

## ORDINANCE NO. 21-024

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A USED MOWER FOR THE GROUNDS MAINTENANCE DIVISION AT PUBLIC AUCTION AT AN AMOUNT NOT TO EXCEED \$35,000.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Grounds Maintenance Division has a fleet of mowers and lawn equipment used to maintain various properties, parks and right-of-way areas throughout the City and specifically has two (2) large industrial mowers that are integral to the fleet because of their capacity to maintain large areas of land such as Dorn Community Park, Jaycee Parks, etc.; and

**WHEREAS**, one of the industrial mowers blew an engine at the end of the 2020 season and after searching for a replacement, it was discovered the engine is no longer manufactured and a used engine could not be located; and

**WHEREAS**, it is necessary to replace the broken industrial mower in order to continue maintaining the City's larger properties this upcoming mowing season and furthermore it is desired to purchase a used, newer model from an internet public auction and retain the broken mower for parts to be used on the second mower still in-service; and

**WHEREAS**, pursuant to Section 735.02 of the Ohio Revised Code, used equipment can be purchased at public auction obviating the need for formal competitive bidding and advertising; and

**WHEREAS**, this City Commission authorizes the City Manager and/or Fleet Maintenance Chief Foreman to place a bid for the purchase of a used mower at an amount not to exceed \$35,000.00 for the Grounds Maintenance Division; and

**WHEREAS**, the purchase price for the mower, if awarded, will be paid with funds from the Issue 8 funds from the Capital Fund; 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 to allow the Fleet Maintenance Chief Foreman reasonable time to locate and purchase a mower by internet auction and place in service at the earliest opportunity so there is no interruption in services; 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 Division of Grounds Maintenance, 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,

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

Section 1. This City Commission authorizes and directs the City Manager, or his designee, to purchase used equipment at public auction and enter into a contract for the purchase of a used mower for the Grounds Maintenance Division, should the City become the winning bidder, and authorizes and directs the Finance Manager to expend funds for the purchase of the used mower at an amount **not to exceed** Thirty Five Thousand and/00100 dollars (\$35,000.00).

Section 2. 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 3. 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.

Section 4. 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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MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: February 22, 2021