

ORDINANCE NO. 15-18

**AN ORDINANCE AUTHORIZING THE DISPOSAL OF MUNICIPAL PROPERTY
AND DECLARING AN EMERGENCY**

WHEREAS, Article VIII, Section 5, authorizes the sale of municipal property having a value in excess of Ten Thousand Dollars (\$10,000.00) to go forward by contract with the highest and best bidder after public advertising and receipt of bids in a manner provided by ordinance; and

WHEREAS, the Service Department of the City of Avon owns certain municipal property that has been replaced, become obsolete, is non-functional or is otherwise not being used in the ordinary course of servicing the community and has a value in excess of \$10,000.00, viz., a 1996 Ford L8000, Vactor Truck 2100 with a 5-speed manual transmission and 39,731 miles; an auxiliary engine, i.e., a Perkins 1004-4T single stage system with 6,640 hours; and a 1000 gallon water tank, 10 cubic yard debris tank and 500 ft. Rodder hose (all items to be sold together as one package); and

WHEREAS, the City participates in an on-line auctioning arrangement with GovDeals, Inc. pursuant to a contract entered into on January 18, 2010 (Ord. No. 42-10)

WHEREAS, the Administration seeks Council's approval to auction the above-referenced items with GovDeals in an on-line auction and sell same for the highest and best price after listing these items on GovDeals for not less than fourteen (14) days with a minimum selling price of Thirty Thousand Dollars (\$30,000.00); and

WHEREAS, Council finds that based upon representations of the Finance Director and the Service Director, authorizing the placement of the items on GovDeals for sale to the highest and best bidder to be in the best interests of the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the items listed in Exhibit A, attached hereto and incorporated herein, which are deemed to have a value greater than Ten Thousand Dollars (\$10,000.00), shall be placed on GovDeals and sold for the highest and best price but in no case less than Thirty Thousand Dollars (\$30,000.00). Proceeds from the sale of said equipment shall be deposited into the Sanitary Sewer Fund No. 631.

Section 2 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of 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 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of

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Avon, the immediate emergency being the necessity to dispose of City property in excess of \$10,000 by auction to the highest and best bidder; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

POSTED: _____

In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director