

PASSED: May 13, 2013
BY: Hattenbach

ORDINANCE NO. 2013-09

ORDINANCE AUTHORIZING THE VILLAGE MANAGER TO DISPOSE OF
EXCESS PERSONAL PROPERTY UP TO \$7,500

WHEREAS, From time to time, certain personal property owned by the Village becomes outdated, or unwanted, or past its useful life, such that the property constitutes excess or surplus property;

WHEREAS, the Village Code is silent regarding procedures for disposing of surplus property, which means the Village must follow Ohio statutes which generally require public bidding to dispose of property;

WHEREAS, where the value of the surplus property is low, the State bidding procedures can be inefficient, costly, and time consuming;

WHEREAS, the Village Manager is presently authorized by Council to purchase property or enter into contracts up to \$7,500 without Council approval;

WHEREAS, in order to provide flexibility to the Village in disposing of surplus personal property, Council wishes to authorize the Village Manager authority to dispose of property without following bidding guidelines where the estimated value of the property is less than 7,500;

WHEREAS, the Police Department has a present need to sell older, unused, and unwanted police vehicles with little value, and has identified a potential purchaser in the City of Norwood Police Department which in turn has a time sensitive need to convey certain public safety equipment desired by the Village which could be offered in trade in order to benefit both departments;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF AMBERLEY VILLAGE, STATE OF OHIO, six (6) members elected thereto concurring,

SECTION 1: The Village Manager is authorized to dispose of excess or surplus personal property owned by the Village with an estimated value of up to \$7,500 by whatever means or method the Manager deems in the best interest of the Village. The property may be sold, gifted, traded, or otherwise conveyed to any person or entity. This authority is expressly intended to bypass the procedures set forth in Ohio statutes, including but not limited to Revised Code 721.15, which require public bidding to dispose of personal property. When exercising the authority granted by this ordinance, the Manager shall document the estimated value of the property, a description of the property, and the money or value received, if any, in return for the property being disposed, and shall provide an annual report of such information to Council.

SECTION 2: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare, and it shall have immediate force and effect. The reason for such emergency is to ensure that the Village can acquire by trade necessary public safety equipment at the best value from the City of Norwood which it intends to dispose of before this ordinance would otherwise take effect.

Passed this 13th day of May, 2013.

Mayor J.K. Byar

Attest:

Nicole Browder, Clerk of Council

Resolution Vote:

Moved: Hattenbach Second: Muething

I, Clerk of Council of Amberley Village, Ohio, certify that on the 17th day of May, 2013, the forgoing Resolution was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Resolution at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council