

CITY OF LE ROY
COUNTY OF McLEAN, STATE OF ILLINOIS

ORDINANCE NO. 14-06-02-50

**AN ORDINANCE AMENDING THE CITY CODE REGARDING THE
DISPOSITION OF SURPLUS PROPERTY OF THE MUNICIPAL CODE OF
THE CITY OF LE ROY, ILLINOIS, 2003 (AS AMENDED)**

ADOPTED BY THE CITY COUNCIL OF THE CITY OF LE ROY THIS
2nd Day of June, 2014

PRESENTED: **June 2, 2014**

PASSED: **June 2, 2014**

APPROVED: **June 2, 2014**

RECORDED: **June 2, 2014**

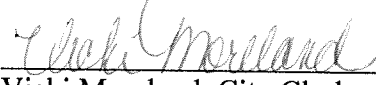
PUBLISHED: **June 2, 2014**

In Pamphlet Form

Voting "Aye" 7
Voting "Nay" 0

The undersigned being the duly qualified and Acting City Clerk of the City of LeRoy does hereby certify that this document constitutes the publication in pamphlet form, in connection with and pursuant to Section 1-2-4 of the Illinois Municipal Code, of the above-captioned **ordinance** and that such **ordinance** was presented, passed, approved, recorded and published as above stated.

(SEAL)



Vicki Moreland, City Clerk of City
of Le Roy, McLean County, Illinois

Dated: June 2, 2014

**CITY OF LE ROY
McLEAN COUNTY, ILLINOIS**

ORDINANCE NO. 14-06-02- 50

**AN ORDINANCE AMENDING THE CITY CODE REGARDING
THE DISPOSITION OF SURPLUS PROPERTY**

WHEREAS, the City of Le Roy is an Illinois non-home rule municipality organized and operating under the Illinois Municipal Code; and

WHEREAS, the City desires to amend the City Code to establish certain guidelines for disposing of surplus property of the City, consistent with state laws concerning surplus property; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Le Roy, McLean County, Illinois, as follows:

Section 1. Recitals. The Council hereby finds that all of the recitals contained in the preambles to this Ordinance are full, true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Amendment to Chapter 7. Chapter 7, entitled "Public Ways and Property" of the City of Le Roy Code of Ordinances is hereby amended to add a new Chapter 6, which shall be and read as follows:

**Chapter 6
DISPOSITION OF SURPLUS PROPERTY**

7-6-1: Authority

Pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1 et seq., the City has the authority to dispose of certain real property and personal property it no longer has any use for pursuant to a variety of disposition methods. The City desires to establish certain guidelines and policies for City officials and employees to follow in disposing of surplus property consistent with state law.

7-6-2: Sale of Real Property

- A. Authority. The City has the authority to sell or otherwise dispose of City real estate pursuant to a variety of statutory authorizations. This section 7-6-2 is not intended to restrict the City's authority to dispose of real estate in accordance with any available statutory authorization, but instead to establish guidelines for the City to follow in disposing of real estate pursuant to the two alternative statutory authorizations described in subsections B and C of this section.
- B. Bid Process. In accordance with 65 ILCS 5/11-76-1, the City has the authority to sell real estate owned by the City where the real estate is no

longer necessary, appropriate, required for the use of, profitable to, or for the best interest of the City, subject to the following procedures:

1. The City must publish notice of its proposal to sell real estate once each week for three successive weeks in a newspaper published in the City. The first notice must be published not less than 30 days before the scheduled bid opening. The notice shall advertise for bids, contain a description of the real estate to be sold, describe the purpose for which the real estate is used, and identify the date and time of the meeting at which the bids will be opened.
 2. Bids must be opened at a regular meeting of the City Council.
 3. The City Council may accept the high bid or any other bid determined to be in the best interest of the City.
 4. Approval of the sale of the real estate must be by ordinance adopted by a 3/4 vote of the City Council members then holding office.
- C. **No-Bid Process.** As an alternative procedure to the bid process set forth in subsection B, pursuant to 65 ILCS 5/11-76-4.1, the City has the authority to sell surplus real estate subject to the following procedures:
1. The City Council may authorize by resolution the sale of real estate through one of the following means: (1) conducted by the City Administrator or designated City employee; (2) through a local licensed real estate agency; or (3) by public auction. The resolution must contain information regarding the size, use, and zoning of the real estate to be sold, and any specific terms and conditions for the sale.
 2. The resolution must be adopted by a 2/3 vote of the City Council members then holding office.
 3. The approved resolution must be published in a newspaper published in the City.
 4. The value of the real estate must be determined by a written appraisal certified by a member of the Appraisal Institute, and the sale price cannot be less than 80 percent of the appraised value.

