



**SANDUSKY CITY COMMISSION  
REGULAR SESSION AGENDA  
MARCH 11, 2019 at 5 p.m.  
CITY HALL, 222 MEIGS STREET**

<b>INVOCATION</b>	<b>D. Waddington</b>
<b>PLEDGE OF ALLEGIANCE</b>	
<b>CALL TO ORDER</b>	
<b>ROLL CALL</b>	<b>D. Brady, W. Poole, G. Lockhart, D. Murray, N. Lloyd, N. Twine &amp; D. Waddington</b>
<b>APPROVAL OF MINUTES</b>	<b>February 25, 2019</b>
<b>SWEARING IN</b>	<b>Eric Wobser, City Manager</b> Firefighter Steven Maat
<b>AUDIENCE PARTICIPATION</b>	
<b>PRESENTATION</b>	<b>Abbey Bemis, Erie County Economic Development Corporation</b> Annual Report <b>Jason Werling, Recreation Superintendent</b> Midtown Supper Club & RecDesk
<b>PUBLIC HEARING</b>	<b>Thomas Horsman, Assistant Planner</b> Proposed Zone Map Amendment for Seven Parcels on First Street <b>Hank Solowiej, Finance Director</b> 2019 Budget
<b>COMMUNICATIONS</b>	<b>Motion to accept all communications submitted below</b>
<b>CURRENT BUSINESS</b>	

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**CONSENT AGENDA ITEMS**

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**A. Submitted by Kelly Kresser, Commission Clerk**

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**APPROVING 2018 REPLACEMENT PAGES FOR CODIFIED ORDINANCES**

**Budgetary Information:** The cost of the revisions for the codification supplements and updating the Code on the internet for 2018 will be taken from the contractual services line item in the Commission's budget (50%), sewer funds (25%), and water funds (25%). This item is appropriated each year.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed to approve current replacement pages to the Sandusky Codified Ordinances for the period of January 1, 2018, through December 31, 2018; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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**B. Submitted by John Orzech, Police Chief**

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**PURCHASE OF BODY ARMOR VESTS**

**Budgetary Information:** The total cost for the new body armor vests, carriers, and plates is \$23,763.29 of which \$17,822.47 (75%) will be paid with funds received through the Ohio Law Enforcement Body Armor Program and the required local match of \$5,940.82 (25%) will be paid out of the police department's operating budget.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to purchase body armor vests, carriers, and plates through the State of Ohio Department of Administrative Services Cooperative Purchasing Program from Rakich and Rakich, Inc. of Lorain, Ohio, for the Police Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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**C. Submitted by Debi Eversole, Housing Development Specialist**

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**PURCHASE AND SALE AGREEMENTS FOR LAND BANK PROPERTY**

**Budgetary Information:** The cost associated with these purchase agreements is the total amount of the title examination, recording and transfer fees, and survey and deed preparation. Any such costs shall be recouped by the City from the nonrefundable earnest money deposits required to be paid by Purchasers upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting real property taxes in the amount of approximately one hundred twenty dollars and eighty eight cents (\$120.88) per year.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed declaring that certain real property owned by the City as part of the Land Reutilization Program identified as parcel no. 57-05304.000, located at 533 Taylor Street, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of purchase and sale agreements with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the City Charter.

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**D. Submitted by Nicole DeFreitas, Transit Administrator**

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**TRANSPORTATION SERVICES AGREEMENT WITH SANDUSKY CITY SCHOOLS**

**Budgetary Information:** STS will receive \$9.00 per passenger trip from Sandusky City Schools for the length of the proposed contract. This money collected will be used to offset the capital planning and operating expenses through the 5311 Rural grant program.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for transportation services between the City of Sandusky and Sandusky City Schools for services related to the Sandusky Transit System for the period of November 1, 2018, through December 31, 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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**SECOND READING**

**E. Submitted by Tom Horsman, Assistant Planner**

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**AMENDMENT TO CHAPTER 1161 – LANDMARK PRESERVATION**

**Budgetary Information:** The Comprehensive Plan calls for preserving Sandusky’s historic buildings and neighborhoods as they are an important asset in revitalizing the city.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed amending Part Eleven (Planning and Zoning Code), Title Five (Additional Zoning Requirements), Chapter 1161 (Landmark Preservation) of the Codified Ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

