

1 RESOLUTION NO. 2019-294

2
3 SPONSOR Ms. Shapiro

4
5 DATE August 19, 2019

COMMITTEE Public Works

6
7 **A Resolution, pursuant to Section 177.18 of the Codified Ordinances of the County of**
8 **Summit, authorizing the disposal by the County Executive of a 2014 freightliner tandem**
9 **axle chassis with a vac-con combination sewer cleaner, without conducting a public auction**
10 **or sealed bids, through a trade-in, in the amount of \$140,000.00, against the purchase of a**
11 **Western Star Gap Vax Combination Sewer Cleaner/Jet Truck from MTech Company, and**
12 **authorizing the Executive to execute an Executive Order and any other necessary**
13 **documents concerning the same, for the Executive's Department of Sanitary Sewer**
14 **Services, and declaring an emergency.**

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16 WHEREAS, this Council, at its meeting held June 24, 2019, confirmed an award by the
17 Board of Control of a lease-purchase agreement with MTech Company, at State Term Pricing,
18 for a five-year term, for a Western Star Gap Vax Combination Sewer Cleaner/Jet Truck, which
19 would be financed by Republic First National Bank and serviced by KS, for a total amount not to
20 exceed \$305,879.90 during the five-year term of the lease, and authorized the County Executive
21 to execute such lease-purchase agreement and any necessary related documents; and

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23 WHEREAS, MTech Company has guaranteed a trade-in value of \$140,000.00 for a 2014
24 freightliner tandem axle chassis with vac-con combination sewer cleaner ("Freightliner") owned
25 by the County; and

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27 WHEREAS, said Freightliner would garner significantly less than \$140,000.00 if sold on
28 the open market; and

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30 WHEREAS, the County Executive has determined that said Freightliner is surplus
31 personal property not needed for public use and should be disposed of through the
32 aforementioned trade-in process; and

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34 WHEREAS, Section 177.18(b)(2) of the Codified Ordinances of the County of Summit
35 provides that where an individual item or lot of surplus property has an estimated fair market
36 value, as determined by the Executive, exceeding \$25,000.00, the Executive, with the approval
37 of Council, may sell or transfer such property; and

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39 WHEREAS, Section 177.18(e) of the Codified Ordinances provides that the Executive
40 may, with the approval of County Council, dispose of personal property which is not needed for
41 public use, without conducting a public auction or sealed bids provided the Council finds good
42 cause as to why a public auction or sealed bid is not warranted to dispose of surplus equipment;
43 and

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45 WHEREAS, this Council hereby finds, pursuant to Section 177.18(e), that good cause
46 exists that a public auction or sealed bid is not warranted for the disposal of said Freightliner for
47 the aforementioned reasons; and

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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that it is necessary and in the best interest of the County to authorize the disposal by the
6 Executive of said Freightliner through a trade-in, in the amount of \$140,000.00, against the
7 purchase of the Western Star Gap Vax Combination Sewer Cleaner/Jet Truck from MTech
8 Company, and to authorize the Executive to execute an Executive Order concerning the same;

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10 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
11 of Ohio, that:

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13 SECTION 1

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15 This Council hereby finds, pursuant to Section 177.18(e) of the Codified Ordinances of
16 the County of Summit, that good cause exists that a public auction or sealed bid is not warranted
17 for the disposal by the County Executive of the 2014 freightliner tandem axle chassis with vac-
18 con combination sewer cleaner ("Freightliner"), because MTech Company has agreed to
19 discount \$140,000.00 off the purchase price of the Western Star Gap Vax Combination Sewer
20 Cleaner/Jet Truck for the trade-in of said Freightliner and said Freightliner would garner
21 significantly less than \$140,000.00 if sold on the open market. The Executive is hereby
22 authorized, pursuant to Sections 177.18(b)(2) and (e) of the Codified Ordinances, to dispose of
23 said Freightliner, without conducting a public auction or sealed bids, through a trade-in, in an
24 amount of \$140,000.00, against the purchase of the Western Star Gap Vax Combination Sewer
25 Cleaner/Jet Truck from MTech Company and to execute an Executive Order and any other
26 necessary documents concerning the same. An executed copy of the County of Summit
27 Declaration of Surplus Inventory Form authorizing the disposal of the Freightliner is attached to
28 this Resolution as Exhibit A.

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30 SECTION 2

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32 This Resolution is declared an emergency in the interest of the health, safety and welfare
33 of the residents of the County of Summit, and for the further purpose of immediately authorizing
34 the Executive to dispose of the Freightliner by trade-in, so that the trade-in value can be applied
35 to the purchase of the Western Star Gap Vax Combination Sewer Cleaner/Jet Truck.

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37 SECTION 3

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39 Provided this Resolution receives the affirmative vote of eight members, it shall take
40 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
41 effect and be in force at the earliest time provided by law.

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43 SECTION 4

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45 It is found and determined that all formal actions of the Council concerning and relating
46 to the adoption of the Resolution were adopted in an open meeting of this Council, and that all
47 deliberations of this Council and of any of its committees that resulted in such formal action,
48 were in meetings open to the public, in compliance with all legal requirements, including Section
49 121.22 of the Ohio Revised Code.

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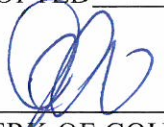
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INTRODUCED August 5, 2019

ADOPTED August 19, 2019

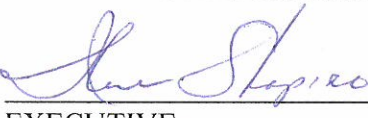


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED August 21, 2019



EXECUTIVE

ENACTED EFFECTIVE August 21, 2019

Voice Vote 11-0 - YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite