

VILLAGE OF McDONALD, OHIO

RESOLUTION NO. 1925-25

RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO TAKE ALL ACTION NECESSARY TO ENTER INTO A MASTER LEASE AGREEMENT WITH THE HUNTINGTON PUBLIC CAPITAL CORPORATION FOR THE LEASE AND ACQUISITION OF A PELICAN THREE-WHEEL MECHANICAL STREET SWEEPER WITH ATTACHMENTS UP TO A MAXIMUM PRINCIPAL AMOUNT TO BE FINANCED OF TWO HUNDRED NINETY-ONE THOUSAND NINE HUNDRED EIGHTY AND 50/100 DOLLARS (\$291,980.50), WHICH EQUIPMENT WILL BE ACQUIRED THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM, and declaring an emergency.

WHEREAS, the Village of McDonald, Ohio (the "Village") is a political subdivision of the State of Ohio and is duly organized and existing pursuant to the constitution and laws of the State;

WHEREAS, pursuant to applicable law, Council for the Village ("Council") is authorized to purchase, lease, acquire, and to encumber, real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Village;

WHEREAS, the Village is a member of Sourcewell, which is a cooperative purchasing program for the purchase of machinery, material, supplies or other articles, pursuant to Ohio Revised Code Section 9.48, which statute exempts from competitive bidding requirements acquisitions and purchases through Sourcewell;

WHEREAS, the Village has located through Sourcewell a Pelican Three Wheel Mechanical Street Sweeper with all attachments thereto and including training (the "Property") for the price of Two Hundred Ninety-One Thousand Nine Hundred Eighty and 50/100 Dollars (\$291,980.50);

WHEREAS, upon the recommendation of the Finance Committee, Council intends to finance the acquisition of the Property through a finance lease with the Huntington Public Capital Corporation; and

WHEREAS, Council hereby determines that the execution of a Master Lease Agreement including any and all exhibits thereto (the "Property Lease") with the Huntington Public Capital Corporation or an affiliate or related entity in the principal amount not exceeding Two Hundred Ninety-One Thousand Nine Hundred Eighty and 50/100 Dollars (\$291,980.50) for the purpose of acquiring the Property through the Property Lease is appropriate and necessary to the functions and operations of the Village

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF McDONALD, TRUMBULL COUNTY, STATE OF OHIO, WITH AT LEAST TWO-THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING, that:

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Section I. The Mayor and Fiscal Officer (each an “Authorized Representative”) acting on behalf of the Village are hereby authorized to negotiate, enter into, execute, and deliver the Property Lease in substantially the form set forth in the document presently before Council, which document is attached hereto. Each Authorized Representative acting on behalf of the Village is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Property Lease as the Authorized Representatives deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Property Leases are hereby authorized.

Section II. The aggregate original principal amount of the Property Lease shall not exceed Two Hundred Ninety-One Thousand Eighty and 50/100 Dollars (\$291,980.50) and shall bear interest as set forth in the Property Lease, and the Property Lease shall contain such options to purchase or prepay by the Lessee as set forth therein.

Section III. The Village’s obligations under the Property Lease shall be subject to annual appropriation or renewal by Council as set forth in the Property Lease and the Village’s obligations under the Property Lease shall not constitute general obligations of the Village or indebtedness under the Constitution or laws of the State. In addition, the funds necessary to meet the principal and/or interest payments under the Property Lease for the current fiscal year have been hereby appropriated.

Section IV. That all Resolutions or parts thereof in conflict with the provisions of this Resolution are hereby repealed.

Section V. That the passage of this Resolution and all deliberations relating to the passage of this Resolution were held in open meetings in accordance with the provisions of Section 121.22 of the Ohio Revised Code.

Section VI. To preserve the public peace, health, welfare and safety by acquiring for use the Property, as soon as possible for the 2025 season, this Resolution is hereby declared to be an emergency measure and shall take effect and be in full legal force and effect from and after the earliest period allowed by law.

Passed in Council this 20th day of March, 2025.

Mayor Ray Lewis

Attest to:

Fiscal Officer Stephanie Smith