

RESOLUTION NO. 005-17R

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR THE ABANDONED GAS STATION CLEANUP GRANT PROGRAM FOR THE FORMER SUNOCO GAS STATION PROPERTY LOCATED AT 1651 TIFFIN AVENUE; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Ohio Development Services Agency, in partnership with Ohio EPA and the Department of Commerce, Bureau of Underground Storage Tank Regulation (BUSTR), has a resource to help clean up abandoned gas and service stations throughout Ohio; and

WHEREAS, the Abandoned Gas Station Cleanup Grant provides funding to assess and clean up BUSTR Class C sites (underground storage tanks with documented petroleum release) and local government entities who own the eligible property or who have an agreement with the landowner may apply; and

WHEREAS, this City Commission authorized the filing of an application with the Ohio Development Services Agency for the Abandoned Gas Station Cleanup Grant Program for the former Sunoco Gas Station property located at 1651 Tiffin Avenue for the removal of two (2) underground storage tanks by Resolution No. 017-16R, passed on March 14, 2016, and was subsequently awarded funds in the amount of \$100,000.00; and

WHEREAS, the two (2) underground storage tanks have been removed, however, during excavation activities, a third undocumented and undisclosed underground storage tank was discovered and the costs associated with excavation and disposal of this tank would exceed the current \$100,000.00 grant award; and

WHEREAS, the City desires to apply for additional funds for the removal of a third underground storage tank at the former Sunoco Gas Station property, located at 1651 Tiffin Avenue and; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to file the application with the Ohio Development Services Agency as soon as the funding cycle is opened which is anticipated to be either late January or early February 2017; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager hereby is authorized and directed to file an application with the Ohio Development Services Agency for the Abandoned Gas Station Cleanup Grant Program for the removal of a third

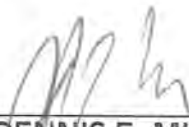
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underground storage tank at the former Sunoco Gas Station Property, located At 1651 Tiffin Avenue, on behalf of the citizens of the City of Sandusky, Ohio, and to execute any grant agreements and lawfully expend funds should they be awarded.


Section 2. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: 

KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 23, 2017