

THE VILLAGE OF WINDHAM, OHIO

RESOLUTION R-2012-26

A RESOLUTION AUTHORIZING THE INTERNET SALE OF UNNEEDED, OR UNFIT, OR OBSOLETE PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES AND EQUIPMENT OWNED BY THE VILLAGE OF WINDHAM AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Revised Code Section 721.15 authorizes municipalities to sell personal property no longer needed for municipal purposes by virtue of sale by internet auction; and

WHEREAS, although the Council of the Village of Windham has previously authorized the sale of personal property no longer needed for municipal purposes by virtue of sale by internet auction, Ohio Revised Code Section 721.15(D) sets forth a requirement that a resolution authorizing the sale by internet auction be passed each calendar year; and

WHEREAS, the Council of the Village of Windham intends to authorize through this Resolution the sale of unneeded municipal property by Internet auction in compliance with Ohio Revised Code Section 721.15 during calendar year 2012.

NOW THEREFORE BE IT RESOLVED, by the Council of the Village of Windham, County of Portage and State of Ohio, two thirds or more of the members thereto concurring that:

SECTION 1: The Council hereby authorizes the use of internet auction for the sale of unneeded, unfit or obsolete personal property, including vehicles and equipment owned by the Village of Windham.

SECTION 2: This Resolution shall be sufficient authority to sell via internet auction, personal property which has an estimated value of less than One Thousand Dollars (\$1,000.00) when such sale is authorized by the Board or Officer having supervision or management of that property. If the estimated value of the personal property is more than One Thousand Dollars (\$1,000.00) it shall be sold only when authorized by an Ordinance of the Council of the Village of Windham and approved by the municipal officer having supervision and management of personal property.

SECTION 3: The internet auction shall be conducted by listing the property for sale on the internet while setting a reserve for said property and allowing the auction to continue for no less than fifteen (15) days, including Saturdays, Sundays and legal holidays.

SECTION 4: The Village of Windham will conduct the auction by virtue of its administrative staff or other designated representative on terms and conditions which comply with this Resolution.

SECTION 5: It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this council and that all deliberations of the council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

SECTION 6: This Resolution is declared an emergency measure becoming effective immediately upon its passage by Council and approval by the Mayor for the reason that the Village presently has police cruisers which are no longer needed for any municipal purpose and which the Council has decided to sell.

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:

Village Fiscal Officer, Lloyd Billman

Mayor, Robert Donham II

Approved as to Legal Form:

Solicitor, Thomas Reitz