

ORDINANCE NO.	<u>2023-01</u>	FIRST READING	<u>January 9, 2023</u>
INTRODUCED BY:	<u>JERRY CANTON</u>	SECOND READING	<u>WAIVED</u>
		THIRD READING	<u>WAIVED</u>

**RESOLUTION EXPRESSING THE INTENT TO SELL PERSONAL PROPERTY NOT  
NEEDED FOR THE PUBLIC USE BY INTERNET AUCTION AND  
DECLARING AN EMERGENCY.**

**WHEREAS**, Section 721.15(D) of the Ohio Revised Code authorizes the legislative authority of a municipal corporation to sell personal property, including motor vehicles acquired for the use of municipal offices and departments, road machinery, equipment, tools or supplies, which are not needed for public use, or is obsolete or unfit for the use for which it was acquired, by internet auction; and

**WHEREAS**, Council for the Village of South Russell (the "Village") desires to sell unneeded, obsolete or unfit personal property owned or hereafter acquired by the Village by internet auction from time to time; and

**WHEREAS**, GovDeals, Inc. ("GovDeals"), a Delaware corporation, having its principal place of business at 5907 Carmichael Place, Montgomery, Alabama 36117, provides internet sales service to municipalities; and

**WHEREAS**, the Council for the Village desires to enter into an agreement with GovDeals to provide such internet sales service for the 2023 calendar year.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Village of South Russell:

**Section 1.** The Fiscal Officer, or her designee, shall be and is hereby authorized to place for auction and to sell to the highest bidder such unneeded, obsolete, or unfit personal property of the Village, as may be authorized by resolution of Council from time to time, by internet auction.

**Section 2.** Such resolution of Council may establish a minimum price that will be accepted for each such item and may provide for further terms and conditions, including but not limited to requirements for pickup and delivery, method of payment and sales tax. Any such terms or conditions shall be contained in the advertisement for internet auction and shall be made available to any person upon request.

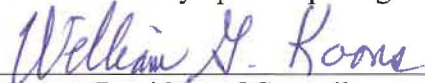
**Section 3.** Internet auctions shall be conducted through and pursuant to the rules and procedures of GovDeals, a copy of which is attached hereto as Exhibit A; provided however, that any such auction shall remain open for bidding for a period of no less than fifteen (15) consecutive days, including Saturdays, Sundays, and legal holidays.

**Section 4.** The Fiscal Officer is hereby authorized and directed to cause the publication of a notice containing a summary of the information contained therein not less than two (2) times in a newspaper of general circulation in the Village. The second such publication shall be made not less than ten (10), nor more than twenty (20) days after the date of the first publication. The Fiscal Officer is further authorized and directed to cause a copy of the notice so published to be posted in a conspicuous place in the Village Hall, and continually throughout the calendar year, and on the Village website.

**Section 5.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in 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 6.** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare and to allow the Village to immediately sell its surplus personal property that is unneeded, obsolete, or unfit by internet auction.

**Section 7.** This Resolution shall be effective immediately upon its passage.

  
\_\_\_\_\_  
Mayor - President of Council

ATTEST:

  
\_\_\_\_\_  
Fiscal Officer

I certify that Resolution No. 2023 - 01 was duly enacted on the 9<sup>TH</sup> day of JANUARY, 2023, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.

  
\_\_\_\_\_  
Fiscal Officer

## **EXHIBIT A**

### **GovDeals**

#### **Auction General Rules**

##### **General Information**

The website is set up to allow agencies to offer items to the general public

While we manage the website, and software, the transactions occur directly between the buyer and seller, we are actually not a part of the transaction. Therefore, if you should encounter an issue with an item, please first contact the selling agency via email and phone, before contacting us about the issue

Most items are offered in a general auction to the public. Few items are offered under a restriction. If an auction is restricted, there will be a red banner below the photos that reads "Restricted to...", you may read more about restricted auctions under "Restricted Auctions" in the help file

Good communication is the key, ask as many questions, or inspect the item before bidding. Get as much information in writing via email as possible

All accounts start on probation, refer to "Probation" in the help file.

**NOTE: You are responsible for your account. No matter who places bids from your account, you are the party responsible.**

##### **Bidding**

All bids are placed online

Once placed a bid cannot be removed

##### **Auction Ending Times**

Most auctions end at the time specified

The high bidder at the time the auction ends wins the item

Few auctions extend, and a statement in the bid box will disclose this

##### **Reserve Auctions**

If there is a reserve on the item, it will be disclosed in the bid box

If the auction ends, having not met the reserve amount, the seller may, or may not, offer the item to the high bidder, or re-list the item

##### **Payment**

Each asset page reveals the payment and removal method as well as all of "that seller's" terms

Be sure to read the sellers payment terms, some sellers you pay directly, others use online payment through our system

All sellers have a strict **pay within statement**, for which most watch very closely. If the item is not paid for by the time stated, the seller may lock your account for default, and you will be assessed a fee equal to 40% of your winning bid amount

## **EXHIBIT A**

### **Asset Removal**

Most sellers do not ship, pack, or palletize

Before bidding, contact the seller regarding shipping and removal

Again, we are not part of the transaction, if you should encounter an issue, please first contact the selling agency before contacting us with the issue

Good communication is the key, ask as many questions, or inspect the item before bidding. Get as much information in writing via email as possible