



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
SEPTEMBER 25, 2017
CITY HALL, 222 MEIGS STREET**

INVOCATION	D. Waddington
PLEDGE OF ALLEGIANCE	
ROLL CALL	
CALL TO ORDER	D. Waddington, D. Brady, N. Twine, D. Murray, G. Lockhart, W. Poole, N. Lloyd
APPROVAL OF MINUTES	September 11, 2017
AUDIENCE PARTICIPATION	
PUBLIC HEARING	Casey Sparks, Assistant Planner Rezoning Request for: 113 & 117 Neil Street, 118 Division Street and Parcel #57-00129.001
PRESENTATION	Alex Pesta, City Architecture, Inc. Jackson Street Pier – Conceptual Design
COMMUNICATIONS	
CURRENT BUSINESS	

CONSENT AGENDA ITEMS

SECOND READING

A. Submitted by Aaron Klein, Director of Public Works

PAYMENT FOR OHIO EPA LICENSE TO OPERATE BIWW DURING CY 2018

Budgetary Information: The total amount of \$12,180 shall be paid with water funds and has been appropriated in the operating and maintenance budget for 2017.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the Finance Director to make payment to the State of Ohio Environmental Protection Agency for the renewal of the license to operate a public water system for the CY 2018.

SECOND READING

B. Submitted by Aaron Klein, Director of Public Works

PAYMENT FOR OHIO EPA ANNUAL DISCHARGE FEE FOR WWTP DURING CY 2017

Budgetary Information: The total amount of \$15,550 shall be paid with sewer funds and has been appropriated in the operating and maintenance budget for 2017.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the Finance Director to make payment to the State of Ohio Environmental Protection Agency for the annual discharge fee for NPDES permit #2PF00001 for the Waste Water Treatment Plant for the CY 2017.

SECOND READING

C. ORDERED IN 8.28.17

AMENDMENT TO LEGISLATION PERTAINING TO GOLF CARTS ON CITY STREETS

ORDINANCE NO. _____: It is requested an ordinance be passed amending Part Three (Traffic Code), Title Nine (Pedestrians, Bicycles and Motorcycles), Chapter 379 (Golf Carts), of the codified ordinances, in the manner and way specifically set forth hereinbelow.

D. Submitted by Amanda McClain, Housing Manager

SALE OF PROPERTY THROUGH LAND REUTILIZATION PROGRAM

Budgetary Information: The cost associated with this purchase and sale agreement is the total amount of the title examination, deed preparation, escrow fees and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction, which will be recouped from the purchase price. The sale and rehabilitation of this property will revitalize the neighborhood by enhancing the surrounding property values and reducing the city's rental housing. The taxing districts will once again begin collecting real property taxes in the amount of \$996.60 annually.

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 #57-04034.000 located at 1313 Huntington Avenue, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of a purchase and sale agreement with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

E. Submitted by Amanda McClain, Housing Manager
APPROVAL TO ACCEPT 11 PARCELS THROUGH LAND BANK PROGRAM

Budgetary Information: The cost of these acquisitions will be approximately \$1,100.50 to pay for the title exams and transfer fees. The city will not collect the \$4,084.09 owed to the city in special assessments, nor will the taxing districts collect the \$16,228.54 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 \$4,620.32 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.

F. Submitted by Tim Bergeman, Transit Administrator
AUTHORIZATION TO MAKE GRANT APPLICATION FOR 5311 RURAL TRANSIT & 5339 BUS & BUS FACILITIES

Budgetary Information: The 5311 Rural Transit grant program will provide \$1,022,500 in federal program funding for the operation and maintenance of Sandusky’s Transportation System. The leveraging funds will come from state funding and local sources to include transportation contract revenue, passenger fares, advertising revenue, in-kind services and an estimated \$244,000 in city general funds. The 5339 Bus and Bus Facilities grant will provide \$112,728 of federal funds for the purchase of two transit vehicles, and require \$12,525 of local match funds, all of which will be transportation contract revenue.

1. RESOLUTION NO. _____: It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation through the U.S. Department of Transportation Federal Transit Administration for the CY 2018 Rural Transit program grant for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

2. RESOLUTION NO. _____: It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation through the U.S. Department of Transportation Federal Transit Administration for the CY 2018 Bus and Bus Facilities program grant for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

G. Submitted by Aaron Klein, Director of Public Works
SUBMERGED LANDS LEASE FOR 2425 FIRST STREET AND 101 CEDAR POINT ROAD

Budgetary Information: The cost of the submerged lands lease, File #SUB-2426-ER shall be \$1 per year for the term of the lease or any future renewals. Payments shall be due August 1 for each year of the lease and will be made from the general fund account.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a submerged lands lease with the State of Ohio, Ohio Department of Natural Resources, for the Big Island Water Works property located at 2425 First Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

H. Submitted by Hank Solowiej, Finance Director
AMENDMENT #5 TO GENERAL APPROPRIATIONS

Budgetary Information: Appropriation amendments are required to update the budget for previous actions of the city. Examples include, but are not limited to:

- Mechanical failures at Oakland Cemetery
- Submerged lands lease payments to ODNR
- Reallocate unused budgeted payroll funds for OTPPG grant

ORDINANCE NO. _____: It is requested an ordinance be passed adopting amendment #5 to Ordinance #17-064 passed by the City Commission on March 27, 2017, making general appropriations for the fiscal year 2017; and declaring that this ordinance shall take immediate in accordance with Section 14 of the city charter.

REGULAR AGENDA ITEMS

ITEM #1 - Submitted by Maria Muratori, Development Specialist
GRANT AGREEMENT WITH CHRIS ANDREWS, LLC D.B.A. OHIO TRUCK SALES

Budgetary Information: The city will be responsible for providing a total of \$15,000 in grant proceeds from the economic development capital projects fund on a reimbursable basis at the completion of the project.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$15,000 through the substantial development grant program to Chris Andrews, LLC d.b.a. Ohio Truck Sales, in relation to property located at 1801 and 1707 George Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #2 - Submitted by Tim Bergeman, Transit Administrator

LEASE AGREEMENT WITH OTTAWA COUNTY TRANSPORTATION AGENCY

Budgetary Information: The cost associated with the request for this lease is \$1 per month for both vehicles.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a lease agreement with the Ottawa County Transportation Agency for the purpose of leasing two light transit vehicles for the Sandusky Transit System; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #3 - Submitted by Tim Bergeman, Transit Administrator

CONTRACT WITH ERIE COUNTY DEPARTMENT OF JOB & FAMILY SERVICES FOR TRANSPORTATION SERVICES

Budgetary Information: STS will bill for loaded passenger miles, as established in the RFP from the Erie County Department of Job & Family Services for the full 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. The STS bid was accepted in the total of \$31,000.

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

ITEM #4 - Submitted by Matthew Lasko, Chief Development Officer

RESIDENTIAL PROPERTY DEMOLITION & ABATEMENT CONTRACT WITH MASTER RENOVATIONS, INC.

Budgetary Information: The project cost based on the bid, including asbestos abatement and demolition is \$81,050. This project will be paid entirely with Community Development Block Grant funds.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Master Renovations, Inc. of Orville, Ohio, for the CDBG FY 2017 Residential Demolition project #1; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #5 - Submitted by Jane Cullen, Project Engineer

ACCEPTING BIDS FOR WEST MARKET STREET SEWER REPLACEMENT PROJECT

Budgetary Information: The estimated cost of the project, including engineering, inspection, advertising and miscellaneous costs is \$60,000 and will be paid with sewer funds.

RESOLUTION NO. _____: It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed West Market Street sewer replacement 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.

ITEM #6 - Submitted by Jane Cullen, Project Engineer

CONTRACT WITH HANK’S PLUMBING & HEATING CO., INC. FOR CEDAR POINT #14 EJECTOR STATION IMPROVEMENT PROJECT

Budgetary Information: The estimated cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$372,570 and will be paid with sewer funds.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Hank’s Plumbing & Heating Co., Inc. of Toledo, Ohio for the Cedar Point #14 ejector station improvement project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #7 - Submitted by Aaron Klein, Director of Public Works

EMERGENCY PROCUREMENT & INSTALLATION OF TRAFFIC SIGNALS & POLES FOR WARREN & SCOTT STREETS

Budgetary Information: The total cost for equipment and installation is \$20,515 and will initially be paid with capital funds. The city plans to seek reimbursement from the motorist who knocked down the original poles and signals through an insurance claim.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager and/or Finance Director to expend funds for the emergency purchase and installation of traffic signals and poles for the Warren Street and Scott Street intersection in the amount of \$20,515; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

CITY MANAGER’S REPORT
OLD BUSINESS
NEW BUSINESS
AUDIENCE PARTICIPATION
 Open discussion on any item (5-minute limit)
EXECUTIVE SESSION(S)
ADJOURNMENT

Buckeye Broadband broadcasts on Channel 76:
Monday, September 25 at 8:30 p.m.
Tuesday, September 26 at 5 p.m.
Monday, October 2 at 8:30 p.m.

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



City Commission

City of Sandusky, Ohio 44870

City Building

CITY OF SANDUSKY CITY COMMISSION NOTICE OF PUBLIC HEARING

The City of Sandusky Ohio City Commission will conduct a "Public Hearing" during the course of their meeting on Monday, September 25th, 2017 at 5:00 p.m. in the 1st floor conference room, City Building, 222 Meigs Street, Sandusky, Ohio to consider the following:

1. An application for an amendment to the Zoning Map has been filed by Gundlach Sheet Metal Works, Inc. for the following parcel numbers fronting both Neil Street and Division Street between Columbus Ave and Wayne Street:
 - 57-01878.000-117 Neil Street
 - 57-02125.000-113 Neil Street
 - 57-00129.001- No Address
 - 57-05532.000- 118 Division Street

The applicant has requested to rezone these parcels from "R2F"/ Residential Two- Family Dwelling to "CS"/ Commercial Service.

Further details and information with respect to the above may be obtained during normal business hours (Monday through Friday, 8:00 a.m. to 5:00 p.m.) from the Division of Planning, City Building, 222 Meigs Street, Sandusky, Ohio, 419-627-5715. All persons interested in or affected by this request will have the right and opportunity to be heard at this meeting.

Kelly Kresser
City Commission

August 25, 2017

JACKSON STREET PIER

CONCEPTUAL DESIGN PACKAGE



SEPTEMBER 21, 2017

JACKSON STREET PIER PROCESS OUTLINE

DESIGN PROCESS OVERVIEW:

Sandusky's Jackson Street Pier Conceptual Design process included input from a representative Steering Committee, Stakeholder interviews, public open houses and a wide range of technical data & information. The consulting team, composed of City Architecture and Osborn Engineering, began work in February 2017, upon direction from the City of Sandusky City Commission.

Initial Stakeholder Meetings focused on the Pier's current-day conditions and operations and Shoreline Drive. These discussions, often with small groups, aimed to identify specific attributes and their successes or challenges. The consulting team, paired with City of Sandusky representatives, conducted dozens of meetings to learn these important details and suggestions from each group. Discussions were open and honest, with the team asking questions catered for each representative group - meant to identify exact needs and ideas throughout the process.

These Stakeholder meetings (occurring throughout the entire process) serve as the basis for the design process. Boat operators' needs, parking desires, green space & programming potentials, waterfront & park space advocacy groups and other Stakeholders provided myriad perspectives and ideas. From this foundation, the team developed a series of concepts with the intention of creating a "balanced" Jackson Street Pier - a true public space that retains & enhances existing uses while providing spaces & opportunities to make new memories along Sandusky's waterfront.

In March 2017, the consulting team held the first public open house. Setting up various stations, the team held further discussions from participants. More than 150 people participated in this first public session - providing feedback and direction related to desired activities (both existing and new), specific design elements & amenities and other information. City Architecture began sketching initial site diagrams at this stage.

Concurrently, Osborn Engineering led investigative work for the Pier. A full topography and utility survey was conducted, geo-technical explorations sampled the Pier's fill to better understand its condition & bearing capacity, and underwater studies were conducted of the perimeter bulk-heading. The studies revealed additional information that the design team considered.

In July 2017, a second public open house was conducted. This session, attracting another large crowd at the Sandusky State Theatre, offered three Pier concepts. Participants were asked to discuss attributes of each that they liked. Additionally, the team received feedback via email and binders of online postings from several groups. From these, the team was able to head in new directions, guided by four primary community-driven principles :

- **Retain all uses that are currently offered on the Pier**
- **Increase accessibility for people of all ages and physical ability**
- **Provide waterfront parking and vehicular access to the northern portion**
- **Design beautiful new spaces & flexible places to expand the Pier's usability & attraction**

The design team began developing a final series of concepts for review with Stakeholders - mainly focused on operations and the Pier's potential. Design challenges included working within the Department of Homeland Security's requirements associated with international ferry services. The team met several times to ensure security measures were met.

DESIGN CONCEPT DESCRIPTION:

The design, outlined on the following pages, intends to enhance existing uses and celebrate Jackson Street Pier's rich history while providing spaces that balance the Pier as an attractive and centrally located public space.

The Pier's design includes a continuous perimeter boardwalk - providing various seating areas & arrangements, fishing access, special paving representing Sandusky's historic role in the Underground Railroad, and expanded spaces for the Goodtime 1. New accessible standards are applied, increasing ADA ramps between the parking areas to all public spaces. Current conditions provide only two sidewalk ramp locations - the new plan will have in excess of twelve.

Vehicular access is maintained to the northern section of the Pier. Drivers will enter through the relocated Jackson Street Pier archway, drive around a new landscaped area and head north towards the waterfront parking. A central drop-off circle is created for the Goodtime 1 and Jet Express. The curbside area doubles as a large "speed bump" calming traffic and reducing vehicular speeds - an important factor that was consistently identified as an issue by Stakeholders.

The raised area's paving pattern replicates a wave lapping against the shoreline, and is intended to represent the shoreline extending south, expanding the Pier's waterfront experience. The adjacent Gateway Plaza is anchored by parking, an open plaza and a public multi-purpose building & public restroom facility. The building's simple architecture is meant to be a "background" element - emphasizing focus on the outdoor spaces and activities. Overhead doors can be raised for events, allowing activities to spill into the Gateway Plaza or the newly coined "Boeckling Alley". During colder months, the building can host events, serve as a warming station and provide a public space on the Pier, extending the season along the northern shore.

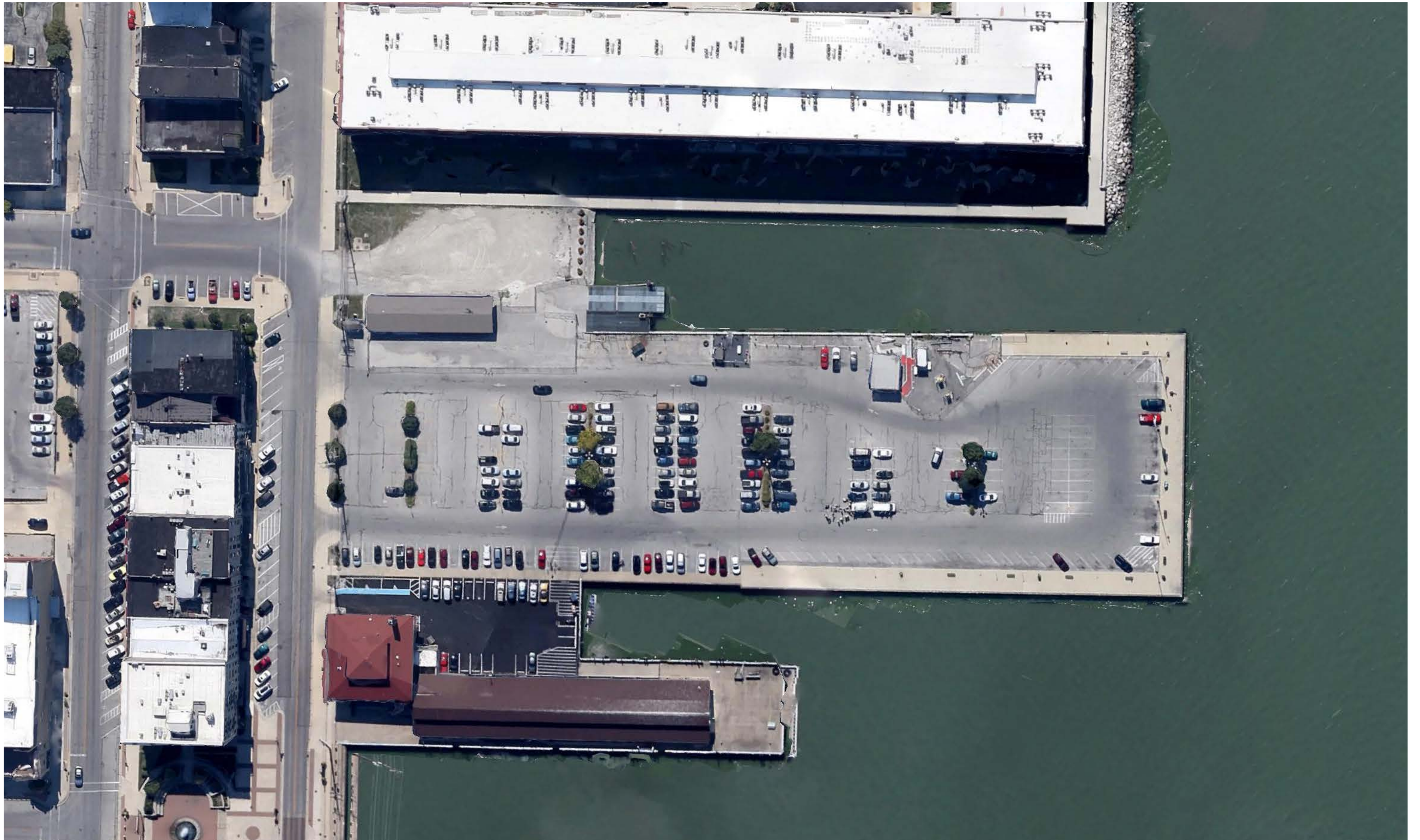
A Great Lawn is provided, with a slope leading to the new Sun Stairs, a place for panoramic views of the Sandusky Bay - extending from Cedar Point to the coal docks. The flexible space can serve many purposes that attract people to the waterfront & Downtown, provide places for events and creates a simple place for people to recreate.

A new Ticket House and adjacent seating area is provided for the Goodtime 1, improving customer experiences while providing a potential new concession area for the Pier.

Seating options are provided throughout the Pier's 3.5 acres. Seating walls, enhanced with low-lying landscaping, provide important buffers between pedestrian areas and parking. Traditional benches offer places to rest. Picnic benches are included for friendly get-togethers, whether for families to enjoy the views and spaces or long-time high school friends sharing a meal & stories. Shade trellises are positioned at key viewpoints and can support hanging "porch swings", providing a relaxing environment to enjoy Sandusky Bay.

Parking areas are incorporated at convenient locations to support existing businesses, adjacent to new uses and along the waterfront, retaining the ability to enjoy the water views.

Jackson Street Pier's conceptual design is founded on a diverse collection of community voices. New uses, blended with enhanced existing experiences can position this waterfront property into a new destination for all Sandusky residents, celebrating its heritage while providing engaging spaces & places for new memories.



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER EXISTING CONDITIONS AERIAL PHOTOGRAPH



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
SHORELINE DRIVE EXISTING CONDITIONS AERIAL PHOTOGRAPH



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
DOWNTOWN CONTEXT EXISTING CONDITIONS AERIAL PHOTOGRAPH



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - EXISTING CONDITIONS



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - EXISTING CONDITIONS



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - EXISTING CONDITIONS



INTERNATIONAL SERVICES
Improved facilities to meet guidelines while planning for the return of the Jlimaan ferry.

GOODTIME TOURS
Ticket house, waiting area and potential concessions provide better customer experience within walking distance of drop-off and convenience parking.

BOARDWALK
Continuous walkway provides new perimeter promenade accentuated with paving patterns and textures.

BAYFRONT PORCH
Expanded boardwalk area that creates defined zones for walking, sitting, movable chairs, fishing (with casting zones) with uninterrupted waterfront views.

GREAT LAWN
Multi-use, flexible green space for passive recreation, programmed events and other waterfront activities within the heart of Sandusky's Downtown.

MULTI-PURPOSE PAVILION & GATEWAY PLAZA
Expands Jackson Street Pier's usage with a flexible structure for rentals, events, markets, Boeckling Alley and other activity generators, including cold-weather activities.

WAVE PIAZZA
Raised unit paver area symbolizing wave crashing along the northern shoreline, open spaces for smaller events, vehicular access & anchored by new amenities building and raised performance space.

WATERFRONT SEATING
Variety of seating options: traditional benches, porch swings, seating walls and workbench seats that provides options and functionality.

PICNIC PATIO
Accessible outdoor dining area adjacent to parking and open waterfront views that provides semi-private areas defined by low landscaping and Sun Stairs.

SUN STAIRS
Seating steps for sunset / sunrise enjoyment and panoramic views of Sandusky Bay & Cedar Point. Sloped green space provides vistas above roof lines of cars.

FREEDOM PAVING
Special paving patterns celebrating Sandusky's role in the Underground Railroad as a path to freedom.



