

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2018 – OR – 022

**AN ORDINANCE DISPOSING OF SURPLUS OR WORTHLESS PERSONAL
PROPERTY OF THE TOWN OF SELLERSBURG, INDIANA**

WHEREAS, pursuant to Ind. Code § 36-5-2 *et seq.*, this Town Council of Sellersburg, Indiana (this “Council”) is the town legislative body and the President of the town council is the town executive; and,

WHEREAS, pursuant to Ind. Code § 36-5-2-9, the legislative body may adopt ordinances and resolutions for the performance of functions of the town; and,

WHEREAS, pursuant to Ind. Code § 5-22-22-3(b), this Council acting as the purchasing agent, may sell property that “belongs to the governmental body, but is no longer needed for the purpose for which it was intended”; and,

WHEREAS, if the purchasing agent does not engage an auctioneer or if the surplus property is not sold through an Internet auction site under Section 4.5 of Ind. Code § 5-22-22 *et seq.*, the purchasing agent shall sell the property at a public sale or by sealed bids delivered to the office of the purchasing agency before the date of the sale. Advertisement of sale shall be made in accordance with Ind. Code § 5-3-1 and all sales shall be made to the highest and most responsible bidder. (*Ind. Code § 5-22-22-5*); and,

WHEREAS, pursuant to Ind. Code § 5-22-22-8, “if the property is worthless, it may be demolished or junked.” Property may be determined to be worthless or of no market value if the value of the property is less than the estimated costs of the sale and transportation of the property; and,

WHEREAS, this Council has determined a need to dispose of certain personal property of the Town.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana that the following personal property is worthless:

1. 2014 Dodge Charger – VIN# 2C3CDXAT7EH178160. (The Dodge Charger was a police car that was totaled).
2. This Council, understanding the aforementioned property has either been wrecked or burned-out beyond economical repair, grants the Police Chief, or it's designees, with the authority to sell said personal property pursuant to Ind. Code § 5-22-22 *et seq.* or if the property is deemed worthless then to have the property scrapped or turned over to the insurance company if applicable.
3. This ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Council.

So Ordained this 24 day of September, 2018

[Signature page to follow]

“Aye”

“Nay”

Absent

Paul J. Rhodes
Council President

Paul J. Rhodes
Council President

Brad Amos

Brad Amos
Council Vice President

Brad Amos
Council Vice President

Martina Webster

Martina Webster
Council Member

Martina Webster
Council Member

Jim LaMaster

Jim LaMaster
Council Member

Jim LaMaster
Council Member

William Conlin

William Conlin
Council Member

William Conlin
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 9/24/18

MOTION: Webster

SECOND: Conlin

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 9/24/18

MOTION: Webster

SECOND: LaMaster

VOTE: 4 AYE 0 NAY 0 ABSTAIN