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**REGULAR AGENDA ITEMS**

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**FIRST READING**

**REQUEST PASSAGE OF EITHER ORDINANCE A. OR ORDINANCE B. BELOW**

**ITEM #1 - Submitted by Thomas Horsman, Assistant Planner**

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**ZONING CHANGE FOR PARCELS LOCATED ON FIRST STREET AND SECOND STREET**

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

**A. ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed amending the official zone map of the City of Sandusky to rezone seven parcels from “R1-40” single-family residential district to “CR” commercial recreation district.

**B. ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed disapproving the recommendation of the Planning Commission to amend the official zone map of the City of Sandusky to rezone seven parcels from “R1-40” single-family residential district to “CR” commercial recreation district.

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**FIRST READING**

**ITEM #2**

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**FY 2019 GENERAL APPROPRIATIONS / CITY BUDGET**

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed making general appropriations for the fiscal year 2019.

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**ITEM #3 - Submitted by Greg Voltz, Assistant Planner**

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**2019 PUBLIC ART WORK PLAN**

**Budgetary Information:** There is no direct budgetary impact related to the adoption of the 2019 Public Art Work Plan. However, implementation of the projects listed in the Plan will be completed with Public and Cultural Art and Acquisition Fund (“PCAAF”) dollars, Sandusky Neighborhood Initiative (SNI) dollars, and grants and donations that may become available.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed approving and adopting the 2019 Public Art Work Plan for the City of Sandusky; and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 of the City Charter.

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**ITEM #4 – Submitted by Aaron Klein, Director of Public Works**

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**PERMISSION TO BID 2019 TREE REMOVAL PROJECT**

**Budgetary Information:** The engineer’s estimate for the 2019 Tree Removal Project is \$47,250.00, which shall be paid for out of Capital Projects Funds (Issue 8 Infrastructure).

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed declaring the necessity for the City to proceed with the proposed 2019 Tree Removal 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.

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

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**PERMISSION TO BID 2019 SIDEWALK REPAIR & REPLACEMENT PROJECT**

**Budgetary Information:** The engineer’s estimate for the 2019 Sidewalk Repair & Replacement is \$93,282.50 which shall be paid for out of Capital Projects Funds (Issue 8 Infrastructure).

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed declaring the necessity for the City to proceed with the proposed 2019 Sidewalk Repair & 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.

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**ITEM #6 – Submitted by Aaron Klein, Director of Public Works**

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**CONSENT TO OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING-URBAN PAVING PROJECT**

**Budgetary Information:** The project cost is estimated at \$1,921,016.36 of which the City's portion is estimated to be \$866,510.15.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed adopting the preliminary legislation submitted by the Director of the Ohio Department of Transportation for their Resurfacing-Urban Paving City of Sandusky Project, PID No. 92889; authorizing and directing the City Manager to sign the preliminary legislation and to execute any necessary contracts with the Director of Transportation for this project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

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

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**PURCHASE OF MATERIAL AND PARTS FOR WATER MAIN REPAIRS**

**Budgetary Information:** The budgeted cost for Core & Main, LP, as presented in the O&M and capital budgets is based on historic annual repairs in the field totaling \$600,000. This year's allocations are for hydrants and valves (\$100,000), miscellaneous materials (\$100,000), and meters (\$400,000 – split evenly with sewer maintenance) and will be paid with Water Funds in the amount of \$400,000 and Sewer Funds in the amount of \$200,000. A portion has already been spent for recent water main repairs via the temporary appropriations.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to expend funds to Core & Main, LP, of Ashland, Ohio, for the purchase of materials and parts for in-house water main repairs in calendar year 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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**ITEM #8 – Submitted by Jane Cullen, Project Engineer**