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - AERIAL VIEW FROM WATER'S EDGE



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - AERIAL VIEW OF PIER PLAZA



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - VIEW ALONG SHORELINE DRIVE & SANDUSKY BAYFRONT CONNECTOR



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - PANORAMIC VIEW ATOP THE SUN STAIRS



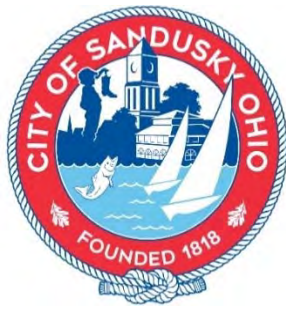
CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - VIEW ALONG EASTERN BOARDWALK & PICNIC AREA



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - VIEW OF CONTINUOUS MULTI-PURPOSE BOARDWALK ALONG WESTERN PIER



CITY OF SANDUSKY - JACKSON STREET PIER & SHORELINE DRIVE
JACKSON STREET PIER - AERIAL VIEW LOOKING TOWARDS SANDUSKY BAY



DEPARTMENT OF PUBLIC WORKS

Big Island Water Works

2425 First Street
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: August 30, 2017

Subject: **Commission Agenda Item – Ohio EPA License to Operate Fee for BIWW CY 2018**

ITEM FOR CONSIDERATION: Legislation authorizing payment to the Ohio EPA for the annual licensing fee to operate Big Island Water Works for the calendar year 2018.

BACKGROUND INFORMATION: In accordance with Ohio Law (Ohio Revised Code 6109.21), public water systems in Ohio must obtain a License to Operate from the Director of the Ohio Environmental Protection Agency (Ohio EPA). Fees are determined by the number of service connections within the City and fee schedule set by Ohio EPA.

For calendar year 2018, the City of Sandusky is required to pay a license renewal fee for Big Island Water Works in the amount of \$12,180.00.

BUDGETARY INFORMATION: The total amount of \$12,180.00 shall be paid with Water funds and has been appropriated in the O & M Budget for 2017.

ACTION REQUESTED: It is recommended that the proposed payment of the license to operate fee with the Ohio EPA be approved in order to expend funds appropriated in the O & M budget for 2017 upon receipt of invoice from the Ohio EPA and to make payment prior to the December 31, 2017 due date.

I concur with this recommendation:

Eric Wobser
City Manager

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



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

ENGINEERING DEPT.

AUG 28 2017

CITY OF SANDUSKY

August 18, 2017

SANDUSKY CITY
222 MEIGS ST
SANDUSKY, OH 44870-2835

RE: SANDUSKY CITY
PWS ID: OH2201411
PWS TYPE: COMMUNITY
Number of Service Connections: 10,500
Water Source: Surfacewater
Projected 2018 LTO Fee: \$12,180.00

Pre-Application

DO NOT SEND PAYMENT AT THIS TIME

**The 2018 License to Operate/Invoice will be mailed to you in November 2017
with a due date of December 31, 2017.**

This is a pre-application for your 2018 Public Water System License to Operate (LTO). As an owner of a public water system in Ohio, you are required to maintain an LTO and pay the appropriate annual LTO fee by December 31, 2017. The annual license fee is based on the number of service connections associated with your public water system. Your LTO will be mailed to you after Ohio EPA has received payment of the appropriate fee and has verified compliance with applicable drinking water laws and regulations.

According to Ohio Administrative Code Rule 3745-84-03, you are required to provide Ohio EPA a pre-application by verifying and updating, if necessary, the enclosed PWS Inventory Summary for your public water system within 45 days.

The projected LTO fee for your public water system is indicated in the upper right corner of this letter and is based on information currently in our database.

Please complete the following:

1. REVIEW the enclosed PWS Inventory Summary carefully.
2. UPDATE any appropriate information and RETURN to Ohio EPA DDAGW using one of the methods listed below.

DO NOT RETURN if no changes are necessary.

Email to: DDAGW.IMS@epa.ohio.gov

Mail to: Ohio EPA - DDAGW

Attn: Brian Tarver

Fax to: Ohio EPA - DDAGW
614-644-2909

PO Box 1049

Columbus, Ohio 43216-1049

3. QUESTIONS - contact the Division of Drinking and Ground Waters 614-644-2752

License to Operate (Effective July 1, 2003)

A person applying for a license or license renewal to operate a public water system must pay the appropriate fee at the time of application to the director. Any person who fails to pay the fee at the time must pay an additional amount that equals ten percent of the required fee. Fees must be calculated in accordance with the following schedule:

COMMUNITY WATER SYSTEMS (Effective July 1, 2003)

Number of Service Connections	Fee per Service Connection
Not more than 49	\$112 (total)
50-99	176 (total)
100 to 2,499	1.92
2,500 to 4,999	1.48
5,000 to 7,499	1.42
7,500 to 9,999	1.34
10,000 to 14,999	1.16
15,000 to 24,999	1.10
25,000 to 49,999	1.04
50,000 to 99,999	0.92
100,000 to 149,999	0.86
150,000 to 199,999	0.80
200,000 or more	0.76

A public water system may determine how it will pay the total amount of the fee calculated, including the assessment of additional user fees that may be assessed on a volumetric basis. As used in this schedule, "Service Connection" means the number of active or inactive pipes, goosenecks, pigtails, and any other fittings connecting a water main to any building outlet.

NON-TRANSIENT NON-COMMUNITY WATER SYSTEMS (Effective July 1, 2003)

Population Served	Fee Amount
Fewer than 150	\$ 112
150 to 299	176
300 to 749	384
750 to 1,499	628
1,500 to 2,999	1,268
3,000 to 7,499	2,816
7,500 to 14,999	5,510
15,000 to 22,499	9,048
22,500 to 29,999	12,430
30,000 or more	16,820

As used in this schedule, "Population Served" means the total number of individuals receiving water from the water supply during a twenty-four hour period for at least sixty days during any calendar year. In the absence of a specific population count, that number must be calculated at the rate of three individuals per service connection.

TRANSIENT NON-COMMUNITY WATER SYSTEM (Effective July 1, 2003)

Number of Wells Supplying System	Fee Amount
1	\$ 112
2	112
3	176
4	278
5	568
System designated as using a surface water source	792

As used in this schedule, "Number of Wells Supplying System" means those wells (either active or inactive) that are physically connected to the plumbing system serving the public water system.

All public water systems designated as using a surface water source must pay a fee of \$792 or the amount calculated using the number of service connections or population served whichever is higher.

PWS Inventory Summary

DIRECTIONS: Please review the following information. If revisions are necessary, please note in the space provided and return to Ohio EPA DDAGW using one of the methods listed below:

****DO NOT RETURN if no changes are necessary.****

Email to: DDAGW.IMS@epa.ohio.gov

Mail to: Ohio EPA - DDAGW

Fax to: Ohio EPA - DDAGW
614-644-2909

Attn: Brian Tarver
PO Box 1049
Columbus, Ohio 43216-1049

PWS ID: OH2201411

PWS Name: SANDUSKY CITY

County: ERIE

PWS type: Community Public Water System

Number of Service Connections: 10,500

Annual Operating Period

Residential Population

1/1 to 12/31

25,793

PWS Contact Information

Public Water System Owner Information (OW)

All correspondence (with the exception of License to Operate) is sent to:

Contact Name: SANDUSKY CITY

Address Line 1: ERIC WOBSE

Address Line 2: 222 MEIGS ST

City, State Zip: SANDUSKY, OH 44870-2835

Business Number: 419-627-5815

Fax Number: 419-627-5825

24hr Emergency Number: 419-271-4852

E-mail Address: ewobser@ci.sandusky.oh.us

Public Water System Billing Information (FC)

License to Operate is sent to:

Contact Name: SANDUSKY CITY

Address Line 1: 222 MEIGS ST

Address Line 2:

City, State Zip: SANDUSKY, OH 44870-2835

Business Number: 419-627-5815

Fax Number:

24hr Emergency Number:

E-mail Address:

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO MAKE PAYMENT TO THE STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY FOR THE RENEWAL OF THE LICENSE TO OPERATE A PUBLIC WATER SYSTEM FOR THE CY 2018.

WHEREAS, the City of Sandusky as an operator of a public water system is required to pay a licensing fee on an annual basis to the Ohio Environmental Protection Agency pursuant to Ohio Revised Code §6109.21; and

WHEREAS, the total cost for the annual licensing fee for calendar year 2018 is \$12,180.00 and will be paid with Water Funds which have been appropriated in the Operation & Maintenance (O&M) budget for 2017; 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. This City Commission hereby authorizes and directs the Finance Director to make payment to the Treasurer of the State of Ohio as required by the Ohio Environmental Protection Agency in an amount **not to exceed** Twelve Thousand One Hundred Eighty and 00/100 Dollars (\$12,180.00) for the renewal of the license to operate a public water system for the CY 2018.

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.

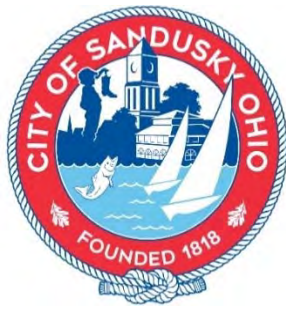
Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted 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 allowed by Law.

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

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

Passed: September 25, 2017 (effective after 30 days)



DEPARTMENT OF PUBLIC WORKS

Wastewater Treatment Plant

304 Harrison Street
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: August 30, 2017

Subject: Commission Agenda Item – Ohio EPA Annual Discharge Fee for the WWTP CY2017

ITEM FOR CONSIDERATION: Legislation authorizing payment to the Treasurer of the State of Ohio, on behalf of the Ohio EPA, for the annual discharge fee for the year 2017, for National Pollutant Discharge Elimination System (NPDES) Permit Number 2PF00001 for the City's Wastewater Treatment Plant.

BACKGROUND INFORMATION: The Ohio EPA, through the NPDES requires a permit for all Wastewater Treatment facilities, discharging pollutants to a body of water within the State of Ohio, to pay an annual discharge fee. Fees are determined by an average daily discharge flow of the following year and set by a flow chart from the Ohio EPA.

For the Calendar Year 2017, the City of Sandusky is required to pay a discharge fee for the operation of the Wastewater Treatment Plant of \$15,550.00.

BUDGETARY INFORMATION: The total amount of \$15,550.00 shall be paid with Sewer funds and has been appropriated in the O & M Budget for 2017.

ACTION REQUESTED: It is recommended that the proposed payment of the discharge fee with the Ohio EPA be approved to expend funds appropriated in the O & M Budget for 2017, upon receipt of invoice from the Ohio EPA, and make payment prior to the January 31, 2018, due date.

I concur with this recommendation:

Eric Wobser
City Manager

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



**2017 ANNUAL DISCHARGE FEE
2PF00001 PRELIMINARY NOTICE
DO NOT SEND PAYMENT AT THIS TIME**

Wednesday, August 16, 2017

SANDUSKY STP
222 MEIGS ST
SANDUSKY, OH 44870

This is a preliminary notification that your 2017 Annual Discharge Fee (ADF), authorized by Ohio Revised Code (ORC) 3745-11, will be due on January 31, 2018. Do not send payment at this time.

In order to ensure correct invoices are sent out later this year, and to provide you with adequate time to plan for this expense, the flow and fee due for your facility are listed below. The annual discharge fee for the calendar year 2017 is based upon the average volume of wastewater discharged by your facility during the previous year (2016) between May 1 and October 31. The fee schedule, pursuant to ORC 3745-11, is provided below.

Please review this information carefully. If the flow information is incorrect, you must provide a written explanation and include copies of your electronic Discharge Monitoring Report (DMR) EPA 4500 Forms for May through October 2016 showing the Submission ID at the bottom of the forms. Pursuant to ORC 3745-11(5)(a)(ii), if you are entitled to a pro-rated fee, provide a written explanation. This information must be submitted to ADF e-mail at adf@epa.ohio.gov or hard copies mailed to the address below by October 30, 2017. All communication must include the permit number. Corrections to DMRs must be done in the eDMR system with followup notification of changes by email.

**ADF Adjustment
Ohio EPA, Division of Surface Water
P.O. Box 1049, Columbus, Ohio 43216-1049**

DO NOT SEND PAYMENT AT THIS TIME. THIS IS NOT AN INVOICE.

Facility Name:	SANDUSKY STP	Base Fee:	\$15,550.00
NPDES Permit No.:	2PF00001	Major Surcharge	
Average Daily Flow:	13.3997 MGD	TOTAL FEE DUE:	\$15,550.00
(Design flow if new facility)			

INDUSTRIAL FACILITIES	
Flow (MGD)	Fee
>0.005 - 0.05	\$ 250
>0.05 - 0.25	\$ 1,200
>0.25 - 1	\$ 2,950
>1 - 5	\$ 5,850
>5 - 10	\$ 8,800
>10 - 20	\$ 11,700
>20 - 100	\$ 14,050
>100 - 250	\$ 16,400
>250	\$ 18,700
Major Surcharge	\$ 7,500

PUBLIC FACILITIES	
Flow (MGD)	Fee
>0.005 - 0.05	\$ 200
>0.05 - 0.1	\$ 500
>0.1 - 0.25	\$ 1,050
>0.25 - 1	\$ 2,600
>1 - 5	\$ 5,200
>5 - 10	\$ 10,350
>10 - 20	\$ 15,550
>20 - 50	\$ 25,900
>50 - 100	\$ 41,400
>100	\$ 62,100

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO MAKE PAYMENT TO THE STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY FOR THE ANNUAL DISCHARGE FEE FOR NPDES PERMIT NUMBER 2PF00001 FOR THE WASTEWATER TREATMENT PLANT FOR THE CY 2017.

WHEREAS, the Ohio Revised Code Section 3745.11(L) requires that an NPDES permit holder that is a public discharger pay a fee as specified in the statute based upon the average daily flow and the City's flow and the corresponding fee is delineated on the invoice received from the Ohio Environmental Protection Agency; and

WHEREAS, the total cost for the annual discharge fee for calendar year 2017 is \$15,550.00 and will be paid with Sewer Funds which have been appropriated in the Operation & Maintenance (O&M) budget for 2017; 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. This City Commission hereby authorizes and directs the Finance Director to make payment to the Treasurer of the State of Ohio as required by the Ohio Environmental Protection Agency in an amount **not to exceed** Fifteen Thousand Five Hundred Fifty and 00/100 Dollars (\$15,550.00) for the annual discharge fee for NPDES Permit Number 2PF00001 for the Wastewater Treatment Plant for the CY 2017.

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 allowed by Law.

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

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

Passed: September 25, 2017 (effective after 30 days)

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART THREE (TRAFFIC CODE), TITLE NINE (PEDESTRIANS, BICYCLES AND MOTORCYCLES), CHAPTER 379 (GOLF CARTS), OF THE CODIFIED ORDINANCES, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW.

WHEREAS, in order to permit the use of “gators, mules, and other utility vehicles” on City streets, this City Commission ordered legislation at their regularly scheduled City Commission meeting on August 28, 2017, and therefore it is requested to amend Chapter 379 (Golf Carts) of the Codified Ordinances of the City of Sandusky to include the definition and use of utility vehicles; 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:

NEW LANGUAGE APPEARS IN BOLD PRINT

LANGUAGE TO BE STRICKEN APPEARS WITH A STRIKE THROUGH IT

LANGUAGE TO REMAIN UNCHANGED APPEARS IN REGULAR PRINT

Section 1. Part Three (Traffic Code), Title nine (Pedestrians, Bicycles and Motorcycles), Chapter 379 (Golf Carts), of the Codified Ordinances of the City is hereby amended as follows:

CHAPTER 379
GOLF CARTS **AND UTILITY VEHICLES**

379.01 DEFINITIONS.

379.02 INSPECTION OF GOLF CARTS **AND UTILITY VEHICLES.**

379.99 PENALTY.

379.01 DEFINITIONS.

(a) “Vehicle” has the same meaning as set forth in Ohio R.C. 4501.01(A).

(b) “Motor Vehicle” has the same meaning as set forth in Ohio R.C. 4501.01(B).

(c) “Operator” has the same meaning as set forth in Ohio R.C. 4501.01(X).

(d) “Golf cart” is a motor vehicle as that term is defined under Ohio R.C. 4501.01(B).

(e) **“Utility Vehicle” has the same meaning as set forth in Ohio R.C. 4501.01(VV).**

~~{Ord. 08-051. Passed 6-23-08.}~~

379.02 INSPECTION OF GOLF CARTS **AND UTILITY VEHICLES.**

(a) No person shall operate a golf cart **or utility vehicle** on the streets within the City of Sandusky unless the golf cart **or utility vehicle** has been inspected by the Chief of Police or designee for compliance with the State of Ohio's statutory requirements that are applicable to motor vehicles.

(b) The owner or operator of any golf cart **or utility vehicle** shall be required to pay an inspection fee as established by the Chief of Police. If the Chief of Police or designee determines that the golf cart **or utility vehicle** complies with the State of Ohio's statutory requirements that are applicable to motor vehicles, the Chief of Police or designee shall issue the owner or operator a certificate of compliance entitling the owner or operator to operate the golf cart **or utility vehicle** on the streets within the City of Sandusky. The owner or operator shall also show the Chief of Police or designee proof of liability insurance for the golf cart **or utility vehicle** before a certificate of compliance is issued.

(c) The owner of a golf cart **or utility vehicle** shall also comply with all requirements of Ohio law regarding proper title, registration and license plates prior to operating a golf cart **or utility vehicle** on any street within the City of Sandusky.

(d) No person shall operate a golf cart or utility vehicle on the streets within the City of Sandusky where the posted speed limit is greater than 35 miles per hour.

~~(Ord. 08-051. Passed 6-23-08.)~~

379.99 PENALTY.

Whoever violates this chapter is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; and each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

(Ord. 08-051. Passed 6-23-08.)

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 allowed by Law.

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

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

Passed: September 25, 2017 (effective after 30 days)



COMMUNITY DEVELOPMENT

Division of Code Enforcement

222 Meigs Street
Sandusky, Ohio 44870
419.627.5913
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Amanda McClain, Housing Manager

DATE: September 12, 2017

RE: City Commission Agenda Item

ITEM FOR CONSIDERATION: The purpose of this communication is to request approval of legislation allowing the City Manager to execute a 'Purchase and Sale Agreement' of non-productive land which is no longer needed for any municipal purpose that the City has acquired through the City of Sandusky's Land Reutilization Program. The land is identified as Erie County Parcel No. 57-04034.000 and is located at 1313 Huntington Avenue.

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 has acquired this nonproductive land by delinquent tax foreclosure. The acquisition was approved by the City Commission for acceptance into the Land Reutilization Program by Resolution 039-15R effective September 28, 2015.

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 consists of one (1) residential single-family structure that has approximately 886 sq. ft. of living space with two (2) bedrooms and one (1) bath, with a lot size of approximately 40' X 120'. The property is zoned R1-40 (One-Family Residential) and shall be owner occupied.

A Request for Proposals was issued on June 13, 2017 for the sale of the nonproductive land by competitive bidding through a sealed bid process. Four (4) proposals were received for the purchase of the property and were evaluated by the Land Bank Committee on July 24, 2017. The Land Bank Committee chose three (3) proposals that were close in score and asked them to provide a definitive timeline for repairs, contractors working on the project (including their experience with residential projects), proof of employment and financial ability to complete the proposed rehabilitation project. Only one of the proposers submitted the additional information. The Land Bank Committee reviewed the additional information and on August 31, 2017, determined that Landon Newton was the responsible bidder who poses the best opportunity for the City to achieve the highest and most certain return for the property through rehabilitation and owner occupancy, thereby reducing the City's rental housing and revitalizing the neighborhood. Landon Newton shall occupy the property for no less than three (3) years. According to Building Department records, the dwelling had an electrical upgrade and new

furnace installed in 2007. It also has newer windows, siding, gutters and downspouts. The interior is the only part of the dwelling in need of rehabilitation. The main project will be removing the subflooring in the living room, installing a vapor barrier and replacement of the subflooring and carpeting. Landon Newton has proposed a \$7,380.00 rehabilitation project, which includes estimated labor costs at approximately \$4,800.00. Landon's uncle, Steven Newton, will be providing the labor himself with Landon's help. Steven Newton is a subcontractor and licensed member of the American Interior Design Association (AIDA) with over 25 years of experience in construction and remodeling and is licensed and bonded in Ohio and Pennsylvania. Landon Newton has provided proof of employment and proof of funds to purchase the materials needed to complete the rehabilitation project.

The Land Bank Administrator has verified that Landon Newton qualifies pursuant to the requirements of the Land Reutilization Policies and Procedures. The Purchase Agreement shall require Landon Newton to obtain all pertinent building permits and to have the improvements properly inspected.

BUDGET IMPACT: The cost associated with this purchase and sale agreement is the total amount of the title examination, deed preparation, escrow fees and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction, which will be recouped from the purchase price. The sale and rehabilitation of this property will revitalize the neighborhood by enhancing the surrounding property values and reducing the City's rental housing. The taxing districts will once again begin collecting real property taxes in the amount of nine hundred sixty six dollars and sixty cents (\$966.60) annually.

ACTION REQUESTED: It is requested legislation be adopted allowing the City Manager to enter into a purchase and sale agreement and to sell the property no longer needed for any municipal purpose identified as Erie County Parcel No. 57-04034.000, located at 1313 Huntington Avenue. It is further requested that the legislation passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to promptly execute the closing.

