

PASSED: December 13, 2021
BY: Muething

ORDINANCE NO. 2021-18

**ORDINANCE AUTHORIZING THE VILLAGE MANAGER TO DISPOSE OF
EXCESS PERSONAL PROPERTY UP TO \$15,000**

WHEREAS, From time to time, certain personal property owned by the Village becomes outdated, or unwanted, or past its useful life, such that the property constitutes excess or surplus property;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, in October 2013, Village Council authorized the Village Manager to dispose of property without following bidding guidelines where the estimated value of the property is less than \$7,500;

WHEREAS, since that time, the Village Manager's authority to spend without Council approval has been increased to \$15,000.

WHEREAS, the Village currently has two vehicles to dispose of and the Police Department has identified a potential municipal purchaser, but those vehicles are valued above the current \$7,500 limit and would require going through the publicly bidding process to dispose of.

WHEREAS, Staff has recommended the value limit be increased to \$15,000 to match the Village Manager's spending limit and the Finance Committee has met to discuss the request and also recommends the increase conditioned upon that Committee's receipt of reports regarding the disposal of surplus equipment and the proceeds therefrom.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
AMBERLEY VILLAGE, STATE OF OHIO**, seven (7) 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 \$15,000 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, which it intends to dispose of before this ordinance would otherwise take effect.

Passed this 13th day of December, 2021.

Mayor Thomas C. Muething

Attest:

Tammy Reasoner, Clerk of Council

Ordinance Vote:

Moved: Muething Seconded: Wolf

Muething	Aye
Wolf	Aye
Bardach	Aye
Hunt	Aye
Paul	Aye
Rosen	Aye
Shatz	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the ____ day of December, 2021, the foregoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Tammy Reasoner, Clerk of Council