

RESOLUTION 21 - 01

A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY, INCLUDING MOTOR VEHICLES ACQUIRED FOR THE USE OF MUNICIPAL OFFICERS AND DEPARTMENTS, AND ROAD MACHINERY, EQUIPMENT, TOOLS OR SUPPLIES, WHICH IS NOT NEEDED FOR PUBLIC USE OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION.

WHEREAS, Chapter 721 of the Ohio Revised Code grants municipal corporations the special power to sell property not needed for any municipal purpose; and,

WHEREAS, the Village of Mechanicsburg, pursuant to Chapter 721.15 (D) of the Revised Code grants that the legislative authority of a municipal corporation may sell personal property, including motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools, or supplies, which is not needed for public use or is obsolete or unfit for the use it was acquired, by internet auction; and,

WHEREAS, the Village Council of the Village of Mechanicsburg, Ohio has elected by a majority vote of its members to dispense with the requirement of Section 721.15(A) of the Ohio Revised Code;

NOW BE IT THEREFORE RESOLVED by the Council of the Village of Mechanicsburg, Ohio, as follows:

1. The legislative authority of the Village Of Mechanicsburg hereby expresses its intent to dispose of unneeded, obsolete or unfit personal property by Internet auction and;
2. The personal property disposed of through Internet auction may include, as specified in ORC 721.15 (D) motor vehicles acquired for the use of municipal officers and departments, and road machinery, equipment, tools or supplies, which is not needed for public use, or is obsolete or unfit for use for which it was acquired; for items valued at \$2,500.00 (two thousand five hundred dollars) or less upon permission of the Mayor of Mechanicsburg and;
3. That the Internet auction will be conducted in the following manner under the following general terms and conditions:
 - a. All bidders and other participants of this auction shall agree that they have read and fully understand these terms and agree to be bound **hereby**.
 - b. **Minimum Bidding Period**. Each item shall have a bidding period of at least ten days, including Saturdays, Sundays, and holidays.
 - c. **Guarantee Waiver**. All property is offered for sale **"AS IS, WHERE IS"**. Village Council of the Village of Mechanicsburg, Mechanicsburg, Ohio (Seller) makes no warranty, guarantee or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment

for loss of profit or any other money damages - special, direct, indirect or consequential.

- d. **Description Warranty.** Seller warrants to the Buyer that the property offered for sale will conform to its description. Any claim for misdescription must be made prior to the removal of the property. If Seller confirms that the property does not conform to the description, the Seller will keep the property and refund any money paid. The liability of the Village Council of the Village of Mechanicsburg, Ohio shall not exceed the actual purchase price of the property. Please note that upon removal of property **all sales are final.**
- e. **Personal and property risk.** Persons attending during the exhibition, sale or removal of goods assume all risk of damage of or loss to person and property and specifically release the Seller and the Internet auction operation from liability therefore.
- f. **Inspection.** Most items offered for sale are used and may contain defects not immediately detectable. Bidders may inspect the property prior to bidding. Bidders must adhere to the inspection dates and times indicated in the item description. Please contact **April Huggins Davis, Village Administrator, (937) 834-3187** to schedule an inspection.
- g. **Consideration of Bid.** The Village Administrator or Council of the Village of Mechanicsburg, Ohio reserves the right to reject any and all bids and to withdraw from any sale any of the items listed.
- h. **Buyer's Certification.** Successful bidders shall provide certification from the Internet auction operation, via mail or email prior to removal.
- i. **Payment.** Payment in full is due no later than five (5) business days from the time and date of award. Acceptable forms of payment are: Cashier's Check, Certified Check, Money Order, and US Currency. Personal checks shall not be accepted. Checks shall be made payable to the Village of Mechanicsburg, Ohio. Bidder forfeits sale of merchandise if payment is not received at the close of 5 (five) business days.
- j. **Removal.** All items must be removed within ten (10) business days from the time and date of award. Purchases will be released only upon receipt of payment as specified. Successful bidders are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will the Village of Mechanicsburg assume responsibility for packing, loading or shipping. Property must be removed between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday, excluding legal holidays. For additional information contact the Village Administrator.
- k. **Default.** Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all items within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance

of his obligations, Seller may exercise such rights and may pursue such remedies as are provided by law. Seller reserves the right to reclaim and resell all items not removed by the Buyer 30 (thirty) days from the specified removal date.

