

ORDINANCE 3 - 2020

AN ORDINANCE ACCEPTING AND AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS WITH SOUTHEASTERN EQUIPMENT COMPANY FOR THE PURCHASE OF A NEW CASE SKID STEER AND NEW KOBELCO COMPACT EXCAVATOR WITH ATTACHMENTS AND WITH AMERICAN FINANCIAL NETWORK, INC. FOR THE FINANCING OF SAID PURCHASES; DECLARING VILLAGE PROPERTY OBSOLETE AND NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING ITS TRANSFER AND TRADE ALLOWANCE CREDIT; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary for the proper functioning of the Village's Service Department to acquire a new skid steer and new compact excavator, with necessary attachments;

WHEREAS, the Village participates in the State's Cooperative Purchasing Program as authorized by § 125.04 of the Ohio Revised Code;

WHEREAS, the Village's preferred skid steer, same being a CASE Model SV 280 is available from Southeastern Equipment Company under State contract #800585 at index #STS515 for the unit price of \$46,186.70;

WHEREAS, the Village's preferred compact excavator, same being a KOBELCO Model SK35SR-6E, is available from Southeastern Equipment Company under State contract #800344 at index #STS515 for the unit price of \$42,464.60 with 12" and 24" digging buckets and hydraulic thumb and a total additional cost of \$5,478.75, plus, a 42" ditching bucket at a cost of \$1,125.00;

WHEREAS, the Village owns 2003 Caterpillar 303CR excavator which this equipment will replace and has been offered a trade allowance of \$15,500.00 by Southeastern Equipment Company as part of this transaction;

WHEREAS, the Village has available 4.6 % lease financing for these purchases with American Financial Network, Inc. the terms of which are \$10,000 due at contract execution and installments in an annual lump sum amount of \$15,978.00 for a term of 5 years as detailed in its offer sheet dated February 11, 2020 and on file with the Fiscal Officer.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That the Mayor is hereby authorized to enter into a contract with Southeastern Equipment Company for the purchase of (i) one CASE Model SV 280 skid steer (pursuant to State contract #800585 at index #STS515) for the unit price of \$46,186.70; (ii) one KOBELCO Model SK35SR-6E compact excavator (pursuant to State contract #800344 at index #STS515) for the unit price of \$42,464.60; an attachments package consisting of 12" and 24" digging buckets and hydraulic thumb at the cost of \$5,478.75; and (iv) a 42" ditching bucket at a cost of \$1,125.00, the total cost of said contract to not exceed \$95,255.05 (less trade allowance, as detailed in Section 2).

SECTION 2. That the Village's 2003 Caterpillar 303CR excavator which this equipment purchase will replace is hereby determined to be obsolete and no longer needed for any municipal purposes, wherefore, the Mayor is hereby authorized to transfer title of the Caterpillar excavator to Southeastern Equipment Company as and for a trade allowance in a sum no less than \$15,500.00, which sum shall be credited by Southeastern Equipment Company against the purchase price as set forth in Section 1.

SECTION 3. That the Mayor is hereby authorized to enter into a lease financing agreement with American Financial Network, Inc. and/or its Assigns for the financing of this equipment acquisition under the terms detailed in the preamble hereinabove.

SECTION 4. That the necessary funds for said purchases have been duly appropriated by budget previously adopted for the current fiscal year.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the Village of Madison because timely purchase and acquisition of the equipment is necessary to ensure the proper functioning of the Road Service Department and to do so upon favorable loan terms; wherefore, this Ordinance shall take effect and be in force from and immediately upon passage.

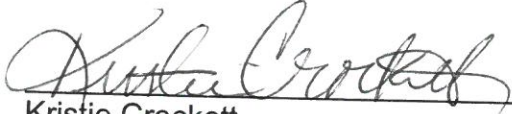
PASSED:



Mark V. Vest,
President of Council

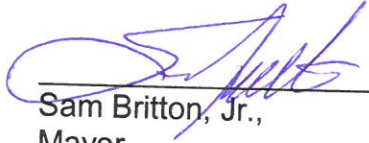
1st Reading: 2-10-2020

Attested:



Kristie Crockett,
Fiscal Officer / Clerk of Council

Approved:



Sam Britton, Jr.,
Mayor

2/10/2020
Date