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CITY OF CUYAHOGA FALLS

ORDINANCE NO. 28 - 2013

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITHOUT COMPETITIVE BIDDING WITH DRIVE TEAM, INC. FOR THE SALE OF A FIRE TRUCK NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE, AND DECLARING AN EMERGENCY.

WHEREAS, the City owns a 1996 Freightliner DL80 Fire Engine (VIN #1FV6JLCB8TH786498) that is no longer needed for any municipal purpose, but has trade-in value in excess of \$1,000; and

WHEREAS, Section 2 of the City Charter, adopted pursuant to Art. XVIII, Section 3 of the Ohio Constitution, authorizes this Council to make exception to competitive bidding and property disposition procedures set forth in the Revised Code,

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of Ohio, that:

Section 1. Notwithstanding and as an exception to Section 721.15 of the Ohio Revised Code, the Director of Public Safety is hereby authorized to enter into a contract without competitive bidding with Drive Team, Inc. ("Buyer"), for the sale of a 1996 Freightliner DL80 Fire Engine (VIN #1FV6JLCB8TH786498), which is hereby declared no longer needed for any municipal purpose, consideration for which will be provided in the form of driver training for City employees, which this Council hereby finds to be of a total value equal to or in excess of the market value of the truck, in accordance with the Buyer's proposal dated April 1, 2013.

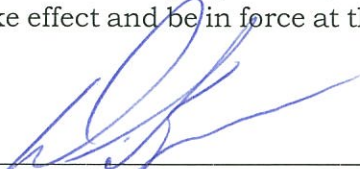
Section 2. Any other ordinances and resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions or portions of ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

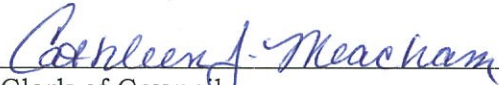
50 Section 4. This ordinance is hereby declared to be an emergency measure
51 necessary for the preservation of the public peace, health, safety, convenience and
52 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
53 receives the affirmative vote of two-thirds of the members elected or appointed to
54 Council, it shall take effect and be in force immediately upon its passage and
55 approval by the Mayor; otherwise it shall take effect and be in force at the earliest
56 period allowed by law.

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Passed: 4-22-13

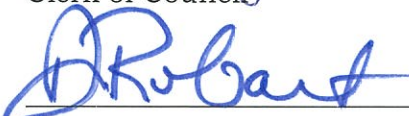


President of Council



Clerk of Council

Approved: 4/23/13



Mayor

4/8/13
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