

CITY OF CLAYTON, OHIO

RESOLUTION NO. R – 04 - 14 -25

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH JIM LOCK EXCAVATING TO ABATE JUDICIALLY DECLARED NUISANCE LOCATED AT 14 DORCHESTER DRIVE AT A COST NOT TO EXCEED \$7,250.00

WHEREAS, Charter Section 8.02(C)(1) exempts from competitive bidding contracts or expenditures not in excess of \$15,000.00 and in accordance with Charter Section 8.02(C)(1), Council has increased said \$15,000.00 threshold amount to \$21,600.00; and

WHEREAS, on January 14, 2014, a Judge of the Montgomery County Common Pleas Court issued an *Order* declaring the fire damaged house and connected garage located at 14 Dorchester Drive, Dayton, Ohio 45415 and within the jurisdiction of the City of Clayton, to be a nuisance detrimental to the health, safety, and welfare of the public; and

WHEREAS, the aforementioned *Order* mandated the owner of the fire damaged house and connected garage located at 14 Dorchester Drive, Dayton, Ohio 45415 abate by demolition and removal thereof the fire damaged house and connected garage no later than 30 days from the date of said *Order*; and the owner has failed to comply with said mandate; and

WHEREAS, the aforementioned *Order* provided that should the owner fail to abate the nuisance within the time-frame provided, the City has the right to enter upon said property, abate the nuisance, being the fire damaged house and connected garage located thereon, and to charge all costs associated with demolition and removal to the owner, John H. Grant;

WHEREAS, staff has received quotations relative to the work necessary to demolish and remove the nuisance described herein and Jim Lock Excavating provided the lowest and best quotation of \$7,250.00 to complete said work.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That the City Manager is authorized to enter into an agreement with Jim Lock Excavating to demolish and remove the judicially declared nuisance, being the fire damaged house and connected garage located thereon, located at 14 Dorchester Drive at a cost not to exceed \$7,250.00.
2. That the City Manager and Finance Director are authorized to take the necessary steps to charge all costs associated with the demolition and removal to the owner, John H. Grant and/or to take the necessary steps to reimburse the City for the costs associated with demolition and removal by the City through the procedure approved via Resolution No. R-09-99-33.

ADOPTED BY COUNCIL ON APRIL 3, 2014.

AUTHENTICATION:




Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Date of publication
Englewood Independent April 10, 2014



CLERK