



Village of Madison

Mayor

Sam Britton Jr.

Council Members

H.O. Jay Adams

Daniel L. Donaldson

Dana R. Drown

Robert F. Lee

Mark V. Vest

Village Administrator

Dwayne Bailey

Law Director

Joseph P. Szeman

Chief of Police

Troy A. McIntosh

Fiscal Officer

Kristie M. Crockett

Engineer

Eric Haibach

33 E. Main Street

Madison, Ohio

44057

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Website:

www.madisonvillage.org

MADISON VILLAGE COUNCIL

December 26, 2023

7:00 pm Regular Council Meeting

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

ROLL CALL

PUBLIC HEARING

MINUTES

(from December 11, 2023 Council Meeting)

FIRST HEARING OF PERSONS BEFORE COUNCIL

(Limited to 5 minutes per guest)

LEGISLATION BEFORE COUNCIL:

PAY ORDINANCE #2495

OLD LEGISLATION:

None

NEW LEGISLATION:

ORDINANCE NO. 42-2023: AN ORDINANCE PROHIBITING ADULT USE CANNABIS OPERATIONS IN THE VILLAGE OF MADISON, AND DECLARING AN EMERGENCY. (1st Reading)

ORDINANCE NO. 43-2023: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A FINAL AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE I.R. 90 AND S.R. 528 INTERCHANGE PROJECT, AND DECLARING AN EMERGENCY. (1st Reading)

ORDINANCE NO. 44-2023: AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO VARIOUS FUNDS AS PREVIOUSLY BUDGETED, AND DECLARING AN EMERGENCY. (1st Reading)

RESOLUTION NO. 26-2023: A RESOLUTION AUTHORIZING THE SALE OF A 1999 CATERPILLAR 416C BACKHOE AND A 2011 FORD F550 TRUCK THAT ARE OBSOLETE AND UNFIT FOR THE USE FOR WHICH THEY WERE ACQUIRED, AND DECLARING AN EMERGENCY. (1st Reading)

RESOLUTION NO. 27-2023: A RESOLUTION OF INTENT TO SELL VILLAGE PERSONAL PROPERTY WHICH IS UNNEEDED, OBSOLETE, OR UNFIT BY INTERNET AUCTION, AND DECLARING AN EMERGENCY. (1st Reading)

PURCHASE ORDERS AND OTHER APPROVAL PERMITTED BY MOTION: None

• ADMINISTRATOR'S REPORT

- Engineer's Report
- Fiscal Officer's Report:
- Police Chief's Report:

COMMISSION AND COMMITTEE REPORTS

NEW BUSINESS

FINAL HEARING OF PERSONS BEFORE COUNCIL

(Limited to 5 minutes per guest)

MAYOR'S REPORT

ADJOURNMENT

Upcoming Important Dates/Meeting

Mon. Jan. 1 st	Village Hall Closed (New Year's Day)
Mon. Jan. 8 th	Council Mtg. 7:00 pm Re-Org Mtg.
Mon. Jan. 15 th	Village Hall Closed MLK Day
Wed. Jan. 17 th	Fire Board Mtg. 7:00 pm
Thurs. Jan. 18 th	P & Z Mtg. 7:00 pm
Mon. Jan. 22 nd	C.O.W. 6:30 pm
Mon. Jan 22 nd	Council Mtg. 7:00 pm

VILLAGE OF MADISON
Regular Council Meeting
December 11, 2023

RECORD OF PROCEEDINGS

Councilman Vest called the meeting to order at 7:03PM.

Councilman Vest invited all in attendance to join in the Pledge of Allegiance to the Flag. Councilman Vest requested that everyone observe a moment of silence. Council Members Mr. Adams, Mr. Donaldson, Mr. Lee and Mr. Vest were in attendance. Also in attendance were Administrator Mr. Bailey, Law Director Mr. Szeman, Fiscal Officer Kristie Crockett, Village Engineer Andy Lubonovic and Chief of Police Troy McIntosh. Mayor Britton and Village Engineer Eric Haibach were not in attendance.

Ms. Drown arrived at 7:05 pm.

