

VILLAGE OF WINNEBAGO

RESOLUTION NO. 2023- 12R

**RESOLUTION TO PURCHASE COMPACTOR FROM TIM MITCHELL
TRUCKING LLC**

WHEREAS, pursuant to Resolution No. 2021-18R the Village of Winnebago previously entered into a lease agreement with Tim Mitchell Trucking, LLC, for one 2015 Bomag Tandem Vibratory Compactor BW120SL bearing Serial Number 8618802991059 from Tim Mitchell Trucking LLC, for a period of one year beginning November 1, 2021, and ending October 31, 2022, for the cost of \$3,000.00, with the machinery being in the Village's physical possession during the lease term, but with the Lessor occasionally borrowing the same; and

WHEREAS, during the course of that one year period Tim Mitchell Trucking LLC only used the compactor a few times, and is now interested in selling the compactor; and

WHEREAS, the options available to the Village for purchase of said compactor would be a three year lease with buyout at the end of the third year at a cost of \$30,000.00, a two year lease with buyout at the end of the second year at a cost of \$28,500.00, or an outright purchase of the compactor now at a cost of \$27,000.00; and

WHEREAS, the more financially prudent option would be an outright purchase at this time of the Bomag compactor at a cost of \$27,000.00, and funds currently exist in the Capital Equipment fund to facilitate this purchase; and

WHEREAS, the Village Board hereby finds that it is in the best interest of the citizens of the Village to purchase such equipment from Tim Mitchell Trucking LLC, for a purchase price of \$27,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF WINNEBAGO, WINNEBAGO COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1. RECITALS

The foregoing recitals are incorporated in, and made a part of, this Resolution by this reference as findings of the Village Board of Trustees of the Village of Winnebago as if fully set forth in this section.

SECTION 2. APPROVAL

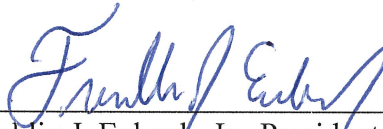
The Village shall purchase one 2015 Bomag Tandem Vibratory Compactor BW120SL bearing Serial Number 8618802991059 from Tim Mitchell Trucking LLC with funds in the Capital Equipment fund Line Item # 51-44-951.

SECTION 3. EFFECTIVE DATE

This Resolution shall be in full force and effect upon the passage and approval of this Resolution.

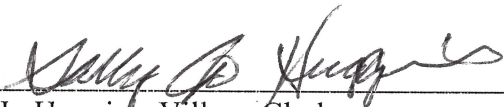
PASSED AND ADOPTED this 13th day of March, 2023

APPROVED:



Franklin J. Eubank, Jr., President of the Board of
Trustees of the Village of Winnebago, Illinois

ATTEST:



Sally Jo Huggins, Village Clerk

AYES: 5 **NAYS:** 0 **ABSENT:** 1

ABSTAIN: 0

**PUBLISHED IN
PAMPHLET FORM:** _____

RESOLUTION EXECUTIVE SUMMARY

Prepared by: Attorney Mary J. Gaziano

Committee: Public Works Committee

Committee Date March 1, 2023

Resolution Title: Resolution to Purchase Compactor from Tim Mitchell Trucking LLC

Was Item Budgeted? Yes—funds available in Capital Equipment fund	Appropriation Amount:
If not, explain funding source:	
ORG/OBJ/Project Code: Line Item 51-44-951	Budget Impact: \$27,000

Background Information:

The Village Public Works Department is in need of a compactor (roller) for use on Village streets, and in 2021 via Resolution No. 2021-18R, passed by the Village Board on December 13, 2021, the Village entered into a one year rental agreement with Tim Mitchell Trucking LLC for use of said compactor at a cost of \$3,000.00 per year, with the Village having use of the compactor the majority of the time, and Tim Mitchell using the compactor occasionally as needed. The lease has not been formally renewed, but the Village still has possession of the compactor and has had use of the same.

Tim Mitchell would now like to sell said compactor and the Village has the first opportunity to purchase the same, with the best option being an outright purchase of the compactor for \$27,000.00. When initially leasing the compactor purchase was not an option because Tim Mitchell anticipated he would periodically need use of the compactor, and the Public Works Department felt leasing would be the best option, since purchase had not been budgeted and leasing would then allow for an assessment of the actual extent of use of the equipment. The Public Works Department has had occasion to use the compactor quite a bit, and there are also funds in the Capital Equipment fund at this time that would allow for purchase. Further, the Public Works Department has had the opportunity to assess the condition of the equipment and how well it works for the Department, and would like exercise the first option offered by Tim Mitchell to purchase the equipment since Mr. Mitchell is interested in selling the equipment. Further, with the ever-increasing shortage of equipment the price could likely be higher with another Seller, if a comparable unit were able to be located.

Recommendation: The Public Works Committee voted at its March 1, 2023 Committee Meeting to recommend the Village Board pass a resolution to purchase the compactor outright from Tim Mitchell Trucking LLC, at this time, at a cost of \$27,000.00.

Prepared by:
Attorney Mary J. Gaziano,
Village Attorney