



RESOLUTION 07- 2024

**A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY BY
INTERNET AUCTION**

WHEREAS, the Village of Delta from time to time has personal property, that is not needed for public use or is obsolete or unfit for the use for which it was acquired, and

WHEREAS, Section 721.15 of the Ohio Revised Code authorizes the City to dispose of such property by internet auction, and

WHEREAS Council has determined that surplus property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies that are not needed for public use, or are obsolete or unfit for the use of which they were acquired, are appropriate to be sold by internet auction, and

WHEREAS Council hereby declares its intent to sell such property through internet auction.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF DELTA, FULTON COUNTY, OHIO:

SECTION 1: The Chief of Police or Village Administrator is hereby authorized and directed to sell by internet auction surplus personal property, including motor vehicles, road machinery, equipment, tools, or supplies that are not needed for public use, or are obsolete or unfit for the use of which they were acquired.

SECTION 2: The auctions shall be conducted continuously through accessing GovDeals, Inc., located at <https://www.govdeals.com/>, and the surplus items shall be posted for 15 days, including Saturdays, Sundays, and legal holidays.

SECTION 3: The Chief of Police, Village Administrator, or their designee is authorized and directed to enter into an agreement with GovDeals, Inc., 100 Capitol Commerce Blvd STE 110 Montgomery, AL 36117-4260, telephone (334) 467- 2411, for the provision of internet services to display the surplus items and provided related service for the Village to conduct the internet auctions.

SECTION 4: All surplus property to be auctioned shall be offered for sale "AS-IS", and the Village shall make no warranty, guarantee, or representation, express or implied, as to the merchantability or fitness for any purpose of the property offered for sale. No Buyer of the property shall be entitled to any payment for loss of profit or any other money damages, special, direct, indirect, or consequential. All sales of property shall be final upon removal of the property by the Buyer. The Village shall reserve the right to reject any and all bids and to withdraw from sale any property it may choose.



The Village of Delta

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SECTION 5: The Chief of Police or Village Administrator may establish by rule such other terms and conditions of sale as he/she may determine appropriate and necessary if they are not in conflict with any other provision of this Resolution.

SECTION 6: The Village shall post a notice, which shall include a summary of the information provided in this Resolution, continuously, in a conspicuous place in the offices of the Village of Delta, and it shall post a continuous notice throughout the calendar year on the Village's website giving notice on the internet auction of surplus supplies.

SECTION 7: The Chief of Police or Village Administrator, as a representative of the Village, may establish a minimum price that will be accepted for specific items and may establish any other terms and conditions for the individual sale, including requirements for pick-up or delivery, method of payment, and sales tax. This type of information, when established, shall be provided on the internet at the time of auction, and may be provided before that time upon request, after the terms and conditions have been determined by the Chief of Police or Village Administrator.

SECTION 8: Council finds and determines that all formal action of this Council and any of its committees concerning and relating to the passage of this Resolution were taken in an open meeting of this Council or committees and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

SECTION 9: This resolution shall take effect and be in force from and after the earliest period allowed by law

Passed this _____ day of _____, 2024

Mayor Allen Naiber

Attest: _____

Clerk of Council