

ORDINANCE NO. 23-136

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE ERIE COUNTY BOARD OF HEALTH FOR UTILIZING OHIO LEAD SAFE HOME FUNDS FOR THE DEMOLITION OF THREE (3) CONDEMNED RESIDENTIAL STRUCTURES IN THE CITY OF SANDUSKY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Erie County Board of Health has been awarded \$600,000.00 through the Ohio Lead Safe Home Fund to facilitate the removal of Lead hazards from 34 residential structures within the Erie County Health District; and

WHEREAS, the City has identified three (3) structures within the City that have been condemned and demolished within the 2023 calendar year and can be approved as one of the Ohio Lead Safe Fund residential structures; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed CDBG FY21 Demolition Project #4 by Resolution No. 049-22R, passed on September 12, 2022, which included properties located at 1817 Pierce Street and 1922 Clay Street (garage) and subsequently approved a contract with Ed Burdue & Company of Sandusky, Ohio, for the demolition by Ordinance No. 22-256, passed on December 12, 2022; 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, which included the property located at 402 Hendry Street, and subsequently approved a contract with Ed Burdue & Company of Sandusky, Ohio, for the demolition by Ordinance No. 23-081, passed on March 27, 2023; and

WHEREAS, the total cost for the asbestos abatement and demolition of the properties located at 1817 Pierce Street, 1922 Clay Street (garage), and 402 Hendry Street is \$42,530.00 and will initially be paid by the City with FY21 Community Development Block Grant (CDBG) funds and reimbursed by the Erie County Health Department with Ohio Lead Safe Home Funds that will be deposited back into the CDBG Program Income Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules and in accordance with Section 14 of the City Charter in order to execute the MOU and allow for the reimbursement of grant funds upon completion of the demolition project; 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 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

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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 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 Memorandum of Understanding with the Erie County Board of Health for utilizing Ohio Lead Safe Home Funds for the demolition of three (3) condemned residential structures in the City of Sandusky, a copy of which is marked Exhibit "A" and is attached to this Ordinance and is specifically incorporated as if fully rewritten herein.

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

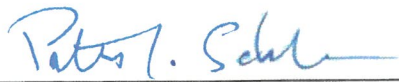
Passed: June 26, 2023

MEMORANDUM OF UNDERSTANDING BETWEEN THE ERIE COUNTY GENERAL HEALTH DISTRICT AND THE CITY OF SANDUSKY

1. This memorandum of understanding is between the Erie County Board of Health (ECBOH) and the City of Sandusky (City).
2. The ECBOH has been awarded a \$600,000 grant through the Ohio Lead Safe Home Fund to facilitate the removal of Lead hazards from up to 34 residential structures within the Erie County Health District.
3. The City has identified three structures within Sandusky City that have been condemned and are scheduled for demolition within the 2023 calendar year and can be approved as one of the Ohio Lead Safe Fund residential structures.
4. The City, as the local housing authority, has complied with all local ordinances and state laws regarding the condemnation and using an open bid process has contracted with a licensed and registered contractor to demolish and dispose of all Construction Demolition Debris in compliance with all state and local laws.
5. The City has outlined costs associated with the demolition of the three structures identified in the following table.
6. The City has agreed to provide the ECBOH staff records that demonstrate that all structures have been condemned, demolished, and disposed of as required under state law and local ordinances.

Sandusky City Residential Structure & Ohio Lead Safe Home Fund Projects	Demolition and Disposal Expense
1922 Clay Street	\$3,725.00
1817 Pierce Street	\$20,275.00
402 Hendry Street	\$18,530.00
Total	\$42,530.00

7. The ECBOH staff upon receipt and approval of all required records has agreed to reimburse the City using Ohio Lead Safe Home funds the costs outlined above for the demolition of these three structures. The staff will also confirm and record the removal and disposal of all lead and asbestos hazard.
8. Upon approval the City may submit invoices to the ECBOH, which will be approved for payment at the next monthly Board of Health Meeting on the last Tuesday of each month.
9. Either party may cancel this agreement by giving the other party written notice, after such notice is given this memorandum will become null and void on a mutually agreed upon date or 60 days from date of original notice which ever come first.



Peter T. Schade
Health Commissioner
Erie County Health Department

06.13.2023

Date

John Orzech
City Manager

Date

EXHIBIT "A"