

RESOLUTION 2021-079

PASSED: September 1, 2021

AUTHORIZING THE CITY MANAGER TO ALLOCATE \$100,000 FOR THE PURCHASE OF A FUEL TRUCK FOR THE DEKALB TAYLOR MUNICIPAL AIRPORT.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the City owns and operates the DeKalb Taylor Municipal Airport (the "Airport"); and

WHEREAS, the City's corporate authorities may authorize the purchase of personal property which is necessary to maintain and operate the Airport, and the sale of personal property which is no longer necessary or useful to operate the Airport pursuant to 65 ILCS 5/11-76.1-1, 65 ILCS 5/11-76-4, and 65 ILCS 5/11-101-1, *et seq.*; and

WHEREAS, the City's corporate authorities, City Manager, and Airport Manager find that the Airport's existing fuel truck identified in Exhibit A attached hereto and incorporated herein (the "Personal Property") is no longer necessary or useful for the City's best interests; and

WHEREAS, the City's corporate authorities previously budgeted up to \$100,000 for the purchase of a used fuel truck to replace the Personal Property (the "Replacement Fuel Truck"); and

WHEREAS, the City's corporate authorities find that disposing the Personal Property and purchasing the Replacement Fuel Truck are in the City's best interests and promote the public health, safety, and welfare; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:

SECTION 1: The City's corporate authorities authorize, approve, direct, and ratify the City Manager or his designee(s) to dispose of the Personal Property attached hereto and incorporated herein as Exhibit A, by sale, transfer, trade-in, exchange, salvage, or such other manner as the City Manager may deem necessary. The Personal Property shall be sold in an "as-is" condition without any representation being made as to its operation or as to its fitness for any particular purpose for an amount deemed acceptable by the City Manager. The funds received for the disposal of the Personal Property, if any, shall be deposited with the City's Finance Department. If the Personal Property cannot be sold in this manner, the property may be junked or otherwise disposed of in any appropriate manner. The City Manager or his designee shall be authorized to sign any documents necessary to transfer title to the Personal Property and to undertake all acts which may be necessary to effect the disposal of the Personal Property.

SECTION 2: The City's corporate authorities authorize, approve, direct, and ratify the City Manager or his designee(s) to purchase, by internet auction or other such other manner as they may deem advisable, the Replacement Fuel Truck in an amount not to exceed \$100,000.00, exclusive of any consideration received for the disposal of the Personal Property provided by Section 1 of this Resolution, and to undertake all acts which may be necessary to effect the purchase of the Replacement Fuel Truck.

SECTION 3: This Resolution and each of its terms shall be the effective legislative act of a home

rule municipality without regard to whether such resolution should (a) contain terms contrary to the provisions of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this Resolution should be inconsistent with any non-preemptive state law, that this Resolution shall supersede state law in that regard within its jurisdiction.

SECTION 4: This resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 1st day of September 2021 and approved by me as Mayor on the same day by a 7-0-1 roll call vote as follows:

Morris: Aye
Larson: Aye
Smith: Aye
Perkins: Aye
McAdams: Aye
Verbic: Aye
Faivre: Absent
Barnes: Aye



Cohen Barnes
COHEN BARNES, Mayor

ATTEST:

Ruth A. Scott
Ruth A. Scott, Executive Assistant

EXHIBIT A
(Description of Personal Property)

YEAR	MAKE/MODEL	Description of Surplus Property/VIN #
1991	Argus	100 LL fuel truck (aviation gasoline)