

Ordinance No. 7716

AN ORDINANCE PROVIDING FOR THE COMPENSATION OF PART TIME FIRE FIGHTERS

WHEREAS, the Fire and Rescue Division is increasingly dependent on the services of part time Fire Fighters to maintain adequate staffing; and,

WHEREAS, the compensation established by Ordinance 6190, passed February 13, 2001, is no longer adequate to attract and retain qualified personnel;

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

Section 1: Part time Fire Fighters engaged in: active service in response to a call-in, required training, required on-station time, elective training and elective on-station time shall be paid for each hour of service in accordance with the individual's qualifications and the following schedule:

<u>Fire Fighter Certification</u>	<u>EMT Certification</u>	<u>Hourly Rate:</u>
Fire Fighter 1	Basic	\$12.00
Fire Fighter 1	Paramedic	\$12.50
Fire Fighter 1 + 2	Basic	\$13.00
Fire Fighter 1 + 2	Paramedic	\$13.50

Periods of elective service shall not be compensable unless approved by the Chief or Assistant Chief of the Fire Division prior to the time the services are rendered. Payment for all periods of compensable service shall be calculated in full hour increments. Any period of service amounting to less than one hour or to any number of hours plus some fractional part of an hour shall be rounded up to the next full hour for purposes of calculating wages payable pursuant to this Ordinance.

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: May 12 _____, 2015

Mike McCann

President of Council

Attest: Lisa Elders _____, Clerk

Approved: May 13 _____, 2015

Bob Armstrong

Mayor

ORDINANCE NO. 7717

AN ORDINANCE AUTHORIZING THE CONTINUED ENGAGEMENT OF JOHN DISTIN, ESQ. AS SPECIAL COUNSEL FOR ENVIRONMENTAL COMPLIANCE

WHEREAS, Environmental laws require the City to install, maintain and operate sewage and storm water collection, conveyance, treatment and disposal facilities in compliance with complex Federal and State regulatory requirements; and,

WHEREAS, Proper representation of the municipality in negotiations with the U.S. and Ohio Environmental Protection Agencies and in judicial proceedings brought by the Department of Justice or Attorney General on behalf of those agencies requires an attorney with specialized training, experience and access to experts with the ability to undertake and present sophisticated economic and demographic analysis; and,

WHEREAS, Ordinance 6378, passed May 6, 2003, authorized the engagement of John H. Distin, Esq., to provide legal and related services, including the sub-contracted services of Rutgers University economist, Paul Gottlieb, PhD., and such other experts as might be engaged by Counsel; and,

WHEREAS, Mr. Distin, has ably represented the municipality in the negotiation of successive NPDES permits, development of the Combined Sewer Overflow-Long Term Control Plan, and negotiation of a Consent Order and amendments thereto, including recent amendments suspending required construction activities pending reevaluation and revision of the Long Term Control Plan; and,

WHEREAS, Council has annually appropriated moneys for payment of Mr. Distin's fees and expenses from the Water Pollution Control Fund in conformity with Ordinance 6378 and expenditure of those appropriations has customarily been authorized by the Board of Control pursuant to Codified Ordinances 151.02 and 151.03(e); and,

WHEREAS, Mr. Distin, anticipates that aggregate fees and expenses to be incurred in 2015 may exceed the \$15,000 discretionary spending authority reposed in the Board of Control by Codified Ordinances 151.02 and 151.03(e);

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

Section 1: The authority to engage John Distin, Esq. and such expert witnesses as he may recommend at prevailing hourly rates is ratified and confirmed. Mr. Distin is authorized to appear before Federal and State regulatory agencies and judicial tribunals as Special Counsel to the City of Defiance. The Finance Director is directed to issue a Purchase Order in the amount of \$20,000.00 to encumber appropriated funds allocated by Line 590-540-5-2-973-004 of the Annual Budget for payment of estimated legal fees and expenses.

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 or in Executive Session duly convened in accordance with law.

Section 3: This Ordinance shall be effective on the earliest date permitted by law.

Passed: May 12, 2015

Mike McCann
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: May 13, 2015

Bob Armstrong
Mayor

Ordinance No. 7718

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE ICE CONTROL SALT AND DECLARING AN EMERGENCY

WHEREAS, Bids to supply 560 to 840 tons of ice control salt for use during the 2015-2016 winter season were properly solicited and Compass Minerals America submitted the lowest responsive and responsible bid in the amount of \$92.05 per ton;

WHEREAS, the total cost exceeds the discretionary spending authority accorded the Board of Control by Codified Ordinance §151.02;

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 Compass Minerals America to supply up to 840 tons of ice control salt at the bid price of \$92.05 per ton and to purchase 560 tons of the allotment for immediate delivery of at a cost of \$51,548.00.

Section 2: The Finance Director is authorized to pay the aggregate purchase price of the initial delivery and such additional amounts as may be required to purchase supplemental deliveries from 2015 Budgetary Line 202-901-5-2-730-114.

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 accepted bid will expire if the authorized contract is not awarded on or before May 6, 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: May 12 _____, 2015

Mike McCann _____
President of Council

Votes in Favor of Adoption: 7 _____

Votes Opposed to Adoption: 0 _____

Attest: Lisa Elders _____, Clerk

Approved: May 13 _____, 2015

Bob Armstrong _____
Mayor