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. 57-04034.000, LOCATED AT 1313 HUNTINGTON AVENUE, SANDUSKY, IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING THE EXECUTION OF A PURCHASE AND SALE AGREEMENT 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 1313 Huntington Avenue, Parcel No. 57-04034.000 by Resolution No. 039-15R, passed on September 28, 2015, under said Land Reutilization Program, which property is more specifically described in Exhibit "A", which property is no longer needed for any municipal purpose; and

WHEREAS, this City Commission previously authorized the City Manager to proceed with a Request for Proposals (RFP) process for the sale of the property located at 1313 Huntington Avenue, Parcel No. 57-04034.000 by Ordinance No. 17-104, passed on June 12, 2017; and

WHEREAS, the Request for Proposals (RFP) was issued on March 15, 2016, and four (4) proposals were received and evaluated by the Land Bank Committee on July 24, 2017, of which three (3) proposals were selected and additional information was requested from the proposers, however, only one proposer submitted the additional information and upon review by the Land Bank Committee on August 31, 2017, it was determined that Landon Newton was a responsible bidder who poses the best opportunity for the City to achieve the highest and most certain return for the property through rehabilitation and occupancy, thereby reducing the City's rental housing and revitalizing the neighborhood; and

WHEREAS, Landon Newton desires to purchase Parcel No. 57-04034.000, which is more specifically described in Exhibit "A" (the "Property") attached to a certain Purchase and Sale Agreement, a copy of which is marked Exhibit "1" with respect thereto (the "Purchase and Sale Agreement"); and

WHEREAS, the cost associated with this purchase and sale agreement is the total amount of the title examination, deed preparation, escrow fees and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction and any such costs will be recouped by the City upon sale; 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 promptly execute the closing within (30) days as usual and customary in the sale of real estate; 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. 57-04034.000, located at 1313 Huntington Avenue, 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 Agreement providing for the sale, pursuant to Section 25 of the Charter of this City, to the Purchaser of the Property at the purchase price set forth in the Purchase and Sale Agreement, 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 Agreement on behalf of the City, substantially in the same form as attached to this Ordinance, marked Exhibit "1", 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 Purchaser to purchase the Property pursuant to the Purchase and Sale Agreement, the City Manager is also hereby authorized and directed on behalf of the City to execute a quit claim deed conveying the Property to the Purchasers, which quit claim deed 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: September 25, 2017

PURCHASE AND SALE AGREEMENT

The City of Sandusky, Ohio, a chartered Ohio Municipal Corporation, 222 Meigs Street, Sandusky, Ohio 44870, hereinafter "Seller," agrees to sell to Landon Newton, 1423 Wayne Street, Sandusky, Ohio 44870, hereinafter "Buyer," and Buyer agrees to purchase from Seller the real property herein located at 1313 Huntington Avenue, Sandusky, Ohio, more fully described on attached "Exhibit A."

ARTICLE I. PURCHASE PRICE

Amount

1.01 The purchase price shall be Five Hundred and Twenty Three Dollars (\$523.00), which shall be paid in cash, certified check or cashier's check at the time of closing.

Earnest Money Deposit

1.02 An earnest money deposit of fifty two dollars and thirty cents (\$52.30) shall be paid to the Seller upon full execution of this Agreement. The earnest money deposit shall be applied to the purchase price at closing. In the event this transaction does not close for any reason, other than default by Buyer, or in the event all conditions precedent are not fully satisfied or waived, the earnest money deposited shall be returned in full to the Buyer. However, upon waiver of all contingencies at the expiration of the Inspection Period pursuant to Article 3.02 of this Agreement, and so long as there is no default by Seller, the earnest money shall become non-refundable.

ARTICLE 2. CLOSING

Closing Documents

2.01 The closing agent shall be Fidelity National Title, 402 Columbus Avenue, Sandusky, Ohio 44870. Time being agreed to be of the essence, all documents shall be deposited with the closing agent on or before October 31, 2017, unless otherwise agreed to in writing by the parties.

Conditions of Closing

2.02 The closing and the Buyer's obligation to purchase the property are conditioned on:

Good Title

(1) The conveyance to Buyer of good and marketable title to said property by a quit claim deed, as evidenced by an Owner's Policy of Title Insurance that may be

issued by Fidelity National Title, or other reputable title company doing business in Erie County, Ohio, subject to all restrictions, easements, conditions, reservations, limitations, zoning ordinances, and taxes and assessments, both general and special, not yet due and payable.

Delivery of Possession

(2) Possession of the property shall be delivered to the Buyer on or before October 31, 2017.

Title Evidence

2.03 The Seller shall procure a title report with all exceptions noted. A copy of the documents which are the basis for such, shall be conveyed to Buyer within ten (10) days from the date of this Agreement. Seller shall have a minimum of thirty (30) days from the date upon which Seller receives a copy of the title report within which to resolve any title exceptions or defects or other title issues which in any way impede or impair Seller's ability to convey title as required herein. If, within such thirty (30) day period, Seller determines that it is unable or unwilling, at its sole discretion, to resolve such matters, then the Buyers may (1) take title in its then existing state, thereby waiving any title objections, or (2) terminate the Purchase Agreement and receive a refund of any deposit as Buyer's sole and exclusive remedy.

Title and Closing Fees

2.04 The expenses of closing described in this Article shall be paid in the following manner:

- (1) The cost of securing the title report described in paragraph 2.03 of this Agreement shall be paid by Seller. The purchase of title insurance is optional and shall be paid by Buyer.
- (2) The cost of preparing, executing, and acknowledging any deeds or other instruments required to convey title to Buyer in the manner described in this Agreement shall be paid by Seller.
- (3) Each party hereto shall be responsible for their own attorney fees relating to this Agreement and its implementation.
- (4) The cost of transfer and recording of the deed shall be paid by Seller.
- (5) Any tax imposed on the conveyance of title to the property to Buyer shall be paid by Buyer.
- (6) Any fee charged by the closing agent shall be equally shared between the Seller and the Buyer.

Real Estate Taxes

2.05 All real estate taxes shall be the Buyer's responsibility as of the date of closing based upon the latest available tax duplicate of the Erie County Auditor. The property has been granted tax exemption status from the State of Ohio, therefore any and all assessments on the property attributable to all periods prior to closing, including deferred assessments, are exempt.

ARTICLE 3. NO REPRESENTATION OR WARRANTIES: PROPERTY SOLD "AS IS"

3.01 Buyer acknowledges and understands that the property is being sold as-is, and with all faults. Buyer further acknowledges and understands that the property was acquired by the Seller through a delinquent tax foreclosure action and therefore the Seller was not an owner-occupant and its information concerning the property and its condition is limited. Buyer is hereby informed that Seller is unaware of any latent defects in the property or any appurtenant systems, including but not limited to plumbing, heating, air conditioning and electrical systems, fixtures, appliances, roof, sewers, soil conditions, foundation, structural integrity, or environmental conditions. Seller makes no representations or warranties as to any of the above, the condition of the property, the property's systems, the serviceability or fitness for a particular use of the property, or any component of the property. Buyer agrees that in contracting to buy the property, Buyer has not relied upon any representation or warranty made by the Seller or any of its officers, employees, agents, or representatives. Buyer has been afforded the opportunity to undertake its own investigations and inspections of the property.

Inspections

3.02 Buyer, at Buyer's sole cost and expense, and after Seller's written acceptance of this Agreement, shall have the opportunity to inspect the Property including, but not limited to, environmental, asbestos, radon gas, lead paint, physical defects including structural defects, roof, basement, mechanical systems such as heating and air conditioning, electrical systems, sewage and septic systems, plumbing, exterior site drainage, termite and other types of pest and insect infestation or damage caused by such infestation, and review and/or order a boundary survey. If Buyer does not give to Seller written notice of cancellation, for any reason Buyer deems appropriate, within seven (7) calendar days of the date of this Agreement, Buyer shall conclusively be deemed to have: (1) completed all inspections, investigations, reviewed all applicable documents and disclosures and removed all contingencies; (2) elected to proceed with the transaction; (3) assumed all liability, responsibility, and expense for

repairs and/or corrections other than for items which Seller has otherwise agreed in writing to repair or correct. If Buyer objects to the condition of the property within the specified time period, Buyer as their sole option, may terminate the Agreement and neither party shall have any further obligations hereto. As a condition to termination under the inspection period, Buyer agrees to submit to Seller any and all written reports as to such inspections within three (3) calendar days following the expiration of the inspection period, after which time Seller will immediately refund the earnest money deposit.

Repairs

3.03 The property is being sold "as-is" and any repairs to the property identified by Buyer shall be the responsibility of the Buyer. The Seller will be under no obligation whatsoever to make any repairs to the property. Buyer agrees not to enter the property prior to closing for the purpose of making any repairs or alterations without express written permission from Seller.

Rehabilitation

3.04 Upon transfer of title to Buyer, Buyer shall rehabilitate the single-family residential dwelling located at 1313 Huntington Avenue, Sandusky, OH 44870 either directly or indirectly under the supervision of the City in accordance with the terms and conditions of this Purchase and Sale Agreement and the Buyer's Proposal submitted June 30, 2017, which documents shall be incorporated in and made a part of this Purchase and Sale Agreement as if set forth in full herein. Buyer shall make the following improvements to the property that shall be completed within twelve (12) months after closing:

A. Phase I (4 months)

1. Clean exterior of the premises and interior of structure;
2. Remove subflooring in living room/den area (approximately 200 sq. ft.) and install vapor barrier.
3. Replace subflooring and install carpet in living room/den area.
4. Repair/replace drywall as necessary.
5. Paint interior walls.

B. Phase II (2 months)

1. Remove and replace bathroom floor covering.
2. Replace bathroom tub surround.
3. Replace bathroom vanity.
4. Replace bathroom window.

5. Install new kitchen cabinets.
6. Install gas range and refrigerator.

C. Phase III (1 month)

1. Trim doorways and baseboards.
2. Replace all furnace vents with new air diffusers.
3. Add oak seam binder to thresholds to transition carpeting to vinyl flooring.

3.05 Buyer reserves the right to make changes to the above improvements upon approval of the City's Code Enforcement Officers if, in their sole discretion, they have determined that the improvements will cause the Buyer undue hardship or that changes in the scope of the rehabilitation will produce a better end result.

3.06 Construction shall start within thirty (30) days and completion of construction shall occur within twelve (12) months from the date Buyer acquires title. The property shall be occupied by Buyer until October 31, 2020. If the Buyer fails to complete construction and occupy the property within twelve (12) months from the date Buyer acquires title and/or Buyer fails to occupy the property until October 31, 2020, the title to the property together with all improvements made or erected shall automatically be forfeited and revert to and vest in the City of Sandusky. The City shall have the right to re-enter and take possession of the property. A twelve (12) month extension of time to complete construction may be granted by the Land Bank Committee upon written request from the Buyer.

3.07 Inspections shall be made monthly until all construction has been completed. The inspections shall be conducted by the Land Bank Administrator or Code Compliance Officer and may include other City staff as necessary. The purpose of the inspections shall include, but shall not be limited to the following:

1. To ensure that construction is in conformance with the Building Code, Part Thirteen of the Codified Ordinances of the City of Sandusky and the Residential Code of Ohio;
2. That all required permits are obtained; and
3. To monitor adherence to the timeline of completion as provided in Buyer's proposal.

3.08 The parties agree that the completion of all of the items in 3.04 above by Buyer in conformance with the Building Code referred to above shall satisfy Buyer's obligations to complete construction and Buyer shall not be required to make any additional improvements or repairs. The City of Sandusky's right to re-enter and take possession of the property shall terminate on October 31, 2020 and its reversionary interest shall be extinguished.

ARTICLE 4. CONTROL OF PROPERTY DURING CLOSING

Destruction of Improvements

4.01 Risk of loss to the premises and appurtenances occurring prior to closing shall be borne by the Seller. If any part of the premises covered by this contract shall be substantially damaged or destroyed from the date of written acceptance of this contract through the date and time of closing, the Seller shall give a written notice to the Buyer that the damage or destruction has occurred. Such notice must include all pertinent information regarding insurance policies and claims covering the premises that has been damaged or destroyed. The written notice shall be delivered within five (5) calendar days from the date of the discovery of the damage or destruction. The Buyer may: (a) proceed with the transaction and be entitled to all insurance money, if any, payable to Seller under all policies covering the premises, or (b) rescind the contract, by giving written notice to Seller within ten (10) calendar days after the Seller has delivered written notice to the Buyer of such damage or destruction and thereby release all parties from liability, in which event the earnest money deposit shall be returned to the Buyer.

Failure by the Buyer to so notify the Seller in writing, within the ten (10) calendar days, shall constitute an election by the Buyer to proceed with the transaction.

Failure by the Seller to provide the required written notice to the Buyer shall result in the Buyer, upon discovery of the damage or destruction, having the right to: insurance proceeds; reimbursement for repairs; or rescind this contract, in which case, the earnest money deposit shall be returned to the Buyer.

ARTICLE 5. MISCELLANEOUS

Assignment of Agreement

5.01 This Agreement shall be binding on the respective heirs, executors, administrators, successors, and to the extent assignable, on the assigns or nominees of the parties hereto, provided Buyer shall not transfer or assign this Agreement without first having obtained the express written consent of Seller.

Notice

5.02 Any notice required or permitted to be delivered hereunder shall be deemed received when sent by United States Mail, postage prepaid, certified mail,

return receipt requested, addressed to Seller or Buyer, as the case may be, at the address set forth under the signatures of such party hereto.

Ohio Law to Apply

5.03 This Agreement shall be construed under and in accordance with the laws of the State of Ohio. All obligations of the parties created hereunder are performable in Erie County, Ohio.

Legal Construction

5.04 In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

Prior Agreements Superseded

5.05 This Agreement constitutes the sole and only agreement of the parties hereto and supersedes any prior understandings or written or oral agreements between the parties respecting the aforesaid subject matter.

Time of Essence

5.06 Time is of the essence of this Agreement.

Descriptive Heading

5.07 The descriptive headings used herein are for convenience only and are not intended to necessarily refer to the matter in sections which precede or follow them, and have no effect whatsoever in determining the rights of obligations of the parties.

Parties Bound

5.08 The terms, promises, covenants and agreements contained in this Agreement of Sale shall apply to, define upon, and inure to the benefit of the parties hereto and their heirs, executors and administrators.

Counterparts

5.09 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

EXHIBIT A

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



COMMUNITY DEVELOPMENT

Division of Code Enforcement

222 Meigs Street
Sandusky, Ohio 44870
419.627.5913
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Amanda McClain, Housing Manager

DATE: September 11, 2017

RE: City Commission Agenda Item

ITEM FOR CONSIDERATION: Legislation requesting approval to accept eleven (11) 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 eleven (11) 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 August 31, 2017.

Four (4) parcels have vacant, tax delinquent structures on them of which two (2) are condemned and will require demolition. The structure located at 1819 Camp Street is a mixed use structure with commercial use on the first story and residential use on the second story and 329 E. Adams Street is a two story, single family residential structure. They 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 915 W. Monroe Street is a vacant, tax delinquent, two story single family residential structure that has 1,860 sq. ft. of living space with three (3) bedrooms and one and a half (1 ½) baths. The structure located at 1336 Clinton Street is currently in the foreclosure process for delinquent taxes. It is a vacant, two story single family residential structure that has 1,504 sq. ft. of living space with four (4) bedrooms and one (1) bath. Upon acquisition, both structures will be evaluated for rehabilitation.

Seven (7) parcels are tax delinquent vacant lots. The vacant lot located at 1804 Fourth Street is currently in delinquent tax foreclosure. The two (2) vacant lots on Filmore Street and the one (1) vacant lot on Pierce Street are located in the Southside Acquisition Zone. The Pierce Street lot is buildable, however even if combined, the Filmore Street lots are not and would be eligible for the Mow to Own Program along with the vacant unbuildable lots located on Tiffin Avenue and at 716 W. Adams Street. The vacant lots located at 1804 Fourth Street and 1014 Clinton Street are buildable.

The Land Bank Committee has determined that the acquisition of the eleven (11) parcels is necessary to protect, improve, and preserve the stability of the neighborhood they are located in.

BUDGET IMPACT: The cost of these acquisitions will be approximately eleven hundred five dollars and fifty cents (\$1,100.50) to pay for the title exams and transfer fees. The City will not collect the four thousand eighty four dollars and nine cents (\$4,084.09) owed to the City in special assessments, nor will the taxing districts collect the sixteen thousand two hundred twenty eight dollars and fifty four cents (\$16,228.54) 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 four thousand six hundred twenty dollars and thirty two cents (\$4,620.32) per year.

ACTION REQUESTED: It is requested legislation be adopted allowing the City Manager to acquire eleven (11) 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

