



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
JUNE 12, 2017
CITY HALL, 222 MEIGS STREET**

INVOCATION	Naomi Twine
PLEDGE OF ALLEGIANCE	
CALL TO ORDER	
ROLL CALL	N. Lloyd, D. Brady, G. Lockhart, D. Murray, W. Poole, N. Twine & D. Waddington
APPROVAL OF MINUTES	May 22, 2017
AUDIENCE PARTICIPATION	
PROCLAMATION	Honoring Tony Bonner – Retired Captain, Sandusky Fire Department
PRESENTATION	Rick & Megan Hogrefe Roz Shepherd – SCS Great Lakes Visual & Performing Arts Academy
COMMUNICATIONS	
CURRENT BUSINESS	

CONSENT AGENDA ITEMS

A. Submitted by Amanda McClain, Housing Manager

PURCHASE & SALE AGREEMENTS FOR 219 ARTHUR STREET THROUGH LAND REUTILIZATION PROGRAM

Budgetary Information: The cost associated with these purchase agreements is the total amount of title examination, lot split, transfer fees, survey and deed preparation. Any such costs shall be recouped by the city from the nonrefundable earnest money deposits required to be paid by the purchasers upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting real property taxes in the amount of approximately \$144.62 per year.

ORDINANCE NO. _____: It is requested an ordinance be passed declaring that certain real property owned by the city as part of the land reutilization program identified as Parcel #57-03698.000 located at 219 Arthur Street, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of purchase and sale agreements with respect to that real property and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

B. Submitted by Amanda McClain, Housing Manager

PURCHASE & SALE AGREEMENT FOR 1426 LINDSLEY STREET THROUGH LAND REUTILIZATION PROGRAM

Budgetary Information: The cost associated with these purchase agreements is the total amount of the lot split, transfer fees, survey and deed preparation. Any such costs shall be recouped by the city from the nonrefundable earnest money deposits required to be paid by purchasers upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting real property taxes in the amount of approximately \$310.28 per year.

ORDINANCE NO. _____: It is requested an ordinance be passed declaring that certain real property owned by the city as part of the land reutilization program identified as Parcel #57-05363.000 located at 1426 Lindsley Street, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of purchase and sale agreements with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

C. Submitted by Amanda McClain, Housing Manager

ACCEPTING SIX PARCELS THROUGH LAND REUTILIZATION PROGRAM

Budgetary Information: The cost of these acquisitions will be approximately \$606 to pay for the title exams and transfer fees. The city will not collect the \$6,312.96 owed to the city in special assessments, nor will the taxing districts collect the \$20,341.69 owed in delinquent taxes. However, all or part of these costs may be recouped and reimbursed upon the sale of the parcels. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately \$6,594.86 per year.

RESOLUTION NO. _____: It is requested a resolution be passed approving and accepting certain real property for acquisition into the land reutilization program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

D. Submitted by Amanda McClain, Housing Manager

AUTHORIZING REQUEST FOR PROPOSALS FOR PROPERTY LOCATED AT 1313 HUNTINGTON AVENUE IN LAND REUTILIZATION PROGRAM

Budgetary Information: The cost associated with this request for proposals is \$96 for title report and transfer fees, plus the total amount of administrative staff time utilized and fees for the required newspaper publications. It is anticipated that these expenses will be recouped upon sale.

ORDINANCE NO. _____: It is requested an ordinance be passed declaring that certain real property acquired through the city’s land reutilization program and owned by the city identified as Parcel #57-04034.000 located at 1313 Huntington Avenue, is no longer needed for any municipal purpose and authorizing and directing the City Manager to proceed with a Request for Proposals process for the sale of property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

E. Submitted by Jane Cullen, Project Engineer

REPEAL OF RESOLUTION & REBID OF SLOANE STREET MANHOLE REPLACEMENT & SLIP LINING PROJECT

Budgetary Information: The revised estimate of cost for the project, including engineering, inspection, advertising and miscellaneous costs is \$208,115.60 and will be paid with sewer funds.

RESOLUTION NO. _____: It is requested a resolution be passed repealing Resolution #023-17R and declaring the necessity for the City of Sandusky, Ohio, to proceed with the proposed Sloane Street manhole replacement and slip lining project; approving the revised specifications and engineers estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

F. Submitted by Mario D’Amico, Interim Fire Chief

PURCHASE OF CHEST COMPRESSION SYSTEM

Budgetary Information: The total amount for the Lucas 3.0 chest compression system purchase is \$14,631.60 through the Ohio Cooperative Purchasing program State of Ohio, Schedule Contract #800252. A donation to purchase the Lucas 3.0 chest compression system was received from the Sam S. Stein & Rose Stein Foundation in the amount of \$15,000. The funds for this purchase will be paid out of the Fire Department’s donation account.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to purchase one Lucas 3.0 chest compression system from Physio Control, Inc. of Redmond, Washington, through the State of Ohio Department of Administrative Services cooperative purchasing program; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

G. Submitted by Angela Byington, Planning Director

ADDENDUM TO CONTRACT WITH ERIE COUNTY JOB & FAMILY SERVICES FOR TRANSPORTATION SERVICES WITH SANDUSKY TRANSIT SYSTEM

Budgetary Information: STS will receive passenger trip fares, as established in the Request for Proposals from Erie County Job & Family Services for the length of the proposed contract. The revenue from this agreement will be used as matching grant funds for the Ohio Department of Transportation program grant.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a transportation services contract addendum between the City of Sandusky and the Board of County Commissioners of Erie County; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

H. Submitted by Jeffrey Keefe, Project Engineer

CONSENT TO SUBMERGED LANDS LEASE FOR 1907 CEDAR POINT ROAD

Budgetary Information: There is no budgetary impact.

RESOLUTION NO. _____: It is requested a resolution be adopted pursuant to Section 1506.11 of the Ohio Revised Code finding and determining that based upon the representations and application filed by Thomas L. Woods for property located at 1907 Cedar Point Road, the use and development of the territory so described, a submerged lands lease may be entered into by the State’s Director of Natural Resources; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

I. Submitted by Aaron Klein, Director of Public Works

EASEMENT AGREEMENT FOR DRAINAGE ON VENICE PARK

Budgetary Information: The city will record all of these documents which would be paid through the sewer fund for under \$200.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to grant a perpetual easement to Pinewood Condominium Building 5 Homeowners Association.

J. Submitted by Aaron Klein, Director of Public Works

EASEMENT AGREEMENT FOR STORM SEWER ON PINEWOOD CONDOMINIUM BUILDING #2

Budgetary Information: The city will record all of these documents which would be paid through the sewer fund for under \$200.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a perpetual easement agreement for a storm sewer main between the City of Sandusky and Pinewood Condominium Building #2; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

K. Submitted by Aaron Klein, Director of Public Works

EASEMENT AGREEMENT FOR STORM SEWER ON PINEWOOD CONDOMINIUM BUILDING #4

Budgetary Information: The city will record all of these documents which would be paid through the sewer fund for under \$200.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a perpetual easement agreement for a storm sewer main between the City of Sandusky and Pinewood Condominium Building #4; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

L. Submitted by Jane Cullen, Project Engineer

CHANGE ORDER #2 & FINAL FOR FIFTH STREET RECONSTRUCTION PROJECT

Budgetary Information: Change Order #2 will revise the contract amount to \$280,455.60. The city applied for and was awarded Ohio Public Works funds in the amount not to exceed \$175,000 for the Fifth Street reconstruction project. The city’s portion of the project will be paid with capital funds (Issue 8) in the amount of \$136,778.78. The Ohio Public Works Commission program will pay \$143,676.82 of the project costs.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to approve the second and final change order for work performed by Precision Paving, Inc., of Milan, Ohio, for the Fifth Street reconstruction project in the amount of \$6,783.72; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

M. Submitted by Justin Harris, Law Director

REQUEST HEARING WITH OHIO DIVISION OF LIQUOR CONTROL REGARDING NEW LIQUOR PERMIT FOR 1819 CAMP STREET

It is requested the Commission Clerk be authorized to notify the Ohio Division of Liquor Control the city **does** request a hearing regarding the request for a new C1 (*beer only in original sealed container for carryout only*) and C2 (*wine and mixed beverages in sealed containers for carry out*) liquor permits for Dev’s Carryout & Delivery LLC, 1819 Camp Street, Unit #2.

REGULAR AGENDA ITEMS

ORDERED IN MAY 8, 2017

ITEM #1 – FIRST READING

AMENDING GENERAL OFFENSES CODE REGARDING FLYING MODEL AIRCRAFT, UNMANNED AIRCRAFT SYSTEMS AND DRONES

ORDINANCE NO. _____: It is requested an ordinance be passed amending Part Five (General Offenses Code), Chapter 531 (Nuisances Generally), of the codified ordinances of the City of Sandusky, by the adoption of new Section 531.17 (flying model aircraft, unmanned aircraft systems and drones), as set forth hereinbelow.

ITEM #2 - Submitted by Casey Sparks, Assistant Planner

PARTIAL REPEAL OF MORATORIUM REGARDING CULTIVATION, PROCESSING & DISPENSARIES OF MEDICAL MARIJUANA

Budgetary Information: There is no impact to the general fund.

RESOLUTION NO. _____: It is requested a resolution be passed amending Resolution #038-16R passed on August 22, 2016, to lift the temporary moratorium on medical marijuana cultivation and processing but retain the temporary moratorium for retail dispensary facilities; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #3 - Submitted by Jeffrey Keefe, Project Engineer

PERMISSION TO BID 2017 VENICE HEIGHTS BLVD. RECONSTRUCTION

Budgetary Information: The estimated cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$750,000 with \$75,000 from sewer funds and \$675,000 shall be paid with Issue 8 infrastructure funds.

RESOLUTION NO. _____: It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed Venice Heights Boulevard reconstruction project; approving the specifications and engineer’s estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereof; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #4 - Submitted by Jeffrey Keefe, Project Engineer

COLUMBUS AVENUE UNDERPASS REPAIR PROJECT

Budgetary Information: The estimated cost of the project based on bids, including engineering (completed - \$5,875), inspection (to be done by city staff) and advertising (Sandusky Register - \$149.60) is \$84,500. The construction cost of \$77,650 will be paid with capital funds (Issue 8).

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Schirmer Construction, LLC, of North Olmsted, Ohio, for the Columbus Avenue underpass repairs project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #5 - Submitted by Aaron Klein, Director of Public Works

SIDEWALK REPAIR & REPLACEMENT PROJECT – CHANGE ORDER #1 & FINAL

Budgetary Information: The original contract with Smith Paving and Excavating, Inc. is for \$367,280.50. Change Order #1 and final increases the contract by \$104,608.27 to a total of \$471,888.77. The project will be paid with capital funds made available through Issue 8. It should be noted the cost of the change order is an increase of 28.5% from the original bid, but it is actually a two percent decrease from the original engineer’s estimate of \$481,598 which is also less than the original allocation.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to approve the first and final change order for work performed by Smith Paving & Excavating, Inc. of Norwalk, Ohio, for the 2016 sidewalk repair and replacement project in the amount of \$124,608.27; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #6 - Submitted by Jeffrey Keefe, Project Engineer

WWTP DIGESTER BUILDING #1 ROOF REPLACEMENT

Budgetary Information: The total cost for this project is \$42,607.37 for materials, removal of the old spray foam roof, delivery and installation, which would be paid from the sewer fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the purchase and installation of a new roof for the Waste Water Treatment Plant digester #1 building from Duro-Last Roofing, Inc., of Saginaw, Michigan; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #7 - Submitted by Jeff Keefe, Project Engineer

WWTP DIGESTER BUILDING #2 ROOF REPLACEMENT

Budgetary Information: The total cost for this project is \$47,709.89 for materials, removal of the old spray foam roof, delivery and installation, which would be paid from the sewer fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the purchase and installation of a new roof for the Waste Water Treatment Plant Digester #2 building from Duro-Last Roofing, Inc., of Saginaw, Michigan; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #8 - Submitted by Jeff Keefe, Project Engineer

WWTP DIGESTER BUILDING #3 ROOF REPLACEMENT

Budgetary Information: The total cost for this project is \$51,633.91 for materials, removal of the old spray foam roof, delivery and installation which would be paid from the sewer fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the purchase and installation of a new roof for the Waste Water Treatment Plant Digester #3 building from Duro-Last Roofing, Inc., of Saginaw, Michigan; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #9 - Submitted by Jeff Keefe, Project Engineer

PURCHASE & APPLICATION OF CRACK AND SURFACE SEAL FOR 2017 ASPHALT SEAL PROGRAM

Budgetary Information: The cost of this project is \$73,408.50 for materials and application, which would be paid for using infrastructure dollars made possible by the passage of Issue 8.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the purchase and application of crack and surface seal from Strawser Construction, Inc., of Columbus, Ohio, through the State of Ohio Department of Transportation cooperative purchasing program for the 2017 street asphalt sealing program; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #10 - Submitted by Jane Cullen, Project Engineer
AWARD OF CONTRACT FOR LINCOLN STREET WATER & SEWER REPLACEMENT PROJECT
Budgetary Information: The estimated cost of the project, including engineering, inspection, advertising and miscellaneous costs is \$176,998.47 and will be paid with water funds in the amount of \$126,430.37 and sewer funds in the amount of \$50,568.10.
ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Ed Burdue & Company of Sandusky, Ohio, for the Lincoln Street water and sewer replacement project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #11 - Submitted by Jeff Keefe, Project Engineer
AWARD OF CONTRACT TO PRECISION PAVING FOR LIONS PARK RETROFIT PROJECT
Budgetary Information: The total cost of the project based on bids (\$571,258.57), including engineering (completed - \$59,880), inspection (by city staff) and advertising (\$178.30) is \$631,316.87. The construction cost of \$571,258.57 is broken down by the following:

GLRI Grant	\$150,010.00
Sewer Funds	\$125,000.00
Street Resurfacing	\$56,000.00
Issue 8 Infrastructure	\$240,248.57

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Precision Paving, Inc., of Milan, Ohio, for the Lions Park retrofit project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #12 - Submitted by Troy Vaccaro, Fleet Maintenance Chief Foreman
DISPOSAL OF 2000 FORD F-150 TRUCK & PURCHASE OF 2017 CHEVROLET TAHOE FOR FIRE DEPARTMENT
Budgetary Information: The Sandusky Fire Department’s EMS funds will be used to pay for this truck.
ORDINANCE NO. _____: It is requested an ordinance be passed declaring a 2000 Ford F-150 truck as unnecessary and unfit for city use pursuant to Section 25 of the City Charter; authorizing and directing the City Manager to purchase a 2017 Chevrolet four-wheel drive Tahoe from Byers Auto of Grove City, Ohio, through the State of Ohio Department of Administrative Services cooperative purchasing program for the Street Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #13 - Submitted by Troy Vaccaro, Fleet Maintenance Chief Foreman
PURCHASE OF TWO FORD CAB & CHASSIS TRUCKS FOR STREET & HORTICULTURAL SERVICES DEPARTMENTS
Budgetary Information: Issue 8 capital funds will be used to pay for these trucks.

A. ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to purchase a 2017 Ford F550 Cab & Chassis truck from Valley Ford Truck of Cleveland, Ohio, through the State of Ohio Department of Administrative Services cooperative purchasing program for the Horticultural Services Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

B. ORDINANCE NO. _____: It is requested an ordinance be passed declaring a 2000 Dodge 3500 four-wheel drive dump truck as unnecessary and unfit for city use pursuant to Section 25 of the city charter; authorizing and directing the City Manager to purchase a 2017 Ford F450 four-wheel drive cab and chassis truck with a snow plow and dump body from Walt Sweeney Ford of Cincinnati, Ohio, through the State of Ohio Department of Administrative Services cooperative purchasing program for the Street Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #14 - Submitted by Angela Byington, Planning Director
AUTHORIZATION TO REBID THE AMTRAK DEPOT RENOVATION PROJECT
Budgetary Information: The engineer’s cost estimate, including base bid and alternate is \$59,270. The total estimated cost, including advertisement and miscellaneous costs is \$59,570, of which approximately eighty percent will be reimbursed with Ohio Transit Preservation Partnership grant funds and the required local match of approximately twenty percent will be paid with local funds, which includes \$19,000 of grant monies from local foundations through Serving Our Seniors.
RESOLUTION NO. _____: It is requested a resolution be passed repealing Resolution #024-17R and declaring the necessity for the City of Sandusky, Ohio, to proceed with the proposed Amtrak Depot renovation and modernization project; approving the revised specifications and engineer’s estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

CITY MANAGER’S REPORT
OLD BUSINESS
NEW BUSINESS
AUDIENCE PARTICIPATION
EXECUTIVE SESSION(S)
ADJOURNMENT

Open discussion on any item (5-minute limit)

Buckeye Broadband broadcasts on Channel 76:
Monday, June 12 at 8:30 p.m.
Tuesday, June 13 at 5 p.m.
Monday, June 19 at 8:30 p.m.

YouTube: https://www.youtube.com/channel/UCBxZ482ZeTTixa_Rm16YWTQ



*City of Sandusky Code Enforcement Division
222 Meigs Street, Sandusky, OH 44870
(419) 627-5913*

TO: Eric Wobser, City Manager

FROM: Amanda McClain, Housing Manager

DATE: May 23, 2017

RE: City Commission Agenda Item

ITEMS FOR CONSIDERATION: The purpose of this communication is to request approval of legislation allowing the City Manager to execute 'Purchase and Sale Agreements' for non-productive land currently in the City of Sandusky's Land Reutilization Program that is no longer needed for any municipal purpose located at 219 Arthur Street and further identified as Erie County Parcel No. 57-03698.000.

BACKGROUND INFORMATION: Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City requested and acquired this nonproductive land upon notice of delinquent tax foreclosure proceedings via Sheriff's sale. The City Commission approved acquisition of this parcel by Resolution No. 001-14R, passed on January 13, 2014. The City of Sandusky's Land Reutilization Policies and Procedures facilitate reutilization of nonproductive land situated within the City of Sandusky and supports neighborhood revitalization and promotes that ownership of unbuildable vacant lots located between two (2) existing property owners shall be offered half each to the adjoining property owners. Barnes Nursery, Inc., the adjoining property owners to the east at 223 Arthur Street, and Heather Love Carman, the adjoining property owner to the west at 215 Arthur Street, have requested acquisition of this nonproductive land. The Land Bank Administrator has verified that they qualify pursuant to the requirements of the Land Reutilization Policies and Procedures. The Land Bank Committee approved the acquisition and sale through the "Mow to Own" Side Lot Disposition Program on May 15, 2017.

BUDGET IMPACT: The cost associated with these purchase agreements is the total amount of the title examination, lot split, transfer fees, survey and deed preparation. Any such costs shall be recouped by the City from the nonrefundable earnest money deposits required to be paid by Purchasers upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting real property taxes in the amount of approximately one hundred forty

four dollars and sixty two cents (\$144.62) per year.

ACTION REQUESTED: It is requested legislation be approved allowing the City Manager to enter into purchase agreements for the sale of non-productive property no longer needed for any municipal purpose located at 219 Arthur Street, Sandusky, Ohio, Erie County Parcel No. 57-03698.000 to the adjoining property owners Barnes Nursery, Inc. and Heather Love Carman. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to execute the purchase and sale agreement in a timely manner to ensure maintenance of the vacant lot.

Amanda J. McClain, Housing Manager

I concur with this recommendation:

Matt Lasko, Chief Development Officer

Eric L. Wobser, City Manager

ORDINANCE NO. _____

AN ORDINANCE DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY AS PART OF THE LAND REUTILIZATION PROGRAM IDENTIFIED AS PARCEL NO. 57-03698.000, LOCATED AT 219 ARTHUR STREET, SANDUSKY, IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING THE EXECUTION OF PURCHASE AND SALE AGREEMENTS WITH RESPECT TO THAT REAL PROPERTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, the City Commission previously authorized the acquisition of the property located at 219 Arthur Street, Parcel No. 57-03698.000 by Resolution No. 001-14R, passed on January 13, 2014, under said Land Reutilization Program which property is more specifically described in Exhibit "A", which is no longer needed for any municipal purposes; and

WHEREAS, requests were made by the adjoining property owners to acquire this property for yard expansion pursuant to the City's "Mow to Own" Side Lot Disposition Program that was approved by this City Commission by Resolution No. 024-11R, passed on July 11, 2011, and effective on August 11, 2011; and

WHEREAS, adjoining property owner, Barnes Nursery, Inc., desires to purchase the east one-half (1/2) of Parcel No. 57-03698.000, which is more specifically described in Exhibit "C" (the "Property") attached to a certain Purchase Agreement, a copy of which is marked Exhibit "B" with respect thereto (the "Purchase Agreement"); and

WHEREAS, adjoining property owner, Heather Love Carman, desires to purchase the west one-half (1/2) of Parcel No. 57-03698.000, which is more specifically described in Exhibit "E" (the "Property") attached to a certain Purchase Agreement, a copy of which is marked Exhibit "D" with respect thereto (the "Purchase Agreement"); and

WHEREAS, the cost associated with these purchase and sale agreements is the total cost of the title examination, lot split, transfer fees, survey, deed preparation and any other customary fees that may be due and payable in the ordinary course of the purchase and sale transaction and the City will recoup these expenses incurred from the nonrefundable earnest money deposits required to be paid by the Purchasers; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute the purchase and sale agreement in a timely manner to ensure maintenance of the lot; 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 the Municipal Departments, including the Department of Community Development,

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. This City Commission finds, determines and declares that the Property, Parcel No. 57-03698.000, located at 219 Arthur Street, Sandusky, more specifically described in Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, is no longer needed for any municipal purpose and that the execution of the Purchase and Sale Agreements providing for the sales, pursuant to Section 25 of the Charter of this City, to the Purchasers of the Property at the purchase prices set forth in the Purchase and Sale Agreements, is in the economic interest of the City and in furtherance of the City's Land Reutilization Program referenced in those preambles in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City Manager is hereby authorized and directed to execute the Purchase and Sale Agreements on behalf of the City, substantially in the same forms as attached to this Ordinance, marked Exhibits "B" and "D", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose. Upon the exercise by the Purchasers to purchase the Property pursuant to the Purchase and Sale Agreements, the City Manager is also hereby authorized and directed on behalf of the City to execute quit claim deeds conveying the Property to the Purchasers, which quit claim deeds shall be in a form satisfactory to the Law Director. The City Manager, Law Director, Finance Director, and other City officials, as appropriate, are each hereby authorized to execute and deliver such instruments, certificates and other documents and take such actions as are necessary and in the best interests of the City in order to carry out and consummate the foregoing actions authorized by this Ordinance.

Section 2. 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 3. 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

Transferred
In Compliance with sections
319-202 and 322-02 of the
Ohio Revised Code.

FEE \$ _____

Exempt: ☒

R.E. TRANSFER:

\$ _____

Richard H. Jeffrey
Erie County Auditor

Trans. Fees: \$ 50

Date: 11/18/16 By: [Signature]

Per O.R.C. 319.203

Erie County Auditor/Engineer

Date

Barbara A. Sessler
County Recorder, Erie County OH

201610160 Total Pages: 2
11/18/2016 02:36:32 PM Fees: \$0.00

SHERIFF'S DEED
Revised Code Sec. 2329.36

I, Paul A. Sigsworth, Sheriff of Erie County, pursuant to the Confirmation of Sale entered on November 2, 2016, and the statutory provisions of O.R.C. 5722, do hereby grant unto the **CITY OF SANDUSKY** all rights, title and interest of the parties in Case No. 2015-CV-0549; Court of Common Pleas, Erie County, Ohio; *Pamela Farrell, Treasurer vs. Leo Pou, et al*, and all pleadings therein are incorporated herein by reference, in and to the following lands and tenements, situated in the City of Sandusky, County of Erie, and State of Ohio, whose prior owners were *Leo Pou* and *Lynda Pou*, and whose prior deed reference is RN200216353, and is known and further described as follows:

Situated in the City of Sandusky, County of Erie and State of Ohio: Being Lot No. 63 Arthur Street in the Second Ward of the City of Sandusky.

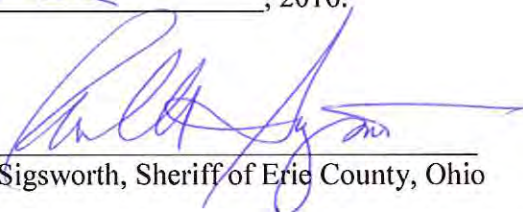
Property Address: 219 Arthur St., Sandusky, OH 44870

Tax ID No.: 57-03698.000

Tax Mailing Address: 222 Meigs Street, Sandusky, Ohio 44870

This deed does not reflect any restrictions, conditions or easements of record.

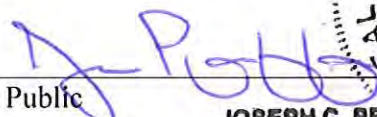

Executed this 14TH day of NOVEMBER, 2016.


Paul A. Sigsworth, Sheriff of Erie County, Ohio

STATE OF OHIO)
) SS:
COUNTY OF ERIE)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above-named Paul A. Sigsworth, Sheriff of Erie County, Ohio, who acknowledged that he signed the foregoing instrument.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Sandusky, Ohio this NOVEMBER 14, 2016.


Notary Public

JOSEPH C. PFEIFFER
Notary Public, State of Ohio
My Commission Expires 01-13-18

This instrument prepared by:
Mark P. Smith (#0088538)
Assistant Prosecutor
Erie County Prosecutor's Office
247 Columbus Ave. Suite 319
Sandusky, Ohio 44870

PURCHASE AND SALE AGREEMENT

This Agreement is made and entered into this ____ day of _____ 2017, by and between the City of Sandusky, Erie County, Ohio, a Municipal Corporation, 222 Meigs Street, Sandusky, Ohio 44870, hereinafter referred to as the "Seller" and Barnes Nursery, Inc., 3511 Cleveland Road W., Huron, Ohio 44839, hereinafter referred to as the "Purchasers".

WITNESSETH:

In consideration of the premises and the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. The Seller agrees to sell to the Purchasers and the Purchasers agree to purchase from the Seller, the east one-half of an unimproved parcel of real property located at 219 Arthur Street, Erie County Parcel Number 57-03698.000, Sandusky, Ohio, and more fully described in the survey and legal description marked Exhibit "A" and attached hereto, the legal description of which will be set forth in the deed transferring ownership of said parcel and hereinafter referred to as the "Property." The Property is adjacent to and contiguous with real property that is owned by the Purchasers located at 223 Arthur Street, Erie County Parcel Number 57-01101.000.

2. The total purchase price for the Property is four thousand one hundred and fifty dollars (\$4,155.00), which is not less than the fair market value as determined by the appraised valuation of the Erie County Auditor. Purchasers shall pay a non-refundable earnest money deposit of three hundred twenty five dollars and seventy five cents (\$375.75) in cash, certified check or cashier's check made payable to Seller. The remaining balance of three thousand seven hundred seventy nine dollars and twenty five cents (\$3,779.25) shall be paid by in-kind service of the Purchasers by mowing and maintaining the Property in a nuisance free condition for a minimum of two (2) years according to the terms of the City of Sandusky's "Mow to Own" Side Lot Disposition

Program, a copy of which is attached hereto, marked as Exhibit B and specifically incorporated herein.

3. The following deed restrictions shall be included on the deed:

a) This parcel is not a building lot and is conveyed to an adjoining owner of a building lot pursuant to Sandusky Municipal Code Section 1177.01(31)(A). This parcel shall not be conveyed separate and apart from the adjoining building lot and before such conveyance, this parcel shall be combined with the Purchasers' adjoining building lot in order to form one parcel of real property.

b) Construction of additional separate dwelling units shall be prohibited. Construction shall be limited to ancillary facilities or building additions made to existing structures.

4. At closing, Seller shall execute and deliver to Purchasers a quit claim deed conveying marketable record title to the Property to Purchasers free and clear of all liens, delinquent real estate taxes and special assessments. Purchasers shall pay all of the taxes and assessments due and payable after the date of closing.

5. Seller shall not furnish a title insurance policy.

6. The closing date of this transaction shall be no later than June 30, 2019, or at such other time as may be mutually agreed upon, in writing, by the parties.

7. The Seller and the Purchasers represent that no real estate broker or agent was involved in this transaction and that no brokerage fees, commissions, or other compensation is due any real estate broker or agent because of this transaction.

8. On the closing date, the Seller shall file for record the deed, and other instruments, if any, required to be recorded pursuant to this Agreement.

9. Purchasers shall be entitled to possession of the Property upon the closing of this transaction.

10. The Purchasers have examined the Property, have had the opportunity to fully inspect and ask questions about conditions of the same, and acknowledge that they are accepting the Property "AS IS" subject to no warranties as of the date of the

execution of this Purchase Agreement and that there have been no representations by the Seller as to the condition of the Property.

11. In the event that the Purchasers breach this Agreement by not closing this transaction on or before June 30, 2019, Seller may sell the Property to another adjoining property owner or may retain the Property for devotion to public use.

12. This Agreement sets forth the entire understanding between the parties with respect to the subject matter hereof, and no agreements or understandings nor any representations concerning the same shall be binding upon the parties unless specifically set forth herein.

13. This Agreement shall be binding upon and inure to the benefit of Seller and Purchasers and their respective heirs, legal representatives, and assigns.

14. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instruments.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

PURCHASERS:

(Signatory), Title

State of Ohio)
) ss:
County of Erie)

On this _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared (Signatory), Principal Agent of Barnes Nursery, Inc., and acknowledged their execution of the foregoing instrument as said agent of said Barnes Nursery, Inc., on behalf of said Barnes Nursery, Inc. and by its authority and that the same is their voluntary act and deed as said agent on behalf of said Barnes Nursery, Inc. and the voluntary act and deed of said Barnes Nursery, Inc.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

NOTARY PUBLIC

SELLER:
CITY OF SANDUSKY

Eric L. Wobser
City Manager

STATE OF OHIO)
) ss:
ERIE COUNTY)

On this _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared Eric L. Wobser, City Manager of the City of Sandusky, Ohio, and acknowledged his execution of the foregoing instrument as said officer of said City on behalf of said City and by its authority and that the same is his voluntary act and deed as said officer on behalf of said City and the voluntary act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

NOTARY PUBLIC

Approved as to Form:

Justin Harris
Ohio Supreme Court #0078252
Law Director
City of Sandusky

EXHIBIT A

Survey and property description are in progress and will be attached as Exhibit A upon completion.

DRAFT

PURCHASE AND SALE AGREEMENT

This Agreement is made and entered into this ____ day of _____ 2017, by and between the City of Sandusky, Erie County, Ohio, a Municipal Corporation, 222 Meigs Street, Sandusky, Ohio 44870, hereinafter referred to as the "Seller" and Heather Love Carman, 215 Arthur Street, Sandusky, Ohio 44870, hereinafter referred to as the "Purchaser".

WITNESSETH:

In consideration of the premises and the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. The Seller agrees to sell to the Purchaser and the Purchaser agrees to purchase from the Seller, the west one-half of an unimproved parcel of real property located at 219 Arthur Street, Erie County Parcel Number 57-03698.000, Sandusky, Ohio, and more fully described in the survey and legal description marked Exhibit "A" and attached hereto, the legal description of which will be set forth in the deed transferring ownership of said parcel and hereinafter referred to as the "Property." The Property is adjacent to and contiguous with real property that is owned by the Purchaser located at 215 Arthur Street, Erie County Parcel Number 57-00714.000.

2. The total purchase price for the Property is four thousand one hundred and fifty dollars (\$4,155.00), which is not less than the fair market value as determined by the appraised valuation of the Erie County Auditor. Purchaser shall pay a non-refundable earnest money deposit of three hundred twenty five dollars and seventy five cents (\$375.75) in cash, certified check or cashier's check made payable to Seller. The remaining balance of three thousand seven hundred seventy nine dollars and twenty five cents (\$3,779.25) shall be paid by in-kind service of the Purchaser by mowing and maintaining the Property in a nuisance free condition for a minimum of two (2) years according to the terms of the City of Sandusky's "Mow to Own" Side Lot Disposition

Program, a copy of which is attached hereto, marked as Exhibit B and specifically incorporated herein.

3. The following deed restrictions shall be included on the deed:

a) This parcel is not a building lot and is conveyed to an adjoining owner of a building lot pursuant to Sandusky Municipal Code Section 1177.01(31)(A). This parcel shall not be conveyed separate and apart from the adjoining building lot and before such conveyance, this parcel shall be combined with the Purchaser' adjoining building lot in order to form one parcel of real property.

b) Construction of additional separate dwelling units shall be prohibited. Construction shall be limited to ancillary facilities or building additions made to existing structures.

4. At closing, Seller shall execute and deliver to Purchaser a quit claim deed conveying marketable record title to the Property to Purchaser free and clear of all liens, delinquent real estate taxes and special assessments. Purchaser shall pay all of the taxes and assessments due and payable after the date of closing.

5. Seller shall not furnish a title insurance policy.

6. The closing date of this transaction shall be no later than June 30, 2019, or at such other time as may be mutually agreed upon, in writing, by the parties.

7. The Seller and the Purchaser represent that no real estate broker or agent was involved in this transaction and that no brokerage fees, commissions, or other compensation is due any real estate broker or agent because of this transaction.

8. On the closing date, the Seller shall file for record the deed, and other instruments, if any, required to be recorded pursuant to this Agreement.

9. Purchaser shall be entitled to possession of the Property upon the closing of this transaction.

10. The Purchaser has examined the Property, has had the opportunity to fully inspect and ask questions about conditions of the same, and acknowledges that they are accepting the Property "AS IS" subject to no warranties as of the date of the

execution of this Purchase Agreement and that there have been no representations by the Seller as to the condition of the Property.

11. In the event that the Purchaser breaches this Agreement by not closing this transaction on or before June 30, 2019, Seller may sell the Property to another adjoining property owner or may retain the Property for devotion to public use.

12. This Agreement sets forth the entire understanding between the parties with respect to the subject matter hereof, and no agreements or understandings nor any representations concerning the same shall be binding upon the parties unless specifically set forth herein.

13. This Agreement shall be binding upon and inure to the benefit of Seller and Purchaser and their respective heirs, legal representatives, and assigns.

14. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instruments.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

PURCHASER:

Heather Love Carman

State of Ohio)
) ss:
County of Erie)

On this _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared Heather Love Carman and acknowledged their execution of the foregoing instrument and that the same is their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

NOTARY PUBLIC

SELLER:
CITY OF SANDUSKY

Eric L. Wobser
City Manager

STATE OF OHIO)
) ss:
ERIE COUNTY)

On this _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared Eric L. Wobser, City Manager of the City of Sandusky, Ohio, and acknowledged his execution of the foregoing instrument as said officer of said City on behalf of said City and by its authority and that the same is his voluntary act and deed as said officer on behalf of said City and the voluntary act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

NOTARY PUBLIC

Approved as to Form:

Justin Harris
Ohio Supreme Court #0078252
Law Director
City of Sandusky

EXHIBIT A

Survey and property description are in progress and will be attached as Exhibit A upon completion.

DRAFT



*City of Sandusky Code Enforcement Division
222 Meigs Street, Sandusky, OH 44870
(419) 627-5913*

TO: Eric Wobser, City Manager

FROM: Amanda McClain, Housing Manager

DATE: May 23, 2017

RE: City Commission Agenda Item

ITEMS FOR CONSIDERATION: The purpose of this communication is to request approval of legislation allowing the City Manager to execute 'Purchase and Sale Agreements' for non-productive land currently in the City of Sandusky's Land Reutilization Program that is no longer needed for any municipal purpose located at 1426 Lindsley Street and further identified as Erie County Parcel No. 57-05363.000.

BACKGROUND INFORMATION: Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City requested and acquired this nonproductive land upon notice of delinquent tax foreclosure proceedings via Sheriff's sale. The City Commission approved acquisition of this parcel by Resolution No. 014-16R, passed on March 14, 2016. The City of Sandusky's Land Reutilization Policies and Procedures facilitate reutilization of nonproductive land situated within the City of Sandusky and supports neighborhood revitalization and promotes that ownership of unbuildable vacant lots located between two (2) existing property owners shall be offered half each to the adjoining property owners. Buckeye Investment Rental Properties, LTD, the adjoining property owners to the north at 1424 Lindsley Street, and Aleta L. Stauder, the adjoining property owner to the south at 1430 Lindsley Street, have requested acquisition of this nonproductive land. The Land Bank Administrator has verified that they qualify pursuant to the requirements of the Land Reutilization Policies and Procedures. The Land Bank Committee approved the acquisition and sale through the "Mow to Own" Side Lot Disposition Program on May 15, 2017.

BUDGET IMPACT: The cost associated with these purchase agreements is the total amount of the lot split, transfer fees, survey and deed preparation. Any such costs shall be recouped by the City from the nonrefundable earnest money deposits required to be paid by Purchasers upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting

real property taxes in the amount of approximately three hundred ten dollars and twenty eight cents (\$310.28) per year.

