

**CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2023-02**

**A RESOLUTION EXPRESSING THE COUNCIL'S INTENT TO SELL UNNEEDED,
OBSOLETE OR UNFIT PERSONAL PROPERTY BY INTERNET AUCTION AND
REQUIRING PUBLICATION OF THE SAME; AND AUTHORIZING THE MAYOR
AND FISCAL OFFICER TO EXECUTE ON BEHALF OF THE CITY A CONTRACT
WITH GOVDEALS, INC. FOR THE CALENDAR YEAR 2023**

WHEREAS, the City is empowered to sell tangible items of personal property belonging to the City that is no longer needed for any municipal purposes, in accordance with sections 721.01 – 721.26, inclusive, of the Revised Code; and,

WHEREAS, section 721.15 (D) of the Revised Code specifically empowers the Council to sell, regardless of the property's value, personal property, including [but not limited to] 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officers and departments, and road machinery, equipment, tools or supplies, which is not needed for public use, or is obsolete or unfit for the use for which it was acquired, by internet auction upon the adoption, *during each calendar year*, of a resolution expressing the Council's intent to sell such property by internet auction; and,

WHEREAS, the Council desires to enter into a contract for calendar year 2023 with Govdeals, Inc. for conducting the internet auction for the disposition of unneeded, obsolete or unfit personal property that includes the general terms and conditions of sale; and,

WHEREAS, the Council requires the contract specifically provide: (i) that the internet auction shall satisfy the statutory minimum of ten (10) days (including Saturdays, Sundays and legal holidays) for bidding on the property, and (ii) that the Council reserves the right to set a minimum price to be accepted for specific items and any other terms and conditions for a particular sale, such as requirements for pick-up or delivery, method of payment, and sales tax, if it so elects and notifies Govdeals, Inc. of the same which shall be provided on the internet at the time of the auction, and, (iii) that all internet sales shall be paid by the buyer directly to GovDeals, Inc., and (iv) all proceeds shall be delivered to the Fiscal Officer by electronic transfer from GovDeals and posted to the appropriate fund(s) by the Fiscal Officer; and,

WHEREAS, the Fiscal Officer shall cause notice of the Council's intent to sell unneeded, obsolete or unfit municipal personal property by internet auction, to be published, twice, in a newspaper of general circulation in the City, including a summary of the information contained within this Resolution, and the second publication shall be published not less than ten (10) or more than twenty (20) days after the initial publication; and,

WHEREAS, upon the effective date of this Resolution, the Fiscal Officer shall cause notice of this Resolution and the website address for Govdeals, Inc. to be posted continually throughout the calendar year in a conspicuous place in the offices of the City, as well as continuously throughout the calendar year on the City's website; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, at least a majority of all members elected thereto concurring:

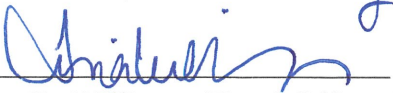
Section 1. That the Council approves the Contract with Govdeals, Inc., a copy of which is attached hereto and made a part hereof.

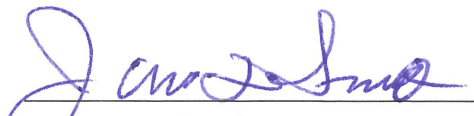
Section 2. Upon completion of the required publication and approval as to form by the City Solicitor, and no sooner than the effective date of this Resolution, that the Mayor and Fiscal Officer shall execute the said Contract and the City Administrator shall process the Contract to Govdeals, Inc. without further delay.

Section 3. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 4. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 2nd day of February, 2023.

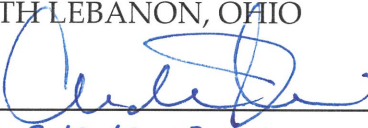
Attest: 
Petrina D. Williams, Fiscal Officer/Clerk


James D. Smith, Mayor

Rules Suspended: / /2023 (if applicable)	Effective Date – / /2023
Vote - ____ Yeas ____ Nays	
First Reading – 1 / 5 /2023 Second Reading – 1 / 19 /2023 Third Reading – 2 / 2 /2023	Effective Date – 3 / 2 /2023
Vote - <u>5</u> Yeas ____ Nays	

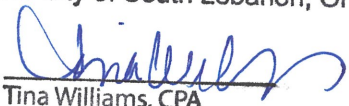
Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: 
Date: 2/2/2023

CERTIFICATE OF POSTING

I, Tina Williams, CPA, Fiscal Officer of the City of South Lebanon, Ohio do hereby certify I posted a true and accurate copy of this ordinance or resolution, summary of ordinance or resolution, or statement, order, proclamation, notice or report, at five public places within the City as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of the City of South Lebanon, Ohio

2/3/23
Date 
Tina Williams, CPA
Fiscal Officer
City of South Lebanon, Ohio