

**RESOLUTION NO. R-17-12**

**EXPRESSING INTENT TO SELL CITY SURPLUS ITEMS TO THE PUBLIC THROUGH AN ON-LINE AUCTION SERVICE AND DECLARING AN EMERGENCY**

WHEREAS, the City of Wilmington would like to sell personal property that is surplus, obsolete or unfit for City service using auction services available via the internet, as is permitted pursuant to O.R.C. 721.15(D); and

WHEREAS, the City of Wilmington would like to offer to the public the convenience of bidding on said City surplus items through an online auction service offered by GovDeals.com.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the City of Wilmington intends to sell surplus and obsolete personal property or personal property that is unfit for City service (hereinafter "surplus property") by internet auction in calendar year 2017.

Section 2. That the items will be sold through the online auction service offered by GovDeals, Inc. A description of the manner of the internet auctions to be held is set forth in the city's current agreement with GovDeals, Inc. and by other rules as posted on the GovDeals, Inc. website pertaining to said auctions.

Section 3. That the general terms of said internet auction sales shall include the following:

- 1) All City surplus property is purchased AS IS, WHERE IS. The City is not providing a warranty of merchantability or any other warranty regarding any auctioned item;
- 2) Auctions of City surplus property will be conducted at various times throughout the year as the surplus property becomes available for auction. The minimum number of days that an auction will be held for any item of City surplus property shall be fifteen (15) days, including Saturdays, Sundays and legal holidays.
- 3) At the close of bidding, the winning bidder will pay for the surplus item by credit card to GovDeals, Inc. as directed of the website ([www.govdeals.com](http://www.govdeals.com));
- 4) Buyers are responsible for all costs of picking up, shipping or otherwise transporting the surplus property from its location in the City. Buyers shall remove the purchased item from City property within thirty (30) days (unless otherwise agreed by the City) or the buyer shall forfeit his or her right to purchase the property, will receive a refund of the purchase price, and the item will be re-auctioned. If a buyer who failed to pick up an item purchased from the online auction fails to do so a second time, the purchase price for the second or subsequent items not picked up will NOT be refunded.
- 5) City personnel will make up to two (2) scheduled appointments for pick-up and if the buyer does not show at the scheduled time and place for the second appointment, the buyer loses all rights to purchase said surplus property, the purchase price will be refunded, and the City will re-auction the item;
- 6) For any vehicle or property requiring a title, the City will provide a title for any vehicle purchases as soon as practicable after said purchase.

Section 4. The contact information of the GovDeals, Inc. representative is set forth in the current agreement with GovDeals, Inc., and, if it changes, the new contact information shall be available through the Mayor's office or the Chief of Police.

Section 5. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the citizens of Wilmington, Ohio.

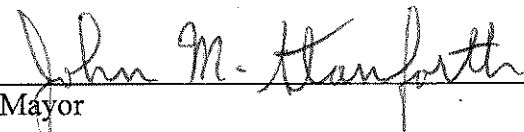
Passed this 2nd day of March, 2017

  
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President of Council

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

Approved by me this 2nd day of March, 2017

  
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Mayor