ACTION REQUESTED: It is requested legislation be approved allowing the City Manager to enter into purchase agreements for the sale of non-productive property no longer needed for any municipal purpose located at 1426 Lindsley Street, Sandusky, Ohio, Erie County Parcel No. 57-05363.000 to the adjoining property owners Buckeye Investment Rental Properties, LTD and Aleta L. Stauder. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to execute the purchase and sale agreement in a timely manner to ensure maintenance of the vacant lot.

Amanda J. McClain, Housing Manager

I concur with this recommendation:

Matt Lasko, Chief Development Officer

Eric L. Wobser, City Manager

ORDINANCE NO. _____

AN ORDINANCE DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY AS PART OF THE LAND REUTILIZATION PROGRAM IDENTIFIED AS PARCEL NO. 57-05363.000, LOCATED AT 1426 LINDSLEY STREET, SANDUSKY, IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING THE EXECUTION OF PURCHASE AND SALE AGREEMENTS WITH RESPECT TO THAT REAL PROPERTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, the City Commission previously authorized the acquisition of the property located at 1426 Lindsley Street, Parcel No. 57-05363.000 by Resolution No. 014-16R, passed on March 14, 2016, under said Land Reutilization Program which property is more specifically described in Exhibit "A", which is no longer needed for any municipal purposes; and

WHEREAS, requests were made by the adjoining property owners to acquire this property for yard expansion pursuant to the City's "Mow to Own" Side Lot Disposition Program that was approved by this City Commission by Resolution No. 024-11R, passed on July 11, 2011, and effective on August 11, 2011; and

WHEREAS, adjoining property owner, Buckeye Investment Rental Properties, LTD, desires to purchase the north one-half (1/2) of Parcel No. 57-05363.000, which is more specifically described in Exhibit "C" (the "Property") attached to a certain Purchase Agreement, a copy of which is marked Exhibit "B" with respect thereto (the "Purchase Agreement"); and

WHEREAS, adjoining property owner, Aleta L. Stauder, desires to purchase the south one-half (1/2) of Parcel No. 57-05363.000, which is more specifically described in Exhibit "E" (the "Property") attached to a certain Purchase Agreement, a copy of which is marked Exhibit "D" with respect thereto (the "Purchase Agreement"); and

WHEREAS, the cost associated with these purchase and sale agreements is the total cost of the lot split, transfer fees, survey, deed preparation and any other customary fees that may be due and payable in the ordinary course of the purchase and sale transaction and the City will recoup these expenses incurred from the nonrefundable earnest money deposits required to be paid by the Purchasers; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute the purchase and sale agreement in a timely manner to ensure maintenance of the lot; 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 the Municipal Departments, including the Department of Community Development,

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. This City Commission finds, determines and declares that the Property, Parcel No. 57-05363.000, located at 1426 Lindsley Street, Sandusky, more specifically described in Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, is no longer needed for any municipal purpose and that the execution of the Purchase and Sale Agreements providing for the sales, pursuant to Section 25 of the Charter of this City, to the Purchasers of the Property at the purchase prices set forth in the Purchase and Sale Agreements, is in the economic interest of the City and in furtherance of the City's Land Reutilization Program referenced in those preambles in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City Manager is hereby authorized and directed to execute the Purchase and Sale Agreements on behalf of the City, substantially in the same forms as attached to this Ordinance, marked Exhibits "B" and "D", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose. Upon the exercise by the Purchasers to purchase the Property pursuant to the Purchase and Sale Agreements, the City Manager is also hereby authorized and directed on behalf of the City to execute quit claim deeds conveying the Property to the Purchasers, which quit claim deeds shall be in a form satisfactory to the Law Director. The City Manager, Law Director, Finance Director, and other City officials, as appropriate, are each hereby authorized to execute and deliver such instruments, certificates and other documents and take such actions as are necessary and in the best interests of the City in order to carry out and consummate the foregoing actions authorized by this Ordinance.

Section 2. 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 3. 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

Transferred	
In Compliance with sections 319-202 and 322-02 of the Ohio Revised Code.	
FEE \$	
Exempt: <input checked="" type="checkbox"/>	
R.E. TRANSFER:	
\$	
Richard H. Jeffrey Erie County Auditor	
Trans. Fees: \$	1.50
Date: 4-11-17	By: [Signature]

Per O.R.C. 319.203
 [Signature]
 Erie County Auditor Engineer
 Date: 4-11-17
 [Signature]

Barbara A. Sessler
 County Recorder, Erie County OH
 201703081 Total Pages: 2
 04/11/2017 03:30:02 PM Fees: \$0.00

SHERIFF'S DEED
 Revised Code Sec. 2329.36

I, Paul A. Sigsworth, Sheriff of Erie County, pursuant to the Confirmation of Sale entered on February 28, 2017, and the statutory provisions of O.R.C. 5722, do hereby grant unto the **CITY OF SANDUSKY** all rights, title and interest of the parties in Case No. 2016-CV-0060; Court of Common Pleas, Erie County, Ohio; *Pamela Farrell, Treasurer vs. Martha Ann Shuman, et al*, and all pleadings therein are incorporated herein by reference, in and to the following lands and tenements, situated in the City of Sandusky, County of Erie, and State of Ohio, whose prior owner was Martha Ann Shuman, and whose prior deed reference is Deed Volume 489, Page 564, and is known and further described as follows:

Situated in the City of Sandusky, County of Erie and State of Ohio: Being Lot No. 50 on Lindsley Street, in John Braun's Subdivision as per plat recorded in Volume 3 of Plats, Page 8, Erie County, Ohio Records.

PP#: 57-05363.000

Tax Mailing Address: 222 Meigs Street, Sandusky, Ohio 44870.

Executed this 23RD day of MARCH, 2017.



Paul A. Sigsworth, Sheriff of Erie County, Ohio

STATE OF OHIO)
) SS:
COUNTY OF ERIE)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above-named Paul A. Sigsworth, Sheriff of Erie County, Ohio, who acknowledged that he signed the foregoing instrument.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Sandusky, Ohio this MARCH 23RD, 2016: 2017


Notary Public


JOSEPH C. PFEIFFER
Notary Public, State of Ohio
My Commission Expires 01-13-18

This instrument prepared by:
Mark P. Smith
Assistant Prosecutor
Erie County Prosecutor's Office
247 Columbus Ave. Suite 319
Sandusky, Ohio 44870

PURCHASE AND SALE AGREEMENT

This Agreement is made and entered into this ____ day of _____ 2017, by and between the City of Sandusky, Erie County, Ohio, a Municipal Corporation, 222 Meigs Street, Sandusky, Ohio 44870, hereinafter referred to as the "Seller" and Buckeye Investment Rental Properties, LTD, 710 Buckeye Lane, Sandusky, Ohio 44870, hereinafter referred to as the "Purchasers".

WITNESSETH:

In consideration of the premises and the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. The Seller agrees to sell to the Purchasers and the Purchasers agree to purchase from the Seller, the north one-half of an unimproved parcel of real property located at 1426 Lindsley Street, Erie County Parcel Number 57-05363.000, Sandusky, Ohio, and more fully described in the survey and legal description marked Exhibit "A" and attached hereto, the legal description of which will be set forth in the deed transferring ownership of said parcel and hereinafter referred to as the "Property." The Property is adjacent to and contiguous with real property that is owned by the Purchasers located at 1424 Lindsley Street, Erie County Parcel Number 57-01959.000.

2. The total purchase price for the Property is three thousand eight hundred and sixty dollars (\$3,860.00), which is not less than the fair market value as determined by the appraised valuation of the Erie County Auditor. Purchasers shall pay a non-refundable earnest money deposit of four hundred twenty five dollars and seventy five cents (\$425.75) in cash, certified check or cashier's check made payable to Seller. The remaining balance of three thousand four hundred thirty four dollars and twenty five cents (\$3,434.25) shall be paid by in-kind service of the Purchasers by mowing and maintaining the Property in a nuisance free condition for a minimum of two (2) years according to the terms of the City of Sandusky's "Mow to Own" Side Lot Disposition

Program, a copy of which is attached hereto, marked as Exhibit B and specifically incorporated herein.

3. The following deed restrictions shall be included on the deed:

a) This parcel is not a building lot and is conveyed to an adjoining owner of a building lot pursuant to Sandusky Municipal Code Section 1177.01(31)(A). This parcel shall not be conveyed separate and apart from the adjoining building lot and before such conveyance, this parcel shall be combined with the Purchasers' adjoining building lot in order to form one parcel of real property.

b) Construction of additional separate dwelling units shall be prohibited. Construction shall be limited to ancillary facilities or building additions made to existing structures.

4. At closing, Seller shall execute and deliver to Purchasers a quit claim deed conveying marketable record title to the Property to Purchasers free and clear of all liens, delinquent real estate taxes and special assessments. Purchasers shall pay all of the taxes and assessments due and payable after the date of closing.

5. Seller shall not furnish a title insurance policy.

6. The closing date of this transaction shall be no later than June 30, 2019, or at such other time as may be mutually agreed upon, in writing, by the parties.

7. The Seller and the Purchasers represent that no real estate broker or agent was involved in this transaction and that no brokerage fees, commissions, or other compensation is due any real estate broker or agent because of this transaction.

8. On the closing date, the Seller shall file for record the deed, and other instruments, if any, required to be recorded pursuant to this Agreement.

9. Purchasers shall be entitled to possession of the Property upon the closing of this transaction.

10. The Purchasers have examined the Property, have had the opportunity to fully inspect and ask questions about conditions of the same, and acknowledges that they are accepting the Property "AS IS" subject to no warranties as of the date of the

execution of this Purchase Agreement and that there have been no representations by the Seller as to the condition of the Property.

11. In the event that the Purchasers breach this Agreement by not closing this transaction on or before June 30, 2019, Seller may sell the Property to another adjoining property owner or may retain the Property for devotion to public use.

12. This Agreement sets forth the entire understanding between the parties with respect to the subject matter hereof, and no agreements or understandings nor any representations concerning the same shall be binding upon the parties unless specifically set forth herein.

13. This Agreement shall be binding upon and inure to the benefit of Seller and Purchasers and their respective heirs, legal representatives, and assigns.

14. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instruments.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

PURCHASERS:

Amanda Hickman

State of Ohio)
) ss:
County of Erie)

On this _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared Amanda Hickman, Principal Agent of Buckeye Investment Properties, LTD, and acknowledged their execution of the foregoing instrument as said agents of said Buckeye Investment Properties, LTD, on behalf of said Buckeye Investment Properties, LTD and by its authority and that the same is their voluntary act and deed as said agent on behalf of said Buckeye Investment Properties, LTD and the voluntary act and deed of said Buckeye Investment Properties, LTD

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

NOTARY PUBLIC

SELLER:

CITY OF SANDUSKY

Eric L. Wobser
City Manager

STATE OF OHIO)
) ss:
ERIE COUNTY)

On this _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared Eric L. Wobser, City Manager of the City of Sandusky, Ohio, and acknowledged his execution of the foregoing instrument as said officer of said City on behalf of said City and by its authority and that the same is his voluntary act and deed as said officer on behalf of said City and the voluntary act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

NOTARY PUBLIC

Approved as to Form:

Justin Harris
Ohio Supreme Court #0078252
Law Director
City of Sandusky

EXHIBIT A

Survey and property description are in progress and will be attached as Exhibit A upon completion.

DRAFT

PURCHASE AND SALE AGREEMENT

This Agreement is made and entered into this ____ day of _____ 2016, by and between the City of Sandusky, Erie County, Ohio, a Municipal Corporation, 222 Meigs Street, Sandusky, Ohio 44870, hereinafter referred to as the "Seller" and Aleta L Stauder, 1430 Lindsley Street, Sandusky, Ohio 44870, hereinafter referred to as the "Purchaser".

WITNESSETH:

In consideration of the premises and the mutual promises and covenants hereinafter contained, the parties do hereby agree as follows:

1. The Seller agrees to sell to the Purchaser and the Purchaser agrees to purchase from the Seller, the south one-half of an unimproved parcel of real property located at 1426 Lindsley Street, Erie County Parcel Number 57-05363.000, Sandusky, Ohio, and more fully described in the survey and legal description marked Exhibit "A" and attached hereto, the legal description of which will be set forth in the deed transferring ownership of said parcel and hereinafter referred to as the "Property." The Property is adjacent to and contiguous with real property that is owned by the Purchaser located at 1430 Lindsley Street, Erie County Parcel Number 57-05365.000.

2. The total purchase price for the Property is three thousand eight hundred and sixty dollars (\$3,860.00), which is not less than the fair market value as determined by the appraised valuation of the Erie County Auditor. Purchaser shall pay a non-refundable earnest money deposit of four hundred twenty five dollars and seventy five cents (\$425.75) in cash, certified check or cashier's check made payable to Seller. The remaining balance of three thousand four hundred thirty four dollars and twenty five cents (\$3,434.25) shall be paid by in-kind service of the Purchaser by mowing and maintaining the Property in a nuisance free condition for a minimum of two (2) years according to the terms of the City of Sandusky's "Mow to Own" Side Lot Disposition

Program, a copy of which is attached hereto, marked as Exhibit B and specifically incorporated herein.

3. The following deed restrictions shall be included on the deed:

a) This parcel is not a building lot and is conveyed to an adjoining owner of a building lot pursuant to Sandusky Municipal Code Section 1177.01(31)(A). This parcel shall not be conveyed separate and apart from the adjoining building lot and before such conveyance, this parcel shall be combined with the Purchaser' adjoining building lot in order to form one parcel of real property.

b) Construction of additional separate dwelling units shall be prohibited. Construction shall be limited to ancillary facilities or building additions made to existing structures.

4. At closing, Seller shall execute and deliver to Purchaser a quit claim deed conveying marketable record title to the Property to Purchaser free and clear of all liens, delinquent real estate taxes and special assessments. Purchaser shall pay all of the taxes and assessments due and payable after the date of closing.

5. Seller shall not furnish a title insurance policy.

6. The closing date of this transaction shall be no later than June 30, 2019, or at such other time as may be mutually agreed upon, in writing, by the parties.

7. The Seller and the Purchaser represent that no real estate broker or agent was involved in this transaction and that no brokerage fees, commissions, or other compensation is due any real estate broker or agent because of this transaction.

8. On the closing date, the Seller shall file for record the deed, and other instruments, if any, required to be recorded pursuant to this Agreement.

9. Purchaser shall be entitled to possession of the Property upon the closing of this transaction.

10. The Purchaser have examined the Property, have had the opportunity to fully inspect and ask questions about conditions of the same, and acknowledges that they are accepting the Property "AS IS" subject to no warranties as of the date of the

execution of this Purchase Agreement and that there have been no representations by the Seller as to the condition of the Property.

11. In the event that the Purchaser breach this Agreement by not closing this transaction on or before June 30, 2019, Seller may sell the Property to another adjoining property owner or may retain the Property for devotion to public use.

12. This Agreement sets forth the entire understanding between the parties with respect to the subject matter hereof, and no agreements or understandings nor any representations concerning the same shall be binding upon the parties unless specifically set forth herein.

13. This Agreement shall be binding upon and inure to the benefit of Seller and Purchaser and their respective heirs, legal representatives, and assigns.

14. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instruments.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

PURCHASER:

Aleta L. Stauder

State of Ohio)
) ss:
County of Erie)

On this _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared Aleta L. Stauder and acknowledged their execution of the foregoing instrument and that the same is their voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

NOTARY PUBLIC

SELLER:
CITY OF SANDUSKY

Eric L. Wobser
City Manager

STATE OF OHIO)
) ss:
ERIE COUNTY)

On this _____ day of _____, 2017, before me, a Notary Public in and for said County and State, personally appeared Eric L. Wobser, City Manager of the City of Sandusky, Ohio, and acknowledged his execution of the foregoing instrument as said officer of said City on behalf of said City and by its authority and that the same is his voluntary act and deed as said officer on behalf of said City and the voluntary act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

NOTARY PUBLIC

Approved as to Form:

Justin Harris
Ohio Supreme Court #0078252
Law Director
City of Sandusky

EXHIBIT A

Survey and property description are in progress and will be attached as Exhibit A upon completion.

DRAFT



*City of Sandusky Code Enforcement Division
222 Meigs Street, Sandusky, OH 44870
(419) 627-5913*

TO: Eric Wobser, City Manager

FROM: Amanda McClain, Housing Manager

DATE: May 23, 2017

RE: City Commission Agenda Item

ITEM FOR CONSIDERATION: Legislation requesting approval to accept six (6) parcels of nonproductive land situated within the City of Sandusky through the City of Sandusky's Land Reutilization Program for the purpose of facilitating reutilization of the nonproductive land.

BACKGROUND INFORMATION: Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code to acquire vacant and abandoned tax delinquent property with the future goal of productive reuse of the land. The City's ability to assemble land for reuse and redevelopment is critical to stabilizing and rebuilding Sandusky's neighborhoods and is necessary for neighborhood revitalization.

The goal of the City of Sandusky's Land Reutilization Program is to return vacant and abandoned tax delinquent property to productive use that benefits the community. If a property is not producing tax revenues, less money is collected and available for enhancements back in to the community. Also, because the property is abandoned, it is not maintained and often becomes an illegal dumping ground. The City spends thousands of dollars a year maintaining weeds and nuisance conditions on abandoned properties. By returning the property back to a long-term tax producing status, more revenue is generated and available for community improvements and the City will not have to expend funds to maintain it.

The six (6) parcels requested for acquisition have been deemed to be necessary and/or beneficial to the Land Reutilization Program efforts and was approved by a quorum of the Land Bank Committee on May 15, 2017.

Three (3) parcels have vacant structures that are abandoned and tax delinquent that the City has been maintaining. The structures located at 1516 Camp Street and 1218 Ransom Street are two story, single family residential structures that are located in designated target areas for demolition by the Erie County Land Reutilization Corporation. Upon acquisition, they will be transferred to the Erie County Land Bank for demolition. The structure located at 220 Neil Street is a two story, single family

residential structure that will be demolished with CDBG Block Grant Funds. Demolition of the structure will leave a 33' X 132' vacant lot that will be eligible for acquisition by the adjoining property owners for yard expansion through the Mow to Own Program.

Two parcels are vacant, single family residential structures that are currently in delinquent tax foreclosure. The single family residential structure located at 711 Decatur Street has a lot size of 33' X 198'. The adjoining vacant lot to the north is a Land Bank lot owned by the City. When combined together, the lot size would be 66' X 198'. The one-story structure has approximately 928 square feet of living space with 3 bedrooms and 1 bath. It appears to be a good candidate for rehabilitation. The single family residential structure located at 314 Perry Street has a lot size of 66' X 132'. It has approximately 1,995 square feet of living space with three bedrooms and 1 bath. It appears to be a good candidate for rehabilitation. Upon acquisition, they will both be evaluated for rehabilitation.

The last parcel located at 1006 Fourth Street is where the City previously demolished a condemned structure leaving a 33' X 132' vacant lot. Upon acquisition, the vacant lot will be available for acquisition by the adjoining property owners for yard expansion through the Mow to Own Program.

The Land Bank Committee has determined that the acquisition of the six (6) parcels is necessary to protect, improve, and preserve the stability of the neighborhood it is located in.

BUDGET IMPACT: The cost of these acquisitions will be approximately six hundred and six dollars (\$606.00) to pay for the title exams and transfer fees. The City will not collect the six thousand three hundred twelve dollars and ninety six cents (\$6,312.96) owed to the City in special assessments, nor will the taxing districts collect the twenty thousand three hundred forty one dollars and sixty nine cents (\$20,341.69) owed in delinquent taxes. However, all or part of these costs may be recouped and reimbursed upon the sale of the parcels. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately six thousand five hundred ninety four dollars and eight six cents (\$6,594.86) per year.

ACTION REQUESTED: It is requested legislation be adopted allowing the City Manager to acquire six (6) parcels of land through the City of Sandusky's Land Reutilization Program. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to allow the Erie County Prosecutor's Office to proceed with the Sheriff's sales and judicial foreclosure process in a timely manner.

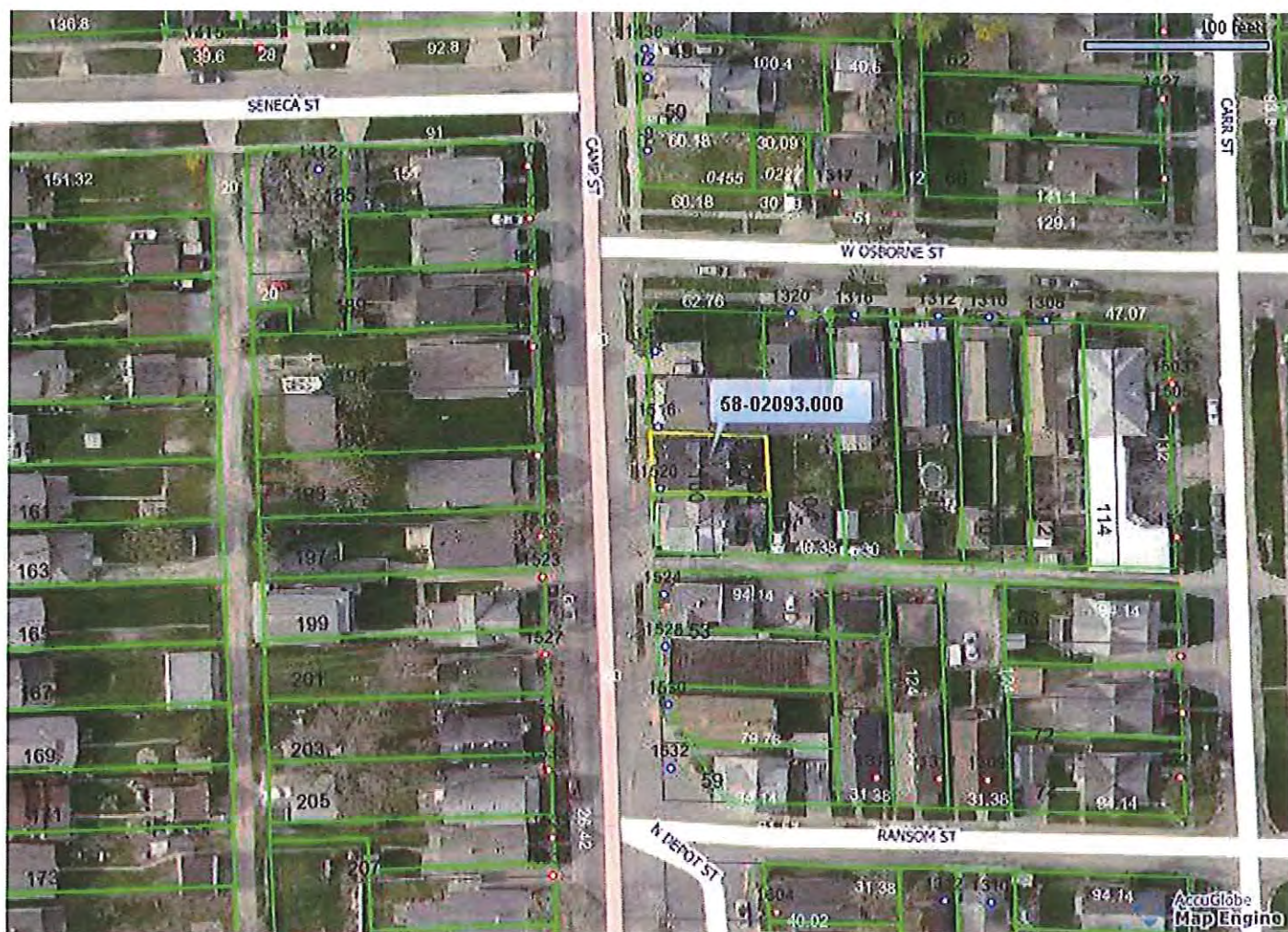
Amanda J. McClain, Housing Manager

I concur with this recommendation:

Matt Lasko, Chief Development Officer

Eric L. Wobser, City Manager

Erie County GIS

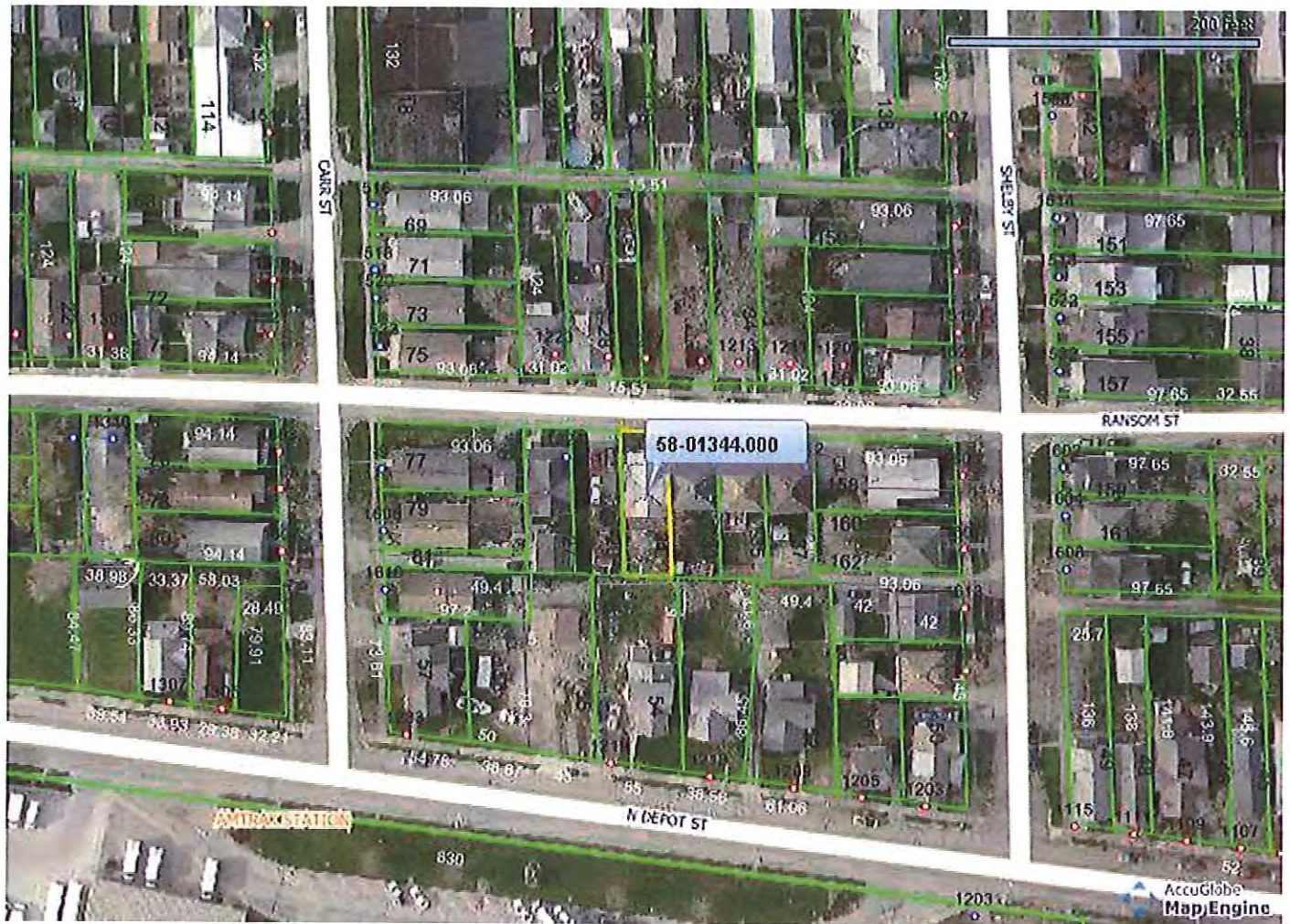


1516 Camp Street



[Print](#) | [Back](#)

Erie County GIS



Notes

1218 Ransom Street

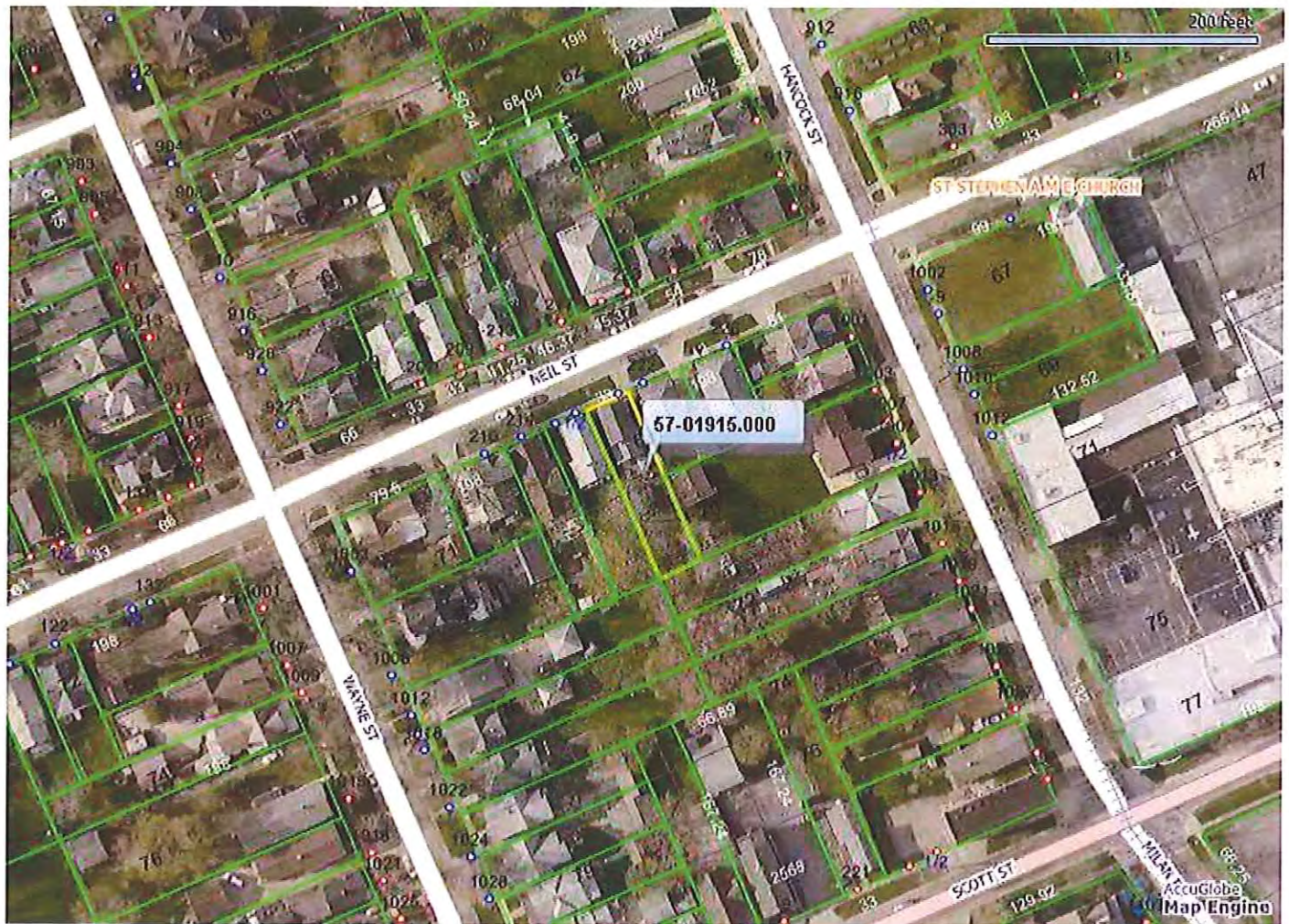


1218

11/10/2016 15:09

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Erie County GIS



Notes

220 Neil Street



10/18/2016 15:57

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Erie County GIS



Notes

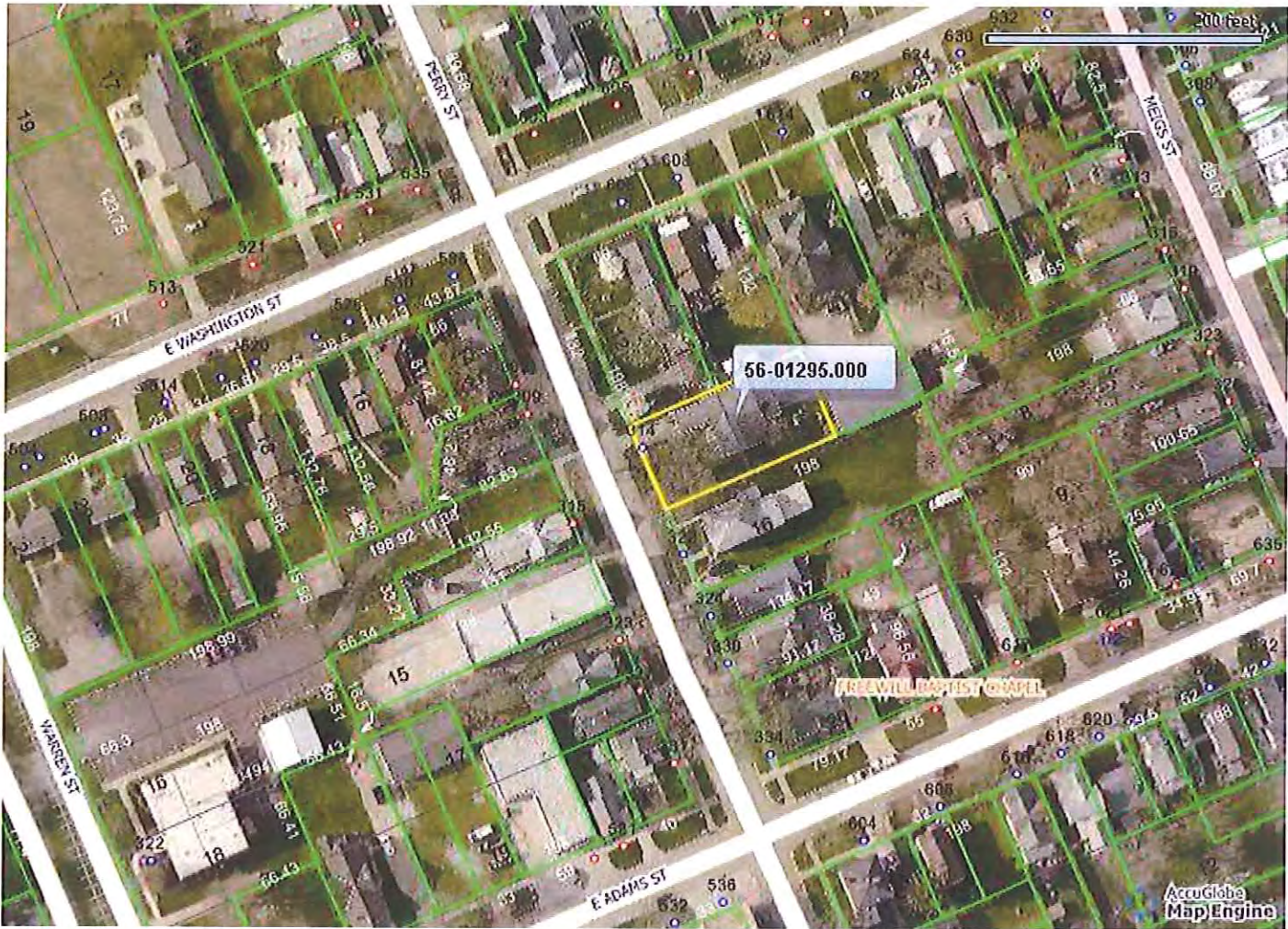
58-01131.000 - Vacant lot owned by City

58-02204.000 - 713 Decatur



[Print](#) | [Back](#)

Erie County GIS



Notes

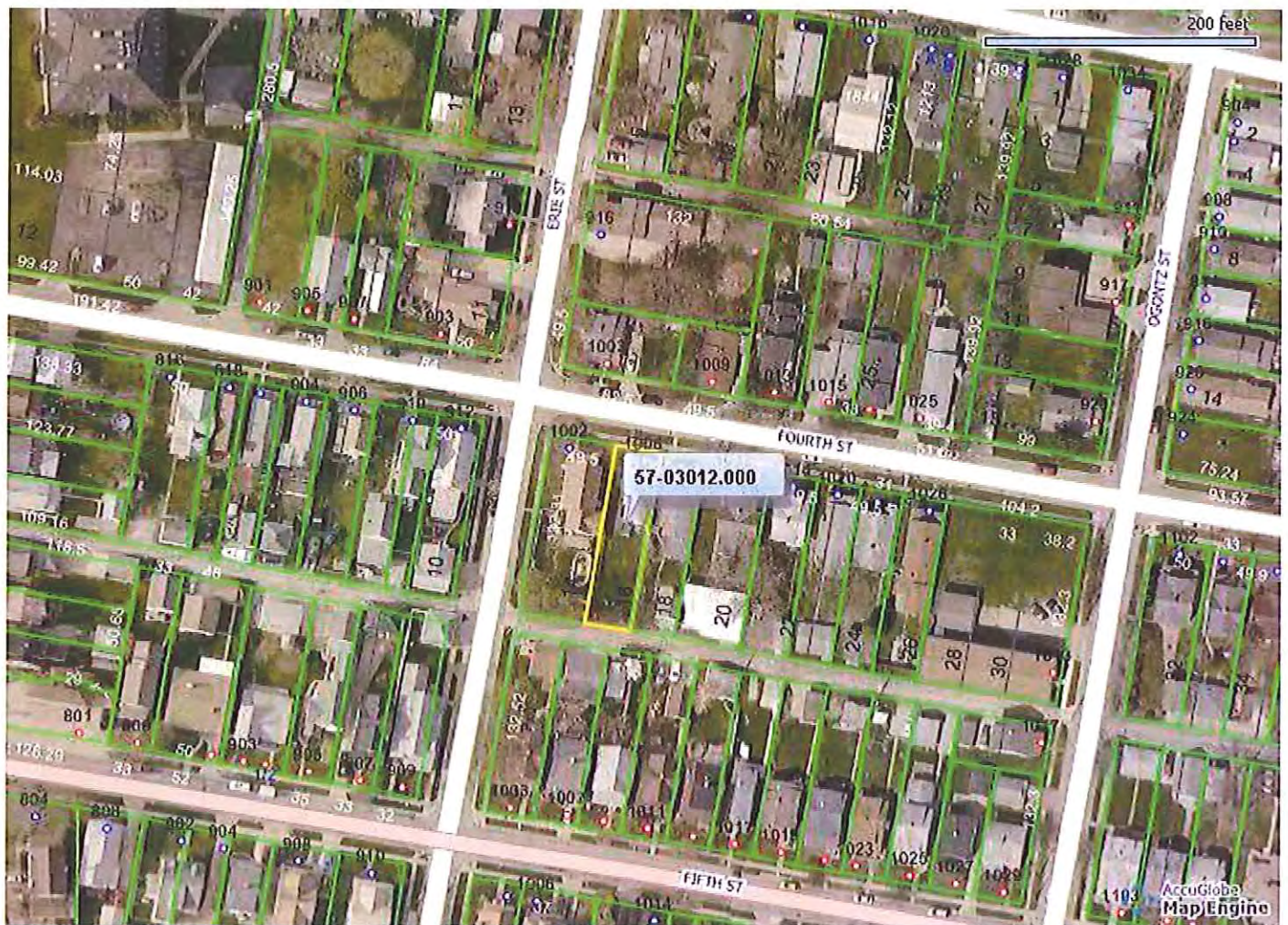
314 Perry Street



04/13/2017 20:02

[Print](#) | [Back](#)

Erie County GIS



Notes

1006 Fourth Street

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ACCEPTING CERTAIN REAL PROPERTY FOR ACQUISITION INTO THE LAND REUTILIZATION PROGRAM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, it is requested that the City accept six (6) parcels of nonproductive land situated within the City of Sandusky as further described in attached Exhibit "A", for placement in the Land Reutilization Program Inventory; and

WHEREAS, it is necessary to acquire the nonproductive land parcels in accordance with the City of Sandusky's Land Reutilization Program in order to facilitate reutilization of the nonproductive land to support neighborhood revitalization and development within the City; and

WHEREAS, upon City Commission approval, two (2) parcels with vacant structures in designated target areas, located at 1516 Camp Street and 1218 Ransom Street, will be transferred to the Erie County Land Reutilization Corporation for demolition; and

WHEREAS, upon City Commission approval, one (1) parcel with a vacant structure located at 220 Neil Street will be demolished using Community Development Block Grant (CDBG) funds and will be offered to adjoining property owners for yard expansion through the Mow to Own Program; and

WHEREAS, upon City Commission approval, two (2) parcels with vacant residential structures located at 711 Decatur Street and 314 Perry Street will be evaluated for rehabilitation; and

WHEREAS, upon City Commission approval, one (1) vacant parcel located at 1006 Fourth Street will be offered to adjoining property owners for yard expansion through the Mow to Own Program; and

WHEREAS, these six (6) parcels of land requested for acquisition have been deemed to be necessary and/or beneficial to the Land Reutilization Program efforts by the Land Bank Committee on May 15, 2017; and

WHEREAS, any future sales of the parcels requested for acquisition will be presented to the City Commission by Ordinance for approval of disposition and sale; and

WHEREAS, the estimated cost for these acquisitions will be approximately \$606.00, which includes title exams, and transfer fees, and will be recouped by the City upon sale of the properties; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City in order to allow the Erie County Prosecutor's Office to proceed with the Sheriff's sales and judicial foreclosure process in a timely manner; 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 the Municipal Departments, including the Department of Community Development, 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 **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter; and NOW, THEREFORE

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

Section 1. This City Commission hereby approves and accepts for acquisition into the Land Reutilization Program six (6) parcels of nonproductive land situated within the City of Sandusky, as further described in Exhibit "A", a copy of which is attached to this Resolution and specifically incorporated herein.

