

ORDINANCE NO. 23-081

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & COMPANY OF SANDUSKY, OHIO, FOR THE CDBG FY21 DEMOLITION PROJECT #5; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed CDBG FY21 Demolition Project #5 by Resolution No. 057-22R, passed on October 24, 2022; and

WHEREAS, the original CDBG FY21 Demolition Project #5 involved asbestos abatement and demolition of the commercial structure located at 1228 W. Osborne Street, which was condemned and ordered for demolition by the City's Chief Building Official due to structural failure of the roof and second floor; and

WHEREAS, subsequent to approval of the Resolution and prior to advertising, a residential structure located at 402 Hendry Street was ordered for demolition by the Housing Appeals Board and it is recommended to bid out both properties together to obtain lower pricing; and

WHEREAS, this City Commission amended Resolution No. 057-22R and declared the necessity for the City to proceed with the modified proposed CDBG FY21 Demolition Project #5 by Resolution No. 064-22R, passed on November 28, 2022; and

WHEREAS, the modified CDBG FY21 Demolition Project #5 involves the asbestos abatement and demolition of the commercial structure located at 1228 W. Osborne Street and the residential structure located at 402 Hendry Street; and

WHEREAS, upon competitive bidding as required by law three (3) appropriate bids were received and the bid from Ed Burdue & Company of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost for the asbestos abatement and demolition is \$145,300.00 and will be paid with FY21 Community Development Block Grant (CDBG) funds and subsequently all costs related to the demolition and asbestos abatement will be charged to the owners and assessed to the property; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to move forward with the project 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 Planning, 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 **Ordinance** be declared an emergency measure which will take

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immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to enter into a contract with Ed Burdue & Company of Sandusky, Ohio, for the CDBG FY21 Demolition Project #5, in an amount **not to exceed** One Hundred Forty-Five Thousand Three Hundred and 00/100 Dollars (\$145,300.00) consistent with the bid submitted by Ed Burdue & Company of Sandusky, Ohio, currently on file in the office of the Director of Public Works.

Section 2. If any section, phrase, sentence, or portion of this Ordinance 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 Ordinance 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 Ordinance 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:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: March 27, 2023