

## ORDINANCE NO. 23-063

**AN ORDINANCE AMENDING ORDINANCE NO. 22-078, PASSED ON APRIL 25, 2022; DECLARING A 1979 FORD 3600 TRACTOR AS UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE A NEW KUBOTA L SERIES DIESEL TRACTOR FROM STRECKER TRACTOR SALES, INC. OF FREMONT, OHIO, THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM FOR THE HORTICULTURE DIVISION; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Fleet Maintenance Chief Foreman has determined that the 1979 3600 Tractor, with over 11,577 hours, is no longer fit for its intended use within the division due to its age and reliability and is recommending this tractor be declared obsolete, unnecessary and unfit for City use and be auctioned on the internet with the proceeds from the sale to be deposited in the Issue 8 Capital Fund (Vehicles, Facilities & Equipment Fund); and

**WHEREAS**, the 1979 Tractor is used by the Horticulture Division for the general maintenance and mowing of City parks, preparation of baseball fields during the season, mulching and leveling, earthwork and reseeding as well as sidewalk snow removal in all City parks and it is recommended to replace the 1979 Tractor with a new Kubota L Series Diesel Tractor; and

**WHEREAS**, Sourcewell's (formerly National Joint Powers Alliance [NJPA]) cooperative contract purchasing leverages the national purchasing power of more than 50,000 member agencies while also streamlining the required purchasing process and as a municipal national contracting agency, Sourcewell establishes and provides nationally leveraged and competitively solicited purchasing contracts under the guidance of the Uniform Municipal Contracting Law; and

**WHEREAS**, the City, as a member of the Sourcewell Cooperative Purchasing Program (Member ID 68351), desires to purchase a Kubota L Series, L6060HSTC, Diesel Tractor that has been competitively bid and made available through the membership from Streaker Tractor Sales, Inc. of Fremont, Ohio; and

**WHEREAS**, the City was recently notified that prior to production of the tractor, the contract price expired and the new price has increased by \$5,584.32; and

**WHEREAS**, the **revised** total cost for the new Kubota L Series, L6060HSTC, Diesel Tractor is \$78,695.34 and will be paid with American Rescue Plan Act Stimulus 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 provide approval documentation to the vendor as soon as possible to ensure production and delivery in 2023; and

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**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 Horticulture, 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 hereby amends Ordinance No. 22-078, passed on April 25, 2022.

Section 2. This City Commission finds and determines that the 1979 Ford 3600 Tractor, Model No. 0603590, 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 through public auction, sale process or internet auction with the proceeds from sale to be deposited into the Issue 8 Capital Fund (Vehicles, Facilities & Equipment).

Section 3. The City Manager is authorized and directed to expend funds for the purchase of a new Kubota L Series, L6060HSTC, Diesel Tractor, through the Sourcewell Cooperative Purchasing Program (Contract 040319-KBA) from Streacker Tractor Sales, Inc. of Fremont, Ohio, for the Horticulture Division at an amount **not to exceed Seventy-Eight Thousand Six Hundred Ninety-Five and 34/100 Dollars (\$78,695.34)**.

Section 4. 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 5. 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

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those formal actions were in meetings open to the public in compliance with the law.

Section 6. 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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CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: March 13, 2023