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Erie County GIS



Notes

0 Filmore (2 Lots)

Erie County GIS



0 Pierce Street

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Erie County GIS

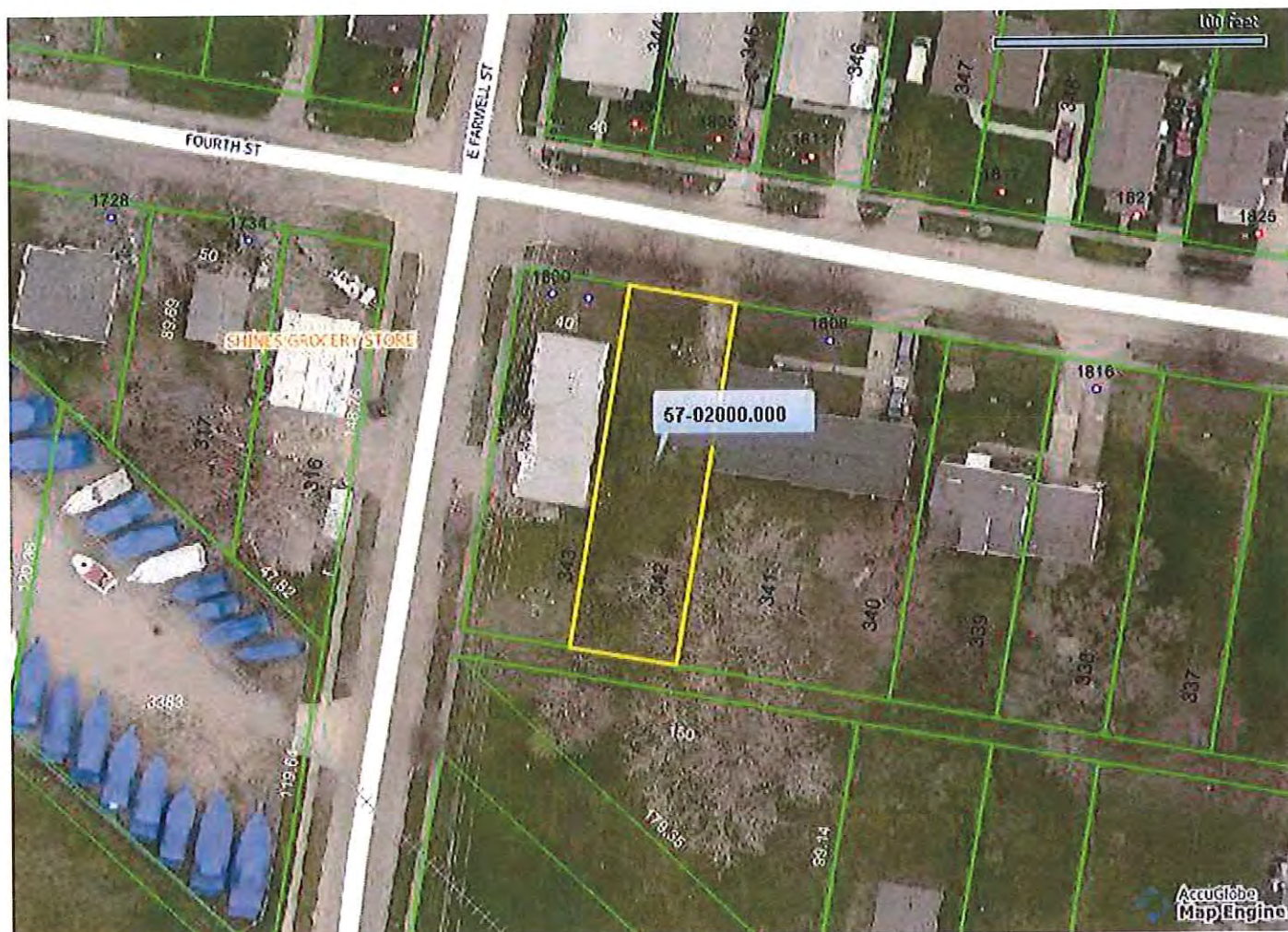


Notes

0 Tiffin Avenue

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

Erie County GIS

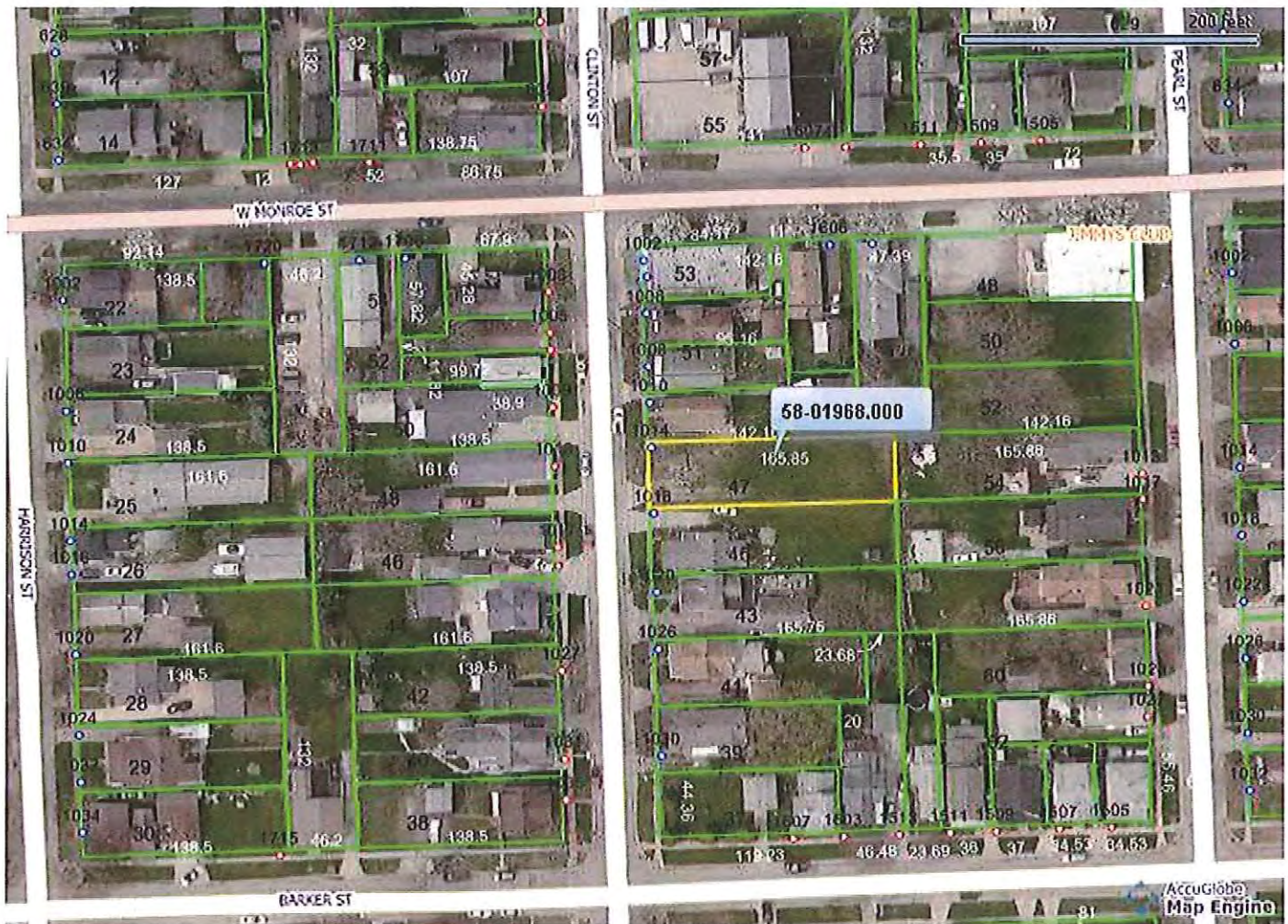


Notes

1804 Fourth Street

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Erie County GIS



Notes

1014 Clinton Street

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Erie County GIS

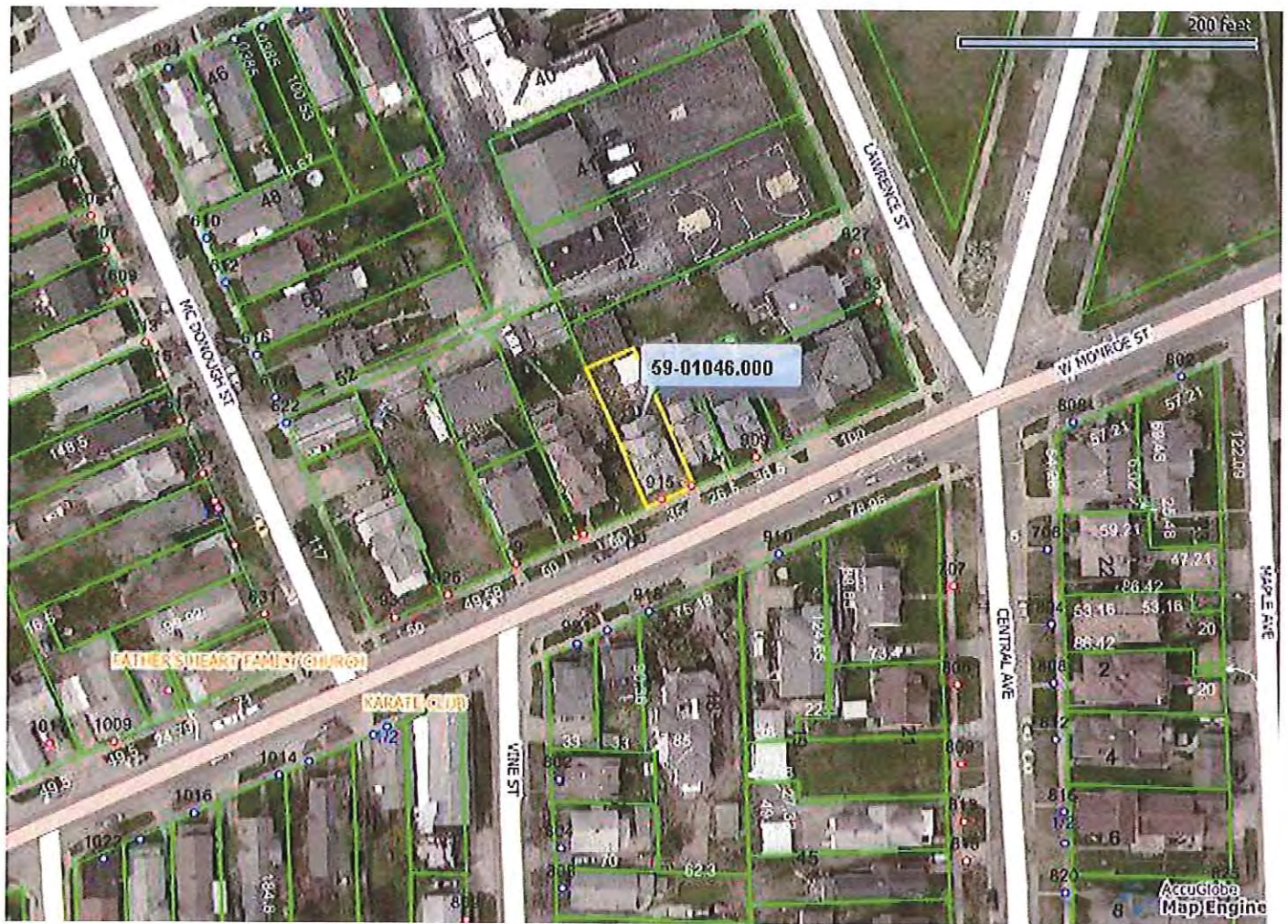


Notes

716 W. Adams Street

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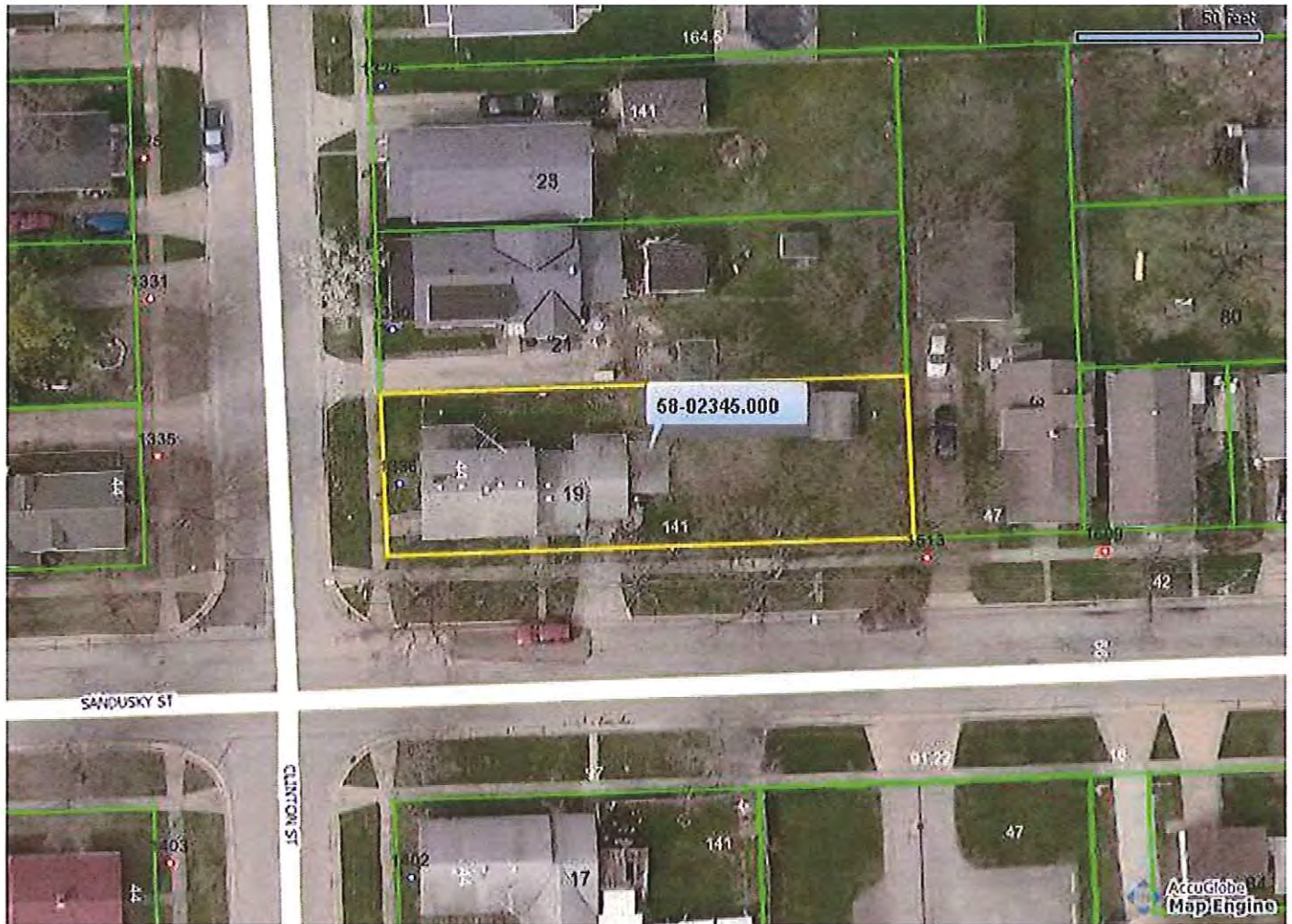
915 W. Monroe Street



05/05/2016

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Erie County GIS



Notes

1336 Clinton Street



07/08/2014

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Erie County GIS



Notes

329 E. Adams Street





05/22/2017 11:13

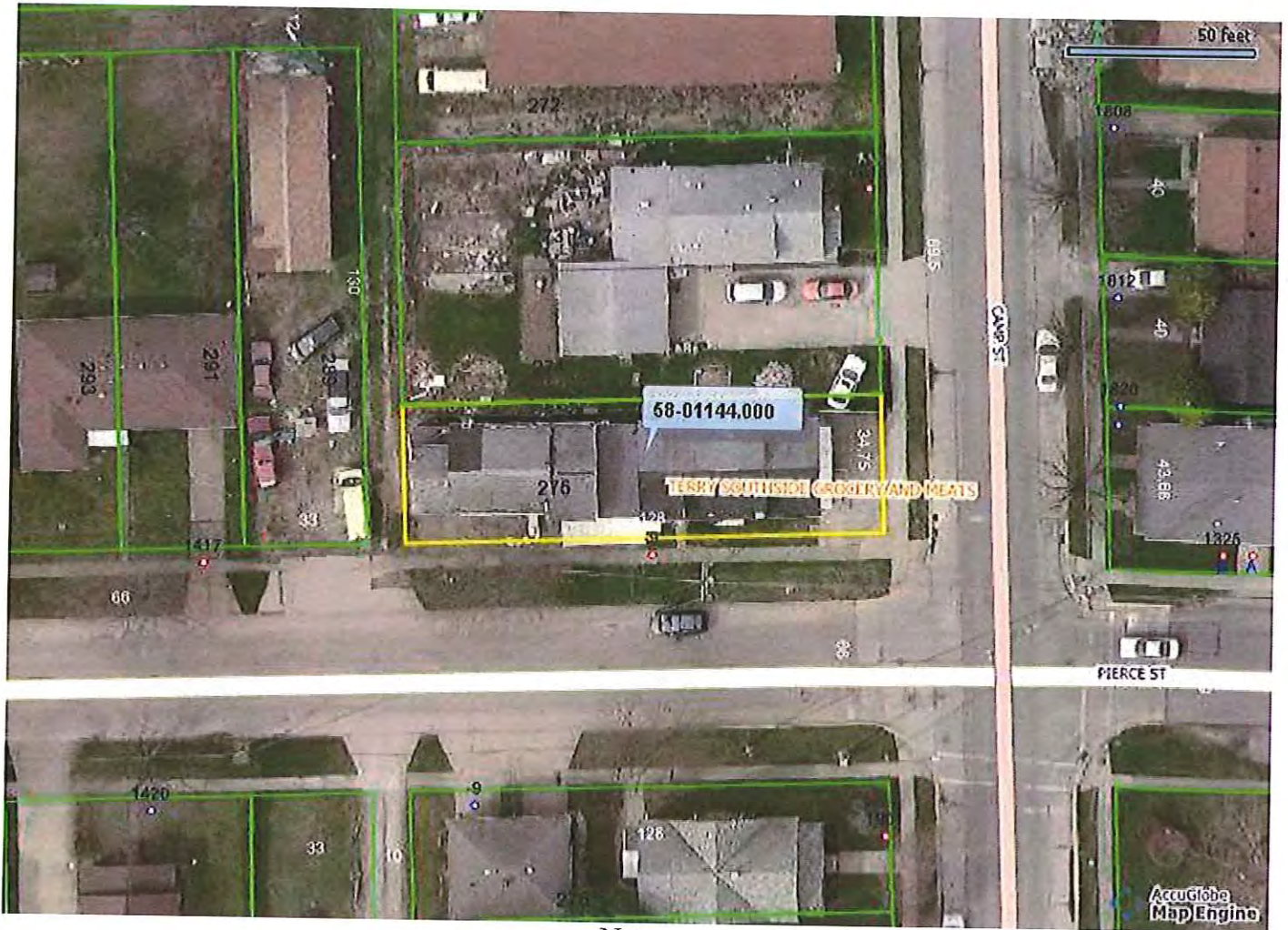


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Notes

1819 Camp 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 eleven (11) 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) of the parcels that are vacant with structures and located in designated target areas will be transferred to the Erie County Land Bank for demolition and two (2) other vacant parcels with structures will be evaluated for rehabilitation; and

WHEREAS, upon City Commission approval, three (3) of the lots which are vacant are buildable will be marketed for future development and two (2) other vacant lots will be combined and eligible for the Mow to Own Program along with two (2) other lots eligible for the Mow to Own Program; and

WHEREAS, these eleven (11) 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 August 31, 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 cost for these acquisitions will be approximately \$1,100.50, 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 eleven (11) 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.

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: September 25, 2017

Exhibit A

Parcel	Address	Owner(s)	Del. Taxes	Assessments	P&I*	Total Owed	Yearly Taxes and Assessments
58-02052.000	0 Filmore	Josephine Rodgers	869.76	212.93	332.83	1,415.52	73.54
58-0252.009	0 Filmore		12.65	212.93	4.70	230.28	1.16
Proposed Use:	These are vacant residential tax delinquent lots in an area of the City zoned Commercial Service (CS) with a combined lot size of 36' X 53'. It is located in the Southside Acquisition Zone.						
58-00439.000	0 Pierce	Kenneth McCarty	597.02	302.38	124.23	1,023.63	178.62
Proposed Use:	This is a vacant residential tax delinquent lot in an area of the City zoned Multi Family Residential (RMF) with a lot size of 67' X 175'. It is located in the Southside Acquisition Zone.						
58-02758.000	0 Tiffin	Joan Woodings, et al	1,233.41	410.92	357.24	2,001.57	190.72
Proposed Use:	This is a vacant residential tax delinquent lot in an area of the City zoned Single Family Residential (R1-40) with a lot size of 38' X 140'.						
57-02000.000	1804 Fourth	Drucilla Hearn	2,023.98	0.00	732.32	2,756.30	205.08
Proposed Use:	This is a vacant residential tax delinquent lot in an area of the City zoned Single Family Residential (R1-40) with a lot size of 40' X 135'. It is currently in delinquent tax foreclosure.						
58-01968.000	1014 Clinton	Homefront Now LLC	560.98	1,615.41	130.91	2,307.30	199.90
Proposed Use:	This is a vacant residential tax delinquent lot in an area of the City zoned Two Family Residential (R2F) with a lot size of 44' X 166'.						
59-00951.000	716 W. Adams	Daniel Farley	597.87	577.01	86.30	1,261.18	154.52
Proposed Use:	This is a vacant residential tax delinquent lot in an area of the City zoned Two Family Residential (R2F) with a lot size of 38' X 132'.						
59-01046.000	915 Monroe	Barbara Schneider	2,344.34	0.00	498.35	2,842.69	635.74
Proposed Use:	This is a vacant tax delinquent single family residential structure in an area of the City zoned Two Family Residential (R2-F) with a lot size of 35' X 100'. It has 3 bedrooms and 1 and a 1/2 baths with 1,860 sq. of living space. Upon acquisition it shall be evaluated for rehabilitation.						
58-02345.000	1336 Clinton	Marilyn Stacy	2,740.98	462.05	531.17	3,734.20	548.60
Proposed Use:	This is a vacant tax delinquent single family residential structure in an area of the City zoned Single Family Residential (R1-40) with a lot size of 44' X 141'. It has 4 bedrooms and 1 bath with 1,504 sq. of living space. It is currently in delinquent tax foreclosure. Upon acquisition it shall be evaluated for rehabilitation.						
56-00486.000	329 Adams	Joyce Sehlmeier	2,274.35	290.46	244.79	2,809.60	786.52
Proposed Use:	This is a tax delinquent single family residential structure with 1,245 sq. ft. of living space. It has 3 bedrooms and 1 bath. It is currently in delinquent tax foreclosure. It has been ordered demolished because it has a long term roof leak that destroyed the interior ceilings and walls. The Building Official determined it was over 50% deteriorated beyond its original value. Upon acquisition, it will be demolished.						
58-01144.000	1819 Camp	Starlin Jackson	2,973.20	0.00	655.63	3,628.83	1,645.92
Proposed Use:	This is a tax delinquent condemned mixed use structure with retail on the first floor and residential on the second floor. It is currently in delinquent tax foreclosure. It has been ordered demolished because it is extremely deteriorated. The Building Official determined it was over 50% deteriorated beyond its original value.						
Totals:			16,228.54	4,084.09	3,698.47	24,011.10	4,620.32



PLANNING DEPARTMENT

Division of Transit

222 Meigs Street
Sandusky, Ohio 44870

419.621.8462
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Tim Bergeman, Transit Administrator

DATE: September 12, 2017

SUBJECT: CY 2018 Sandusky Transit System 5311 Rural Transit Program Grant and 5339: Bus and Bus Facilities Grant Applications

ITEM FOR CONSIDERATION: Request for Resolution of Authorization to file applications with the Ohio Department of Transportation (ODOT) for the CY 2018 Section 5311: Rural Transit Program and Section 5339: Bus and Bus Facilities Grant Programs and upon approval for the City Manager to execute all grant or agreement as awarded.

BACKGROUND INFORMATION: The Rural Transit Program, as authorized by the Federal Transit Administration, 49, USC Section 5311 and the Section 5339: Bus and Bus Facilities, provides funds to assist with operating and capital expenses in the provision of public transportation services in rural areas.

The City, since 2004 on an annual basis, has applied directly to the Federal Transit Administration (FTA) for federal transit assistance as an **urban** transit system. However, due to the result of the 2010 census, the Sandusky Transit System (STS) has been designated as a **rural** transit system which requires the City to annually submit an application for Rural Transit Program funding.

The Ohio Department of Transportation is the designated recipient of Federal Transit Administration funds and State General Revenue Funds. In the past, ODOT has annually allocated these funds to Rural Transit Program grantees to operate rural transit service. In order to receive these funds, Rural Transit Grantees are required to submit an application consisting of an operating budget, including local funds to match the federal funds allocated, basic system information, and certifications and assurances to meet federal compliance and state regulation requirements.

The City will apply for Federal 5311 Rural Transit Grant operating funds of \$775,000 and Capitalized Maintenance funds of \$247,500. In addition to 5311 funding, the City is applying for \$112,728 in Federal 5339: Bus and Bus Facilities funds that will be used to purchase 2 new transit vehicles.

BUDGET IMPACT:

The 5311: Rural Transit Grant Program will provide \$1,022,500 in federal program funding for the operation and maintenance of Sandusky's Transportation System. The leveraging funds will come from state funding and local sources to include transportation contract revenue, passenger fares, advertising revenue, in-kind services, and an estimated \$244,000 in city general funds.

The 5339: Bus and Bus Facilities grant will provide \$112,728 of Federal Funds for the purchase of two (2) transit vehicles, and require \$12,525 of local match funds all of which will be Transportation Contract Revenue.

ACTION REQUESTED: A resolution authorizing the filing of an application with the Ohio Department of Transportation for the CY 2018 5311: Rural Transit Program and Section 5339: Bus and Bus Facilities Grants, and upon approval, for the City Manager to execute any grant or agreement as awarded. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter since applications are due to the Ohio Department of Transportation by October 6, 2017.

I concur with this recommendation:

Eric Wobser

City Manager

Angela Byington

Director of Planning

Tim Bergeman

Transit Administrator

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CY 2018 RURAL TRANSIT PROGRAM GRANT FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Rural Transit Program, as authorized by the Federal Transit Administration, 49, USC Section 5311, provides funds to assist with operating and capital expenses in the provision of general public transportation services in rural and small urban areas; and

WHEREAS, the Ohio Department of Transportation (ODOT) administers Ohio's Rural Transit Program (49 USC Section 5311) on behalf of the Federal Transit Administration (FTA); and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Section 5311 the City give an assurance that it will comply with Title VI of the Civil rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the City that disadvantaged business enterprise be used to the fullest extent possible in connection with any projects, and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services; and

WHEREAS, the City of Sandusky will be applying for financial assistance in the amount of \$775,000.00 for operating funds and \$247,500.00 for capitalized maintenance funds; and

WHEREAS, if awarded, the leveraging funds will be paid with State funding and local sources to include transportation contract revenue, passenger fares, advertising revenue, in-kind services, and an estimated \$244,000.00 in General 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 file a grant application with the Ohio Department of Transportation for CY 2017 Rural Transit Program funds by the submission deadline of October 6, 2017; 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, 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 **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 City Manager is hereby authorized to execute and file a grant application on behalf of the City of Sandusky with the Ohio Department of Transportation for the CY 2018 Rural Transit Program to aid in the financing of operating projects pursuant to 49 USC Section 5311 and the Ohio Public Transportation Grant Program for the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds consistent with the application should they be awarded.