7-6-3: Disposition of Personal Property

- A. **Authority.** The City Administrator or a designated City employee has the authority to sell or otherwise dispose of personal property, pursuant to 65 ILCS 5/11-76-4, utilizing one of the following methods:
1. Through a public bidding process;
 2. At a public auction; or

3. In any other manner the City Administrator or designated City employee deems appropriate, including but not limited to listing the property on sites such as ebay.com.
- B. Process: The sale must be authorized by an ordinance adopted by a majority of the City Council members then holding office.

Section 3. Conflict. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect following its passage and approval as required by law.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval as required by law.

PASSED by the City Council of the City of Le Roy, Illinois, upon the motion made by Dawn Hanafin, and seconded by Anne Anderson by roll call vote on the 2nd day of June, 2014 as follows

Aldermen Elected 8

Aldermen Present 7

Voting Aye:

Dawn Hanafin, Greg Steffen, Judy Marshall, Anne Anderson, Monti Albert, Mike Bailey, Rae Ann Ahlers

Voting Nay:

None

Absent:


None

Abstain:

None

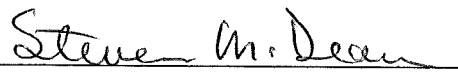
Other: Ward 1 seat vacant due to the resignation of James Bratcher

And deposited and filed in the office of the City Clerk in said municipality on the 2nd day of June, 2014.




Vicki Moreland, City Clerk of the City of
Le Roy, Mc Lean County, Illinois

APPROVED BY the Mayor of the City of Le Roy, Illinois, this 2nd day of
June, 2014



Steve Dean Mayor of the City of Le Roy,
Mc Lean County, Illinois

ATTEST: (SEAL)



Vicki Moreland, City Clerk of the City of Le Roy
Mc Lean County, Illinois

CERTIFICATE

I, Vicki Moreland, certify that I am the duly appointed and acting municipal clerk of the City of Le Roy, of McLean County, Illinois.

I further certify that on **June 2, 2014** the Corporate Authorities of such municipality passed and approved **Ordinance No. 14-06-02-50** entitled:

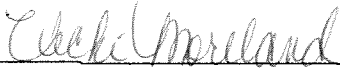
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Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **14-06-02-50**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted at the municipal building, commencing on June 2, 2014 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

Dated at Le Roy, Illinois this 2nd day of June, 2014.

(SEAL)



Vicki Moreland, City Clerk of the City of
Le Roy, McLean County, Illinois

STATE OF ILLINOIS)
) SS:
COUNTY OF MCLEAN)

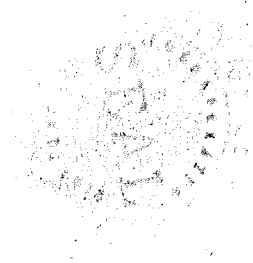
I, Vicki Moreland, do hereby certify that I am the duly qualified and acting City Clerk of the City of Le Roy, McLean County, Illinois, and as such City Clerk that I am the keeper of the records and files of the Mayor and the City Council of said City.

I do further certify that the foregoing is a true, correct and complete copy of an ordinance entitled:

AN ORDINANCE AMENDING THE CITY CODE REGARDING THE DISPOSITION OF SURPLUS PROPERTY OF THE MUNICIPAL CODE OF THE CITY OF LE ROY, ILLINOIS, 2003 (AS AMENDED)

I do further certify said *ordinance* was adopted by the City Council of the City of Le Roy at a regular meeting on the 2nd day of June 2014 and prior to the making of this certificate the said ordinance was on file with the permanent records of said City where it now appears and remains as a permanent record of said ordinance in the record books.

Dated this 2nd day of June, 2014.



(SEAL)

Vicki Moreland
Vicki Moreland, City Clerk
of the City of Le Roy,
McLean County, Illinois