

Sponsor: Bopp / Elliott

ORDINANCE NO. 49-23

AN ORDINANCE AUTHORIZING THE SERVICE AND SAFETY DIRECTOR TO ADVERTISE ANNUALLY FOR SALE AND TO SELL TO THE HIGHEST AND BEST BIDDER THE RECYCLABLE SCRAP METAL OWNED BY THE CITY BUT NO LONGER NEEDED FOR A MUNICIPAL PURPOSE, PURSUANT TO R.C. SECTION 721.15 AND DECLARING AN EMERGENCY.

WHEREAS, the City of Jackson, in the course of normal operation of the various departments, generates metal waste that can no longer be used to serve a municipal purpose but which have a value of recyclable scrap that may be sold in lots and have a an estimated value of \$1,000 or greater; and

WHEREAS, the recyclable scrap metals are not needed for a municipal purpose by the City of Jackson, Ohio and that it is in the best interest of the City that each be sold in accordance with R.C. 721.15.

WHEREAS, the City is able to store recyclable scrap metal until there is sufficient volume to sale at times chosen by the City's Service-Safety Director to take advantage of the best advertised prices and that the recyclable scrap metals contract be advertised no less than annually with the winning bid being the highest price based upon the prices set in the American Metal Market daily publication;

WHEREAS, the City finds that this matter constitutes an emergency necessary to protect the health, safety or welfare of the City so as to allow the accumulated and expected future recyclable scrap metals to be sold without delay.

WHEREAS, the Legislative Authority finds that the City will be best served to contract with a single purchaser, that purchaser being the successful highest bidder, for a period of up to 12 months as it is not feasible to advertise each separate load of recyclable metals as they are available for sale.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF CITY OF JACKSON, OHIO, THAT THE RECYCLABLE SCRAP METALS NOW AVAILABLE FOR SALE AND THOSE THAT WILL BE AVAILABLE FOR SALE WITHIN THE NEXT 12 MONTHS BE ADVERTISED FOR A CONTRACT FOR SALE FOR A PERIOD OF NOT LESS THAN TWO CONSECUTIVE WEEKS NOR MORE THAN FOUR WEEKS, IN A NEWSPAPER OF GENERAL CIRCULATION WITHIN THE CITY OF JACKSON AND THAT THE PROPERTY BE SOLD TO THE HIGHEST BIDDER BASED UPON THE DAILY PRICES PUBLISHED BY THE AMERICAN METAL AND DECLARING AN EMERGENCY.

In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

It is hereby found and determined that all formal actions of this council concerning and relating to this Ordinance were adopted in an open meeting, and that these deliberations of this council and its committees resulted in such formal action, or in meeting open to the public, in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 25th day of September, 2023.

David J. Fuller
President of Council

ATTEST:

Cindy Kuhn
Clerk of the Legislative Authority

Approved this 25th day of September, 2023.

R. W. W. W. W.
Mayor