

Resolution 2024-30

A RESOLUTION CERTIFYING THE COUNTY AUDITOR AN ASSESSMENT AND LIEN UPON 209 W. AIRPORT HIGHWAY IN THE VILLAGE OF SWANTON FULTON COUNTY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Swanton has the right to abate nuisances should a property owner not abate such nuisance within the time stated in the notice given pursuant to law;

WHEREAS, Ohio law provides that the failure to pay the charges imposed shall constitute and result in a lien upon the property in question; and

WHEREAS, certain property owners have not paid the fee and, therefore, are to be assessed the fee on their property taxes.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF SWANTON, FULTON COUNTY OHIO, THAT:

Section 1. The amount set forth in the attached Exhibit A is hereby certified to the Auditor of Fulton County, Ohio, as a lien and assessment upon the property described therein, with such amount to be placed upon the tax rolls collected as in the case of other taxes and assessments.

Section 2. It is found and determined that all formal actions of Council concerning or relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the Village of Swanton and the State of Ohio.

Vote on Passage

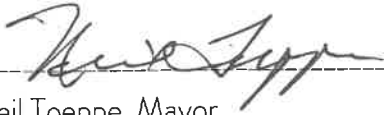
Moved: Kania

Second: M. Disbrow

YEAS: 4

NAYS: 0

Date of Passage: May 28, 2024:


Neil Toeppe, Mayor

Attest:

I, Holden Benfield, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Resolution 2024-30, passed on May 28, 2024.


Holden Benfield, Fiscal Officer

INVOICE

Village of Swanton

219 Chestnut Street
Swanton, Ohio 43558
Phone 419.826.9515 Fax 419.825.1827

INVOICE: 958
DATE: MAY 30, 2024

TO:
Mary Barker
209 West Airport Hwy.
Swanton, Ohio 43558

FOR:
Nuisance Abatement-209 West Airport

DESCRIPTION	AMOUNT
Nuisance Abatement- 209 West Airport	
Team Nelson Services-Mulberry & Oak Removal -10/13/2023	\$2400.00
Jack Roschmann-Clean & Wash Pool- 10/19/2023	\$1200.00
Jack Roschmann-Fill in pool, fix fence and materials	\$5325.00
Copies of invoices enclosed	
TOTAL	\$8925.00

Make all checks payable to Village of Swanton.

Due within 30 days of receipt

— THE VILLAGE OF —
SWANTON

219 Chestnut Street Swanton, Ohio 43558

P: 419.826.9515 | F: 419.825.1827

www.villageofswantonohio.us

January 12, 2024

Ms. Mary F. Barker
209 West Airport Highway
Swanton, Ohio 43558

Dear Ms. Barker:

In Fall 2023 and Winter 2024, the Village of Swanton hired Team Nelson LLC and Mr. Jack Roschmann to remove/trim trees, clean/remove the in ground pool, and fix your fence along the eastern side of your property of 209 West Airport Highway which was deemed a nuisance in June 2023. This is to inform you that you have thirty (30) days after receiving this letter with the enclosed invoice to pay the Village of Swanton for the services performed before your taxes will be assessed through the Fulton County Ohio Auditor.

§ 92.07 ABATEMENT BY VILLAGE; COSTS AND ASSESSMENT.

