

STATE OF INDIANA
BEFORE THE TOWN COUNCIL OF SELLERSBURG, INDIANA

ORDINANCE NO. 2020 – OR – 024

**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]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 Town Manager, has determined a need to dispose 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, junk, or worthless:

Year	Make	Model	VIN	Mileage
1986	Chevrolet	Pickup	2GCDC14H5G1166558	70,087
1994	Chevy	Dump	1GBJK34KORE276629	104,000
2000	Chevy	Silverado	1GCEC14W9YE105085	176,000
2001	Ford	F34	1FDSF34F31EB21726	118,905
2002	GM	Sweeper	JALE5B14237901157	
1996		Box Trailer	1WC200L28T1070489	
1999	Ford	F350	1FTWX32SOXE30635	119,785
2000	Ford	F250	1FTNW21F8YEB49175	118,081
2008	Ford	F250	1FTSX215X8EA50963	167,733
1995	Ford	Garbage	1FDYS82E6SVA82161	
	Case	Mini trailer excavator	JAF0217326	
	Case	Mini trailer excavator- nonworking	VH4D1- 444082-92080878	
	Cub Cadet Tractor	Lo- Boy	25661 J	

2. This Council, understanding the aforementioned personal property grants the Town Manager 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.
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 14th day of September, 2020.

“Aye”

“Nay”

Brad Amos
Brad Amos
Council President

Brad Amos
Council President

Matthew Czarnecki
Matthew Czarnecki
Council Vice President

Matthew Czarnecki
Council Vice President

Terry Langford
Terry Langford
Council Member

Terry Langford
Council Member

Scott McVoy
Scott McVoy
Council Member

Scott McVoy
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: 9/14/2020

MOTION: Czarnecki

SECOND: McVoy

VOTE: 5 AYE 0 NAY 0 ABSTAIN

Waived SECOND READING

DATE: 9/14/2020

MOTION: McVoy

SECOND: Mobley

VOTE: 5 AYE 0 NAY 0 ABSTAIN

