

**CITY OF BROMLEY, KENTUCKY
MUNICIPAL ORDER NO. 2026-10-14**

**A MUNICIPAL ORDER OF THE CITY OF BROMLEY, KENTUCKY, MAKING
THE WRITTEN DETERMINATION REQUIRED BY KRS 82.083(3),
DECLARING A CITY-OWNED TRACTOR TO BE SURPLUS PROPERTY
EFFECTIVE AS OF JULY 27, 2026, AND RATIFYING, CONFIRMING, AND
APPROVING THE SOLICITATION OF SEALED BIDS, THE PUBLIC
OPENING AND ACCEPTANCE OF A BID ON AUGUST 12, 2026, AND THE
SALE OF THE TRACTOR**

WHEREAS, the City of Bromley, Kentucky (the "City") owned one (1) New Holland TC30 compact tractor, manufactured between 2001 and 2003, with one (1) mowing deck attachment (collectively, "Tractor"), which the City acquired for use in mowing and maintaining City-owned property and public rights-of-way; and

WHEREAS, the Tractor is old and is no longer needed by the City for any public purpose, as it was originally used to drag and maintain the City's baseball field and to cut grass, the baseball field no longer exists, and the Tractor's mowing function has been replaced by an upgraded mower; and

WHEREAS, KRS 82.083(2) authorizes a city to sell or otherwise dispose of its real or personal property, and KRS 82.083(3) requires that, before a city disposes of property having any value, a written determination be made setting forth the property, its intended use at the time of acquisition, the reasons why its disposal is in the public interest, the method used to estimate its value where applicable, and the method of disposition to be used; and

WHEREAS, KRS 82.083(3)(e) permits a city to sell property by sealed bids in accordance with KRS 45A.365(3) and (4), which require adequate public notice of the invitation for bids, which may include internet posting or newspaper publication at least seven (7) days before the date set for the opening of bids, stating the time and place the bids will be opened, and further require that the bids be opened publicly at the time and place designated in the invitation for bids, with each bid and the name of the bidder recorded and open to public inspection; and

WHEREAS, City officials, acting in good faith and with the understanding that the Tractor was surplus to the needs of the City, prepared on July 27, 2026, and caused to be posted at the City website, City Facebook page, and published in LINK NKY on July 27, 2026, a notice soliciting sealed bids for the purchase of the Tractor ("Notice"), which Notice described the Tractor as surplus equipment offered in as-is condition, stated a desired minimum bid of \$8,900.00 while reserving the right to accept the best reasonable bid or to reject all bids, and provided that sealed bids would be accepted by mail or by delivery to the mail slot at the City Building, 226 Boone Street, Bromley, Kentucky, no later than 12:00 noon on Wednesday, August 12, 2026; and

WHEREAS, the Notice did not state the time and place at which the bids would be opened, and the bids were held unopened until the first meeting of the City Council following the bid deadline; and

WHEREAS, four (4) sealed bids were received on or before the deadline stated in the Notice; and

WHEREAS, at a regular meeting of the City Council held on August 12, 2026, at 6:00 p.m., which was open to the public in accordance with KRS 61.810 and following ("August 12 Meeting"), the sealed bids were opened publicly and recorded as follows: one (1) bid in the amount of \$500.00; one (1) bid in the amount of \$2,500.00; one (1) bid in the amount of \$5,001.00; and one (1) bid that the bidder requested be withdrawn; and

WHEREAS, no bid met the desired minimum of \$8,900.00, and at the August 12 Meeting the City Council, exercising the right reserved in the Notice, determined that the highest bid, in the amount of \$5,001.00, submitted by Jay Steffen ("Purchaser"), was the best reasonable bid and voted to accept it; and

WHEREAS, the City Council did not, before the Notice was posted and published, adopt the written determination required by KRS 82.083(3) declaring the Tractor surplus and designating the method of its disposition, and that omission was brought to the attention of the City by a resident in September 2026; and

WHEREAS, the Tractor was in fact surplus to the needs of the City at all relevant times; the Notice gave the public more than seven (7) days to submit bids; every bid timely received was opened publicly and recorded at an open meeting of the City Council held on the same day as the bid deadline; no bidder was excluded or prejudiced by the manner in which the bids were solicited or opened; the accepted bid was the highest bid received; and the City Council possessed full authority under KRS 82.083 to make the required determination and to authorize the sale in the first instance; and

WHEREAS, the City Council desires to make the written determination required by KRS 82.083(3) and to ratify, confirm, and approve all prior actions taken in connection with the solicitation of bids for and the sale of the Tractor, so that the official records of the City reflect compliance with KRS 82.083; and

WHEREAS, pursuant to KRS 83A.010(9) and KRS 83A.060(13) and (14), a matter relating to the internal operation and functions of the City, including the disposition of City property, may be accomplished by a municipal order in writing adopted at an official meeting of the City Council;

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BROMLEY, KENTUCKY, AS FOLLOWS:

SECTION 1

The recitals set forth above are true and correct and are incorporated into this Municipal Order ("Order") as findings of the City Council.

