

RESOLUTION NO. 036-20R

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR THE ABANDONED GAS STATION CLEANUP GRANT PROGRAM FOR CITY OWNED PROPERTY LOCATED AT 430 E. MARKET STREET; 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 will provide 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, applicants can apply for up to \$500,000 for cleanup activities through competitive rounds, including assessment and cleanup of hazardous substances, demolition, property clearance activities, seeding and grading and additionally, a \$100,000 non-competitive Fast Track is available for projects where the only likely contamination is associated with the UST location(s), asbestos, lead-paint, or universal waste, as demonstrated by a VAP Phase I Environmental Assessment; and

WHEREAS, this City Commission approved the purchase property located at 208 Franklin Street and 410 E. Market Street, Parcel Nos. 56-003480.000 and 56-00349.00 by Ordinance No. 20-106, passed on July 27, 2020, for the purpose of redeveloping along with the City's adjoining properties, located at 430 E. Market Street and 216 Franklin Street, to accommodate new residential structures; and

WHEREAS, the City will be applying for funds to remove a modest amount of contaminated soil on the City owned property located at 430 E. Market Street, more specifically, a portion of soil located in the northeastern corner of the site, which is critical to permit residential construction on the site; 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 immediately begin preparation of the grant application and continue to redevelop the site as quickly as possible for future residential construction; 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:

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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 City owned property located at 430 E. Market Street 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.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: September 14, 2020