

Ordinance No. 7932

AN ORDINANCE AUTHORIZING AMENDMENT OF THE CONTRACT BETWEEN THE CITY OF DEFIANCE AND WERLOR, INC. TO FACILITATE USE OF AUTOMATED COLLECTION VEHICLES

WHEREAS, Ordinance 7414 authorized award of a contract to Werlor, Inc., pertaining to the collection and disposal of garbage and rubbish generated by one and two family dwellings during the period July 1, 2012, through June 30, 2022; and,

WHEREAS, Said contract obligates Werlor, Inc. to collect garbage and rubbish deposited at the street fronting each dwelling by the occupants of that structure using containers supplied by the residents; and,

WHEREAS, The contract permits residents to use a variety of bags and cans to contain garbage and rubbish awaiting collection that have proven to be insecure resulting in spillage of garbage that endangers public health; and,

WHEREAS, Standardization of the waste containers used by households would better secure garbage and rubbish and enable Werlor, Inc., to employ automated collection vehicles to expedite collection and reduce traffic congestion; and,

WHEREAS, Sufficient non-tax revenues received by the municipal government for administration of the contract are available to enable the purchase of wheeled garbage and rubbish containers for use at each dwelling served pursuant to the contract; and,

WHEREAS, In consideration of the purchase of such containers by the municipality, Werlor, Inc., has agreed to maintain all containers supplied by the municipal government and to purchase collection vehicles designed to automate the collection of those containers without increasing the prices charged municipal residents for services provided pursuant to the contract; and,

WHEREAS, Extension of the original term of the Contract in accordance with the provisions of Section 3, Paragraph C, thereof will be necessary to enable the City to amortize costs to be incurred to purchase waste containers and enable Werlor, Inc. to amortize costs to be incurred to purchase automated collection vehicles;

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

Section 1: The Mayor is authorized to amend Section 4, Paragraph B, of the contract between the City of Defiance and Werlor, Inc., dated July 1, 2012, to require use of garbage and refuse containers supplied by the municipality. The Mayor is further authorized to grant an extension of said contract in accordance with the provisions of Section 3, Paragraph C, of the existing contract.

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: August 1, 2017

Michael Ketcham
President of Council

Attest: Michael Ketcham, EX-OFFICIO

Approved: August 1, 2017

Michael McCann
Mayor

ORDINANCE NO. 7933

AN ORDINANCE AUTHORIZING THE CITY HISTORIAN TO SELL COINS DEACCESSIONED FROM THE ANDREW L. TUTTLE MEMORIAL MUSEUM BY PUBLIC AUCTION AND DECLARING AN EMERGENCY

WHEREAS, the municipal government accepted a collection of coins, stamps and historic artifacts bequeathed by Andrew L. Tuttle and established the Andrew L. Tuttle Memorial Museum in conformity with the terms of the bequest; and,

WHEREAS, Chapter 165 of the Codified Ordinances empowers the museum advisory board to deaccession artifacts from the collection and provides for the segregation, investment and use of moneys received as proceeds from the sale of deaccessioned artifacts; and,

WHEREAS, Ordinance 7663 found Numismatic Auctions, LLC to be uniquely qualified to provide consultive services to the Museum and authorized the City Historian to enter into a continuing agreement with Numismatic Auctions, LLC relating to the consignment and sale of artifacts deaccessioned from the museum collection; and,

WHEREAS, the museum advisory board recently deaccessioned 73 Asian coins;

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

Section 1: The Asian coins deaccessioned from the Andrew L. Tuttle Memorial Museum collection by the advisory board and more particularly described by the inventory compiled by Collections Curator Herman Dally dated July 11, 2017, are declared to be municipal surplus.

Section 2: The City Historian is authorized to sell the surplus described by Section 1 at a public auction to be conducted in conformity with the terms of the consignment agreement authorized by Ordinance 7663.

Section 3: All proceeds of the sale authorized by Section 2 shall be deposited to the public sub-fund of the Endowed Donor Advised Fund established by Ordinance 7603.

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: This Ordinance is declared to be an emergency measure necessary to the welfare of the community for the reason that immediate confirmation of the municipality's consignment of coins is required to assure proper advertisement of the deaccessioned artifacts in advance of the scheduled sale date. 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 1, 2017

Michael Ketcham
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Michael Ketcham, EX-OFFICIO

Approved: August 1, 2017

Michael McCann
Mayor

Ordinance No. 7934

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO PURCHASE PLUMBING COMPONENTS NECESSARY TO CONSTRUCT IMPROVEMENTS TO BRONSON PARK

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 procure plumbing components in advance of construction in order that the components may be properly installed and tested prior to the installation of concrete;

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

Section 1: The City Administrator is authorized to purchase all components itemized by the Vortex USA, Inc., quotation numbered 00016518 and dated July 28, 2017.

Section 2: The Finance Director is authorized to pay the invoiced price of \$219,385.00 and such additional costs, not to exceed \$222,180.00 in total amount, in installments as the same become due 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 shall be effective on the earliest date permitted by law.

Passed: August 1 _____, 2017

Michael Ketcham

President of Council

Attest: Michael Ketcham _____, EX-OFFICIO

Approved: August 1 _____, 2017

Michael McCann

Mayor