Section 2. This City Commission authorizes and directs the City Manager to acquire the nonproductive land in accordance with the City of Sandusky's Land Reutilization Program in order to facilitate reutilization of the nonproductive land to support neighborhood revitalization and development within the City.

Section 3. If any section, phrase, sentence, or portion of this Resolution 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 Resolution 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.

PAGE 3 - RESOLUTION NO. _____

Section 5. That for the reasons set forth in the preamble hereto, this Resolution 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

Exhibit A

Parcel	Address	Owner(s)	Del. Taxes	Assessments	P&I*	Total Owed	Yearly Taxes and Assessments
58-02093.000	1516 Camp	Sarah Ellen Trambley	1,489.44	1,412.45	156.84	3,058.73	782.90
Proposed Use:	This is a single family residential, two-story structure with 1,080 sq. ft. of living space. It has 3 bedrooms and 1 baths. Upon acquisition, it will be demolishec						
58-01344.000	1218 Ransom	Home Opportunity LLC	6,559.54	2556.61	894.22	10,010.37	2,337.44
Proposed Use:	This is a single family residential, two-story structure with 1,590 sq. ft. of living space. It has 3 bedrooms and 1 1/2 bath. Upon acquisition, it will be demolishec						
57-01915.000	220 Neil	Harbour Portfolio VII LP	1,196.04	1,771.86	82.54	3,050.44	823.20
Proposed Use:	This is a single family residential, two-story structure with 1,202 sq. ft. of living space. It has2 bedrooms and 1 bath. Upon acquisition, it will be demolishec						
58-02204.000	713 Decatur	Donovan J. Cole	3,421.60	0.00	849.80	4,271.40	641.10
Proposed Use:	This is a single family residential, one-story structure with 928 sq. ft. of living space. It has 3 bedrooms and 1 bath. Upon acquisition, it will be evaluated fo						
2016CV0680	rehabilitation.						
56-01295.000	314 Perry	Kathryn Wright & Mary Mason	6,293.69	0.00	515.04	6,808.73	1,758.96
Proposed Use:	This is a single family residential, one-story structure with 1,995 sq. ft. of living space. It has 1 bedroom and 1 bath. Upon acquisition, it will be evaluated fo						
2016CV0505	rehabilitation.						
57-03012.000	1006 Fourth	Sandra Matter	1,381.38	572.04	265.58	2,219.00	251.26
Proposed Use:	The City previously demolished a condemned structure on this tax delinquent vacant lot that is 33' X 132'. The owner is deceased and both adjoining property owners have expressed an interest in obtaining it.						
			20,341.69	6,312.96	2,764.02	29,418.67	6,594.86



*City of Sandusky Code Enforcement Division
222 Meigs Street, Sandusky, OH 44870
(419) 627-5913*

TO: Eric Wobser, City Manager

FROM: Amanda McClain, Housing Manager

DATE: May 31, 2017

RE: City Commission Agenda Item

ITEMS FOR CONSIDERATION: The purpose of this communication is to request approval of legislation allowing the City Manager to execute a Request for Proposals (RFP) for the sale of non-productive lands that the City has acquired through the City of Sandusky's Land Reutilization Program which are no longer needed for any municipal purpose.

BACKGROUND INFORMATION: Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City acquired a parcel of nonproductive land located at 1313 Huntington Avenue further identified by the Erie County Auditor as parcel no. 57-04034.000. The City of Sandusky's Land Reutilization Policies and Procedures facilitate reutilization of nonproductive land situated within the City of Sandusky and supports neighborhood revitalization and promotes residential and economic development. The property is described in Exhibit A attached to this communication. It is anticipated that more than one person will be interested in purchasing this property and pursuant to the Land Reutilization Policy and Procedures, if more than one qualified person or entity is interested in a specific Land Bank property, the purchaser shall be chosen by competitive bidding through a sealed bid process. Purchase Agreements will be negotiated and brought back to City Commission for approval.

The property located at 1313 Huntington Avenue was acquired by the City by Sheriff's Deed through delinquent tax foreclosure and was approved for acquisition by City Commission on September 28, 2015 by Resolution No. 039-15R and is a one-story, single family residential structure that is zoned single-family residential (R1-40). The structure has two (2) bedrooms and one bathroom with approximately 886 square feet of living space. It has a lot size of approximately 40' X 120'.

In 2010, pursuant to Ordinance 10-057 passed by the City Commission, an RFP was issued for the sale of two parcels of property located on Anderson Street Extension, which was acquired by gift of deed with no delinquent property taxes. The property was sold at close to fair market value and the donation and sale of that property is what provided the initial start-up funds for the Land Reutilization Program and helped launch the Mow to Own Program. Since there were no delinquent property taxes to reimburse, the Land Bank kept the profit. The profit was then cycled through the Land Bank account and utilized to pay the expenditures for title searches, surveys, deed preparation, transfer fees and any other costs that may be incurred to obtain clear title to the properties acquired. For the most part, expenditures on any given Land Bank parcel are recouped upon sale of the property, but the expenses are incurred first and must be paid by the City upfront in order to acquire the property. The Land Bank has continued to be self-supporting

without any grant funding and without expending money from the general fund other than that portion representing wages for the percentage of the time dedicated to administering the Land Reutilization Program originally from the budget of the Law Department and now the budget of the Department of Community Development. The Land Bank has been fortunate to recoup some of the administrative wages through a few past sales that have generated a profit.

BUDGET IMPACT: The cost associated with this request for proposals is ninety five dollars (\$96.00) for title report and transfer fees, plus the total amount of administrative staff time utilized and fees for the required newspaper publications. It is anticipated that these expenses will be recouped upon sale.

ACTION REQUESTED: It is requested legislation be adopted allowing the City Manager to execute a Request for Proposals for the sale of non-productive land that the City has acquired through the City of Sandusky's Land Reutilization Program which is no longer needed for any municipal purpose. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to advertise the property and promptly facilitate a sale so that the new property owner can properly secure and protect the structure from vandalism and to permit rehabilitation to begin as soon as possible.

Amanda J. McClain, Housing Manager

I concur with this recommendation:

Matt Lasko, Chief Operations Officer

Eric Wobser, City Manager

Transferred
 In Compliance with sections
 319-282 and 322-02 of the
 Ohio Revised Code.

FEF \$
 Exempt: ☒
 R.E. TRANSFER:
 \$
 Richard H. Jeffrey
 Erie County Auditor

Trans. Fees: \$ 50
 Date: 4/19/17 By: [Signature]

Per O.R.C. 322.03
 Erie County Auditor - Jeffrey
4/19/17 Date

Barbara A. Sessler
 County Recorder, Erie County OH

201703323 Total Pages: 2
 04/19/2017 12:22:05 PM Fees: \$0.00

Richard H. Jeffrey

SHERIFF'S DEED
 Revised Code Sec. 2329.36

I, Paul A. Sigsworth, Sheriff of Erie County, pursuant to the Confirmation of Sale entered on April 10, 2017, and the statutory provisions of O.R.C. 5722, do hereby grant unto the **CITY OF SANDUSKY** all rights, title and interest of the parties in Case No. 2015-CV-0254; Court of Common Pleas, Erie County, Ohio; *Pamela Farrell, Treasurer vs. Roger A. Tompkins, et al*, and all pleadings therein are incorporated herein by reference, in and to the following lands and tenements, situated in the City of Sandusky, County of Erie, and State of Ohio, whose prior owner was Roger A. Tompkins, and whose prior deed reference is RN 9911289, Official Record Books of Erie County, and is known and further described as follows:

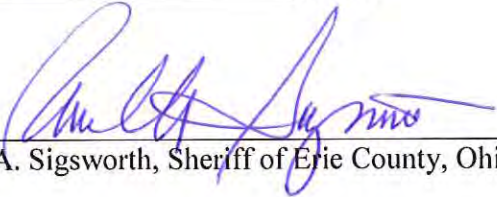
**Situated in the City of Sandusky, County of Erie and State of Ohio:
 Lot Number Eleven Hundred Fifty-three (1153) on Huntington Avenue
 in the Sandusky Business Men's Association Subdivision Number Three
 (3) as per plat Recorded in Volume 6 of Plats, page 40, Erie County,
 Ohio Records.**

PP# 57-04034.000

Tax Mailing Address: 222 Meigs Street, Sandusky, Ohio 44870

This deed does not reflect any restrictions, conditions or easements of record.

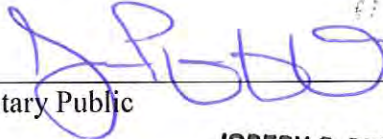
Executed this 12TH day of APRIL, 2017.



Paul A. Sigsworth, Sheriff of Erie County, Ohio

STATE OF OHIO)
) SS:
COUNTY OF ERIE)

BEFORE ME, a Notary Public in and for said county and state, personally appeared the above-named Paul A. Sigsworth, Sheriff of Erie County, Ohio, who acknowledged that he signed the foregoing instrument.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Sandusky, Ohio this 12TH, APRIL, 2017.


Notary Public


JOSEPH C. PFEIFFER
Notary Public, State of Ohio
My Commission Expires 01-13-18

This instrument prepared by:
Mark P. Smith (SC#0088538)
Assistant Prosecutor
Erie County Prosecutor's Office
247 Columbus Ave. Suite 319
Sandusky, Ohio 44870

ORDINANCE NO. _____

AN ORDINANCE DECLARING THAT CERTAIN REAL PROPERTY ACQUIRED THROUGH THE CITY'S LAND REUTILIZATION PROGRAM AND OWNED BY THE CITY IDENTIFIED AS PARCEL NO. 57-04034.000 LOCATED AT 1313 HUNTINGTON AVENUE, IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO PROCEED WITH A REQUEST FOR PROPOSALS (RFP) PROCESS FOR THE SALE OF PROPERTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Section 25 of the City Charter authorizes the City Manager to conduct all sales of personal property that has become obsolete, unnecessary and unfit for City use; and

WHEREAS, pursuant to Ordinance No. 07-026, passed on June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code and has acquired these nonproductive lands through delinquent tax foreclosure; and

WHEREAS, this City Commission previously authorized the acquisition of the property located at 1313 Huntington Avenue by Resolution No. 039-15R, passed on September 28, 2015, under said Land Reutilization Program which is no longer needed for any municipal purposes; and

WHEREAS, the property is a one-story, single-family residential structure and has two (2) bedrooms and one (1) bathroom with approximately 886 square feet of living space; and

WHEREAS, it is anticipated that more than one person will be interested in purchasing this property and pursuant to the Land Reutilization Policy and Procedures, if more than one qualified person or entity is interested in a specific Land Bank property, the purchaser shall be chosen by competitive bidding through a sealed bid process; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to advertise the property and promptly facilitate sales so that the new property owner can properly secure and protect the structure from vandalism and to permit rehabilitation to begin as soon as possible; 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 the Municipal Departments, including the Department of Community Development, 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. This City Commission finds, determines and declares that the property identified as Parcel No. 57-04034.000, located at 1313 Huntington Avenue, Sandusky, is no longer needed for any municipal purpose, pursuant to Section 25 of the Charter of this City and the City Manager is authorized and directed to proceed with a Request for Proposals (RFP) process for the sale of property.

Section 2. 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 3. 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 4. That for 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: May 23, 2017

Subject: Commission Agenda Item – Permission to Rebid Sloane Street Manhole Replacement and Slip Lining Project

ITEM FOR CONSIDERATION: Requesting legislation repealing Resolution No. 023-17R and authorizing the rebidding of the Sloane Street Manhole Replacement and Slip Lining Project.

BACKGROUND INFORMATION: Bids were due on Monday, May 1st, 2017 at 11:00AM, at that time none were received in the Public Works Department. Staff contacted all plan holders to determine the reason for not bidding. After reviewing the discussions with the plan holders, it was found that there is great interest in the slip lining portion of the project and little interest in the manhole replacement portion of the project. It is a small project for the larger contractors, but too large for some of the smaller local contractors. Also, some items of concern were that the contractors required more time for completion and an increase in cost for this project. Upon further review of the project and in an effort to obtain a contractor for this project, the time of completion will be extended until the end of the year with an increase in the engineer's estimate.

As stated in the previous communication to bid out the Sloane Street Manhole Replacement and Slip Lining Project, this project involves replacing the large manhole structure at the intersection of Sloane and West Monroe Streets which is over fourteen (14') deep and has eight sewer conduits tied into it. The manhole structure at the southerly end of Sloane Street will be replaced and approximately 811 LF of 15" sewer will be slip lined known as Cured-In-Place (CIPP) including a few sewer lateral repairs.

BUDGETARY INFORMATION: The revised estimated cost of the project, including engineering, inspection, advertising, and miscellaneous costs is \$208,115.60 and will be paid Sewer Funds.

ACTION REQUESTED: It is recommended that the proposed Sloane Street Manhole Replacement and Slip Lining Project be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to rebid the project and to complete the project as soon as possible to prevent any further deterioration of the manhole and sewer conduits at this intersection and the existing 15" combined sewer located in Sloane and Barker Streets.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein
Director of Engineering

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

RESOLUTION NO. _____

A RESOLUTION REPEALING RESOLUTION NO. 023-17R AND DECLARING THE NECESSITY FOR THE CITY OF SANDUSKY, OHIO, TO PROCEED WITH THE PROPOSED SLOANE STREET MANHOLE REPLACEMENT AND SLIP LINING PROJECT; APPROVING THE REVISED SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Sloane Street Manhole Replacement and Slip Lining Project involves replacing the large manhole structure at the intersection of Sloane Street and West Monroe Street and replacing the manhole structure at the southerly end of Sloane Street which will also be slip-lined also known as Cured-In-Place (CIPP) along with a few sewer lateral repairs; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Sloane Street Manhole Replacement Project by Resolution No. 023-17R, passed on April 10, 2017; and

WHEREAS, subsequent to formal competitive bidding as required by law, no bids were received and Staff contacted all plan holders to determine the reasoning for not bidding and it was learned that there was great interest in the slip lining portion of the project and little interest in the manhole replacement portion of the project, and concerns with the time of completion and costs; and

WHEREAS, upon further review of the project and in an effort to obtain a contractor for the project, the time of completion will be extended until the end of the year and the engineer's estimate was increased; and

WHEREAS, the total revised estimated cost of this project including engineering, inspection, advertising and miscellaneous costs is \$208,115.60 and will be paid with Sewer Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to rebid the project, receive competitive prices, and to complete the project as soon as possible to prevent any further deterioration of the manhole and sewer conduits at this intersection and to the existing 15" combined sewer located in Sloane Street and Barker Street; 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 the Municipal Departments, including the Department of Public Works, 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 **Resolution** 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission hereby repeals Resolution No. 023-17R, passed on April 10, 2017.

Section 2. The revised specifications and estimates of cost as prepared by the City's Director of Public Works and submitted to this City Commission, and which are now on file with the Clerk of the City Commission, and the office of the City's Director of Public Works, for the proposed Sloane Street Manhole Replacement and Slip Lining Project, be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with the Sloane Street Manhole Replacement and Slip Lining Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the Sloane Street Manhole Replacement and Slip Lining Project as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution 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 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution 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 6. That for the reasons set forth in the preamble hereto, this Resolution 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST:

KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

May 24, 2017

MEMORANDUM

TO: Eric Wobser, City Manager

FROM: Mario D'Amico, Interim Fire Chief

RE: Commission Agenda Item

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City Manager to purchase one (1) Lucas 3.0 Chest Compression System from Physio-Control, Inc. of Redmond, WA through the Ohio Department of Administrative Services Cooperative Purchasing Program State of Ohio schedule contract #800252 in an amount not to exceed **\$14,631.60**.

BACKGROUND INFORMATION: When performing manual CPR the paramedics have to switch out personnel performing the compressions as performing CPR can cause fatigue which can result in some delayed compressions. The Lucas 3.0 Chest Compression System allows for continuous chest compression with no interruptions as it delivers automatic CPR in a cardiac situation. The Fire Department field tested the Lucas 2.0 Chest Compression System for 6 months prior to purchasing our first Lucas Chest Compression System back in February. This machine has had nothing but positive affect on the outcome of the patient.

BUDGETARY INFORMATION: The total amount for the Lucas 3.0 Chest Compression System purchase is **\$14,631.60** through the Ohio Cooperative Purchasing Program State of Ohio schedule contract #800252. A donation to purchase the Lucas 3.0 Chest Compression System was received from the Sam S. Stein & Rose Stein Foundation in the amount of \$15,000.00. The funds for this purchase will be paid out of the Fire Department's donation account.

ACTION REQUESTED: It is requested that the proper legislation be prepared to purchase one (1) Lucas 3.0 Chest Compression System from Physio-Control, Inc. of Redmond, WA through the Ohio Cooperative Purchasing Program State of Ohio schedule contract #800252 in an amount not to exceed **\$14,631.60** with the donation from the Sam S. Stein & Rose Stein Foundation in the amount of \$15,000.00. This donation was accepted by the Commission through the City Manager's report on May 22, 2017. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter as the quote is good until June 30, 2017 after this date there will be a price increase.

Approved:

I concur with this recommendation:

Mario D'Amico, Interim Fire Chief

Eric Wobser, City Manager

Cc: Eric Wobser, City Manager
Hank Solowiej, Finance Director
Justin Harris, Law Director
Kelly Kresser, Commission Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE ONE (1) LUCAS 3.0 CHEST COMPRESSION SYSTEM FROM PHYSIO CONTROL, INC. OF REDMOND, WASHINGTON, THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Lucas Chest Compression System allows for continuous chest compression without interruptions as it delivers automatic CPR in a cardiac situation and the Fire Department had field tested the Lucas Chest Compression System for six (6) months prior to requesting to purchase a system in February of 2017 and the chest compression system has positively affected the outcome for patients receiving CPR; and

WHEREAS, this City Commission authorized the purchase of one (1) Lucas 2.2 Chest Compression System from Physio Control, Inc. of Redmond, Washington, through the State of Ohio Department of Administrative Services Cooperative Purchase Program in the amount of \$13, 148.60, of which \$5,000 was paid with grant funds received from the Wightman/Wieber Charitable Foundation, by Ordinance No. 17-027, passed on February 13, 2017; and

WHEREAS, the Sandusky Fire Department receive donated funds in the amount of \$15,000.00 from the Sam S. Stein & Rose Stein Foundation and desires to purchase another Chest Compression System; and

WHEREAS, the Chest Compression System is available through the State of Ohio Cooperative Purchasing Program from Physio-Control, Inc., of Redmond, Washington, thereby allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, the total cost of the Lucas 3.0 Chest Compression System is \$14,631.60, and will be paid with the donated funds received from the Sam S. Stein & Rose Stein Foundation; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the chest compression system to be ordered prior to June 30, 2017, when there will be a price increase; 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 the Municipal Departments, including the Fire Department, 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 be and hereby is authorized and directed to purchase one (1) Lucas 3.0 Chest Compression System through the State of Ohio Department of Administrative Services Cooperative Purchasing Program from Physio Control Inc., of Redmond, Washington, at an amount **not to exceed** Fourteen Thousand Six Hundred Thirty One and 60/100 Dollars (\$14,631.60).

Section 2. 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.

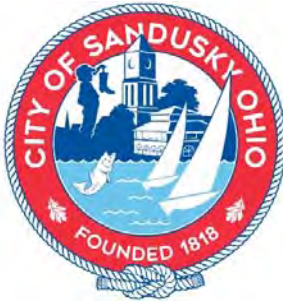
Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



COMMUNITY DEVELOPMENT
DIVISION OF PLANNING AND ZONING

Arielle Blanca
Community Development Manager
ablanca@ci.sandusky.oh.us

222 Meigs Street
Sandusky, Ohio 44870
419-627-5847
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Angela Byington, Planning Director

DATE: May 24, 2017

SUBJECT: **Erie County Department of Job and Family Services Transportation Services Contract Addendum**

ITEM FOR CONSIDERATION: Legislation requesting approval for the City Manager to enter into a contract addendum to extend transportation services between the City of Sandusky and the Board of County Commissions of Erie County, Ohio through August 31, 2017.

BACKGROUND INFORMATION: The Sandusky Transit System (STS) will provide safe and reliable transportation services in Erie County as well as additional locations outside of Erie County including Cleveland and Toledo to Erie County Job and Family Services (ECJFS) clients. The clients will be transported on a daily schedule coordinated between STS and ECJFS.

The original contract was for an initial term of one (1) year from the date of signing at a negotiated rate of \$1.989 per mile, with an option to extend for two (2) additional one (1) year terms. The initial contract will be amended as follows:

1. That this contract shall be extended and will be in effect through August 31, 2017.
2. That all provisions of the aforesaid agreement shall remain in full force and effect.

In June 2017, the Board of Erie County Commissioners will send out a Request for Proposals for transportation services for Erie County Job and Family Services clients. The County anticipates being under contract with a provider for service starting September 1, 2017.

BUDGET IMPACT: STS will receive passenger trip fares, as established in the RFP, from ECJFS for the length of the proposed contract. The revenue from this agreement will be used as matching grant funds for the Ohio Department of Transportation (ODOT) Program Grant.

ACTION REQUESTED: It is requested that the Erie County Department of Job and Family Services Transportation Services Contract Addendum be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to continue to provide transportation services to the ECJFS clients.

I concur with this recommendation:

Eric Wobser
City Manager

Angela Byington, AICP
Planning Director

cc: Kelly Kresser, Clerk of City Commission
Hank Solowiej, Finance Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A TRANSPORTATION SERVICES CONTRACT ADDENDUM BETWEEN THE CITY OF SANDUSKY AND THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Erie County Department of Job and Family Services (DJFS) issued a Request for Bids to provide transportation services to eligible DJFS agency clients; and

WHEREAS, the City of Sandusky submitted a bid and subsequently was awarded a contract to provide safe, reliable, transportation services to eligible DJFS clients throughout Erie County and to specific locations outside of Erie County including Cleveland and Toledo on a schedule coordinated between the Sandusky Transit System and DJFS, for an initial term of one (1) year from the date of signing, with an option to extend for two (2) additional one (1) year terms; and

WHEREAS, this City Commission approved the Contract for Transportation Services between the City and Board of County Commissioners of Erie County by Ordinance No. 16-066, passed on April 25, 2016; and

WHEREAS, this proposed Addendum will extend the contract through August 31, 2017, and the Sandusky Transit System will continue to receive \$1.989 per mile from Erie County; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the addendum to extend the contract, which expired on May 11, 2017, and allow the City to provide continued services to Erie County Department of Job and Family Services' clients; 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 the Municipal Departments, including the Sandusky Transit System, 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 be and hereby is authorized to execute a Transportation Services Contract Addendum with the Board of County Commissioners of Erie County for transportation services to extend the contact

through August 31, 2017, substantially in the same form as reflected in Exhibit "1" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and being consistent with the objectives and requirements of this Ordinance and with carrying out the City's public purposes.

Section 2. 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 3. 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

TRANSPORTATION SERVICES CONTRACT ADDENDUM

THIS TRANSPORTATION SERVICES CONTRACT ADDENDUM made and entered into this ____ day of _____, 2017, by and between City of Sandusky, hereinafter called the "Contractor" and the Board of County Commissioners of Erie County, Ohio, hereinafter called the "Contracting Authority".

WITNESSETH:

WHEREAS, the Contractor passed Ordinance No. 16-066 on April 25, 2016 and the Contractor and Contracting Authority entered into a Contract for Transportation Services on May 12, 2016, under Erie County Resolution 16-267; and

WHEREAS, the parties to said agreement wish to amend the agreement as hereinafter provided.

NOW THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and of other good and valuable considerations, the Contractor and Contracting Authority hereby concur that the previously entered agreement should be amended as follows:

1. That this contract shall be extended and will be in effect through August 31, 2017.
2. That all other provisions of the aforesaid agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Transportation Services Contract Addendum as of the day and year first written above.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

City of Sandusky:

CONTRACTING AUTHORITY
BOARD OF COMMISSIONERS,
OF ERIE COUNTY, OHIO

Signature

Patrick J. Shenigo, Commissioner

Title

Mathew R. Old, Commissioner

TAX PAYER I.D. #

William J. Monaghan, Commissioner

Approved as to Form:

Elected or Appointed Official



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jeffrey Keefe, P.E.

Date: May 24, 2017

Subject: **Commission Agenda Item** –Submerged Land Lease Resolution for 1907 Cedar Point Road

ITEM FOR CONSIDERATION: Resolution authorizing and consenting to a submerged land lease to be issued by the State of Ohio for Thomas L. Woods, 1907 Cedar Point Road, Sandusky, Ohio 44870.

BACKGROUND INFORMATION: This lease is for the property located at 1907 Cedar Point Drive (PPN 5500029000), for a new floating jet ski dock (17'x30') located in Sandusky Bay.

The applicant has requested a resolution from the City stating the area of land in question is not needed for any municipal use and the land use stated in the property owner's application complies with regulation of permissible land use of the City of Sandusky.

After review of the submitted material, I find this property to be in compliance with City code and is not needed for municipal use.

BUDGETARY INFORMATION: There is no budgetary impact.

ACTION REQUESTED: It is requested that a resolution authorizing and consenting to a submerged land lease be issued by the State of Ohio Department of Natural Resources to Thomas L. Woods, 1907 Cedar Point Road, Sandusky, Ohio 44870, be approved under suspension of the rules and in accordance with Section 14 of the City Charter in order to ensure that the administrative review process can continue in a timely manner.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein, P.E.
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

RESOLUTION NO. _____

A RESOLUTION ADOPTED PURSUANT TO SECTION 1506.11 OF THE OHIO REVISED CODE FINDING AND DETERMINING THAT BASED UPON THE REPRESENTATIONS AND APPLICATION FILED BY THOMAS L. WOODS FOR PROPERTY LOCATED AT 1907 CEDAR POINT ROAD, THE USE AND DEVELOPMENT OF THE TERRITORY SO DESCRIBED, A SUBMERGED LANDS LEASE MAY BE ENTERED INTO BY THE STATE'S DIRECTOR OF NATURAL RESOURCES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Thomas L. Woods, 1907 Cedar Point Road is the upland property owner of land located at 1907 Cedar Point Road, in the City of Sandusky; and

WHEREAS, the upland property owner has made certain representations and filed an original application and site plan consistent therewith, with the State Director of Natural Resources, a copy of which is attached marked "Exhibit A" and incorporated herein, indicating a desire to use and develop a part of the territory as specified in their application and site plan without impairment of the public's right of navigation, water commerce and fishery; and

WHEREAS, this City Commission determines that based upon the upland property owners representations, the territory as described in their application and site plan filed by the upland property owner is not necessary or required for the construction, maintenance, or operation, by the City of Sandusky, of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways, in aid of navigation and water commerce; and

WHEREAS, this City Commission determines that based upon the upland property owners representations the land uses specified in the application and site plan filed with the State's Director of Natural Resources comply with the regulations of permissible land use under all waterfront plans adopted by the City of Sandusky; and

WHEREAS, this Resolution should be passed as an emergency measure and in accordance with Section 14 of the City Charter in order to ensure that the administrative review process can continue in a timely manner; 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 the Municipal Departments, including the Department of Public Works, 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 **Resolution** 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission finds and determines that based upon the upland property owner's representations as contained in attached "Exhibit A" the territory as described in their application and site plan is not necessary or

required for the construction, maintenance, or operation, by the City of Sandusky of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways, in aid of navigation and water commerce.

Section 2. This City Commission finds and determines that based upon the upland property owners representations contained in attached "Exhibit A" the land uses specified in the application and site plan filed with the State's Director of Natural Resources comply with the regulations of permissible land use under all waterfront plans adopted by the City of Sandusky.

Section 3. If any section, phrase, sentence, or portion of this Resolution 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 Resolution 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 Resolution 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



COASTAL PERMITS AND LEASE APPLICATION

Please consult the instructions prior to completing this form. Please type or print clearly using blue or black ink.

GENERAL INFORMATION

1. Property owner name: THOMAS L. WOODS SUZAN A. WOODS	
2. Mailing address: 1907 CEDAR POINT RD, SANDUSKY, OHIO, 44870	3. Home telephone number: 1-419-621-1224
	4. Alternate telephone number: 1-419-656-7869
	5. Email address: TANNERBCCODY@AOL.COM
6. Authorized agent/representative name: THOMAS L. WOODS	
7. Mailing address: SAME	8. Telephone number: SAME
	9. Fax Number:
	10. Email address SAME

11. Street address: SAME	
12. Permanent parcel number(s): 55-00029.000	
13. City or township: SANDUSKY	14. County: ERIE
15. Site location description (if necessary):	
16. Submittals (check if enclosed): <input type="checkbox"/> Location map	

17. Name of adjoining shoreline property owner(s)	Street address/city/state/ zip code (include permanent mailing and local)
DEBRA ROWE	1909 CEDAR POINT RD. SANDUSKY, OHIO, 44870
CEDAR FAIR	VACANT LOT

18. Brief description of the proposed structure or project (attach additional sheets if necessary): FLOATING JET SKI DOCK	
19. Anticipated start date: 2-3 DAYS AFTER PERMIT	20. Anticipated finish date: 1 DAY

21. To apply for an authorization, check the box below and complete the application on the reverse page:		
<input type="checkbox"/> Shore Structure Permit	<input checked="" type="checkbox"/> Submerged Lands Lease	<input type="checkbox"/> Coastal Erosion Area Permit
<input type="checkbox"/> Shore Structure Permit Modification	<input type="checkbox"/> Submerged Lands Lease Modification	<input type="checkbox"/> Consistency Statement

AGENCY USE ONLY	
Application Reference #:	Date Received:
Lease Reference #:	Is copy to: <input type="checkbox"/> SSP <input type="checkbox"/> SLL <input type="checkbox"/> CEA <input type="checkbox"/> Other

EXHIBIT
"A"

SHORE STRUCTURE PERMIT APPLICATION**\$1506.40 ORC**

1. Professional Engineer:		2. Ohio registration number:
3. Mailing address:	4. Phone number:	7. Submittals (check if enclosed) <input type="checkbox"/> Construction drawings (by professional engineer) <input type="checkbox"/> Design information
	5. Fax number:	
	6. Email address:	

SUBMERGED LANDS LEASE APPLICATION**\$1506.11 ORC**

1. Total Area of Submerged Lands to be Occupied: 418 SQ FT.	
2. Upland deed recording information [Deed book]	[Deed page]
3. Local Authority Issuing Resolution:	Date issued:
4. Was any Portion of the Structure Erected in Lake Erie Prior to October 13, 1955?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Brief Explanation of the Purpose of the Structure or Project (attach additional sheets if necessary): INSTALL FLOATING PLASTIC DOCK FOR 2 JET SKIS	6. Submittals (check if enclosed): <input type="checkbox"/> Construction drawings <input checked="" type="checkbox"/> Copy of title deed <input type="checkbox"/> Metes & bounds description and plat <input checked="" type="checkbox"/> Local resolution or ordinance <input checked="" type="checkbox"/> Legal documentation of signature authority

COASTAL EROSION AREA PERMIT APPLICATION**\$1506.07 ORC**

1. Authorization Type:	<input type="checkbox"/> Existing	<input type="checkbox"/> New Measure	Date Built (if existing):
2. Upland deed recording information [Deed book]	[Deed page]		
3. Construction start date for the building or addition:			
4. Brief description of the building or addition (attach additional sheets if necessary):		5. Submittals (check if enclosed): <input type="checkbox"/> Construction drawings <input type="checkbox"/> Permanent structure drawings <input type="checkbox"/> Copy of title deed <input type="checkbox"/> Construction schedule <input type="checkbox"/> Design information	

SIGNATURE AND CONSISTENCY STATEMENT**\$1506.03 ORC**

I certify that the proposed activity identified in this application shall comply with Ohio's approved Coastal Management Program and will be conducted in a manner consistent with such program (15 CFR 930.57 and ORC 1506.03). I do additionally certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate.	
Thomas L. Woods Signature of Property Owner or Authorized Agent	Sugar A. Woods Date 5-20-2017

I am submitting these documents for a local resolution or ordinance for a submerged land lease to have a jet ski floating dock. There are photos and dimensional documents to show what I will be installing. Thank you.