PUBLIC HEARING: None

MINUTES

Mayor Britton announced minutes to be approved for the Council Meeting held on November 27, 2023.

Motion for approval made by Mr. Adams, seconded by Mr. Donaldson.

Questions/Discussions – None

Roll call on approval, 4 yeas. Motion carried.

FIRST HEARING OF PERSONS BEFORE COUNCIL: None

PAY ORDINANCE

Mayor Britton presented Pay Ordinance No. 2494: \$60,526.84 for payroll and \$98,234.82 for current and upcoming expenses, for a total of \$158,761.66.

Motion for approval made by Mr. Adams, seconded by Mr. Donaldson.

Questions/Discussions – None

Roll call on approval, 4 yeas. Motion carried.

Ms. Drown arrived at 7:05 pm.

OLD LEGISLATION: None

NEW LEGISLATION:

ORDINANCE NO. 40-2023: AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO AN ECONOMIC INCENTIVE GRANT AGREEMENT WITH GREAT LAKES POWER PRODUCTS, INC. (1st Reading)

Motion for suspension made by Mr. Adams, seconded by Mr. Lee.

Questions/Discussion: None

Roll call on the motion: 5 yeas. Motion carried.

Motion for passage made by Ms. Drown, seconded by Mr. Donaldson.

Questions/Discussion: Administrator Bailey explained that this legislation is an addendum to the existing incentive grant that was put together. It has been adjusted because it has taken several years for their building to be ready to be occupied. Great Lakes Power Products, Inc. is looking to occupy the building this December, 2023. The incentive grant will take place starting January, 2024 tax year.

Roll call on the motion: 5 yeas. Motion carried.

ORDINANCE NO. 41-2023: AN ORDINANCE MAKING PERMANENT ANNUAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND FOR OTHER EXPENDITURES OF THE VILLAGE OF MADISON, STATE OF OHIO, FOR THE PERIOD BEGINNING JANUARY 1, 2024 TO AND INCLUDING DECEMBER 31, 2024 AND DECLARING AN EMERGENCY. (1st Reading)

Motion for suspension made by Mr. Adams, seconded by Ms. Drown.

Questions/Discussion: None

Roll call on the motion: 5 yeas. Motion carried.

Motion for passage made by Mr. Donaldson, seconded by Mr. Adams.

Questions/Discussion: Councilman Lee asked if there was a “guestimate” if we have to have a police levy. Mrs. Crockett reported that they anticipate that possibly there may be a police levy on the ballot in the Spring of 2024. She stated that there were election costs built in the budget for 2024. She stated that at this time, she is not aware of who would head up the Campaign Committee. Chief McIntosh replied that they have not gotten that far in the process yet. He will be meeting with the Safety Committee to discuss these items.

Mr. Vest and Ms. Drown thanked all involved in preparing the 2024 Budget.

Mr. Lee asked how much income tax has been derived from Sheetz and Love’s. Mrs. Crockett stated that she can reach out to RITA and obtain that information.

Roll call on the motion: 5 yeas. Motion carried.

PURCHASE ORDERS AND OTHER APPROVAL PERMITTED BY MOTION:

A purchase order to Ritley Huber LLC in the amount of \$3,500.00 for the appraisal of the Verizon Cell Tower located at 83 Samuels Street.

Administrator Bailey explained that the Village received an offer from Ritley Huber LLC to purchase the lease on the cell tower, which is roughly \$1,200.00 a month with qualifiers in it in 10 (ten) year lumps. The offer for the entire lease period was \$192,000.00. After speaking with Law Director Szeman, he felt that there was some contract language that needed to be made; which was agreed to. Mr. Bailey went on to say that Ritley Huber LLC was the only cell tower appraiser that he could find. Ritley Huber LLC will appraise the cell tower to ensure that Madison Village is getting paid enough. After the appraisal comes in, the Village can then decide to continue with the lease or sell the tower.

Motion for approval made by Mr. Lee, seconded by Mr. Adams.

Questions/Discussion: None

Roll call on the motion: 5 yeas. Motion carried.

