

STATE OF INDIANA  
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

**ORDINANCE NO. 2019 – OR – 033**

**AN ORDINANCE DISPOSING OF PERSONAL PROPERTY AS A TRADE-IN OR EXCHANGE AS PART OF PURCHASE PRICE OF NEW PROPERTY**

**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]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”;

**WHEREAS**, this Council, at the recommendation of the police chief, has determined a need to dispose of certain personal property (i.e. three (3) police cars) by trading them in on the purchase of three (3) new police cars in exchange for reduction of the purchase price.

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

1. The following personal property is to be traded-in and exchanged for a reduction in the purchase price of three (3) new police car:
  - a. 2013 Ford Taurus – Vin#1FAHP2MK7DG212791
  - b. 2014 Dodge Charger – Vin#2C3CDXAT0EH245603
  - c. 2014 Dodge Charger – Vin#2C3CDXAT2EH245604
2. 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 25 day of November, 2019

*[Signature page to follow]*

“Aye”

“Nay”

Paul J. Rhodes  
Paul J. Rhodes  
Council President

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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

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Jim LaMaster  
Council Member

Absent  
William Conlin  
Council Member

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William Conlin  
Council Member

Michelle D. Miller  
Attested by: Michelle Miller  
Sellersburg Clerk-Treasurer

FIRST READING

DATE: 11/25/19

MOTION: Webster

SECOND: Amos

VOTE: 4 AYE 0 NAY 0 ABSTAIN

SECOND READING

DATE: 11/25/19

MOTION: LaMaster

SECOND: Webster

VOTE: 4 AYE 0 NAY 0 ABSTAIN

