

VILLAGE OF WINDHAM
OHIO
RESOLUTION NO. R-2012-25

**A RESOLUTION AUTHORIZING THE SALE OF A 2005 CROWN VICTORIA
POLICE CRUISER AND DECLARING AN EMERGENCY**

WHEREAS, in a memo dated July 6, 2012, the Village of Windham Police Chief informed the Safety Committee of an overall plan to upgrade the vehicles operated by the Village of Windham Police Department; and

WHEREAS, the Village of Windham Police Department is in need of reliable, well maintained vehicles; and

WHEREAS, pursuant to the overall plan set forth by the Police Chief, the Safety Committee, by motion, authorized the sale of the 2005 Ford Crown Victoria cruiser owned by the Police Department, and established a minimum bid for the sale of that cruiser; and

WHEREAS, pursuant to the authority received by the Village of Windham Safety Committee, the Chief of Police determined that the Village of Brady Lake was interested in purchasing the 2005 Village of Windham police cruiser and that the amount offered by the Village of Brady Lake for the cruiser is Four Thousand Four Hundred Dollars (\$4,400.00), as is, less the radio and radar, which will remain with the Village of Windham; and

WHEREAS, the Council of the Village of Windham has determined that this offer is an acceptable amount, and that it is in excess of the minimum sale price previously authorized by the Safety Committee as being a fair value for the sale of the police cruiser.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Windham, two thirds or more of the members thereto elected concurring that:

Section 1: The actions of the Village of Windham Police Chief in offering the 2005 Crown Victoria police cruiser to the Village of Brady Lake, and negotiating the terms set forth in this Resolution are hereby ratified, approved and confirmed.

Section 2: That upon the advice of the Village of Windham Solicitor, and in conformity with Ohio Revised Code Section 735.053, the purchase and sale of personal property by and between political subdivisions within the State of Ohio is permitted without following the competitive bidding process otherwise required.

Section 3: That the 2005 Ford Crown Victoria police cruiser is no longer needed for any municipal purpose and it is appropriate to sell this cruiser.

Section 4: That in conformity with the directions of the Safety Committee and as provided by the motion of the Safety Committee, the Chief of Police is authorized to transfer the 2005 Ford Crown Victoria police cruiser (without the police radio and radar

unit), VIN 2FAFP71W15X119210 to the Village of Brady Lake in exchange for a single cash payment in the amount of Four Thousand Four Hundred Dollars (\$4,400.00).

Section 5: That the Fiscal Officer of the Village of Windham is hereby directed to accept the payment of Four Thousand Four Hundred Dollars (\$4,400.00) from the Village of Brady Lake for the 2005 Ford Crown Victoria police cruiser.

Section 6: It is hereby found and determined that all 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 7: This Resolution is declared to be an emergency measure, effective immediately upon approval in order to protect the health, safety and general welfare of the Village of Windham and to obtain funds from the sale of the police cruiser so that the Village of Windham Police Department will have the funds on hand for other capital expenditures.

Passed in Council as an Emergency this 24th day of July, 2012

Vote of Council: Ayes: Mr. Snyder, Mr. Garrett, Mrs. Prem, Mrs. Barrett, Ms. Blewitt

Nays: None.

ATTEST:

APPROVED:

Fiscal Officer - Lloyd Billman

Robert Donham, Mayor

APPROVED AS TO FORM:

Village Solicitor – Thomas Reitz