

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2024 – OR – 001

AN ORDINANCE DISPOSING OF SURPLUS OR WORTHLESS PERSONAL PROPERTY BELONGING TO 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 for Sellersburg, Indiana (the “Town”) and the President of this 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, unless otherwise allowed under Indiana law. 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, pursuant to Ind. Code § 36-1-11-9, “[w]henever a disposing agent purchases new property with a condition that property of a similar nature is to be traded in or exchanged as part of the purchase and in reduction of the purchase price, the exchange or trade-in may be made without compliance with section 7 of this chapter but must comply with section 16 of this chapter”; and,

WHEREAS, this Council, at the recommendation of the Chief of Police, has determined a need to trade in or sell three (3) older police cars.

NOW THEREFORE BE IT ORDAINED by this Town Council of Sellersburg, Indiana as follows:

1. The following personal property shall be disposed of consistent with Indiana law:

2018 Durango
1C4SDJFT5JC456354
Mileage 77083

2019 Charger
2C3CDXKT7KH622504
Mileage 74193

2019 Charger
2C3CDXKT5KH622517
Mileage 66237

2. This Council further grants the Town Manager / Chief of Police with the authority to either exclusively sell or trade the above-referenced personal property.
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 8th day of January, 2024.

“Aye”

“Nay”

Brad J. Amos

Brad Amos
Council President

Brad Amos
Council President

Scott McVoy

Scott McVoy
Council Vice President

Scott McVoy
Council Vice President

Terry Langford

Terry Langford
Council 2nd Vice President

Terry Langford
Council 2nd Vice President

Matthew Czarncki

Matthew Czarncki
Council Member

Matthew Czarncki
Council Member

Randall Mobley

Randall Mobley
Council Member

Randall Mobley
Council Member

Michelle D. Miller

Attested by: Michelle Miller
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 1/8/2024

MOTION: Czarncki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

APPROVAL

DATE: 1/8/2024

MOTION: McVoy

SECOND: Langford

VOTE: 5 AYE 0 NAY 0 ABSTAIN

