

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE PURCHASE OF A SUBMERSIBLE PUMP FOR THE KINGSBURY LIFT STATION AND DECLARING AN EMERGENCY

WHEREAS, the two Hydromatic pumps at the Kingsbury pump station process roughly eighty percent (80%) of the total sewer flow en route to the Water Pollution Control Plant; and,

WHEREAS, mechanical concerns earlier this year prompted the City to order a third pump to ensure the integrity of the sewer works; and,

WHEREAS, Baker and Associates Ltd. submitted a quote for a KSB pump in the amount of \$73,335.00; and,

WHEREAS, competitive bidding is not required for this contract pursuant to Section 735.051, Ohio Revised Code due to the real and present emergency of keeping the sewer system operational for a large sector of the customer base;

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

Section 1: The City Administrator is directed to purchase the KSB pump from Baker and Associates Ltd. for the total amount of \$73,335.00.

Section 2: The Finance Director shall pay the purchase price from Section 1 from Line 590-540-5-2-980880 of the 2021 annual budget.

Section 3: Council, by two-thirds vote of all members, hereby authorizes the City Administrator to pay the invoice for the KSB pump without formal bidding and advertising.

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 or in Executive Session duly convened in accordance with law.

Section 5: 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 City had to order and take delivery of this essential equipment due to the time-sensitive nature of maintaining the capacity of the pump station. 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: _____, 2021

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021

Mayor

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 8175 TO APPROVE ADDITIONAL DESIGN SERVICES FOR THE GRANULAR ACTIVATED CARBON FILTER PROJECT AND DECLARING AN EMERGENCY

WHEREAS, Council authorized a final professional design contract for the Granular Activated Carbon ("GAC") filter system at the Water Treatment Plant with Stantec in Ordinance No. 8175 on November 19, 2019; and,

WHEREAS, the City Engineer and professional design firm identified several necessary additions and changes to the project that require additional compensation to the design firm; and,

WHEREAS, the additional design included the addition of a generator at the direction of the Ohio Environmental Protection Agency ("OEPA"); and,

WHEREAS, the total cost of the additional professional design services is \$73,647.00; and,

WHEREAS, Council finds that approval of the proposed change order will ensure the timely completion of the GAC project;

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

Section 1: The City Administrator is directed to execute the change order submitted by Stantec for added professional design services for the GAC carbon filter system water treatment facility improvements project as specified by the City and on file with the City Engineer at a cost not to exceed \$73,647.00.

Section 2: The Finance Director is authorized to pay the amount specified in Section 1 from appropriated funds allocated by expenditure in Line 591-537-5-2-980880 of the 2021 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 time is of the essence to meet the deadline required by the OEPA Findings and Orders. 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: _____, 2021

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021

Mayor

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A CONTRACT FOR TEMPORARY FLOW MONITORING SERVICES AND DECLARING AN EMERGENCY

WHEREAS, the City hired a firm to collect data to detect combined sewer overflows ("CSOs"), particularly during wet weather events; and,

WHEREAS, the data that this firm currently collects does not detect the velocity or direction of the flows, only the depth; and,

WHEREAS, the City hired a consultant who recommended the installation of new temporary meters that can detect depth, velocity, and direction of CSOs for six-to-eight weeks; and,

WHEREAS, competitive bidding is not required for this contract pursuant to Section 735.051, Ohio Revised Code to the real and present emergency of measuring and containing CSOs; and,

WHEREAS, Council finds that the addition of this temporary flow monitoring service will aid the City in developing a workable Integrated Watershed Improvement Plan ("IWIP");

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 ADS Environmental Services for temporary flow monitoring services at ten flow meters around the City at a cost of \$51,350.00, and according to the terms and conditions of the Proposal on file in the Office of the Law Director.

Section 2: The Finance Director shall pay the contract price from Section 1 from appropriated funds allocated by expenditure from Line 589-540-5-2-977010 of the 2021 annual budget.

Section 3: Council, by two-thirds vote of all members, hereby authorizes the City Administrator to enter into the temporary flow monitoring services contract without formal bidding and advertising.

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 or in Executive Session duly convened in accordance with law.

Section 5: 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 City hopes to install these meters and begin measuring overflows more accurately this month. 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: _____, 2021

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021

Mayor