

RESOLUTION NO. R-16-25

**A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO
ENTER INTO A LEASE AGREEMENT WITH THE
HUNTINGTON PUBLIC CAPITAL CORPORATION
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon, (the “Lessee”) is a political subdivision duly organized and existing pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, pursuant to Resolution R-26-21, the city is authorized to make purchases through the Sourcewell Cooperative Purchasing Program under ORC Section 9.48(B)(2);

WHEREAS, Lessee (city) is duly authorized by applicable law to lease personal property, as needed, to carry out its governmental functions; and

WHEREAS, City Council hereby finds and determines that the execution of a lease-purchase agreement and all exhibits thereto in the principal amount not to exceed **One Hundred, Fifty-nine Thousand, Nine Hundred, Eighty-two Dollars and 95/100** (\$159,982.95) for the purpose of leasing a **Case 621G2 ZBAR Wheel Loader together with all attachments thereto**, with the option to purchase the property designated as set forth herein, is appropriate and necessary to the function and operations of the Lessee; and

WHEREAS, Huntington Public Capital Corporation or an affiliated or related entity, (the “Lessor”), shall act as Lessor under said Lease; and

WHEREAS, the Lease shall not constitute a general obligation indebtedness of the Lessee within the meaning of the Constitution and laws of the State; and

WHEREAS, Council, having reviewed the Lease, finds it to be in the best interest of the health, safety and welfare of the citizens of Avon that the Finance Director be authorized to enter into a Lease Agreement with Huntington Public Capital Corporation or related entities.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 – That the Director of Finance, (“**Authorized Representative**”) acting on behalf of the City of Avon, the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver a Property Lease in substantially the form set forth herein, which document is available for public inspection at the office of the Lessee, for a **Case 621G2 ZBAR Wheel Loader together with all attachments thereto**, through the Sourcewell cooperative purchasing organization (See Exhibit A). The Authorized Representative, acting on behalf of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Property Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Property Leases are hereby authorized.

Section 2 – That by a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Property Lease on behalf of the Lessee.

Section 3 – That the aggregate original principal amount of the Property Lease shall not exceed the Principal Amount of **One Hundred, Fifty-nine Thousand, Nine Hundred, Eighty-two Dollars and 95/100** (\$159,982.95) 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 4 – That Lessee's obligations under the Property Lease shall be subject to annual appropriation or renewal by City Council as set forth in the Property Lease and the Lessee's obligations under the Property Lease shall not constitute general obligations of the Lessee 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 are hereby appropriated.

Section 5 - That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to purchase new equipment for the Service (Utilities) Department; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: May 5, 2025

DATE SIGNED: May 5, 2025

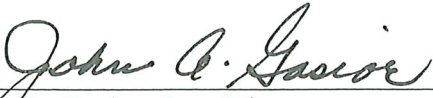
By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: May 6, 2025

Bryan K. Jensen
Bryan K. Jensen, Mayor

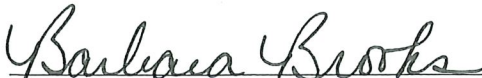
Resolution R-16-25 (Con't.)

APPROVED AS TO FORM:



John A. Gasior, Law Director

ATTEST:



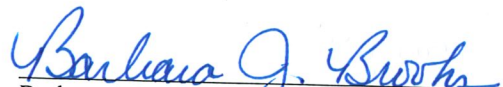
Barbara Brooks, Clerk of Council

Posted: May 7, 2025
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Resolution No. R-16-25, passed by the Council of said City on May 5, 2025.

IN WITNESS WHEREOF, I have on this 6th day of May 2025, affixed my signature and official seal.



Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

EXHIBIT A TO RESOLUTION NO. R-16-25



Chris Morgan
Sales Representative
Mobile Phone 419-261-9630
cmorgan@southeasternequip.com

Southeastern Equipment Co. Inc.
1500 Industrial Pkwy, Brunswick, OH 44212
Office 330-225-6511 Fax 330-225-3510

4/3/25

City of Avon
36080 Chester Road
Avon, Ohio 44011
(440) 937-7800

I am pleased to submit the following quote for your consideration

Machine:

Case 621G2 Zbar
4 speed transmission
Limited slip differentials
Cooling system with reversing fan
Enhanced cab comfort
Enhanced visibility bundle
Joystick with 1 aux function
Standard fenders with LH/RH steps
20.5 R25 L2 radials
3.0 cubic yard bucket
JRB coupler
Cold weather package
Ride control

\$198,818.95

Attachments:

Werk Brau 60x60 forks

\$6,164.00

Trade In:

2014 Komatsu WA270-7 serial#KMTWA122L01080301

Trade Value:

\$45,000.00

Warranty:

Case ProCare warranty
3 year/3,000 hour full machine warranty
3 year/2,000 hour factory planned maintenance with travel time and milage
3 year advanced subscription to Case SiteWatch

Included
Included
Included

Pricing:

Case 621G2 Zbar as equipped above

\$198,818.95

Attachments

\$6,164.00

Trade In

(\$45,000.00)

Sale Total:

\$159,982.95

sourcewell discounts applied

Thank you for the opportunity to quote your equipment requirements. Please feel free to contact me with any questions. I look forward to serving your equipment needs

Sincerely,
Chris Morgan

Steve Presley

From: Jill Murphy <Jill.Murphy@huntington.com>
Sent: Monday, April 21, 2025 3:28 PM
To: Steve Presley
Cc: Maureen Shildwachter
Subject: RE: Equipment Lease- City of Avon Lake

This Message Is From an External Sender

This message came from outside your organization.

Yes- 4.40% is still the rate.

I will get this request over to credit for approval.

Would you like to sign via DocuSign or physical paper?

Will anyone else be signing on behalf of the city?

- o Barbara J. Brooks- Clerk of Council
- o Steve Presley- Director of Finance

Thank you!
Jill



Jill Murphy

Senior Vice President
Huntington Public Capital Managing Director
The Huntington National Bank

(330) 841-0179 Office
(330) 980-8846 Mobile
jill.murphy@huntington.com

Internal Use

Internal Use

From: Steve Presley <spresley@cityofavon.com>
Sent: Monday, April 21, 2025 3:06 PM
To: Jill Murphy <Jill.Murphy@huntington.com>
Subject: RE: Equipment Lease- City of Avon Lake

Huntington Security Checkpoint: External email. Please make sure you trust this source before clicking links or opening attachments.

Is this still at 4.40%?

I'm okay with 6 payments.

Thanks- Steve

Internal Use

From: Jill Murphy <Jill.Murphy@huntington.com>
Sent: Monday, April 21, 2025 3:02 PM
To: Steve Presley <spresley@cityofavon.com>
Subject: RE: Equipment Lease- City of Avon Lake

Hi Steve,

Is this correct or did you want it to be five payments ending 06/01/2029?

	Date	Lease Payment	Interest	Principal	Balance
1	05/20/2025				159,982.95
1	06/01/2025	29,654.02	215.09	29,438.93	130,544.02
2	06/01/2026	29,654.02	5,743.94	23,910.08	106,633.94
3	06/01/2027	29,654.02	4,691.89	24,962.13	81,671.81
4	06/01/2028	29,654.02	3,593.56	26,060.46	55,611.35
5	06/01/2029	29,654.02	2,446.90	27,207.12	28,404.23
6	06/01/2030	29,654.02	1,249.79	28,404.23	0.00
Grand Totals		177,924.12	17,941.17	159,982.95	



Jill Murphy
Senior Vice President
Huntington Public Capital Managing Director
The Huntington National Bank

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