

RECORD OF RESOLUTIONS

Resolution No. 2012-34

Passed September 8, 2012

A RESOLUTION AUTHORIZING THE SALE DURING CALENDAR YEAR 2012 OF MUNICIPALLY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED BY INTERNET AUCTION, PURSUANT TO OHIO REVISED CODE SECTION 721.15(D) AND DECLARING AN EMERGENCY

WHEREAS, this Council is required to adopt a Resolution expressing its intent to sell municipally owned property by internet auction, include a description of how auctions will be conducted, specifying the number of days for bidding, and stating the general terms and conditions of sale; and

WHEREAS, after due diligence, the Village of Minerva Park, Ohio is recommending GovDeals, Inc. at gov.deals.com directly or GovDeals through Franklin County Purchasing Department, as the Village's contracted representative to conduct auctions on its behalf.

NOW THEREFORE, be it ordained by the Council for the, Ohio, as follows:

Section 1. That during the calendar year 2012, municipally owned personal property which is not needed for public use, or which is obsolete or unfit for the use of which it was acquired, as determined pursuant to the procedure set forth in Section 133.01 of the Codified Ordinance for the Village of Minerva Park, may be sold at internet auction.

Section 2. That any said auction sales shall be conducted under the authority and direction of the Mayor or Finance Director.

Section 3. That any such internet auction sales shall be conducted by GovDeals.com internet auction service, 5907 Carmichael Place, Montgomery, AL 36117, phone (800) 613-0156 or through GovDeals with Franklin County, Purchasing Department, 373 South High Street, 25th Floor, Columbus, Ohio 43215.

Section 4. The sale shall be conducted pursuant to the rules and regulations promulgated and in effect for GovDeals.com or GovDeals through Franklin County Purchasing Department, on file with the Clerk, and as amended from time to time. The sales fee to be paid by the Village of Minerva Park for such internet auction service shall in no event exceed the amount of seven and one-half (7½ %) per cent of the accepted auction bid.

Section 5. That in connection with each such contemplated internet auction sale bidding shall remain open for not less than ten (10) days, including Saturdays, Sundays and legal holidays.

Section 6. That in connection with each such contemplated internet auction sale, the terms of payment shall be cash, payment in full on or before the date of delivery to the successful bidder; further, the successful bidder shall be solely responsible for all acts and expenses associated with the delivery of such item(s) so purchased.

Section 7. All prior ordinance(s) or any part thereof, which is (are) inconsistent with this ordinance is (are) hereby repealed as to the inconsistent part(s) thereof and the remainder of said ordinance(s) not inconsistent with this ordinance shall remain in full force and effect.

Section 8. It is hereby found and determined that all formal actions of this Council concerning and related to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Minerva Park which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

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BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

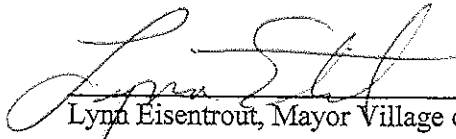
Form 6301

Resolution No. _____

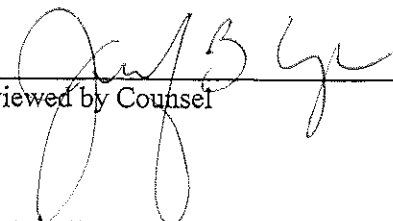
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Section 9. All prior resolution(s) or any part thereof, which is (are) inconsistent with this resolution is (are) hereby repealed as to the inconsistent part(s) thereof, and the remainder of said resolution(s) not inconsistent with this resolution shall remain in full force and effect.

Section 10. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.


Lynn Eisentrout, Mayor Village of Minerva Park


Attest, Nancy White, Fiscal Officer, Village of Minerva Park


Reviewed by Counsel

First Reading: Waived September 8, 2012
Second Reading: Waived September 8, 2012
Third Reading: Waived September 8, 2012
Passed: September 8, 2012

§230.02 Sale, Trade-in, or Other

Disposition of Surplus Property

The Mayor is authorized and directed to provide for the sale of surplus equipment and supplies, in the following manner:

(a) At such times as equipment and supplies of the Village serve no useful municipal purpose, the Mayor shall provide for the sale of such equipment or supplies as provided in this section. Such determination shall be made not less than once during each calendar year.

(b) Sale of surplus equipment, as determined under subsection (a), with an estimated value of one thousand dollars (\$1,000) to five thousand dollars (\$5,000) shall be sold by the Mayor by one or more of the following methods:

- (1) By sale by sealed bid to the highest and best bidder, following notice at least two but not more than four consecutive times in a newspaper of general circulation in the Village;
- (2) By public auction, after advertisement of not less than two and no more than four consecutive weeks in a newspaper of general circulation in the Village;
- (3) By internet auction pursuant to the annual Resolution authorizing its use;
- (4) By sale to another government jurisdiction without the requirement of competitive bidding;
- (5) By trade-in for credit at the time of the purchase of replacement property, provided that trade-in value is established separately from the purchase of the replacement property, and can be verified to represent fair market value for the traded property.

(c) Sale of surplus equipment, including motor vehicles, determined by the Mayor to be: (i) not needed for public use; (ii) obsolete; (iii) unfit of the purpose for which it was acquired; (iv) of no value; or (v) a value estimated to be less than one thousand dollars (\$1,000) shall be disposed of by the Mayor in one or more of the following methods:

- (1) By any of the methods set forth in subsection (b) hereof;
- (2) By sale for scrap value, or discarding, if the property can be shown to have minimal or no residual market value in its current form;
- (3) By destruction upon the determination by the Mayor or designee that the surplus property must be destroyed for public safety reasons;
- (4) By donation to an appropriate charitable organization with the approval of the Mayor or designee.

d) Council hereby authorizes the Mayor to dispose of all municipally-owned property that has been declared surplus, other than motor vehicles, and to no longer be needed for municipal purposes that has an estimated value of greater than \$5,000 may be disposed of by methods set forth herein.

(e) The Mayor or Fiscal Officer will estimate the value of the property deemed by the Mayor to be surplus for purposes of determining the method to be used for the disposal of property. All property determined to be surplus and disposed of shall be fully documented and recorded for the purposes of maintaining an accurate inventory of Village-owned property.

(f) The proceeds for the sale of surplus property shall be deposited in the Village Treasury to the credit of the division having jurisdiction and control over such property.

(g) The sale of equipment, supplies or other municipal property having an estimated value in excess of five thousand dollars (\$5,000) or any motor vehicle shall be authorized by Council before sale. The authorization shall be made by motion entered upon the minutes of Council.