

ORDINANCE NO. 7422

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 WATER SYSTEM IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, The City Engineer has identified aged and deficient water distribution lines and prepared a schedule for replacement of those lines over a period of 5 years at an estimated cost of \$1,248,000.00; and,

WHEREAS, Replacement and repair work scheduled for 2013 is necessary to correct significant deficiencies in the water distribution system that endanger public health and safety and are expected to cost \$650,000.00; and,

WHEREAS, The City requires financial assistance to undertake the necessary work and 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 (State Issue II) funds to offset a portion of the cost to be incurred to repair and replace deficient water distribution facilities identified by the "OWPC Five Year Capital Improvement/Maintenance of Effort Plan" now on file in the office of the City Engineer 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 7, 2012, 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: September 4, 2012 Tim Holtsberry
President of Council

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

Attest: Lisa Elders, Clerk

Approved: September 4, 2012 Bob Armstrong
Mayor

Ordinance No. 7423
**AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR
TO AWARD A CONTRACT FOR STREET IMPROVEMENTS AND
DECLARING AN EMERGENCY**

WHEREAS, provision has been made in the 2012 annual budget for the rehabilitation and resurfacing of streets; and,

WHEREAS, a priority list of pavement sections in need of repair and resurfacing has been prepared in accordance with Pavement Management Program criteria, the improvements thought to be achievable by the expenditure of available funds have been identified and bids to perform the desired work have been solicited;

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 the bidder presenting the lowest responsive and responsible proposal to improve pavement sections identified by Project Number 1204 in substantial conformity with the designs and material specifications therein provided.

Section 2: The Finance Director is authorized to pay all costs arising under the contract authorized by Section 1 from appropriated and appropriately budgeted funds including, without limitation, Capital Improvement Funds allocated by 2012 budgetary line item 403-901-5-2-980-874.

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 and welfare of the community for the reason that commencement of construction at the earliest possible date is necessary to assure completion of the authorized work before the onset of winter conditions. 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 4, 2012 Tim Holtsberry
President of Council

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

Attest: Lisa Elders, Clerk

Approved: September 4, 2012 Bob Armstrong
Mayor