Thomas L. Woods
1907 CEDAR POINT RD.
SANDUSKY, OHIO, 44870
419-621-1224

ENGINEERING DEPT.

MAY 22 2017

CITY OF SANDUSKY





PRODUCTS ▾ RESIDENTIAL ▾ COMMERCIAL ▾

GOVERNMENT ▾ INDUSTRIAL ▾

(HTTP://WWW.EZ-DOCK.COM/)

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DOCK SECTIONS

EZ Dock polyethylene dock sections offer unmatched performance when it comes to modular docking solutions. Our revolutionary design is durable, slip-resistant and low maintenance to help ensure your time on the water is well spent.

Constructed with extra-heavy and extra-thick walls for optimal strength, the unique pylon (chamber) design allows the dock sections to remain stable while adapting easily to changing water levels, even under rough water conditions.

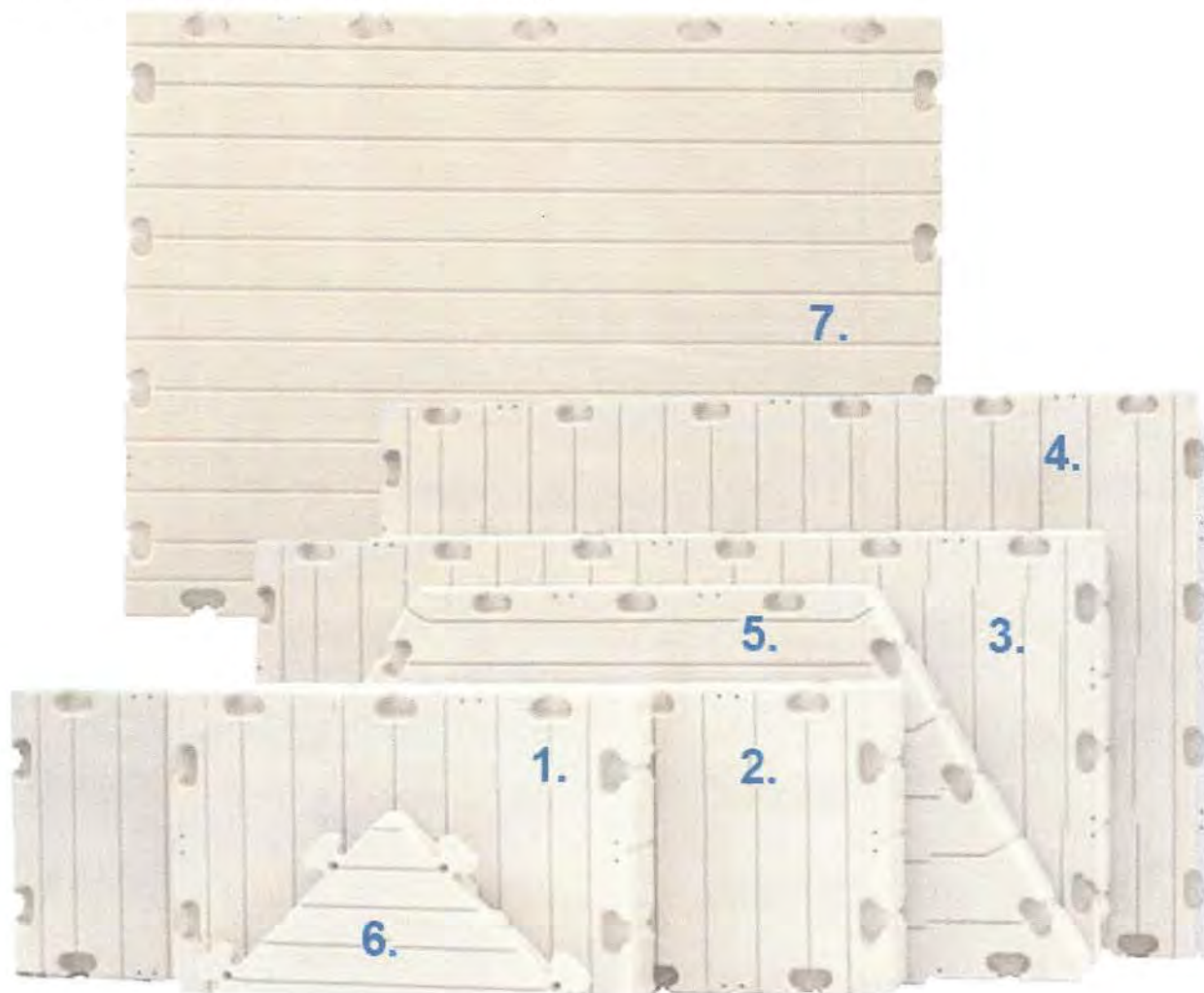


Available in multiple shapes and sizes, EZ Dock sections can be configured for anything from simple private residences to complex marinas and platforms. Want to change your design? EZ Dock sections can be reconfigured or expanded at any time, simply and easily.

Need inspiration? Take a look at our Dock Section packages for pre-configured designs. Or try out our EZ Designer tool to create a custom design.

DOCK PACKAGES (HTTP://WWW.EZ-DOCK.COM/PRODUCT-CATEGORY/DOCK-PACKAGES/)

For more information or help designing your dream dock system, contact your local dealer or distributor. Call **1-800-654-8168** or Find a Local Dealer (<http://www.ez-dock.com/about-ez-dock/dealer-locator/>).



40" x 5' Dock

trail



In today's world, we all have an ever-increasing responsibility to take care of our environment. EZ Dock's innovative system is purpose-built to be an eco-friendly alternative to wood and foam-filled docks, which can release harmful substances into their natural surroundings.

Environmentally Friendly & Recyclable

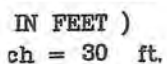
Our floating, modular dock systems are composed of two parts: polyethylene sections and molded rubber couplers. Both components are made from materials that are harmless to the environment and recyclable. In addition, EZ Dock modular sections and boat and PWC lifts offer the following environmentally-friendly benefits:

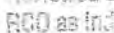
- Manufactured with high-performance, general-purpose, UV-stabilized, rotational molding grade resins. (These resins offer a balance of toughness, rigidity, environmental stress crack-resistance, and low-temperature impact performance.)*
- Suitable for processing by an approved recycling facility, or can be disposed of at any U.S. government-approved waste disposal facility.*
- Not listed by the EPA as a hazardous waste, nor is it formulated to contain materials that are listed hazardous wastes.*
- Does not release contaminants when ignited, corroded or through chemical reactions as determined by the Toxicity Characteristic Leaching Procedure (TCLP (http://www.epa.gov/osw/hazard/testmethods/faq/faq_tclp.htm)).
- Requires no foam filling. Many similar products are filled with foam which can escape if the product is punctured, creating an environmental hazard.
- Uses no wood products, which could be treated with copper, chromium or arsenic (CCA). (Products that contain CCA can no longer be placed where they are directly in contact with water)
- Made from 90% pre/post consumer waste recycled rubber, our flexible connection coupler was designed in partnership with the Minnesota Pollution Control Agency to be an environmentally friendly product.



Our Commitment to Habitat Conservation

EZ Dock is committed to making sure our products do not harm the environment. We consult with habitat and nature conservationists and specifically design our products to be eco-friendly. Treated wood and foam-filled products can be dangerous to wildlife habitats because they deteriorate, break apart and leave debris and chemicals in the water. EZ Dock utilizes only safe, non-toxic materials in every dock component we build. We're also proud that our docks have been used in research programs that enrich and preserve the beauty that surrounds our wetlands.

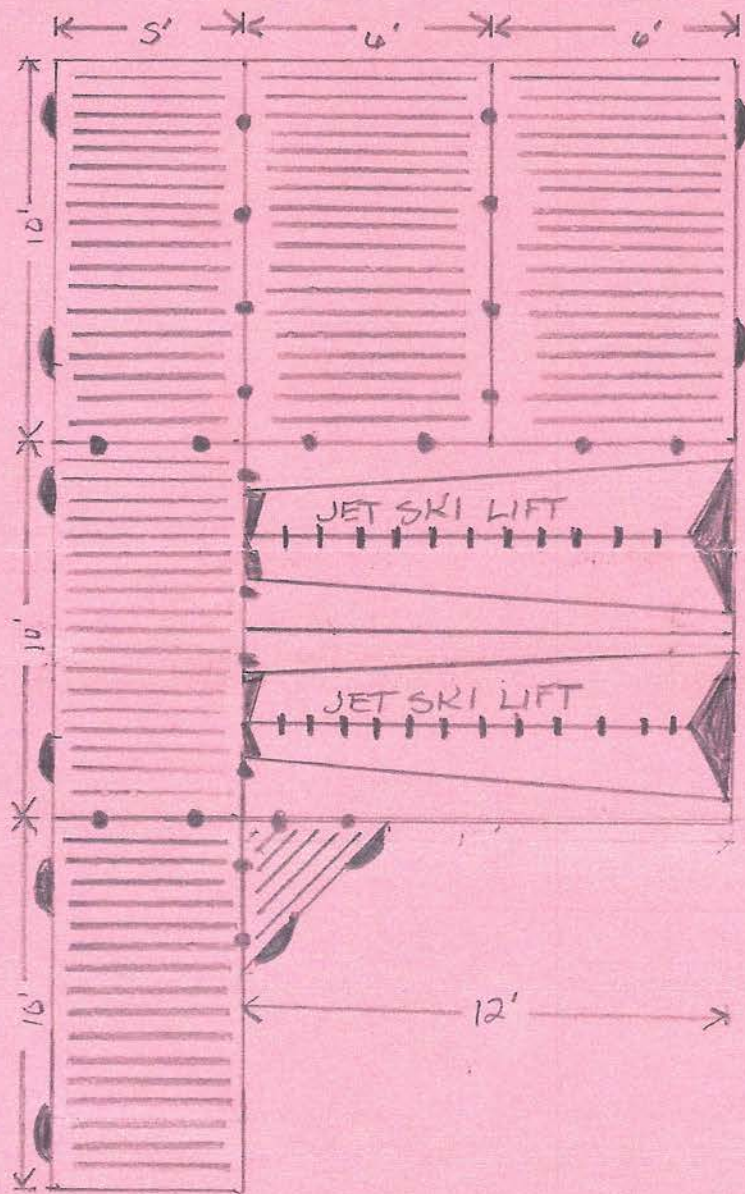


37°00'00"W	RCO PLAN REVIEW
117.78'	<input type="checkbox"/> Reviewed and found to be in compliance with the RCO as indicated on any Certificate Issued. <input checked="" type="checkbox"/> Reviewed and found to be in compliance with the RCO as indicated on any Certificate Issued. <input type="checkbox"/> the RCO as indicated on any Certificate Issued / Adjudication Orders Issued.
 Plans Examiner	9.2.14 Date Reviewed

Erie County GIS



Notes





DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

Division of Engineering Services
222 Meigs St
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: June 2, 2017

Subject: Commission Agenda Item – Granting an Easement for Drainage on Venice Park

ITEM FOR CONSIDERATION: Requesting legislation for approval of an easement for the new storm sewer main installed as part of the Venice Heights Blvd project to be completed this summer. This culvert is being installed during the Venice Heights Blvd reconstruction to provide additional capacity for the park and Pinewood Building 5 drainage.

BACKGROUND INFORMATION: The City of Sandusky has agreed to grant a Drainage Easement allowing Pinewood Condominium Building 5 the construct a drainage ditch within this easement. This ditch begins along the south side of the Pinewood 5, and will divert excess runoff in the area of past flooding events. This flow will now follow this ditch which will flow to the north and under the new 24" storm sewer being installed at Venice Heights Blvd.

The easement area varies in width from 20' to 25' and transverses the Park from the south to north property line. The total area of the easement is 0.3711 acres. The easement has been approved by Pinewood Condominium Building 5 Homeowners Association.

BUDGETARY INFORMATION: The City will record all of these documents which would be paid through the Sewer Fund for under \$200.

ACTION REQUESTED: It is recommended that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter so the easements can be recorded immediately. The City requires this easement to install the storm sewer.

I concur with this recommendation:

Eric Wobser
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO GRANT A PERPETUAL EASEMENT TO PINWOOD CONDOMINIUM BUILDING NO. 5 FOR STORMWATER DRAINAGE PURPOSES; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City has agreed to grant a stormwater drainage easement to Pinewood Condominium Building No. 5 for the construction of a drainage ditch within the easement which will divert excess runoff in the area through the ditch and flow to the north and under the new 24" storm sewer being installation at Venice Heights Boulevard; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the necessary documents to be fully executed and recorded and allow the City to proceed with installing the storm sewer; 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 the Municipal Departments, including the Department of Public Works, 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. This City Commission authorizes and directs the City Manager to grant a Perpetual Easement to Pinewood Condominium Building No. 5 for stormwater drainage purposes, a copy of which is attached, marked Exhibit "1" and is specifically incorporated if fully rewritten herein.

Section 2. 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 3. 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 4. That for 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That, the City of Sandusky, a Municipal Corporation organized under the Laws of Ohio, herein referred to as the Grantors, whose tax mailing address is 222 Meigs Street Sandusky, Ohio, for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid by the **PINEWOOD CONDOMINIUM BUILDING NO. 5**, the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, CONVEY, AND RELEASE** to the Grantee, its successors and assigns forever, a perpetual alienable Easement to have access to inspect, to take or inspect corrective actions, to take additional action if need be for compliance with the City of Sandusky Rules, Ordinances, Plans, or Policies, including but not limited to the Comprehensive Storm Water Management Plans, or any other rules or requirements of the State or Federal EPA or other such agencies, at any time or times hereafter, for the Retention Basin and Ditch including the right of ingress to and egress from and over said premises (real estate) situated in the County of Erie and State of Ohio, and described as:

SEE ATTACHED "LEGAL DESCRIPTION", INCORPORATED HERETO.

SEE ATTACHED EXHIBIT "A", INCORPORATED HERETO FOR ILLUSTRATION PURPOSES ONLY.

(all bearings stated above are assumed for the purpose of this description)

The Grantors claim title to the above described property by virtue of an instrument recorded with the Erie County Recorder in Deed Volume 421 page 748.

The consideration recited herein shall constitute full and final payment for said easement and all damages sustained and/or claimed by the Grantors, their executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of inspection or other proper and allowed acts as stated above, said damages include but are not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential.

TO HAVE AND TO HOLD said Easement, together with all rights and privileges belonging thereto unto the Grantee and its successors and assigns forever. This Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns forever.

The Grantors and signatories hereto, hereby covenant that they are the true and lawful Owner of the above described real estate and have full power and authority to convey the same; that the same is free and clear from all liens and encumbrances whatsoever and that the Grantors will warrant and defend the title to the said easement against all lawful claims.

IN TESTIMONY WHEREOF, _____, the Grantors, have executed this Perpetual Easement this _____ day of _____, 2017.

Eric Wobser, City Manager

STATE OF OHIO }
 }
COUNTY OF ERIE } ss:

Before me a Notary Public in and for said County, personally appeared the above named, proper signatories for the Grantors, who acknowledged they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 201____.

Notary Public

THIS INSTRUMENT PREPARED BY:
Trevor M. Hayberger
City of Sandusky Assistant Law Director
222 Meigs Street
(419) 627-5852

LEGAL DESCRIPTION STORM SEWER EASEMENT

Situate in the State of Ohio, County of Erie, City of Sandusky, part of Outlot 25 of Heywood's Subdivision in the Annexation of Margaretta Township, and being an easement for storm sewer purposes in lands of the City of Sandusky, D.V. 421, Pg. 748 and D.V. 528, Pg. 459, all references herein to the records of the Erie County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at an iron pin in a monument box found in the centerline intersection of Venice Heights Boulevard (60 feet in width) and Bardshar Road (60 feet in width); thence S 03°53'30" E with the centerline of Bardshar Road, a distance of 424.42 feet to a point; thence N 89°11'30" E with lands of Raymond E. and Patricia R. Smith Trustees, RN 201501250 and lands of the City of Sandusky, D.V.582, Pg. 459, a distance of 490.00 feet to a 1/2" iron rod found and the True Point of Beginning for this description;

Thence, S 03°53'30" E with lands of Pinewood Condominium Building No. 5 Fourth Amendment, P.V. 26, Pg. 104 in the plat of Pinewood Subdivision No.4, P.V. 26, Pg. 64, a distance of 246.84 feet to a point;

Thence, S 89°11'30" W with lands of Robert F. and Alice C. Bertsch Trustees, D.V. 364, Pg. 3, a distance of 25.04 feet to a point;

Thence, N 03°53'30" W through lands of the City of Sandusky, D.V. 528, Pg. 459 and D.V 421, Pg. 748, a distance of 271.88 feet to a point;

Thence, N 89°11'30" E through lands of the City of Sandusky, D.V. 421, Pg. 748, a distance of 178.14 feet to a point;

Thence, N 18°58'21" E through said lands, a distance of 256.27 feet to a point on the south line of Pinewood Condominium Building No. 2, P.V. 33, Pgs. 60-61 of the Pinewood Subdivision No. 2, P.B. 23, Pgs. 60-61;

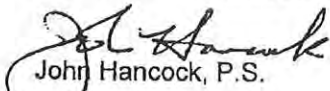
Thence, N 86°21'30" E with lands of Pinewood Condominium Building No. 2, P.V. 33 Pgs. 60 & 61, a distance of 21.67 feet to a point;

Thence, S 18°58'21" W through the aforementioned lands of the City of Sandusky, a distance of 283.97 feet to a point;

Thence, S 89°11'30" W with aforementioned lands of Pinewood Subdivision No. 4, P.V. 26, Pg. 64, a distance of 164.02 feet to the point of beginning, containing 0.3711 acres (16,165 square feet) of land, more or less.

This description was prepared by John Hancock, P.S. No. 6918 from records and a survey of the premises in April, 2017. Bearings herein are based on the plat of Pinewood Subdivision Number 2, P.V. 23, Pages 60 and 61.

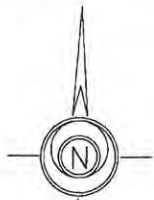
John Hancock & Associates, Inc.


John Hancock, P.S.

Date: MAY 12, 2017

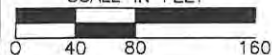


file: 1175stseasement



SCALE: 1" = 80'

SCALE IN FEET



LEGEND

- MONUMENT FOUND
- MONUMENT BOX

BEARINGS HEREON ARE BASED UPON
THE PLAT OF PINWOOD SUBDIVISION
NUMBER 4, P.V. 26, PG. 64

I HEREBY CERTIFY THAT THIS PLAT
WAS PREPARED FROM AN ACTUAL FIELD
SURVEY OF THE PREMISES CONDUCTED
BY ME PURSUANT TO CHAPTER 4733-37
OF THE OHIO ADMINISTRATIVE CODE.

John Hancock
JOHN HANCOCK, P.S.
OHIO R.L.S. 6918

DATE: MAY 12, 2017

BARDSHAR ROAD
(60' RIGHT OF WAY)



PINWOOD
SUBDIVISION NO. 2
P.B. 23, PGS. 60 & 61

CITY OF SANDUSKY
D.V. 421, PG. 748

RAYMOND E & PATRICIA R
SMITH TRUSTEES
RN 201501250

CITY OF SANDUSKY
D.V. 528, PG. 459

ROBERT F. & ALICE C
BERTSCH TRUSTEES
D.V. 364, PG. 3

VENICE HEIGHTS BOULEVARD
(60' RIGHT OF WAY)

PINWOOD CONDOMINIUM
BUILDING 2
P.V. 33, PGS. 60-61

PROPOSED
STORMWATER
EASEMENTS

PINWOOD CONDOMINIUM
BUILDING 5
P.V. 26, PGS. 2-4

PINWOOD
SUBDIVISION NO. 3
P.B. 26, PG. 1

PINWOOD CONDOMINIUM
BUILDING 5, 3RD AMENDMENT
P.V. 26, PG. 65

PINWOOD
SUBDIVISION NO. 4
P.V. 26, PG. 64

PROPOSED EASEMENT FOR
STORMWATER DRAINAGE
0.3711 ACRES (16,165 S.F.)

N 89°11'30" E 178.14'

1/2" IRON ROD
FOUND

P.O.B.

S 89°11'30" W 164.02'

PINWOOD CONDOMINIUM
BUILDING 5, 4TH AMENDMENT
P.V. 26, PG. 104

N 3°53'30" W 271.88'

S 3°53'30" E 246.84'

25.04'
S 89°11'30" W

REVISED:

John Hancock & Associates
INCORPORATED
ENGINEERS - SURVEYORS
326 E. MARKET ST., SANDUSKY, OHIO 44870
(419) 625-7838

EASEMENT FOR STORMWATER DRAINAGE
FOR PINWOOD CONDOMINIUM OWNER'S ASSOCIATION
WARD 4, CITY OF SANDUSKY, ERIE COUNTY, OHIO

JOB NO.:	117589
DRN BY:	BLH
FILE NO.:	1175-EASE
DATE:	5/12/17
SCALE:	1" = 80'
SHEET NO.:	1



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

Division of Engineering Services
222 Meigs St
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: June 2, 2017

Subject: **Commission Agenda Item** – Easement for Storm Sewer on Pinewood Condominium Building 2

ITEM FOR CONSIDERATION: Requesting legislation for approval of an easement for the new storm sewer main installed as part of the Venice Heights Blvd project to be completed this summer. This culvert is being installed during the Venice Heights Blvd reconstruction to provide additional capacity for the park and Pinewood Building 5 drainage.

BACKGROUND INFORMATION: Pinewood Condominium Building 2 (P.V. 33, Pg 60-61) Homeowners Association has agreed to grant a Storm Sewer Easement allowing the City to construct and maintain a new 24" storm sewer along the easterly side of their property.

The linear easement is twenty feet wide during the straight sections and wider at the connections for a total area of 0.0483 acres. The easement has been approved by Pinewood Condominium Building 2 Homeowners Association.

BUDGETARY INFORMATION: The City will record all of these documents which would be paid through the Sewer Fund for under \$200.

ACTION REQUESTED: It is recommended that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter so the easements can be recorded immediately. The City requires this easement to install the storm sewer.

I concur with this recommendation:

Eric Wobser
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A PERPETUAL EASEMENT AGREEMENT FOR A STORM SEWER MAIN BETWEEN THE CITY OF SANDUSKY AND PINEWOOD CONDOMINIUM BUILDING NO. 2; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Pinewood Condominium Building No. 2 has agreed to grant a Storm Sewer easement to the City allowing the construction and maintenance of a new 24" storm sewer along the easterly side of their property to provide additional capacity for the park and Pinewood Building 5 drainage; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the necessary documents to be fully executed and recorded and allow the City to proceed with installing the storm sewer; 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 the Municipal Departments, including the Department of Public Works, 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. This City Commission authorizes and directs the City Manager to enter into a Perpetual Easement Agreement for a Storm Sewer Main between the City of Sandusky and Pinewood Condominium Building No. 2, a copy of which is attached, marked Exhibit "1" and is specifically incorporated if fully rewritten herein.

Section 2. 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 3. 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 4. That for 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That, Pinewood Condominium Building No. 2, herein referred to as the Grantors, whose tax mailing address is _____, for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid by the **CITY OF SANDUSKY, OHIO**, a municipal corporation organized under the laws of Ohio, the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, CONVEY, AND RELEASE** to the Grantee, its successors and assigns forever, a perpetual alienable Easement to have access to inspect, to take or inspect corrective actions, to take additional action if need be for compliance with the City of Sandusky Rules, Ordinances, Plans, or Policies, including but not limited to the Comprehensive Storm Water Management Plans, or any other rules or requirements of the State or Federal EPA or other such agencies, at any time or times hereafter, for the Retention Basin and Ditch including the right of ingress to and egress from and over said premises (real estate) situated in the County of Erie and State of Ohio, and described as:

SEE ATTACHED "LEGAL DESCRIPTION", INCORPORATED HERETO.

SEE ATTACHED EXHIBIT "A", INCORPORATED HERETO FOR ILLUSTRATION PURPOSES ONLY.

(all bearings stated above are assumed for the purpose of this description)

The Grantors claim title to the above described property by virtue of an instrument recorded Pinewood Plat Subdivision Number 2, P.V. 23 Pages 60 and 61.

The consideration recited herein shall constitute full and final payment for said easement and all damages sustained and/or claimed by the Grantors, their executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of inspection or other proper and allowed acts as stated above, said damages include but are not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential.

TO HAVE AND TO HOLD said Easement, together with all rights and privileges belonging thereto unto the Grantee and its successors and assigns forever. This Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns forever.

The Grantors and signatories hereto, hereby covenant that they are the true and lawful Owner of the above described real estate and have full power and authority to convey the same; that the same is free and clear from all liens and encumbrances whatsoever and that the Grantors will warrant and defend the title to the said easement against all lawful claims.

IN TESTIMONY WHEREOF, _____, the Grantors, have executed this Perpetual Easement this _____ day of _____, 2017.

STATE OF OHIO }
 }
COUNTY OF ERIE } ss:

Before me a Notary Public in and for said County, personally appeared the above named, proper signatories for the Grantors, who acknowledged they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 201____.

Notary Public

ACCEPTED BY:

Eric Wobser, City Manager

Date

THIS INSTRUMENT PREPARED BY:
Trevor M. Hayberger
City of Sandusky Assistant Law Director
222 Meigs Street
(419) 627-5852

LEGAL DESCRIPTION STORM SEWER EASEMENT

Situate in the State of Ohio, County of Erie, City of Sandusky, Sublot 42 of the plat of Pinewood Subdivision No. 2, P.V. 23, Pgs. 60 and 61, and being an easement for storm sewer purposes in the plat for Pinewood Condominium Building No. 2, P.V. 33, Pg. 60 & 61, all references herein to the records of the Erie County Recorder's Office, and being more particularly described as follows:

Beginning, for reference at an iron pin in a monument box found in the centerline of Venice Heights Boulevard (60 feet in width) at the east line of Lot 41 Pinewood Subdivision No. 2, P.V. 23, Pg. 60 and 61; thence S 89°14'00" W with the centerline of Venice Heights Boulevard, a calculated distance of 847.58 feet to a monument box found; thence S 0°46'00" E, a distance of 30.00 feet to the south right-of-way line of Venice Heights Boulevard; thence northwesterly with said right-of-way line and with the arc of a curve to the right having a radius of 210.00 feet, an arc length of 107.03 feet, a central angle of 29°12'05", a chord bearing of N 74°23'39" W a chord distance of 105.87 feet to a mag nail set and the True Point of Beginning for this description;

Thence, S 28°51'46" W with the aforementioned plat of Pinewood Condominium Building No. 2, P.V. 33 Pg. 60 & 61 , a distance of 98.25 feet to a point;

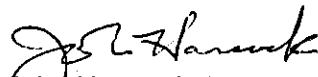
Thence, S 86°38'14" W with lands of the City of Sandusky, D.V. 421, Pg. 748, a distance of 23.64 feet to a point;

Thence, N 28°51'46" E through said plat of Pinewood Condominium Building No. 2, a distance of 112.28 feet to the south right of way line of Venice Heights Boulevard;

Thence southeasterly with said right-of-way line and with the arc of a curve to the left having a radius of 210.00 feet, an arc length of 20.06 feet, a central angle of 5°28'21", a chord bearing of S 57°03'21" E a chord distance of 20.05 feet to the point of beginning, containing 2,101.9 square feet of land more or less.

This description was prepared by John Hancock, P.S. No. 6918 from records and a survey of the premises in April, 2017. Bearing herein are based on the plat of Pinewood Subdivision Number 2, P.V. 23, Pages 60 and 61.

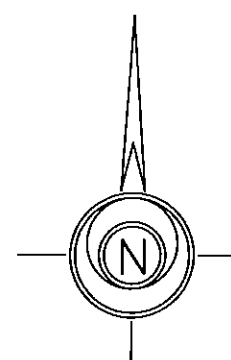
John Hancock & Associates, Inc.


John Hancock, P.S.

Date: MAY 5, 2017

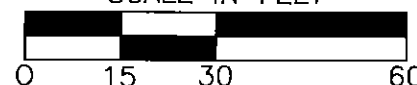


file: 254217pinewood2legal



SCALE: 1" = 30'

SCALE IN FEET



5/8" IR FND.

WM

N 28°51'46" E
50.68'

EX. STORM SEWER

VENICE HEIGHTS BOULEVARD
(60' RIGHT OF WAY)

R=210.00'
A=20.06'
CB=S57°03'21"E
CD=20.05'
Δ=5°28'21"

P.O.B.

MAG. NAIL SET

10' EXISTING
TELEPHONE EASEMENT

10' EXISTING STORM &
SIDEWALK EASEMENT

R=210.00'
A=107.03'
CB=N74°23'39"W
CD=105.87'
Δ=29°12'05"

MON. BOX FOUND

S 89°14'00" W
847.58'(C)

M

30.00'
S 0°46'00"

LOT 41

M

PINEWOOD
CONDOMINIUM
BUILDING 2
PV. 33, PG. 60-61

N 28°51'46" E 112.28'
PROPOSED DRAINAGE EASEMENT
2101.9 S.F.
S 28°51'46" W 58.25'

PINEWOOD CONDOMINIUM
BUILDING 5
PV. 26, PG. 2-4

BEARINGS HEREON ARE BASED UPON
THE PLAT OF PINEWOOD SUBDIVISION
NUMBER 2, P.V. 23, PGS 60 AND 61

I HEREBY CERTIFY THAT THIS PLAT
WAS PREPARED FROM AN ACTUAL FIELD
SURVEY OF THE PREMISES CONDUCTED
BY ME PURSUANT TO CHAPTER 4733-37
OF THE OHIO ADMINISTRATIVE CODE.

LEGEND



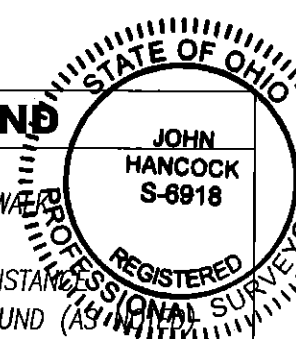
EXISTING SIDEWALK

(C)

CALCULATED DISTANCE

O

MONUMENT FOUND (AS SHOWN)



John Hancock
JOHN HANCOCK, P.S.
OHIO R.L.S. 6918

DATE: MAY 8, 2017

JOB NO.: 254217
DRN BY: BLH
FILE NO.: 2542-EASE2
DATE: 5/8/17
SCALE: 1" = 30'
SHEET NO.: 1

EASEMENT
FOR THE CITY OF SANDUSKY
SUBLOT 42, PINEWOOD SUBDIVISION NO. 2
WARD 4, CITY OF SANDUSKY, ERIE COUNTY, OHIO

John Hancock & Associates
INCORPORATED
ENGINEERS - SURVEYORS
326 E. MARKET ST. SANDUSKY, OHIO 44870
(419) 625-7838



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

Division of Engineering Services
222 Meigs St
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: June 2, 2017

Subject: Commission Agenda Item – Easement for Drainage on Pinewood Condominium Building 4

ITEM FOR CONSIDERATION: Requesting legislation for approval of an easement for the new storm sewer main installed as part of the Venice Heights Blvd project to be completed this summer. This culvert is being installed during the Venice Heights Blvd reconstruction to provide additional capacity for the park and Pinewood Building 5 drainage.

BACKGROUND INFORMATION: Pinewood Condominium Building 4 (P.V. 25, Pg. 30-33) Homeowners Association has agreed to grant a Storm Sewer Easement allowing the City to construct and maintain a new 24" storm sewer along the easterly side of their property.

The easement area varies in width and runs from the Sandusky City Schools to the East and the Association property to the north and south. The west limits is between the existing building and the ditch for a total area of 0.3269 acres. The easement has been approved by Pinewood Condominium Building 4 Homeowners Association.

BUDGETARY INFORMATION: The City will record all of these documents which would be paid through the Sewer Fund for under \$200.

ACTION REQUESTED: It is recommended that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter so the easements can be recorded immediately. The City requires this easement to install the storm sewer.

I concur with this recommendation:

Eric Wobser
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A PERPETUAL EASEMENT AGREEMENT FOR A STORM SEWER MAIN BETWEEN THE CITY OF SANDUSKY AND PINEWOOD CONDOMINIUM BUILDING NO. 4; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Pinewood Condominium Building No. 4 has agreed to grant a Storm Sewer easement to the City allowing the construction and maintenance of a new 24" storm sewer along the easterly side of their property to provide additional capacity for the park and Pinewood Building 5 drainage; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the necessary documents to be fully executed and recorded and allow the City to proceed with installing the storm sewer; 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 the Municipal Departments, including the Department of Public Works, 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. This City Commission authorizes and directs the City Manager to enter into a Perpetual Easement Agreement for a Storm Sewer Main between the City of Sandusky and Pinewood Condominium Building No. 4, a copy of which is attached, marked Exhibit "1" and is specifically incorporated if fully rewritten herein.

Section 2. 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 3. 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 4. That for 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

PERPETUAL EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That, Pinewood Condominium Building No. 4, herein referred to as the Grantors, whose tax mailing address is _____, for and in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration paid by the **CITY OF SANDUSKY, OHIO**, a municipal corporation organized under the laws of Ohio, the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, CONVEY, AND RELEASE** to the Grantee, its successors and assigns forever, a perpetual alienable Easement to have access to inspect, to take or inspect corrective actions, to take additional action if need be for compliance with the City of Sandusky Rules, Ordinances, Plans, or Policies, including but not limited to the Comprehensive Storm Water Management Plans, or any other rules or requirements of the State or Federal EPA or other such agencies, at any time or times hereafter, for the Retention Basin and Ditch including the right of ingress to and egress from and over said premises (real estate) situated in the County of Erie and State of Ohio, and described as:

SEE ATTACHED "LEGAL DESCRIPTION", INCORPORATED HERETO.

SEE ATTACHED EXHIBIT "A", INCORPORATED HERETO FOR ILLUSTRATION PURPOSES ONLY.

(all bearings stated above are assumed for the purpose of this description)

The Grantors claim title to the above described property by virtue of an instrument recorded Pinewood Plat Subdivision Number 4, P.V. 25 Pages 30-33.

The consideration recited herein shall constitute full and final payment for said easement and all damages sustained and/or claimed by the Grantors, their executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of inspection or other proper and allowed acts as stated above, said damages include but are not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential.

TO HAVE AND TO HOLD said Easement, together with all rights and privileges belonging thereto unto the Grantee and its successors and assigns forever. This Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns forever.

The Grantors and signatories hereto, hereby covenant that they are the true and lawful Owner of the above described real estate and have full power and authority to convey the same; that the same is free and clear from all liens and encumbrances whatsoever and that the Grantors will warrant and defend the title to the said easement against all lawful claims.

IN TESTIMONY WHEREOF, _____, the Grantors, have executed this Perpetual Easement this _____ day of _____, 2017.

STATE OF OHIO }
 }
COUNTY OF ERIE } ss:

Before me a Notary Public in and for said County, personally appeared the above named, proper signatories for the Grantors, who acknowledged they did sign the foregoing instrument and that the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 201____.

Notary Public

ACCEPTED BY:

Eric Wobser, City Manager

Date

THIS INSTRUMENT PREPARED BY:
Trevor M. Hayberger
City of Sandusky Assistant Law Director
222 Meigs Street
(419) 627-5852

LEGAL DESCRIPTION STORM SEWER EASEMENT

Situate in the State of Ohio, County of Erie, City of Sandusky, Sublot 44 of the plat of Pinewood Subdivision No. 2, P.V. 23, Pgs. 60 and 61, and being an easement for storm sewer purposes in the plat for Pinewood Condominium Building No. 4, P.V. 25, Pg. 30-33, all references herein to the records of the Erie County Recorder's Office, and being more particularly described as follows:

Beginning, for reference at an iron pin in a monument box found in the centerline of Venice Heights Boulevard (60 feet in width) at the east line of Lot 41 Pinewood Subdivision No. 2, P.V. 23, Pg. 60 and 61; thence S 89°14'00" W with the centerline of Venice Heights Boulevard, a calculated distance of 847.58 feet to a monument box found; thence N 0°46'00" W, a distance of 30.00 feet to the north right-of-way line of Venice Heights Boulevard and a 5/8" iron rod found at the southwest corner of lands of the Sandusky City School District Board of Education, D.V. 393, Pg. 473-475, and the the True Point of Beginning for this description;

Thence, northwesterly with said right-of-way line and with the arc of a curve to the right having a radius of 150.00 feet, an arc length of 96.10' feet, a central angle of 36°42'22", a chord bearing N 69°55'55" W a chord distance of 94.46 feet to a point;

Thence, N 28°51'46" E through said plat of Pinewood Condominium Building No. 4, a distance of 50.68 feet to a point;

Thence, N 12°03'40" E a distance of 104.41 feet to a point;

Thence, N 15°07'03" W a distance of 40.46 feet to a point;

Thence, N 22°55'44" W a distance of 80.60 feet to a point;

Thence, N 84°42'00" E along the north property line of the aforementioned lands of Pinewood Condominium Building No. 4, a distance of 27.97 feet to a point;

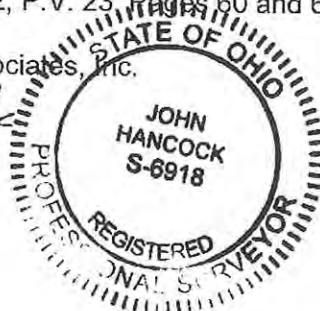
Thence, S 82°16'00" E along said north line a distance of 35.23 feet to a point;

Thence, S 4°16'00" E a distance of 290.84 feet with lands of the Sandusky City School District Board of Education to the point of beginning, containing 14,585.9 square feet of land more or less.

