

Sponsor: Woolum

RESOLUTION NO. 2021-51

**A RESOLUTION BY THE LEGISLATIVE AUTHORITY FOR THE CITY OF WELLSTON AUTHORIZING THE SALE, BY INTERNET AUCTION DURING CALENDAR YEAR 2021, OF CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE OR WHICH IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED; AND DECLARING AN EMERGENCY.**

**WHEREAS**, pursuant to R.C. 721.15(D), Council for the City of Wellston, Ohio may adopt, during each calendar year, a resolution expressing its intent to sell municipally owned property, regardless of the property's value, by internet auction. This resolution must include a description of how auctions will be conducted, specifying the number of days for bidding, and stating the general terms and conditions of sale; and

**WHEREAS**, the City will benefit from receiving income into the City derived from the sale of surplus property; and

**WHEREAS**, where staff determines internet auction is the most cost effective and efficient means of disposing of said property, the public is hereby given notice that the general terms and conditions established below will be utilized when conducting the internet auction process on GovDeals or any similar on-line auction service.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WELLSTON, STATE OF OHIO, THAT:**

**SECTION 1:** During calendar year 2021, city owned personal property that is not needed for public use, or which is obsolete or unfit for the use for which it was acquired, may be sold at internet auction.

**SECTION 2:** All internet auction sales shall be conducted under the authority and direction of the Safety-Service Director or his designee(s), who shall set a minimum bid for all property sold by internet auction as well.

**SECTION 3:** All internet auction sales shall be conducted by GovDeals.com internet auction service, or a similar web site.

**SECTION 4:** All internet auction sales shall be conducted pursuant to the rules and regulations promulgated and in effect for the internet auction site. For each internet auction sale, bidding shall remain open for not less than ten (10) days, including Saturdays, Sundays and legal holidays.

**SECTION 5:** The City of Wellston shall publish, in a newspaper of general circulation within the City, or as provided in R.C. 7.16, notice of its intent to sell all unneeded, obsolete, or unfit municipal personal property by internet auction. This notice shall include a summary of the information provided herein and shall be published twice. The second notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice. A similar notice

also shall be posted continually throughout the calendar year in a conspicuous place in the office of the Clerk of Council. The notice also shall be posted continually throughout the calendar year on the City's web site.

**SECTION 6:** All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

**SECTION 7:** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public, peace, health and safety, and expedite the sale of unneeded municipal personal property, and said Resolution shall, therefore, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Wellston; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 8:** In the event this Resolution receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, this Resolution shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

**SECTION 9:** It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Resolution were adopted in an open meeting of this council and the deliberations of the council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the legislative authority of the City of Wellston this 4<sup>th</sup> day of November, 2021.

David McWilliam  
Council President

ATTEST:

M. B. Episkangle  
Clerk of Council



Approved this 4<sup>th</sup> day of November, 2021.

[Signature]  
Mayor

Published in accordance with the law on \_\_\_\_\_ and \_\_\_\_\_ and posted 12/19/21  
through 1/9/22 at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the  
Wellston Public Library and the Wellston Post Office.

*M. B. E. Priskangle*  
Clerk of Council



Prepared by: Randy H. Dupree, Law Director, City of Wellston