

(Mayor Potter)
(Amended June 1, 2020)

CITY OF KIRTLAND

RESOLUTION NUMBER 20-R-31

A RESOLUTION DECLARING CITY PROPERTY AND EQUIPMENT AS SURPLUS PROPERTY AND GRANTING AUTHORIZATION TO SELL SAID SURPLUS PROPERTY ON THE OPEN MARKET UPON SUCH TERMS AND AT SUCH PRICES AS ARE DEEMED MOST ADVANTAGEOUS TO THE CITY OF KIRTLAND, AND DECLARING AN EMERGENCY.

WHEREAS, Section 721.15 of the Ohio Revised Code provides for methods to dispose of property that is unneeded, obsolete, or unfit for municipal purposes; and

WHEREAS, the City of Kirtland wishes to dispose of certain items deemed no longer needed for municipal purposes in a manner consistent with the Ohio Revised Code; and

WHEREAS, the Director of Public Service has recommended to Council to declare a piece of equipment within the Service Department to be unneeded, obsolete, or unfit for municipal purposes and asks that the City list said item for sale on GovDeals.com; and

WHEREAS, City Council has passed Resolution No. 20-R-1 which authorizes the Mayor to list said unneeded, obsolete, or unfit property or equipment on an internet auction website, specifically GovDeals.com, at prices deemed most advantageous to the City; and

WHEREAS, due to the current state of emergency in Ohio and the governor's current stay at home order stemming from the COVID-19 pandemic, the Kirtland Public Library and the Kirtland Community Center have both been closed to protect both the community and the staff from potential infection; and

WHEREAS, Kirtland Codified Ordinance 220.25 requires the posting of copies of enacted legislation for fifteen consecutive days in three places within the City, those being City Hall, the Kirtland Public Library, and the Kirtland Community Center; and

WHEREAS, Kirtland Codified Ordinance 220.25 grants City Council the authority to modify the posting requirement.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Kirtland, County of Lake and State of Ohio, that:

SECTION I: The following vehicle(s) and equipment, with an estimated value of \$1,000 or more be and are hereby declared to be surplus property that is unneeded, obsolete, or unfit for municipal purposes and are available for disposition through sale and or internet auction pursuant to Resolution No. 20-R-1 at a price deemed most advantageous to the City:

1. 2015 Bomag Roller, Model #BW161AD-5, S/N 101921401020; Hours of Use: 315; Original Purchase Price: \$115,300; Approximate Fair Market Value: \$70,000.

SECTION II: The Director of Finance is hereby authorized and instructed to deposit the proceeds from the above sale into the Road Levy Fund.

SECTION III: The City Council, pursuant to its authority in Kirtland Codified Ordinance, Section 220.25 and due to the COVID-19 pandemic, hereby modifies the requirement to post this enacted legislation in three places and requires the following.

1. The Clerk of Council is hereby directed to post the enacted legislation in City Hall for fifteen (15) consecutive days after the effective date of this legislation; and
2. Due to the closures of the Kirtland Public Library and the Kirtland Community Center, the Clerk of Council is not required to post said enacted legislation in those locations; and
3. The Clerk of Council is hereby directed to post the enacted legislation on the City of Kirtland's website for fifteen (15) consecutive days after the effective date of this legislation.

SECTION IV: It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed 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 action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION V: This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that it is necessary to provide for the needs of the Service Department with the proceeds of this sale; wherefor, this resolution shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

Submitted to the Mayor for his
Approval on this ____ day of
_____, 2020.

ATTEST:

Approved by the Mayor, this _____
day of _____, 2020.

Clerk of Council
Declare Roller Unneeded

Mayor Kevin F. Potter