

RESOLUTION NO. 2022- 42

A RESOLUTION OF THE CITY OF FAIRFIELD BAY  
REGARDING APPROVAL OF  
PURCHASE OF 2008 SUTPHEN  
LADDER FIRE TRUCK  
FOR THE FIRE DEPARTMENT;  
APPROPRIATING CITY FIRE DEPARTMENT FUNDS  
AND LOAN FUNDS  
FOR THE PURCHASE OF FIRE TRUCK,  
AND REFURBISHMENT OF FIRE TRUCK;  
AND FOR OTHER PURPOSES

**WHEREAS**, The City of Fairfield Bay has been looking for a ladder truck for its fire Department, has followed appropriate procedures, has obtained approval from a lender, and has passed an Ordinance approving certain borrowing for the purpose of purchasing a used ladder truck, and refurbishing it to meet municipal needs, as discussed extensively at the recent work session;

**WHEREAS**, The City has not previously budgeted the purchase of a used ladder truck and refurbishment, but will instead now pay for the vehicles using unappropriated Fire Department funds, as well as proceeds from a loan; and

**WHEREAS**, Arkansas Code Annotated Section 14-58-303(b)(1)(B), provides that the Council may provide by Ordinance the procedure for making all purchases; and

**WHEREAS**, Arkansas Code Annotated Section 14-58-303(b)(2)(B) provides that the Council may waive requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical (for example, for refurbishment of a fire truck), as well as for used vehicles like the ladder truck in question, Arkansas Code Annotated Section 14-58-104(11)(A);

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRFIELD BAY, ARKANSAS:**

1. The City Council finds and determines that competitive bidding for the purchase and refurbishment of a used ladder truck for the Fire Department in the calendar year ending December 31, 2022, is neither required (used vehicle), nor is it feasible, nor is it practical, to obtain bids for refurbishment of the ladder truck because there is an exceptional situation on refurbishing a used ladder truck for purposes specific to the City of Fairfield Bay.

2. The Mayor, the Fire Department, be, and they are hereby, AUTHORIZED AND APPROVED to purchase a used ladder truck for the Fire Department, in accordance with the Brindlee Mountain Fire Apparatus Sales Agreement (provisionally dated October 17, 2022), within budgetary constraints, up to \$49,000.00 from the Fire Department, for delivery (to be refurbished) in the 2022 calendar year.

3. The Fire Department specifically, be, and it is hereby, AUTHORIZED AND APPROVED to Order refurbishment of the ladder truck, within budgetary constraints, and as approved by separate Ordinance, up to \$147,000.00, for delivery (to refurbish) in the 2022 calendar year.

4. The Mayor, the Chief of the Fire Department, specifically, be, and they are hereby, AUTHORIZED AND APPROVED to Order a USED ladder truck without the necessity of competitive bidding, within budgetary constraints, up to \$49,000.00 from Fire Department funds for this vehicle for delivery (to refurbish) in the 2022 calendar year.


5. The Mayor, and the Chief of the Fire Department, specifically be, and they are hereby, AUTHORIZED AND APPROVED to procure the REFURBISHMENT of the used ladder truck, without the necessity of competitive bidding, within budgetary constraints, using borrowed funds, up to \$147,000, for the used ladder truck, to meet municipal requirements, in the 2022 calendar year.

6. The City Council hereby APPROPRIATES AND APPROVES expenditures of a \$49,000.00 for purchase of the used ladder truck, from City Fire Department funds, previously unappropriated; plus \$147,000.00 from loan proceeds, for refurbishment of the ladder truck, and any other miscellaneous costs of dealer preparation and delivery. An amendment to the 2022 Budget Ordinance, and an appropriation in the 2022 Budget, will be made separately, in accordance with the City's usual practice of amending the Budget by Ordinance at the end of the calendar year.

7. The Mayor, the Recorder-Treasurer, and the Fire Department Chief, be, and they are hereby, AUTHORIZED TO TAKE any and all appropriate actions necessary to order the used vehicle, and make appropriate arrangements for payment, refurbishment, delivery, and other administrative necessities, in accordance with this Resolution, for the calendar year ending December 31, 2022.

8. This authorization, and appropriation, is effective immediately following its approval by the City Council, and the expenditures may take place as the Recorder-Treasurer shall decide.

IT IS SO RESOLVED AND APPROVED by the City Council for the City of Fairfield Bay, Arkansas, at its regular meeting on this 10<sup>th</sup> day of October, 2022.

  
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Linda Duncan, Mayor

Attest, a true and correct copy:

*/s/ Rose O. Owen – Signature on file*

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Rose O. Ostronic Owen  
Recorder-Treasurer  
City of Fairfield Bay

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(By Council)