be necessary or appropriate to secure such funding.

Section 2: 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 3: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety and welfare of the community for the reason that the application authorized by this Ordinance must be submitted by September 5, 2014, to receive consideration by the Ohio Public Works Commission. 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: August 5, 2014

Mike McCann
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: August 5, 2014

Bob Armstrong
Mayor

Ordinance No. 7648

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR A LOAN OF STATE CAPITAL IMPROVEMENT PROGRAM FUNDS TO ASSIST THE MUNICIPALITY WITH THE COST OF WATER DISTRIBUTION IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, the Greenler elevated water storage tower is inadequately sized and in need of replacement due to age and condition; and,

WHEREAS, the estimated cost to construct a replacement facility on previously acquired municipal land adjacent to the existing Greenler tower is \$2,400,000; and,

WHEREAS, the municipality requires financial assistance to proceed with the necessary work; and,

WHEREAS, the proposed improvement is eligible for funding assistance in the form of a below market rate loan under guidelines established for the State Capital Improvement Program;

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

Section 1: The City Administrator is authorized to make application to the Ohio Public Works Commission for a loan of State Capital Improvement Program funds to offset a portion of the costs to be incurred by the municipality to construct and install a 1,000,000 gallon elevated water storage tank and demolish the existing and antiquated Greenler Water storage tower and is further authorized to execute and deliver such contracts, agreements, program compliance covenants and other documents as may be necessary or appropriate to secure such funding.

Section 2: 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 3: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety and welfare of the community for the reason that the application authorized by this Ordinance must be submitted by September 5, 2014, to receive consideration by the Ohio Public Works Commission. 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.

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