

RESOLUTION # 2018- 05

A RESOLUTION OF THE TOWN OF ASHLAND CITY, TENNESSEE, TO ESTABLISH A POLICY FOR THE SALE AND DISPOSAL OF PROPERTY DETERMINED TO BE SURPLUS TO THE TOWN'S NEEDS.

WHEREAS, it is in the public interest for the Town of Ashland City to periodically sell or dispose of certain machinery, equipment, or materials which, by nature of its obsolescence, low value, or disrepair, has been determined by the Mayor and City Council to be surplus to the realistic and foreseeable needs of the City; and

WHEREAS, the Mayor and City Council wishes to establish a uniform policy, which provides that obsolete and unneeded property will be offered for sale to the general public in an open, transparent, and cost-effective manner, and assures against usable and valuable property from wrongfully being declared obsolete and offered for sale.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF ASHLAND CITY AS FOLLOWS:

1. Title. This Resolution shall be known as the "Town of Ashland City Surplus Property Policy" and shall be the official guideline for the sale of the Town's surplus properties.
2. Authority to declare property as surplus to the City's needs. Any member of the City Council, any department head, or the Mayor may nominate any City-owned property for disposal or sale as surplus property. All such nominations shall be made on forms developed by the City Recorder and signed by the person making the nomination. Signed nominations shall be forwarded to the City Recorder to take to City Council for the final decision authorizing the sale. It shall be the official policy of the Town of Ashland City that no city-owned property shall be sold, or offered for sale, as surplus property without prior authorization by the Mayor and City Council. The City Council's authorization to sell surplus property shall be in the form of a Resolution.
3. Unauthorized sales. Any employee of the Town of Ashland City found to have sold, or offered for sale, any City-owned property in violation of the Town of Ashland City Surplus Property Policy shall be subject to disciplinary action and, if applicable, criminal prosecution.
4. Surplus property nomination form. The City Recorder shall develop a form which shall be used by city officials to nominate surplus property for sale. As a minimum, such form shall contain the following information:
 - (a) A brief description of the item proposed for sale, including manufacturer, model number, serial number, age, and condition; as well as any asset number assigned to the item in the City's Capital Asset listing;
 - (b) The department or office to which the property is assigned;
 - (c) An explanation of why the property is no longer needed by the City;
 - (d) An estimate of the current in-place value of the property; and
 - (e) The name and signature of the person making the nomination.
5. Surplus property criteria. All signed surplus property nomination forms shall be promptly forwarded by the City Recorder to the City Council. Before classifying any property as being surplus, the City Council shall consider the following:

- (a) The age and condition of the property;
 - (b) The cost of replacing the property, if any;
 - (c) The anticipated remaining life of the property;
 - (d) The estimated value of the property;
 - (e) Whether the property might reasonably, safely, and efficiently be used by another City department or office.
6. Sales procedures. Unless otherwise directed by the City Council, all surplus property approved for sale shall be sold according to the following procedure:
- (a) The preferred method of sale shall be a public auction, on a cash, certified check, or if applicable, debit or credit card basis. A public auction may include the use of a nationally recognized government surplus website, such as GovDeals.com or PublicSurplus.com. Sales on such websites shall include a buyer's premium so that the buyer bears the cost for using the website service. When a public auction is not practical or efficient, the Council may direct the sale to take place by means of sealed bids. The opening of all sealed bids shall take place in a meeting open to all bidders and the general public.
 - (b) It shall be the City's policy that sales of surplus property shall be awarded to the highest bidder.
 - (c) All surplus property auctions shall be advertised at least 30 days on the City's website.
 - (d) Prior to the sale, all City logos or other symbols are to be removed or destroyed from the items to be sold.
7. Sale of dangerous property. It shall be the policy of Town of Ashland City to avoid the sale of surplus property that might reasonably be dangerous or hazardous to the ultimate purchaser. Dangerous or hazardous items shall include, but are not limited to, the following:
- (a) Surplus firearms and other weapons. Such items may only be offered for sale to a public law enforcement agency;
 - (b) Explosives;
 - (c) Volatile or highly toxic chemicals; and
 - (d) Equipment and materials that cannot be operated or used safely due to obsolescence, product defect, lack of maintenance, etc.
8. Prohibited sales. No member of the Town of Ashland City, City Council shall purchase, attempt to purchase, or otherwise take possession of any item of surplus property offered for sale by the Town of Ashland City. Any employee of the Town of Ashland City who purchases, attempts to purchase, or otherwise takes possession of any item offered surplus property offered for sale by the Town of Ashland City shall be subject to disciplinary action up to and including termination of employment.
9. Distribution. The City Recorder is hereby directed to distribute a copy of this resolution to every department for distribution to employees and in each copy of the City's employee or policy handbook issued after the effective date of this Resolution.
10. Effective date. This Resolution shall be in full force and effect from and after its date of adoption by the Town of Ashland City's Mayor and City Council.

This resolution shall take effect from and after its passage, the public welfare requiring it.

We, the undersigned City Council members, meeting in Regular Session on this 13th day of February, 2018 move the adoption of the above Resolution.

Councilmember Steve D. Allen moved to adopt the Resolution.

Councilmember Jim Adams seconded the motion.

Voting in Favor 6

Voting Against 0

Attest:

Richard Johnson
Richard Johnson, Mayor

Kellie Reed
Kellie Reed, City Recorder