

ORDINANCE NO. 19-002

**AN ORDINANCE AMENDING ORDINANCE NO. 18-111, PASSED ON MAY 29, 2018, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & CO., LLC, OF SANDUSKY, OHIO, FOR THE CDBG FY17 DEMOLITION PROJECT #2; 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 FY17 Demolition Project #2 by Resolution No. 012-18R, passed on February 26, 2018; and

**WHEREAS**, the CDBG FY17 Demolition Project #2 involved asbestos abatement and demolition of eight (8) residential structures located at 2018 Wilson Street, 927 Wildman Street, 1404 Third Street, 1819 Camp Street, 1025 Hancock Street (Shed Only), 1102 Columbus Avenue, 1516 Camp Street, 1421 McDonough Street (Garage Only), and 424 Scott Street and one (1) commercial structure located at 1819 Camp Street; and

**WHEREAS**, upon competitive bidding as required by law one (1) appropriate bid was received and the bid from Ed Burdue & Co., LLC, of Sandusky, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, this City Commission authorized and directed the City Manager to enter into a contract with Ed Burdue & Co., LLC, of Sandusky, for the CDBG FY17 Demolition Project #2 by Ordinance No. 18-111, passed on May 29, 2018; and

**WHEREAS**, Ordinance No. 18-111 stated the total cost for the asbestos abatement and demolition was \$184,182.00 of which \$150,062.00 was to be paid with FY17 Community Development Block Grant (CDBG) Funds and the remaining balance of \$34,120.00 was to be paid with EMS Funds; and

**WHEREAS**, this City Commission approved a Substantial Amendment to the City's FY 2017 One-Year Action Plan for the CDBG Program year of July 1, 2017, through June 30, 2018, which included using \$40,000.00 from the Revolving Loan Fund for CDBG Clearance & Demolition Activity by Ordinance No. 17-223, passed on December 11, 2017; and

**WHEREAS**, City Staff desires to use the \$40,000.00 in Revolving Loan Funds designated for Clearance & Demolition Activity to pay a portion of the cost for the CDBG FY17 Demolition Project #2 and requests to amend Ordinance No. 18-111 to reflect the changes to the funding sources; and

**WHEREAS**, the total cost for the asbestos abatement and demolition is \$184,182.00 of which \$40,000.00 will be paid with Revolving Loan Funds, \$110,062.00 will be paid with FY17 Community Development Block Grant (CDBG) Funds and the remaining balance of \$34,120.00 will be paid with EMS Funds; 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 amend Ordinance No. 18-111, passed on May 29, 2018, authorize the expenditure of Revolving Loan Funds, and make payment to the contractor for services provided for the CDBG FY17 Demolition Project #2; 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 **Ordinance** 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 ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission hereby amends Ordinance No. 18-111, passed on May 29, 2018, to change the budgetary information contained in the preamble and approve the expenditure of Revolving Loan Funds in the amount of \$40,000.00 and decrease the expenditure from Community Development Block Grant Funds in the amount of \$40,000.00 for the CDBG FY17 Demolition Project #2.

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.



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DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

ATTEST:



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KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: January 14, 2019