

RECORD OF ORDINANCES

Ordinance No. 10-76-2024

Passed 10-15, 2024

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN EQUIPMENT LEASE/PURCHASE AGREEMENT WITH US BANK FOR THE FINANCING FOR THE ACQUISITION OF A 2024 SPARTAN SMEAL 105' HD AERIAL FIRE LADDER TRUCK TO BE USED BY THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT, AUTHORIZING OTHER DOCUMENTS TO BE SIGNED IN CONNECTION WITH SUCH TRANSACTION AND DECLARING AN EMERGENCY

WHEREAS, the Department of Public Safety, hereinafter referred to as the "City", is desirous of purchasing a 2024 Spartan Smeal 105' HD Aerial to be used by the Fire and Emergency Medical Services Department as the current fire ladder truck was purchased in 1997 and has outlived its useful life; and

WHEREAS, the leasing of this vehicle will be in the best interests of the City; and

WHEREAS, US Bank has agreed to enter into an Equipment Lease/Purchase Agreement as a means to facilitate the financing for the acquisition of this fire ladder truck for use by the city; and

WHEREAS, in connection with the execution and delivery of this agreement, it may also be necessary to sign other documents between the City and US Bank.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, COUNTY OF PICKAWAY, STATE OF OHIO AS FOLLOWS:

SECTION I. That for the purpose of providing a fire ladder truck for the Department of Public Safety to be used in connection with fire, personal injury and other emergency response to otherwise better provide for the rendering of public safety services to the citizens of the City of Circleville, this council hereby determines that it shall lease, under the agreement, the equipment from US Bank.

SECTION II. That, for the purpose of providing the equipment and financing the cost therefore, council hereby further authorizes and directs the Public Safety Director of the City of Circleville to execute on behalf of the city, an Equipment Lease/Purchase Agreement that has been reviewed by the City Law Director, in the total principal amount not to exceed \$498,132.00 and any exhibits required thereto, pursuant to the agreement, substantially in the form presented to the council and on file with the clerk of council and the agreements, covenants, and promises therein made on behalf of the city shall be conclusively binding on the city and in full force and effect from and after the execution of such agreement. The payments for this purchase shall be made from Fund 306 for the next 7 (seven) years.

SECTION III. That the Equipment Lease/Purchase Agreement authorized by this ordinance shall be subject to such changes, insertions, and omissions as are not adverse to the city, and approval of any changes, insertions, and omissions shall be conclusively evidenced by the execution of said documents by the Public Safety Director after legal review by the City Law Director of the City of Circleville.

SECTION IV. That this council hereby covenants that it will take such actions in such manner and to such extent, if any, as may be necessary to cause the interest component of lease payments under the agreement to be and remain excludable from gross income for federal income tax purposes. This council will also submit the appropriate statements or filing to the Internal Revenue Code, including IRS Form 8038 (G).

SECTION V. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and welfare of the citizens of the City of Circleville, such emergency arising out to the immediate need for the prompt delivery of this fire ladder truck for the Fire and Emergency Medical Services Department, execution of the Lease Agreement on terms most advantageous to the City and obtaining financing at the lowest possible cost for this equipment which will enable the City to provide public safety services

RECORD OF ORDINANCES

Ordinance No. 10-76-2024 Passed 10-15, 2024

for the benefit of the residents of the City, so that this ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

PASSED: 10-15-2024
DATE

Barry D. Kuhn
PRESIDENT OF COUNCIL

ATTEST: Melissa J. H.
CLERK OF COUNCIL

APPROVED: 10-15-2024
DATE

Michael S. Benton
MAYOR

APPROVED AS FORM:

KC
KENDRA C. KINNEY - LAW DIRECTOR