

ORDINANCE NO. 84-29

AN ORDINANCE AUTHORIZING THE DISPOSAL
OF SURPLUS PERSONAL PROPERTY AND
APPOINTMENT OF DISPOSING AGENT

WHEREAS, the City of Lebanon currently owns and maintains a compactor at the old City of Lebanon Sanitary Landfill located north of the city on old U.S. 52 north, and,

WHEREAS, the City of Lebanon officially closed the sanitary landfill effective on or about the first of September, 1984 for the reason that the capacity for said depository had reached a maximum and the city also elected to procure the services of a private contractor for the disposal of municipal trash and garbage at that same time, and,

WHEREAS, part of the equipment used to operate the former sanitary landfill is no longer needed and no longer proper for the purpose for which it was intended in that the landfill site has been formally closed by the city and the same should now be disposed of pursuant to the laws of the State of Indiana, and,

WHEREAS, the overseer of the closure activities of the sanitary landfill has indicated that the necessary ground cover required by State Offices at the site can be accomplished through the procurement of a bulldozer and the overseer and the City Building Inspector who have been responsible for operation of the sanitary landfill have initiated inquiries on behalf of the city to procure a bulldozer to accomplish the proper closure and site requirements and the proceeds of the sale of the compactor no longer considered fit for use could be applied to the same,

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA that:

Section 1: The sanitary landfill of the City of Lebanon has on hand certain personal property which belongs to the City of Lebanon and is considered unfit and no longer proper for the purpose for which it was intended and the same should be disposed of pursuant to the laws of the State of Indiana in that it has a total estimated value of more than one thousand dollars (\$1,000.00) as shown by appropriate estimates of its value presented to the Common Council. Said personal property consists of the following, to-wit:

1979 Bomag compactor, model number K301, serial number 6032; engine make Cummins, model number 504, serial number 20179967

Section 2: The aforementioned personal property is qualified to be disposed of pursuant to I.C. 36-1-11-6(a)(2) and I.C. 36-1-11-6(b)(1).

Section 3: The head of the Building Inspector's office, Max Bowen, which is also responsible for overseeing the operation of the city sanitary landfill, is hereby appointed as disposing agent and directed to dispose of said property under the terms of I.C. 36-1-11-6(b)(1). Since the estimated value of the personal property is more than the statutory amount of one thousand dollars (\$1,000.00), and the same consists of one (1) item, the disposing agent shall sell the personal property at a public auction, which is to be conducted by an auctioneer licensed under I.C. 25-6.1, after advertising the personal property for sale in accordance with I.C. 5-3-1, which in this event requires that notice shall be published two (2) times, at least one (1) week apart, with the second publication made at least three (3) days before the public sale.

Section 4: The disposing agent is hereby directed to make a report of his action under this ordinance upon completion of the sale or disposal of said property.

Section 5: This ordinance shall become effective from and after its passage.

ALL OF WHICH IS CONSIDERED AND PASSED by the Common Council of the City of Lebanon, Indiana, this 14th day of January, 1985.