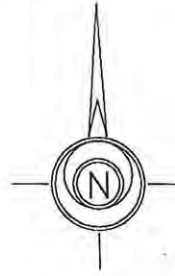
This description was prepared by John Hancock, P.S. No. 6918 from records and a survey of the premises in April, 2017. Bearing herein are based on the plat of Pinewood Subdivision Number 2, P.V. 23, Pages 60 and 61.

John Hancock & Associates, Inc.


John Hancock, P.S.



Date: MAY 8, 2017
file:254217pinewood1legal



SCALE: 1" = 30'

SCALE IN FEET



LEGEND

- (P) PLAT DISTANCE
- (C) CALCULATED DISTANCE
- MONUMENT FOUND (AS NOTED)

LOT 44

PINEWOOD CONDOMINIUM
BUILDING 4
P.V. 25, PG. 30-33

LOT 41

THE SANDUSKY CITY SCHOOL DISTRICT
BOARD OF EDUCATION
D.V. 393, PG. 473-475

BEARINGS HEREON ARE BASED UPON
THE PLAT OF PINEWOOD SUBDIVISION
NUMBER 2, P.V. 23, PGS 60 AND 61

I HEREBY CERTIFY THAT THIS PLAT
WAS PREPARED FROM AN ACTUAL FIELD
SURVEY OF THE PREMISES CONDUCTED
BY ME PURSUANT TO CHAPTER 4733-37
OF THE OHIO ADMINISTRATIVE CODE.

John Hancock
JOHN/HANCOCK, P.S.
OHIO R.L.S. 6918

DATE: 1/11/17



VENICE HEIGHTS BOULEVARD
(60' RIGHT OF WAY)

P.O.B.

MON. BOX FOUND

M

M

JOB NO.: 254217
DRN BY: BLH
FILE NO.: 2542-EASE2
DATE: 5/8/17
SCALE: 1" = 30'
SHEET NO.: 1

EASEMENT
FOR THE CITY OF SANDUSKY
SUBLT 44, PINEWOOD SUBDIVISION NO. 2
WARD 4, CITY OF SANDUSKY, ERIE COUNTY, OHIO

John Hancock & Associates
INCORPORATED
ENGINEERS - SURVEYORS
326 E. MARKET ST. SANDUSKY, OHIO 44870
(419) 625-7838



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: May 30, 2017

Subject: **Commission Agenda Item – Fifth Street Reconstruction Project**

ITEM FOR CONSIDERATION: Requesting legislation for approval of Change Order No. 2 and Final, for the Fifth Street Reconstruction Project.

BACKGROUND INFORMATION: This project was awarded to Precision Paving, Inc., Milan Ohio at the August 8, 2016 city commission meeting per ordinance 16-127 in the amount of \$273,671.88.

This project involved resurfacing Fifth Street from Sycamore Line to just east of Hollyrood Road. Catch basins were replaced as needed with new curb & gutter. Work included replacement of some sidewalks, handicapped ramps and new sewer and water manhole castings. Change Order No. 1 was for a time extension which did not impact the contract amount. Change Order No. 2 is an addition for \$6,783.72, which will revise the contract amount to \$280,455.60. This reflects the actual work performed in the field by the contractor and the actual quantities used. A summary sheet is attached to this communication showing final quantities and costs. The majority of the change order was due to additional full depth pavement repairs that were needed. It also due to additional ½ inch of pavement planing required to remove geotextile fabric that was still remaining on the pavement surface with a 2 inch mill. This required an additional ½ inch of asphalt intermediate course.

BUDGETARY INFORMATION: Change Order No. 2 will revise the contract amount to \$280,455.60. The City applied for and was awarded Ohio Public Works Funds in the amount not to exceed \$175,000.00 for the Fifth Street Reconstruction Project. The City's portion of the project will be paid with Capital Funds (Issue 8) in the amount of \$136,778.78. The OPWC program will pay \$143,676.82 of the project costs.

ACTION REQUESTED: It is requested that legislation be prepared to allow for the approval of Change Order No. 2 for final quantities for the Fifth Street Reconstruction Project. It is further requested that this be passed in accordance with Section 14 of the City Charter so that the contractor can be paid for work already completed in the field.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein
Director of Public Works

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

Change Order No. **2 & Final**CONTRACT: **2856**ORDINANCE NO. **16-127**Contractor: **Precision Paving, Inc.****3414 St. Rt. 113 East Milan, Ohio 44846**STREET OR LOCATON OF WORK: **Fifth Street Reconstruction Project**

Order is hereby issued and accepted for the following additions to or deductions from the quantities as specified in the original contract.

Bid Item No.	ODOT Item No.	Plan Quantity	Actual Quantity	Difference in Quantity	Unit	Description	Unit Price	Bid Price	Total ADDITION	Total DEDUCT
1	614	1.00	1.00	0.00	LS	Maintaining Traffic	\$9,500.00	\$9,500.00		
2	251	35.05	0.00	-35.05	CY	Partial Depth repair	\$260.00	\$9,113.00		-9,113.00
3	252	14.02	86.18	72.16	CY	Full Depth Rigid Pavement Removal and Flexible Replacement	\$505.00	\$7,080.10	\$36,440.80	
4	254	6308.56	0.00	-6308.56	SY	Pavement Planing-2"	\$2.25	\$14,194.26		-14,194.26
5	407	315.43	315.43	0.00	GAL	Tack Coat for Intermediate Course 0.05 Gal/SY	\$2.00	\$630.86		
6	407	504.68	504.68	0.00	GAL	Tack Coat per 702.13 0.08 Gal/SY	\$3.00	\$1,514.04		
7	441	262.86	425.84	162.98	Ton	Asphalt .75" PG64-22 Type 1 Intermediate Course (448) 1.25"	\$86.00	\$22,605.96	\$14,016.28	
8	441	438.09	423.71	-14.38	Ton	Asphalt 1.25" PG64-22 Type 1 Surface Course (448)	\$74.00	\$32,418.66		-1,064.12
9	608	1898.00	1344.60	-553.40	SF	4" Concrete Walk	\$7.50	\$14,235.00		-4,150.50
10	608	314.50	270.54	-43.96	SF	6" Concrete Walk/Drive	\$8.00	\$2,516.00		-351.68
11	608	1342.70	1420.68	77.98	SF	Curb Ramps	\$10.50	\$14,098.35	\$818.79	
12	608	236.00	240.00	4.00	SF	Truncated Domes-RED	\$12.60	\$2,973.60	\$50.40	
13	609	28.50	46.90	18.40	LF	Type 6 Concrete curb wall	\$21.00	\$598.50	\$386.40	
14	609	657.80	809.89	152.09	LF	Type 2 Concrete Curb and Gutter	\$23.00	\$15,129.40	\$3,498.07	
15	611	4.00	4.00	0.00	EA	Catch Basin adjusted to grade reusing existing castings	\$525.00	\$2,100.00		
16	611	22.00	22.00	0.00	EA	Catch Basin Adjusted to Grade with new frame & casting	\$850.00	\$18,700.00		
17	611	12.00	12.00	0.00	EA	Catch Basin -City Standard Type 1	\$1,450.00	\$17,400.00		
18	611	12.00	13.00	1.00	EA	Sto Manhole Adjusted to Grade & new frame & casting	\$950.00	\$11,400.00	\$950.00	
19	N/A					No Item				
20	611	17.00	10.00	-7.00	EA	San Manhole Adjusted to Grade & new frame & casting	\$950.00	\$16,150.00		-6,650.00
21	611	8.00	10.00	2.00	EA	Wat Manhole Adjusted to Grade & new frame & casting	\$950.00	\$7,600.00	\$1,900.00	
22	614	0.03	0.00	-0.03	Mile	Work Zone Center Line, Class I	\$26,000.00	\$780.00		-780.00
23	614	48.00	0.00	-48.00	LF	Work Zone Stop Line, Class I	\$5.25	\$252.00		-252.00
24	MISC	7.00	7.00	0.00	EA	Monument Box-adjust to grade	\$500.00	\$3,500.00		
25	623	1.00	1.00	0.00	LS	Construction Layout Stakes	\$3,600.00	\$3,600.00		
26	624	1.00	1.00	0.00	LS	Mobilization	\$5,600.00	\$5,600.00		
27	632	1.00	1.00	0.00	EA	Loop Detector at Sycamore Line Signal	\$2,300.00	\$2,300.00		
28	638	3.00	1.00	-2.00	EA	3 piece Water Valve-adjust to grade	\$450.00	\$1,350.00		-900.00
29	638	2.00	1.00	-1.00	EA	Water Meter-adjust to grade	\$450.00	\$900.00		-450.00
30	642	24.00	28.50	4.50	LF	White Auxiliary - 24" Stop Bar, Type 1	\$5.25	\$126.00	\$23.63	
31	642	2.00	2.00	0.00	EA	Word on Pavement "SCHOOL"	\$420.00	\$840.00		
32	642	281.00	316.00	35.00	LF	Crosswalk Line, Type 1	\$3.15	\$885.15	\$110.25	
33	642	0.02	0.02	0.00	Mile	Centerline 4" Double Solid Yellow Line , Type 1	\$36,000.00	\$720.00		
34	653	12.00	12.00	0.00	CY	4" Topsoil furnished and placed	\$52.00	\$624.00		
35	659	107.00	107.00	0.00	SY	Seeding(Class 1 Lawn Mixture) and Mulching	\$10.00	\$1,070.00		
36	832	2000.00	0.00	-2000.00	EA	Erosion Control	\$1.00	\$2,000.00		-2,000.00
37	MISC	1.00	0.00	-1.00	LS	Contingency-to be used as directed by the Engineer	\$29,167.00	\$29,167.00		-29,167.00
4b	254		6263.00	6263.00		Pavement Planing-2.5" -revised depth	\$2.82	\$0.00	\$17,661.66	
Totals=								\$273,671.88	\$75,856.28	-\$69,072.56
Total Difference=									\$6,783.72	

Original Contract Amount= **\$273,671.88**
 Total Addition Amount= **\$6,783.72**
 Revised Contract Amount= **\$280,455.60**

Explanation: Change order reflects work performed in the field.

Accepted: *M. S. B.* President
ContractorDate: *May 30*, 2017Accepted: _____
City Engineer

Date: _____, 2017

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE SECOND & FINAL CHANGE ORDER FOR WORK PERFORMED BY PRECISION PAVING, INC., OF MILAN, OHIO, FOR THE FIFTH STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF \$6,783.72; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission authorized the submission of an application by the City Manager for financial assistance and to enter into a Project Agreement with the Ohio Public Works Commission (OPWC) for the proposed Fifth Street Reconstruction Project by Resolution No. 033-15R, passed on August 24, 2015, and subsequently was awarded funds not to exceed \$175,000.00; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Fifth Street Reconstruction Project by Resolution No. 027-16R, passed on June 13, 2016; and

WHEREAS, the Fifth Street Reconstruction Project involved the reconstruction of Fifth Street from Hollyrood Road to Sycamore Line and included the milling of 2.5 inches of asphalt and replacement with new asphalt along with the sidewalks and curb and gutter removal and replacement as needed; and

WHEREAS, this City Commission authorized and directed the City Manager to enter into a contract with Precision Paving, Inc., of Milan, Ohio for the Fifth Street Reconstruction Project by Ordinance No. 16-127, passed on August 8, 2016; and

WHEREAS, this City Commission approved the First Change Order with Precision Paving, Inc., of Milan, Ohio, for the Fifth Street Reconstruction Project to extend the final project completion date from November 10, 2016, until May 26, 2017, by Ordinance No. 17-014, passed on February 13, 2017; and

WHEREAS, this Second & Final First Change Order reflects the actual work performed in the field by the contractor and the actual quantities used; and

WHEREAS, the original contract with Precision Paving, Inc., was \$273,671.88, and with the addition of this Second & Final Change Order in the amount of \$6,783.72, the final contract cost is \$280,455.60 and will be paid with OPWC funds in the amount of \$143,676.82 and the remaining balance of \$136,778.78 will be paid with Issues 8 funds from the Capital Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the contractor to be paid for work already completed and close out the completed project; 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 the Municipal Departments, including the Department of Public Works, 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 hereby authorized and directed to approve this Second & Final Change Order for work performed for the Fifth Street Reconstruction Project in an amount **not to exceed** Six Thousand Seven Hundred Eighty Three and 72/100 Dollars (\$6,783.72) resulting in a final contract cost of Two Hundred Eighty Thousand Four Hundred Fifty Five and 60/100 Dollars (\$280,455.60) with Precision Paving, Inc., of Milan, Ohio.

Section 2. 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 3. 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
8606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

2105075		NEW		DEVS CARRYOUT AND DELIVERY LLC DBA DEVS CARRYOUT AND DELIVERY 1819 CAMP ST UNIT 2 SANDUSKY OH 44870
PERMIT NUMBER		TYPE		
ISSUE DATE				
04 24 2017				
FILING DATE				
C1 C2		PERMIT CLASSES		
22	077	B	B53400	
TAX DISTRICT		RECEIPT NO.		

FROM 05/19/2017



PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 05/19/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN. 06/19/2017

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

B NEW 2105075

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF SANDUSKY CITY COUNCIL
222 MEIGS STREET
SANDUSKY OHIO 44870

LLC / PARTNERSHIP CROSS REFERENCE
DISPLAY

PGECH

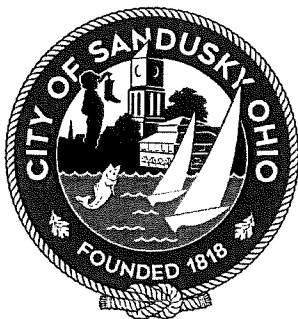
2105075 PERMIT NBR
DEVS CARRYOUT AND DELIVERY LLC
DBA DEVS CARRYOUT AND DELIVERY
1819 CAMP ST UNIT 2
SANDUSKY OH 44870

DEVIN C WEATHERSPOON

04/25/2017 ACTIVE

MAN-MBR

PA2-KEY = END SESSION, CLEAR-KEY = END OPTION, ENTER-KEY = TO CONTINUE



*City of Sandusky Department of Community Development
Division of Building Inspection
222 Meigs Street, Sandusky, OH 44870
(419) 627-5940 / building@ci.sandusky.oh.us*

June 5, 2017

INSPECTION REPORT – DANGEROUS OR UNFIT STRUCTURES

**1819 Camp Street
Sandusky, OH 44870
Parcel #: 58-01144.000**

Based on a mixed-use (multi-family residential and business) exterior and interior inspection I performed on Thursday, June 1, 2017, I have determined that the structure located at 1819 Camp Street is at least 60% damaged, decayed and deteriorated from its original construction because:

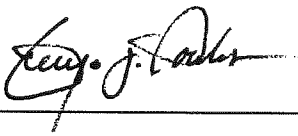
1. Main floor includes an old grocery business in the most eastern portion (front), just west of that is a recent business selling small food items and also has the only working bathroom. To the west are two large storage areas that were formerly occupied units. The most eastern storage area was an old restaurant.

The second floor includes two apartments one in the front (east) and one in the back (west), both above the main floor storage and business. No fire separations exist.

2. The storage areas and old grocery business are vacant and appear to be abandoned and neglected.
3. Most of the building elements including: siding, roofing, windows, and doors are beyond their useful life and or in non-working order.
4. Roofs may not be watertight as evident by failing, deteriorated ceilings throughout; mold most likely exists throughout, presenting unsanitary and inadequate facilities to protect the health, morals, safety and general welfare of human beings who may live there.
5. The structure in general has seen little or no repairs, upgrades or improvements in many years.

It is my professional opinion that, although the original grocery store will require moderate repair to make it usable, it remains approximately 40-45 % beyond its useful life. The remaining structure and occupancies are much worse with life safety and unsanitary conditions throughout. This portion is well more than 70% beyond its useful life and when coupled with the original grocery store remains over 60% deteriorated and should be condemned.

Chief Building Official:



George J. Poulos

6/5/17

Date

Kelly Kresser

From: Angela Byington
Sent: Monday, May 01, 2017 11:09 AM
To: Kelly Kresser
Cc: Casey Sparks
Subject: RE: New Liquor Permit

1819 Camp Street is zoned Local Business, as such, is permitted to sell beer, wine and other beverages.

1819 is the address we have on file for the old Terry's Tavern. Please let me know if this is not the location as the County Auditor's website does not have a 1405 Pierce.

Thank you

Angela Byington, AICP
Planning Director
City of Sandusky
222 Meigs Street
Sandusky, Ohio 44870

419-627-5832

From: Kelly Kresser
Sent: Monday, May 01, 2017 10:19 AM
To: Casey Sparks <csparks@ci.sandusky.oh.us>; John Orzech <JOrzech@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>
Cc: Angela Byington <abyington@ci.sandusky.oh.us>
Subject: New Liquor Permit

Attached is a request for new C1 (*Beer only in original sealed container for carryout only*) and C2 (*Wine and mixed beverages in sealed containers for carry out*) Liquor Permits for Dev's Carryout & Delivery, 1405 Pierce Street.

Please provide comments relative to these permits.

Angie: Can you provide comments in Casey's absence?

Kelly Kresser

From: Stephen Rucker
Sent: Tuesday, May 23, 2017 9:51 AM
To: Kelly Kresser; Angela Byington; John Orzech
Subject: Re: New Liquor Permit

Still no issues from my office, I will schedule an inspection.

Get [Outlook for Android](#)

From: Kelly Kresser
Sent: Monday, May 22, 2017 10:01:12 AM
To: Angela Byington; Stephen Rucker; John Orzech
Subject: New Liquor Permit

The attached Notice to Legislation Authority is for Dev's Carryout & Delivery. You may recall this came through previously, but the address was incorrect. The correct address is 1829 Camp Street, Unit 2.

This is for new C1 (*Beer only in original sealed container for carryout only*) and C2 (*wine and mixed beverages in sealed containers for carry out*) liquor permits

Kelly Kresser

From: John Orzech
Sent: Thursday, June 08, 2017 7:44 AM
To: Kelly Kresser
Subject: RE: New Liquor Permit

No issues from police department.

JOHN ORZECH | *Chief of Police*
SANDUSKY POLICE DEPT.
222 MEIGS STREET | SANDUSKY, OH 44870
DESK (419) 627-5869 | FAX (419) 627-5862



From: Kelly Kresser
Sent: Monday, May 22, 2017 10:01 AM
To: Angela Byington <abyington@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>; John Orzech <JOrzech@ci.sandusky.oh.us>
Subject: New Liquor Permit

The attached Notice to Legislation Authority is for Dev's Carryout & Delivery. You may recall this came through previously, but the address was incorrect. The correct address is 1829 Camp Street, Unit 2.

This is for new C1 (*Beer only in original sealed container for carryout only*) and C2 (*wine and mixed beverages in sealed containers for carry out*) liquor permits

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART FIVE (GENERAL OFFENSES CODE), CHAPTER 531 (NUISANCES GENERALLY), OF THE CODIFIED ORDINANCES OF THE CITY OF SANDUSKY, BY THE ADOPTION OF NEW SECTION 531.17 (FLYING MODEL AIRCRAFT, UNMANNED AIRCRAFT SYSTEMS AND DRONES), AS SET FORTH HEREINBELOW.

WHEREAS, in order to regulate the use of unmanned aircraft, commonly called drones, within the City of Sandusky, this City Commission ordered legislation at their regularly scheduled City Commission meeting on May 8, 2017, and therefore it is requested to amend Chapter 531 (Nuisances Generally) by the adoption of a new section to the Codified Ordinances of the City of Sandusky; and

WHEREAS, pursuant to Article XVIII Sections 3 and 7 of the Ohio Constitution in furtherance of the City's public purpose of the protection of the health, welfare, and safety of the public this new section to the City of Sandusky General Offense Code is intended to regulate the use of unmanned aircraft within the City of Sandusky; 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 and, NOW, THEREFORE,

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

Section 1. Part Five (General Offenses Code), Chapter 531 (Nuisances Generally), of the Codified Ordinances of the City of Sandusky, be amended by the adoption of New Section 531.17 (Flying Model Aircraft, Unmanned Aircraft Systems and Drones) as follows:

**NEW SECTION 531.17
FLYING MODEL AIRCRAFT, UNMANNED AIRCRAFT SYSTEMS AND DRONES**

(a) No person shall operate, within the city limits of Sandusky, any model aircraft, unmanned aircraft system (UAS), or drone as defined by Federal or State law which is controlled by radio, electronic, or similar free flight operation, by a person on the ground or otherwise, in a manner that the aircraft flies over or within 400 feet of any of the following without first obtaining express written consent from the proper authority:

(1) Public school or private school property, without written expressed consent, applies to all owned property including but not limited to athletic facilities, school buildings, and transportation facilities;

(2) All city owned buildings and property, without the express written consent of the Chief Planner or his/her designee;

(3) Any public utility location such as water, sewer, electric, phone, or gas;

(4) Active crime scenes;

(5) Active fire or accident scenes; and

(6) Communications towers.

(b) No person shall operate model aircraft, unmanned aircraft system (UAS), or drone which is controlled by radio, electronic, or similar free flight operation, over any property public or private, which is not their own, without having on their person the express written consent from the proper authority.

(c) Sustained operation above any roadway is prohibited where such operation could

impair a driver's line of sight, distract drivers, or come into contact with motor vehicles operating within said roadways.

(d) Operation to view or capture images of people on private property or to view or capture images of private property that would otherwise not be visible without the use of any model aircraft, unmanned aircraft system (UAS), or drone is prohibited. Operation of any model aircraft, unmanned aircraft system (UAS), or drone that causes a property owner to believe they or their property is being viewed or imaged or is harassing in nature is prohibited.

(e) Operation before sunrise and after sunset is prohibited.

(f) No person shall equip any model aircraft, unmanned aircraft system (UAS), or drone with any weapon such as a firearm, explosive device, incendiary device, ballistic knife, knife, zip gun or any other dangerous ordnance as described in sections 2923.11 or 2923.24 of the Ohio Revised Code or any device that is expressly excepted from the definition of a destructive device pursuant to the "Gun Control Act of 1968," 82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations issued under this act.

(g) Law enforcement officers, including police, firefighters, or their agents, are exempt as permitted by law when operating in the course of their duty.

(h) No person shall operate model aircraft, unmanned aircraft system (UAS), or drone which is controlled by radio, electronic, or similar free flight operation, within the city limits of Sandusky, without first registering the device with Chief Planner or his/her designee. Any person operating any model aircraft, unmanned aircraft system (UAS), or drone must have in their possession any required city registration certificate for the specific model aircraft, unmanned aircraft system (UAS), or drone being operated.

(i) Whoever violates this section is guilty of a misdemeanor of the first degree.

Section 2. 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 3. 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 4. That for the reasons set forth in the preamble hereto, this Ordinance shall take effect at the earliest time permitted by Law.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed:



COMMUNITY DEVELOPMENT
DIVISION OF PLANNING AND ZONING

222 Meigs Street
Sandusky, Ohio 44870
419-627-5873
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager
From: Casey Sparks, Assistant Planner
Date: May 30th, 2017
Subject: June 12, 2017 Commission Agenda Item –Amendment to the moratorium regarding cultivation, processing and dispensaries of medical marijuana.

Item for Consideration: Amendment to the moratorium regarding cultivation, processing and dispensaries of medical marijuana, specifically to remove cultivation and processing.

Purpose: The amendment will allow for development of facilities for cultivation and processing of medical marijuana within the City to occur. The moratorium for dispensaries will remain.

Background Information: On June 8th, 2016 Governor John Kasich signed into effect H.B. 523, making Ohio the 25th state to adopt a workable medical marijuana law. The medical marijuana law went into effect on September 8th, 2016, the state is currently working to adopt regulations to oversee the cultivators and testing labs. The Board of Pharmacy will oversee the patient registry and dispensaries, and the State Medical Board of Ohio will oversee the physicians. Both the Board of Pharmacy and State Medical Board of Ohio will have until September 6th, 2017 to create and adopt rules. On August 22nd, 2016 City Commission approved a (12) twelve month moratorium on the cultivation, processing, and dispensaries of medical marijuana.

The cultivation and processing of the medical marijuana allows for the manufacturing and distribution of the product to the state approved pharmacies. The state has recently formulated the regulations and definitions for cultivation and processing of medical marijuana, based on the definitions provided by the state, staff believes that these use would be permitted within both the manufacturing and commercial service zoning districts. In the future Staff will be implementing these specific uses within our zoning code. Understanding that interested parties are looking for cultivating and processing sites within the region, the city would like to be considered as an option for location of such a facility. The proposed amendment would permit the cultivation and processing uses to operate within both manufacturing and commercial service districts, and allow the city to present possible options to investors.

The remaining portion of the existing moratorium, regarding dispensaries, will continue to be upheld to allow staff to keep abreast of the laws being created for these uses, as it is anticipated that these would not be complete until fall of this year. Understanding that the state will be establishing regulations, staff will bring forward proposed legislation as soon as we have a good understanding of the state's proposal.

Budgetary Impact:

There is no impact to the general fund.

Action Requested: It is requested that City Commission amend the moratorium to remove cultivation and processing of medical marijuana. The remainder of the moratorium would remain in effect. It is requested that this ordinance take effect immediately, in accordance with Section 14 of the City Charter so as to allow the cultivation and processing of medical marijuana as soon as permitted by law within the city.

I concur with this recommendation:

Eric Wobser
City Manager

Angela Byington, AICP
Department of Community Development

cc: Kelly Kresser, Clerk of City Commission
Hank Solowiej, Finance Director
Justin Harris, Law Director

RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. 038-16R PASSED ON AUGUST 22, 2016, TO LIFT THE TEMPORARY MORATORIUM ON MEDICAL MARIJUANA CULTIVATION AND PROCESSING BUT RETAIN THE TEMPORARY MORATORIUM FOR RETAIL DISPENSARY FACILITIES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, on June 8th, 2016 Governor John Kasich signed H.B. 523 into law making Ohio the 25th state to adopt a workable medical marijuana law; and

WHEREAS, this City Commission imposed a temporary moratorium on medical marijuana cultivation, processing, and retail dispensary facilities within the City of Sandusky by Resolution No. 038-16R, passed on August 22, 2016; and

WHEREAS, H.B. 523 became effective September 8th, 2016 and the law's rules, policies, and procedures are currently in the processes of being drafted and implemented; and

WHEREAS, H.B. 523 created Ohio Revised Code Section 3796.29 which allows a municipal corporation to adopt legislation to prohibit, or limit the number of cultivators, processors, or retail dispensaries licensed under the new law; and

WHEREAS, the City of Sandusky currently has no regulations that specifically address medical marijuana cultivators, processors, or retail dispensaries; and

WHEREAS, the Department of Community Development is requesting that the City Commission lift the temporary twelve (12) month moratorium on medical marijuana cultivation and processing. However, the City desires to retain the temporary moratorium on retail dispensaries in order to more fully review the rules, policies, and procedures created by the Ohio Department of Commerce and the State Medical Board and to thoroughly vet the options presented under ORC 3796.26 with the Sandusky Planning Commission and City Commission; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately lift the temporary Moratorium on medical marijuana cultivation and processing which will allow the City to present possible options to potential investors; 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 the Municipal Departments, including the Department of Community Development, 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 **Resolution** 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. That the City Commission of the City of Sandusky, Ohio, hereby lifts the Moratorium on medical marijuana cultivation and processing facilities within the City of Sandusky, said lifting of the Moratorium to include the submission, consideration, or approval of all applications for special permits, use permits, building permits, any plans, or any other applications or permits which are or may be filed for permits from the Planning or Zoning Departments for the cultivating and processing of medical marijuana.

Section 2. That the City Commission does not desire to lift the Moratorium in relation to retail dispensaries and therefore the Moratorium shall remain as to retail dispensaries to include the submission, consideration, or approval of all applications for special permits, use permits, building permits, any plans, or any other applications or permits which are or may be filed for permits from the Planning or Zoning Departments for the retail dispensing of medical marijuana

Section 3. That the partial lift of the Moratorium shall become effective on the date that this Resolution, following its passage by the City Commission, and is signed by the President of the City Commission.

Section 4. If any section, phrase, sentence, or portion of this Resolution 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 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution 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 6. That for the reasons set forth in the preamble hereto, this Resolution 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jeffrey Keefe, P.E.

Date: May 30, 2017

Subject: Commission Agenda Item – Permission to Bid 2017 Venice Heights Blvd Reconstruction

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City to accept bids for the **Venice Heights Blvd Reconstruction Project** from Bardshar Road to Thorpe Drive.

BACKGROUND INFORMATION: The westerly end from Bardshar to just west of the existing culvert pipe will have isolated joints and panels replaced, while the section from this point to Thorpe will be completely removed with new concrete curb and gutter with asphalt pavement will be installed. Poor base material will be removed and replaced to provide the proper support for the new pavement section.

We are also installing a new storm culvert pipe just west of the existing culvert. This culvert will provide for additional capacity for Park drainage and additional tributary areas that are currently contributing to the flooding conditions in Pinewood Condominiums No. 5. We are acquiring two new easements, one along the new culvert and one on the parcel to the north so we can access the ditch to property maintain the ditch in that area.

This new section will look like the recently completed Caldwell Street in front of the Post Office.

BUDGETARY INFORMATION: The estimated cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs, is \$750,000.00 with \$75,000 from sewer funds and \$675,000.00 shall be paid with Issue 8 Infrastructure Funds.

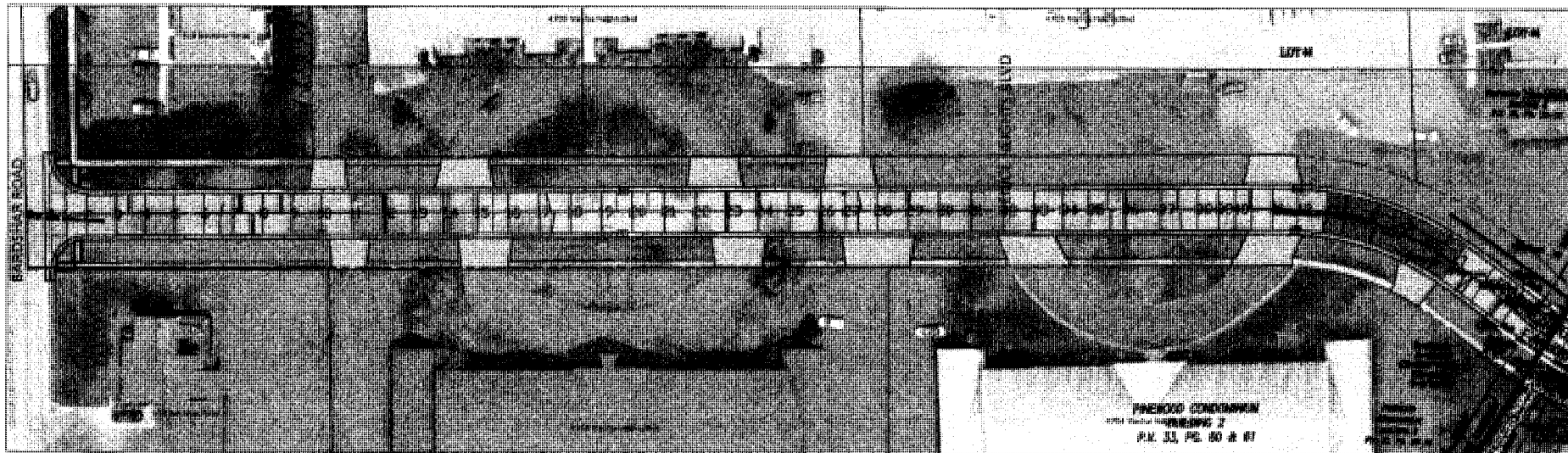
ACTION REQUESTED: It is recommended that the proposed Venice Heights Blvd Reconstruction Project be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to bid the project, receive competitive prices and to complete the project in this year's construction season.

I concur with this recommendation:

Eric Wobser
City Manager

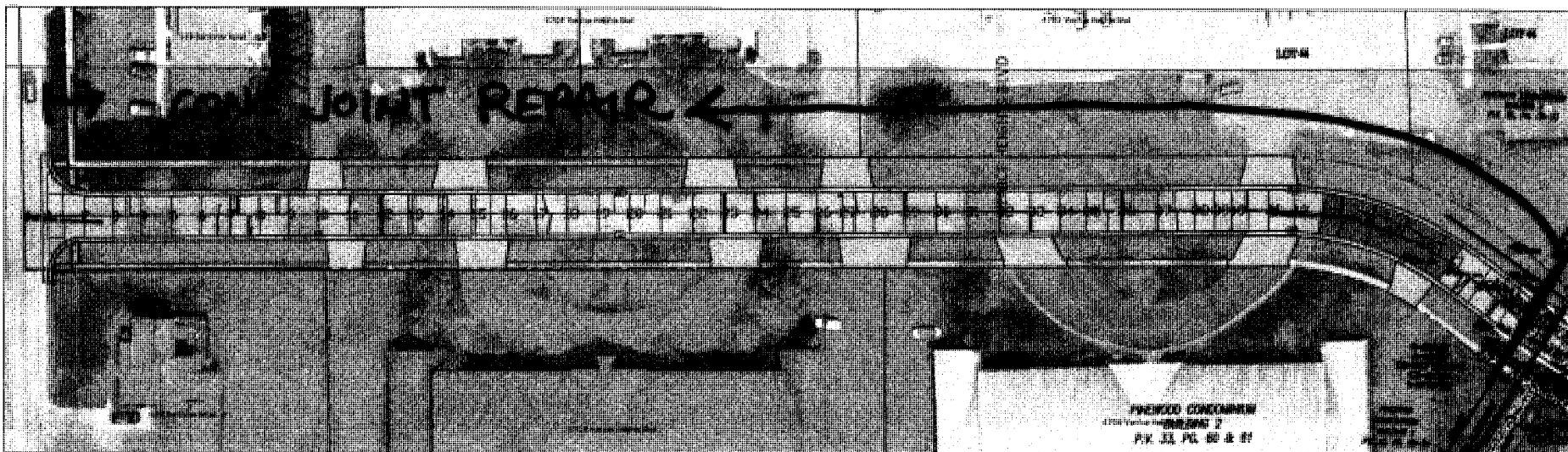
Aaron Klein, P.E.
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director



VENICE HEIGHTS BLVD PHASE 2
DEMOLITION PLAN
BARDSHAR RD TO CULVERT

Scale: 1" = 30'



VENICE HEIGHTS BLVD PHASE 2
RECONSTRUCTION PLAN
BARDSHAR ROAD TO CULVERT

Scale: 1" = 30'

City of Sandusky
Department of Public Works
Division of Engineering Services

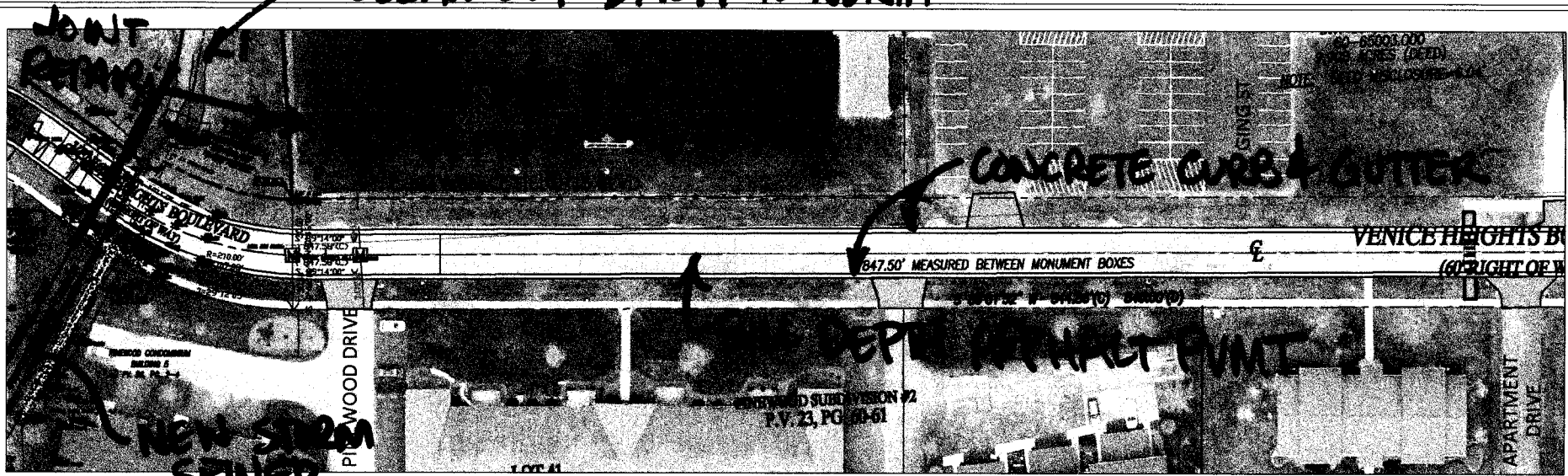


2017 VENICE HEIGHTS BLVD
RECONSTRUCTION PROJECT
BARDSHAR ROAD TO CULVERT
Concrete Pavement Repair Plan

City of Sandusky Project No. XXXX
Sheet No. C5

WEST END

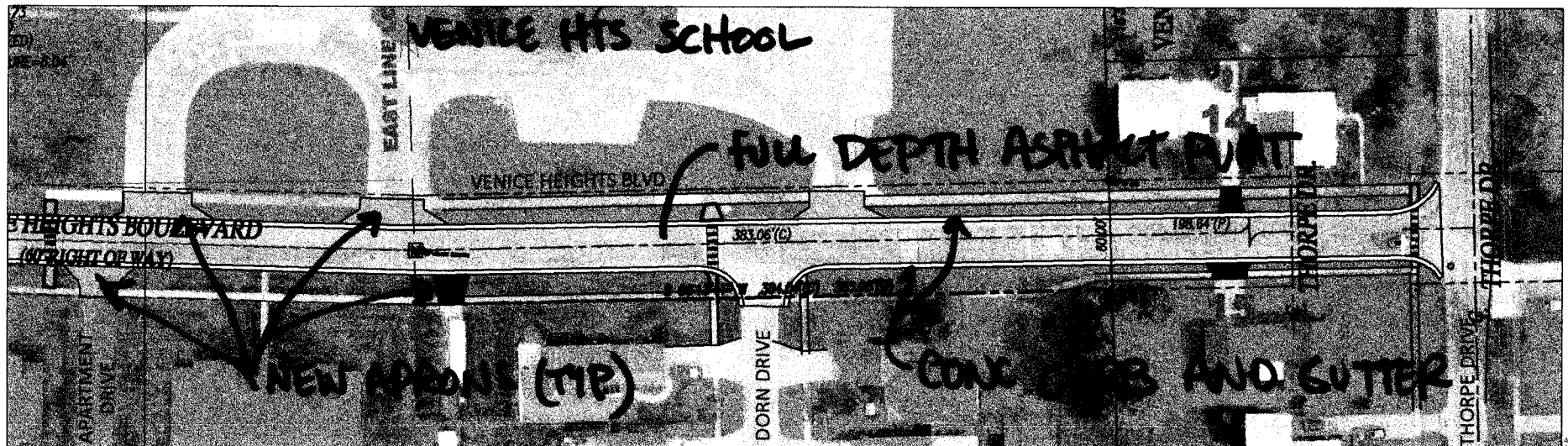
CLEAN OUT DITCH TO NORTH



VENICE HEIGHTS BLVD PHASE 1
RECONSTRUCTION PLAN
PHASE 2 TO APARTMENT DRIVE

Scale 1"=30'

Plan North



VENICE HEIGHTS BLVD PHASE 1
RECONSTRUCTION PLAN
APARTMENT DRIVE TO THORPE ST

Scale 1"=30'

Plan North

City of Sandusky
Department of Public Works
Division of Engineering Services

2017 VENICE HEIGHTS BLVD
RECONSTRUCTION PROJECT
PHASE 1 TO THORPE DRIVE
Reconstruction Plan

4/6/2017 Issued for Bidding
Date & Revision

City of Sandusky Project No.

