

## RECORD OF ORDINANCES

Resolution No. 2023-12Passed FEBRUARY 1, 2023

SPONSOR: STREETS COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE A JOHNSTON VT 650 STREET SWEEPER FROM BROWN EQUIPMENT COMPANY ON AN EMERGENCY BASIS FOR USE BY THE STREET DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 14.03 of the Village's Charter provides that all purchases exceeding one-half (1/2) of the statutory threshold of \$50,000.00 shall be undertaken by advertising for and accepting sealed bids, except when five (5) members of this Council determine the purchase should proceed without such sealed bids due to an emergency; and

WHEREAS, the Village's Street Department recently determined that its street sweeper can no longer properly function and is beyond reasonable condition to sweep streets in the Village; and

WHEREAS, the Village has received a quote from Brown Equipment Company for a Johnston VT 650 street sweeper at a cost not to exceed \$90,000.00, less any applicable trade-in value for the Village's current street sweeper; and

WHEREAS, the Ohio Environmental Protection Agency recognizes street sweeping as a stormwater pollution prevention practice, and it is necessary for the Village to have a fully functional street sweeper prior to the commencement of street sweeping season; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to authorize the Mayor to enter into an agreement to purchase the Johnston VT 650 street sweeper from Brown Equipment Company at a cost not to exceed \$90,000.00, less any applicable trade-in value for the Village's current street sweeper, and this Council further finds and determines that purchasing the same on an emergency basis without sealed bids is necessary and appropriate so that the Village may have a fully functional street sweeper prior to the commencement of street sweeping season.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: The Mayor is hereby authorized to enter into an agreement to purchase a Johnston VT 650 street sweeper from Brown Equipment Company at a cost not to exceed \$90,000.00, less any applicable trade-in value for the Village's current street sweeper.

SECTION 2: This Council further finds and determines that purchasing the aforementioned street sweeper on an emergency basis without sealed bids is necessary and appropriate so that the Village may have a fully functional street sweeper prior to the commencement of street sweeping season.

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SECTION 3: The Mayor and all other Village officials are authorized and directed to sign and/or enter into any instruments of conveyance or other documents necessary to carry forth the provisions of this Resolution, including the trade-in of the Village's current street sweeper, necessary to effectuate the purchase of the new street sweeper.

SECTION 4: To the extent not already done so, the funds required for payment of the obligations incurred by the Village incurred herein are hereby appropriated.

SECTION 5: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 6: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately purchasing the street sweeper so that the Village may have a fully functional street sweeper prior to the commencement of street sweeping season, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

 2-1-23

President of Council

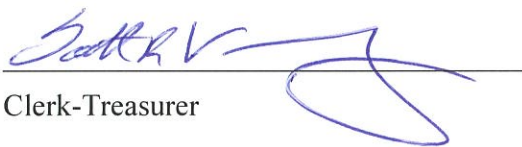
Date

 2-1-23

Mayor

Date

Attest:

  
Clerk-Treasurer