

# Ordinance No. 7958

## AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO CONTRACT WITH VORTEX USA, INC. FOR THE CONSTRUCTION OF IMPROVEMENTS TO BRONSON PARK AND DECLARING AN EMERGENCY

WHEREAS, Funds are being raised to install a splash pad and other amenities on lands formally occupied by the Bronson Park swimming pool; and,

WHEREAS, Facility design, fabrication and procurement services are being provided by Vortex USA, Inc. in accordance with prices established through the National Purchasing Partners inter-governmental purchasing program; and,

WHEREAS, It is necessary to install foundations and plumbing equipment prior to the onset of winter to assure that all remaining construction activities can be completed during the Spring of 2018 in order that the facilities may be opened to the public for use during the summer of 2018;

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

Section 1: The City Administrator is authorized to execute and deliver the proposed contract between the City of Defiance and Vortex USA, Inc. on file in the office of the Law Director and pertaining to the construction of improvements designated as "Phase 1" improvements by the plans and specifications on file in the office of the City Engineer.

Section 2: The Finance Director is authorized to pay the contract price of \$356,985.12 from Line 405-901-5-2-980-880 of the 2017 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 immediate commencement of the authorized work is necessary to avoid costs and quality impairments associated with the placement of concrete during winter weather 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: October 31, 2017

Michael Ketcham  
President of Council

Attest: Lisa Elders, Clerk

Approved: October 31, 2017

Michael McCann  
Mayor