

**ORDINANCE NO. 20-043**

**AN ORDINANCE DECLARING AN EVOQUA WATER CHAMP MIXER AS UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; RATIFYING THE EMERGENCY PURCHASE OF A EVOQUA / WALLACE & TIERNAN WATER CHAMP MIXER FOR THE BIG ISLAND WATER WORKS (BIWW) PLANT AND AUTHORIZING AND DIRECTING THE CITY MANAGER AND/OR THE FINANCE DIRECTOR TO EXPEND FUNDS TO BISSNUSS, INC. OF WESTLAKE, OHIO, IN THE AMOUNT OF \$21,956.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Ohio Environmental Protection Agency (OEPA) requires the Big Island Water Works (BIWW) Plant to maintain two (2) mixers at all times, one (1) in operation and one (1) as a back-up, and the mixers are used to mix the chemical Aluminum Sulfate Polymer Blend Liquid into the treatment process which removes unwanted color and turbidity from drinking water and is crucial in the water treatment process; and

**WHEREAS**, the City purchased two (2) Evoqua Water Champ mixers in 2012 and one (1) was operational from 2012 to 2017 until it was necessary to rebuild and during this time the back-up mixer was operational; and

**WHEREAS**, the newly rebuilt mixer was placed back into service, but only lasted fifteen (15) months before failing during operation and based on the cost of parts and repair, and that the typical use life of a mixer is five (5) years, it was determined that the mixer had exceeded its useful life and was no longer of any use to the City and it is recommended that it be appropriately disposed; and

**WHEREAS**, the BIWW Plant is currently using its back-up mixer and it is necessary to replace the back-up as soon as possible and the replacement must be of the same style and manufacturer for compatibility with the existing equipment which is only sold by BissNuss, Inc.; and

**WHEREAS**, the City Manager notified this City Commission at their February 10, 2020, regularly scheduled meeting of the emergency nature of the situation and necessity to procure a back-up mixer and a motion was passed approving the immediate purchase of the mixer; and

**WHEREAS**, pursuant to Section 24 of the City Charter the emergency nature of the purchase obviates the necessity to comply with formal competitive bidding and advertising; and

**WHEREAS**, the total cost to purchase the Evoqua / Wallace & Tiernan Water Champ mixer is \$21,956.00 and will be paid with Water Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow for timely payment once invoice is received and to ensure

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compliance with the requirements of the Ohio Environmental Protection Agency;  
and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:**

Section 1. This City Commission finds and determines that the Evoqua Water Champ Mixer, Model #2366124020, Serial #15g19-14-06036a, is unnecessary and unfit for City use pursuant to Section 25 of the City Charter and the City Manager is authorized and directed to dispose of this personal property no longer needed for City purposes.


Section 2. This City Commission approves and ratifies the emergency purchase of a Evoqua / Wallace & Tiernan Water Champ Mixer for the Big Island Water Works (BIWW) Plant and authorizes and directs the City Manager and/or Finance Director to expend funds to BissNuss, Inc. of Westlake, Ohio, at an amount **not to exceed** Twenty One Thousand Nine Hundred Fifty Six and 00/100 Dollars (\$21,956.00).


Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

  
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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST:   
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KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: February 24, 2020