

RONALD L. SMITH  
Council President

# CITY OF BELLEVUE

## MUNICIPAL CITY OFFICES

STEVEN D. SMITH  
City Auditor

JEFFREY A. CROSBY  
Safety-Service Director

DONALD R. BERKEY  
Mayor

DAVID W. FREITAG  
Treasurer

June 19, 2015

Tiffin Downtown Developers, Ltd.  
P. O. Box 2659  
Asheville, NC 28802

Re: 127 E. Main Street (Parcel No. 010010060320000)  
129 E. Main Street (Parcel No. 010010060310000)  
Bellevue, Ohio, (Huron County)

To Whom It May Concern:

Per Section 1325.03 (see enclosed copy of Chapter 1325) of the City of Bellevue Zoning Code, your property located at 127-129 East Main Street, has been determined to be in such a state of advanced disrepair for the following reasons as to be a public nuisance:

1. Inadequate plumbing and sanitary facilities;
2. Inadequate and faulty wiring;
3. Deterioration of the building both from neglect and storm damage; and
4. Endangering the public health, safety and welfare.

The City Engineer and I, as the Safety-Service Director and Building Inspector, along with the Building Inspector from Richland County, the Fire Chief and the Health Inspector, have declared the structure a public nuisance. Unless repairs can be made within ninety (90) days to bring the structure into a reasonably safe condition, the City of Bellevue will be applying for funds to have the building razed pursuant to said Chapter.

Sincerely,

CITY OF BELLEVUE

Jeffrey A. Crosby  
Safety-Service Director

Enclosures (5): Bellevue Codified Ordinances Chapter 1325

Copies of letters from: Bellevue Fire Chief; Richland County Dept. of Building Regulations;  
Huron County Public Health; and SIXMO, Inc., Architect/Engineers

c: Mayor Donald R. Berkey  
Law Director David A. Wallingford  
Fire Chief Brian Sears  
Richland County Department of Building Regulations  
Huron County Public Health

SENT BY CERTIFIED MAIL 7007 2680 0002 4686 5865

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Huron County Treasurer  
16 E. Main Street  
Norwalk, OH 44857

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Law Director David A. Wallingford  
Fire Chief Brian Sears  
Richland County Department of Building Regulations  
Huron County Public Health

SENT BY REGULAR FIRST CLASS MAIL

RONALD L. SMITH  
Council President

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Treasurer

June 19, 2015

FB Acquisition Property I, LLC  
5251 DTC Parkway, Suite 300  
Greenwood Village, CO 80111

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c: Mayor Donald R. Berkey  
Law Director David A. Wallingford  
Fire Chief Brian Sears  
Richland County Department of Building Regulations  
Huron County Public Health

SENT BY CERTIFIED MAIL 7007 2680 0002 4686 5797

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Council President

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Mayor

DAVID W. FREITAG  
Treasurer

June 19, 2015

The Home Savings and Loan Company of Youngstown, Ohio  
275 Federal Plaza West  
P. O. Box 1111  
Youngstown, OH 44501-1111

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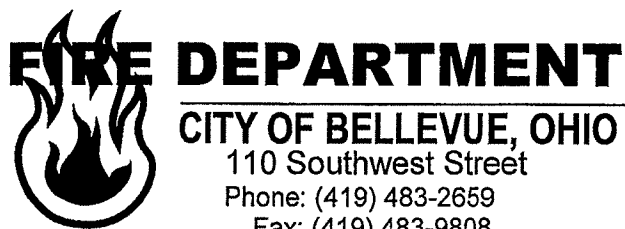
CITY OF BELLEVUE

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Richland County Department of Building Regulations  
Huron County Public Health

SENT BY CERTIFIED MAIL 7007 2680 0002 4686 5766



**CITY OF BELLEVUE, OHIO 44811**

110 Southwest Street

Phone: (419) 483-2659

Fax: (419) 483-9808

BRIAN SEARS  
Interim Fire Chief

Anthony Schaffer, Lt.  
Thomas Maike, Lt.

DATE: 5-18-2015

TO: SAFETY SERVICE DIRECTOR JEFFERY CROSBY

FROM: ACTING CHIEF BRIAN SEARS

REF: 125-127 E. MAIN ST. BELLEVUE

On May 18, 2015, I performed an inspection of the properties at 125-127 E. Main in Bellevue. During this inspection I found the property is in total disrepair and should be considered unsafe. Several windows are broken and are covered with wood. This would allow any type of fire to rapidly advance unnoticed causing possible damage to the entire block of downtown. The overhang on the Main St side is crumbling and several pieces are missing. Upon looking thru the windows water leaks were observed. The upstairs apartments were barricaded and inaccessible for any type of fire suppression if an emergency arose. Several severe cracks and deterioration were found in the block walls on the rear of the building.

