

DATE: NOVEMBER 3, 2014

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 146 – 2014

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract upon approval of the Board of Control with Pentair Flow Technologies, LLC DBA Fairbanks Nijhuis ("hereinafter Pentair") for the Wastewater Treatment Plant Improvement Project, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to enter into a contract upon approval of the Board of Control with Pentair in the amount of Three Hundred Sixty Eight Thousand Dollars (\$368,000.00) for the specialized wastewater pumping equipment, engineering and training for the Wastewater Treatment Plant Improvement Project, which has an overall estimated cost of Twenty Three Million Eight Hundred Seventy Thousand Three Hundred Four Dollars (\$23,873,304.00). 46.47% of the cost of design and construction will be reimbursed by Stark County, including the cost of this contract.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a contract upon approval of the Board of Control with Pentair for specialized wastewater pumping, equipment, engineering and training for the Wastewater Treatment Plant Improvement Project. Complete funding for the Pentair contract is expected to be provided by the Ohio Water Development Authority (OWDA) administered by the Ohio Environment Protection Agency's Division of Environmental Assistance, through a zero interest loan that is expected to be available in January 2015. In the meantime, the City needs to have Pentair under contract so that it can produce shop drawings so that the overall design of the project can be sufficiently complete to initiate construction in the fall of 2015. A later construction start date would likely increase costs due to working in winter conditions and general inflation. The City will not authorize fabrication of Pentair's equipment until complete funding from OWDA is assured, which will protect the City from the full cost of the Pentair contract in that unlikely event. If that occurred, the City would pay for the cost of Pentair's shop drawings with funds on hand in the 2101 Wastewater Treatment Capital Improvement Fund account and terminate the Pentair contract.

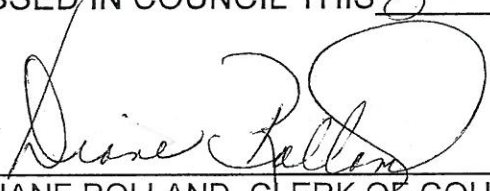
Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation and upgrade of the Wastewater Treatment Plant of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS 3rd DAY OF November, 2014

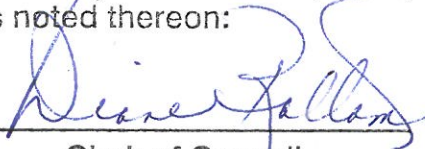
ATTEST: 
DIANE ROLLAND, CLERK OF COUNCIL


TONY TOWNSEND, PRESIDENT

APPROVED: November 5, 2014 
KATHY CATAZARO-PERRY, MAYOR

I hereby certify that the foregoing ordinance
is a true copy of the original, as passed by
the Council of the City of Massillon, Ohio,
and approved as noted thereon:

04-11-2014 12:03


Clerk of Council

Date 11/6/14