

RESOLUTION NO. 028-17R

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED DEMOLITION AND ASBESTOS ABATEMENT OF FORMER AMERICAN CRAYON FACILITY PROJECT; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed Demolition and Asbestos Abatement of Former American Crayon Facility Project involves asbestos abatement and demolition of the former American Crayon facility located at 1706 Hayes Avenue and identified as Parcel No. 57-01278.000; and

WHEREAS, this City Commission authorized and directed the City Manager to enter into a Purchase and Sale Agreement to purchase the former American Crayon property by Ordinance No. 17-042, passed on February 27, 2017, and the Purchase and Sale Agreement was fully executed on March 5, 2017; and

WHEREAS, pursuant to the terms of the Agreement, the City was provided a 120-day contingency period in which to conduct all necessary due diligence to determine if the City ultimately desires to acquire the Property which included completing a title examination, asbestos survey, groundwater and soil testing, and estimating the cost of asbestos abatement, demolition and site clearance; and

WHEREAS, the City has completed the title examination, Phase I Environmental Site Assessment, and asbestos survey and is currently in the process of completing a Phase II Environmental Site Assessment (soil and groundwater testing) and this request to proceed with the bid process will enable the City to determine the cost of the asbestos abatement and demolition to complete due diligence and allow the City to render a knowledgeable decision by the 120-day deadline as to acquisition of the property; and

WHEREAS, the cost for this project including advertising and miscellaneous expenses will be over \$10,000.00, and if the project proceeds, these costs will be paid with EMS Funds; 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 continue with due diligence on the property prior to the expiration of the contingency period and to continue to implement the City's efforts towards blight elimination in the interest of the health and safety and general welfare of the citizens of Sandusky; 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 the 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. This City Commission approves of the proposed Demolition

and Asbestos Abatement of Former American Crayon Facility Project.

Section 2. This City Commission hereby declares it necessary to proceed with the proposed Demolition and Asbestos Abatement of Former American Crayon Facility Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the proposed Demolition and Asbestos Abatement of Former American Crayon Facility Project as required by law.

Section 4. 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 5. 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 6. 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: May 8, 2017