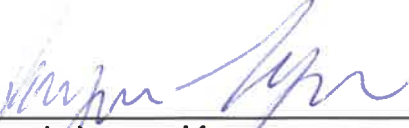
- l. **Acceptance of Terms and Conditions.** By submitting a bid, the bidder agrees that they have read, fully understand and accept the Terms and Conditions of Internet Sales, and agree to pay for the removal of the property, if the bid is accepted, by the dates and times specified.
- m. **State/Local Sales and/or Use Tax.** Buyers may be subject to payment of State and/or Local sales and /or Use tax. The Village of Mechanicsburg, Ohio is not responsible for the collection of taxes. Buyers are responsible for contacting the appropriate tax office, completing any forms, and paying any taxes that may be imposed.
- n. **Sales to Employees.** Employees of the Village of Mechanicsburg may bid on the property of the Village of Mechanicsburg, Ohio, provided they do not bid while on duty. Any officer or employee participating in the determination of certain property as surplus shall not submit a bid for its purchase.

and be it further RESOLVED:

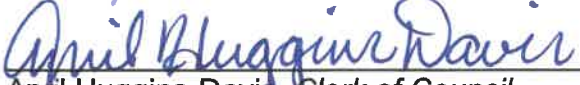
- 4. The Village of Mechanicsburg will publish in a newspaper of general circulation, a summary of the information contained in this resolution and that its summary will be published within thirty (30) days of adoption of this resolution and the second date being at least ten (10) days after but not more than 20 days after the first publication of the notice;
- 5. The Village of Mechanicsburg reserves the right, at a later date but prior to commencement of bidding, to establish the minimum prices that may be accepted for any property that is subject to Internet auction, the terms and conditions of any particular sale that may occur, including but not limited to requirements for pick up and / or delivery of the property, method of payment, and payment of sales tax in accordance with applicable laws;
- 6. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that the deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.
- 7. This ordinance shall take effect and be in force at the earliest period allowed by law.

First Reading: DATE: DEC 21, 2020
Second Reading: DATE: JAN 4, 2021
Third Reading: DATE: JAN 18, 2021

Adopted FEB 22, 2021


Benjamin Layne, Mayor

Charles Foss, *President pro Tempore*


April Huggins-Davis, *Clerk of Council*

Summary Published : Feb ____, 2021 and _____ ____, 2021

Resolution 21-02

Emergency Resolution Recognizing Drainage Concerns Related to Re-Zoning of Properties Identified in Ordinance 20-07

WHEREAS, Ordinance 20-07 was passed by the Village Council, changing the zoning classification of parcels C07-21-00-01-20-066-00 (presently owned by Alan and Shawn Wolfe, and parcel C07-21-00-01-20-069-00 (presently owned by Helen Blakeman); and

Whereas, during the public hearing, a concern was raised relating to potential drainage issues if the said properties are improperly modified; and

Whereas, the Village council desires to encourage development within the Village while simultaneously being responsive to concerns of its residents; and

Whereas the subsequent discussion described the area of concern as currently swampy and rife with cat-tails; and

Whereas the Village believes that a change of zoning allows development by, but does not make the Village a guarantor of, the activities of a private developer; and

Whereas the zoning change now makes the proposed development of storage area a conditional use requiring application to, and review by, the Board of Zoning Appeals;

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MECHANICSBURG, OHIO, THAT:

Section 1: The Council of the Village of Mechanicsburg Ohio hereby communicates said potential drainage concerns, relating to the 2 above properties, to the Board of Zoning Appeals.

Section 2: The Council of the Village of Mechanicsburg Ohio hereby directs the Board of Zoning Appeals to consider potential drainage concerns, should a conditional use application be received relating to said properties.

Section 3: This Resolution is passed as an emergency due to the impending activation of Resolution 20-07, to preserve the public health, safety, and order.

Vote Designating Emergency : **Vote:** 6 yea ___ nay ___ abstain

Vote Regarding Resolution: **Vote:** 6 yea ___ nay ___ abstain

Date: DECEMBER 21, 2020

April Huggins-Davis
April Huggins-Davis, Clerk of Council

Benjamin Layne
Benjamin Layne, Mayor
Charles E. Foss
Charles E. Foss, President Pro Tempore

MAY 25 2021

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

CAROL T. BAILEY, Auditor
CHAMPAIGN COUNTY, OHIO

The Council of the **Village of Mechanicsburg**, Champaign County, Ohio, met in regular session on the 17TH day of MAY, 2021, at the office of VILLAGE of MECHANICSBURG with the following members present:

JASON AOELSBERGER, SCOTT SALEE, CHIP WRBRIGHT,
CHUCK HICKEY, LORI TIBBALS.