I would suggest this structure be condemned and razed due to unsafe and dangerous conditions to the public and safety forces.

Sincerely,

Brian Sears



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May 29, 2015

Jeff Crosby  
City of Bellevue  
3000 Seneca Industrial Parkway  
Bellevue, OH 44811

Dear Jeff Crosby,

On May 22<sup>nd</sup>, Brian Sears from the Bellevue City Fire Department and I went to the property located at 127-129 East Main St. At that time there was significant water damage throughout the building. There was mold growth in numerous portions of the walls and ceiling, and portions of the floor were extremely unstable. This property was deemed to be unfit for human habitation in September of 2011 due to issues with the sewage that drained into the basement of the building. Additionally there was no water that was supplied to the tenants of the upstairs apartments at that time. All tenants were removed from the property in 2011. The upstairs area was completely blocked off and Brian and I did not have access to that portion of the building.

The building is still deemed unfit for human habitation by Huron County Public Health. For the building to be able to be occupied again there would need to be major repairs made to the floors, walls, and ceilings to remove the mold growth and ensure that the area is structurally sound. Repairs would most likely also need to be made to the upstairs, but since it was not accessible during the inspection, the exact issues are not known.

If you have any further questions or comments, please feel free to contact me at (567) 244-3237 or [aeaton@huroncohealth.com](mailto:aeaton@huroncohealth.com). Thank you for your cooperation with this matter.

Sincerely,



Amanda Eaton, RS  
Huron County Public Health



DEPARTMENT OF BUILDING REGULATIONS

1495 WEST LONGVIEW AVENUE • SUITE 202A

MANSFIELD, OHIO 44906

Phone • (419) 774-5517 Fax • (419) 774-6317

[www.richlandcountyoh.us/c&p.htm](http://www.richlandcountyoh.us/c&p.htm)

VIA CERTIFIED MAIL AND FIRST CLASS MAIL

July 18, 2013

**Owner:**

**Mr. W. Phillip Shepardson, Jr.**  
**Agent for Tiffin Downtown Developers LTD**  
**300 Pike Street, Suite 400**  
**Cincinnati, Ohio 45202**

**Premises:**

**125-127 East Main Street**  
**Bellevue, Ohio 44811**  
**Huron County, City Bellevue**  
**PID: 010010060320000**

RE: Adjudication Order No. 244

Dear Tiffin Downtown Developers LTD,

As per the 2011 Ohio Building Code (OBC) Section 109.4, the above premises have been found to be an unsafe building and shall be vacated immediately. This order is being issued based on the results of an inspection by this department. A site inspection was made with City Fire Chief on July 17, 2013.

Part I of this notice lists the areas or conditions of the building which are not in compliance with the provisions of the OBC. Part II of this notice provides information on how this order can be used to appeal specific items in the Adjudication Order. This order is issued in accordance with Chapters 119, 3781, and 3791 of the Ohio Revised Code (ORC).

**Part I:**

The building is considered an unsafe structure in accordance with OBC 109.4. The building shall be vacated immediately until such time as plans have been submitted and reviewed in accordance with OBC 106.1. The building shall not be reoccupied until such time as a certificate of occupancy is issued in accordance with OBC 111. The following items were noted during the inspection:

Due to high winds on July 10, 2013:

1. Much of the metal roofing is damaged or removed.
2. There is skylight damage, chimney damage, and parapet damage.
3. The rooftop HVAC unit(s) have been displaced and damaged.
4. The building is exposed to the elements.

The above items are deemed a serious hazard and the structure is deemed to be an Unsafe Building in accordance with OBC 109.4. The entire building shall be vacated until the above serious hazards are eliminated. The serious hazards shall be eliminated within 30 days or the building shall be razed in accordance with OBC 115.2.

Per OBC 109.4.2, a report by an Ohio Registered Design Professional analyzing the structure and providing recommended repairs may be submitted to this office within 30 days in lieu of razing the structure. The structure may be restored to a safe condition, upon approval by this department. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 109 and Chapter 34.

As per OBC 109.2 you have 30 days to address the above items or appeal the items as described in Part II of this notice. Failure to comply within the specified timeframe will result in this matter being forwarded to the City of Bellevue for legal action.

**Part II:**

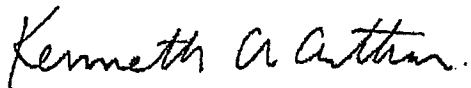
In accordance with Chapter 119 of the Ohio Revised Code, you have 30 days from the mailing date of this letter to appeal the Adjudication Order. To request an appeal hearing, send a written request along with a check or money order for \$200.00 made payable to Treasurer, State of Ohio to the address specified below.