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**CEDAR POINT WATERMAIN IMPROVEMENT PROJECT CHANGE ORDER**

**Budgetary Information:** Change Order No. 1 in the amount of \$45,666.66, will revise the original contract amount of \$403,107.50 to \$448,774.16. The additional costs are paid by the Water Fund. Cedar Fair will be reimbursing the City \$17,874.16 for the work involving the removal and replacement of the C channel lateral bracing under the bridge.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to approve the first change order for work performed by Cash Services, LLC, of Millbury, Ohio, for the Cedar Point Watermain Improvement Project in the amount of \$45,666.66; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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**ITEM #9 – Submitted by Jane Cullen, Project Engineer**

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**PERMISSION TO BID THE THORPE DRIVE CULVERT REPLACEMENT PROJECT**

**Budgetary Information:** The estimated cost of the project, including engineering, inspection, advertising, and miscellaneous costs is \$357,500.00. In September 2018, the City applied for Ohio Public Works Funds in the amount of \$162,500.00 for the Thorpe Drive Culvert Replacement Project which is a 50 percent split of the construction costs. The City was notified in December that this project had scored high enough to be awarded funding. The remaining cost to the City would be \$195,000.00 to 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 Thorpe Drive Culvert 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.

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**ITEM #10 – Submitted by Matt Lasko, Chief Development Officer**

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**AGREEMENT WITH ERIE COUNTY ECONOMIC DEVELOPMENT CORPORATION**

**Budgetary Information:** The City will provide ECEDC \$30,000 from the General Fund in 2019 for services rendered and programs offered. The \$30,000 is to be paid to ECEDC quarterly in 2019 with payments to occur on or around March 31, June 30, September 30 and December 15 of 2019.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with the Erie County Economic Development Corporation (ECEDC) for certain economic development and marketing services for calendar year 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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**ITEM #11 – Submitted by Matt Lasko, Chief Development Officer**

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**ERIE COUNTY LAND REUTILIZATION CORPORATION AMENDMENT TO DEMOLITION LOAN AGREEMENT**

**Budgetary Information:** The City will be responsible for continuing to make available loan proceeds to ECLRC in an amount not to exceed \$125,000 from the Real Estate Development Fund. These funds can only be disbursed during calendar year 2019 and must be returned to the City in full no later than December 15, 2019.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and approving a First Amendment to the Demolition Loan Agreement in the amount of \$125,000.00 with the Erie County Land Reutilization Corporation (ECLRC) for the purposes of furthering blight elimination efforts in calendar year 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #12 – Submitted by Matt Lasko, Chief Development Officer

REPEALING ORDINANCE NO. 19-031 & APPROVING COOKE BUILDING, LLC, TAX ABATEMENT AGREEMENT

**Budgetary Information:** The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create a minimum of eight permanent full- and part-time employment positions that will be subject to City income tax. Additionally, the new real estate tax revenues in years 1-30 will be paid into the Central Public Improvement Tax Increment Equivalent Fund.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed repealing Ordinance No. 19-031 and authorizing and directing the City Manager to enter into an Enterprise Zone Agreement with Cooke Building, LLC; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #13 – Submitted by Matt Lasko, Chief Development Officer

REPEALING ORDINANCE NO. 19-032 & APPROVING HUNTLEY BUILDING, LLC, TAX ABATEMENT AGREEMENT

**Budgetary Information:** The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create a minimum of ten permanent full- and part-time employment positions that will be subject to City income tax. Additionally, the new real estate tax revenues in years 1-30 will be paid into the Central Public Improvement Tax Increment Equivalent Fund.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed repealing Ordinance No. 19-032 and authorizing and directing the City Manager to enter into an Enterprise Zone Agreement with Huntley Building, LLC; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #14 – Submitted by Matt Lasko, Chief Development Officer

REPEALING ORDINANCE NO. 19-033 & APPROVING GRANT TO COOKE BUILDING LLC AND HUNTLEY BUILDING, LLC

**Budgetary Information:** The City will be responsible for providing \$500,000 in grant funds paid initially from the Capital Projects Fund. The City intends to finance this amount through the issuance of urban renewal revenue notes or bonds. These notes or bonds will use proceeds from the Chesapeake TIF to pay for the debt service.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed repealing Ordinance No. 19-033 and authorizing and approving a grant in the amount of \$500,000.00 through the substantial development grant program to Cooke Building, LLC, and Huntley Building, LLC, in relation to the properties located at 154-162 Columbus Avenue, 119 E. Market Street, and 133 E. Market Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