MR. SCOTT SALEE moved the adoption of the following Resolution:

WHEREAS, This Council, in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2022; and

WHEREAS, The Budget Commission of Champaign County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore be it

RESOLVED, By the Council of the Village of Mechanicsburg, Champaign County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Village the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

And be it further

RESOLVED, that the Fiscal Officer of this Council be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

MR. CHARLES HICKEY seconded the Resolution and the roll being called upon its adoption of the vote resulted as follows:

<u>MS. LORE TIBBALS</u>	<u>YES</u>
<u>MR. CHIP WIRBRIGHT</u>	<u>YES</u>
<u>MR. CHARLES HICKEY</u>	<u>YES</u>
<u>MR. JASON AOELSBERGER</u>	<u>YES</u>
<u>MR. SCOTT SALES</u>	<u>YES</u>
<u>M</u>	<u> </u>
<u>M</u>	<u> </u>

Adopted the 17TH day of MAY, 2021.

Charles J Hickey
President of Council

[Signature]
Fiscal Officer

**CERTIFICATE TO COPY
ORIGINAL ON FILE**

The State of Ohio, Champaign County, ss.

I, DANIEL ECK, Fiscal Officer of the Council of the Village of Mechanicsburg, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original minutes now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 17 day of MAY, 2021.

[Signature]
Fiscal Officer

SCHEDULE A**Summary of amounts required from general property tax approved by
Budget Commission and County Auditor's estimated tax rate**

Fund	Amount Approved by Budget Commission Inside	Amount Derived From Levies Outside	County Auditor's Estimate of Tax Rate to be levied Inside and Outside	
General Fund	\$39,900		1.7	
Fire/EMS Levy		\$ 75,600		4.0
Fire/EMS Levy		\$ 47,900		2.5
Road & Bridge		\$ 99,300		5.0
TOTAL	\$39,900	\$222,800	1.7	11.5

SCHEDULE B**Levies outside 10 mill limitation, exclusive of debt levies**

Fund	Maximum Rate Authorized to Be levied	County Auditor's Estimate of Yield of Lev
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SPECIAL LEVY FUNDS

Fire/EMS Levy Levy authorized by voters on November 7, 2017 not to exceed five years 2017, 2018, 2019, 2020, 2021	4.0	\$75,600
Fire/EMS Levy Levy authorized by voters on November 5, 2019 not to exceed five years 2020, 2021, 2022, 2023, 2024	2.5	\$47,900
Road & Bridge Levy Levy authorized by voters on November 6, 2018 not to exceed five years 2018, 2019, 2020, 2021, 2022	5.0	\$99,300

Karen T. Bailey
Champaign County Auditor

1512 S. Hwy. 68, Suite B300 • Urbana, Ohio 43078
Phone: 937-484-1600 • Fax: 937-484-1626
<http://champaignoh.ddti.net>



April 27, 2021

Village of Mechanicsburg
April Huggins Davis
3972 S. Parkview Rd
Mechanicsburg, Ohio 43044

Hello April:

Enclosed you will find the Resolution Accepting the Rates. Please return one copy, signed by your board members, to the auditor's office by October 1st.

The Resolution provides an updated revenue estimate and the status of each levy in your township.

If you have any questions, please feel free to contact me at any time.

Respectfully submitted,


Karen T. Bailey
Champaign County Auditor

Enclosures: 1 Resolution Accepting the Rates

RESOLUTION 21-04

protect and prevent against a decline in the existing housing stock by providing a useful tool for "land assembly and preparation" and "blight mitigation"; and

WHEREAS, Logan County as a local county with similar demographics and economic characteristics to Champaign County has established the Logan County Land Reutilization Corporation with technical assistance from the Logan-Union-Champaign Regional Commission and the establishment of this corporation has proven to be an effective tool in Logan County to combat blight and to restore properties to productive use.

NOW, THEREFORE, BE IT RESOLVED by the Mechanicsburg Village Council:

SECTION 1: In concert with other local government entities in Champaign County, the Mechanicsburg Village Council hereby supports and requests the formal creation of a county land bank/county land reutilization corporation for Champaign County by the Champaign County Treasurer and the Champaign County Board of Commissioners.