- (A) Should the public nuisance not be abated as provided in the notice given pursuant to § 92.04 or § 92.05, the Village Administrator or designee shall have the right to enter upon the premises to abate such public nuisance. In abating any public nuisance, the Village Administrator or designee may take such action as is necessary to complete the abatement of the same and should it be practicable to sell or salvage any material resulting from such abatement, the Village Administrator may cause the same to be sold at public or private sale at the best price obtainable and keep an account of the proceeds thereof. Such proceeds shall be deposited in the General Fund of the village and any difference in the amount so received and the cost of the abatement shall be reported to Council, which shall levy an assessment against the premises upon which such nuisance was abated and cause such assessment to be certified and collected as other assessments by the village.
- (B) Should the proceeds of the sale of any material salvaged in the course of such abatement exceed the cost thereof, the amount of such excess shall be paid to the owner of the premises upon filing a claim thereof and proof of title and right to such surplus.
- (C) The Village Administrator or designee may utilize any labor or equipment of the village in making such abatement or the Village Administrator may contract privately for the abatement of the nuisance provided that Council authorizes the expenditures of such funds.
- (D) Any and all expenses or costs incurred under this chapter for the abatement, including removal, repair, alteration, securing, boarding, or demolition of a building or structure shall be paid by the owner of the land and/or responsible person as provided in R.C. § 715.261. If the owner and/or other responsible person fails to pay for the costs within 30 days after receipt of notice from the Village Administrator of a statement of the

charges and costs incurred, the Village Administrator may certify such amount to the Fiscal Officer. The Fiscal Officer shall promptly make a written return to the Fulton or Lucas County Auditor of the action under this section with a statement of the total costs and expenses, the amount credited for salvage, if any, and a proper legal description of the premises. Certification to the County Auditor is for the purpose of making such costs and expenses a lien upon the property, to be collected as other taxes and returned to the village with accounting thereof in accordance with R.C. § 715.261. (Ord. 2018-14, passed 5-14-2018)

Regards,



Shannon Shulters
Village Administrator



Claire Smith
Community Development Assistant

MAYOR

Neil Toeppe

COUNCIL MEMBERS

Dianne Westhoven

Derek Kania

Samantha Disbrow

Patrick L. Messenger

John Schmidt

Mike Disbrow

ADMINISTRATOR

Shannon Shulters

FISCAL OFFICER

Holden Benfield

Statement

DATE 10-19-23

TO Village of Swanton
At SHANNON

TERMS

IN ACCOUNT WITH:

MARY BARKER
209 West AIRPORT Hwy
Swanton Ohio 43558

CLEAN AND WASH POOL 1200

PO 182-2023
1000-490-340-0045

TOTAL \$1200

JACK ROSCHMANN
419-392-5155
2249- US HWY 20A
Swanton OH 43558
290-50-6543

CURRENT

OVER 30 DAYS

OVER 60 DAYS

TOTAL AMOUNT

pd 10/26/23
ck# 30161



COPY

Team Nelson Services

3060 co rd F
Swanton, OH 43558
(419) 708-0206



To:
Village Of Swanton (Village Administrator)
219 Chestnut Street
Swanton, OH 43558

Invoice # 1520
Invoice Date 10/13/2023
Payment Term Due On Receipt
Amount Due \$2,400.00

Item	Quantity	Price	Tax1	Tax2	Line Total
Mulberry And Oak Removal 209 West Airport	1.0	\$2,400.00			\$2,400.00

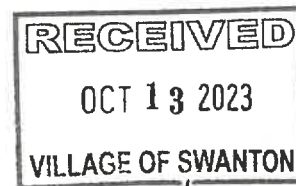
Subtotal: \$2,400.00
Tax: \$0.00
Past Due Amount: \$0.00
Amount Due: \$2,400.00

Notes

Work Description

Price is to remove the trees invasive to the fence between 209 and 207 Airport. Stumps left cut as low as possible.

BC 3-2023 Nuisance Removal
1000-410-430-0090



ⓐ 10/20/23

pd 10/20/23
ck# 30144

 **COPY**

Statement

DATE 1-8-24

TO Village of Swanton

TERMS

ATT. SHANON + CLAIR

IN ACCOUNT WITH: MARY 209 West Airport Hwy

	Fill in Pool	4300	00
	Fix Fence	900	00
	Material	125	00
	TOTAL	\$5325	00
JACK ROSCHMANN 2249 US Hwy 20A Swanton, OK 43558			
CURRENT	OVER 30 DAYS	OVER 60 DAYS	TOTAL AMOUNT

A-25812/T-3409D

01-11

RECEIVED
 JAN 08 2024
 Village of Swanton

 COPY