

# ORDINANCE NO. 7658

## AN ORDINANCE AMENDING ORDINANCE 7650, AUTHORIZING THE AWARD OF A CONTRACT TO KOESTER CORPORATION AND DECLARING AN EMERGENCY

WHEREAS, designs and specifications to aerate Clearwell #4 have been approved by the Ohio Environmental Protection Agency and a contract has been awarded to R.G. Zachrich Construction to install piping and appurtenances to deliver compressed air to the clearwell; and,

WHEREAS, Ordinance 7650 authorized the award of a contract in the amount of \$47,281.00 to Bergren and Associates to supply the necessary blowers and variable speed drives; and,

WHEREAS, Bergren and Associates has informed the Water Division that invoices for equipment purchases authorized by Ordinance 7650 will be issued by the manufacturers; and,

WHEREAS, installation of the equipment requires modification of the electric distribution facilities within the Water Treatment Works and Koester Corporation has been selected to provide the necessary electrical engineering, components and installation services;

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

Section 1: Section 1 of Ordinance 7650 is amended to provide (deleted text ~~stricken~~, newly added text in italics):

The City Administrator is authorized to ~~award a contract to~~ pay Bergren and Associates ~~to supply two blowers and variable frequency drives~~ a fee for product specification services and to purchase 2 Aerzen GM25S 50 hp blowers and 2 Danfoss VLT Aqua Drive FC 200 variable frequency blower drives conforming to the specifications on file ~~established by the solicitation and accepted bid and the bid~~ an aggregate total price of \$47,281.00.

Section 2: The City Administrator is authorized to purchase all design and installation services and all wiring and equipment needed to supply electric power to the variable speed drives and blower units to be purchased pursuant to the authority of Section 1 from Koester Corporation at a cost of \$32,490.00.

Section 3: The Finance Director is authorized to pay the contract price authorized by Section 2 from appropriated funds allocated to Water Treatment Plant Aeration Project No 1408 by Line 591-537-5-2-980-880 of the 2014 annual budget.

Section 4: 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 5: Except as expressly amended by Section 1, Ordinance 7650 is ratified, confirmed and shall remain in full force and effect. This Ordinance is declared to be an emergency measure necessary to preserve the health of the community for the reason that strategies to inhibit Trihalomethane formation in the public water supply must be promptly implemented to comply with regulatory requirements. 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: September 2, 2014

Mike McCann  
President of Council

Votes in Favor of Adoption: 7

Attest: Lisa Elders, Clerk

Approved: September 2, 2014

Bob Armstrong  
Mayor

# Ordinance No. 7659

## AN ORDINANCE AUTHORIZING A CONTRACT WITH DEFIANCE COUNTY PERTAINING TO REIMBURSEMENT OF MUNICIPAL EXPENSES INCURRED TO PROVIDE LEGAL SERVICES TO INDIGENT DEFENDANTS PROSECUTED IN MUNICIPAL COURT FOR OFFENSES PROSCRIBED BY MUNICIPAL ORDINANCE

WHEREAS, the State Public Defender allocates funds to Defiance County for payment of expenses incurred to provide legal services to indigent persons charged with offenses punishable by incarceration; and,

WHEREAS, a long standing agreement between the City and County has enabled the County to allocate a portion of the funds received from the Public Defender to the City in reimbursement of expenses incurred to provide constitutionally required legal services to persons prosecuted for offenses proscribed by municipal ordinance; and,

WHEREAS, the aforesaid agreement was most recently revised in 2013 to conform to model forms prescribed by the Public Defender and can be renewed by Ordinance of Council and Resolution of the Board of County Commissioners;

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

Section 1: The agreement between the City of Defiance and County of Defiance entitled, "Agreement for Indigent Defense Services in Municipal Court (Assigned Counsel)" is hereby extended from January 1, 2015, through December 31, 2015. The City Finance Director is authorized to receive and disburse funds in accordance with the agreement during calendar year 2015.

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 shall be effective on the earliest date permitted by law.

Passed: September 2, 2014

Mike McCann  
President of Council

Votes in Favor of Adoption: 7  
Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: September 2, 2014

Bob Armstrong  
Mayor