

Ordinance No. _____

AN ORDINANCE AUTHORIZING A CONTRACT FOR THE MONITORING AND DATA MANAGEMENT OF FLOW METERS

WHEREAS, the City contracted with Emnet, LLC to install data collection equipment at outflows along the rivers that detect the volume and frequency of combined sewer overflows in Ordinance No. 7903 on April 4, 2017, Ordinance No. 7977 on January 9, 2018, and Ordinance No. 8107 on March 26, 2019; and,

WHEREAS, the City currently has sensors and flow meters at thirteen (13) sites throughout the sewer system; and,

WHEREAS, this equipment requires continued monitoring services and maintenance in order to provide accurate information to the City Water Pollution Control Division; and,

WHEREAS, real time reports from this system will aid the City Administration in negotiations with the Ohio Environmental Protection Agency ("OEPA") on the new Integrated Watershed Improvement Plan; and,

WHEREAS, Council finds that this expenditure promotes the health and wellness pillar of the Defiance Community Strategic Plan and may prevent the City from incurring additional penalties from the OEPA;

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

Section 1: The City Administrator is directed to enter into a contract with Emnet, LLC to provide monitoring and data management services, including system upgrades and four (4) maintenance visits per year, described by the February 21, 2020 quote and on file in the office of the Law Director at the quoted price of \$44,742.00.

Section 2: The Finance Director shall pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 589-540-52-977050 of the 2020 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 or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2020

President of Council

Attest: _____, Clerk

Approved: _____, 2020

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING AN ENGINEERING SERVICES CONTRACT FOR THE DEVELOPMENT OF AN INTEGRATED WATERSHED IMPROVEMENT PLAN

WHEREAS, the City entered into a Second Amended Consent Order making modifications to the previous Long Term Control Plan with the Ohio Attorney General before the Court of Common Pleas of Defiance County, Ohio on February 28, 2020 as authorized by Council in Ordinance No. 8157 on September 10, 2019; and,

WHEREAS, this Order requires the submission of a new Integrated Watershed Improvement Plan ("IWIP") proposal by November 1, 2021 that must demonstrate combined sewer overflow ("CSO") control compliance and an effort at nutrient reduction from the watershed; and,

WHEREAS, Strand Associates, Inc. assisted the City throughout its efforts on negotiating modifications to the Long Term Control Plan with the Ohio Environmental Protection Agency ("OEPA"); and,

WHEREAS, Strand Associates, Inc. has offered to continue its services and develop the IWIP for the total amount of \$394,500.00; and,

WHEREAS, transitioning from a combined sewer overflow model to a watershed-based model recognized by the United States Environmental Protection Agency will save significant taxpayer resources and result in cleaner waterways; and,

WHEREAS, Council finds that an effective IWIP promotes the Perception Pillar of the Defiance Community Strategic Plan by preserving and improving water quality in the Maumee River watershed;

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

Section 1: The City Administrator is directed to enter into an agreement for engineering Services with Strand Associates, Inc. currently on file with the City Engineer in the amount of \$394,500.00.

Section 2: The Finance Director is authorized to pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 589-540-52-977015 of the 2020 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 or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2020

President of Council

Attest: _____, Clerk

Approved: _____, 2020

Mayor

Ordinance No. _____

AN ORDINANCE AUTHORIZING A CONTRACT FOR THE DESIGN AND CONSTRUCTION OF A SALT STORAGE FACILITY

WHEREAS, Council authorized the acquisition of real property on Quality Drive for the construction of a new salt storage facility to replace the facility located at 1601 Baltimore Street in Ordinance No. 8195 on January 21, 2020; and,

WHEREAS, ClearSpan submitted a proposal to supply and construct a 65' by 92' dome tarp structure and loading area for the total amount of \$101,295.00; and,

WHEREAS, ClearSpan is a member of the Sourcewell cooperative purchasing program for government agencies, thereby satisfying the competitive bidding requirement contained in Section 151.03 of the Codified Ordinances of Defiance, Ohio; and,

WHEREAS, Council finds that construction of a new salt storage facility directly across the street from the Street Division garage will improve the ability of the City to maintain safe and reliable streets during the winter in a cost-effective manner;

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

Section 1: The City Administrator is directed to enter into a contract with ClearSpan at the quoted price of \$101,295.00.

Section 2: The Finance Director is authorized to pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 403-901-52-978098 of the 2020 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 or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2020

President of Council

Attest: _____, Clerk

Approved: _____, 2020

Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A CONTRACT FOR THE CONSTRUCTION OF STREET AND OTHER INFRASTRUCTURE IMPROVEMENTS FOR HAIG, BLAINE, THURMAN, LOGAN, AND MYRNA STREETS AND DECLARING AN EMERGENCY

WHEREAS, Council authorized the acquisition of the property known as "East Side Park" in Ordinance No. 8096 on February 5, 2019 as part of a plan to leverage grant funding to make improvements to the park and surrounding neighborhood; and,

WHEREAS, the project includes the installation of sidewalks along Blaine Street, a multi-use path to the East Side Park, and new storm sewers in some areas; and,

WHEREAS, the opinion for probable costs of this project was an estimated \$1,000,000.00; and,

WHEREAS, the City has obtained grant funding in the amount of \$625,000.00 to apply towards these capital improvements; and,

WHEREAS, the City opened competitive bids for the project on February 25, 2020 and Ward Construction Co. submitted the *lowest and best* bid in the amount of \$990,924.05; and,

WHEREAS, Council finds that this project will improve the East Side neighborhood with better roads, flood control, and improved access to the park;

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

Section 1: The City Administrator is directed to enter into a contract with Ward Construction Co. to construct the street and infrastructure improvements according to the specifications of the City and on file with the City Engineer at the quoted price of \$990,924.05.

Section 2: The Finance Director is authorized to pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 403-901-52-980874 the 2020 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 or in Executive 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 R.C. §153.12(A) requires the award of a contract within sixty days after the date on which the bids are opened or the delay invalidates the entire bid proceedings. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: _____, 2020 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2020 _____
Mayor