

P/C 9/16/16 SERVICE  
CA 9/13/16  
1st R 10/14/16  
2nd R 10/18/16  
3rd R \_\_\_\_\_  
B/C \_\_\_\_\_  
Caucus 9/27/16

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10043-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE  
AUTHORIZING THE CITY OF BROOK PARK'S PARTICIPATION  
IN THE ODOT COOPERATIVE PURCHASING PROGRAM  
FOR THE PURCHASE OF ONE 2017 WESTERN STAR 4700SB TRUCK  
AND DECLARING AN EMERGENCY

WHEREAS, Section 5513.01(B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Ohio Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of one 2017 Western Star 4700SB Truck for use in the Service Department; and

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: That the Mayor of the City of Brook Park hereby requests authority to participate in the Ohio Department of Transportation contracts for the purchase one 2017 Western Star 4700SB Truck from Kinstle Sterling.

SECTION 2: That the Mayor of the City of Brook Park is hereby authorized to be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION 3: That the Mayor of the City of Brook Park is authorized to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Brook Park participates, for items it receives pursuant to the contract for the purchase of one new 2017 Western Star 4700SB 330HP in the amount of 81,384.00 and to be paid from the Capital Improvement Fund 401.

SECTION 4: That the City of Brook Park agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The City of Brook Park releases and forever discharges the Director of Transportation and

the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the City of Brook Park may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

**SECTION 5:** 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.

**SECTION 6:** This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to participate in ODOT Cooperative Purchase Program for the purchase of one 2017 Western Star 4700SB Truck; provided this ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: October 18, 2016

Jim Astor  
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
Clerk of Council

APPROVED: [Signature]  
MAYOR  
10/18/2016  
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]  
DIRECTOR OF LAW

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Powers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McCormick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**CERTIFICATE**

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 10043-2016 passed on the 18th day of October 2016 by said council.  
Michelle Blazak  
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4830-1975; location City Hall 8761 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 5165 Engle Road, for a period of fifteen days.

commencing October 21, 2016  
Michelle Blazak  
MICHELLE BLAZAK  
Clerk of Council