

STATE OF INDIANA

BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2024 – OR – 006

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 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, pursuant to Ind. Code § 36-1-11-9, “[w]henver 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 Town Manager, has determined a need to dispose of certain personal property.

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


1. The following personal property is deemed surplus:
 - a. 2009 Sewer Jeter / Vactor Truck
2. The Town Manager, or its designee, shall provide the Clerk-Treasurer with the corresponding VIN# for said truck.
3. Further, this Council grants the Town Manager the authority to sell said personal property pursuant to Ind. Code § 5-22-22 et seq. to the highest bidder.
4. 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 25th day of March, 2024.

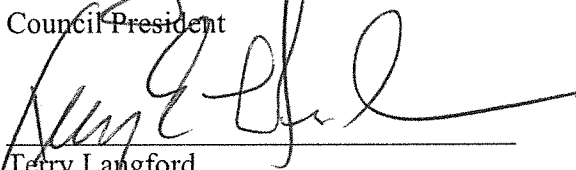
[Signature page to follow]

“Aye”

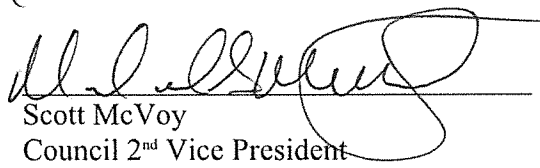
“Nay”


 Brad Amos
 Council President

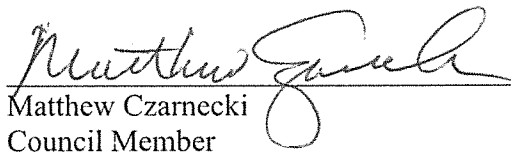
 Brad Amos
 Council President


 Terry Langford
 Council Vice President

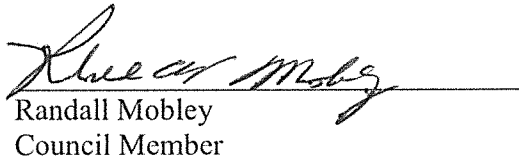
 Terry Langford
 Council Vice President


 Scott McVoy
 Council 2nd Vice President

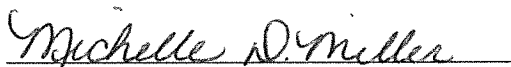
 Scott McVoy
 Council 2nd Vice President


 Matthew Czarniecki
 Council Member

 Matthew Czarniecki
 Council Member


 Randall Mobley
 Council Member

 Randall Mobley
 Council Member


 Attested by: Michelle Miller
 Sellersburg Clerk-Treasurer

FIRST READING DATE: 3/25/2024

MOTION: McVoy SECOND: Czarniecki

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Approval
 SECOND READING DATE: 3/25/2024

MOTION: McVoy SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

