

RECORD OF ORDINANCES

Resolution No. 2023-52Passed JULY 19, 20 23

SPONSOR: STREETS COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO SELL A JOHN DEERE TRACTOR VIA ONLINE AUCTION THROUGH GOVDEALS.COM, AND DECLARING AN EMERGENCY.

WHEREAS, Section 3.10(F) of the Charter of the Village of Mogadore provides this Council the power to determine the method, manner, consideration and procedure for the sale or disposal of real and personal property on behalf of the Village; and

WHEREAS, Section 721.15(D) of the Ohio Revised Code empowers the Village to sell, regardless of the property's value, personal property acquired for use by the Village, which is no longer needed for public use, or is obsolete or unfit for the use for which it was acquired, by internet auction upon the adoption for each calendar year of a resolution expressing the Council's intent to sell such property by internet auction; and

WHEREAS, this Council previously adopted Resolution No. 2022-76, which expressed the Council's intent to conduct internet auctions to sell or dispose of unneeded, obsolete or unfit personal property of the Village, and authorized the Mayor to enter into a contract with Govdeals.com for the conduct of such internet auctions on behalf of the Village; and

WHEREAS, the Village owns a certain John Deere tractor that was previously used by the Street Department that is unneeded, obsolete and unfit for use by the Village; and

WHEREAS, the Mayor and Street Superintendent have recommended to this Council that it authorize the sale of said John Deere tractor via internet auction conducted by Govdeals.com on behalf of the Village; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to authorize the Mayor to sell the aforementioned John Deere tractor via internet auction conducted by Govdeals.com on behalf of the Village.

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

SECTION 1: The Mayor is hereby authorized and directed to sell the John Deere tractor via internet auction conducted by Govdeals.com on behalf of the Village. The Mayor, Clerk-Treasurer and any other Village employees are hereby authorized to take all actions reasonable and necessary to effectuate said internet auction.

SECTION 2: The internet auction authorized in Section 1 of this Resolution shall satisfy the statutory minimum of ten (10) calendar days for bidding on the property.

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SECTION 3: The internet auction authorized in Section 1 of this Resolution shall be conducted in accordance with the pertinent provisions of the Ohio Revised Code and Resolution No. 2022-76.


SECTION 4: No reserve shall be set by the Village for the internet auction authorized in Section 1 of this Resolution.

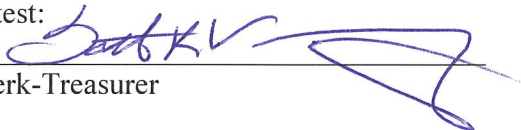
SECTION 5: No proceeds from the internet auction shall be paid in cash, and all proceeds shall be delivered to the Clerk-Treasurer by bank or cashier's check, or electronic transfer to the Village's general fund, with verification of receipt delivered to the Clerk-Treasurer.

SECTION 6: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 7: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately selling such unneeded personal property and receiving payment for the same, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

 7-19-23
President Pro-Temp Date

 7-19-23
Mayor Acting Date

Attest:

Clerk-Treasurer