ADMINISTRATOR’S REPORT:

➤ **Engineer’s report –**

Mr. Lubonovic reported in Mr. Haibach’s absence. He reported that in regards to the Wetlands Boardwalk and Dana’s Park Playground Projects, the paving will not be completed until Spring 2024.

He also reported that in regards to the hole located at Rt. 84 & the end of Hyder Drive, the Contractor, Cole Burton, will be out on Tuesday December 12, 2023 to work on getting a solution to get it fixed. They will submit their ideas to CT Consultants for approval.

Mr. Bailey provided an update to the aquafer recovery at Middle Ridge Roads. He stated that on the north side of Middle Ridge, in regards to Mr. Woodworth’s property, Mr. Woodworth reported that it’s back like it was prior to construction starting. There are still 2 (two) homes that are still on city water that we are trying to resolve some issues with. He believes the issue may be related to the wells being dry for a while then flooding again. A well company is going to come out and evaluate the wells.

➤ **Fiscal Officer’s report –**

Mrs. Crockett thanked Council for passing the 2024 budget. She reported that she is currently working on year end. She stated that we are on schedule for our next audit cycle which will be scheduled for Spring 2024. She stated that last week she participated in a team’s video conference. The State Auditor has bid out 5 (five) local municipalities for a third-party financial institution to perform the audit. The video conference allowed participants to ask questions. The ultimate decision on the financial institution will be the State Auditor, however; there was a score card for each financial institution which will be taken into consideration when selecting the Institution. Until the bid comes in, she will not know what the cost of the audit will be.

Mr. Bailey reported that the Mayor’s & Manager’s group has been asking R.I.T.A. to set up a day to come into each municipality to help residents with their local tax returns. R.I.T.A. stopped doing this due to the pandemic. They are still refusing to do it stating that they have different options to help residents. They will help you via the telephone or electronically.

➤ **Police Chief’s report –**

Chief McIntosh reported that Officer Stefancin has started his field training on November 20, 2023. He is on week 4 (four) of 12 (twelve).

He reported that the Christmas Parade and Christmas in the Park went well.

Councilman Vest thanked the Officers for helping the event run smoothly.

All of the Officers have completed their 12 (twelve) hours of continuing education. The paperwork has been filled out in order to receive a reimbursement from the State for a portion of the wage costs.

He reported that he, along with several other Lake County Police Chiefs and Judges, participated as servers at the Protect and Serve Tavern. The event was held at the Great Lakes Mall.

In regards to training, he reported that Officer's Gamiere and Stefancin attended an 8 (eight) hour drug recognition training put on by Lake County Narcotics. In closing, he reported that they have transitioned over to Lexipol for the management of the Department's policies. The policies will go out in batches to the Officers over the next few months.

➤ **Administrator's report –**

Administrator Bailey reported that Christmas in the Park is growing each year. He received nothing but positive feedback regarding the event.

He reminded Council that legislation was passed to enter into an agreement with O.D.O.T. for the signalization project at I-90/St. Rt. 528. The final documents have been prepared and were received earlier in the day. The final estimated price tag on the project is \$1.4 million dollars which has to be on deposit with O.D.O.T. by January 24, 2024 with a sale date of the job of February 8, 2024. Letters to the developers, that are going to be depositing those funds, have been prepared and will be going out on Tuesday December 12, 2023.

He reported that he received a quote to paint the water tower. The cost would be \$125,000.00 - \$150,000.00 without a logo on it. He is still working with a contractor to get a final price to take it down.

In closing, he announced Village Hall will be closed on December 25, 2023 for Christmas. He thanked Mrs. Crockett for her work on the budget and getting it passed on first reading. She puts countless of hours and work into in order for it to go so smoothly.

COMMISSION AND COMMITTEE REPORTS: None

FINAL HEARING OF PERSONS BEFORE COUNCIL: None

NEW BUSINESS

Mayor's Report: -
None

ADJOURNMENT

Motion to adjourn at 7:30 pm made by Mr. Adams, seconded by Mr. Lee.
Roll call on adjournment, 5 yeas. Meeting adjourned.

