VILLAGE OF McDONALD, OHIO

ORDINANCE NO. 3336-26

AN ORDINANCE TO DECLARE THE VILLAGE OF McDONALD'S 2006 MEDIX 166 AMBULANCE TO BE PERSONAL PROPERTY NOT NEEDED FOR THE VILLAGE MUNICIPAL PURPOSES AND GRANTING AUTHORIZATION TO SELL THE AMBULANCE UPON SUCH TERMS AND AT SUCH PRICE AS ARE DEEMED MOST ADVANTAGEOUS TO VILLAGE OF McDONALD, and declaring an emergency.

WHEREAS, the Fire Chief and Safety Committee reported to Council that the 2006 MEDIX 166 Ambulance, which is mounted on a 2006 Ford F-450 Chassis VIN #1FDXE45P66DA19081 (hereinafter the "Ambulance") is no longer needed for municipal purposes and the Fire Chief and Safey Committee recommend to Council to sell the Ambulance;

WHEREAS, Ohio Revised Code section 721.15, entitled ***Disposition of unneeded, obsolete or unfit personal property***, provides at section (A): "Personal property not needed for municipal purposes, the estimated value of which is less than one thousand dollars, may be sold by the board or officer having supervision or management of that property. If the estimated value of that property is one thousand dollars or more, it shall be sold only when authorized by an ordinance of the legislative authority of the municipal corporation and approved by the board, officer, or director having supervision or management of that property. When so authorized, the board, officer, or director shall make a written contract with the highest and best bidder after advertisement for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the municipal corporation or as provided in section 7.16 of the Revised Code, or with a board of county commissioners upon such lawful terms as are agreed upon, as provided by division (B)(1) of section 721.27 of the Revised Code."; and

WHEREAS, Council deems it prudent to follow the recommendation of the Fire Chief and Safety Committee and sell the Ambulance pursuant to the Ohio Revised Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF McDONALD, TRUMBULL COUNTY, WITH AT LEAST TWO-THIRDS (2/3) OF THE MEMBERS ELECTED THERETO CONCURRING that that:

Section I. The Ambulance be and is hereby declared to be personal property not needed by the Village for municipal purposes and available for disposition through sale pursuant to Ohio Revised Code section 721.15(A). The Village sets a minimum sale price of Ten Thousand and 00/100 Dollars ($10,000.00) for the sale. The Ambulance will be sold only if a qualifying bid is received in this amount or greater.

Section II. The Fiscal Officer is authorized to advertise for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the municipal corporation or as provided in section 7.16 of the Revised Code, the general terms of the sale of the Ambulance and stating that this Ordinance setting forth the ***Terms and Conditions*** of the sale is available at the Village of McDonald Administration Building, 451 Ohio Avenue, McDonald, Ohio 44437, (330) 530-5472.

Section III. The sale transaction shall be conducted in accordance with the following ***Terms and Conditions***:

1. Terms

The Village sets a minimum sale price of Ten Thousand and 00/100 Dollars ($10,000.00). The Ambulance will be sold only if a bid is received in this amount or greater. The sale of the Ambulance is in its AS-IS condition, with no warranties express or implied. The successful bidder waives and releases any and all claims against the Village, whether for compensator, special, direct, indirect, consequential or other damages. The Village reserves the right to withdraw the Ambulance from being offered for sale. The Village will furnish no services of any kind to the successful bidder for transportation of the Ambulance. The sale of the Ambulance will made be to the highest and best bidder. There shall be no refunds or adjustments on the successful bidder's price and the sale is final. Each bid is submitted by the bidder with the understanding that the acceptance by the Village constitutes a contract between the successful bidder and the Village, subject to this Ordinance and the ***Terms and Conditions*** set forth herein. The Village reserves the right to reject any or all bids and to waive any formalities or irregularities in bidding process or regarding any bids.

2. Inspection

The Village will make the Ambulance available for inspection by appointment only by contacting the Fire Chief at (330) 530-5472 prior to the bid opening date.

3. Bids

Sealed bids submitted will be delivered to the Village of McDonald at 451 Ohio Avenue, McDonald, Ohio 44437, and received up to the bid opening date and time.

4. Payment

The successful bidder is required to remit payment in full for the sale price within five (5) calendar days from the date a Notice of Award is delivered to the bidder. Payment will be in the form of a certified check, cashier's check, or immediately available funds, payable to the "Village of McDonald, Ohio" and delivered to 451 Ohio Avenue, McDonald, Ohio 44437. The Village will execute the title to the Ambulance in favor of the successful bidder and tender the keys upon receipt of full payment.

5. Taxes

Any and all taxes, federal, state and/or local, or transfer taxes, due on the sale of the Ambulance shall be paid by the successful bidder.

6. Default

If the successful bidder fails to pay for the Ambulance within five (5) days from the Notice of Award, the successful bidder will be in default. The Ambulance may then be re-sold in such a manner as the Village may elect and the defaulting bidder will be liable to the Village for any losses, damages (including, without limitation, the difference in the sale price), and/or additional costs and expenses incurred by the Village.

7. Acceptance of Terms

By submitting a bid, each bidder agrees that the bidder has read, fully understands, accepts and agrees to abide by and be bound by this Ordinance and the ***Terms and Conditions*** set forth herein.

Section IV. The passage of this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings in accordance with the provisions of Ohio Revised Code Section 121.22.

Section V. To preserve the public peace, health, welfare and safety, and for the specific reason that the Village has limited storage capacity for vehicles and equipment including the Ambulance (which was already replaced with a new ambulance) making it necessary for the Village to sell the Ambulance as soon as possible, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in full legal force and effect from and after the earliest period allowed by law.

Passed in Council this 19th day of March, 2026.

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Mayor

Attest to:

_____
Fiscal Officer

Approved by:

_____
Fire Chief Fred Marcum