

RESOLUTION 2015– R – 16

RESOLUTION DECLARING INTENT TO CONDUCT INTERNET AUCTIONS FOR THE SALE OF UNNEEDED, OBSOLETE OR UNFIT CITY PERSONAL PROPERTY DURING CALENDAR YEAR 2016

WHEREAS, Ohio Revised Code Section 721.15 permits municipalities to sell obsolete/unfit items by internet auction; and

WHEREAS, an annual Resolution adopted by City Council is required to permit the City to utilize the internet auction provision of ORC Section 721.15.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF SHARONVILLE THAT:

SECTION 1: The Administration of the City of Sharonville is authorized to utilize the internet auction for the sale of personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which are not needed for public use, or are obsolete or unfit for the use for which it was acquired for the year 2016.

SECTION 2: The Clerk of Council shall cause notice of the adoption of this resolution to be published, in a newspaper of general circulation in the City, of the City's intent to sell unneeded, obsolete or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published at least two (2) times. The second and any subsequent notice shall be published not less than ten (10) nor more than twenty (20) days after the previous notice.

SECTION 3: The Clerk of Council shall cause a notice to be posted continually throughout the calendar year in a conspicuous place in the offices of the Clerk of Council and the City Council and shall cause said notice to be posted continuously throughout the year on the City website.

SECTION 4: The City shall conduct the internet auction via eBay (or other similar bidding site as long as notice is given) using the parameters provided by the auction site. Minimum price or reserve may be set, but is not required by law.

SECTION 5: Bidding shall continue for no less than ten (10) days, including Saturdays, Sundays, and legal holidays, and shall be set for each item as noted on the internet auction site.

SECTION 6: All terms and conditions of sale including, but not limited to, pick-up and delivery, method of payment, sales tax, complete descriptions and/or pictures of the items, shall be specified for each item on the internet auction site.

SECTION 7: The highest bidder upon the close of the open bidding period will be deemed to be the successful bidder of the internet auction. Upon the close of the auction, an invoice will be sent to the successful bidder for the amount of the bid. The successful bidder shall remit the entire payment within ten days of receipt of the invoice. Acceptable forms of payment include cashier's check, certified check, or money order. Other payment arrangements may be made by the City where circumstances warrant. Payment options such as on-line payment systems and PayPal or similar services are acceptable payment options. Notwithstanding the foregoing, all payment options are subject to the approval of the City's Finance Director.

SECTION 8: All communication with the successful bidder shall occur in writing. Arrangements and costs associated with delivery to the successful bidder shall be the sole responsibility of the successful bidder. Risk of loss will be transferred to the successful bidder upon the tendering of the goods to the shipping company chosen by the successful bidder.

SECTION 9: All items shall be sold without warranty in "AS IS" condition. All advertisements, listings, and notices shall be subject to the following language:

"The City of Sharonville, its officers, employees, and agents offer this item for sale "AS IS" without any warranty or condition, express, implied or statutory. The City of Sharonville, its officers, employees and agents, specifically disclaim any implied warranties of title, merchantability, fitness for a particular purpose and non-infringement."

SECTION 10: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 11: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: December 15, 2015

Vicki Hoppe
President of Council, Vicki Hoppe

Attest: Teresa Buchast
Clerk of Council, Teresa Bucheit

Approved: 12/15/2015

[Signature]
Mayor, Kevin Hardman