RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8094 FORM NO. 30045

R-42-22 NOVEMBER 7, 2022

Resolution No. _____ *Passed* _____, *20* _____

RESOLUTION AMENDING R-32-22 AND ALLOWING FOR THE SALE BY INTERNET AUCTION PURSUANT TO OHIO REVISED CODE SECTION 721.15(D) OR BY DIRECT SALE TO OTHER PUBLIC ENTITIES DURING THE CALENDAR YEARS 2022 AND 2023 OF MUNICIPALLY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE OR IS OBSOLETE OR IS DEEMED UNFIT FOR THE USE FOR WHICH IT WAS REQUIRED

WHEREAS, the City of Cortland owns personal property which may become obsolete, unfit for public use, or not needed for public use and passed R-32-22 earlier this year for disposal of the same; and

WHEREAS, the City of Cortland as a chartered municipality has the authority to sell these items that are deemed obsolete, by internet auction and also by direct sale to other public entities; and

WHEREAS, the property to be sold by internet auction or to other public entities may include, but is not limited to, personal property such as motor vehicles, road machinery, equipment, tools and supplies, all regardless of their value; and

WHEREAS, the City authorizes the use of the following reputable on-line internet auction services which are not limited to: municibid.com, govdeals.com, and ebay.com; and

WHEREAS, the discretion to utilize the internet auction or direct sale to other public entities will rest with the Department Heads who will follow the procedures set forth herein.

NOW, THEREFORE:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CORTLAND, OHIO:

Section 1. That during the calendar years 2022 and 2023, the City of Cortland, through its Department Heads, is authorized to sell its municipally owned personal property, of any value, that is unfit for public use, deemed obsolete or is unfit for the use for which it was acquired, via internet auction, pursuant to Ohio Revised Code § 721.15(D).

A. All internet auction sales shall be public by directly selling to another entity utilizing a reputable and authorized internet auction service, for example but not limited to municibid.com, govdeals.com, and ebay.com, pursuant to the rules and regulations promulgated and in effect for the City's internet sales, however, the sales fees to be paid by the City of Cortland to an authorized internet auction site shall in no event exceed the amount of eight percent (8%) of the accepted auction bid.
B. 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.
C. That in connection with each such contemplated internet auction sale, the terms of payment shall be cash or purchase order for direct sales, payment in full on or before the date of delivery to the successful bidder; further, the successful bidder or public entity shall be solely responsible for all acts and expenses associated with the delivery of such item(s) so purchased.
D. The notices of intent to sell specific personal property on the internet shall also include the minimum price, requirements for pick-up or delivery, method of payment and sales tax.

Section 2. That during the calendar years 2022 and 2023, the City of Cortland, through its department heads, is authorized to sell its municipally owned personal property, of any value, that is unfit for public use, deemed obsolete or is unfit for the use for which it was acquired to other public entities according to the following terms. The Department Heads may advertise on websites like, but not limited to, the Ohio Department of Public Safety and the Trumbull County Fire Chief's Association, via bids, without public notification. If the department head conducts a sale of property to other public entities via bids through the internet, the form of the bid shall be prescribed by the department head, and each bid shall contain the name of the governmental entity and the name of the person submitting it. Bids received shall be reviewed by the Department Head and the property shall be sold at the price deemed the most fair and reasonable by the Department Head, and the Department Head may reject all bids and hold another sale, by the manner prescribed by this section.

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Section 3. The City shall publish, through its Department Heads, on a minimum of two (2) occasions, in a newspaper of general circulation, notice of its intent to sell its personal property with a general summary of the property to be sold. A similar notice shall be posted continually throughout the year in a conspicuous place in City Hall as well as posted on the City's web site. Direct sales do not require notices or publication.

Section 4. This Resolution shall take effect and be in full force as early as allowed by law.

PASSED IN COUNCIL THIS 7TH DAY OF NOVEMBER 2022.

ATTEST: Rhonda Horn
CLERK OF COUNCIL

Kevin M Piros
PRESIDENT OF COUNCIL

FILED W/ MAYOR 11-7-22
DATE

MAYOR

DATE APPROVED 11/8/22

ROLL CALL
Bradley, aye
Fleischer, aye
McClain, aye
Moore, aye
Picuri, aye
Piros, aye
Rowley, aye

OFFICIAL SEAL