Sheet No.
C4

EAST END

RESOLUTION NO. _____

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED VENICE HEIGHTS BLVD RECONSTRUCTION PROJECT; APPROVING THE SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed Venice Heights Blvd Reconstruction Project involves the reconstruction of Venice Heights Boulevard from Bardshar Road to Thorpe Drive including the replacement of isolated joints and panels from the westerly end from Bardshar Road to just west of the existing culvert pipe, new concrete curb and gutter with asphalt pavement from the culvert pipe to Thorpe Drive, and the installation of new storm culvert pipe just west of the existing culvert; and

WHEREAS, the total estimated cost for this project including engineering, inspection, advertising and miscellaneous expenses is \$750,000.00 and will be paid with Sewer Funds in the amount of \$75,000.00 and the remaining balance of \$675,000.00 will be paid with Issue 8 Infrastructure Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to bid and award the project and to complete the project prior to the end of the 2017 construction season; 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 the Municipal Departments, including the Department of Public Works, 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 **Resolution** 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The specifications and estimates of cost as prepared by the Director of Public Works and submitted to this City Commission, and which are now on file in the offices of the Director of Public Works and the Clerk of the City Commission, for the proposed Venice Heights Blvd Reconstruction Project be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with the proposed Venice Heights Blvd Reconstruction Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the proposed Venice Heights Blvd Reconstruction

Project as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution 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 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution 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 6. That for the reasons set forth in the preamble hereto, this Resolution 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jeffrey Keefe, P.E.

Date: May 31, 2017

Subject: **Commission Agenda Item** –Columbus Avenue Underpass Repairs

ITEM FOR CONSIDERATION: Ordinance awarding a contract to Schirmer Construction, LLC, North Olmsted, Ohio for the Columbus Avenue Underpass Repair Project.

BACKGROUND INFORMATION: A major reconstruction of the Columbus Avenue Underpass was performed in 1999, but little maintenance has been performed since completion of the project. Natural deterioration has progressed so that repairs are needed to the concrete surfaces and sidewalks. The project includes pressure washing and sealing the concrete surfaces.

The following three bids were received on May 17, 2017.

Schirmer Construction, LLC North Olmsted, Ohio	\$77,650.00 100% Bid Bond
Mosser Construction Group Fremont, Ohio	\$79,650.88 100% Bid Bond
DL Smith Concrete, LLC Norwalk, Ohio	\$169,710.00 100% Bid Bond

The engineer's estimate was \$85,000.00. Schirmer Construction, LLC, has been determined to be the lowest and best bidder.

BUDGETARY INFORMATION: The estimated cost of the project based on bids, including engineering (completed \$5,875.00), inspection (to be done by City Staff), and advertising (Sandusky Register \$149.60) is \$84,500.00. The construction cost of \$77,650.00 will be paid with Capital funds (Issue 8).

ACTION REQUESTED: It is requested that an Ordinance be awarded for the construction contract to Schirmer Construction, LLC, North Olmsted, Ohio in the amount of \$77,650.00 and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City in order for the project to be completed prior to the asphalt plants closing at the end of the fall construction season.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein, P.E.
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SCHIRMER CONSTRUCTION, LLC, OF NORTH OLMSTED, OHIO, FOR THE COLUMBUS AVENUE UNDERPASS REPAIRS PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity to proceed with the proposed Columbus Avenue Underpass Repairs Project by Resolution No. 012-17R, passed on February 13, 2017; and

WHEREAS, the Columbus Avenue Underpass Repairs Project involves repairs to the concrete surfaces and sidewalks and preventative maintenance including pressure washing and sealing the concrete surfaces; and

WHEREAS, upon public competitive bidding as required by law three (3) appropriate bids were received and the bid from Schirmer Construction, LLC, of North Olmsted, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost of this project based on bids, including engineering, inspection, and advertising expenses is \$83,674.60 and the construction portion of the cost is \$77,650.00 and will be paid with Issue 8 funds from the Capital Projects Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the contractor to begin work and complete the project prior to the asphalt plants closing at the end of the Fall construction season; 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 the Municipal Departments, including the Department of Public Services, 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 a contract with Schirmer Construction, LLC, of North Olmsted, Ohio, for the Columbus Avenue Underpass Repairs Project in an amount **not to exceed** Seventy Seven Thousand Six Hundred Fifty and 00/100 Dollars (\$77,650.00) consistent with the bid submitted by Schirmer Construction, LLC, of North Olmsted, Ohio, currently on file in the office of the Director of Public Works.

Section 2. 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 3. 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: May 26, 2017

Subject: Commission Agenda Item: **Change Order #1 & Final
Sidewalk Repair & Replacement project**

ITEM FOR CONSIDERATION: Legislation regarding Change Order #1 & Final for the 2016 Sidewalk Repair & Replacement project for Smith Paving and Excavating, Inc. of Norwalk, Ohio.

BACKGROUND INFORMATION: Issue 8 funding promised walkability through sidewalk improvements throughout the City. The 5-year Capital Improvement Plan allocated \$100,000 annually for this work and the goal was to perform the repairs without an assessment. During the summer of 2016, City Commission re-appropriated an additional \$400,000, which was a portion of funds that had become available through increased tax revenues. This allowed for a total project cost of approximately \$500,000.

The original sidewalk list started as a complaint-driven project with the complaints being from a property owner, a tenant or a pedestrian. Staff inspected the original list of 61 individual properties and a few of the remaining adjacent sidewalks on that block, which would allow for cost efficiencies during construction. Only those slabs that were heaved or settled were included in the project, instead of reconstructing the entire block or the entire property. Since the project was not being performed as an assessment as in years past, this allowed for more of the deficient sidewalk slabs throughout the city to be replaced. In addition, staff was addressing locations requested by the ADA committee. Finally, because of the requested quick turn around on the project, the decision was made to remove a tree if it was the source of the heaved sidewalk. This analysis yielded a quantity of 26,664 square feet of sidewalk and removal of 202 trees.

A project that seemed straight-forward became complex as staff worked to balance the requests of residents, the contractor and field conditions that proved difficult.

First, when signs were posted and letters were distributed to residents throughout a neighborhood, the neighbors would ask that their properties be added to the project or the property owner would ask that their property be removed from the project. This led to so many modifications so quickly to the list of 348 addresses that staff struggled to keep up with the massive spreadsheet. Also, there were so many complaints regarding the tree removal list that engineering staff had to request the city arborist inspect each tree individually and provide a written recommendation. Not only were the sidewalk quantities changing but we noticed a decrease in tree removals to 151 from 202, which would have been a cost savings of approximately \$44,000. Coupling this with the available contingency of \$20,000, staff estimated \$65,000 available.

Based on this estimated availability, I had approved \$31,244 to complete the Market Street block. We had received several complaints from Mr. Gerken at Main Street and I reasoned that this would allow for labor efficiencies and minimize the inconvenience to property owners in that area because two properties were already planned for the project. In addition, the cost of cement would be increasing 15% for the 2017 project. I

felt that I could save almost \$5,000 compared to bidding those sections in 2017 and the additional work appeared to fit within the available contract. The timing was that to proceed on this additional work to that location within a couple days.

Another issue during construction was that the contractor was directed to ensure that water did not pond on the new concrete. Frequently, field conditions required additional slabs be removed to accommodate this requirement. Field investigation prior to construction would have required shooting each location, which was not possible given the quick turnaround. This unfortunate condition also increased seeding and topsoil quantities.

Finally, in our attempt to meet the requests of the residents, to repair residential lawns entirely and to complete that full block of Market, the following final quantities were adjusted:

	<u>Original Bid</u>	<u>Actual Quantity</u>	<u>Increase</u>
4-inch sidewalk (incl. Market)	25,704 sf.	39,628 sf.	\$87,022.37
Curb	70 lf.	335 lf	\$8,204.15
Seeding, fertilizing and mulching	145 sy.	5,867 sy.	\$22,889.04
Tree Removal	202 ea.	194 ea.	(\$5,520.00)
Stump Grinding	202 ea.	203 ea.	\$180.00

Ultimately, the tree removal costs did not change as anticipated once the final numbers were calculated because we tried to accommodate so many property owners.

The one mistake I did make as the project manager during the project design was that when counting the slabs of sandstone to be removed, I did not convert the number of slabs to square feet. Therefore, since the wrong units were used, the cost increased significantly. The calculation should have been 105 slabs x 24 sf/slab = 2,520 sf. This would have been an increase of \$540 if calculated properly.

	<u>Original Bid</u>	<u>Actual Quantity</u>	<u>Increase</u>
Sandstone replacement	105 sf.	2,583.55 sf.	\$21,067.68

As can be seen, there are many lessons that staff learned on this project.

- If we are going to continue to repair individual slabs rather than full blocks or longer lengths, we should use a much more conservative number of approximately 25% when calculating quantities.
- We should be less flexible during construction and not add locations not included in the original bid. We added over 45 properties to the original list. We should involve the arborist earlier so fewer surprises arise during construction that would require adjustments in tree quantities.
- We will use the appropriate unit.
- We will increase the Seeding, Fertilizing and Mulching quantities dramatically to account for potential increases in unavoidable property damage.

I do feel that the project was a success despite the extremely high change order. We increased the square footage of concrete repairs by 54% throughout the entire City and there was an estimated savings of \$13,000 for replacements done this year, based on the market increase in cement.

Moving forward with only \$100,000 available each year, annual projects will be much smaller. Following the positive publicity from this first project, we have received so many additional sidewalk complaints that we now

have a list for improvements to make up to 2019. We should have the 2017 project ready for commission approval by mid-July.

BUDGETARY INFORMATION: The original contract with Smith Paving and Excavating, Inc. is for \$367,280.50. Change Order #1 & Final increases the contract by \$104,608.27 to a total of \$471,888.77. The project will be paid with Capital Funds made available through Issue 8.

It should be noted that the cost of the change order is an increase of 28.5% from the original bid, but it is actually a 2% decrease from the original engineer's estimate of \$481,598.00, which is also less than the original allocation.

ACTION REQUESTED: It is recommended that an Ordinance be passed approving Change Order No. 1 and Final in the amount of \$104,608.27 for Smith Paving and Excavating Inc., Norwalk Ohio 50 and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to pay the contractor in a timely manner.

I concur with this recommendation:

Eric Wobser
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

CITY OF SANDUSKY, OHIO
DEPARTMENT OF PUBLIC WORKS

Project: 2016 Sidewalk Repair & Replacement Project
Construction Work Order No.: 1 & Final

CONTRACT: 2860
ORDINANCE NO. 16-163

Contractor: Smith Paving and Excavating, Inc.
4426 N. Old State Road
Norwalk, Ohio 44857

STREET OR LOCATON OF WORK: CITY WIDE

Order is hereby issued and accepted for the following additions to or deductions from the quantities as specified in the original contract.

Bid Item No.	ODOT Item No.	Plan Quantity	Actual Quantity	Difference in Quantity	Unit	Description	Unit Price	Bid Price	Actual Price	Total ADD/DED
3	608	25,704	35,533.21	9,829.21	SF	4" Concrete Sidewalk	\$ 6.25	\$ 222,082.56	\$ 222,082.56	\$ 61,432.56
4	608	960	826.22	-133.78	SF	6" Concrete Sidewalk	\$ 7.25	\$ 5,990.10	\$ 5,990.10	\$ (969.91)
6	608	8	0.00	-8.00	SF	Truncated Domes	\$ 36.00	\$ -	\$ -	\$ (288.00)
7	609	70	65.90	-4.10	LF	Type 2 Concrete Curb and Gutter	\$ 31.00	\$ 2,042.90	\$ 2,042.90	\$ (127.10)
9	659	145	5,867.26	5,722.26	SY	Seeding, Fertilizing and Mulching	\$ 4.00	\$ 23,469.04	\$ 23,469.04	\$ 22,889.04
10	Special	105	2,583.55	2,478.55	SF	Sandstone Sidewalk, Replace with concrete	\$ 8.50	\$ 21,960.18	\$ 21,960.18	\$ 21,067.68
12	Special	202	194.00	-8.00	EA	Tree Removal	\$ 690.00	\$ 133,860.00	\$ 133,860.00	\$ (5,520.00)
13	Special	202	203.00	1.00	EA	Stump Grinding	\$ 180.00	\$ 36,540.00	\$ 36,540.00	\$ 180.00
14	Special	1	0.00	-1.00	LS	Contingency, as directed	\$ 20,000.00	\$ -	\$ -	\$ (20,000.00)
EW	Special	0	1.00	1.00	LS	Market Street Sidewalk work Sidewalk = 4,094.37 SF Curb = 268.75 LF	\$ 31,244.00	\$ 31,244.00	\$ 31,244.00	\$ 31,244.00
EW	Special	0	1.00	1.00	LS	Sandstone Sales (1/2 of remaining pallets)	\$ (4,500.00)	\$ (4,500.00)	\$ (4,500.00)	\$ (4,500.00)
EW	Special	0	1.00	1.00	LS	Tree damage credit (2 trees)	\$ (800.00)	\$ (800.00)	\$ (800.00)	\$ (800.00)

Explanation: Change order & Contingency reflects work performed in the field.

Total Difference

\$ 104,608.27

Accepted:  Date: 5-26, 2017
Contractor

Accepted: _____ Date: _____, 2017
City Engineer

Original Contract Price = \$367,280.50
Contract Price after CO1 = \$471,888.77
% Increase = 28.5%
Original Budget/Estimate = \$481,598.00
% Increase = -2.0%

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY SMITH PAVING AND EXCAVATING, INC., OF NORWALK, OHIO, FOR THE 2016 SIDEWALK REPAIR & REPLACEMENT PROJECT IN THE AMOUNT OF \$124,608.27; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission declared the necessity to proceed with the proposed 2016 Sidewalk Repair & Replacement Project by Resolution No. 041-16R, passed on August 22, 2016; and

WHEREAS, the City Commission approved the awarding of the contract to Smith Paving & Excavating, Inc., of Norwalk, Ohio, for work to be performed for the 2016 Sidewalk Repair & Replacement Project by Ordinance No. 16-163, passed on September 26, 2016; and

WHEREAS, the 2016 Sidewalk Repair & Replacement Project consisted of 202 tree removals and stumps ground and the repair of sidewalks at 348 addresses, which includes all 61 documented complaints received over the past several years that were visually evaluated; and

WHEREAS, this First & Final Change Order reflects changes to the project, including the completion of the Market Street block, increase in cost of sandstone replacement due to a calculation error, and actual quantities used in the field and these changes are summarized as follows:

1.	4" Concrete Sidewalk	ADD	\$61,432.56
2.	6" Concrete Sidewalk	DEDUCT	(\$969.91)
3.	Truncated Domes	DEDUCT	(\$288.00)
4.	Type 2 Concrete Curb and Gutter	DEDUCT	(\$127.10)
5.	Seeding, Fertilizing and Mulching	ADD	\$22,889.04
6.	Sandstone Sidewalk, Replace with Concrete	ADD	\$21,067.68
7.	Tree Removal	DEDUCT	(\$5,520.00)
8.	Stump Grinding	ADD	\$180.00
9.	Market Street Sidewalk work	ADD	\$31,244.00
10.	Sandstone Sales (1/2 of remaining pallets)	DEDUCT	(\$4,500.00)
11.	Tree damage credit (2 trees)	DEDUCT	(\$800.00)
		TOTAL	<u>\$124,608.27</u>

WHEREAS, the original contract with Smith Paving & Excavating, Inc. was \$367,280.50, which included a \$20,000.00 contingency amount, and with the addition of this First & Final Change Order in the amount of \$124,608.27, the contingency will be depleted and the contract will be increased by \$104,608.27 for a final contract cost of \$471,888.77 which will be paid with Issue 8 funds from the Capital Projects Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to make payment to contractor for services provided and close out the completed project; 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 the Municipal Departments, including the Department of Public Works, 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 hereby authorized and directed to approve this First & Final Change Order for work performed for the 2016 Sidewalk Repair & Replacement Project in an amount **not to exceed** One Hundred Twenty Four Thousand Six Hundred Eight and 27/100 Dollars (\$124,608.27) resulting in the final contract cost of Four Hundred Seventy One Thousand Eight Hundred Eighty Eight and 77/100 Dollars (\$471,888.77) with Smith Paving and Excavating, Inc., of Norwalk, Ohio.

Section 2. 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 3. 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jeffrey Keefe, P.E.

Date: May 24, 2017

Subject: **Commission Agenda Item** –Wastewater Treatment Plant Digester #1 Roof Replacement

ITEM FOR CONSIDERATION: Requesting legislation authorizing the purchase and installation of a roof for the Wastewater Treatment Plant (WWTP) Digester #1 through The Interlocal Purchasing System (TIPS) Program from Duro-Last Roofing, Inc., of Saginaw, Michigan, with Ancillary Services being provided by Tusing Builders of Monroeville, Ohio.

BACKGROUND INFORMATION: This project will replace the spray foam roof over Digester #1 where seagulls and other birds have been punching the foam and allowing water and moisture to get under the current roof. This new roof system, with 50 mil membrane roofing material, has not experienced the same damage/issues from birds in similar settings. We believe this new system will provide for a more durable and sustainable roofing system.

This purchase would include all items listed on the attached quotation, including installing new material to attach the membrane along the roof's perimeter, new insulation over prepared surface, new 50-mil single-ply white membrane roofing system that is fabricated of a weft inserted, low-shrink, anti-wicking polyester fabric and a thermoplastic coating, installation of prefabricated flashings around all roof penetrations, and a 20 year No-Dollar-Limit (NDL) labor and material warranty.

Purchases would be made in accordance with The Interlocal Purchasing System (TIPS) Program, which allows local political subdivisions to purchase items that have been competitively bid from a successful vendor thereby giving the City the benefit of the programs competitively bid price and eliminating the necessity of formal bidding by the City. All unit prices are at or below the price in the TIPS Program. The city plans to replace other damaged roofs under this program.

BUDGETARY INFORMATION: The total cost for this project is \$42,607.37 for materials, removal of the old spray foam roof, delivery and installation, which would be paid from the Sewer Fund.

ACTION REQUESTED: It is requested that legislation be approved for the purchase and installation of a new roofing systems from Duro-Last Roofing, Inc., of Saginaw, Michigan, through The Interlocal Purchasing System (TIPS) Program using Duro-Last contract number 0242816 and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to reduce the possibility of future damage to the structure and equipment.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein, P.E.
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

May 15, 2017

Mr. Jeff Keefe
Assistant City Engineer
City of Sandusky Department of Public Works
304 Harrison Street
Sandusky, OH 44870
Tel: (419) 627-5875
jkeefe@ci.sandusky.oh.us

Re: Re-Roofing Project for the City of Sandusky Waste Water Treatment Tank #1 -
REVISED

Dear Mr. Keefe:

Duro-Last Roofing has developed the following revised pricing proposal to re-roof the City of Sandusky Waste Water Treatment Plant (WWTP) Tank #1 in Sandusky, Ohio. This pricing proposal was developed using Duro-Last's contract number 2042816 with The Interlocal Purchasing System (TIPS) and includes the total cost to purchase and install the Duro-Last roofing system.

This revised proposal includes a \$6,000 contingency. If the contingency is not needed, Duro-Last will not invoice for it.

Duro-Last will provide the Duro-Last roofing system and its installation to the City of Sandusky at RS Means pricing using the Lorain City Cost Index.

Installation of the Duro-Last roofing system will be provided by Tusing Builders of Monroeville, Ohio, a Duro-Last authorized contractor who has achieved Elite Contractor status with Duro-Last based on their quantity and quality of commercial installations.

Attached is the Duro-Last specification which defines the work that Duro-Last proposes to complete. When the installation is complete, a Duro-Last Technical Representative will inspect the installation for completeness and conformity to Duro-Last specifications. Following acceptance of the roof, Duro-Last will issue a warranty to the City of Sandusky.

The Duro-Last Roofing 20-year NDL warranty provides for the repair or replacement of the roofing system, and the labor to install it, in the event of a defect in the Duro-Last products. The 20-year NDL warranty does have an additional charge to obtain it, which has been included in the proposal. The warranty also does not provide coverage of consequential damages resulting from leaks caused by any defects covered under the warranty.

Based on this scope of work, the total base price for Duro-Last to complete the City of Sandusky WWTP Tank #1 re-roofing project is \$42,607.37.

Attached is a detailed pricing summary. Prevailing wage rates do not apply. The base price is good for delivery for 60 days from the date of this proposal, after which the components of the base price are subject to price adjustment.

Any alterations or deviation from the scope of work involving extra costs including, but not limited to, additional materials and labor will be executed only upon written change-orders submitted to Duro-Last, which will result in an extra charge over this proposal.

The base price does not include any allowances for roof deck replacement or for other hidden damages.

The building owner is responsible for obtaining any necessary permits, engineering fees, or tests needed to meet state and local codes.

The base price includes performance and payment bonds. Any bonds for this project shall only apply for a one-year maintenance period commencing on the date of substantial completion of the project. Bond coverage shall not be extended to the 20-year warranty period subsequent to the one-year maintenance period.

The lead time for manufacturing your Duro-Last roof is five business days following receipt of the order. Transit time is one business day by commercial carrier from the Duro-Last manufacturing facility in Saginaw, Michigan.

Duro-Last Roofing and Tusing Builders are not responsible for the following:

- HVAC alteration and related utility work
- Lightning, lightning protection, or electrical alterations or recertification
- Satellite dishes or antenna recalibration
- Removal of material containing asbestos or asbestos testing
- Ponded water due to previous existing substrate conditions

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard roofing practices and in accordance with Duro-Last published specifications. Duro-Last Roofing shall not be responsible for delays relating to weather, accidents, or other events beyond our control.

If this proposal is accepted, the Duro-Last TIPS price schedule, terms, and conditions will be applied. In addition:

- The City of Sandusky's TIPS membership will need to be verified.

- A purchase order and tax exempt certificate will need to be issued to Duro-Last Roofing.
- The purchase order should be clearly marked "Per TIPS Contract".
- E-mail the purchase order in PDF format to TIPS at tipspo@tips-usa.com for review and approval.
- Duro-Last will issue a Notice to Proceed to Tusing Builders after receiving the approved purchase order from TIPS.

If you have any questions regarding this proposal, please contact me at (800) 248-0280, ext. 2223 or csauer@duro-last.com. If this proposal is acceptable, please sign below and return with the aforementioned documents.

City of Sandusky WWTP Tank #1 Re-Roofing Project Base Price: \$42,607.37

Approved By: _____

Title: _____

Date: _____

Best Regards,



Chenelle D. Sauer
Government Sales Administrator
Duro-Last Roofing, Inc.

cc: Dwayne Poore, Tusing Builders

SCOPE OF WORK

CITY OF SANDUSKY
WASTE WATER TREATMENT PLANT TANK #1
SANDUSKY, OHIO

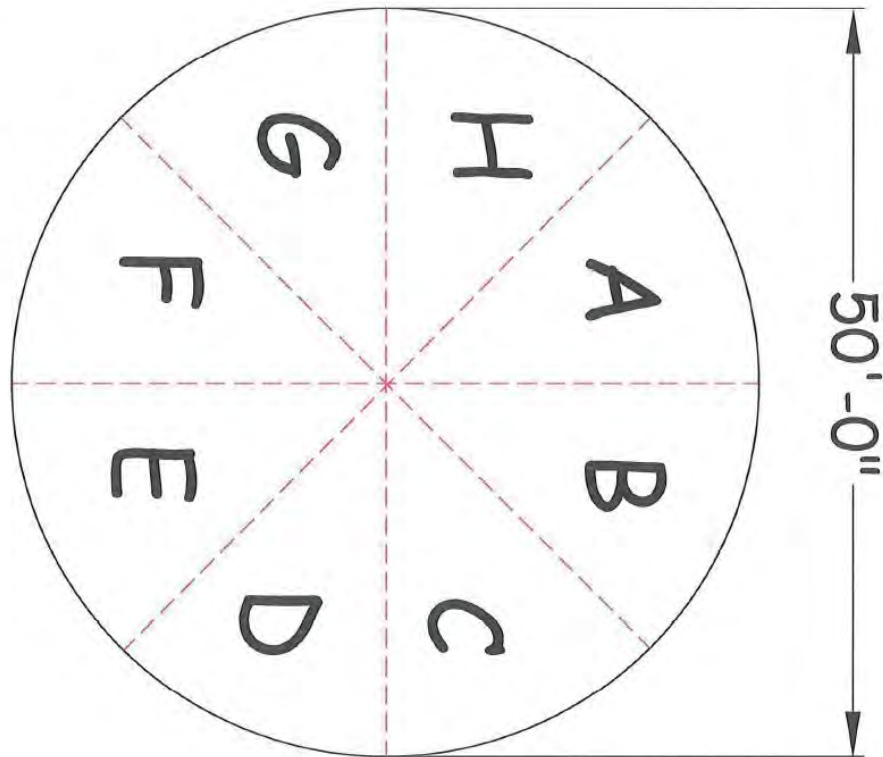
1. Remove and properly dispose of 2" of existing spray foam roofing.
2. Prepare roof surface for new Duro-Last roofing system per Duro-Last specifications.
3. Fully-adhere 2½" Duro-Guard polyisocyanurate insulation board over prepared surface using Duro-Grip CR-20 adhesive.
4. Install a custom prefabricated, reinforced 50-mil white membrane roofing system that is fabricated of a weft inserted, low-shrink, anti-wicking polyester fabric and has a thermoplastic coating of PVC material laminated to both sides as manufactured by Duro-Last Roofing, Inc. Membrane to be fully-adhered using a Duro-Last water-base adhesive.
5. Secure Duro-Last membrane to metal flange over the tank's edge with Duro-Last termination bar.
6. Install Duro-Last prefabricated flashings around all deck penetrations in accordance with Duro-Last Roofing specifications.
7. If required, any HVAC, plumbing, electrical, or other miscellaneous work that may need to be moved or disconnected and reconnected (other than normal roofing practice) will need to be done by others at building owner's expense. The cost of these services is not included in this proposal.
8. Building owner is responsible for obtaining any necessary permits, engineering fees, or tests needed to meet state and local codes.
9. Tusing Builders to provide dump and disposal fees. All debris will be disposed of in an approved facility in accordance with all local, state, and federal regulations. Jobsite to be cleaned daily.
10. Tusing Builders to provide safety equipment to comply with OSHA standards.
11. Provide a 20-year no-dollar-limit warranty which provides for the repair or replacement of the roofing system, and the labor to install it, in the event of a defect in the Duro-Last products. The Duro-Last 20-year NDL warranty does not contain a provision for coverage of consequential damages.
12. Duro-Last and Tusing Builders, are not responsible for existing building conditions such as, but not limited to, leaking walls, windows, gutters, interior drains, pipes, air conditioner equipment, electrical wiring, ducts, vents, fans, parapets, mansards, water lines, masonry walls, adjacent roofs, skylights, trim, existing water damage to the interior of the building (walls, ceilings, floors, etc.),


hidden conduit within or below the existing roofing system, or the existence of mold.

13. Any bonds for this project apply only to the one-year maintenance period commencing on the date of substantial completion. Bonds do not extend to the full 20-year warranty period.

Duro-Last/TIPS Project Bid Sheet				
Date:	5/15/2017		Warranty:	20-yr
Building Owner:	City of Sandusky		Mil:	50
Project Name:	WWTP Tank #1		DL Material SF:	2,728
Contractor Name:	Tusing Builders			
	Base Bid			
Duro-Last Gross Material	\$ 9,600.00			
TIPS Discount	\$ (672.00)			
Duro-Last Net Material	\$ 8,928.00			
Ancillary Services				
Demolition	\$ 4,139.00			
Supply Non Duro-Last Materials	\$ 1,000.00			
Installation Labor - Misc.	\$ 8,278.00			
Installation Labor - Duro-Last	\$ -			
Installation Labor - Insulation	\$ 6,208.50			
Installation Labor - Metal	\$ -			
Additional Labor	\$ 1,500.00			
Project Commencement	\$ 1,000.00			
Equipment Rental	\$ 1,725.00			
Total Ancillary Services	\$ 23,850.50			
Open Market Items	\$ -			
Contingency	\$ 6,000.00			
Other	\$ -			
Bonds	\$ 383.46			
Warranty Fees	\$ 245.52			
Duro-Last Administration Fees	\$ 3,199.89			
Bid Total	\$ 42,607.37			

Tank #1
Verify all before ordering.



Legend Factory ——— Field - - - - - Curb [Symbol] Stack [Symbol] Walkpad [Symbol]	Drawn By: Ken Claes Date: 4/4/17 Scale: N.T.S.	City of Sandusky Tank #1 Sandusky, OH Tusing Builders			 525 E Morley Drive Saginaw, MI 48601 Fax: 989-758-6359 Phone: 800-248-0280 engineering@duro-last.com Project #: 59444
	<small>Duro-Last Roofing, Inc. is the supplier of the materials only. The proposed layout is based upon the information provided by the contractor and/or independent sales rep. Verification of local building codes, dimensions and quantities are the sole responsibility of the architect, installing contractor, independent sales rep. or owners representative prior to ordering.</small>	Date	Revision	By	
		00/00/00	-	-	
		00/00/00	-	-	
		00/00/00	-	-	

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS FOR THE PURCHASE AND INSTALLATION OF A NEW ROOF FOR THE WASTEWATER TREATMENT PLANT (WWTP) DIGESTER #1 BUILDING FROM DURO-LAST ROOFING, INC., OF SAGINAW, MICHIGAN; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, The Interlocal Purchasing System (TIPS) program is a National Cooperative Purchasing Program designed for use by government entities which is offered by the Region VIII Education Service Center and through membership provides the utilization of competitively bid and awarded vendor contacts in a cooperative purchasing program specializing in the management of high quality cooperative procurement solutions; and

WHEREAS, the City of Sandusky as a member of The Interlocal Purchasing System (TIPS) desires to purchase a new roof that has been competitively bid and made available through the membership from Duro-Last Roofing, Inc., of Saginaw, Michigan, thereby providing the City the benefit of the negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, it is necessary to replace the spray foam roof over the Digester #1 building where seagulls and other birds have been punching the foam which has allowed water and moisture to get under the roof causing damage and issues; and

WHEREAS, the proposal received from Duro-Last provides for the Duro-Last roofing system and ancillary services, which will be provided by Tusing Builders of Monroeville, Ohio, and includes installation of new material along the roof's perimeter, new insulation over prepared surface, new 50-mil single-ply white membrane roofing system fabricated of weft coating, installation of prefabricated flashings around all roof penetrations, and a twenty (20) year No-Dollar-Limit (NDL) labor and material warranty; and

WHEREAS, the total cost for the purchase and installation of the new roof is \$42,607.37 and will be paid with Sewer Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to reduce the possibility of future damage to the structure and equipment; 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 the Municipal Departments, including the Department of Public Works, 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 expend funds for

the purchase and installation of a new roof for the Wastewater Treatment Plant (WWTP) Digester #1 Building through The Interlocal Purchasing System (TIPS) Program, Contract Number 2042816, from Duro-Last Roofing, Inc., of Saginaw, Michigan, at an amount **not to exceed** Forty Two Thousand Six Hundred Seven and 37/100 Dollars (\$42,607.37).

Section 2. 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 3. This 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 4. That for 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jeffrey Keefe, P.E.

Date: May 24, 2017

Subject: Commission Agenda Item – Wastewater Treatment Plant Digester #2 Roof Replacement

ITEM FOR CONSIDERATION: Requesting legislation authorizing the purchase and installation of a roof for the Wastewater Treatment Plant (WWTP) Digester #2 through The Interlocal Purchasing System (TIPS) Program from Duro-Last Roofing, Inc., of Saginaw, Michigan, with Ancillary Services being provided by Tusing Builders of Monroeville, Ohio.

BACKGROUND INFORMATION: This project will replace the spray foam roof over Digester #2 where seagulls and other birds have been punching the foam and allowing water and moisture to get under the current roof. This new roof system, with 50 mil membrane roofing material, has not experienced the same damage/issues from birds in similar settings. We believe this new system will provide for a more durable and sustainable roofing system.

This purchase would include all items listed on the attached quotation, including installing new material to attach the membrane along the roof's perimeter, new insulation over prepared surface, new 50-mil single-ply white membrane roofing system that is fabricated of a weft inserted, low-shrink, anti-wicking polyester fabric and a thermoplastic coating, installation of prefabricated flashings around all roof penetrations, and a 20 year No-Dollar-Limit (NDL) labor and material warranty.

Purchases would be made in accordance with The Interlocal Purchasing System (TIPS) Program, which allows local political subdivisions to purchase items that have been competitively bid from a successful vendor thereby giving the City the benefit of the programs competitively bid price and eliminating the necessity of formal bidding by the City. All unit prices are at or below the price in the TIPS Program. The city plans to replace other damaged roofs under this program.

BUDGETARY INFORMATION: The total cost for this project is \$47,709.89 for materials, removal of the old spray foam roof, delivery and installation, which would be paid from the Sewer Fund.