Section 2. The City Manager is authorized to execute and file with the City's application any assurances or any other documentation required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

Section 3. The City Manager is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the City's applications submitted to the Federal Transit Administration and to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.

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: September 25, 2017

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CY 2018 BUS AND BUS FACILITIES PROGRAM GRANT FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Bus and Bus Facilities Grant Program, as authorized by the Federal Transit Administration, 49, USC Section 5311, makes federal resources available to states and direct recipients to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities including technological changes or innovations to modify low or no emission vehicles or facilities; and

WHEREAS, the Ohio Department of Transportation (ODOT) administers Ohio's Buses and Bus Facilities Program (49 USC Section 5339) on behalf of the Federal Transit Administration (FTA); and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs in the program; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under 49 USC Section 5339 the City give an assurance that it will comply with Title VI of the Civil rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the City that disadvantaged business enterprise be used to the fullest extent possible in connection with any projects, and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services; and

WHEREAS, the City of Sandusky will be applying for financial assistance in the amount of \$112,728.00 for the purchase of two (2) new transit vehicles; and

WHEREAS, if awarded, the required local matching funds in the amount of \$12,525.00 will be paid with Transportation Contract Revenue; 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 file a grant application with the Ohio Department of Transportation for Bus and Bus Facilities Program Grant funds by the submission deadline of October 6, 2017; 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, 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 **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 City Manager is hereby authorized to execute and file a grant application on behalf of the City of Sandusky with the Ohio Department of Transportation for the Bus and Bus Facilities Program to aid in the financing of transit vehicles pursuant to 49 USC. Section 5339 and the Ohio Public Transportation Grant Program for the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds consistent with the application should they be awarded.

Section 2. The City Manager is authorized to execute and file with the City's application any assurances or any other documentation required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

Section 3. The City Manager is authorized to furnish such additional information as the Ohio Department of Transportation may require in connection with the City's applications submitted to the Federal Transit Administration and to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.

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: September 25, 2017



DEPARTMENT OF PUBLIC WORKS

222 Meigs Street
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: September 14, 2017

Subject: Commission Agenda Item - Submerged Lands Lease for 2425 First Street & 101 Cedar Point Road

ITEM FOR CONSIDERATION: Legislation to enter into a Submerged Lands Lease (SLL) with the State of Ohio, Ohio Department of Natural Resources (ODNR), for the property located at 2425 First Street and 101 Cedar Point Road.

BACKGROUND INFORMATION: In December of 2015, the City of Sandusky intended to construct the Powdered Activated Carbon (PAC) system and the Emergency Intake Improvements projects. To complete them, however, the City was required to submit a Submerged Lands Lease (SLL) application to ODNR since a portion of each project is located within an area to be considered submerged land. Staff received written approval to construct the projects prior to finalization of the SLL since ODNR had not completed a full internal review by the time the projects were scheduled for bidding. ODNR had requested additional information regarding the use of the site and had asked that the portion of the Pipe Creek Wildlife Area containing the aquatic cells, which is already under a maintenance lease with ODNR, be removed from this SLL.

This SLL covers the northeast portion of the water plant boundary that contains the sludge basins, the administration building, underground infrastructure and the PAC silos. Staff also asked for inclusion of the proposed low-profile dock at the end of River Avenue to ensure that that future project won't require a revision to this document. The full area for the lease totals 584,693.20 square feet.

The Submerged Land Lease shall be for a period of fifty (50) years, commencing on August 1, 2017 and ending July 31, 2067. Under the terms of the SLL the lease property shall be used and occupied for a governmental non-income producing facility. The City received final determination from ODNR on August 22, 2017, that detailed the requirements of the SLL, which were reviewed and found to be sufficient by the Law Department.

BUDGETARY INFORMATION: The cost of the Submerged Lands Lease, File Number SUB-2426-ER, shall be \$1.00 per year for the term of the lease or any future renewals. Payments shall be due August 1 for each year of the lease and will be made out of the General Fund account.

ACTION REQUESTED: It is recommended that an ordinance authorizing and directing the City Manager to enter into a Submerged Lands Lease with the State of Ohio, Ohio Department of Natural Resources for the properties located at 2425 First Street and 101 Cedar Point Road be approved and that the necessary legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to expedite the execution of the Submerged Lands Lease and forward payment

with the executed document to the Ohio Department of Natural Resources since that payment was due August 1.

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 SUBMERGED LANDS LEASE WITH THE STATE OF OHIO, OHIO DEPARTMENT OF NATURAL RESOURCES, FOR THE BIG ISLAND WATER WORKS (BIWW) PROPERTY LOCATED AT 2425 FIRST STREET; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City of Sandusky is the upland property owner of land fronting Sandusky Bay at 2425 First Street, Parcel Numbers 57-60001.000 and 55-00106.000, in the City of Sandusky, Ohio; and

WHEREAS, in 2015 the City began the process for the construction of the proposed Big Island Water Works (BIWW) New Powder Activated Carbon (PAC) System Improvements and Fluorescence Equipment for Algal Toxin Plant Optimization Project and the Emergency Intake Rehabilitation and Chemical Feed Line Installation Project; and

WHEREAS, the City was required by the Ohio Department of Natural Resources (ODNR) to obtain a submerged lands lease prior to final approval of the projects which are within a submerged land area; and

WHEREAS, as part of the lease process, the City Commission authorized and consented to the submission of an application to the Director of the Ohio Department of Natural Resources and determined that the representations contained in the City's application comply with all applicable land use regulations and that a Submerged Lands Lease may be entered into by the State's Director of Natural Resources by Resolution No. 053-15R, passed on December 14, 2015; and

WHEREAS, the City received written approval to construct the projects prior to finalization of the submerged lands lease since ODNR had not completed a full internal review by the time the projects were scheduled for bidding; and

WHEREAS, this Submerged Lands Lease authorizes the use of the property for a governmental non-income producing facility (water plant, intake pipe, intake crib and feed line for a public water utility and a public seasonal dock); 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 expedite execution of the Submerged Lands Lease and forward the rental payment of \$1.00 per year to the ODNR for a period of fifty years, commencing on August 1, 2017, and ending July 31, 2067; 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 approves the form of the Lake Erie Submerged Lands Lease, File No. SUB-2426-ER, a copy of which is marked Exhibit "1", attached to this Ordinance and specifically incorporated as if fully rewritten herein, and authorizes and directs the City Manager to execute the Submerged Lands Lease and forward to the appropriate State Officials for approval and execution.

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: September 25, 2017

STATE OF OHIO
LAKE ERIE SUBMERGED LANDS LEASE
FILE NUMBER SUB-2426-ER

This Lease of Lake Erie Submerged Lands is entered into by and between the State of Ohio, the "State", acting through the Director, Ohio Department of Natural Resources, the "Director", and The City of Sandusky, an Ohio chartered municipal corporation, its successors or assigns, whose mailing address is 222 Meigs Street, Sandusky, Ohio 44870, the "Lessee", pursuant to the provisions of Sections 1501.01, 1506.10 and 1506.11, Ohio Revised Code and the rules promulgated under Chapter 119, Ohio Revised Code, and authorized by Section 1506.02, Ohio Revised Code.

WHEREAS, Lessee is the owner of land fronting on Lake Erie and located at 2425 1st Street, and 101 Cedar Point Road, Sandusky, Ohio 44870, as recorded in Erie County Recorder Deeds Volume 149 Page 38 and Volume 429 Page 279, the "Upland Properties".

WHEREAS, Lessee has submitted to the Director an application for a Lake Erie Submerged Lands Lease for a governmental non-income producing facility (water plant, intake pipe, intake crib and feed line for public water utility and a public seasonal dock).

WHEREAS, the Director has determined that a Lake Erie Submerged Lands Lease may be entered into with Lessee for the following described Submerged Lands the "Lease Property".

DESCRIPTION

SEE EXHIBITS "A" (Plat), "B" (water plant description), "C" (water intake description), "D" (water intake description) and Exhibit "E" (public seasonal dock) ATTACHED HERETO AND MADE A PART HEREOF.

NOW THEREFORE, the State, in consideration of the mutual covenants and agreements hereinafter set forth, does hereby grant this Lease to Lessee, under the following terms and conditions:

1. TERM

This Lease shall be for a period of fifty (50) years, commencing August 1, 2017 and ending July 31, 2067.

Upon the expiration of the term of this Lease, Lessee may apply to the State for a new lease in accordance with any and all laws and regulations pertaining to the leasing of Lake Erie submerged lands in effect at that time.

2. CONSIDERATION

The annual rental for the term of this Lease or renewals shall be based on the following calculations: Rent for a governmental non-income producing facility (water plant, intake pipe, intake crib and feed line for a public water utility and a public seasonal dock) occupying a total of 584,693.2 square feet of submerged lands equals \$1.00 per year for the term of the Lease or renewals. The rent shall not be modified except as provided in Section 3 and Section 7 herein.

The first rental payment shall be computed from August 1, 2017, and shall be due by August 1, in each and every year hereafter. If any payment is not received by the due date, whether or not a demand for payment is made, the State, at its option, may terminate this Lease pursuant to Section 11 herein.

All rental payments are to be made payable to Ohio Treasurer of State and delivered to the Ohio Department of Natural Resources, Office of Coastal Management, 105 West Shoreline Drive, Sandusky, Ohio 44870 or as otherwise may be directed in writing by the Ohio Department of Natural Resources. Obligations of the State are subject to the provisions of Section 126.07 of the Ohio Revised Code.

3. USE

Lessee shall use and occupy the Lease Property for a governmental non-income producing facility (water plant, intake pipe, intake crib and feed line for a public water utility and a public seasonal dock). Any future improvements to the existing facilities, the construction of new facilities, or any change in the existing use of the Lease Property shall require the prior written approval of the Director. Any change in use approved by the Director, may also result in a re-evaluation of the rent, and this Lease, shall, accordingly, be modified to reflect the proper rent as assigned by the Director based on such change in use. Routine maintenance shall not require the prior written approval of the Director. Routine maintenance does not include 1) additional improvements or developments of the Lease Property, 2) improvements to the existing facilities, 3) construction of new facilities, or 4) any change in the use of the Lease Property as stated above.

This Lease is made subject to all prior leases or grants on any portion of the Lease Property, and to the renewal thereof The State also reserves the right to grant utility easements or leases across, under, on or in the Lease Property.

Lessee shall not place any structures or fill material outside the limits of the Lease Property, and shall be liable for any and all damages resulting from such violation and shall be subject to subsequent termination of this Lease under the default provision provided in Section 11 herein.

This Lease shall be subject to any and all local, state or federal laws or regulations. The issuance of this Lease does not release the Lessee from obtaining any and all other permits or documents from any local, state or federal agency as required for the use of the Lease Property. Failure to obtain any required permits or documents shall be a violation of this Lease and cause this Lease to be subject to termination under the default provisions provided in Section 11 herein.

This Lease does not express or imply any control of fisheries or aquatic wildlife now vested in the Department of Natural Resources, Division of Wildlife.

This Lease does not authorize the Lessee to prejudice the littoral rights of any owner of land fronting on Lake Erie. Lessee shall at all times respect the littoral rights of neighboring upland owners, as well as the public's right to the free and unrestricted use of the waters outside the limits of the Lease Property.

The Lease Property shall be subject to the public's right of navigation in and around any structures and/or fill material on the Lease Property. However, the public's right of navigation shall be limited to the extent that it does not interfere with Lessee's safe use of Lessee's structures and/or fill material. Lessee shall not refuse, during storms or other adverse conditions, safe harbor refuge to any vessel seeking such refuge, provided that the harbor can accommodate such vessel.

4. MAINTENANCE/REPAIR

Lessee shall maintain and manage the Lease Property in a responsible manner, keeping it clean, sanitary and free from any debris. Lessee agrees to make every attempt to ensure that there is no excessive buildup of unsightly debris on the Lease Property as a direct result of Lessee's improvements.

5. LIABILITY

The State of Ohio is self-insured for the indemnification of its officers and employees in the maximum aggregate amount of one million dollars per occurrence in accordance with section 9.87 of the Ohio Revised Code. The parties agree that Lessee shall be solely responsible for any and all claims,

demands, or causes of action arising from Lessee's actions, performance and obligations under this Lease. Each party to this Lease must seek its own legal representation and bear its own costs, attorney fees and expenses, in any litigation that may arise from the performance of this Lease. Both parties being governmental entities in the state of Ohio, it is specifically understood and agreed that neither party indemnifies the other. Nothing in this Lease shall be construed to be a waiver of the sovereign immunity of the State of Ohio or the immunity of any of its employees or agents for any purpose. In no event shall Lessor be liable for indirect, consequential, incidental, special, liquidated, or punitive damages, or lost profits that may be attributable to the actions of the Lessee.

During the term of this Lease, Lessee, at its sole cost and expense, shall carry and maintain a policy of Comprehensive General Liability insurance with the broad form endorsement against claims for bodily injury, personal injury, wrongful death and property damage covered together with all costs of defense.

Said policy shall designate as an additional named insured the State of Ohio as its interest may appear. The policy limits shall be no less than the following:

Bodily Injury		\$250,000 per person
		\$500,000 per occurrence
Property Damage	\$100,000 per occurrence	\$500,000 aggregate
	OR	
Combined single limit		\$1,000,000 per occurrence

Said policy shall contain a clause providing that thirty (30) days written notice of cancellation, nonrenewal, or decrease in coverage will be given to the Director. A copy of the Certificate of Coverage shall be filed with and is subject to the approval of the Director.

The State reserves the right, but has no obligation, to periodically review the liability limits for the insurance policies required. If at any time the State reasonably determines that the then required policy limits are insufficient to adequately protect the State's interests and/or do not meet current industry guidelines, the State may require an increase in the policy limits. The Lessee shall have sixty (60) days following notification by the State of the new policy requirements to obtain insurance meeting the new requirements and to file with the State proof of insurance conforming to the new requirements. Failure to comply with this clause shall constitute a material breach of this Lease and cause this Lease to be subject to termination under the default provision provided in Section 11 herein.

6. MINERAL RIGHTS

This Lease reserves to the State all mineral rights as required by Section 1506.11 of the Ohio Revised Code, and should the State cause any such minerals to be removed from the Lease Property, their removal will be conducted in a manner that will not damage any improvements of the Lessee on the Lease Property.

7. ASSIGNMENT/MORTGAGE/SUBLETTING

Lessee shall not assign or mortgage this Lease or sublet any part of the Lease Property in a manner inconsistent with Rule 1501-6-05 (D) of the Ohio Administrative Code. There shall be no assignment, sublease or mortgage of the Lease without the written consent of the Director which consent shall not be unreasonably withheld or unreasonably conditioned.

Lessee shall deliver a written request to assign, sublet or mortgage this Lease to the Director not less than ninety (90) days prior to the proposed effective date thereof. The Director shall respond to Lessee within thirty (30) days of the Director's receipt of Lessee's request. If the Director fails to act in any manner within ninety (90) days of the receipt of Lessee's request, the request shall be deemed approved by the Director.

If Lessee transfers the Upland Property, Lessee must assign this Lease to the transferee of the Upland Property prior to or on the date of the transfer of the Upland Property. If assigned prior to the date of transfer, Lessee shall instruct the closing officer of the title company or bank or Lessee's attorney to hold the assignment in escrow until the transfer of the Upland Property is completed. In the event that the transfer of the Upland Property is not consummated, the assignment of this Lease shall automatically be null and void. Failure to comply with this clause shall constitute a material breach of this Lease and cause this Lease to be subject to termination under Section 11, including Lessee's duty to remove all personal property, structures and fixtures constructed or placed on the Lease Property and to restore the Lease Property to a condition satisfactory to the State.

Rental rates and other lease terms shall be subject to revision at the time of assignment of this Lease.

Applicants for the Director's consent to assign, mortgage or sublet this Lease shall be entitled to an administrative review of and appeal from any decision of the Director pursuant to Section 119.06, Ohio Revised Code.

8. TAXES

Lessee shall be responsible for any and all federal, state, and/or local taxes and/or assessments levied against the Lease Property.

9. ACCESS

The State may, without prior notice, at all reasonable times and without interfering with the operations of the Lessee, enter into and upon the Lease Property to determine if the Lessee is complying with the terms of this Lease or for any other lawful purpose.

10. DISCRIMINATION PROHIBITED

Lessee shall not discriminate against any person or entity on the basis of race, color, religion, sex, ancestry, handicap, disability, age or national origin.

11. STATE'S RIGHT TO TERMINATE

If Lessee breaches or defaults on any of the terms or conditions of this Lease, and if such breach or default is not remedied within thirty (30) days after written notification by the State of the breach or default, the State may terminate this Lease.

The State shall give written notice of any termination made under this Section and Lessee shall then surrender possession of the Lease Property to the State. Lessee shall have ninety (90) days from the date on the written notice to remove all personal property, structures and fixtures constructed or placed on the Lease Property, and to restore the Lease Property to a condition satisfactory to the State which satisfaction shall not be unreasonably withheld. If the Lease Property is not restored to a condition satisfactory to the State, the State may have the Lease Property restored at expense of Lessee.

A termination made under this Section shall not be deemed to be a condemnation or appropriation of the interest of the Lessee in the Lease Property and the only right to compensation the Lessee shall be entitled to is a pro-rated refund of any rental monies previously paid to Lessor. Lessor shall not be liable for any damages or loss to the Lessee arising out of a termination made pursuant to this Section.

12. LESSEE'S TERMINATION OPTION

- (a) In the event Lessee should wish to discontinue its use of or is unable to continue its use of the Lease Property, prior to the expiration of this Lease

as stated in the Term provision herein, then Lessee shall have the option ("Termination Option") to terminate this Lease, subject to and in accordance with the following terms and conditions:

- (i) Lessee shall deliver a written request to terminate this Lease to the Director. There shall be no termination of this Lease without the written consent of the Director, which consent shall not be unreasonably withheld or unreasonably conditioned. In the event that the Director consents to Lessee's request to terminate this Lease prior to its date of expiration, Lessee will execute a Lease Termination Agreement prepared by the State ("Termination Agreement");
 - (ii) Lessee shall have the time specified in the Termination Agreement to remove all personal property, structures and fill constructed or placed upon the Lease Property, and to restore the Lease Property to a condition satisfactory to the Director. If the Lease Property is not restored to a condition satisfactory to the Director, the Director may have the Lease Property restored at the expense of Lessee; and
 - (iii) Lessee must not be in default under this Lease and all rent, additional rent, and other charges payable under this Lease shall be paid through and apportioned as of the effective date of termination of this Lease, unless waived in writing by the Director.
- (b) The Termination Option shall automatically become null and void upon the earlier to occur of: (i) the termination of Lessee's right to possession of the Lease Property or (ii) the failure of Lessee to timely or properly exercise the Termination Option.

13. EMINENT DOMAIN

This Lease is subject to the State's right of eminent domain as provided for in Section 1506.11(E), and elsewhere in the Ohio Revised Code.

14. EXPIRATION

Upon the expiration of this Lease and the subsequent failure of Lessee to apply to the State for a new lease pursuant to Section 1 herein, Lessee shall remove all personal property, structures and fixtures constructed or placed on the Lease Property, and restore the Lease Property to a condition satisfactory to the State. If the Lease Property is not restored to a condition satisfactory to the State, the State may have the Lease Property restored at the expense of the Lessee.

15. REPRESENTATIVES/AGENTS

Where this Lease refers to either the State or the Lessee, those terms shall include the agents, employees, or authorized representatives of each party.

16. QUIET ENJOYMENT

The State covenants that if, and so long as, Lessee pays the rent when due and performs the covenants hereof, Lessee may quietly occupy the Lease Property, during the term, without any hindrance by the State or any person or persons lawfully claiming under the State. The State is not obligated to warrant or defend the Lease Property or this Lease against any claim asserted by any other person or entity. A taking by eminent domain shall not be deemed to be a breach of this covenant.

Witnesses to Lessee The City of Sandusky (2 witnesses)

Witness Signature

Date

The City of Sandusky, LESSEE

Print Witness Name

By: _____

Signature

Date: _____

Witness Signature

Date

Print Name

Print Title

Print Witness Name

The foregoing Lease of Lake Erie Submerged Lands is hereby approved.

THE STATE OF OHIO, LESSOR

Scudder D. Mackey, Ph.D., Chief
Office of Coastal Management
As Designee for James Zehringer, Director
Ohio Department of Natural Resources

STATE OF OHIO,

ERIE COUNTY, ss:

Before me, a notary public in and for State of Ohio, County of _____,
personally appeared the above-named Scudder D. Mackey, Ph.D., Chief, Office of Coastal
Management, Ohio Department of Natural Resources, on behalf of LESSOR, State of Ohio, who
acknowledged that he did sign the foregoing instrument and that the same was his free act and
deed.

In testimony whereof, I hereunto set my hand and official seal at _____,
Ohio, this _____ day of _____, 2017.

Notary Public (Signature)

Notary Public (Print Name)

My Commission Expires: _____

This instrument was prepared by Gerald E. Dailey, Assistant Attorney General.

