

RESOLUTION NO. 003-19R

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED DEMOLITION AND ASBESTOS ABATEMENT OF 1114 FIFTH STREET 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 1114 Fifth Street involves asbestos abatement and demolition of a single-family structure which caught fire in 2018 and is located at 1114 Fifth Street and identified as Parcel No. 57-01887.000; and

WHEREAS, the City, based on inspection by the Chief Building Official, determined the property to be over 50% deteriorated, damaged and decayed and because the property was not at risk of immediate collapse, attempted to provide a reasonable amount of time for the property owner to work out a settlement with their insurance carrier in hopes of either rehabilitating the property or demolishing and building new; and

WHEREAS, in the Fall of 2018, the City issued a demolition order to the owner based on the lack of progress on either voluntary rehabilitation or demolition and the owner appealed the demolition order requesting additional time to attempt to continue negotiations on the settlement agreement; and

WHEREAS, the appeal was heard at the January 8, 2019, Housing Appeals Board, who affirmed the City's demolition order and therefore Staff is recommending moving forward with the bidding of asbestos abatement and demolition of the property based on the lack of activity and more importantly, the worsening nuisance condition of the property; and

WHEREAS, the total estimated cost for this project including advertising and miscellaneous expenses is anticipated to be over \$10,000.00 and it is proposed these costs will be paid with fire insurance funds in the amount of \$27,200.00 being held by the City from the insurance company providing coverage for the property; 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 bid the project, obtain competitive bids, and complete the project 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 1114 Fifth Street Project.

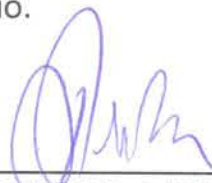
Section 2. This City Commission hereby declares it necessary to proceed with the proposed Demolition and Asbestos Abatement of 1114 Fifth Street Project at the earliest possible time.

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 1114 Fifth Street 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: January 14, 2019