SECTION 2

Pursuant to KRS 82.083(3), the City Council hereby makes the following written determination, effective as of July 27, 2026, the date on which the Notice was prepared and a date on or before its first posting and publication ("Effective Date"):

- (a) Property: One (1) New Holland TC30 compact tractor, manufactured between 2001 and 2003, with approximately 543 operating hours, with one (1) mowing deck attachment.
- (b) Intended use at the time of acquisition: Used to drag and maintain the City's baseball field and to cut grass.
- (c) Reasons disposal is in the public interest: The Tractor is more than twenty (20) years old and is no longer needed for public purposes; continued ownership would require the City to bear costs of storage, insurance, maintenance, and repair for equipment it no longer uses; and its sale converts an unneeded asset into revenue for the General Fund of the City.
- (d) Method used to estimate value: Not required, because the Tractor was not disposed of by a method dependent upon an appraisal under KRS 82.083(1)(b)2.; its value was established by competitive sealed bidding.
- (e) Method of disposition: Sale by sealed bids pursuant to KRS 82.083(3)(e) and KRS 45A.365(3) and (4).

SECTION 3

The City Council hereby determines and declares the Tractor to be surplus property no longer needed for public purposes, effective as of the Effective Date.

SECTION 4

The posting and publication of the Notice, the solicitation of sealed bids for the purchase of the Tractor, and the holding of the bids unopened until their public opening at the August 12, 2026 Meeting are hereby ratified, confirmed, and approved, effective as of the dates on which those actions occurred, with the same force and effect as if the City Council had authorized such actions in advance, notwithstanding that the Notice did not state the time and place at which the bids would be opened.

SECTION 5

The following bids were received and publicly opened and recorded at the August 12 Meeting:

- Bid 1: \$500.00
- Bid 2: \$2,500.00
- Bid 3: \$5,001.00, submitted by the Purchaser
- Bid 4: Withdrawn at the request of the bidder

The public opening and recording of the bids at the August 12 Meeting, and the acceptance by the City Council at the August 12 Meeting of the highest bid, in the amount of Five Thousand One and 00/100 Dollars (\$5,001.00), submitted by the Purchaser, as

the best reasonable bid pursuant to the right reserved in the Notice, are hereby ratified, confirmed, and approved, effective as of August 12, 2026. The Tractor is sold "as is, where is," without warranty of any kind, express or implied. Title to and possession of the Tractor shall not transfer to the Purchaser until the City has received payment of the full purchase price.

SECTION 6

All actions heretofore taken by the Mayor, the City Clerk, and other officers and employees of the City in connection with the solicitation of bids for and the sale of the Tractor, including the execution and delivery of any bill of sale, certificate of title, or other instrument, to the extent consistent with this Order, are hereby ratified, confirmed, and approved. The Mayor is authorized to execute any further documents necessary to complete the sale of the Tractor to the Purchaser.

SECTION 7

Pursuant to KRS 82.083(6), all proceeds of the sale of the Tractor shall be deposited into the General Fund of the City. Any proceeds previously deposited into another fund shall be transferred to the General Fund.

SECTION 8

If any section, sentence, clause, or phrase of this Order is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Order.

SECTION 9

All municipal orders and resolutions, or parts thereof, in conflict with this Order are hereby repealed to the extent of such conflict.

SECTION 10

This Order shall take effect upon its adoption. Sections 2, 3, and 4 shall operate as of the Effective Date, and Section 5 shall operate as of August 12, 2026. The City Clerk shall record this Order in the official order book of the City pursuant to KRS 83A.060.

ADOPTED by the City Council of the City of Bromley, Kentucky, at a regular meeting held on the 14th day of October, 2026.

The vote taken on said Order, the result being as follows:

AYES

NAYS

JEN WARTMAN

MIKE KENDALL

ANDY CLIFF

MATT WALKER

KELLY DUDLEY

CITY OF BROMLEY, KENTUCKY

BY: 
Mike Denham, Mayor

ATTEST:


City Clerk COUNCIL