Sam Britton Jr., Mayor

Mark V. Vest Council President

DATE

Village of Madison

Regular Council Meeting Minutes
December 11, 2023
Page 5

Attested:

Kristie M. Crockett, Fiscal Officer

DATE

ORDINANCE NO. 42 - 2023

AN ORDINANCE PROHIBITING ADULT USE CANNABIS OPERATORS IN THE VILLAGE OF MADISON, AND DECLARING AN EMERGENCY.

WHEREAS, the enactment of Chapter 3780 of the Ohio Revised Code authorized “adult use cannabis operators” which phrase includes level I, II, and III adult use cultivators, adult use processors, and adult use dispensaries, all as defined in R.C. § 3780.01; and

WHEREAS, R.C. § 3780.25(A) expressly authorizes the legislative authority of a municipal corporation to adopt an ordinance prohibiting adult use cannabis operators within the territory of the municipal corporation; and

WHEREAS, the Village has pursuant to its Charter and §§ 3 and 7 of Article XVIII of the Ohio Constitution plenary powers of local self-government and the authority to adopt and enforce within its territory such local police, sanitary and other similar regulations as are not in conflict with general laws; and

WHEREAS, the Council now desires to exercise statutory as well as Ohio Constitutional powers to prohibit adult use cannabis operators within the territory of the Village of Madison.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO:

SECTION 1. That the preamble of this Ordinance is incorporated herein as a material part of the enactment.

SECTION 2. That “adult use cannabis operators,” which phrase is and shall include all level I, II, and III adult use cultivators, adult use processors, and adult use dispensaries, all as defined in § 3780.01 of the Ohio Revised Code and as said Code section may be reenacted, renumbered, and amended from time-to-time, are and shall be prohibited within the Village of Madison, Lake County, Ohio.

SECTION 3. That this Ordinance shall not limit research related to marijuana conducted in accordance with law by a state university, academic medical center, or private research and development organization as part of a research protocol approved by an institutional review board or equivalent entity.

SECTION 4. That it is 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, except as otherwise provided by § 121.22 of the Ohio Revised Code, all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare, and safety of the inhabitants of this Village, and for the further reason that the unknown legal and practical effects of the State's licensing scheme create an immediate risk of potential harm to its citizens; WHEREFORE, this Ordinance shall take effect and be in force from and immediately upon its passage.

PASSED:

1st Reading: _____

Mark V. Vest,
President of Council

Attested:

Kristie Crockett,
Fiscal Officer / Clerk of Council

Approved:

Sam Britton, Jr.,
Mayor

Date

ORDINANCE NO. 43 - 2023

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A FINAL AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE I.R. 90 AND S.R. 528 INTERCHANGE PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Transportation ("ODOT") is undertaking improvements to the I.R. 90 and S.R. 528 Interchange (PID No. 117898) for which the Village of Madison (the "LPA") previously entered into a cooperation agreement with ODOT, as authorized by Ordinance No. 37-2023 (eff. 10/23/2023), and which improvements are described as follows:

The Project consists of improvements to the I.R. 90 and S.R. 528 Interchange, including adding a turn lane, along with traffic signals and shoulder upgrades, lying within the Village of Madison.

WHEREAS, the LPA agrees to and shall cooperate with the Director of Transportation in the above-described Project as follows:

The Village of Madison agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the Village limits, less the amount of State-Aid funds set aside by the Director of Transportation for the financing of this improvement.

The share of the cost of the LPA is now estimated in the amount of One Million Four Hundred Twenty-Two Thousand Dollars and Zero Cents (\$1,422,000.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined.

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above-described highway and has transmitted copies of the same to this Council.

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, AND STATE OF OHIO:

SECTION 1. That the estimated sum of One Million Four Hundred Twenty-Two Thousand Dollars and Zero Cents (\$1,422,000.00) is hereby appropriated for the improvement described above and the Fiscal Officer is hereby authorized and directed to issue an order on the Treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The LPA hereby agrees to assume in the first instance the share of the cost and expense over and above the amount to be paid from State funds.

