

Sponsor: Lemaster

ORDINANCE NO. 2022-14

**AN ORDINANCE BY THE COUNCIL OF THE CITY OF WELLSTON, OHIO TO PURCHASE ONE (1) NEW WAY SIDEWINDER XTR AUTOMATED SIDE LOADER GARBAGE TRUCK FROM CERNI MOTORS OF YOUNGSTOWN, OHIO, THROUGH THE OHIO STATE COOPERATIVE PURCHASING PROGRAM FOR AN AMOUNT NOT TO EXCEED THREE HUNDRED SIXTY EIGHT THOUSAND THREE HUNDRED SIXTY NINE DOLLARS AND NINETY SIX CENTS (\$368,369.96), AUTHORIZING THE MAYOR AND/ OR SAFETY/SERVICE DIRECTOR TO FINALIZE AND EXECUTE A PURCHASE AGREEMENT AND TO SEEK FINANCING, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Wellston, Ohio has determined and identified the immediate need for a new Garbage truck, has located the same through the Ohio State Cooperative Purchasing Program, and has received a proposal for such from Cerni Motors of Youngstown, Ohio for the price of \$368,369.96 (a copy of the proposal is attached hereto);

**WHEREAS**, the City of Wellston, Ohio wishes to finance the purchase of the Garbage Truck so that it may pay installments over an extended period of time using General Fund monies not otherwise appropriated and encumbered;

**WHEREAS**, there exists a true emergency in the Public Service department as it relates to providing for an essential service.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WELLSTON, OHIO, AS FOLLOWS:**

**SECTION 1.** The Mayor and/or Safety/ Service Director of the City of Wellston, Ohio are hereby authorized to enter into a purchase agreement with Cerni Motors of Youngstown, Ohio to purchase One (1) New Way Sidewinder XTR Automated Side Loader through the Ohio State Cooperative Purchasing Program for an amount not to exceed \$368,369.96.

**SECTION 2.** The Mayor and/or Safety/ Service Director of the City of Wellston, Ohio are hereby authorized to seek financing proposals through competitive bidding or other legal means in an amount sufficient to fund the purchase of the New Way Sidewinder XTR Automated Side Loader with installments to be paid from General Fund monies not otherwise appropriated and encumbered.

**SECTION 3.** This Ordinance is hereby declared an emergency measure pursuant to Ohio Revised Code Section 731.30 and its immediate passage is necessary in order to preserve, protect and maintain the health, safety and welfare of the citizens of the City or Wellston, Ohio and as such shall take effect and be in full force immediately upon its passage and approval.

**SECTION 4.** It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and the deliberations of this council and any of its committees that resulted in such formal

action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the legislative authority of the City of Wellston this 17<sup>th</sup> day of February 2022.

  
\_\_\_\_\_  
President of Council

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

Approved this day of February 17<sup>th</sup>, 2022.

  
\_\_\_\_\_  
Mayor

Published in accordance with the law on \_\_\_\_\_ and \_\_\_\_\_ and posted 2/23/2022 through 3/23/2022 at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Wellston Post Office.

  
\_\_\_\_\_  
Clerk of Council