

ORDINANCE NO. 21-152

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH CEDAR FAIR L.P. RELATING TO CERTAIN COLLABORATIVE ECONOMIC DEVELOPMENT EFFORTS WITHIN THE CITY OF SANDUSKY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City eagerly supports its historic and mutually beneficial partnership with Cedar Fair, one of the City's largest employers, and likewise, Cedar Fair recognizes the critical importance of City services and infrastructure to the world-famous Cedar Point amusement park and Cedar Fair's corporate headquarters, each of which is located in the City; and

WHEREAS, the City and Cedar Fair are in the process of negotiating a framework to further economic development efforts in the City, provide funding for priority infrastructure projects, and retain Cedar Fair's corporate presence in the City, and desire to memorialize these respective commitments and obligations in a formal Memorandum of Understanding; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules and in accordance with Section 14 of the City Charter in order to execute this agreement prior to the effective date of any companion legislation; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of Municipal Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into an agreement with Cedar Fair, L.P. and/or Cedar Point, LLC or any of their subsidiaries, related to certain collaborative economic development efforts within the City of Sandusky, consistent with the Summary of Terms, a copy of which is marked Exhibit "A" and is attached to this Ordinance and is specifically incorporated as if fully rewritten herein.

Section 2. This City Commission hereby authorizes the City Manager, the Director of Law, the Director of Finance, the City Engineer, and other City officials as appropriate to prepare, execute and deliver or accept delivery of a Memorandum of Understanding, in form satisfactory to the Director of Law, to

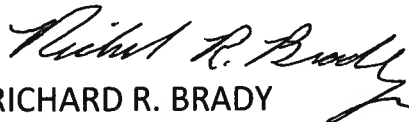
PAGE 2 - ORDINANCE NO. 21-152

provide such information, carry out such investigations and studies, and do such other things, as are necessary for and incidental to carrying out the requirements of this ordinance and the terms of the Memorandum of Understanding.


Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.


RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST:


CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: October 25, 2021

SUMMARY OF TERMS

The City of Sandusky and Cedar Point have enjoyed a strong partnership dating back to the park's opening in 1870. Since the passage of Issue 8 in 2014, Sandusky and Cedar Point, in addition to other community partners, have benefitted from a strong public-private partnership that has led to the investment of over \$300 million in public and private resources into the Sandusky community.

The City eagerly supports its historic and mutually beneficial partnership with Cedar Fair, one of the City's largest employers. Likewise, Cedar Fair recognizes the critical importance of City services and infrastructure to the world-famous Cedar Point amusement park and Cedar Fair's corporate headquarters, each of which is located in the City. Recent discussions regarding Cedar Point's continued growth and commitment to Sandusky and the surrounding community have provided an opportunity to build on this partnership in ways that will benefit future generations of park guests, local residents and visitors to the area.

Continued Corporate Presence Language

Cedar Fair will maintain a corporate presence within the city of Sandusky, in addition to expanding Cedar Point's full-time Sandusky workforce.

Increased Revenue

The City through legislation has undertaken to raise the admissions tax to eight (8) percent and to establish a parking tax throughout the City at a rate not to exceed eight (8) percent. The increased revenue collected from these taxes will be used for authorized City purposes including the infrastructure and service commitments negotiated by the City and Cedar Fair and summarized below.

Destination Connections and Infrastructure

- Cedar Point Causeway: the City of Sandusky will dedicate \$1,250,000 annually for a 20-year period toward the renovation of the Cedar Point Causeway.
 - The project should include access to the causeway for Sandusky Transit/Publicly Accessible Transportation as well as a multi-use pathway along the causeway to Cedar Point. This includes providing safe accommodations for pedestrians and cyclists to the Cedar Point park entrance and the entrance to the Cedar Point Beach Boardwalk, with adequate bike parking facilities provided.
- Waterfront Transportation: the city will utilize \$150,000 annually for a 20-year period to fund or operate a water taxi system that directly connects passengers from the Boeckling dock (and potentially other properties) to the Cedar Point Marina.
 - Cedar Fair will negotiate the transfer of waterfront property to the City of Sandusky in order to facilitate waterfront transportation to Cedar Point.
 - Cedar Point will provide water taxi access to Cedar Point Marina from the Boeckling dock and future locations that might include Battery Park, Castaway Bay, and Landing Park.

- Destination Development Fund: the City will create a “Destination Development Fund” totaling an estimated \$700,000 annually dedicated to strengthening the year-round destination economy of Sandusky, focusing on public and private projects that will support increased economic activity on a year-round basis. Funds will focus on priority projects within downtown and along the city’s main tourism corridor-- Route 6.
- Community Programming Fund. The City will create the “Community Programming Fund” totaling \$150,000 in annual funding to support community-based programming that will attract additional visitors to the city, as well as supporting events and major festivals to further position the City as a destination for locals and visitors on a year-round basis.
 - The City will create a “State Theatre Fund” to support the State Theatre in booking premier acts during the traditional off-seasons to stimulate economic activity within the market.
 - The City will negotiate with the State Theatre to make a \$1,000,000 construction grant to the State Theatre that would be in addition to the State Theatre Fund; the City will negotiate with the State Theatre and Cedar Point to grant the naming rights to the restored State Theatre Auditorium to Cedar Point.

Community Resources

- Recreation Fund. The City will utilize \$700,000 annually for a 20-year period toward the creation of a Recreation Center to serve the needs of the Sandusky community. Cedar Point will be granted the naming rights to the Recreation Center for a 20-year period. In the event a Recreation Center is not constructed by the City, then Cedar Point will be granted naming rights to property of an equivalent value.
- Capital Funds. The City will utilize the remainder of the increase in revenue, estimated in year one to be \$1,050,000, for capital expenditures including but not limited to the following:
 - Safety capital to meet the facility, vehicle, and equipment needs of the Sandusky Police and Fire Departments;
 - Street Repair for street repairs throughout the City, prioritizing Butler Street and the local match for the portions of the planned Route 6 project that are within City limits with the initial funds generated; and
 - Property maintenance to maintain publicly accessible City property, including parks, pathways, greenhouse, and cemetery
- Sandusky Bay Pathway: the city will utilize \$500,000 annually toward the completion of the Sandusky Bay Pathway for a 20-year period.
 - Completion of the Sandusky Bay Pathway within city limits, and the city shall also use its best efforts to support the expansion of the Pathway to Sawmill Creek Resort, connecting Sandusky residents and visitors directly to the Erie Metro Parks and ODNR properties along Sandusky Bay.

- The city will donate the former “Sandusky Drive-In” Property to Cedar Fair and this property will annex into the city. The transfer of this property is subject to federal approval, and Cedar Fair will ensure the conservation of a similarly-sized portion of the wetlands portion of its adjacent property.

Project/Program	Amount	Duration	Notes
Causeway	\$1,250,000	Annually for 20 years	Must include multi-use path to entrance and bike parking
Pathway	\$500,000	Annually for 20 years	City agrees to utilize funds to complete the Sandusky Bay Pathway
Water Taxi	\$150,000	Annually for 20 years	Water taxi service provided between Downtown and Cedar Point
Development Fund	\$700,000	Annually	Funds dedicated toward destination related redevelopment
State Theatre Programming Fund	\$150,000	Annually for 10 years	Cedar Point receives naming rights to State Theatre auditorium
Recreation Fund for Rec Center	\$700,000	Annually for 20 years	Cedar Point receives naming rights to Recreation Center
Capital Funds	\$1,050,000*	Annually	Estimated amount for safety, streets, and parks and property maintenance
	Total: \$4,500,000*		

*Estimated