REFERENCES:

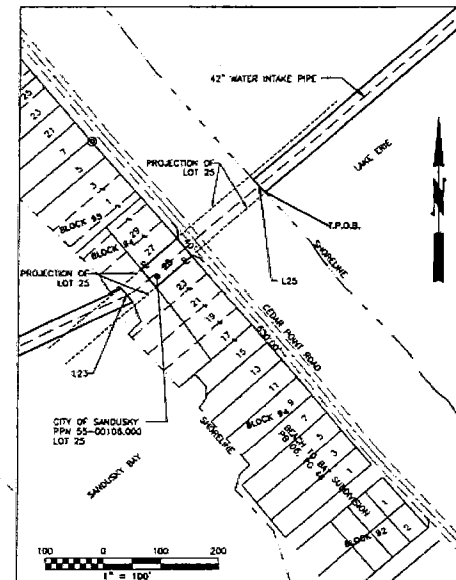
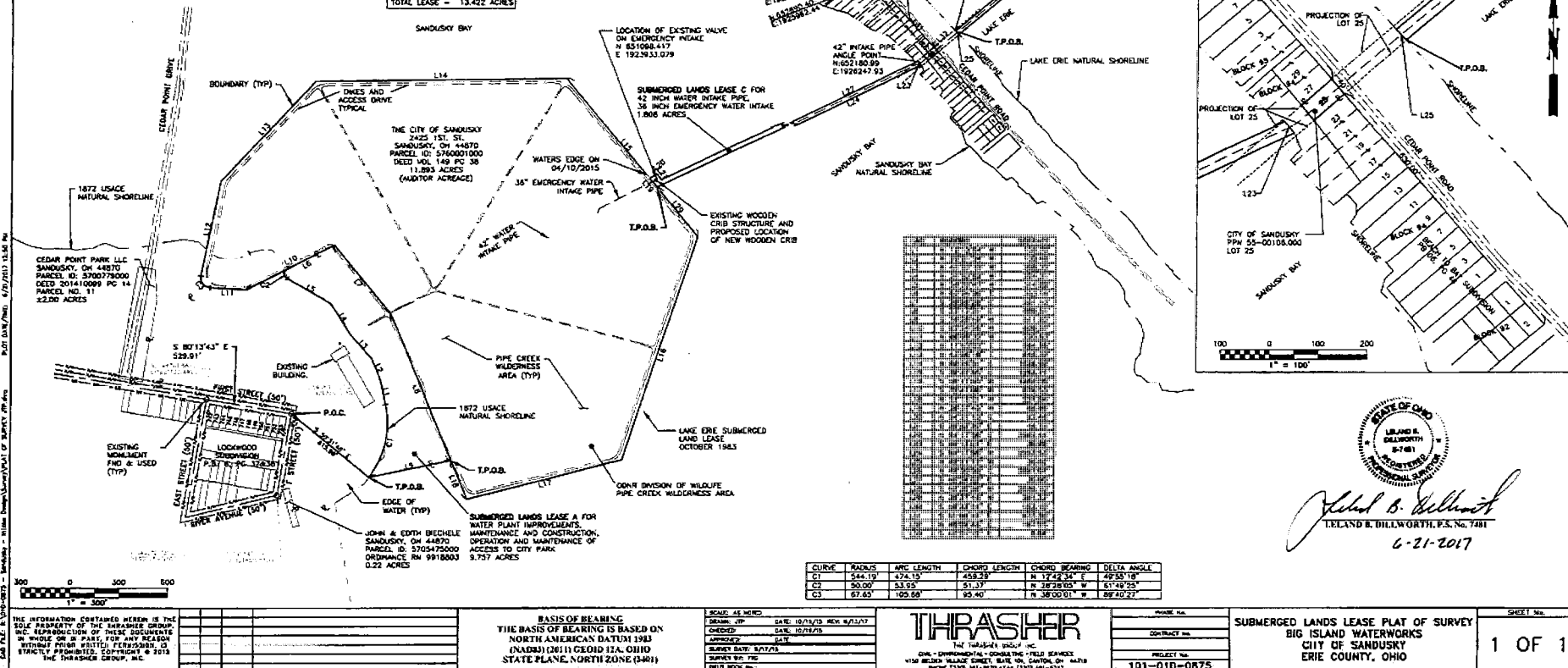
- LOCKWOOD SUBDIVISION PG 6, PG 37 & 38
- DEEDS AS INDICATED ON THE DRAWING
- JOHN AND EDITH BIECHELE DEED RECORD NUMBER 20011832
- CITY ORDINANCE NO. 99-318 VACATE PORTION OF RIVER AVENUE
- THE DESIGN HARBOUR IMPROVEMENT PLANS BY DMA IN 1983
- CITY OF SANDUSKY-42" WATER WORKS INTAKE IMPROVEMENT PLANS - P.W.A. DOCKET OH 1552-F FILE NO. 1240 1938
- BEACH TO RAY SUBDIVISION PLAT PG 06, PG 48
- AGREEMENT BETWEEN ADMIRAL'S HARBOR, INC. AND QONR A.G.C. 6, 1991 AND AGREEMENT BETWEEN QONR AND THE CITY OF SANDUSKY OCT. 21, 1991
- TRIANGULATION SURVEY DATA FILE NO. 1261
- SURVEY FOR DOROTHY WEIS APRIL 19, 1994
- PLAT OF SURVEY BY JOHN MANCOCK & ASSOCIATES, INC. MARCH 28, 2006

SUBMERGED LANDS LEASE PLAT OF SURVEY
SUBMERGED LANDS ADJACENT TO WATER'S EDGE
NORTH SIDE OF LANDS NOW OR FORMERLY OWNED
BY THE CITY OF SANDUSKY, OHIO, AS RECORDED IN
BY 149, PG 28 IN THE ERIE COUNTY RECORDER'S
OFFICE, PART OF BIG ISLAND IN THE CITY OF
SANDUSKY, OHIO

NOTES:

- ALL ELEVATIONS REFER TO INTERNATIONAL GREAT LAKES DATUM 1985
- DATE OF SURVEY: 04/10/2015
- PARCEL IS BOUNDED BY THE SANDUSKY BAY ON THE NORTH, EAST AND WEST AND ROAD RIGHT OF WAY ON THE SOUTH

SUBMERGED LANDS LEASE	
LEASE A =	9.757 ACRES
LEASE B =	1.808 ACRES
LEASE C =	1.808 ACRES
TOTAL LEASE =	13.422 ACRES



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	544.19	474.15	458.29	N 17°42'34" E	49°53'18"
C2	50.00	53.93	51.37	N 30°38'03" W	61°49'23"
C3	87.65	105.69	69.40	N 38°00'01" W	89°40'22"

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BASIS OF BEARING
THE BASIS OF BEARING IS BASED ON
NORTH AMERICAN DATUM 1983
(NAD83) (NAD83) (NAD83) (NAD83)
STATE PLANE, NORTH ZONE (S-401)

RECORD AS NEEDED
DRAWN: J.P. DATE: 10/17/15
CHECKED: DATE: 10/17/15
APPROVED: DATE: 10/17/15
SURVEY BY: DATE: 10/17/15
FIELD BOOK NO.: 101-016-0875

THRASHER
THE THRASHER GROUP, INC.
ONE - DIMENSIONAL - CONSULTING - FIELD SERVICES
1100 BEACH BLVD. SUITE 100, CANTON, OH 44705
PHONE: (330) 461-8779 FAX: (330) 461-8747

PHONE NO.
CONTRACT NO.
PROJECT NO.
101-016-0875

SUBMERGED LANDS LEASE PLAT OF SURVEY
BIG ISLAND WATERWORKS
CITY OF SANDUSKY
ERIE COUNTY, OHIO



Island & Dillworth
ISLAND & DILLWORTH, P.E. No. 7481
6-21-2017

THRASHER

DESCRIPTION OF BIG ISLAND WATERWORKS SUBMERGED LANDS LEASE A SANDUSKY, OHIO

WATER PLANT IMPROVEMENT AREA

9.757 ACRES (425,030 SQ. FT.)

Situated in the State of Ohio, County of Erie and the City of Sandusky and known as part of the Big Island and being a tract of land now or formally owned by the City of Sandusky by deed recorded in Deed Volume 149, Page 38 of the Erie County Recorder's Office, and being more fully described as follows;

Commencing at an iron rod found (N.649651.951, E.1921715.673) in a monument box at the intersection of the centerlines of right of way of First Street (50 feet wide) and "F" Street (50 feet wide), witnessed by iron rod found (N.649741.886, E.1921193.449) in a monument box N 80°13'43" W, 529.91 feet at the intersection of the centerlines of right of way of First Street (50 feet wide) and East Street (50 feet wide);

Thence S 50°31'46" E, a distance of 615.98 feet to a point at the intersection of the southerly line of said property, new submerged land lease line and the upland limit of the public trust as defined by the Ohio Department of Natural Resources and based on an interpretation of the Natural Shoreline by USACE in 1872 of the Sandusky Bay and being the **TRUE POINT OF BEGINNING** for parcel of land herein described;

Thence along the said 1872 natural shoreline and the new submerged lands lease line the following seven (7) courses;

1. along a curve to the left having a radius of 544.19 feet, an arc length of 474.15 feet, a chord length of 459.29 feet and bearing N 12°42'34" E to a point of tangency;
2. N 12°15'04" W, a distance of 159.72 feet to a point;
3. N 22°21'54" W, a distance of 135.46 feet to a point;
4. N 41°07'15" W, a distance of 208.32 feet to a point;
5. N 31°03'05" W, a distance of 224.31 feet to a point;
6. N 59°22'47" W, a distance of 314.00 feet to a point of curvature;
7. along a curve to the right having a radius of 50.00 feet, an arc length of 53.95 feet, a chord length of 51.37 feet and bearing N 28°28'05" W to a point;

Thence along said new submerged lands lease line and the outer limits of a wetland dike the following three (3) courses;

1. N 62°24'56" E, a distance of 353.14 feet to a point;
2. S 38°56'26" E, a distance of 551.13 feet to a point;

Exhibit "B"

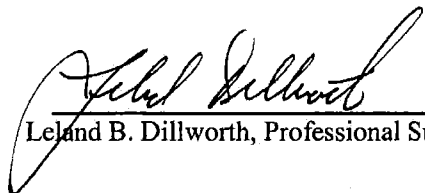
3. S 22°12'21" E, a distance of 989.61 feet to a point at a southerly corner of the said property;

Thence S 78°28'49" W along the said southerly property line and the new submerged land lease line, a distance of 511.92 feet to the **TRUE POINT OF BEGINNING** and containing 9.757 acres.

The basis of bearing is based on North American Datum 1983 (NAD83) (2011), Ohio State Plane, North Zone (3401).

This description was prepared by Leland B. Dillworth, Professional Surveyor #7481, of The Thrasher Group from a field survey performed by The Thrasher Group in April of 2015.



 6-21-2017
Leland B. Dillworth, Professional Surveyor #7481

THRASHER

DESCRIPTION OF BIG ISLAND WATERWORKS SUBMERGED LANDS LEASE C SANDUSKY, OHIO

42 INCH WATER INTAKE & 36 INCH EMERGENCY WATER INTAKE

1.808 ACRES (78,765.6 SQ. FT.)

Situated in the State of Ohio and located within the waters of Sandusky Bay, County of Erie and the City of Sandusky and adjacent to a tract of land known as part of the Big Island and being a tract of land now or formally owned by the City of Sandusky by deed recorded in Deed Volume 149, Page 38 of the Erie County Recorder's Office, and being more fully described as follows;

Commencing at an iron rod found (N.649651.951, E.1921715.673) in a monument box at the intersection of the centerlines of right of way of First Street (50 feet wide) and "F" Street (50 feet wide), witnessed by iron rod found (N.649741.886, E.1921193.449) in a monument box N 80°13'43" W, 529.91 feet at the intersection of the centerlines of right of way of First Street (50 feet wide) and East Street (50 feet wide);

Thence S 50°31'46" E, a distance of 615.98 feet to a point at the intersection of the southerly line of said property, new submerged land lease line and the upland limit of the public trust as defined by the Ohio Department of Natural Resources and based on an interpretation of the Natural Shoreline by USACE in 1872 of the Sandusky Bay;

Thence along the southerly line of the said Grantor, the new submerged lands Lease A and the ODNR Pike Creek Wilderness Area the following five (5) courses;

1. N 78°28'49" E, a distance of 511.92 feet to a point;
2. S 22°12'21" E, a distance of 257.84 feet to a point;
3. N 75°41'09" E, a distance of 979.53 feet to a point;
4. N 18°11'03" E, a distance of 1462.06 feet to a point;
5. N 39°37'45" W, a distance of 391.32 feet to a point and being the **TRUE POINT OF BEGINNING** for parcel of land herein described;

Thence along said new submerged lands lease line the following six (6) courses;

1. N 39°37'45" W, a distance of 68.99 feet to a point;
2. N 54°21'13" E, a distance of 52.46 feet to a point;
3. S 35°52'30" E, a distance of 46.75 feet to a point;
4. N 64°17'58" E, a distance of 2502.44 feet to a point on the natural shoreline of Sandusky Bay, south of Lot 25 of Block 94 of Beach to Bay Subdivision as recorded in Plat Book 06, Page 48 of the Erie County Records records and presently owned by the city of Sandusky;

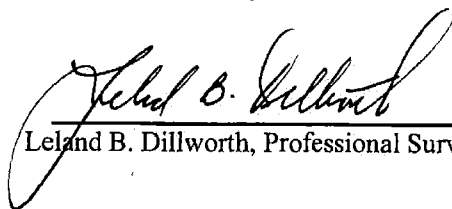
Exhibit "C"

5. S 40°13'01" E along the new lease line and the said natural shoreline, a distance of 30.99 feet to a point;
6. S 64°17'58" W, a distance of 2553.53 feet to the **TRUE POINT OF BEGINNING** and containing 1.808 acres.

The basis of bearing is based on North American Datum 1983 (NAD83) (2011), Ohio State Plane, North Zone (3401).

This description was prepared by Leland B. Dillworth, Professional Surveyor #7481, of The Thrasher Group from a field survey performed by The Thrasher Group in April of 2015.



 6-21-2017
Leland B. Dillworth, Professional Surveyor #7481

THRASHER

DESCRIPTION OF BIG ISLAND WATERWORKS SUBMERGED LANDS LEASE D SANDUSKY, OHIO

42 INCH WATER INTAKE

1.857 ACRES (80,897.6 SQ. FT.)

Situated in the State of Ohio, and located within the waters of Lake Erie, County of Erie and the City of Sandusky and adjacent to Lot 25 of Block 94 of the Beach to Bay Subdivision as recorded in Plat Book 06, Page 48 of the Erie County Recorder's records and being a tract of land now or formally owned by the City of Sandusky, and being more fully described as follows;

Commencing at an iron pin found (N.652690.40, E.1925962.44) at the northeasterly corner of Lot 23 of Block 95 of said Beach to Bay Subdivision, witnessed by an iron pin found (N.652758.79, E.1925903.92), N 40°33'14" W, a distance of 90.00 feet at the northwesterly corner of Lot 25 of Block 95 of said Beach to Bay Subdivision;

Thence S 40°33'14" E along the northerly line of said Block 95, a distance of 163.10 feet to a point;

Thence S 41°00'14" E continuing along the said northerly line of Block 95 and 94, a distance of 477.30 feet to a point at the northwesterly corner of said Lot 25;

Thence N 48°59'46" E along a projection of the westerly line of said Lot 25, a distance of 167.55 feet to a point at the intersection of the natural shoreline of Lake Erie;

Thence S 42°21'12" E along the natural shoreline of Lake Erie, a distance of 8.84 feet to a point and begin the **TRUE POINT OF BEGINNING** for the parcel of land herein described;

Thence along the new submerged lands lease D the following four (4) courses;

1. N 49°30'58" E, a distance of 2697.07 feet to a point;
2. S 40°29'02" E, a distance of 30.00 feet to a point;
3. S 49°30'58" W, a distance of 2696.10 feet to a point on the natural shoreline of Lake Erie, north of said Lot 25 of Block 94 of Beach to Bay Subdivision;
4. N 42°21'12" W along the new lease line and the said natural shoreline, a distance of 30.02 feet to the **TRUE POINT OF BEGINNING** and containing 1.857 acres.

Exhibit "D"

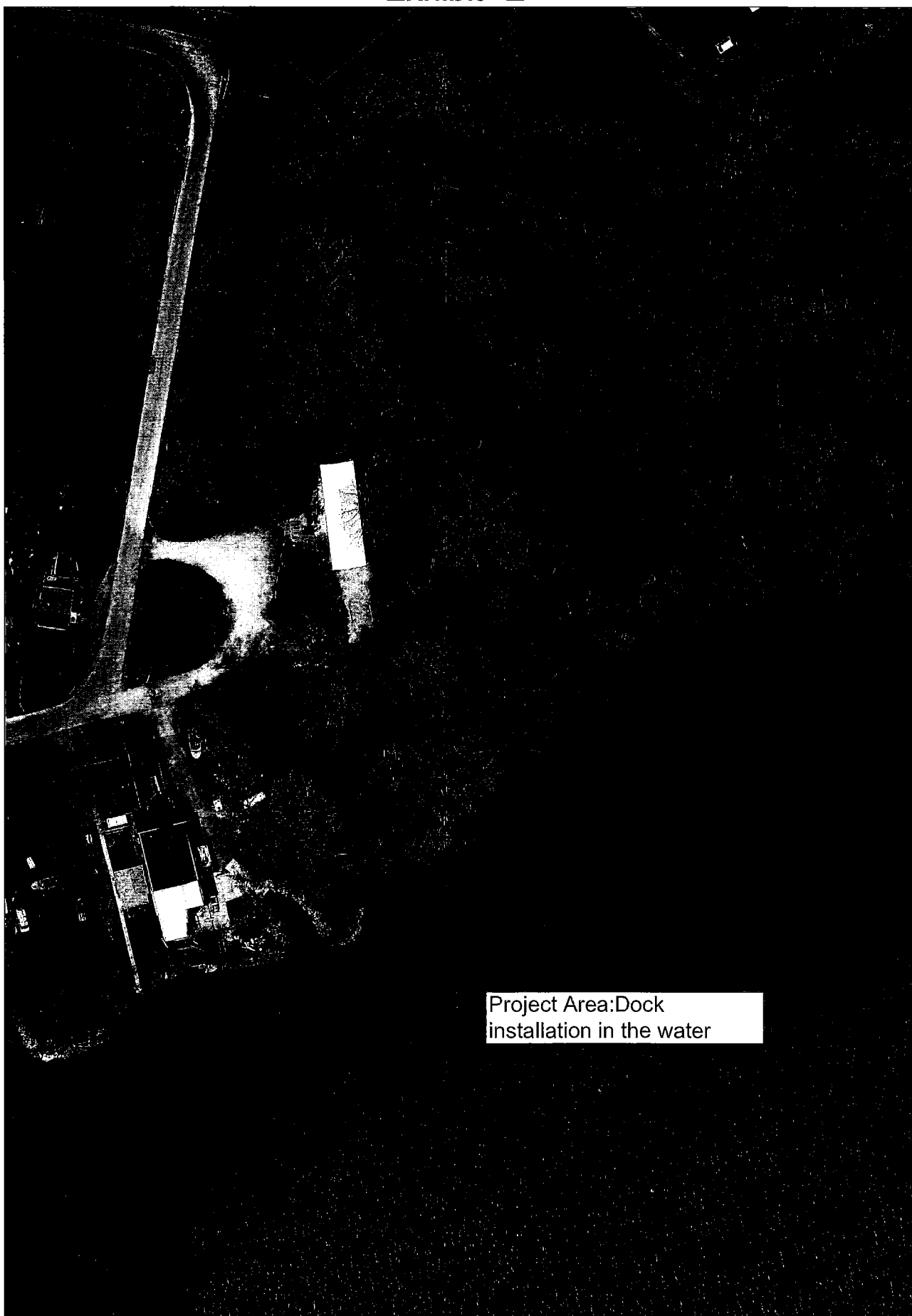
The basis of bearing is based on North American Datum 1983 (NAD83) (2011), Ohio State Plane, North Zone (3401).

This description was prepared by Leland B. Dillworth, Professional Surveyor #7481, of The Thrasher Group from a field survey performed by The Thrasher Group in April of 2015.

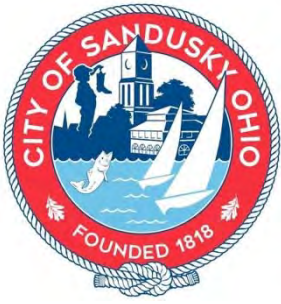


Leland B. Dillworth 6-21-2017
Leland B. Dillworth, Professional Surveyor #7481

Exhibit "E"



Project Area: Dock
installation in the water



DEPARTMENT OF FINANCE
HANK S. SOLOWIEJ, CPA, FINANCE DIRECTOR

222 Meigs Street
Sandusky, Ohio 44870
Phone (419) 627-5888
Fax (419) 627-5892

TO: Eric L. Wobser, City Manager
FROM: Hank S. Solowiej, CPA, Finance Director
DATE: September 15, 2017
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

Ohio Rev. Code Section 5705.40 states that any appropriation ordinance or measure may be amended or supplemented, provided that such amendment or supplement shall comply with all provisions of law governing the taxing authority in making an original appropriation and that no appropriation for any purpose shall be reduced below an amount sufficient to cover all unliquidated and outstanding contracts or obligations certified from or against the appropriation.

I am submitting amendment #5 to the 2017 General Appropriations.

BUDGETARY INFORMATION:

Appropriation amendments are required to update the budget for previous actions of the City. Examples include, but are not limited to:

- Mechanical failures at Oakland Cemetery
- Submerged lands lease payments to ODNR
- Reallocate unused budgeted payroll funds for OTPPG grant

Please contact the Finance Director if there are any questions.

ACTION REQUESTED:

It is requested the City Commission enact the ordinance and have it take immediate effect under Section 14 of the City Charter so that the budget amounts can be entered into the financial system and purchases can be made to continue the flow of city operations.

