

ORDINANCE NO. 20-026

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST CHANGE ORDER FOR WORK PERFORMED BY ED BURDUE & CO., LLC, OF SANDUSKY, OHIO, FOR THE CDBG FY19 DEMOLITION PROJECT #1; 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 FY19 Demolition Project #1 by Resolution No. 019-19R, passed on May 13, 2019, which involved the asbestos abatement and demolition of seven (7) residential structures; and

WHEREAS, two (2) of the residential properties, located at 526 Lockwood Street and 602 Lockwood Street, were voluntarily demolished by owner; and

WHEREAS, the remaining five (5) residential structures that are privately owned and condemned and ordered for demolition by the City or the Housing Appeals Board and are located at 420-422 Camp Street, 530 Clinton Street, 807 F Street, 1017 Shelby Street, and 1511 Camp Street; and

WHEREAS, this City Commission approved the awarding of the contract to Ed Burdue & Co., LLC, of Sandusky, Ohio, for work being performed for the CDBG FY19 Demolition Project #1 by Ordinance No. 19-174, passed on October 28, 2019; and

WHEREAS, the property at 1511 Camp Street was in foreclosure and the mortgage lender desired to save the property from demolition and ultimately sell the property to a qualified party to undertake rehabilitation of the property and a Judgment Entry was filed by the Court on November 22, 2019, affirming their desire; and

WHEREAS, subsequent to issuing a Notice to Commence to the contractor, the property at 1511 Camp Street was purchased by the mortgage lender through Sheriff sale on December 10, 2019; and

WHEREAS, this First Change Order reflects the removal of 1511 Camp Street from the list of structures contracted for demolition and deducts \$14,292.50 from the original contract; and

WHEREAS, the original contract with Ed Burdue & Co., LLC, was \$67,342.50, and with the **deduction** of this First Change Order in the amount of \$14,292.50, the revised contract cost is \$53,050.00 and will be paid with FY19 Community Development Block Grant (CDBG) 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 memorialize the withdrawal of property from demolition; and

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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. The City Manager is hereby authorized and directed to approve this First Change Order for work performed for the CDBG FY19 Demolition Project #1 and to deduct from the contract amount the sum of Fourteen Thousand Two Hundred Ninety Two and 50/100 Dollars (\$14,292.50) resulting in a revised contract cost of Fifty Three Thousand Fifty and 00/100 Dollars (\$53,050.00) with Ed Burdue & Co., LLC, of Sandusky, Ohio.

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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RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: 

KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: February 10, 2020