

# RECORD OF ORDINANCES

Ordinance No. 7-11-2016-7

Passed July 13 2016

**AN ORDINANCE AUTHORIZING LOAN PAYMENTS FOR A USED DUMP TRUCK AND A NEW LOADER/BACKHOE PREVIOUSLY PURCHASED BY THE VILLAGE, FROM THREE SPECIFIC FUNDS, AND THE DECLARATION OF AN EMERGENCY**

WHEREAS, the Village previously authorized the purchase of a used dump truck (Ordinance 2014-36) and a new loader/backhoe (Ordinance 2014-37); and,

WHEREAS, the Village obtained loan monies from People's Bank in order to finance the purchase of this equipment, and further authorized the Fiscal Officer to make payments on the principal and interest from three separate funds (Street, Water and Sewer Debt); and,

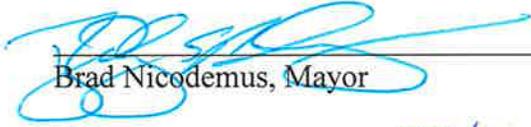
WHEREAS, the legislation authorizing the purchase of the used dump truck indicated that payment for the same would be made from four separate funds (Street, Water, Wastewater and General); and,

WHEREAS, the Village desires to clarify that the payment of principal and interest on the loans for this equipment, has been and shall continue to be from three separate funds (Street Fund, Water Fund and Sewer Debt Fund), retroactive to the date of purchase of the equipment;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: That the Fiscal Officer is authorized and instructed to make payments of principal and interest on the loan from People's Bank for the above equipment from the following three funds, in equal amounts: Street Fund (formerly known as Service Fund), Water Fund, and Sewer Debt Fund. The authorization and instruction is effective to the date of purchase of the equipment.

SECTION 2: For the reasons noted in the preamble, this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Baltimore, Ohio. This ordinance shall become effective upon its passage by Council.

  
Brad Nicodemus, Mayor

DATE OF PASSAGE: 07/13/2016

EFFECTIVE DATE: 07/13/2016

ATTEST:   
Kathryn E. Jenkins, Fiscal Officer

SPONSOR: **KELLER**

APPROVED AS TO FORM:   
Jeffrey Feyko, Village Solicitor

# RECORD OF ORDINANCES

Ordinance No. 2014- 37

Passed OCTOBER 27 20 14

## AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO PURCHASE A LOADER/BACKHOE FOR THE STREET DEPARTMENT AND THE DECLARATION OF AN EMERGENCY

WHEREAS, the Village of Baltimore has developed specifications for the purchase of a new Case 580SN Loader/Backhoe for the Street Department; and,

WHEREAS, the State of Ohio has likewise developed specifications consistent with those of the Village; and,

WHEREAS, the State of Ohio has, via competitive bidding, determined that the lowest responsive and responsible bid for the furnishing of a new Case 580SN Loader/Backhoe was submitted by Southeastern Equipment Co. Inc., and awarded a contract to Southeastern Equipment Co. Inc. to supply said vehicle; and,

WHEREAS, the Village of Baltimore, having been given the opportunity to "piggy-back" with the State of Ohio, has also determined that competitive bidding would not result in net costs as low as the bid received by the State of Ohio from Southeastern Equipment Co. Inc.; and,

WHEREAS, the Village of Baltimore can, via its piggy-back arrangement, purchase a new Case 580SN Loader/Backhoe from Southeastern Equipment Co. Inc. for the same price as paid by the State of Ohio; and,

WHEREAS, due to the imminent failure of operation of the Village's current loader/backhoe, the Village has determined by at least a two-third's vote of all its Council members that a real and present emergency exists and has directed the Village Administrator and Fiscal Officer to enter into a contract for a new Case 580SN Loader/Backhoe from Southeastern Equipment Co. Inc. for the Street Department without formal bidding and advertising;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S (3/4'S) OF ITS MEMBERS CONCURRING:

SECTION 1: The Village Administrator and Fiscal Officer are hereby authorized and directed to purchase a new Case 580SN Loader/Backhoe and various attachments for the Baltimore Street Department from Southeastern Equipment Co. Inc. in an amount not to exceed \$60,000.00, without competitive bidding or advertising as authorized per Section 735.05 of the Ohio Revised Code. A copy of the quote from Southeastern Equipment Co. Inc. is attached hereto and incorporated herein.

SECTION 2: For the reasons noted in the preamble, this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Baltimore, Ohio. This ordinance shall become effective upon its passage by Council.



Robert M. Kalish, Mayor

DATE OF PASSAGE: 10-27-2014

EFFECTIVE DATE: 10-27-2014

# RECORD OF ORDINANCES

Ordinance No. 2014- 37

Passed October 27 2014

ATTEST: Florence D. Welker  
Florence D. Welker, Fiscal Officer

SPONSOR: Keller

APPROVED AS TO FORM: Jeffrey Feyko  
Jeffrey Feyko, Village Solicitor

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## CERTIFICATE OF AVAILABILITY OF FUNDS

I certify that the money required to meet this contract has hereby been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of this fund, free from any previous obligation or certification as required by Ohio Revised Code §5705.01 to §5705.47.

10-27-14

Date

Florence D. Welker  
Florence D. Welker, Fiscal Officer