SECTION 2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION 3. That the contract with the State attached hereto as Exhibit "1" and incorporated herein by this reference is hereby accepted and approved and the Mayor is hereby authorized to execute said contract on behalf of the LPA providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION 4. That the Clerk is directed to transmit to the Director of Transportation a certified copy of this Ordinance.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the inhabitants of the Village of Madison, and, for the further reason that immediate passage is necessary to meet contractual deadlines necessary to timely completion of public infrastructure necessary to the public health and safety, it shall, therefore, take effect and be in full force from and upon its adoption if adopted by the affirmative vote of at least four members of Council and otherwise at the earliest time provided by Ohio law.

Mark V. Vest,
President of Council

PASSED:

1st Reading: _____

Attested:

Kristie M. Crockett,
Fiscal Officer / Clerk of Council

Approved:

Date: _____

Sam Britton, Jr.,
Mayor

**OHIO DEPARTMENT OF TRANSPORTATION
ACCOUNT RECEIVABLE**

Make check payable to: Treasurer of State

Mail to: Katie Beth Jackson

Project Coordinator

Ohio Department of Transportation

Office of Contract Sales & Estimating - #4110

1980 West Broad Street, 4th Floor

Columbus, Ohio 43223

PID No.

117898

Invoice No.

11702

**To: Village of Madison
33 East Main Street
Madison, Ohio
44057**

Non Federal

Lake County

Village of Madison

I.R. 90/S.R. 258 SIGNALS

PLEASE ENCLOSE A COPY OF THIS INVOICE TO IDENTIFY YOUR REMITTANCE

Proposal of Participation	Type of Agreement	Amount
		\$1,422,030.00

Contract amount \$1,329,000.00
ODOT Engineering amount \$ 93,030.00

For the improvement of that portion of **I.R. 90/S.R. 258 SIGNALS**, more particularly described as follows:

The project consist of improvements to the I.R. 90 and S.R. 258 Interchange, including adding a turn lane, along with traffic signal and shoulder upgrades, lying within the Village of Madison.

Total Amount Due \$1,422,030.00

Ohio Department of Transportation

E-SIGNED by Nathan Fling
on 2023-12-07 20:43:28 GMT

By: _____

Administrator, Office of Contract
Sales & Estimating

FISCAL OFFICER'S CERTIFICATE

The undersigned Fiscal Officer of the Village of Madison, Ohio, hereby certifies that the money required to meet the obligations of the Village during the year 202__ under the Contract with ODOT for the improvement to the I.R. 90 and S.R. 528 Interchange, including adding a turn lane, along with traffic signals and shoulder upgrades, lying within the Village of Madison, have been lawfully appropriated by the Council of the Village for such purpose in the amount of One Million Four Hundred Twenty-Two Thousand Dollars and Zero Cents (\$1,422,000.00) and are in the treasury of the Village or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances.

This Certificate is given in compliance with § 5705.41 of the Ohio Revised Code.

Kristie M. Crockett, Fiscal Officer
Village of Madison, Ohio

_____, 202__

ORDINANCE NO. 44-2023**AN ORDINANCE AUTHORIZING THE TRANSFER OF FUNDS FROM THE
GENERAL FUND TO VARIOUS OTHER FUNDS AS PREVIOUSLY
BUDGETED, AND DECLARING AN EMERGENCY.**

WHEREAS, the Fiscal Officer requests that Council authorize the transfer to various funds as specified in Section 1, for current and other expenditures of the Village of Madison during calendar year 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE AND STATE OF OHIO, THAT:

SECTION 1. To provide for the transfer of the following amounts for the current expenses and other expenditures of the Village of Madison, Ohio, for the period beginning January 1, 2024 to and including December 31, 2024:

\$1,540,000.00	From General Fund (1000)
\$450,000.00	To Road Dept. M & R (2011)
\$ 30,000.00	To Cemetery (2031)
\$ 121,000.00	To Police Pension & Disability (2131)
\$ 4,000.00	To Senior Center (2901)
\$ 935,000.00	To Police Levy Fund (2903)

SECTION 2. It is 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 all deliberations of the Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of Madison, and further necessary to provide the Village of Madison the necessary funds for the operation of the Village during the period aforesaid; wherefore, this Ordinance shall take effect and be in force immediately upon its passage.