Ohio Board of Building Appeals  
6606 Tussing Road, P.O. Box 4009  
Reynoldsburg, Ohio 43068-4009  
Phone (614) 644-2616

Your written request shall include the items from the Adjudication Order being appealed, the reasons for the appeal, and the relief sought. A copy of this notice shall be attached to your request. At an appeal hearing, you have the right to be represented by counsel. You may present arguments orally or in writing. You may also present evidence and examine witnesses appearing for or against you.

- When checked, this adjudication concerns Section 3781.111 of the Revised Code, or any rule made thereunder. Any local advocate organization for people with disabilities shall be notified of the scheduled hearing. When a local advocate organization is not available, a state organization representing people with disabilities, such as the "Governor's Council on People with Disabilities" shall be notified.

Sincerely,



Kenneth A. Arthur  
Chief Building Official

KAA/smr

cc: Chief Brian Putnam, City of Bellevue Fire Dept.  
Mr. Jeff Crosby, City of Bellevue Safety Service Director  
Mr. David Wallingford, City of Bellevue Law Director

Tiffin Downtown Developers, LTD.  
c/o Industry Consulting Group  
PO Box 8265  
Wichita Falls, TX 76307

Tiffin Downtown Developers  
463 W. Perry Street  
Tiffin, OH 44883

file: adjudications file



March 31, 2015

Mr. Chris Daniel  
Great Lakes Demolition Company | Owner  
8555 TR 78  
Green Springs, Ohio 44836  
[bsewelding@gmail.com](mailto:bsewelding@gmail.com)

RE: Report of Professional Opinion  
Building Demolition Review – Bellevue OH  
Structural Engineering

Mr. Daniel:

On Wednesday, March 11, 2015, we met to review the proposed demolition of two buildings on Main St. in Bellevue, Ohio. We met with Mr. Steven Fuhr of the Bellevue Development Corporation and John Miller, adjacent property owner. The buildings in question are located in the center of a block of buildings that are to remain. The focus of the visit and review is to determine if the buildings may be separated from the adjacent buildings and demolished without damaging the adjacent properties.

The buildings are two story structures with a full basement. They are constructed with 2x wood joists spanning between load bearing masonry walls with interior steel beams and columns. The east and west walls appear to be shared walls with the adjacent buildings and appear to be approximately 12" thick. The basement walls are stone masonry with the walls above the first floor constructed with brick. The basement is approximately 7'-0" to joist bearing. The floor to floor above the first floor is approximately 13'-0".

Mr. Miller, the owner of the adjacent property to the east, stated the floor and roof joists framed into the wall between his property and the building to be demolished. We were not able to access the property to the west, but assume the construction is similar based on the conditions. There also appears to be a concrete masonry addition at the rear of the west building to be demolished.

The façade of the property to the west is taller than the property proposed to be demolished. It appears the roof elevations are at approximately the same elevation at the rear wall. The roof elevation at the front of the building to be demolished appears to be lower than the adjacent roof. The top of the façade of the adjacent property to the east is at a lower elevation than the property to be demolished. The roof bearing of the east property appears to be at a slightly lower elevation at the rear wall. The roof elevation at the front of the buildings appear to be lower at the adjacent east property. Parapets along the common walls are visible and appear to be approximately 2'-0" to 4'-0" above the roof.

The existing masonry bearing walls between buildings, where visible, appeared to be in relatively good condition for the age of the structures. There did not appear to be any significant visible indication of distress or deterioration in the masonry. No evidence of settlement was visible in the foundation walls.

Because of the apparent heights of the buildings, the front and rear walls of the taller structures appear to be directly bonded with the common walls. There appears to be contraction joints at the front and rear walls between the buildings to be demolished and the buildings to remain. The floor and roof structures do not appear separate from the wall structures. It is our understanding this was a common construction practice for adjoining buildings of this era.

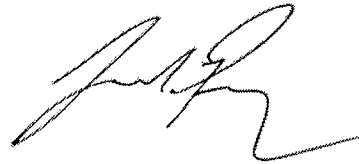
Based on our observations and review, it is the professional opinion of this office the center buildings may be safely separated structurally and demolished with minimal impact on the adjacent properties. The floor and roof structures of the buildings to be demolished should be separated from the structures to remain prior to demolition. The existing parapet to east may require modification to reduce the height over the roof to remain. Because the floors and roof of the adjacent buildings are connected to the common walls, temporary bracing of the walls does not appear to be required at this time. For long term stability and integrity, the front and rear walls of the adjacent building to the east may be positively connected to the common bearing wall.

The observations for this report were visual only. No testing of material or selective demolition of the existing buildings was performed. If conditions are discovered during demolition are different than those observed or were not visible at the time of observations, please contact this office. Please feel free to contact me if you have any additional questions or comments in regards to this issue. I am available at 216-767-5400 or via email at dhuffman@sixmoae.com.