SECTION 2: The Clerk of Council is hereby authorized and directed to transmit certified copies of this Resolution to the Champaign County Board of Commissioners and Champaign County Treasurer upon passage and approval by the Mayor.

SECTION 3: Formal actions relating to this resolution were adopted in an open meeting in compliance with O.R.C. §121.22.

SECTION 4: Due to the Time-Sensitive Nature of this matter, this Resolution shall take effect and be in force immediately upon its passage and approval by the Mayor to protect the public health, safety and welfare.

Vote Designating Emergency : **Vote:** 5 yea ___ nay ___ abstain

Vote Regarding Resolution: **Vote:** 5 yea ___ nay ___ abstain

Attest: April Huggins-Davis
April Huggins-Davis, Council Clerk

Date: JUNE 7, 2021

Charles Hickey
Charles Hickey, Council President

This resolution approved by me this 7 day of JUNE, 2021.

Charles Foss
Charles Foss, Interim Mayor

RESOLUTION 21-05

Emergency Resolution Authorizing Mayor to Apply for Water System Improvement Funds

WHEREAS, the Council of the Village of Mechanicsburg, Ohio, finds it necessary to improve **Phase 2 Water System Improvements**; and

WHEREUPON, said Council finds it necessary to apply for State Capital Improvements Program/Local Transportation Improvements Program funds;

NOW THEREFORE, BE IT RESOLVED, by the Council of the Village of Mechanicsburg that:

Section 1: The Council of the Village of Mechanicsburg does hereby declare its support for the **Phase 2 Water System Improvements Project**.

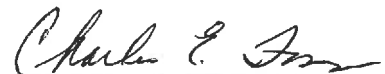
Section 2: The Council of the Village of Mechanicsburg does hereby authorize the Mayor of the Village to sign the application and execute the necessary contracts for State Capital Improvement Program funds being submitted to **District 17**.

Section 3: This Resolution is passed as an emergency to preserve the public health, safety, and order.

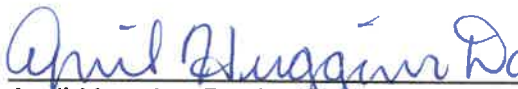
Vote Designating Emergency : **Vote:** 4 yea ___ nay ___ abstain

Vote Regarding Resolution: **Vote:** 4 yea ___ nay ___ abstain


Date: 6-21-2021



Charles E. Foss, Mayor



April Huggins-Davis, Clerk of Council



Charles Hickey, President Pro Tempore

RESOLUTION No. 21-06

AUTHORIZING LEGISLATION

AN EMERGENCY

~~THE~~ RESOLUTION AUTHORIZING CITY MAYOR CHARLES FOSS TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO WATER AND WASTEWATER INFRASTRUCTURE GRANT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED

WHEREAS, The Water and Wastewater Infrastructure Grant provides financial assistance to political subdivisions for capital improvements to improve access to clean drinking water and wastewater infrastructure and

WHEREAS, the Village of Mechanicsburg, Champaign County, Ohio is planning to make capital improvements to Waterline Replacement - Phase 2 and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the Water and Wastewater Infrastructure Grant program,

NOW THEREFORE, BE IT RESOLVED by the Village of Mechanicsburg:

Section 1: That *Mayor Charles Foss* is hereby authorized to apply to the Ohio Department of Development for funds as described above.

Section 2: That *Mayor Charles Foss* is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

SECTION 3: *DUE TO TIME CONSTRAINTS related to timely filing of fund application,*
this Resolution is passed as
AN EMERGENCY measure.

Passed: DATE 9-6-2021

Charles Foss
Mayor Charles Foss

EMERGENCY VOTE 4-0

Charles J. Hines
President of Council

Resolution Vote: 4-0

Anil Huggins
Clerk

Resolution 21-06

EMERGENCY RESOLUTION REQUESTING CERTIFICATION FROM COUNTY AUDITOR PURSUANT TO OHIO REVISED CODE SECTION 5705.03, A RESOLUTION OF NECESSITY TO FUND THE MECHANICSBURG DEPARTMENT OF FIRE AND EMERGENCY MEDICAL SERVICES, IN THE VILLAGE OF MECHANICSBURG, OHIO

WHEREAS, the Council of the Village of Mechanicsburg, Champaign County, Ohio determines that is necessary to propose the renewal of an existing levy; namely, a levy passed by the electorate of the Village of Mechanicsburg in 2017 to provide for the ongoing fire protection, ambulance and emergency medical services provided through the Mechanicsburg Department of Fire and Emergency Medical Services;

