

RECORD OF ORDINANCES

Resolution No. 2022-77

Passed DECEMBER 7, 20 22

SPONSOR: SAFETY COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO SELL A 2012 CHEVROLET MALIBU ONLINE, AND DECLARING AN EMERGENCY.

WHEREAS, the Village owns personal property, i.e. a 2012 Chevrolet Malibu, VIN #1G1ZE5E09CF145949, that was seized as part of Portage County Court of Common Pleas Court, Case Number: 2022 CR 00119, *State of Ohio vs. Lutrell A. Eaton*; and,

WHEREAS, the Village no longer needs and now desires to sell the aforesaid vehicle; and,

WHEREAS, it is in the best interests of the Village to sell the foregoing property as it is presently being under-utilized and counterproductive for the needs of the Village at this time; and,

WHEREAS, the Village has previously authorized the sale of such property by online auction; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio as follows:

SECTION 1: That it is in the best interests of the Village of Mogadore and its operations to sell unfit, obsolete and/or unneeded personal property, which is the aforesaid 2012 Malibu.

SECTION 2: This identified personal property is hereby found to be unneeded.

SECTION 3: That the Mayor, Clerk-Treasurer and/or the Mayor's designee are hereby authorized and directed to sell the aforesaid personal property in a reasonably commercial fashion, more specifically on Govdeals.com as previously authorized and contracted.

SECTION 4: That the internet auction shall satisfy the statutory minimum of ten (10) days (including Saturdays, Sundays and legal holidays) for bidding on the property.

SECTION 5: Advertising for the internet auction is hereby directed and shall be accomplished in accordance with the Ohio Revised Code and the Mogadore legislation on this topic.

SECTION 6: That no proceeds from the internet sales shall be paid in cash, rather all proceeds shall be delivered to the Clerk-Treasurer by cashier or bank check, or electronic transfer to the Village's general fund with verification of receipt delivered to the Clerk-Treasurer.

SECTION 7: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

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SECTION 8: That it is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in a duly noticed open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of the Village residents and to allow for the continued operations of the Village Police Department and other departments and shall therefore take effect and be in force from and immediately after its passage.

Michael Radkish 12-7-22  
President of Council Date

Mark A. ... 12-7-22  
Mayor Date

Attest;

[Signature]  
Clerk-Treasurer