

RESOLUTION 2020-10

A RESOLUTION AUTHORIZING SALE OF PERSONAL PROPERTY BY INTERNET AUCTION AND DECLARING AN EMERGENCY

WHEREAS, the Village has personal property which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and

WHEREAS, Section 721.15 of the Ohio Revised Code authorizes the Village to dispose of such property by internet auction, and

WHEREAS, this Council has determined that surplus property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools or supplies which are not needed for public use, or are obsolete or unfit for the use for which they were acquired, are appropriate to be sold by internet auction, and

WHEREAS, this Council hereby declares its intent to sell such property through internet auction, NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Archbold, County of Fulton and State of Ohio,

Section 1. That the Chief of Police or Village Administrator is hereby authorized and directed to sell by internet auction surplus personal property, including motor vehicles, road machinery, equipment, tools or supplies which are not needed for public use, or are obsolete or unfit for the use for which it was acquired.

Section 2. That the auctions shall be conducted on a continuous basis through accessing GovDeals, Inc., located at <https://www.govdeals.com/>, and the surplus items shall be posted for 10 days, including Saturdays, Sundays and legal holidays.

Section 3. That the Chief of Police, Village Administrator or their designee is authorized and directed to enter into an agreement with GovDeals, Inc., 100 Capitol Commerce Blvd STE 110 Montgomery, AL 36117-4260, telephone (334) 467-2411, for the provision of internet services to display the surplus items and provide related services for the Village to conduct the internet auctions.

Section 4. All surplus property to be auctioned shall be offered for sale "AS-IS, WHERE IS", and the Village shall make no warranty, guarantee or representation, express or implied, as to the merchantability or fitness for any purpose of the property offered for sale. No Buyer of property shall be entitled to any payment for loss of profit or any other money damages, special, direct, indirect or consequential. All sales of property shall be final upon removal of the property by Buyer. The Village shall reserve the right to reject any and all bids and to withdraw from sale any property it may choose.

Section 5. That the Chief of Police or the Village Administrator may establish by rule such other terms and conditions of sale as he/she may determine appropriate and necessary, as long as they are not in conflict with any other provision of this Resolution.

Section 6. That the Village shall post notice, which shall include a summary of the information provided in this Resolution, on a continuous basis, in a conspicuous place in the offices of the Village of Archbold and the legislative authority of the Village of Archbold, and it shall post a continuous notice throughout the calendar year on the Village's website giving notice of the internet auction of surplus property.

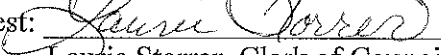
Section 7. That the Chief of Police or Village Administrator, as a representative of the Village, may establish a minimum price that will be accepted for specific items and may establish any other terms and conditions for the particular sale, including requirements for pick-up or delivery, method of payment, and sales tax. This type of information, when established, shall be provided on the internet at the time of auction, and may be provided before that time upon request, after the terms and conditions have been determined by the Chief of Police or Village Administrator.

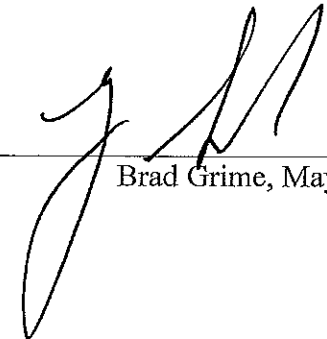
Section 8. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 9. This Resolution is hereby declared to be an emergency necessary for the preservation of the public peace, health, safety and welfare, to wit, the necessity to meet the annual notice requirements for 2020. This Resolution shall take effect and be in full force upon proper passage by Council.

Passed: February 3, 2020


Kevin L. Morton President of Council

Attest: 
Laurie Storrer, Clerk of Council


Brad Grime, Mayor