Sponsored / Introduced by: Kristie Crockett, Fiscal Officer
And Mayor Britton

PASSED: _____

Mark Vest, President of Council

Attested:

Kristie M. Crockett, Fiscal Officer

Approved:

Date: _____

Sam Britton Jr., Mayor

RESOLUTION NO. 26 - 2023

A RESOLUTION AUTHORIZING THE SALE OF A 1999 CATERPILLAR 416C BACKHOE AND A 2011 FORD F550 TRUCK THAT ARE OBSOLETE AND UNFIT FOR THE USE FOR WHICH THEY WERE ACQUIRED, AND DECLARING AN EMERGENCY.

WHEREAS, the Administration has advised the Council that the Village's 1999 Caterpillar 416C backhoe and 2011 Ford F550 truck are both obsolete and no longer needed for the uses for which they were acquired and, therefore, recommends the sale of this property; and

WHEREAS, the Council having independently evaluated same hereby concurs with these findings and now determines that the subject Caterpillar backhoe and Ford F550 should be sold as obsolete and unfit for municipal purposes, each to be sold at a reserve price of \$5,000.00; and

WHEREAS, they shall be sold via internet auction in accordance with current Village policy authorizing such internet sales.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, AND STATE OF OHIO:

SECTION 1. That the Village's Caterpillar 416C backhoe and 2011 Ford F550 truck shall be sold via internet auction in accordance with the Village's adopted policy for internet sales at a reserve price for each item of \$5,000.00.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and welfare of the inhabitants of the Village of Madison, and, for the further reason that immediate passage is necessary for the sound and effective management of the Administration; WHEREFORE, it shall take effect immediately upon its passage.

PASSED:

Mark V. Vest
President of Council

1st Reading: _____

Attested:

Kristie M. Crockett,
Fiscal Officer / Clerk of Council

Approved:

Date: _____

Sam Britton, Jr.,
Mayor

RESOLUTION NO. 27 - 2023

A RESOLUTION OF INTENT TO SELL VILLAGE PERSONAL PROPERTY WHICH IS UNNEEDED, OBSOLETE, OR UNFIT BY INTERNET AUCTION, AND DECLARING AN EMERGENCY.

WHEREAS, the Village from time-to-time disposes through sale various items of personal property, inclusive of motor vehicles, road machinery, equipment, tools, and supplies, which are no longer needed for public use, are obsolete, or unfit for the use for which the items were acquired; and

WHEREAS, pursuant to R.C. § 721.15(D), the Council hereby gives notice of its intent for the calendar year 2024 to dispose of such personal property via internet auction.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. Regardless of its value, Village personal property declared no longer needed for public use, obsolete, or unfit for the purpose for which it was acquired may be sold by internet auction.

SECTION 2. The auctions shall be conducted by blind and open bidding to the general public for a period of time no less than ten days, including Saturdays, Sundays, and legal holidays. The auctions will be conducted by and upon the GovDeals.com web site upon the site's general terms and conditions.

SECTION 3. The Clerk shall, upon enactment of this Resolution, publish in a newspaper of general circulation in the Village notice of the Village's intent to sell unneeded, obsolete, or unfit municipal personal property by internet auction. The notice shall include a summary of the information provided in this Resolution and shall be published twice. The second notice shall be published not less than ten nor more than twenty days after the previous notice. A similar notice also shall be posted continually throughout the calendar year in a conspicuous place in the Clerk's office and the Council Chamber. Further, this notice shall be posted continuously throughout the calendar year on the Village's web site.

SECTION 4. That nothing herein shall preclude the Village from establishing a minimum price that will be accepted for specific items and to set and establish any other terms and conditions for the particular sale, including requirements for pick-up or delivery, method of payment, and sales tax.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 6. That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare, and safety of the inhabitants of this Village, and for the further reason that timely disposition of property that is obsolete, unneeded or unfit for the use for which the items were acquired is necessary to the proper functioning of the Village government; WHEREFORE, this Resolution shall take effect and be in force from and immediately upon January 1, 2024.

PASSED: _____

Mark V. Vest,
President of Council

Attested:

Kristie M. Crockett,
Fiscal Officer / Clerk of Council

Approved:

Sam Britton Jr.,
Mayor

Date