

ORDINANCE NO. 2016-26
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CITY OF CLEVELAND HEIGHTS, OHIO FOR THE SALE OF A 1999 MACK REFUSE PACKER TO THAT CITY AND DECLARING AN EMERGENCY

WHEREAS, the City of Lyndhurst owns a 1999 Mack Refuse Packer, VIN# 1M2K195C4XM012969; and

WHEREAS, the City is no longer in need of the aforesaid equipment and has no further public use or purpose for said equipment; and

WHEREAS, the City has been offered the sum of Seventeen Thousand Dollars (\$17,000.00) by the City of Cleveland Heights to purchase the aforesaid equipment which has an estimated value of about that amount; and

WHEREAS, a contract between political subdivisions regarding the sale of equipment to the City of Cleveland Heights is exempt from the competitive bidding requirements by virtue of Section 735.053 of the Ohio Revised Code, and it would be in the best interest of the City to sell said equipment to the City of Cleveland Heights since the City would be receiving fair market value for said equipment without incurring the costs associated with advertising and bidding; and

WHEREAS, this Council desires to sell said equipment to the City of Cleveland Heights, Ohio and to authorize the Mayor to consummate said sale. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST, COUNTY OF CUYAHOGA, STATE OF OHIO, THAT:

SECTION 1. For the reasons stated in the aforesaid recitals, the Mayor is hereby authorized and directed to sell the 1999 Mack Refuse Packer, VIN# 1M2K195C4XM012969, to the City of Cleveland Heights, Ohio for the sum of Seventeen Thousand Dollars (\$17,000.00), and to execute any and all documents necessary to effectuate said sale.

SECTION 2. It is a condition of this sale that the City of Cleveland Heights acknowledge in writing that this sale is “as is”, with no guaranties or warranties, and that the equipment has been inspected and accepted by the City of Cleveland Heights in its current condition.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Lyndhurst for the reason that it is necessary to consummate the aforesaid sale immediately and without delay so as to meet the needs of both parties and, further, to obtain the funds for the City at the very earliest opportunity. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council and signature by the Mayor or otherwise at the earliest time allowed by law.

PASSED: April 18, 2016

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on April 28, 2016 and May 5, 2016.

Clerk of Council

First Reading: April 18, 2016

Second Reading: Suspended

Third Reading: Suspended

Passed 4-18-2016