

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 213

By: Mr. Schonhut

AN ORDINANCE AUTHORIZING THE MAYOR AND BUILDING COMMISSIONER TO ENTER INTO A CONTRACT FOR THE DEMOLITION OF UNSAFE STRUCTURES LOCATED AT 19633 GLENMAR WAY, IN THE CITY OF STRONGSVILLE, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, on May 5, 2014, Council authorized and directed the Law Department to commence litigation to abate a nuisance and cause the repair or demolition and removal of an insecure and unsafe residential structure located at 19633 Glenmar Way, in the City of Strongsville; and

WHEREAS, thereafter, on or about October 9, 2014, the Cuyahoga County Common Pleas Court journalized a Final Agreed Judgment Entry in Case No. CV-14-827527, (*City of Strongsville, et al. v. William K. Eversole, et al.*) authorizing the City to demolish all structures on the subject property, remove the debris and to secure and put such property into a safe condition, and to assess the charges against the real estate tax duplicate for the property; and

WHEREAS, therefore, it is immediately necessary to contract for emergency demolition, removal of debris, excavations, sidewalk replacement, and grading, seeding and mulching of all disturbed areas, in order to return such property to a safe condition and to protect the health, safety and welfare of the City and its residents; and

WHEREAS, the Building Commissioner has received a proposal for said work from a reliable and readily available contractor that is able to commence the demolition on an expedited basis, and at the most advantageous price.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, BY UNANIMOUS AFFIRMATIVE VOTE:

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Building Department of the City of Strongsville, in that it is immediately necessary to enter into a contract, without public bidding, with **FABRIZI TRUCKING & PAVING CO., INC.**, for the demolition of all structures, removal of debris, and to secure the property located at 19633 Glenmar Way, in the City of Strongsville, in order to return the property to a safe condition, and to protect the health, safety and welfare of the City and its residents, all as authorized by Court Order.

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Section 2. That, for the reasons aforesaid, this Council hereby approves and authorizes the Mayor and Building Commissioner to enter into a contract with **FABRIZI TRUCKING & PAVING CO., INC.**, without public bidding, in an amount not to exceed \$10,845.00, for emergency demolition, removal of debris, excavations, sidewalk replacement, and grading, seeding and mulching of all disturbed areas, in order to return such property to a safe condition, as more fully set forth in the proposal attached hereto as Exhibit "A" and incorporated herein by reference, and as reflected in a contract to be in a form approved by the Law Director.

Section 3. That the funds for the purpose of the aforesaid expenditure have been appropriated and shall be paid from the General Fund, and thereafter assessed against the real estate tax duplicate for the property consistent with law.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, and for the further reason that the immediate demolition and removal of the aforementioned structures is necessary to protect against damage or injury to persons or property, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Michael Daymut
President of Council

Approved: Ronald Sauer
Mayor

Date Passed: November 3, 2014

Date Approved: November 4, 2014

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daymut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DeMio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dooner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maloney	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schonhut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Southworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest: Aimee Pientka
Clerk of Council

ORD. No. 2014-213 Amended: _____
 1st Rdg. 11-3-14 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 11-3-14 Defeated: _____

FABRIZI TRUCKING & PAVING CO., INC.

389 COLUMBIA ROAD · VALLEY CITY, OHIO 44280

OFFICE: Tel (330) 273-2784
Fax (330) 483-3841

SHOP: Tel (440) 234-1284
Fax (440) 234-2844

October 15, 2014

City of Strongsville
16099 Foltz Parkway
Strongsville, OH 44149

Attn: Mr. Tony Biondillo

RE: 19633 Glenmar Way

Dear Mr. Biondillo:

Per your request, the following is our proposal for the demolition of the above referenced address.

Work will include:

House demolition and removal of debris from site; including slab, driveway
and outdoor shed.

Lump Sum \$ 8,386.00

Excavate, cap, backfill and mark Storm, Sanitary, and Water connections.
(exact locations to be provided by City).

Lump Sum \$ 982.00

Replace sidewalk where driveway was removed

Lump Sum \$ 583.00

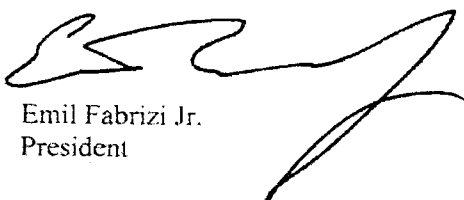
Rough grade, seed and mulch all disturbed areas

Lump Sum \$ 894.00

Grand Total: \$10,845.00

Price does not include any bond, permits, or inspection fees.

Respectfully,



Emil Fabrizi Jr.
President

An Equal Opportunity Employer

EXHIBIT A