

RESOLUTION NO. R-2014-25

A RESOLUTION AUTHORIZING THE LEASE AND SUBSEQUENT PURCHASE OF THREE 2014 FORD UTILITY POLICE INTERCEPTOR ALL WHEEL DRIVE VEHICLES AND DECLARING AN EMERGENCY

WHEREAS, Eric S. Breiding, Chief of the Village of Windham Police Department has informed both the Safety Committee of the Village Council and the full Council that the four existing police units owned by the Village of Windham and used by the Village of Windham Police Department are in poor condition; and

WHEREAS, the Police Chief has detailed the current mileage and condition of the police units all of which are set out in the attached Exhibit "A", which four units comprise the entire fleet of the Village of Windham Police force, and has advised that none of the police cruisers are reliable and that three of the four cruisers have intermittent and at this time undiagnosed electrical issues; and

WHEREAS, the safety of the officers employed by the Windham Police Department is adversely affected when operating unreliable police cruisers; and

WHEREAS, Council has determined that it is appropriate to address the issue of the unreliable police cruisers by virtue of acquiring replacement vehicles.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Windham, Portage County, State of Ohio, two thirds (2/3) or more of the members thereto concurring that:

SECTION 1: The condition of all of the police cruisers in service in the Windham Police Department is such that the vehicles are unreliable and this unreliability creates a real and present emergency arising in connection with the operation of the Police Department (Department of Public Safety) and that in response to this real and present emergency the vehicles should be replaced as soon as possible.

SECTION 2: Council finds that in compliance with Ohio Revised Code 735.051 the existence of a real and present emergency arising in connection with the operation of the police cruisers owned by the Village of Windham is such that immediate action must be taken to replace the cruisers; and that action may be taken for the lease and ultimate purchase of replacement cruisers without formal advertising and competitive bidding.

SECTION 3: Council approves the purchase of three 2014 Ford Utility Police Interceptor All Wheel Drive Vehicles, all as modified by Ibis Tec of Butler, Pennsylvania so that each police interceptor vehicles is delivered fully functional and ready to be

placed into service, all in substantial conformity with Exhibit "B" attached hereto and incorporated herein by reference.

SECTION 4: The Council further finds that appropriate financing is available for the initial lease the subsequent purchase of the three 23014 Police Interceptor vehicles identified in attached Exhibit "B", and authorizes the Mayor and the Fiscal Officer to execute on behalf of the Village financing for a term of four years on terms in substantial compliance those set forth in attached Exhibit "C".

SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 6: The Village Council finds that this Resolution is declared to be an emergency measure, effective immediately upon its passage in order to promote the health, safety and general welfare of the Village and for the further reasons that it is essential that the Village of Windham Police Officers be provided with safe and reliable cruisers now.

First Reading August 26, 2014

Second Reading September 23, 2014

PASSED IN COUNCIL 23rd day of September, 2014.

Vote of Council: Ayes: Mr. Garrett, Ms. Blewitt, Mrs. Prem, Mrs. Rininger, Mr. Slusher

Nays: Mrs. Barrett

ATTEST:

APPROVED:

Lloyd Billman, Fiscal Officer

Robert W. Donham, II, Mayor

APPROVED AS TO FORM:

Thomas Reitz, Solicitor