

1 ORDINANCE NO. 2013-435

2
3 SPONSOR Mr. Pry

4
5 DATE October 21, 2013 COMMITTEE Finance

6
7
8 **An Ordinance amending Section 177.19 of the Codified Ordinances of the County of**
9 **Summit, entitled "Sale or Disposal of Personal Property Cumulatively Exceeding**
10 **\$15,000.00," to allow for sales of such personal property without an auction upon**
11 **the finding of this Council that a public auction or sealed bid is unwarranted, for**
12 **the Executive's Department of Law, Insurance, and Risk Management, and**
13 **declaring an emergency.**

14
15 WHEREAS, Section 177.19 of the Codified Ordinances of the County of Summit,
16 entitled "Sale or Disposal of Personal Property Cumulatively Exceeding \$15,000.00,"
17 provides for the sale or disposal of personal property cumulatively exceeding \$15,000.00
18 only by public auction or sealed bids; and

19
20 WHEREAS, Section 177.18 entitled "Sale or Disposal of Personal Property Not
21 Cumulatively Exceeding \$15,000.00," permits the sale or disposal of personal property
22 below \$15,000.00 by public auction or sealed bids, and also allows for a private sale or
23 disposal without public auction or sealed bid if it is warranted, as determined by the
24 Executive; and

25
26 WHEREAS, this Council has determined that certain situations dictate that it is
27 also warranted at times to conduct a private sale or disposal of personal property
28 exceeding \$15,000.00 without public auction or sealed bid, provided that Council
29 authorize the sale under those conditions; and

30
31 WHEREAS, this Council finds and determines, after reviewing all pertinent
32 information, that it is necessary and in the best interest of the County to amend Section
33 177.19 to allow for a sale or disposal of personal property in excess of \$15,000.00
34 without public auction or sealed bid if found warranted by Council.

35
36 NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of
37 Summit, State of Ohio, that:

38
39 SECTION 1

40
41 Section 177.19 of the Codified Ordinances of the County of Summit, entitled
42 "Sale or Disposal of Personal Property Cumulatively Exceeding \$15,000.00," is hereby
43 amended as follows:

44
45
46

1 ORDINANCE NO. 2013-435

2 PAGE TWO

3
4 SECTION 1 (Cont.)

5
6 **“177.19 SALE OR DISPOSAL OF PERSONAL PROPERTY**
7 **CUMULATIVELY EXCEEDING \$15,000.**

8
9 Upon determination of the Executive that the sale or disposal of personal
10 property owned by the County is in the best interest of the County and that the
11 property has an estimated fair market value as determined by the Executive
12 cumulatively exceeding fifteen thousand dollars (\$15,000), the Executive shall
13 recommend to Council the sale of such property, and Council may authorize the
14 sale of such property by the Executive, through the Department of Purchasing, as
15 provided by Section 177.18(b) through (e).

16
17 The Executive may, with the approval of Council, sell or dispose of
18 personal property under this section, which is not needed for public use, without
19 conducting a public auction or sealed bids provided Council adopts a Resolution
20 finding good cause as to why a public auction or sealed bid is not warranted to
21 dispose of surplus equipment and authorizing the sale or disposal.”
22

23 SECTION 2

24
25 The Ordinance is hereby declared an emergency in the interest of the health,
26 safety and welfare of the citizens of the County of Summit, and for the further reason of
27 immediately implementing the ability to conduct the aforementioned types of sales
28 without public auction or sealed bid so that the Executive may introduce a Resolution
29 authorizing a specific sale under the amended authority.

30
31 SECTION 3

32
33 Provided this Ordinance receives the affirmative vote of eight members, it shall
34 take effect immediately upon its adoption and approval by the Executive; otherwise it
35 shall take effect and be in force at the earliest time provided by law.

36
37 SECTION 4

38
39 It is found and determined that all formal actions of this Council concerning and
40 relating to the adoption of this Ordinance were adopted in an open meeting of this
41 Council, and that all deliberations of this Council and of any of its committees that
42 resulted in such formal action, were in meetings open to the public, in compliance with
43 all legal requirements, including Section 121.22 of the Ohio Revised Code.
44
45
46

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19


ORDINANCE NO. 2013-435

PAGE THREE

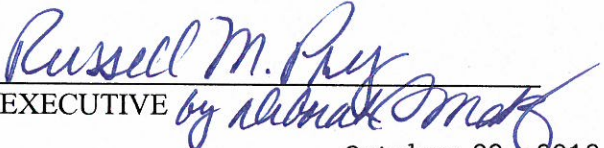
INTRODUCED September 30, 2013

ADOPTED October 21, 2013


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED October 22, 2013


EXECUTIVE *by Russell M. Pry*

ENACTED EFFECTIVE October 22, 2013

Voice Vote: 10-0 YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Prentice, Rodgers, Roemer, Schmidt, Shapiro
Absent: Lee