CC: Justin Harris, Law Director

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AMENDMENT NO. 5 TO ORDINANCE NO. 17-064 PASSED BY THIS CITY COMMISSION ON MARCH 27, 2017, MAKING GENERAL APPROPRIATIONS FOR THE FISCAL YEAR 2017; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission made general appropriations for the Fiscal Year 2017 Operating Budget by Ordinance No. 17-064, passed on March 27, 2017; and

WHEREAS, this City Commission adopted Amendment No. 1 to Ordinance No. 17-064 to cover deficiencies or needs which existed in the General, Transit, State & Federal Grants, Enforcement & Education, Capital Projects, Special Assessment, Water, Sewer, General Trust, and Park Endowment Funds by Ordinance No. 17-083, passed on April 24, 2017; and

WHEREAS, this City Commission adopted Amendment No. 2 to Ordinance No. 17-064 to cover deficiencies or needs which existed in the General, State, Capital Projects, Water, and Sewer Funds by Ordinance No. 17-097, passed on May 22, 2017; and

WHEREAS, this City Commission adopted Amendment No. 3 to Ordinance No. 17-064 to cover deficiencies or needs which existed in the General, Transit, Parks & Recreation, Capital Projects, and General Trust Funds by Ordinance No. 17-125, passed on June 26, 2017; and

WHEREAS, this City Commission adopted Amendment No. 4 to Ordinance No. 17-064 to cover deficiencies or needs which existed in the Transit, State Grants, Special Assessment, Sewer, and General Trust Funds by Ordinance No. 17-161, passed on August 28, 2017; and

WHEREAS, this Ordinance has been prepared to cover other deficiencies or needs which exist in the General, and Transit Funds; and

WHEREAS, amendments are required to adjust the budget for previous actions of the City; 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 prevent delays in the use of the funds for an extended period of time and not restrict the operation of City departments; 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 Finance 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. Ordinance No. 17-064 passed by this City Commission on the 27th day of March, 2017, be amended as hereinafter set forth:

DEPARTMENT	PERSONAL SERVICES	OTHER	TOTAL
OAKLAND CEMETERY	-	5,000	5,000
ADMINISTRATIVE SUPPORT	-	50,000	50,000
GENERAL FUND	-	55,000	55,000
TRANSIT	(25,000)	25,000	-
TRANSIT FUND	(25,000)	25,000	-
TOTAL ALL FUNDS	(25,000)	80,000	55,000

Section 2. The Finance Director is authorized to draw warrants upon the City treasury for funds appropriated in this Ordinance upon presentation of properly approved vouchers and when in conformity with the Charter and general laws of the State of Ohio. In addition, the Finance Director is authorized to make transfers between funds, to cover deficiencies in City funds provided said transfers are included in the general appropriations.

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

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

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

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

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

Passed: September 25, 2017



Department of Community Development

Maria Muratori
mmuratori@ci.sandusky.oh.us

222 Meigs St.
Sandusky, OH 44870
Phone: 419.627.5891
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager

From: Maria Muratori, Development Specialist

Date: September 13, 2017

Subject: Commission Agenda Item – Grant Agreement between City of Sandusky and Chris Andrews, LLC (dba Ohio Truck Sales).

Items for Consideration: Legislation approving a Grant Agreement to be entered into between the City of Sandusky (“the City”) and Chris Andrews, LLC dba Ohio Truck Sales (“The Company”), an Ohio Limited Liability Company, for the purposes of furthering economic development efforts in the City.

Background Information: Chris Andrews is the sole owner of The Company, which was established in 2009. The Company purchases, refurbishes, cleans, paints and resells long haul semi-trucks to customers from across the country, specializing in Kenworth and Peterbilt long hood semi-trucks. Chris Andrews recently purchased vacant property at 1801 and 1707 George Street in order to relocate the Company’s offices from its current location on Milan Road in Perkins Township. Perkins Township was previously notified of the relocation by the City of Sandusky. The Company continues to operate out of the Milan Road location and intends to move operations to the new location by year end.

The Company is experiencing strong sales growth and its payroll is over \$1 million. Employment is expected to continue to grow from 26 full-time employees currently.

The project at the George Street location consists of a large addition to an existing building and renovations of a second existing building for offices. The Company will also perform other site improvements including fencing, a driveway, and concrete. Total project costs are estimated to be over \$1.9 million, including acquisition of the property, building construction, equipment purchases and other site improvements.

I recommend that the City Commission approve a grant for a total of up to \$15,000.00 to assist with the completion of the project. The grant will be a Substantial Development grant. The completion of this project will support an expanding business that is new to the City of Sandusky. Please note that the Sandusky City Commission approved The Company for a 10-year, 75% Enterprise Zone tax abatement on January 23rd, 2017.

The above grant is conditioned upon the applicant complying with all Planning and Zoning codes and other applicable codes and regulations of the City and displaying signage noting the City of Sandusky’s support. The required completion date is June

30th, 2018. The application and grant amount was approved at the September 12, 2017 Economic Development Incentive Committee meeting, in accordance with the Sandusky City Economic Development Programs.

Budgetary Information: The City will be responsible for providing a total of \$15,000.00 in grant proceeds from the Economic Development Capital Projects Fund on a reimbursable basis at the completion of the project.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into Grant Agreements with The Company. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter in order to immediately execute the grant agreement to allow The Company to move forward with budgetary planning and facilitate rehabilitation.

I concur with this recommendation:

Eric L. Wobser
City Manager

Maria Muratori
Development Specialist

Matthew D. Lasko, MUPDD, MSSA
Chief Development Officer

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$15,000.00 THROUGH THE SUBSTANTIAL DEVELOPMENT GRANT PROGRAM TO CHRIS ANDREWS, LLC (D.B.A. OHIO TRUCK SALES), IN RELATION TO THE PROPERTY LOCATED AT 1801 & 1707 GEORGE STREET; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Chris Andrews is the sole owner of Chris Andrews, LLC d.b.a. Ohio Truck Sales, which was established in 2009, that purchases, refurbishes, cleans, paints, and resells long haul semi-trucks to customers from across the county, and Mr. Andrews recently purchased property at 1801 and 1707 George Street to relocate his company from Milan Road in Perkins Township and intends to move operations to the George Street property by year-end; and

WHEREAS, the relocation involves a large addition to an existing building and renovations of a second existing building for office at the George Street property along with performing other site improvements including fencing, a driveway, and concrete and the total project costs are estimated to be over \$1.9 million, including acquisition of the property, building construction, equipment purchases and other site improvements; and

WHEREAS, it has been determined that the development of this property with the project pursuant to this Agreement and the fulfillment generally of this Agreement are in the vital and best interests of the City and for the health and safety and welfare of its residents, and are necessary to improve the economic and general welfare of the citizens of the City; and

WHEREAS, the Economic Development Incentive Committee met on September 12, 2017, and is recommending to approve a grant to Chris Andrews, LLC (d.b.a. Ohio Truck Sales) in the amount of \$15,000.00, in accordance with the Sandusky City Economic Development Programs, to assist with relocation costs for the purpose of furthering economic development efforts in the City; 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 Grant Agreement and allow Chris Andrews, LLC, to move forward with budgetary planning and facilitate rehabilitation; 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 authorizes and directs the City Manager to enter into a Grant Agreement with Chris Andrews, LLC (d.b.a. Ohio Truck Sales), for

financial assistance through the Substantial Development Grant Program for the purpose of furthering economic development efforts in the City, substantially in the same form as Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

Section 2. This City Commission authorizes and approves the grant funding to Chris Andrews, LLC (d.b.a. Ohio Truck Sales), and the Finance Director is directed to deliver to Chris Andrews, LLC (d.b.a. Ohio Truck Sales), a draft in the sum of Fifteen Thousand and 00/100 Dollars (\$15,000.00) from the Economic Development Capital Projects Fund of the City of Sandusky pursuant to and in accordance with the terms of the Grant Agreement.

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

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

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: September 25, 2017

GRANT AGREEMENT

This Grant Agreement (the "Agreement") is made and entered into as of the ____ day of _____, 201____ between the CITY OF SANDUSKY, OHIO (the "City"), a municipal corporation and political subdivision duly organized and validly existing under the Constitution, its Charter, and the laws of the State of Ohio, and Chris Andrews, LLC dba Ohio Truck Sales ("the Company"), an Ohio Limited Liability Company.

WITNESSETH:

WHEREAS, Chris Andrews is the sole owner of the Company, which was established in 2009. The Company purchases, refurbishes, cleans, paints and resells long haul semi-trucks to customers from across the country, specializing in Kenworth and Peterbilt long hood semi-trucks. The Company recently purchased vacant property at 1801 and 1707 George Street in order to relocate the Company's offices from its current location on Milan Road in Perkins Township. In order to relocate the Company, the owner is performing significant renovations including a large addition to an existing building and renovations of a second existing building for offices, site improvements including fencing, concrete work and significant equipment purchases, herein after referred to as the "Project"; and

WHEREAS, to induce the Project, the City has agreed to provide economic incentive grants to the Company to assist in the payment of a portion of the costs of the Project as further described in Section 1 hereof; and

WHEREAS, the City has determined that the development of the Property with the Project pursuant to this Agreement and the fulfillment generally of this Agreement are in the vital and best interests of the City and for the health and safety and welfare of its residents, and are necessary to improve the economic and general welfare of people of the City;

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties hereto agree as follows:

Section 1. City Grant.

The City agrees to grant up to \$15,000.00 to the Company (the "City Grant") toward the costs of the Project via a Substantial Development grant, payable upon completion of the Project. The City Grant will be expensed from the Economic Development Capital Projects account (#431-4070-53000). Construction must be done in accordance with and to the reasonable satisfaction of the City, which includes, but is not limited to, compliance with all Planning and Zoning codes and other applicable codes and regulations of the City, including obtaining permits. Furthermore, the Company agrees to display a sign during construction and for at least one (1) year upon completion of the Project noting the City's support; and

The Company shall notify the City promptly following the completion of the Project consistent with this Section and provide the City with any documents it reasonably requests related to Project costs and construction. The City shall then promptly review those documents and inspect the site and let the Company know if it has satisfied the conditions set forth in this

Section and, if not, describe what is found to be deficient. In order to receive the City Grant, the Project will need to be completed by June 30, 2018.

The City shall pay the City Grant by check placed in the U.S. regular mail within fourteen (14) days following confirmation of the satisfactory completion of construction to the notice address provided in Section 6 below.

Section 2. Authority to Sign.

The Company and the City both represent that this Agreement has been approved by formal action of the duly authorized representatives of both parties.

Section 3. Assignment or Transfer.

The Company agrees that this Agreement is not transferable or assignable without the express, written approval of the City.

Section 4. Choice of Law.

This Agreement shall be governed and interpreted in accordance with the laws of the State of Ohio and the parties hereto agree that any dispute or other matter arising out of the interpretation or operation of this Agreement shall be determined in a Court of competent jurisdiction located within the State of Ohio and County of Erie.

Section 5. Binding Agreement.

This Agreement shall be binding on each of the parties and their respective successors and assigns.

Section 6. Miscellaneous.

(a) Notice. Any notice or communication required or permitted to be given under this Agreement by either party to the other shall be deemed sufficiently given if delivered personally or mailed by United States registered or certified mail postage prepaid or by overnight delivery and addressed as follows:

- (i) TO THE CITY: City Manager
c/o Development Specialist
City of Sandusky, Ohio
City Building
222 Meigs Street
Sandusky, OH 44870
- (ii) TO THE COMPANY: Chris Andrews, LLC
1801 George Street
Sandusky, Ohio 44870
Attention: Chris Andrews

Any party may change its address for notice purposes by providing written notice of such change to the other party.

(b) Amendments. This Agreement may only be amended by written instrument executed by all parties.

(c) Effect of Agreement. This Agreement is signed by the parties as a final expression of all the terms, covenants and conditions of their agreement and as a complete and exclusive statement of its terms, covenants and conditions and is intended to supersede all prior agreements and understandings concerning the subject matter of this Agreement.

(d) Counterparts. This Agreement may be signed in several counterparts, each of which shall be an original, but all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF the parties hereto, by and through their duly authorized representatives, have executed this Agreement on behalf of the corporate entities identified herein, on the date first written above.

CHRIS ANDREWS, LLC
an Ohio limited liability company

By: _____
TITLE:

CITY OF SANDUSKY, OHIO

By: _____
City Manager

The legal form of the within instrument
is hereby approved.

Director of Law
City of Sandusky

CERTIFICATE OF DIRECTOR OF FINANCE

The undersigned, fiscal officer of the City of Sandusky, Ohio, hereby certifies that the money required to meet the obligations of the City under the foregoing Agreement has been lawfully appropriated by the City Commission of the City for such purposes and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Director of Finance



PLANNING DEPARTMENT

Division of Transit

222 Meigs Street
Sandusky, Ohio 44870
419.621.8462
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager
FROM: Tim Bergeman, Transit Administrator
DATE: September 15, 2017
SUBJECT: LEASE OF TRANSIT VEHICLES FROM OTTAWA COUNTY TRANSPORTATION AGENCY

ITEM FOR CONSIDERATION: The purpose of this communication is to request approval of legislation to authorize the City Manager to enter into a Lease Agreement with Ottawa County Transportation Agency (OCTA) for two (2) Light Transit Vehicles.

BACKGROUND INFORMATION: The Sandusky Transit System (STS) operates a public transit service for residents of the City of Sandusky and Erie County, which provides access to employment, medical facilities, recreation, and increases independence and quality of life to those dependent on public transportation or in need of alternative transportation. In order to provide safe and reliable service, STS requires quality vehicles which meets the needs of passengers with a variety of mobility requirements. STS is awaiting the delivery of six (6) vehicles ordered and expected to go into service in 2017.

OCTA has a sufficient fleet with a spare ratio that allows them to offer the City of Sandusky a short term monthly lease for two (2) Transit Vehicles, that will greatly improve STS's ability to provide transportation services to meet the demand of the community.

The proposed lease would be a monthly lease, which will cost the City of Sandusky \$1.00 per month for both vehicles. First Transit will be responsible for the operation and maintenance of the two leased vehicles on the City's behalf, and First Transit will provide normal preventive maintenance services and repair to the vehicles as needed.

BUDGET IMPACT: The cost associated with the request for this lease is \$1.00 per month for both vehicles.

ACTION REQUESTED: It is requested legislation be adopted by the City Commission to allow the City Manager to execute the lease agreement. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter so that STS may put these vehicles into service.

I concur with this recommendation:

Eric Wobser

City Manager

Angela Byington

Director of Planning

Tim Bergeman

Transit Administrator

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH THE OTTAWA COUNTY TRANSPORTATION AGENCY (OCTA), FOR THE PURPOSE OF LEASING TWO (2) LIGHT TRANSIT VEHICLES FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Sandusky Transit System (STS) operates a public transit service for residents of Sandusky and Erie County and requires quality vehicles that meet the needs of passengers with a variety of mobility requirements and is awaiting delivery of six (6) vehicles that have been ordered and expected to go into service this year; and

WHEREAS, the Ottawa County Transportation Agency (OCTA) has a sufficient fleet with a spare ratio of vehicles and has offered the City a short term monthly lease for two (2) transit vehicles at \$1.00 per month which will greatly improve the ability to provide transportation services to meet the demand of the community until the new vehicles are received placed into service; 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 Lease Agreement to be immediately and allow the Sandusky Transit System to begin utilizing the buses; 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 is authorized and directed to enter into a Lease Agreement with the Ottawa County Transportation Agency (OCTA) for the purpose of leasing two (2) Light Transit Vehicles for the Sandusky Transit System, substantially in the same form as Exhibit "1", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of 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: September 25, 2017

LEASE AGREEMENT

This Agreement is made this ____ day of September 2017, by and between the Ottawa County Transit Authority (hereinafter referred to as OCTA) and the Sandusky Transit System (hereinafter referred to as STS).

WHEREAS, OCTA owns two (2) buses which STS desires to lease;

NOW THEREFORE, based on the premises and other good and valuable consideration as set forth below, the parties hereby agree as follows:

1. OCTA hereby leases to the STS two (2) busses
 - a. 2013 Goshen, V-53 Ford E450 VIN: 1FD4E4FS0DDB21729; and
 - b. 2012 Supreme, V-50 Ford E450 VIN: 1FD4E4FL2CDA21817.
2. The term of this lease shall commence on the ____ day of September, 2017 and terminate on the ____ day of ____, 20__. This lease may also be extended on a monthly basis upon the written approval of both parties.
3. It is agreed that the buses leased herein shall be and are the sole and exclusive property of OCTA and possession by the STS does not vest any title, right or interest in or to said property except the right to use same as set forth herein.
4. STS promises to pay as rent during the term of this lease the total sum of \$1.00 (for both busses), payable at the time of execution of this lease or at a later time that the parties agree to in writing.
5. STS accepts and acknowledges receipt of the buses and promises and agrees to maintain them in good order and repair. STS agrees that any replacement parts, repairs and accessories incorporated in or affixed to the buses shall become the property of OCTA. Upon the expiration of the term of this lease, STS agrees to return the buses to OCTA at the place directed by OCTA in as similar condition as they are now, with reasonable wear and tear expected.
6. STS shall pay all costs of operating the buses, including the salary, wages and benefits of the drivers, who shall be qualified to operate the vehicles under all local, state and federal rules, laws and regulations. STS shall assume liability for any allegation that the drivers are not qualified to operate the vehicles for their intended purpose.

IN WITNESS THEREOF, the parties have executed this Agreement on the day and year first written above.

Ottawa County Transit Authority

Eric Wobser, City Manager
City of Sandusky
Sandusky Transit System



PLANNING DEPARTMENT

Division of Transit

222 Meigs Street
Sandusky, Ohio 44870
419.621.8462
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Tim Bergeman, Transit Administrator

DATE: September 13, 2017

SUBJECT: **Erie County Department of Job and Family Services Contact for Transportation Services**

ITEM FOR CONSIDERATION: Legislation requesting approval for the City Manager to enter into a one (1) year contract for transportation services between the City of Sandusky / Sandusky Transit System and the Erie County Commissioners Erie County Department of Job and Family Services.

BACKGROUND INFORMATION: The Sandusky Transit System (STS) is currently a contracted transportation provider of the Erie County Commissioners, Department of Job and Family Services. This contract has been extended twice and will expire September 30, 2017. The Erie County Commissioners issued a Request for Bids to provide this same transportation service which the Sandusky Transit System (STS) responded to on August 17, 2017 and was subsequently awarded the bid.

STS will provide safe, reliable, transportation services to approved Erie County Department of Job and Family Services (ECDJFS) Clients throughout Erie County. These clients are transported on a daily schedule coordinated between STS and ECDJFS. This contract will be in effect for an initial term of one (1) year from October 1, 2017 through September 30, 2018 at a negotiated rate of \$2.13 per mile, with an option to extend for two (2) additional one (1) year terms.

STS will provide ECDJFS with reports, training and information that were agreed upon in said proposed contract and RFP. ECDJFS will be invoiced and billed on a monthly basis and be expected to pay in a timely manner. The money received from this contract will help meet the local match for all Ohio Department of Transportation (ODOT) Transit grants.

BUDGET IMPACT: STS will bill for loaded passenger miles, as established in the RFP, from ECDJFS 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. The STS bid was accepted in the total of \$31,000.

ACTION REQUESTED: It is requested that legislation be adopted allowing the City Manager to enter into a contract for transportation services with Erie County Commissioners, Job and Family Services through August 31, 2018. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter to approve the terms of the agreement and execute the contract prior to the commencement date of October 1, 2017. I concur with this recommendation:

Eric Wobser
City Manager

Angela Byington
Director of Planning

Tim Bergeman
Transit Administrator

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

ORDINANCE NO. _____

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

WHEREAS, this City Commission approved an initial contract for transportation services between the City of Sandusky and the Board of County Commissioners of Erie County for the Department of Job and Family Services by Ordinance No. 16-066, passed on April 25, 2016, which was subsequently extended twice and will expire September 30, 2017; and

WHEREAS, Erie County issued a Request for Bids to provide these same transportation services in which the City submitted a bid on August 17, 2017, and was subsequently awarded the bid; and

WHEREAS, the Sandusky Transit System will provide safe, reliable, transportation services to approved Erie County Department of Job and Family Services (ECDJFS) clients throughout Erie County on a daily schedule coordinated between the Sandusky Transit System and ECDJFS; and

WHEREAS, the contract will be effective for an initial term of one (1) year beginning on October 1, 2017, through September 30, 2018, with an option to extend for two (2) additional one (1) year terms; and

WHEREAS, the Sandusky Transit System will receive \$2.13 per mile from Erie County and these funds received will be used as matching grant funds for the Ohio Department of Transportation Program grant; 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 approve the terms and execute the contract prior to the commencement date of October 1, 2017; 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 Contract with the Board of County Commissioners of Erie County for transportation services, 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: September 25, 2017

CONTRACT

This Contract made this _____ day of _____, 2017, by and between City of Sandusky, 222 Meigs Street, Sandusky, Ohio 44870, hereafter called the "Contractor" and the Board of Commissioners, Erie County, Ohio hereinafter called "Contracting Authority".

Witnesseth, that the Contractor and Contracting Authority, for the considerations stated herein, mutually agree as follows:

CONTRACTOR SERVICE REQUIREMENTS

The Contractor shall furnish all supervision, technical personnel, labor, materials, equipment and service to perform and complete all work required for the project; namely, DEPARTMENT OF JOB AND FAMILY SERVICES TRANSPORTATION SERVICES, all in strict accordance with the contract documents as prepared by the Erie County Finance Department.