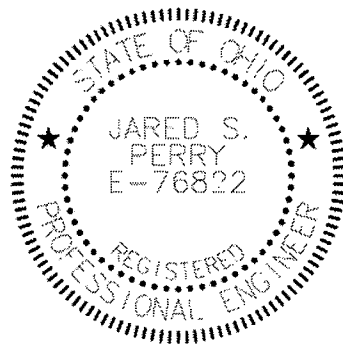
Sincerely,



David E. Huffman, PE  
Sixmo Inc. | Structural Engineer



SIXMO INC. | Principal



**MINUTES FOR THE REGULAR COUNCIL MEETING  
NOVEMBER 9, 2015**

The regular City Council meeting of Tuesday, November 9, 2015, began at 7:30 p.m. Following the Pledge of Allegiance, a prayer was offered by Council President, Ronald Smith. Council persons present: MR. BAKER, MR. FEUERSTEIN, MRS. HENRY, MR. HILL, MRS. MISSLER, and MR. MILLER.

The minutes of the October 26, 2015 regular Council meeting were presented for approval. Mr. Baker made a motion to approve the minutes as written. Mrs. Missler seconded the motion. All were in favor. The minutes are approved as written.

**COMMITTEE REPORTS:**

**Mr. Hill** thanked Recreation Director, Marc Weisenberger, for securing a NatureWorks grant for \$29,000.00 for construction of new restrooms at City Park. Marc does a great job applying for grants. It takes the burden off of the City for coming up with funds for these projects. He also thanked Mayor Berkey for all he has accomplished during his last four years in office. He did an outstanding job leading the City forward. He then congratulated Kevin Strecker for winning the election as Mayor. The Administration and Council have worked very well together and he hopes it can continue.

He also congratulated Lady Red, Lauren Turner for making it to the State cross country tournament. She did an awesome job.

**Mr. Feuerstein** stated that a Budget & Finance Committee meeting will be held on Monday, November 23, 2015 at 7:00 p.m.

**Mrs. Missler** thanked Wastewater Treatment Superintendent, Eric MacMichael, for coming tonight and giving a presentation on the telemeter system and vac truck. It is amazing equipment. He will be showing it after Council meeting.

**Mr. Miller** stated that the Industrial Development Committee had a meeting tonight. He thanked Steve Fuhr, Executive Director of Bellevue Development Corporation, who attended and spoke about the CRA program for the City.

**Mrs. Robinson of the Committee to Grow Bellevue** stated that they are in the process of working on fundraisers for next year and they are looking forward to the holidays.

**REPORTS OF CITY COUNCIL MEMBERS:**

**Mr. Miller** followed up with what Mr. Hill had talked about regarding the good service the Mayor has provided. He mentioned in particular that Safety-Service Director, Mr. Crosby, has served the City very well.



**Mr. Baker** stated that he has received questions about lighting in the downtown area. Both sides of the subway are now done. City Engineer, Kevin Scagnetti, is looking into getting some new LED lights to replace the ones that are fading.

REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS:

**Law Director, Mr. Wallingford** stated that tonight we have a liquor license application for approval. When there is a transfer of a license, a renewal of existing permit, or request for new permit, Council can request a hearing if they know of any negative issues. If there are repeated problems in the facility that Mr. Crosby or the police chief are aware of, a hearing can be scheduled. For the most part, it is a courtesy that the Liquor Control Division makes us aware of these applications. This new license application is for Bone Boys which is the former location of The Angry Lizard. He stated he is not aware of any issues or grounds to request a hearing. Motion was made by Mr. Hill and seconded by Mrs. Missler to not request a hearing. All were in favor. A hearing will not be requested.

Mr. Wallingford noted that information was sent to Council members regarding the City's ordinance and code of public nuisance and disrepair of property at 127-129 East Main Street. Some discussion followed and motion to accept finding of public nuisance and proposed demolition made by Mr. Baker and seconded by Mrs. Henry. Motion carried by a 5-1 vote, Mr. Miller nay.

CITIZEN COMMENTS: None.

11/9/15

PRESIDENT'S REPORT:

**President Smith** stated that Mayor Berkey, Mr. Crosby and Miss Nascone are excused tonight. He thanked Superintendent Eric MacMichael for his very informative presentation tonight.

LEGISLATION: None.

CLOSING REMARKS:

**Wastewater Treatment Superintendent, Eric MacMichael**, stated that anyone wanting to see the new equipment could come out to the parking lot after the meeting.

**President Smith** thanked everyone for coming.

Motion to adjourn was made by Mr. Baker and seconded by Mrs. Missler. All were in favor.

Respectfully submitted,

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Ronald Smith  
President of Council

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Rhonda R. Soper  
Clerk of Council