

RESOLUTION NO. 35-2023

Introduced by Sam Artino

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BETWEEN THE ERIE COUNTY LAND REUTILIZATION CORPORATION AND THE CITY OF HURON RELATING TO REIMBURSEMENT OF EXPENSES FOR DEMOLITION OF THE BARN STRUCTURE LOCATED AT 624 BERLIN ROAD, HURON, OHIO; AND FURTHER AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDING AWARD IN AN AMOUNT NOT TO EXCEED TWELVE THOUSAND AND 00/100 DOLLARS

WHEREAS, the Huron City Council previously authorized a Memorandum of Understanding (“MOU”) between the Erie County Land Reutilization Corporation (“ECLRC”) and the City of Huron (the “City”) through Resolution No. 68-2022 adopted on August 9, 2022; and

WHEREAS, at the time the August 9, 2022 MOU was executed, the City had not yet determined that it would also be necessary to demolish the barn structure located on property located at 624 Berlin Rd., Huron, Ohio (the “Property”); and

WHEREAS, the Erie County Land Reutilization Corporation has agreed to reimburse the City for the additional expense incurred by the City for demolition of the barn structure located on the Property in the amount of Twelve Thousand and 00/100 Dollars (\$12,000.00);

WHEREAS, ECLRC and the City wish to memorialize their agreement by executing the MOU attached hereto as Exhibit “A” and to further authorize the City Manager’s acceptance of the grant funds on behalf of the City.

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

SECTION 1: That the City Manager be, and he hereby is, authorized and directed to, enter into a Memorandum of Understanding with the Erie County Land Reutilization Corporation relating to reimbursement of expenses for demolition of the barn structure located at 624 Berlin Rd., Huron, OH in an amount not to exceed Twelve Thousand and 00/100 Dollars (\$12,000.00), which Memorandum of Understanding shall be substantially in the form of Exhibit A attached hereto and made a part hereof.

SECTION 2: That the City Manager is hereby authorized to accept the funding award from the Erie County Land Reutilization Corporation in amount not to exceed Twelve Thousand and 00/100 Dollars (\$12,000).

SECTION 3: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

ATTEST:

Jeri Wellkenes
Clerk of Council

Monty Tapp
Monty Tapp, Mayor

ADOPTED:

11 APR 2023



Memorandum of Understanding

This Memorandum of Understanding ("MOU") is made on and entered into on this 3 day of May 2023, ("Effective Date") between the Erie County Land Reutilization Corporation, an Ohio non-profit corporation, ("County") located at 247 Columbus Ave., Sandusky, Ohio, 44870, and The City of Huron ("City") located at 417 Main Street, Huron, Ohio, 44839.

WHEREAS the City plans to demolish the property at 624 Berlin Road, Huron, Ohio; Parcel No: 39-00529.000 ("Property"), and

WHEREAS the County has allocated funding to demolish the structure located on the Property through Delinquent Tax and Assessment Collection funds, and

WHEREAS the Parties' MOU will allow The City of Huron to continue their blight and nuisance abatement efforts

THEREFORE, in consideration of the mutual covenants herein set out, the City and the County agree as follows:

- I. **City's Obligations**
 - a. The City shall bid and manage the entire demolition project, which shall include but is not limited to all asbestos surveying and mitigation needs, as well as grading and reseeding the Property.
 - b. The City shall complete the entire demolition project of the Property by no later than December 31, 2023.
 - c. The City shall provide the County with documentation of the demolition project of the Property, including bids and invoices no later than January 31, 2024.
- II. **Land Bank's Obligations**
 - a. The Land Bank shall reimburse the City for all costs not exceeding \$12,000.00 in the demolition of the structure on 624 Berlin Rd, Huron, Ohio, 44839.
- III. **Term**
 - a. This MOU shall become effective on the Effective Date and shall expire on the completion of the demolition project.
- IV. **Modifications**
 - a. This MOU may be amended by either party. All amendments must be in writing and signed by both parties.
- V. **Governing Law**
 - a. This MOU shall be governed by and construed in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes, and other matters in question between the City, its agents and employees, and the County, its contractors, subcontractors and agents arising out of or relating to this MOU or its breach will be decided in a court of competent jurisdiction within the County of Erie, State of Ohio.
- VI. **Merger.**
 - a. The provisions of this MOU shall supersede all previous agreements and understandings between the Parties concerning the subject matter hereof.

**Erie County Land Reutilization Corporation
MOU for The City of Huron – 624 Berlin Rd, Huron, Ohio, 44839**

VII. Severability

- a. If any of the provisions of this MOU are found or deemed by a Court of competent jurisdiction to be invalid or unenforceable, they shall be considered severable from the remainder of this Agreement and shall not cause the remainder to be invalid or unenforceable.**

SIGNATURE PAGE TO FOLLOW

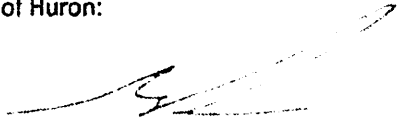
Erie County Land Reutilization Corporation
MOU for The City of Huron – 624 Berlin Rd, Huron, Ohio, 44839

IN WITNESS WHEREOF, the parties have caused this Memorandum of Understanding to be duly executed
in their respective names, all as of the date hereinbefore written.

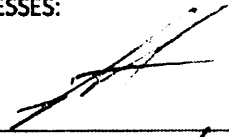
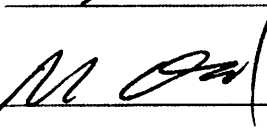
WITNESSES:

Ciern Wellbren

City of Huron:


Matthew Leake, City Manager

WITNESSES:

Erie County Land Reutilization Corporation:

