

RECORD OF RESOLUTIONS

Resolution No. **01-19**

Passed January 14, 2019

A RESOLUTION DECLARING THE INTENT AND AUTHORIZING THE SALE OF MUNICIPALLY OWNED PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES, ROAD MACHINERY, EQUIPMENT, TOOLS OR SUPPLIES, WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, DURING THE CALENDAR YEAR 2019 BY INTERNET AUCTION, PURSUANT TO OHIO REVISED CODE SECTION 721.15(D)

WHEREAS, Section 721.15 of the Ohio Revised Code authorizes a municipal corporation to dispose of unneeded, obsolete or unfit personal property through the use of an internet auction; and

WHEREAS, Ohio Revised Code Section 721.15(D), requires the legislative authority to adopt, during each calendar year, a resolution expressing its intent to sell personal property by internet auction; of which the municipal corporation may conduct the auction or contract with a representative to conduct such auction; and

WHEREAS, after research and due diligence, the City of Waterville recommends GovDeals, Inc. at govdeals.com, and Municibid.Com, LLC at municibid.com, as the City's contracted representatives to conduct auctions on its behalf.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Waterville, Lucas County, Ohio that:

SECTION 1. That during calendar year 2019, municipally owned personal property which is not needed for public use, or which is obsolete or unfit for the use for which it was acquired, as determined pursuant to the procedure set forth in the Ohio Revised Code Section 721.15(D) may be sold at internet auction.

SECTION 2. That any said auction sales shall be conducted under the authority and direction of the City Administrator or his designee, whose address and telephone number is: 25 North Second Street, Waterville, Ohio, 43566; 419-878-8100.

SECTION 3. That any such internet auction sales may be conducted by contract with GovDeals, Inc., or Municibid.Com, LLC internet auction services, pursuant to the rules and regulations promulgated and in effect for that sales organization, on file with the Clerk, and as amended from time to time.

SECTION 4. 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 5. That in connection with each such contemplated internet auction sale, the terms of payment shall be made with: Cashiers Check, Certified Check, Money Order, Travelers Checks, Company check (with Bank letter guaranteeing payment-mandatory), or Cash (U.S. Currency); for payment in full on or before the date of pick-up by the successful bidder; further, the successful bidder shall be solely responsible for all acts and expenses associated with the pick-up of such item(s) so purchased. The successful bidder (Buyer(s) may be subject to payment of State and/or local sales and/or use tax. The City of Waterville, Ohio is not responsible for collection of taxes. The successful bidder (Buyer(s) are responsible for contacting the appropriate tax office, completing any forms, and paying any taxes that may be imposed.

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SECTION 6. The Clerk of Council is instructed to publish a summary notice of this resolution twice in a newspaper of general circulation and to post this notice continually throughout calendar year 2019 in a conspicuous place in the City offices and on the City internet website in accordance with the publication requirements set forth in Ohio Revised Code Section 721.15(D).

SECTION 7. It is found and determined that all formal actions of the Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 8. This Resolution shall take effect from and after the date of its passage as authorized by the Charter of the City of Waterville.

VOTE ON PASSAGE:

YEAS: 5 NAYS: 0

ATTEST:



Jon D. Gochenour, *Clerk of Council*



Barbara Bruno, *Vice-Mayor*

Prepared by:

Jon D. Gochenour

Municipal Administrator



Approved as to form:

James Hart, *Assistant Law Director*

Certificate of Posting

The undersigned, **Clerk of Council** of the City of Waterville, does hereby certify that ORD/RESO# 01-19, adopted 1/14/19, was duly posted as required O.R.C. 731.25 and remained posted for 15 days commencing 1/15/19 in the Municipal Bldg., the US Post Office, and the Waterville Public Library as the places determined by Council.
Date: _____

Clerk of Council