WHEREAS, said renewal levy shall be in the amount of four (4) mills, and shall appear on the ballot of the May 3, 2022 election; said renewal levy represents no increase in rate and is fact the same rate as the existing levy; and funds owed upon said levy shall be due and owing beginning 2022 and continue for five (5) years until 2026; and said levy shall be submitted for vote by the entire territory of the Village of Mechanicsburg;

THEREFORE, BE IT RESOLVED, by the Council of the Village of Mechanicsburg, Champaign County, Ohio, that,

Section 1: Pursuant to Ohio Revised Code Section 5705.03, the Champaign County Auditor is hereby requested to certify to the Council of the Village of Mechanicsburg:

- a. the total current tax valuation of the Village, and
- b. the dollar amount of revenue that would be generated by a 4 (four) mill levy.

Section 2: BE IT FURTHER RESOLVED that the purpose of the renewal of an existing tax is:

- a. pursuant to R.C. § 5705.19 (I), to provide and maintain fire apparatus, appliances, buildings, or sites therefore, or sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph, or the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, and
- b. pursuant to R.C. § 5705.19 (J), the purchase of ambulance equipment, or the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company.

FILED

NOV 16 2021

KAREN T. BAILEY, Auditor
CHAMPAIGN COUNTY, OHIO

Section 3: BE IT FURTHER RESOLVED that the Champaign County Auditor is requested to issue the certification within ten (10) days after receiving this Resolution.

Section 4: DESIGNATION OF EMERGENCY ACTION: This Resolution is passed as an emergency, due to time constraints necessary to meet election deadlines, in order to preserve the public health, safety, and order.

Vote for Emergency Designation:

SALÉE moved for the designation of this measure as an Emergency, and HICKEY seconded the motion. The Vote was as follows:

Vote Designating Emergency : **Vote:** 5 yea 0 nay 0 abstain

Vote of Passage of Emergency Resolution:

SALÉE moved for the adoption of the Emergency Resolution, and ADELSBERGER seconded the motion. The Vote was as follows:

Charles Hickey voted Y
Jason Adelsberger voted Y
Scott Salee voted Y
Lori Tibbals voted Y
Chuck Foss voted Y
Chip Wibright voted Y

Having received the required two-thirds majority, the Resolution was adopted this 15th day of November 2021.

This Resolution shall take effect and be in full force immediately upon passage.

CLERK OF COUNCIL CERTIFICATION

I, April Huggins Davis, Council Clerk of the Village of Mechanicsburg, do hereby certify that the forgoing is taken and copied from the Record of Proceedings of said Village; that the same has been compared by me with the Resolution on said Record and that it is a true and correct copy thereof.

Witness my signature this 15th day of November, 2021.

April Huggins Davis

April Huggins Davis Council Clerk

Karen T. Bailey

Champaign County Auditor

1512 S. Hwy. 68, Suite B300 • Urbana, Ohio 43078
Phone: 937-484-1600 • Fax: 937-484-1626
<http://champaignoh.ddti.net>



DTE Form 140R
Prescribed 9/99
O.R.C. §5705.03(B)

Certificate of Estimated Property Tax Revenue

I, Karen T. Bailey, Auditor of Champaign County, Ohio, do hereby certify the following:

1. On November 16, 2021 the taxing authority of **The Village of Mechanicsburg** certified a copy of its resolution adopted November 15, 2021 requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by four (4.0) mills, to levy a tax outside the ten-mill limitation for the purpose of replacement of fire and emergency medical services vehicles and for provision of fire protection and emergency medical service, pursuant to Revised Code §5705.19(I)&(J), to be placed on the ballot at the May 2, 2022 primary election. The levy type is a renewal.
2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be \$75,600.00, and to be collected for a period of 5 years in tax years 2022, 2023, 2024, 2025, and 2026.
3. The total tax valuation of the village used in calculating the estimated property tax revenue as directed by the Ohio Department of Taxation, for a total valuation of \$23,473,680.

Respectfully submitted,

Karen T. Bailey
Champaign County Auditor
November 17, 2021

“Proudly serving the citizens of Champaign County”

Karen T. Bailey
Champaign County Auditor

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Karen T. Bailey
Champaign County Auditor
November 17, 2021

"Proudly serving the citizens of Champaign County"