ACTION REQUESTED: It is requested that legislation be approved for the purchase and installation of a new roofing systems from Duro-Last Roofing, Inc., of Saginaw, Michigan, through The Interlocal Purchasing System (TIPS) Program using Duro-Last contract number 0242816 and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to reduce the possibility of future damage to the structure and equipment.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein, P.E.
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

May 15, 2017

Mr. Jeff Keefe
Assistant City Engineer
City of Sandusky Department of Public Works
304 Harrison Street
Sandusky, OH 44870
Tel: (419) 627-5875
jkeefe@ci.sandusky.oh.us

Re: Re-Roofing Project for the City of Sandusky Waste Water Treatment Tank #2 -
REVISED

Dear Mr. Keefe:

Duro-Last Roofing has developed the following revised pricing proposal to re-roof the City of Sandusky Waste Water Treatment Plant (WWTP) Tank #2 in Sandusky, Ohio. This pricing proposal was developed using Duro-Last's contract number 2042816 with The Interlocal Purchasing System (TIPS) and includes the total cost to purchase and install the Duro-Last roofing system.

This revised proposal includes a \$6,000 contingency. If the contingency is not needed, Duro-Last will not invoice for it.

Duro-Last will provide the Duro-Last roofing system and its installation to the City of Sandusky at RS Means pricing using the Lorain City Cost Index.

Installation of the Duro-Last roofing system will be provided by Tusing Builders of Monroeville, Ohio, a Duro-Last authorized contractor who has achieved Elite Contractor status with Duro-Last based on their quantity and quality of commercial installations.

Attached is the Duro-Last specification which defines the work that Duro-Last proposes to complete. When the installation is complete, a Duro-Last Technical Representative will inspect the installation for completeness and conformity to Duro-Last specifications. Following acceptance of the roof, Duro-Last will issue a warranty to the City of Sandusky.

The Duro-Last Roofing 20-year NDL warranty provides for the repair or replacement of the roofing system, and the labor to install it, in the event of a defect in the Duro-Last products. The 20-year NDL warranty does have an additional charge to obtain it, which has been included in the proposal. The warranty also does not provide coverage of consequential damages resulting from leaks caused by any defects covered under the warranty.

Based on this scope of work, the total base price for Duro-Last to complete the City of Sandusky WWTP Tank #2 re-roofing project is \$47,709.89.

Attached is a detailed pricing summary. Prevailing wage rates do not apply. The base price is good for delivery for 60 days from the date of this proposal, after which the components of the base price are subject to price adjustment.

Any alterations or deviation from the scope of work involving extra costs including, but not limited to, additional materials and labor will be executed only upon written change-orders submitted to Duro-Last, which will result in an extra charge over this proposal.

The base price does not include any allowances for roof deck replacement or for other hidden damages.

The building owner is responsible for obtaining any necessary permits, engineering fees, or tests needed to meet state and local codes.

The base price includes performance and payment bonds. Any bonds for this project shall only apply for a one-year maintenance period commencing on the date of substantial completion of the project. Bond coverage shall not be extended to the 20-year warranty period subsequent to the one-year maintenance period.

The lead time for manufacturing your Duro-Last roof is five business days following receipt of the order. Transit time is one business day by commercial carrier from the Duro-Last manufacturing facility in Saginaw, Michigan.

Duro-Last Roofing and Tusing Builders are not responsible for the following:

- HVAC alteration and related utility work
- Lightning, lightning protection, or electrical alterations or recertification
- Satellite dishes or antenna recalibration
- Removal of material containing asbestos or asbestos testing
- Ponded water due to previous existing substrate conditions

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard roofing practices and in accordance with Duro-Last published specifications. Duro-Last Roofing shall not be responsible for delays relating to weather, accidents, or other events beyond our control.

If this proposal is accepted, the Duro-Last TIPS price schedule, terms, and conditions will be applied. In addition:

- The City of Sandusky's TIPS membership will need to be verified.

- A purchase order and tax exempt certificate will need to be issued to Duro-Last Roofing.
- The purchase order should be clearly marked "Per TIPS Contract".
- E-mail the purchase order in PDF format to TIPS at tipspo@tips-usa.com for review and approval.
- Duro-Last will issue a Notice to Proceed to Tusing Builders after receiving the approved purchase order from TIPS.

If you have any questions regarding this proposal, please contact me at (800) 248-0280, ext. 2223 or csauer@duro-last.com. If this proposal is acceptable, please sign below and return with the aforementioned documents.

City of Sandusky WWTP Tank #2 Re-Roofing Project Base Price: \$47,709.89

Approved By: _____

Title: _____

Date: _____

Best Regards,



Chenelle D. Sauer
Government Sales Administrator
Duro-Last Roofing, Inc.

cc: Dwayne Poore, Tusing Builders

SCOPE OF WORK

CITY OF SANDUSKY
WASTE WATER TREATMENT PLANT TANK #2
SANDUSKY, OHIO

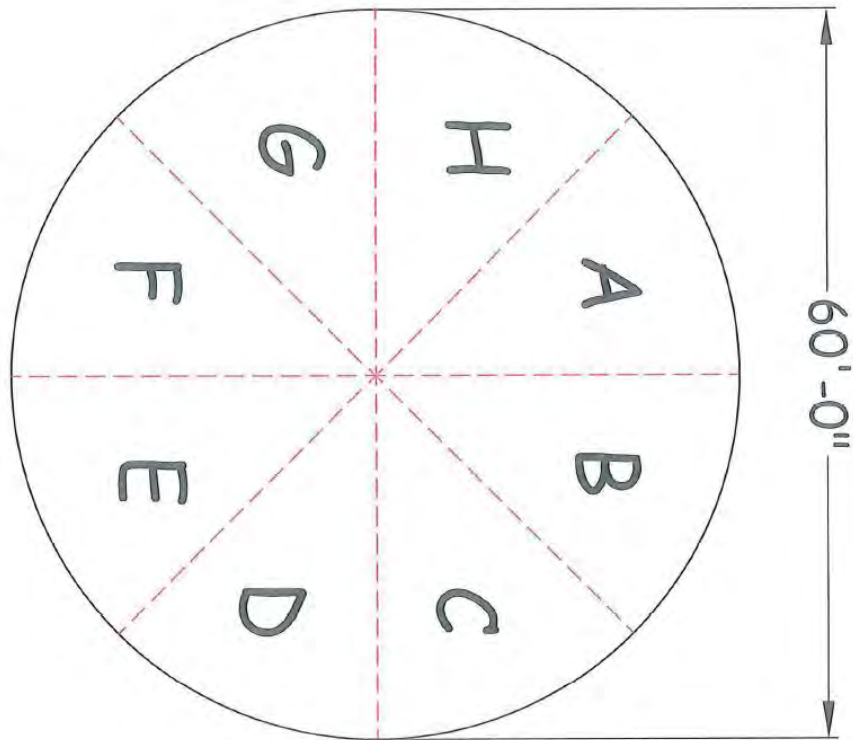
1. Remove and properly dispose of 2" of existing spray foam roofing.
2. Prepare roof surface for new Duro-Last roofing system per Duro-Last specifications.
3. Fully-adhere 2½" Duro-Guard polyisocyanurate insulation board over prepared surface using Duro-Grip CR-20 adhesive.
4. Install a custom prefabricated, reinforced 50-mil white membrane roofing system that is fabricated of a weft inserted, low-shrink, anti-wicking polyester fabric and has a thermoplastic coating of PVC material laminated to both sides as manufactured by Duro-Last Roofing, Inc. Membrane to be fully-adhered using a Duro-Last water-base adhesive.
5. Secure Duro-Last membrane to metal flange over the tank's edge with Duro-Last termination bar.
6. Install Duro-Last prefabricated flashings around all deck penetrations in accordance with Duro-Last Roofing specifications.
7. If required, any HVAC, plumbing, electrical, or other miscellaneous work that may need to be moved or disconnected and reconnected (other than normal roofing practice) will need to be done by others at building owner's expense. The cost of these services is not included in this proposal.
8. Building owner is responsible for obtaining any necessary permits, engineering fees, or tests needed to meet state and local codes.
9. Tusing Builders to provide dump and disposal fees. All debris will be disposed of in an approved facility in accordance with all local, state, and federal regulations. Jobsite to be cleaned daily.
10. Tusing Builders to provide safety equipment to comply with OSHA standards.
11. Provide a 20-year no-dollar-limit warranty which provides for the repair or replacement of the roofing system, and the labor to install it, in the event of a defect in the Duro-Last products. The Duro-Last 20-year NDL warranty does not contain a provision for coverage of consequential damages.
12. Duro-Last and Tusing Builders, are not responsible for existing building conditions such as, but not limited to, leaking walls, windows, gutters, interior drains, pipes, air conditioner equipment, electrical wiring, ducts, vents, fans, parapets, mansards, water lines, masonry walls, adjacent roofs, skylights, trim, existing water damage to the interior of the building (walls, ceilings, floors, etc.),

hidden conduit within or below the existing roofing system, or the existence of mold.

13. Any bonds for this project apply only to the one-year maintenance period commencing on the date of substantial completion. Bonds do not extend to the full 20-year warranty period.

Duro-Last/TIPS Project Bid Sheet				
Date:	5/15/2017		Warranty:	20-yr
Building Owner:	City of Sandusky		Mil:	50
Project Name:	WWTP Tank #2		DL Material SF:	3,760
Contractor Name:	Tusing Builders			
	Base Bid			
Duro-Last Gross Material	\$ 12,300.00			
TIPS Discount	\$ (861.00)			
Duro-Last Net Material	\$ 11,439.00			
Ancillary Services				
Demolition	\$ 4,139.00			
Supply Non Duro-Last Materials	\$ 1,000.00			
Installation Labor - Misc.	\$ 8,278.00			
Installation Labor - Duro-Last	\$ -			
Installation Labor - Insulation	\$ 8,278.00			
Installation Labor - Metal	\$ -			
Additional Labor	\$ 1,500.00			
Project Commencement	\$ 1,000.00			
Equipment Rental	\$ 1,725.00			
Total Ancillary Services	\$ 25,920.00			
Open Market Items	\$ -			
Contingency	\$ 6,000.00			
Other	\$ -			
Bonds	\$ 429.39			
Warranty Fees	\$ 338.40			
Duro-Last Administration Fees	\$ 3,583.10			
Bid Total	\$ 47,709.89			

Tanks #2-4
Verify all before ordering.



Legend Factory Field Curb Stack Walkpad	Drawn By: Ken Cloes Date: 4/4/17 Scale: N.T.S.	City of Sandusky Tanks #2-4 Sandusky, OH Tusing Builders			 525 E Morley Drive Saginaw, MI 48601 Fax: 989-758-6359 Phone: 800-248-0280 engineering@duro-last.com Project #: 59444
		Date	Revision	By	
		00/00/00	-	-	
		00/00/00	-	-	
		00/00/00	-	-	

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS FOR THE PURCHASE AND INSTALLATION OF A NEW ROOF FOR THE WASTEWATER TREATMENT PLANT (WWTP) DIGESTER #2 BUILDING FROM DURO-LAST ROOFING, INC., OF SAGINAW, MICHIGAN; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, The Interlocal Purchasing System (TIPS) program is a National Cooperative Purchasing Program designed for use by government entities which is offered by the Region VIII Education Service Center and through membership provides the utilization of competitively bid and awarded vendor contacts in a cooperative purchasing program specializing in the management of high quality cooperative procurement solutions; and

WHEREAS, the City of Sandusky as a member of The Interlocal Purchasing System (TIPS) desires to purchase a new roof that has been competitively bid and made available through the membership from Duro-Last Roofing, Inc., of Saginaw, Michigan, thereby providing the City the benefit of the negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, it is necessary to replace the spray foam roof over the Digester #2 building where seagulls and other birds have been punching the foam which has allowed water and moisture to get under the roof causing damage and issues; and

WHEREAS, the proposal received from Duro-Last provides for the Duro-Last roofing system and ancillary services, which will be provided by Tusing Builders of Monroeville, Ohio, and includes installation of new material along the roof's perimeter, new insulation over prepared surface, new 50-mil single-ply white membrane roofing system fabricated of weft coating, installation of prefabricated flashings around all roof penetrations, and a twenty (20) year No-Dollar-Limit (NDL) labor and material warranty; and

WHEREAS, the total cost for the purchase and installation of the new roof is \$47,709.89 and will be paid with Sewer Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to reduce the possibility of future damage to the structure and equipment; 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 the Municipal Departments, including the Department of Public Works, 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 expend funds for

the purchase and installation of a new roof for the Wastewater Treatment Plant (WWTP) Digester #2 Building through The Interlocal Purchasing System (TIPS) Program, Contract Number 2042816, from Duro-Last Roofing, Inc., of Saginaw, Michigan, at an amount **not to exceed** Forty Seven Thousand Seven Hundred Nine and 89/100 Dollars (\$47,709.89).

Section 2. 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 3. This 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 4. That for 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jeffrey Keefe, P.E.

Date: May 24, 2017

Subject: **Commission Agenda Item** –Wastewater Treatment Plant Digester #3 Roof Replacement

ITEM FOR CONSIDERATION: Requesting legislation authorizing the purchase and installation of a roof for the Wastewater Treatment Plant (WWTP) Digester #3 through The Interlocal Purchasing System (TIPS) Program from Duro-Last Roofing, Inc., of Saginaw, Michigan, with Ancillary Services being provided by Tusing Builders of Monroeville, Ohio.

BACKGROUND INFORMATION: This project will replace the spray foam roof over Digester #3 where seagulls and other birds have been punching the foam and allowing water and moisture to get under the current roof. This new roof system, with 50 mil membrane roofing material, has not experienced the same damage/issues from birds in similar settings. We believe this new system will provide for a more durable and sustainable roofing system.

This purchase would include all items listed on the attached quotation, including installing new material to attach the membrane along the roof's perimeter, new insulation over prepared surface, new 50-mil single-ply white membrane roofing system that is fabricated of a weft inserted, low-shrink, anti-wicking polyester fabric and a thermoplastic coating, installation of prefabricated flashings around all roof penetrations, and a 20 year No-Dollar-Limit (NDL) labor and material warranty.

Purchases would be made in accordance with The Interlocal Purchasing System (TIPS) Program, which allows local political subdivisions to purchase items that have been competitively bid from a successful vendor thereby giving the City the benefit of the programs competitively bid price and eliminating the necessity of formal bidding by the City. All unit prices are at or below the price in the TIPS Program. The city plans to replace other damaged roofs under this program.

BUDGETARY INFORMATION: The total cost for this project is \$51,633.91 for materials, removal of the old spray foam roof, delivery and installation, which would be paid from the Sewer Fund.

ACTION REQUESTED: It is requested that legislation be approved for the purchase and installation of a new roofing systems from Duro-Last Roofing, Inc., of Saginaw, Michigan, through The Interlocal Purchasing System (TIPS) Program using Duro-Last contract number 0242816 and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to reduce the possibility of future damage to the structure and equipment.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein, P.E.
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

May 15, 2017

Mr. Jeff Keefe
Assistant City Engineer
City of Sandusky Department of Public Works
304 Harrison Street
Sandusky, OH 44870
Tel: (419) 627-5875
jkeefe@ci.sandusky.oh.us

Re: Re-Roofing Project for the City of Sandusky Waste Water Treatment Tank #3 -
REVISED

Dear Mr. Keefe:

Duro-Last Roofing has developed the following revised pricing proposal to re-roof the City of Sandusky Waste Water Treatment Plant (WWTP) Tank #3 in Sandusky, Ohio. This pricing proposal was developed using Duro-Last's contract number 2042816 with The Interlocal Purchasing System (TIPS) and includes the total cost to purchase and install the Duro-Last roofing system.

This revised proposal includes a \$6,000 contingency. If the contingency is not needed, Duro-Last will not invoice for it.

Duro-Last will provide the Duro-Last roofing system and its installation to the City of Sandusky at RS Means pricing using the Lorain City Cost Index.

Installation of the Duro-Last roofing system will be provided by Tusing Builders of Monroeville, Ohio, a Duro-Last authorized contractor who has achieved Elite Contractor status with Duro-Last based on their quantity and quality of commercial installations.

Attached is the Duro-Last specification which defines the work that Duro-Last proposes to complete. When the installation is complete, a Duro-Last Technical Representative will inspect the installation for completeness and conformity to Duro-Last specifications. Following acceptance of the roof, Duro-Last will issue a warranty to the City of Sandusky.

The Duro-Last Roofing 20-year NDL warranty provides for the repair or replacement of the roofing system, and the labor to install it, in the event of a defect in the Duro-Last products. The 20-year NDL warranty does have an additional charge to obtain it, which has been included in the proposal. The warranty also does not provide coverage of consequential damages resulting from leaks caused by any defects covered under the warranty.

Based on this scope of work, the total base price for Duro-Last to complete the City of Sandusky WWTP Tank #3 re-roofing project is \$51,633.91.

Attached is a detailed pricing summary. Prevailing wage rates do not apply. The base price is good for delivery for 60 days from the date of this proposal, after which the components of the base price are subject to price adjustment.

Any alterations or deviation from the scope of work involving extra costs including, but not limited to, additional materials and labor will be executed only upon written change-orders submitted to Duro-Last, which will result in an extra charge over this proposal.

The base price does not include any allowances for roof deck replacement or for other hidden damages.

The building owner is responsible for obtaining any necessary permits, engineering fees, or tests needed to meet state and local codes.

The base price includes performance and payment bonds. Any bonds for this project shall only apply for a one-year maintenance period commencing on the date of substantial completion of the project. Bond coverage shall not be extended to the 20-year warranty period subsequent to the one-year maintenance period.

The lead time for manufacturing your Duro-Last roof is five business days following receipt of the order. Transit time is one business day by commercial carrier from the Duro-Last manufacturing facility in Saginaw, Michigan.

Duro-Last Roofing and Tusing Builders are not responsible for the following:

- HVAC alteration and related utility work
- Lightning, lightning protection, or electrical alterations or recertification
- Satellite dishes or antenna recalibration
- Removal of material containing asbestos or asbestos testing
- Ponded water due to previous existing substrate conditions

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard roofing practices and in accordance with Duro-Last published specifications. Duro-Last Roofing shall not be responsible for delays relating to weather, accidents, or other events beyond our control.

If this proposal is accepted, the Duro-Last TIPS price schedule, terms, and conditions will be applied. In addition:

- The City of Sandusky's TIPS membership will need to be verified.

- A purchase order and tax exempt certificate will need to be issued to Duro-Last Roofing.
- The purchase order should be clearly marked "Per TIPS Contract".
- E-mail the purchase order in PDF format to TIPS at tipspo@tips-usa.com for review and approval.
- Duro-Last will issue a Notice to Proceed to Tusing Builders after receiving the approved purchase order from TIPS.

If you have any questions regarding this proposal, please contact me at (800) 248-0280, ext. 2223 or csauer@duro-last.com. If this proposal is acceptable, please sign below and return with the aforementioned documents.

City of Sandusky WWTP Tank #3 Re-Roofing Project Base Price: \$51,633.91

Approved By: _____

Title: _____

Date: _____

Best Regards,



Chenelle D. Sauer
Government Sales Administrator
Duro-Last Roofing, Inc.

cc: Dwayne Poore, Tusing Builders

SCOPE OF WORK

CITY OF SANDUSKY
WASTE WATER TREATMENT PLANT TANK #3
SANDUSKY, OHIO

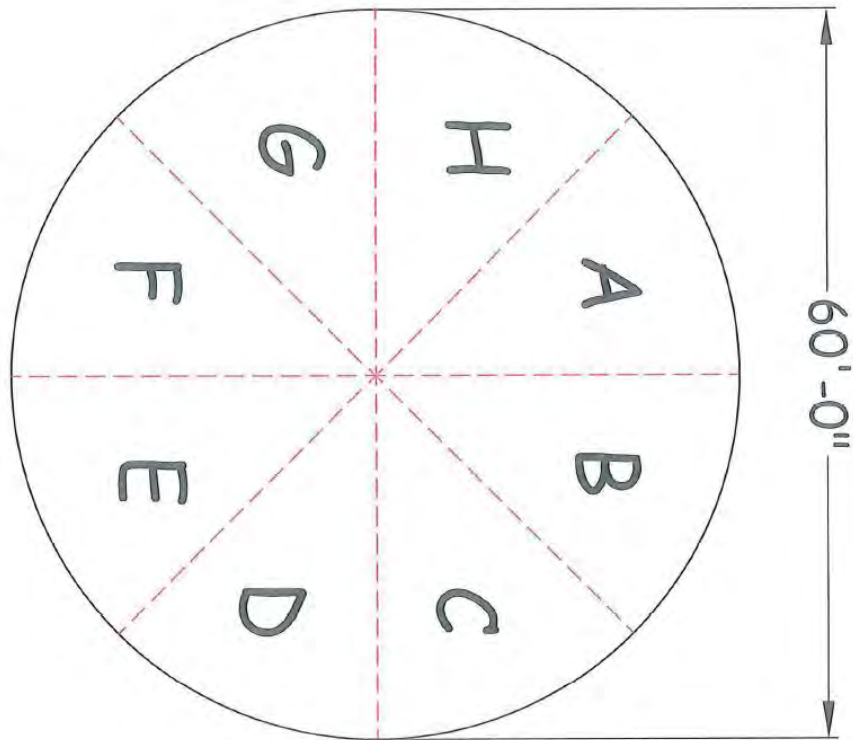
1. Remove and properly dispose of 2" of existing spray foam roofing.
2. Prepare roof surface for new Duro-Last roofing system per Duro-Last specifications.
3. Weld a 2¼" flat bar on edge of tank as needed. Apply primer to bar as needed.
 - a. The tank will need to be shut-down and any gases removed prior to welding.
4. Fully-adhere 2½" Duro-Guard polyisocyanurate insulation board over prepared surface using Duro-Grip CR-20 adhesive.
5. Install a custom prefabricated, reinforced 50-mil white membrane roofing system that is fabricated of a weft inserted, low-shrink, anti-wicking polyester fabric and has a thermoplastic coating of PVC material laminated to both sides as manufactured by Duro-Last Roofing, Inc. Membrane to be fully-adhered using a Duro-Last water-base adhesive.
6. Secure Duro-Last membrane to metal flange over the tank's edge with Duro-Last termination bar.
7. Install Duro-Last prefabricated flashings around all deck penetrations in accordance with Duro-Last Roofing specifications.
8. If required, any HVAC, plumbing, electrical, or other miscellaneous work that may need to be moved or disconnected and reconnected (other than normal roofing practice) will need to be done by others at building owner's expense. The cost of these services is not included in this proposal.
9. Building owner is responsible for obtaining any necessary permits, engineering fees, or tests needed to meet state and local codes.
10. Tusing Builders to provide dump and disposal fees. All debris will be disposed of in an approved facility in accordance with all local, state, and federal regulations. Jobsite to be cleaned daily.
11. Tusing Builders to provide safety equipment to comply with OSHA standards.
12. Provide a 20-year no-dollar-limit warranty which provides for the repair or replacement of the roofing system, and the labor to install it, in the event of a defect in the Duro-Last products. The Duro-Last 20-year NDL warranty does not contain a provision for coverage of consequential damages.
13. Duro-Last and Tusing Builders, are not responsible for existing building conditions such as, but not limited to, leaking walls, windows, gutters, interior

drains, pipes, air conditioner equipment, electrical wiring, ducts, vents, fans, parapets, mansards, water lines, masonry walls, adjacent roofs, skylights, trim, existing water damage to the interior of the building (walls, ceilings, floors, etc.), hidden conduit within or below the existing roofing system, or the existence of mold.

14. Any bonds for this project apply only to the one-year maintenance period commencing on the date of substantial completion. Bonds do not extend to the full 20-year warranty period.

Duro-Last/TIPS Project Bid Sheet				
Date:	5/15/2017		Warranty:	20-yr
Building Owner:	City of Sandusky		Mil:	50
Project Name:	WWTP Tank #3		DL Material SF:	3,760
Contractor Name:	Tusing Builders			
	Base Bid			
Duro-Last Gross Material	\$ 13,100.00			
TIPS Discount	\$ (917.00)			
Duro-Last Net Material	\$ 12,183.00			
Ancillary Services				
Demolition	\$ 4,139.00			
Supply Non Duro-Last Materials	\$ 1,000.00			
Installation Labor - Misc.	\$ 8,278.00			
Installation Labor - Duro-Last	\$ 2,850.00			
Installation Labor - Insulation	\$ 8,278.00			
Installation Labor - Metal	\$ -			
Additional Labor	\$ 1,500.00			
Project Commencement	\$ 1,000.00			
Equipment Rental	\$ 1,725.00			
Total Ancillary Services	\$ 28,770.00			
Open Market Items	\$ -			
Contingency	\$ 6,000.00			
Other	\$ -			
Bonds	\$ 464.71			
Warranty Fees	\$ 338.40			
Duro-Last Administration Fees	\$ 3,877.80			
Bid Total	\$ 51,633.91			

Tanks #2-4
Verify all before ordering.



Legend Factory Field Curb Stack Walkpad	Drawn By: Ken Cloes Date: 4/4/17 Scale: N.T.S.	City of Sandusky Tanks #2-4 Sandusky, OH Tusing Builders			 525 E Morley Drive Saginaw, MI 48601 Fax: 989-758-6359 Phone: 800-248-0280 engineering@duro-last.com Project #: 59444
	Duro-Last Roofing, Inc. is the supplier of the materials only. The proposed layout is based upon the information provided by the contractor and/or independent sales rep. Verification of local building codes, dimensions and quantities are the sole responsibility of the architect, installing contractor, independent sales rep. or owner's representative prior to ordering.	Date 00/00/00 00/00/00 00/00/00	Revision - - -	By - - -	

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS FOR THE PURCHASE AND INSTALLATION OF A NEW ROOF FOR THE WASTEWATER TREATMENT PLANT (WWTP) DIGESTER #3 BUILDING FROM DURO-LAST ROOFING, INC., OF SAGINAW, MICHIGAN; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, The Interlocal Purchasing System (TIPS) program is a National Cooperative Purchasing Program designed for use by government entities which is offered by the Region VIII Education Service Center and through membership provides the utilization of competitively bid and awarded vendor contacts in a cooperative purchasing program specializing in the management of high quality cooperative procurement solutions; and

WHEREAS, the City of Sandusky as a member of The Interlocal Purchasing System (TIPS) desires to purchase a new roof that has been competitively bid and made available through the membership from Duro-Last Roofing, Inc., of Saginaw, Michigan, thereby providing the City the benefit of the negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, it is necessary to replace the spray foam roof over the Digester #3 building where seagulls and other birds have been punching the foam which has allowed water and moisture to get under the roof causing damage and issues; and

WHEREAS, the proposal received from Duro-Last provides for the Duro-Last roofing system and ancillary services, which will be provided by Tusing Builders of Monroeville, Ohio, and includes installation of new material along the roof's perimeter, new insulation over prepared surface, new 50-mil single-ply white membrane roofing system fabricated of weft coating, installation of prefabricated flashings around all roof penetrations, and a twenty (20) year No-Dollar-Limit (NDL) labor and material warranty; and

WHEREAS, the total cost for the purchase and installation of the new roof is \$51,633.91 and will be paid with Sewer Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to reduce the possibility of future damage to the structure and equipment; 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 the Municipal Departments, including the Department of Public Works, 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 expend funds for

the purchase and installation of a new roof for the Wastewater Treatment Plant (WWTP) Digester #3 Building through The Interlocal Purchasing System (TIPS) Program, Contract Number 2042816, from Duro-Last Roofing, Inc., of Saginaw, Michigan, at an amount **not to exceed** Fifty One Thousand Six Hundred Thirty Three and 91/100 Dollars (\$51,633.91).

Section 2. 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 3. This 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 4. That for 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jeffrey Keefe, P.E.

Date: May 31, 2017

Subject: **Commission Agenda Item – Purchase and Application of Crack and Surface Seal for the 2017 Street Asphalt Sealing Program**

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City to expend funds for the purchase and application of crack and surface seal from Strawser Construction Inc., of Columbus, Ohio, through the ODOT Cooperative Purchasing Program for the 2017 Street Asphalt Sealing Program.

BACKGROUND INFORMATION: The 2017 Street Asphalt Sealing Program involves the crack sealing and surfacing sealing of several City Streets. City of Sandusky has selected a crack sealing product that is applied prior to the asphalt sealer. The asphalt sealer, Onyx®, is a mixture of polymer modified asphalt emulsion, quality “fine” aggregate, dark color enhancers, recycled materials and catalysts. Onyx® is designed to protect your investment, minimize the costs of future maintenance treatments and get traffic back on the roadways more quickly. The Onyx® surface treatment has a typical service life is 3 – 5 years. Asphalt Sealers are cost-effective and easy to apply with minimal impact on traffic flow and are an economical approach to pavement maintenance. I have attached information for the ODOT purchasing information, Cost Proposals, a list of street sections that will be sealed and a brochure for the Onyx product.

City Street Department staff will be performing isolated milling and filling prior to the crack sealing and Onyx® applications.

The City is fortunate with the passing of Issue 8 that funds can be allocated to maintain and prolong the initial asphalt pavement investments. This program will allow us to be proactive by using new technologies by extending the life of our streets and delaying the need to perform more costly repairs in the future.

BUDGETARY INFORMATION: The cost of this project is \$73,408.50 for materials and application, which would be paid for using Infrastructure dollars made possible by the passage of Issue 8.

ACTION REQUESTED: It is requested that legislation be approved for the purchase and application of crack sealing and Onyx® from Strawser Construction, Inc., of Columbus, Ohio, through the ODOT Cooperative Purchasing Program and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to be placed on the contractor’s schedule as they will be in the area working on other projects in July.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron Klein, P.E.
Director



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE - 1980 WEST BROAD STREET - COLUMBUS, OH 43223

JOHN R. KASICH, GOVERNOR - JERRY WRAY, DIRECTOR

April 3, 2017

Strawser Construction Inc
1392 Dublin Road
Columbus, OH 43215

Re: 101G-18

Asphalt Concrete, Bituminous Mixes, Equipment Rental, and Material Hauling

Dear Vendor:

Your bid proposal as submitted has been accepted by the Ohio Department of Transportation.

This Invitation permits multiple awarded vendors to provide Asphalt Concrete, Bituminous Mixes, Equipment Rental, and Material Hauling. The contract will be in effect from April 3, 2017 to February 28, 2018.

A purchase shall only take place upon the issuance of an official purchase order or the use of a payment card. There is no guarantee that purchase orders will be issued or that products will be ordered against issued purchase orders.

Thank you for bidding on our invitation. Jim Schurch is available for any assistance necessary to ensure that a quality partnership exists between your company and our Department. If you have any questions, please call (614) 644-7870 or (800) 459-3778.

Respectfully,

A handwritten signature in black ink, appearing to be "JW", is written over a horizontal line.

Jerry Wray
Director
Ohio Department of Transportation

JW:jas

c: file

CENTRAL OFFICE - 1980 WEST BROAD STREET - COLUMBUS, OH 43223

JOHN R. KASICH, GOVERNOR - JERRY WRAY, DIRECTOR



1392 Dublin Road-Columbus, OH 43215-Phone (614)276-5501-FAX (614)276-0570

"Professionals Dedicated to Preserving America's Roadways" and "Building Our Road to Safety Excellence"

Date: 6-1-2017

City of Sandusky-Erie County
222 Meigs Street
Sandusky, Ohio 44870

Project: Mastic Surface Seal Proposal

Dear City of Sandusky,

Strawser Construction Inc. is pleased to present the following proposal for your review.
We will furnish all labor, equipment and materials to complete the following scope of work:

Type of Work 1

Mastic Surface Seal on the attached roads

See Excel Sheet

Type of Work 2

Type of Work 3

Type of Work	Quantity	Unit of Measure	Unit Price	Extension
Mastic Surface Seal @ .30 Gal/SY	25,395	square yards	\$1.85	\$46,980.75
Traffic Control	1	Lump Sum		\$15,000.00
				\$0.00
Total Project Extension				<u>\$61,980.75</u>

Strawser Construction Inc., a subsidiary of Barrett Industries Corporation, is an equal opportunity/affirmative action employer.



1392 Dublin Road-Columbus, OH 43215-Phone (614)276-5501-FAX (614)276-0570

"Professionals Dedicated to Preserving America's Roadways" and "Building Our Road to Safety Excellence"

Conditions:

- * Proposed quantities are based on site conditions on: May-17
- * This proposal includes only the scope of work listed above. Any alteration or deviation from this scope of work may result in additional costs and must be contracted for in writing and signed by an authorized representative of Strawser Construction Inc.
- * All work shall be completed in a workmanlike manner according to standard practices and all materials are guaranteed as specified.
- * Prices are based on 1 mobilization. Work to be completed in 2017.
Unit Price items will be billed per installed quantities.
- * Terms are net 30 days from date of invoice.

Notes:

- * Existing pavement is expected to support the weight of normal construction loads.
- * Strawser Construction Inc. is not responsible for damage to finished surface by others including humans, animals or vehicles tracking fresh material.
- * Upon the awarding of the proposal, supply Strawser Construction Inc. with an Ohio Department of Taxation, Construction Contract Exemption Certificate, if applicable.
Work includes all Traffic Control, Mobilization, and Signage
- * Work does not include striping
Please call with any questions.

Thank you,

Zack Helm
Strawser Construction Inc.
25395

Approval:

The above prices, specifications and conditions are hereby accepted. Strawser Construction Inc. is to perform the work as specified. Acceptance indicates that funds are available for this work and payment will be made to Strawser Construction Inc. as outlined above.

Name	Title	Date
------	-------	------

Sales and Use Tax

Construction Contract Exemption Certificate

Identification of Contract:

Contractee's (owner's) name _____
Exact location of job/project _____
Name of job/project as it appears _____
on contract documentation _____

Project: Mastic Surface Seal Proposal
for incorporation into:

<input type="checkbox"/> A building used exclusively for charitable purposes by a nonprofit organization operated exclusively for (R.C.) section 5739.02 (8)(12);	<input type="checkbox"/> Real Property that is owned, or will be accepted for ownership at the time of completion, by the United States government, its agencies, the state of Ohio or an Ohio political subdivision;
<input type="checkbox"/> Real property under a construction contract with the Ma: United States government, its agencies, the State of See Ohio or an Ohio political subdivision;	<input type="checkbox"/> A computer data center entitled to exemption under R.C. 122.175;
<input type="checkbox"/> A horticulture structure of livestock structure for person engaged in business of horticulture or producing livestock;	<input type="checkbox"/> A building under a construction contract with an organization exempt from taxation under section 501(C)(3) of the Internal Revenue Code of 1986 when the building is to be used exclusively for the organization's exempt purposes;
<input type="checkbox"/> A house of public worship or religious education;	<input type="checkbox"/> A hospital facility entitled to exemption under R.C. section 140.08;
<input type="checkbox"/> The original construction of a sports facility under R.C. section 307.696;	<input type="checkbox"/> Building and construction materials and services sold for incorporation into real property comprising a convention center that qualifies for property tax exemption under R.C. 5709.084 (until one calendar year after the construction is completed).
<input type="checkbox"/> Real property outside this state if such materials and services, when sold to a construction contractor in the Ma: 25395 1.85 poration into real property in that state, would be exempt from a tax on sales levied by that state;	

The original of this certificate must be signed by the owner/contractee and/or government official and must be retained by the prime contractor. Copies must be maintained by the owner/contractee and all subcontractors. When copies are issued to suppliers when purchasing materials, each copy must be signed by the contractor or subcontractor making the purchase.

Prime Contractor

Name Strawser Construction Inc.
Signed by _____
Title _____
Street address 1392 Dublin Road
City, state, ZIP Columbus, OH 43215
Date _____

Subcontractor

Name _____
Signed by _____
Title _____
Street address _____
City, state, ZIP _____
Date _____

Owner/Contractee

Name _____
Signed by _____
Title _____
Street address _____
City, state, ZIP _____
Date _____

Political Subdivision

Name _____
Signed by _____
Title _____
Street address _____
City, state, ZIP _____
Date _____



OHIO DEPARTMENT OF TRANSPORTATION

CENTRAL OFFICE - 1980 WEST BROAD STREET - COLUMBUS, OH 43223

JOHN R. KASICH, GOVERNOR - JERRY WRAY, DIRECTOR

April 3, 2017

Strawser Construction Inc
1392 Dublin Road
Columbus, OH 43215

Re: 101L-18
Liquid Asphalt

Dear Vendor:

Your bid proposal as submitted has been accepted by the Ohio Department of Transportation.

This Invitation permits multiple awarded vendors to provide Liquid Asphalt. The contract will be in effect from April 3, 2017 to March 31, 2018.

A purchase shall only take place upon the issuance of an official purchase order or the use of a payment card. There is no guarantee that purchase orders will be issued or that products will be ordered against issued purchase orders.

Thank you for bidding on our invitation. Jim Schurch is available for any assistance necessary to ensure that a quality partnership exists between your company and our Department. If you have any questions, please call (614) 644-7870 or (800) 459-3778.

Respectfully,

A handwritten signature in black ink, appearing to read "Jerry Wray", is positioned above the typed name.