CONTRACTOR RESPONSIBILITIES

For completing the aforesaid work, the Contracting Authority will pay the Contractor, upon the Contractor submitting a detailed invoice for the work performed in accordance with the provisions in the original specifications. The Contractor shall invoice the Contracting Authority only for "loaded" miles (miles for which there is an approved client in the vehicle). The Contractor shall not invoice the Contracting Authority for any unoccupied vehicle time including wait periods and no shows. Contractor shall submit invoices for services by the last day of each month for services provided in the prior month (ex. Services for month of May submitted no later than June 30th). Invoices will be monitored to determine that services were provided and appropriate fees were charged to the Contracting Authority.

COSTS

The Contracting Authority will pay the Contractor for the total quantities of work performed at the Standard Unit Rate per Passenger Mile of \$2.13 for the respective items of work completed for the sum not to exceed \$31,000.00 (Thirty One Thousand Dollars) per year, subject to additions and deductions.

TERM

This contract shall remain in effect for an initial term of one (1) year. The contract period will run from October 1, 2017 through September 30, 2018. By mutual agreement of the Parties, the contract may be extended for two (2) additional one (1) year periods with all other terms of the contract remaining the same, unless amended by a written amendment signed by all Parties.

TERMINATION

This contract shall terminate automatically if the Vendor fails to meet all licensing requirements imposed by law. This contract may also be terminated on the basis of adverse findings in the audit required by previous Articles, or at any time, upon thirty (30) days written notice by either party.

AMENDMENT OF CONTRACT

This contract may be amended at any time by a written amendment signed by both parties, and submitted to the Ohio Department of Job and Family Services, in the manner required by state regulations. Rates

shall be re-examined at the end of each contract term to identify if amendments are needed to correspond with actual cost of delivery of service.

INSURANCE REQUIREMENTS

The Contractor agrees to meet all insurance requirements, and workers' compensation requirements, as required by the Ohio Revised Code.

MODIFICATION

If the materials or services provided herewith do not satisfactorily meet the needs of the Contracting Authority, the contract may be terminated upon thirty days written notice.

NON-DISCRIMINATION

The Contractor nor any person acting on behalf of the Contractor shall, in the hiring of employees for the performance of work under the contract or any subcontract, no contractor, subcontractor, or any person acting on a contractor's or subcontractor's behalf, by reason of race, creed, sex, disability as defined in O.R.C. 4112.01, or color, shall discriminate against any citizen of the state in the employment of labor or workers who is qualified and available to perform the work to which the employment relates and also no contractor, subcontractor, or any person on a contractor's or subcontractor's behalf, in any matter, shall discriminate against or intimidate any employee hired for the performance of work under the contract on account of race, creed, sex, disability as defined in O.R.C. 4112.01, or color.

COUNTERPARTS

This contract may be executed in two or more counterparts, each of which shall be considered an original and can be executed and delivered by facsimile or electronically in Microsoft Word or PDF format.

COMPONENT PARTS OF THIS CONTRACT

The executed contract documents shall consist of the following:

- a. This Contract
- b. Signed copy of Bid
- c. Bid Specifications
- d. Addendum #1
- e. Contract Limitation Certificate

These documents constitute the entire contract between the parties and its provisions shall be construed in accordance with the laws of the State of Ohio. This contract, together with other documents listed above, forms the contract between the parties hereto. In the event that any provision in any component part of this contract conflicts with any provision of any other component part, the provision of the component part first listed above shall govern, except as otherwise specifically stated.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

CONTRACTOR: CITY OF SANDUSKY

CONTRACTING AUTHORITY
BOARD OF COMMISSIONERS
OF ERIE COUNTY, OHIO

Signature

Patrick J. Shenigo

Title

Mathew R. Old

Taxpayer I.D. #

William J. Monaghan

Approved as to Form:

Asst. Prosecuting Attorney

Approved as to Content:

Elected or Appointed Official

CONTRACT LIMITATION CERTIFICATE

I, _____, on behalf of **CITY OF SANDUSKY**
(name of representative of vendor)

do hereby acknowledge that the maximum amount of monetary obligation of Erie County, Ohio, i.e., Board of County Commissioners of Erie County, Ohio, under the hereinbefore attached contract or agreement is **\$31,000.00** per year UNLESS the Board of Erie County Commissioners gives **PRIOR APPROVAL** for additional expenditures of money under the contract or agreement and the County Auditor certifies to the availability of such additional funds. Erie County, Ohio, i.e., the Board of County Commissioners of Erie County, Ohio **SHALL NOT BE HELD LIABLE** by **CITY OF SANDUSKY** for any monetary obligations under this contract or agreement above the maximum amount of **\$31,000.00** per year, UNLESS expenditures are approved by the Board.

Representative of Vendor

Sworn to before me and subscribed in my presence this _____ day of _____,
_____.

(Notary Public)

APPROVED AS TO CONTENT

(Appointed or Elected Official)



Department of Community Development

Matthew D. Lasko
mlasko@ci.sandusky.oh.us

222 Meigs St.
Sandusky, OH 44870
Phone: 419.627.5707
Fax: 419.627.5933
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Matthew D. Lasko, Chief Development Officer

Date: September 13, 2017

Subject: Commission Agenda Item – Permission to Execute Demolition and Abatement Contract for Residential Property Demolition – 2017 - #1

ITEM FOR CONSIDERATION: Ordinance authorizing and directing the City Manager to enter into a contract for asbestos abatement and demolition of 615 Meigs Street, 1218 Ransom Street, 1015 Hancock Street, 220 Neil Street, 410 Shelby Street, 1209 Third Street, 1502 Wayne Street, 318 Reese Street and 613 N. Depot Street (garage only).

BACKGROUND INFORMATION: The above listed properties are vacant and blighted. The City of Sandusky does own 318 Reese Street and 613 N. Depot Street as part of the Land Reutilization Program. The remaining properties were condemned and ordered demolished. Liens will be placed on all privately owned properties for the cost of asbestos abatement and demolition.

The following bids were received on September 11, 2017:

Master Renovations, Inc.	Orville, Ohio	\$81,050.00	100% Bond
Ed Burdue & Co., LLC	Sandusky, OH	\$106,163.00	100% Bond
Barnes Nursery Inc.	Huron, Ohio	\$129,245.00	100% Bond
Great Lakes Demolition	Vickery, Ohio	\$109,900.00	100% Bond

Master Renovations, Inc. of Orville, Ohio was determined to be the lowest and best bid.

BUDGETARY INFORMATION: The project cost based on the bid, including asbestos abatement and demolition is \$81,050. This project will be paid entirely with Community Development Block Grant funds.

ACTION REQUESTED: It is requested that the Ordinance awarding a demolition and asbestos abatement contract to Master Renovations, Inc. of Orville, Ohio for the demolition of 615 Meigs Street, 1218 Ransom Street, 1015 Hancock Street, 220 Neil Street, 410 Shelby Street, 1209 Third Street, 1502 Wayne Street, 318 Reese Street and 613 N. Depot Street (garage only) in the amount of \$81,050 be approved. It is requested that the legislation be passed under suspension of the rules in accordance with Section 14 of the City Charter in order to move forward with the project and eliminate potential hazards from our neighborhoods. These properties have been an issue for many neighbors over the years.

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko
Chief Development Officer

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MASTER RENOVATIONS, INC. OF ORVILLE, OHIO, FOR THE CDBG FY17 RESIDENTIAL DEMOLITION PROJECT #1; 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 for the City to proceed with the proposed CDBG FY17 Residential Demolition Project #1 by Resolution No. 039-17R, passed on July 24, 2017; and

WHEREAS, the CDBG FY17 Residential Demolition Project #1 involves asbestos abatement and demolition of nine (9) residential structures, which are vacant and blighted, of which seven (7) were condemned and ordered for demolition by the City or the Housing Appeals Board and are located at 615 Meigs Street, 1218 Ransom Street, 1015 Hancock Street, 220 Neil Street, 410 Shelby Street, 1209 Third Street, and 1502 Wayne Street, and the other two (2) properties are located at 318 Reese Street, and 613 N. Depot Street and are owned by the City as part of the Land Reutilization Program; and

WHEREAS, upon competitive bidding as required by law four (4) appropriate bids were received and the bid from Master Renovations, Inc., of Orville, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost for the asbestos abatement and demolition is \$81,050.00 and will be paid with FY17 Community Development Block Grant (CDBG) 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 move forward with the demolition of these properties, which have been issues for many neighbors over the years, and eliminate potential hazards from City neighborhoods; 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. The City Manager is authorized and directed to enter into a contract with Master Renovations, Inc., of Orville, Ohio, for the CDBG FY17 Residential Demolition Project #1, in an amount **not to exceed** Eighty One Thousand Fifty and 00/100 Dollars (\$81,050.00) consistent with the bid submitted

by Master Renovations, Inc., of Orville, 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: September 25, 2017



DEPARTMENT OF PUBLIC WORKS

222 Meigs Street
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: September 13, 2017

Subject: **Commission Agenda Item- West Market Street Sewer Replacement Project**

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City to accept bids for the West Market Street Sewer Replacement Project

BACKGROUND INFORMATION: The City of Sandusky sewer distribution system has an existing 24" vitrified (VIT) clay combined sewer located in West Market Street between the Shelby and Pearl Street intersections. Approximately 290 feet of this sewer is in need of replacement due to extensive cracking of the sewer pipe. This project isn't being completed by the City's sewer maintenance department due to the fact that contractors have larger equipment necessary for the depth of excavation and the amount of pipe that needs to be replaced.

BUDGETARY INFORMATION: The estimated cost of the project, including engineering, inspection, advertising, and miscellaneous costs is \$60,000.00 will be paid with Sewer Funds.

ACTION REQUESTED: It is recommended that the proposed West Market Street Sewer Replacement 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 finish the construction activities this fall before the asphalt plants close so that the trench repairs can be completed before winter.

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

RESOLUTION NO. _____

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED WEST MARKET STREET SEWER REPLACEMENT 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 West Market Street Sewer Replacement Project involves the replacement of approximately 290 feet of an existing 24" vitrified (VIT) clay combined sewer located in West Market Street between the Shelby Street and Pearl Street intersections; and

WHEREAS, the total estimated cost of this project including engineering, inspection, advertising, and miscellaneous expenses is \$60,000.00 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 bid the project, receive competitive prices, and award the project so that the construction activities can be completed this Fall prior to the asphalt plants closing and so the trench repairs can be completed before Winter; 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 West Market Street Sewer Replacement 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 West Market Street Sewer Replacement 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 West Market Street Sewer Replacement 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: September 25, 2017



DEPARTMENT OF PUBLIC WORKS

222 Meigs Street
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: September 13, 2017

Subject: Commission Agenda Item- (Cedar Point) CP#14 Ejector Station Improvement Project

ITEM FOR CONSIDERATION: Ordinance awarding a contract to Hank's Plumbing & Heating Co., Inc. Toledo, Ohio for the (Cedar Point) CP#14 Ejector Station Improvement Project

BACKGROUND INFORMATION: The City of Sandusky owns and maintains existing sanitary sewer mains and lift stations along Cedar Point Road. This infrastructure is located within existing utility easements along Cedar Point Road. CP#14 Ejector Lift Station is located in front of 229 Cedar Point Road at the northwest corner of Lane D and Cedar Point Road. Currently all control systems and equipment are located below ground in the station. The station receives sanitary flow from a 12" sanitary sewer and discharges through a 6" forcemain downstream to a 12" sanitary sewer. The ejector station is forty years old and becoming difficult to maintain due to equipment obsolescence.

The design consultant, Jones & Henry Engineers, Ltd. has prepared construction drawings and engineer's estimate to convert the current ejector station to an above ground wet well mounted pump station. All control systems would be moved to an above ground self-contained pump station. The existing below ground structure would then be converted to a wet well. This improvement will replace all existing equipment and allow the City's sewer department to provide routine maintenance more safely and effectively.

The following two bids were received on September 13, 2017.

Kelstin, Inc.	\$353,475.00
Shelby, Ohio	100% Bid Bond

Hank's Plumbing & Heating Co., Inc.	\$338,700.00
Toledo, Ohio	100% Bid Bond

The engineer's estimate is \$322,000.00. Per Contract Article 5.1.1 Limits on Award, no contract shall be entered into if the price of the contract is in excess of 10% above the estimate. Both bids received were below the 10% threshold of \$354,200.00. Hank's plumbing & Heating Co., Inc. has been determined to be the lowest and best bidder. The consultant on this project, Jones & Henry Engineers, Ltd. has reviewed the bids and recommends awarding the project to Hank's Plumbing & Heating Co., Inc. and the Department of Public Works agrees with this recommendation.

BUDGETARY INFORMATION: The estimated cost of the project based on bids, including engineering, inspection, advertising, and miscellaneous costs is \$372,570.00 and will be paid with Sewer Funds.

ACTION REQUESTED: It is requested that an Ordinance be awarded for the construction contract to Hank's Plumbing & Heating Co., Inc., Toledo, Ohio in the amount of \$338,700.00 and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City in order to allow the contractor to be able to complete all work located within the Cedar Point roadway prior to Cedar Point's opening day in May 2018.

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 HANK’S PLUMBING & HEATING CO., INC. OF TOLEDO, OHIO, FOR THE (CEDAR POINT) CP#14 EJECTOR STATION IMPROVEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the (Cedar Point) CP#14 Ejector Station Improvement Project involves converting the current ejector station, located in front of 229 Cedar Point Road at the northwest corner of Lane D and Cedar Point Road, to an above ground wet well mounted pump station; and

WHEREAS, this City Commission authorized and directed the City Manager to enter into an agreement for Professional Design Services with Jones & Henry Engineers, Ltd., of Toledo, Ohio, for the (Cedar Point) CP#14 Ejector Station Improvement Project by Resolution No. 16-212, passed on November 28, 2016; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed (Cedar Point) CP#14 Ejector Station Improvement Project by Resolution No. 038-17R, passed on July 24, 2017; and

WHEREAS, upon public competitive bidding as required by law two (2) appropriate bids were received and the bid from Hank’s Plumbing & Heating Co., Inc. of Toledo, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the consultant, Jones & Henry Engineers, Ltd., reviewed the bids and recommends awarding the project to Hank’s Plumbing & Heating Co., Inc. and the Department of Public Works agrees with this recommendation; and

WHEREAS, the total cost for this project based on bids, including engineering, inspection, advertising and miscellaneous expenses is \$372,570.00 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 allow the contractor to complete the work located within the Cedar Point roadway prior to Cedar Point’s opening day in May of 2018; 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 enter into a

contract with Hank's Plumbing & Heating Co., Inc. of Toledo, Ohio, for the (Cedar Point) CP#14 Ejector Station Improvement Project in an amount **not to exceed** Three Hundred Thirty Eight Thousand Seven Hundred and 00/100 Dollars (\$338,700.00) consistent with the bid submitted by Hank's Plumbing & Heating Co., Inc. of Toledo, 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: September 25, 2017



DEPARTMENT OF PUBLIC WORKS

222 Meigs Street
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: September 13, 2017

Subject: **Commission Agenda Item**

ITEM FOR CONSIDERATION: Legislation approving the emergency procurement and installation of traffic signals and poles at the intersection of Warren Street and Scott Street.

BACKGROUND INFORMATION: A traffic accident in August of 2017 destroyed the signals and poles at the intersection of Scott and Warren Streets. Crews immediately placed stop signs on Scott Street creating a two-way stop with northbound and southbound traffic on Warren having the continuous right of way and began seeking prices from suppliers and contractors for the necessary equipment and installation that would return the intersection to its original traffic patterns. Many of the firms chose not to submit prices, but staff did receive a quote from Path Master Inc. for \$2,475 to supply all necessary signal heads. A second quote was received from National Light & Power for \$18,040 to supply and install two wood poles, install the signal heads supplied by Path Master Inc., relocate the controller, reconnect loops and install all ancillary equipment to ensure proper operation of the traffic control devices. The quotes are attached.

Since the absence of these signals is considered a concern to public safety, staff has already ordered the equipment from Path Master Inc., which will take 30-45 days to arrive onsite, but may be able to reduce that timeframe by picking up the equipment directly from the supplier rather than awaiting delivery. Staff continues to communicate with National Light & Power to ensure mobilization is scheduled very quickly upon receipt of the signals.

BUDGETARY INFORMATION: The total cost for equipment and installation is \$20,515 and will initially be paid with Capital Funds. The city plans to seek reimbursement from the motorist that knocked down the original poles and signals through an insurance claim.

ACTION REQUESTED: It is recommended that legislation be approved for the emergency purchase and installation of all equipment required to install appropriate traffic control devices at Warren Street and Scott Street from previously-mentioned vendors, under suspension of the rules and in full accordance with Section 14 of the City Charter to allow for timely installation of equipment that has already been ordered and to immediately address this safety concern.

I concur with this recommendation:

Eric Wobser, City Manager

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



Path Master, Inc., 1960 Midway Drive, Twinsburg, Ohio 44087
330-425-4994, Fax 330-425-9338, www.pathmasterinc.com

August 29, 2017

Mr. David Borsick
City of Sandusky
1024 Cement Avenue
Sandusky, OH 44870
Ph: 419-627-5881; Fax: 419-627-5911
Email: dborsick@ci.sandusky.oh.us

Quote 17-2425
Scott & Warren
Signal Heads

Bid Date:
Completion Date:

We are pleased to quote you the following:

BID REF	QTY	DESCRIPTION	CL	UNIT SELL	EXT. SELL
1.	4	Vehicular Signal Head, One Way, 3 Section 12" Yellow Polycarbonate Housing With Cut Away Visors, LEDs (R-Y-G) And One Way Tri-Stud Span Hardware With SE-5050 Tri-Stud Tether Attachment, Less Backplate Note: Does Not Include Drop Pipe Or Coupling (If Required)	04	325.000	1,300.00
2.	1	Vehicular Signal Head, Four Way, 3 Section 12" Yellow Polycarbonate Housing With Cut Away Visors, LEDs (R-Y-G) And Four Way Tri-Stud Span Hardware With SE-5058 Tri-Stud Tether Attachment, Less Backplates Note: Does Not Include Drop Pipe Or Coupling (If Required)	04	1,175.000	1,175.00

Quote 17-2425
Scott & Warren
Signal Heads
Page 2

BID REF	QTY	DESCRIPTION	CL	UNIT SELL	EXT. SELL
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					\$ 2,475.00
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Authorized Signature

Delivery: 30 - 45 Days, ARO
F.O.B.: Twinsburg, Freight Allowed

QUOTATIONS VALID FOR 30 DAYS
ORDERS ARE SUBJECT TO CREDIT APPROVAL

QUOTE

Date: September 20, 2017

Quote # 2017-1038

National Light & Power, Inc.

806 W. Strub Rd

Sandusky, Ohio 44870

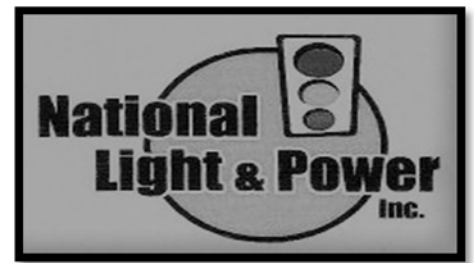
419-835-0030

Fax 567-325-7017

jschenk@nationallightandpower.com

TO:

City of Sandusky



Signal replacement at Scott St. and Warren St.

ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	LINE TOTAL
01	Install 2 new wood Poles on the NE corner and SW corner, install new screw anchors and guy wire, install new 3/8" messenger cable, 8 new plastic signal heads (City supplies Signals) new signal cable, relocate controller from NW corner to the new pole on the SW corner, and reconnect existing loops on the Scott St. Approaches.	Lump Sum	\$18,040.00	\$18,040.00
SUBTOTAL				\$18,040.00
Statement #			2017-1038	
Date			9/5/2017	
Tax on Material			0.00	
Total			\$18,040.00	

Make all checks payable to [Your Company Name]

Thank you for your business!

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER AND/OR THE FINANCE DIRECTOR TO EXPEND FUNDS FOR THE EMERGENCY PURCHASE AND INSTALLATION OF TRAFFIC SIGNALS AND POLES FOR THE WARREN STREET AND SCOTT STREET INTERSECTION IN THE AMOUNT OF \$20,515.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, a traffic accident in August of 2017 destroyed the signals and poles at the intersection of Scott and Warren Streets and crews immediately placed stop signs on Scott Street creating a two-way stop with northbound and southbound traffic on Warren having the continuous right of way and Staff began requesting prices from suppliers and contractors for the necessary equipment and installation to return the intersection to its original traffic pattern; and

WHEREAS, a quote was received from Path Master Inc. of Twinsburg, Ohio, for all the necessary signal heads in the amount of \$2,475.00, and a quote was received from National Light & Power Inc., of Sandusky, Ohio, to supply two (2) wood poles and complete the necessary work to ensure proper operation of the traffic control devices; and

WHEREAS, pursuant to Section 24 of the City Charter the emergency nature of the work obviates the necessity to comply with formal competitive bidding and advertising and National Light & Power Inc., of Sandusky, Ohio, was selected to perform the emergency work; and

WHEREAS, the total cost for the purchase of equipment and installation is \$20,515.00 and will initially be paid with Capital Funds and the City will request reimbursement from the motorist through an insurance claim; 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 allow for timely installation of the equipment that has already been ordered and to immediately address safety concerns; 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 and/or Finance Director is authorized and directed to expend funds for the emergency purchase and installation of traffic

signals and poles for the Warren Street and Scott Street intersection from Path Master of Twinsburg, Ohio, in the amount of Two Thousand Four Hundred Seventy Five and 00/100 Dollars (\$2,475.00) and from National Light & Power Inc., of Sandusky, Ohio, in the amount of Eighteen Thousand Forty and 00/100 Dollars (\$18,040.00) for a total amount **not to exceed** Twenty Thousand Five Hundred Fifteen and 00/100 Dollars (\$20,515.00).

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: September 25, 2017