

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8094 FORM NO. 30045

Resolution No. 2020-R-16 Passed June 2nd, 2020

VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO.: 2020-R-16

INTERNET AUCTION

2020
RC 721.15(D)

A RESOLUTION EXPRESSING INTENT TO SELL PROPERTY BY INTERNET AUCTION DURING CALENDAR YEAR **2020** TO INCLUDE ANY PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, PURSUANT TO SECTION 721.15(D) OF THE OHIO REVISED CODE; AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT WITH A REPRESENTATIVE TO CONDUCT THE AUCTION AND DECLARING AN EMERGENCY

WHEREAS, Section 721.01 of the Ohio Revised Code provides in part that, municipal corporations have special power to sell personal property belonging to the municipal corporation, when such personal property is not needed for any municipal purpose; and

WHEREAS, Section 721.15(D) of the Ohio Revised Code provides that, regardless of the property's value, the legislative authority of a municipal corporation may sell personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, by internet auction; and

WHEREAS, Section 721.15(D) of the Ohio Revised Code provides that the legislative authority shall adopt, during each calendar year, a resolution expressing its intent to sell that property by internet auction; and

WHEREAS, the Village Administrator reports the village has personal property which is not needed for public use, or is obsolete or unfit for the use for which it was acquired and is requesting council express its intent to sell that property by internet auction pursuant to Section 721.15(D) of the Ohio Revised Code.

WHEREAS the Village Administrator recommends that village council express its intent to sell property by internet auction.

WHEREAS, the Village Administrator is further requesting authorization to contract with auctionzip.com as the representative to conduct the auction. The proposed representative is described as follows:

Auctionzip.com is self-described as the world's largest online auction marketplace. Where more than 25,000 professional auctioneers and 13 million auction buyers come together each year to list and find auctions. Every week they list thousands of new items at auction, and live auctions around the world. Live auctions are simulcast events that allow people to bid for items online at the same time as those on the auction floor.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (RC 731.18)

SECTION 1. That village council hereby expresses its intent to sell property by internet auction during calendar year **2020**.

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SECTION 2. That regardless of the property's value, the village may sell personal property, including motor vehicles, acquired for the use of municipal officers and departments, and 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, by internet auction.

SECTION 3. That any internet auction shall be conducted under the authority and direction of the Village Administrator subject other terms and conditions established by council.

SECTION 4. NUMBER OF DAYS FOR BIDDING. That the Village Administrator authorized to specify the number of days for bidding on the property, which shall be no less than ten days, including Saturdays, Sundays, and legal holidays.

SECTION 5. CONTRACT. That the Village Administrator is hereby authorized to enter into contract with a representative of **auctionzip.com** internet auction service and is authorized to establish the general terms and conditions of sale.

SECTION 6. CLERK TO POST NOTICE OF INTENT. That pursuant to Section 721.15(D), paragraph 2 of the Ohio Revised Code, Village Council hereby directs the Council Clerk to post notice of its intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided in the resolution and shall be posted twice. The second notice shall be posted not less than ten nor more than twenty days after the previous notice. A similar notice also shall be posted continually throughout the calendar year in a conspicuous place in the offices of the village clerk, and the legislative authority. If the municipal corporation maintains a web site on the internet, the notice shall be posted continually throughout the calendar year at that web site.

SECTION 7. OTHER TERMS AND CONDITIONS OF SALE. That pursuant to Section 721.15(D), paragraph 3 of the Ohio Revised Code, when property is to be sold by internet auction, Council may by motion, establish a minimum price that will be accepted for specific items and may establish other terms and conditions for the particular sale, including, but not limited to, requirements for pick-up or delivery, method of payment and sales tax. This type of information 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 Council.

SECTION 8. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): *The Administrator is requesting authority before June 20, 2020*

SECTION 9. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this Ordinance/Resolution shall take effect at the earliest period allowed by law.

PASSED AND ADOPTED on this 2nd day of June, 2020.

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AUTHENTICATION and ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

Wesley Salke
MAYOR

[Signature]
FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 6 NAYS: — ABSTAIN: —

First Reading:

June 2nd, 2020

Second Reading:
R.C. 731.17(A)(2))

— (may be dispensed by a vote of at least three-fourths of members.)

Third Reading:
R.C. 731.17(A)(2))

— (may be dispensed by a vote of at least three-fourths of members.)

APPROVED AS TO FORM:

[Signature]
VILLAGE SOLICITOR, Steve Palmer, Esq.

CERTIFICATE OF PUBLICATION

RC 731.24

I hereby certify that a succinct summary of the above legislation was/will be published *once a week for two consecutive weeks* as required by RC 731.21 and 731.22(A) in the following newspaper(s) of general circulation: *Shopper's Helper North, 211 Myrtle Ave., P.O. Box 368, Willard, OH 44890, 419.935.0184.*

[Signature]
CLERK OF COUNCIL