Jerry Wray
Director
Ohio Department of Transportation

JW:jas

c: file

CENTRAL OFFICE - 1980 WEST BROAD STREET - COLUMBUS, OH 43223
JOHN R. KASICH, GOVERNOR - JERRY WRAY, DIRECTOR



1392 Dublin Road-Columbus, OH 43215-Phone (614)276-5501-FAX (614)276-0570

"Professionals Dedicated to Preserving America's Roadways" and "Building Our Road to Safety Excellence"

Date: 5-30-17

City of Sandusky-Erie County
222 Meigs Street
Sandusky, Ohio 44870

Project: 2017 Crack Seal Proposal

Dear City of Sandusky,

Strawser Construction Inc. is pleased to present the following proposal for your review.
We will furnish all labor, equipment and materials to complete the following scope of work:

Type of Work 1

ODOT Type 2 crack seal on the attached roads

Type of Work 2

Type of Work 3

Type of Work	Quantity	Unit of Measure	Unit Price	Extension
ODOT Type 2 Crack Seal	25,395	square yards	\$0.45	\$11,427.75
				\$0.00
				\$0.00
Total Project Extension				<u><u>\$11,427.75</u></u>

Strawser Construction Inc., a subsidiary of Barrett Industries Corporation, is an equal opportunity/affirmative action employer.



1392 Dublin Road-Columbus, OH 43215-Phone (614)276-5501-FAX (614)276-0570

"Professionals Dedicated to Preserving America's Roadways" and "Building Our Road to Safety Excellence"

Conditions:

- * Proposed quantities are based on site conditions on: May-17
- * This proposal includes only the scope of work listed above. Any alteration or deviation from this scope of work may result in additional costs and must be contracted for in writing and signed by an authorized representative of Strawser Construction Inc.
- * All work shall be completed in a workmanlike manner according to standard practices and all materials are guaranteed as specified.
- * Prices are based on 1 mobilization. Work to be completed in 2017.
- * Unit Price items will be billed per installed quantities.
- * Terms are net 30 days from date of invoice.

Notes:

- * Existing pavement is expected to support the weight of normal construction loads.
 - * Strawser Construction Inc. is not responsible for damage to finished surface by others including humans, animals or vehicles tracking fresh material.
 - * Upon the awarding of the proposal, supply Strawser Construction Inc. with an Ohio Department of Taxation, Construction Contract Exemption Certificate, if applicable.
 - * Work includes all Traffic Control, Mobilization, and Signage
 - * Work does not include striping
- Please call with any questions.

Thank you,

Zack Helm
Strawser Construction Inc.
937-657-9527
Zack.Helm@Strawserconst.com

Approval:

The above prices, specifications and conditions are hereby accepted. Strawser Construction Inc. is to perform the work as specified. Acceptance indicates that funds are available for this work and payment will be made to Strawser Construction Inc. as outlined above.

Name	Title	Date
------	-------	------

Sales and Use Tax

Construction Contract Exemption Certificate

Identification of Contract:

Contractee's (owner's) name _____
Exact location of job/project _____
Name of job/project as it appears _____
on contract documentation _____

The undersigned hereby certifies that the tangible personal property purchased under this exemption certificate was purchased for incorporation into:

<input type="checkbox"/> A building used exclusively for charitable purposes by a nonprofit organization operated exclusively for (R.C.) section 5739.02 (8)(12);	<input type="checkbox"/> Real Property that is owned, or will be accepted for ownership at the time of completion, by the United States government, its agencies, the state of Ohio or an Ohio political subdivision;
<input type="checkbox"/> Real property under a construction contract with the United States government, its agencies, the State of Ohio or an Ohio political subdivision;	<input type="checkbox"/> A computer data center entitled to exemption under R.C. 122.175;
<input type="checkbox"/> A horticulture structure of livestock structure for person engaged in business of horticulture or producing livestock;	<input type="checkbox"/> A building under a construction contract with an organization exempt from taxation under section 501(C)(3) of the Internal Revenue Code of 1986 when the building is to be used exclusively for the organization's exempt purposes;
<input type="checkbox"/> A house of public worship or religious education;	<input type="checkbox"/> A hospital facility entitled to exemption under R.C. section 140.08;
<input type="checkbox"/> The original construction of a sports facility under R.C. section 307.696;	<input type="checkbox"/> Building and construction materials and services sold for incorporation into real property comprising a convention center that qualifies for property tax exemption under R.C. 5709.084 (until one calendar year after the construction is completed).
<input type="checkbox"/> Real property outside this state if such materials and services, when sold to a construction contractor in the state in which the real property is located for incorporation into real property in that state, would be exempt from a tax on sales levied by that state;	

The original of this certificate must be signed by the owner/contractee and/or government official and must be retained by the prime contractor. Copies must be maintained by the owner/contractee and all subcontractors. When copies are issued to suppliers when purchasing materials, each copy must be signed by the contractor or subcontractor making the purchase.

Prime Contractor

Name Strawser Construction Inc.
Signed by _____
Title _____
Street address 1392 Dublin Road
City, state, ZIP Columbus, OH 43215
Date _____

Subcontractor

Name _____
Signed by _____
Title _____
Street address _____
City, state, ZIP _____
Date _____

Owner/Contractee

Name _____
Signed by _____
Title _____
Street address _____
City, state, ZIP _____
Date _____

Political Subdivision

Name _____
Signed by _____
Title _____
Street address _____
City, state, ZIP _____
Date _____

2017 Street Asphalt Seal Project - June 1, 2017

Street	To	From	PCI 2015	PCI 2017	FT	SY	Condition
Hayes	Taylor	N Depot	87	79	105.26	398	good
Hayes	Polk	W Osborne	80	72	444.56	1778	good
Columbus	Farwell	44th	85	77	307.52	1230	good
Columbus	44th	Cowdery	79	71	155.65	692	good
Columbus	Cowdery	42nd	81	74	150.06	634	good
W Madison	Camp	Shelby	75	67	644.29	1861	Fair
W Madison	Lawrence	Central	83	75	370.47	1070	Fair
Poplar	Fulton	W Monroe	79	71	589.6	1900	good
Poplar	Lawrence	Central	79	71	549.39	1465	fair
Fulton	W Monroe	Poplar	84	76	418.48	1069	good
Shelby	W Monroe	W Madison	80	72	465.04	1343	good
Shelby	W Madison	W Jefferson	78	70	470.38	1359	good
Shelby	W Adams	W Washington	78	70	499.16	1553	good
W Adams	Shelby	Camp	83	75	268.06	774	good
W Adams	Shelby	McDonough	77	69	468.54	1458	good
W Adams	McDonough	Lawrence	82	74	470..37	1463	good
Huntington	Wamajo	Roosevelt	71	63	1747.25	4271	good
Huntington	Lake Shore	Wamajo	78	70	440.45	1077	good

CS 25,395
 ONYX 25,395



Axys®/Onyx®

Mastic Surface Treatment



SEAL Asphalt Surfaces

LOCK DOWN Chip Seal Surfaces

EXTEND Pavement Service Life

PRESERVE Your Investment



SCI Strawser
Construction
Inc.

Professionals Dedicated to
Preserving America's Roadways

www.strawserconstruction.com



Axys®/Onyx®

Mastic Surface Treatment

PRODUCT OVERVIEW

Axys®/Onyx® or “Mastic Surface Treatment”, combines the durability you want from a pavement maintenance application with frictional characteristics achieved through aggregate inclusion. Axys®/Onyx® can improve the micro-texture on a variety of Asphalt Surfaces, or “lock down” loose aggregate and eliminate dust associated with Chip Seal Surfaces.

PRODUCT DESCRIPTION

Axys®/Onyx®, installed at 0.20-0.25 gallons/square yard, is a mixture of polymer modified asphalt emulsion, quality “fine” aggregate, dark color enhancers and breaking and setting additives. Axys®/Onyx® is designed to protect your investment, minimize the costs of future maintenance treatments and get traffic back on the roadways more quickly.

PRODUCT FEATURES AND BENEFITS

- **ECOLOGICAL** – no offensive coal tar seal smell
- **FRICTION** – aggregate inclusion within polymer modified emulsion
- **LONG SERVICE LIFE** – typical service life expectancy is 3-5 years
- **LONG LASTING DARK COLOR** – resists UV damage to remain dark for the life of the product

Strawser Construction, Inc.

1392 Dublin Road
Columbus, OH 43215

Tel: 614.276.5501
Fax: 614.276.0570



*Professionals Dedicated to
Preserving America's Roadways*

www.strawserconstruction.com

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS FOR THE PURCHASE AND APPLICATION OF CRACK AND SURFACE SEAL FROM STRAWSER CONSTRUCTION INC., OF COLUMBUS, OHIO, THROUGH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM FOR THE 2017 STREET ASPHALT SEALING PROGRAM; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission authorized the City’s participation in the Ohio Department of Transportation’s Cooperative Purchasing Program by Ordinance No. 16-133, passed on August 8, 2016, as a requirement for participation is that a certified copy of a Resolution shall be filed with ODOT every two years; and

WHEREAS, the 2017 Street Asphalt Sealing Program involves the crack sealing and surfacing sealing of the following streets:

<u>Street</u>	<u>To</u>	<u>From</u>	<u>Street</u>	<u>To</u>	<u>From</u>
Hayes	Taylor	N Depot	Fulton	W Monroe	Poplar
Hayes	Polk	W Osborne	Shelby	W Monroe	W Madison
Columbus	Farwell	44th	Shelby	W Madison	W Jefferson
Columbus	44th	Cowdery	Shelby	W Adams	W Washington
Columbus	Cowdery	42nd	W Adams	Shelby	Camp
W Madison	Camp	Shelby	W Adams	Shelby	McDonough
W Madison	Lawrence	Central	W Adams	McDonough	Lawrence
Poplar	Fulton	W Monroe	Huntington	Wamajo	Roosevelt
Poplar	Lawrence	Central	Huntington	Lake Shore	Wamajo

WHEREAS, the crack sealing is applied prior to the asphalt sealer, Onyx®, which is a mixture of polymer modified asphalt emulsion, quality “fine” aggregate, dark color enhancers, recycled materials and catalysts and is designed to protect and minimize the costs of future maintenance treatments and is cost-effective and easy to apply with minimal impact on traffic flow and an economical approach to pavement maintenance; and

WHEREAS, the crack and surface seal is available from Strawser Construction Inc., of Columbus, Ohio, through the State of Ohio Department of Transportation Cooperative Purchasing Program thereby, allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of any further bidding process; and

WHEREAS, the total cost for the purchase and application of the crack and surface seal is \$73,408.50 and will be paid with Issue 8 Infrastructure Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to be placed on the contractor’s schedule as they will be in the area working on other projects in July; 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 the Municipal Departments, including the Department of Public Works, 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 expend funds for the purchase and application of crack and surface seal from Strawser Construction Inc., of Columbus, Ohio, through the State Of Ohio Department Of Transportation Cooperative Purchasing Program, Contracts 101G-18 and 101L-18, for the 2017 Street Asphalt Sealing Program, at an amount **not to exceed** Seventy Three Thousand Four Hundred Eight and 50/100 Dollars (\$73,408.50).

Section 2. 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 3. This 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 4. That for 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: May 31, 2017

Subject: **Commission Agenda Item – Lincoln Street Water and Sewer Replacement Project**

ITEM FOR CONSIDERATION: Ordinance awarding a contract to Ed Burdue & Co. for the Lincoln Street Water and Sewer Replacement Project from Shelby Street to Pearl Street

BACKGROUND INFORMATION: The existing waterline on Lincoln Street is currently a four inch line that has experienced several main breaks over the last few years. The proposed work will involve replacing the existing four inch line from Shelby Street to Pearl Street with a new 8" waterline and new water services to the meter pits.

The existing sewer line on Lincoln Street is currently a six inch VIT (vitrified clay pipe) line that is in poor condition along with the existing brick manholes. Both the sewer lines and manholes require replacement with a new 8" sewer line and precast manhole structures. The sewer lateral services will be reconnected to the new sewer line. Once the underground utility work is completed, concrete sidewalks, curbs and curb ramps will be removed and replaced as needed. The street will then be milled and resurfaced with a new asphalt surface.

The following four bids were received on May 6, 2017. Two of bids did not contain the proper bid guaranty per Article 6.1 and are rejected as being nonresponsive.

Tap Construction Sandusky, Ohio	\$159,675.52 Personal check for 10% of bid-nonresponsive
Ed Burdue & Co. Sandusky, Ohio	\$160,907.70 100% Bid Bond
Great Lake Demolition Co. Vickery, Ohio	\$174,303.12 Bond-10% of Bid Amount-nonresponsive
Cash Services Millbury, Ohio	\$190,125.08 100% Bid Bond

The engineer's estimate was \$170,000.00. Ed Burdue & Co. has been determined to be the lowest and best bidder. The Local Preference ordinance was used to evaluate bids.

BUDGETARY INFORMATION: The estimated cost of the project, including engineering, inspection, advertising, and miscellaneous costs is \$176,998.47 and will be paid with Water Funds in the amount of \$126,430.37 and Sewer Funds in the amount of \$50,568.10.

ACTION REQUESTED: It is requested that an Ordinance be awarded for the construction contract to Ed Burdue & Co., Sandusky, Ohio in the amount of \$160,907.70 and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City in order to complete the project in this year's construction season.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron Klein, P.E.
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & CO. OF SANDUSKY, OHIO, FOR THE LINCOLN STREET WATER AND SEWER REPLACEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity to proceed with the proposed Lincoln Street Water and Sewer Replacement Project by Resolution No. 018-17R, passed on March 13, 2017; and

WHEREAS, the Lincoln Street Water and Sewer Replacement Project involves the replacement of the existing four (4) inch waterline on Lincoln Street, from Shelby Street to Pearl Street, which has experienced several main breaks over the last few years, with new eight (8) inch waterline, and the project also includes replacement of manholes; and

WHEREAS, upon public competitive bidding as required by law two (2) appropriate bids and two (2) non-responsive bids were received and the bid from Ed Burdue & Co. of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost of this project based on bids, including advertising and miscellaneous costs is \$176,998.47 and will be paid with Water Funds in the amount of \$126,430.37 and Sewer Funds in the amount of \$50,568.10; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the project to be completed prior to the end of this construction season; 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 the Municipal Departments, including the Department of Public Services, 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 a contract with Ed Burdue & Co., of Sandusky, Ohio, for the Lincoln Street Water and Sewer Replacement Project in an amount **not to exceed** One Hundred Sixty Thousand Nine Hundred Seven and 70/100 Dollars (\$160,907.70) consistent with the bid submitted by Ed Burdue & Co., of Sandusky, Ohio, currently on file in the office of the Director of Public Works.

Section 2. 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 3. 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



DEPARTMENT OF PUBLIC WORKS

AARON M. KLEIN, P.E.
Director

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
aklein@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jeffrey Keefe, P.E.

Date: June 2, 2017

Subject: **Commission Agenda Item – 2017 Lions Park Retrofit Project – Awarding Contract**

ITEM FOR CONSIDERATION: Ordinance awarding a contract to Precision Paving, Inc. Milan, Ohio for the 2017 Lions Park Retrofit Project.

BACKGROUND INFORMATION: The City of Sandusky has received a Great Lakes Restoration Initiative (GLRI) grant from the US EPA to retrofit Lions Park utilizing best management practices (BMPs) for “green” infrastructure. The City of Sandusky is committed to doing our part to keep our greatest natural resources, Sandusky Bay and Lake Erie, as clean as possible.

The Lions Park Retrofit Project involves the reconstruction of the parking lot and improving the green spaces, both of which include “green” infrastructure components that are listed as eligible activities under this grant, activities include rain gardens, tree plantings, greenways, and bio-infiltration. An overall plan is attached to show this project’s improvements.

The following bid was received on May 31, 2017.

Precision Paving	\$571,258.57 Base Bid
Milan, Ohio	\$ 50,000.00 Alternate Bid Item 1
100% Bid Bond	\$621,258.57 Total Bid

The engineer’s estimate was \$656,000.00. Precision Paving, Inc. has been determined to be the lowest and best bidder.

BUDGETARY INFORMATION: The total cost of the project based on bids (\$571,258.57), including engineering (completed \$59,880), inspection (by City Staff), and advertising (\$178.30) is \$631,316.87. The construction cost of \$571,258.57 is broken down by the following. \$150,010.00 being paid for by the GLRI Grant, \$125,000 from sewer funds, \$56,000 from street resurfacing and \$240,248.57 shall be paid for using Infrastructure dollars made possible by the passage of Issue 8. This estimate did not include Alternate A1.

ACTION REQUESTED: It is requested that an Ordinance be awarded for the construction contract to Precision Paving, Inc. Milan, Ohio in the amount of \$571,258.57 (base bid only) and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City in order for the project to be completed prior to the asphalt plants closing at the end of the fall construction season.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein, P.E.
Director



LIONS PARK PARKING LOT GREEN INFRASTRUCTURE RETROFIT

CITY OF SANDUSKY



100% CONSTRUCTION DOCUMENTS

DATE: _____

[illegible]

PROJECT NO.:	16-00124-020
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DRAWN BY: HAH/SDK

CHECKED BY:	HAH
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DATE ISSUED:	2017/03/24
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SITE LANDSCAPE PLAN OVERALL

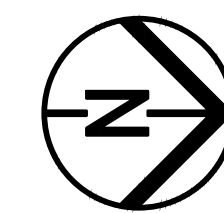
L1.0

LANDSCAPE NOTES

1. CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS IN THE FIELD PRIOR TO BEGINNING WORK. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO UTILITIES ASSOCIATED WITH WORK. UTILITIES SHALL BE REPAIRED TO SATISFACTION OF THE UTILITY OWNER AND/OR OPERATING AUTHORITY AT NO ADDITIONAL COST.
2. IN CASE OF DISCREPANCIES BETWEEN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE. IF IN QUESTION, CONTACT THE LANDSCAPE ARCHITECT.
3. FINAL PLACEMENT OF PLANT MATERIALS, ETC. SHALL BE APPROVED BY LANDSCAPE ARCHITECT BEFORE PLANTING OPERATIONS ARE TO PROCEED.
4. NO SUBSTITUTIONS OF PLANT MATERIAL WILL BE ALLOWED. IF PLANTS ARE UNAVAILABLE, THE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT PRIOR TO BID DATE IN WRITING. ALL PLANTS SHALL BE INSPECTED AND TAGGED WITH PROJECT IDENTIFICATION AT NURSERY OR CONTRACTOR'S OPERATION PRIOR TO MOVING TO JOB SITE. PLANTS MAY ALSO BE INSPECTED AND APPROVED OR REJECTED ON THE JOB SITE.
5. ALL PLANTS ARE TO MEET OR EXCEED AMERICAN STANDARDS FOR NURSERY STOCK, 2004 EDITION, AS SET FORTH BY AMERICAN ASSOCIATION OF NURSERMEN.
6. MAINTENANCE OF PLANT MATERIALS IS THE RESPONSIBILITY OF THE CONTRACTOR UNTIL PLANT MATERIALS ARE ACCEPTED BY OWNER. MAINTENANCE INCLUDES BUT IS NOT LIMITED TO WATERING, WEEDING, PEST CONTROL, AND OTHER ACTIONS AS REQUIRED TO MAINTAIN PLANT MATERIALS IN A HEALTHY CONDITION.
7. ALL NEW LANDSCAPE PLANTINGS SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FOLLOWING FINAL INSPECTION BY LANDSCAPE ARCHITECT. AT END OF THIS PERIOD, PLANT MATERIAL DEEMED DEAD OR UNSATISFACTORY BY LANDSCAPE ARCHITECT SHALL BE REPLACED AT NO ADDITIONAL CHARGE BY THE LANDSCAPE CONTRACTOR.
8. SEED ALL DISTURBED AREAS WITH LAWN SEED (ITEM 659, CLASS 1), UNLESS PLAN SHOWS OTHER MATERIALS.
9. MEADOW SEEDING AREA ON THE WEST SIDE OF THE LIONS PARK SITE WILL BE CONFIRMED IN THE FIELD BY THE CITY OF SANDUSKY. THE APPROXIMATE AREA AND SIZE OF THE ADDITIONAL MEADOW AREA IS SHOWN ON SHEET L1.2.

LEGEND

- CONSTRUCTION LIMITS/CONSTRUCTION FENCE
- EXISTING TREES
- STREET/SHADE TREE (BY CITY, N.I.C.)
- SHRUBS
- PERENNIALS / ORNAMENTAL GRASSES
- SOD



0 40 80

GRAPHIC SCALE IN FEET

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PRECISION PAVING, INC., OF MILAN, OHIO, FOR THE LIONS PARK RETROFIT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity to proceed with the proposed Lions Park Retrofit Project by Resolution No. 027-17R, passed on May 8, 2017; and

WHEREAS, the Lions Park Retrofit Project involves the reconstruction of the parking lot and improving the green spaces, both of which include “green” infrastructure components that are listed as eligible activities under the grant, and potential activities include rain gardens, tree plantings, greenways, and bio-infiltration; and

WHEREAS, this City Commission authorized the submission of an application for financial assistance with the U.S. Environmental Protection Agency for the 2015 Great Lakes Shoreline Cities Green Infrastructure grant through the Great Lakes Restoration Initiative (GLRI) for proposed projects at Lions Park by Resolution No. 012-16R, passed on February 22, 2016, and subsequently was awarded funds; and

WHEREAS, this City Commission authorized the directed the City Manager to enter into an agreement for Professional Design Services with Environmental Design Group, LLC, of Akron, Ohio, for the Lions Park Retrofit Project by Resolution No. 16-202, passed on November 14, 2016; and

WHEREAS, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid from Precision Paving, Inc., of Milan, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost of this project based on bids, including engineering, inspection, advertising and miscellaneous expenses is \$631,316.87 and the construction portion of the cost is \$571,258.57 of which \$150,010.00 will be paid with GLRI grant funds, \$125,000.00 will be paid with Sewer Funds, \$56,000.00 will be paid with Street Resurfacing Funds and the remaining balance of \$240,248.57 will be paid with Issue 8 Infrastructure Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the contractor to begin work and complete the project prior to the asphalt plants closing at the end of the Fall construction season; 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 the Municipal Departments, including the Department of Public Services, 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 a contract with Precision Paving, Inc., of Milan, Ohio, for the Lions Park Retrofit Project in an amount **not to exceed** Five Hundred Seventy One Thousand Two Hundred Fifty Eight and 57/100 Dollars (\$571,258.57) consistent with the bid submitted by Precision Paving, Inc., of Milan, Ohio, currently on file in the office of the Director of Public Works.

Section 2. 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 3. 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



Department of Public Services

Brad Link, Director
blink@ci.sandusky.oh.us

1024 Cement Ave.
Sandusky, OH 44870
Phone: 419.627.5984

Fleet Maintenance
Horticultural Services
Oakland Cemetery & Memorial Park
Property & Grounds Maintenance

TO: Eric Wobser, City Manager

FROM: Troy Vaccaro, Fleet Maintenance Chief Foreman

DATE: 5/31/17

SUBJECT: Commission Agenda Item

ITEM FOR CONSIDERATION: Requesting legislation to purchase one (1) new 2017 Chevrolet Tahoe 4WD through the State of Ohio's Cooperative Purchasing Program, from Byers Auto of Grove City, Ohio, for the Fire Department, at an amount not to exceed \$35,689.

BACKFROOUND INFORMATION: The above listed truck is available through the State of Ohio Department of Administrative Services Cooperative Purchasing program, contract # RS901017, item #5.

The new truck will replace the current Fire Command vehicle, a 2003 Chevrolet Suburban 4WD with 61,000 miles. The current 2003 Suburban will be retained and used to replace a 2000 Ford F-150, Vin #1FTPX17LOYKB31414, 89,000 miles, that is used daily for fire inspection. I have determined that the 2000 Ford F-150 has exceeded expected life cycle and should not be reassigned to another department due to corrosion issues. The 2000 F-150 will be auctioned on Gov Deals with the proceeds of the sales being deposited into the Fire Department EMS Fund.

The life expectancy of the new vehicle will be 15 years or 150,000 miles.

BUDGETARY INFORMATION: Sandusky Fire Department EMS funds will be used to pay for this truck.

ACTION REQUESTED: It is requested that the proper legislation be prepared declaring the Ford F-150 unnecessary and unfit for City use and approval to purchase one (1) 2017 Chevrolet Tahoe 4WD from Byers Auto, of Grove City Ohio, in an amount not to exceed \$35,689. It is further requested that the legislation be passed under suspension of the rules in full accordance with Section 14 of the City Charter in order to purchase this Tahoe, which is currently available and in stock, as the State contract has expired and new orders cannot be placed.

I concur with this recommendation:

Brad Link, Director of Public Services

Eric Wobser, City Manager

ORDINANCE NO. _____

AN ORDINANCE DECLARING A 2000 FORD F-150 TRUCK AS UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE A 2017 CHEVROLET 4-WHEEL DRIVE TAHOE FROM BYERS AUTO OF GROVE CITY, OHIO, THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM FOR THE STREET DEPARTMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, it has been determined by the Fleet Maintenance Chief Foreman that the 2000 Ford F-150 truck, VIN No. 1FTPX17LOYKB31414, that is used daily in the Fire Department for fire inspection, has corrosion issues and has exceeded its useful life expectancy and is no longer of any use to the City and is recommending this truck be declared obsolete, unnecessary and unfit for City use and be auctioned on the internet with the proceeds from the sale being deposited in the EMS Fund; and

WHEREAS, the 2000 Ford F-150 truck will be replaced by a 2003 Chevrolet Suburban 4-wheel drive currently used in the Fire Department and it is recommended to replace the 2003 Chevrolet Suburban with a 2017 Chevrolet 4-wheel drive Tahoe; and

WHEREAS, the 2017 Chevrolet Tahoe is available from Byers Auto of Grove City, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program thereby, allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, the total purchase price for the 2017 Chevrolet 4-Wheel Drive Tahoe is \$35,689.00 and will be paid with EMS Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to purchase this Tahoe, which is currently available and in stock, as the State Contract has expired and new orders cannot be placed; 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 the Municipal Departments, including the Department of Public Services, 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. This City Commission finds and determines that the 2000 Ford F-150 truck, VIN No. 1FTPX17LOYKB31414, is unnecessary and unfit for City use

pursuant to Section 25 of the City Charter and the City Manager is authorized and directed to dispose of this personal property no longer needed for City purposes through public auction, sale process or internet auction with the proceeds from sale to be deposited into the EMS Fund.

Section 2. The City Manager is authorized and directed to purchase a 2017 Chevrolet 4-Wheel Drive Tahoe from Byers Auto of Grove City, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, Contract #RS901017, at an amount **not to exceed** Thirty Five Thousand Six Hundred Eighty Nine and 00/100 Dollars (\$35,689.00).

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 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



Department Public Services

Brad Link, Director
blink@ci.sandusky.oh.us

Fleet Maintenance
Horticultural Services
Oakland Cemetery & Memorial Park
Property Maintenance

1024 Cement Ave.
Sandusky, OH 44870
Phone: 419.627.5984

To: Eric Wobser, City Manager

From: Troy Vaccaro, Fleet Maintenance Chief Foreman

Date: 5/25/17

RE: Commission Agenda Item

ITEM FOR CONSIDERATION: Legislation to purchase (2) new Ford Cab & Chassis trucks. The first truck is a F550 from Valley Ford Truck, of Cleveland, Ohio, for Horticulture Services. The other truck is a F450 4 Wheel Drive from Walt Sweeney Ford, of Cincinnati, Ohio, for the Street Department. The total amount of the purchases will be \$85,529.30.

BACKGROUND INFORMATION: The above listed trucks are available through the State of Ohio Department of Administrative Services Cooperative Purchasing program, contract # RS901017. The F550 is item #42AT and the F450 4 Wheel Drive is item #39AT.

The new F550 for the Horticulture Services Department is going to be used by the Forestry group. Once this truck is received it will be up fitted with a hydraulic crane and dump bed. The Department does have a similar truck at this time, a 1994 Ford F450 with a crane and dump, that has exceeded its useful lifecycle. The current truck will be retained at this point and used when necessary. The cost of this chassis will be \$34,036.80.

The F450 4 Wheel Drive truck will come up fitted with a Snow Plow and Dump body. This truck will be replacing a 2000 Dodge 3500 4 Wheel Drive dump truck with a snow plow, Vin # 3B6MF36WO1M276565, 80,000 miles. The Dodge 3500 is heavily rusted and can no longer be used as intended and I recommend disposing of this asset through the online action process. The revenue of this sale will be deposited into the Street Fund. The total cost of the new truck will be \$51,492.50.

The life expectancy of both new trucks will be 15 years or 150,000 miles.

Once the trucks have been ordered, the process for up fitting the Horticulture truck will begin.

BUDGETARY INFORMATION: Issue 8 Capital funds will be used to pay for these trucks.

ACTION REQUESTED: It is requested that the proper legislation be prepared declaring the Dodge 3500 unnecessary and unfit for City use. Approval is also requested for the following purchases: one Ford F550 Cab & Chassis from Valley Ford Trucks, of Cleveland, Ohio, in an amount not to exceed \$34,036.80 and one F450 Cab & Chassis that is up fitted with a dump body and snow plow, from Walt Sweeney Ford, of Cincinnati, Ohio, in an amount not to exceed \$51,492.50. It is further requested that the legislation be passed under suspension of the rules in full accordance with Section 14 of the City Charter to allow the order to be placed and receive the trucks as soon as possible so the trucks can be used as soon as possible.

Approved:

Eric Wobser, City Manager

Brad Link, Public Services Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE A 2017 FORD F550 CAB & CHASSIS TRUCK FROM VALLEY FORD TRUCK, OF CLEVELAND, OHIO, THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM FOR THE HORTICULTURE SERVICES DEPARTMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Horticulture Services Department currently has a 1994 Ford F450 truck with a crane and dump that has exceeded its useful life expectancy and it is recommended to replace this truck with a 2017 F550 Cab & Chassis truck that will be up-fitted with a hydraulic crane and dump bed to be used by the Forestry Division; and

WHEREAS, the 1994 Ford F450 truck will be retained and used when necessary; and

WHEREAS, the 2017 Ford F550 truck is available from Valley Ford Truck of Cleveland, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program thereby, allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, the total purchase price for the 2017 Ford F550 truck is \$34,036.80 and will be paid with Issue 8 funds from the Capital Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the truck to be ordered and received so the Horticulture Services Department can begin using the vehicle at the earliest opportunity; 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 the Municipal Departments, including the Department of Public Services, 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 purchase a 2017 Ford F550 cab & chassis truck from Valley Ford Truck of Cleveland, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, Contract #RS901017, at an amount **not to exceed** Thirty Four Thousand Thirty Six and 80/100 Dollars (\$34,036.80).

Section 2. 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 3. This 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 4. 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017

ORDINANCE NO. _____

AN ORDINANCE DECLARING A 2000 DODGE 3500 4-WHEEL DRIVE DUMP TRUCK AS UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE A 2017 FORD F450 4-WHEEL DRIVE CAB & CHASSIS TRUCK WITH A SNOW PLOW AND DUMP BODY FROM WALT SWEENEY FORD, OF CINCINNATI, OHIO, THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM FOR THE STREET DEPARTMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, it has been determined by the Fleet Maintenance Chief Foreman that the 2000 Dodge 3500 4-Wheel Drive Dump Truck with a snow plow, VIN No. 3B6MF36WO1M276565, that is used in the Street Department and is heavily rusted, has exceeded its useful life expectancy and is no longer of any use to the City and is recommending this truck be declared obsolete, unnecessary and unfit for City use and be auctioned on the internet with the proceeds from the sale being deposited in the Street Fund; and

WHEREAS, it is recommended to replace the 2000 Dodge 3500 4-Wheel Drive Dump Truck with a 2017 Ford F450 4-Wheel Drive truck with snow plow and dump body; and

WHEREAS, the 2017 Ford F450 4-Wheel Drive truck is available from Walt Sweeney Ford, of Cincinnati, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program thereby, allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, the total purchase price for the 2017 Ford F450 4-Wheel Drive truck is \$51,492.50 and will be paid with Issue 8 funds from the Capital Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the truck to be ordered and received so the Street Department can begin using the vehicle at the earliest opportunity; 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 the Municipal Departments, including the Department of Public Services, 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. This City Commission finds and determines that the 2000 Dodge 3500 4-Wheel Drive Dump Truck with a snow plow, VIN No.

3B6MF36WO1M276565, is unnecessary and unfit for City use pursuant to Section 25 of the City Charter and the City Manager is authorized and directed to dispose of this personal property no longer needed for City purposes through public auction, sale process or internet auction with the proceeds from sale to be deposited into the Street Fund.

Section 2. The City Manager is authorized and directed to purchase a 2017 Ford F450 4-Wheel Drive cab & chassis truck from Walt Sweeney Ford, of Cincinnati, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, Contract #RS901017, at an amount **not to exceed** Fifty One Thousand Four Hundred Ninety Two and 00/100 Dollars (\$51,492.50).

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 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017



COMMUNITY DEVELOPMENT
DIVISION OF PLANNING AND ZONING

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To: Eric Wobser, City Manager

From: Angela Byington, Planning Director

Date: June 1, 2017

Subject: **Commission Agenda Item – Permission to Rebid the Amtrak Depot Renovation Project**

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City to rebid the Amtrak Depot Renovation Project.

BACKGROUND INFORMATION: The Amtrak Depot Renovation Project was originally bid in May of 2017. This project involved general renovations to the building including, within the base bid: interior demolition, masonry, rough and finish carpentry, doors and windows, drywall and painting, heating and cooling and electrical for the Operation Manager's Office, information technology closet, driver staging area, dispatch area and customer reception area. The alternate bid includes construction related improvements for the conference room.

The City only received one bid for the project and the base bid and alternate bid was over 10% of the Engineer's estimated and therefore the bid was rejected. A revised Engineer's Estimate has been completed.

BUDGETARY INFORMATION: The Engineer's Cost Estimate, including base bid and alternate is \$59,270. The total estimated cost, including advertisement and miscellaneous costs is \$59,570.00, of which approximately 80% will be reimbursed with Ohio Transit Preservation Partnership Program (OTPPP) grant funds and the required local match of approximately 20% will be paid with local funds, which includes \$19,000 of grant monies from local foundations through Serving Our Seniors.

ACTION REQUESTED: It is recommended that the proposed Amtrak Depot Renovation Project be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to rebid the project, receive competitive prices and to complete the project as soon as possible to expedite the project as required by ODOT, due to the grant requirements.

I concur with this recommendation:

Eric Wobser
City Manager

Angela Byington
Planning Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; J. Harris, Law Director

RESOLUTION NO. _____

A RESOLUTION REPEALING RESOLUTION NO. 024-17R AND DECLARING THE NECESSITY FOR THE CITY OF SANDUSKY, OHIO, TO PROCEED WITH THE PROPOSED AMTRAK DEPOT RENOVATION AND MODERNIZATION PROJECT; APPROVING THE REVISED SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission authorized the filing of a grant application with the Ohio Department of Transportation (ODOT) for Ohio Transit Preservation Partnership Program (OTPPP) grant funds for the Sandusky Transit System by Resolution No. 001-12R, passed on January 23, 2012, and subsequently was awarded funds; and

WHEREAS, the proposed Amtrak Depot Renovation and Modernization Project involves general renovations and improvements to the Amtrak facility including interior demolition, masonry, rough and finish carpentry, doors and windows, drywall and painting, heating and cooling and electrical for the Operation Manager's Office, information technology closet, driver staging area, dispatch area and customer reception area and as has an alternate bid for construction related improvements for the conference room; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Amtrak Depot Renovation and Modernization Project by Resolution No. 024-17R, passed on April 10, 2017; and

WHEREAS, subsequent to advertisement according to law, one (1) bid was received which exceeded the Engineer's original estimate of cost by more than 10% and pursuant to §41 of the City Charter no contract can be awarded and therefore the bid was rejected which necessitates the rebid of the Amtrak Depot Renovation and Modernization Project; and

WHEREAS, upon further review of the project the Engineer's Estimate was revised; and

WHEREAS, the total revised estimated cost of this project including advertising and miscellaneous costs is \$59,570.00 of which approximately 80% will be reimbursed with Ohio Transit Preservation Partnership Program (OTPPP) grant funds and the required local match of 20% will be paid with grant funds from local foundations through Serving Our Seniors; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to rebid the project and receive competitive bids as soon as possible and expedite completion of the project as required by ODOT due to the grant requirements; 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 the Municipal Departments, including the Department of Community Development,

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 **Resolution** 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. That this City Commission hereby repeals Resolution No. 024-17R, passed on April 10, 2017.

Section 2. The revised specifications and estimates of cost as prepared by the City's Director of Public Works and submitted to this City Commission, and which are now on file with the Clerk of the City Commission, and the office of the City's Director of Public Works, for the proposed Amtrak Depot Renovation and Modernization Project, be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with the Amtrak Depot Renovation and Modernization Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the Amtrak Depot Renovation and Modernization Project as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution 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 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution 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 6. That for the reasons set forth in the preamble hereto, this Resolution 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.

DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: June 12, 2017