CITY MANAGER’S REPORT

OLD BUSINESS

ITEM TABLED: Authorization to bid 2018 Cedar Point Chaussee Water Tower

NEW BUSINESS

AUDIENCE PARTICIPATION: Open discussion on any item (5 minute limit)

EXECUTIVE SESSION(S)

ADJOURNMENT

Buckeye Broadband broadcasts on Channel 76:

Monday, March 11 at 8:30 p.m.

Tuesday, March 12 at 5 p.m.

Monday, March 18 at 8:30 p.m.

Online:

[www.YouTube.com](https://www.YouTube.com) and search for “City of Sandusky Commission”





# 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, March 11th, 2019 at 5:00 p.m. in the 1<sup>st</sup> 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 D. Jeffery Rengel for the following parcel numbers located west of Wildman Street between First Street and Second Street:

- 57-03841.000
- 57-03857.000
- 57-03858.000
- 

The application also includes properties located west of an unnamed alley within the 1900 block between First and Second Street:

- 57-03851.000
- 57-00555.000
- 57-03852.000
- 57-03852.001

This rezoning from "R1-40"/ Single- Family Dwelling to "CR"/ Commercial Recreation.

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.

Thomas Horsman

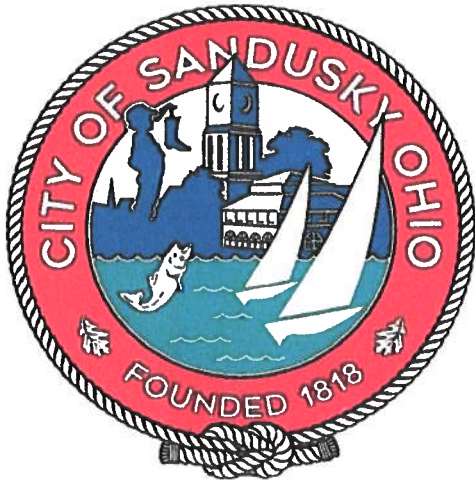
January 30<sup>th</sup> , 2019

# LEGAL NOTICE

Pursuant to Section 51 of the city charter of Sandusky, Ohio, the following tentative appropriations for the municipal government of Sandusky, Ohio have been prepared and a public hearing will be held upon the stated subject at a regular meeting of the city commission to be held at 5:00 P.M. on Monday, March 11, 2019, at City Hall, 222 Meigs Street, First Floor Conference Room, of said city:

<b>FUND/DEPARTMENT</b>	<b>MANAGER'S RECOMMENDATION</b>
<b>GENERAL FUND:</b>	
POLICE PATROL	\$5,123,078
POLICE NON-UNIFORM	\$383,128
POLICE RESERVES	\$168,385
FIRE	\$5,203,565
STREET LIGHTING	\$255,000
CEMETERY	\$415,835
COMMUNITY DEVELOPMENT	\$1,082,683
ECONOMIC DEVELOPMENT	\$30,000
BUILDING INSPECTION	\$431,448
HORTICULTURE SERVICES	\$1,481,835
CITY MANAGER	\$216,461
ADMINISTRATIVE SERVICES	\$126,554
FINANCE DEPARTMENT	\$152,063
TAXATION	\$465,332
INFORMATION TECHNOLOGY	\$405,465
LAW DEPARTMENT	\$341,346
CITY COMMISSION	\$33,810
COMMISSION CLERK	\$45,099
MUNICIPAL COURT	\$1,172,404
MUNICIPAL BUILDINGS	\$672,088
ENGINEERING DEPARTMENT	\$404,811
FLEET	\$431,572
ADMINISTRATIVE SUPPORT	\$977,000
SUBTOTAL:	\$20,018,962
TRANSFERS:	4,870,860
<b>TOTAL GENERAL FUND:</b>	<b>\$24,889,822</b>
<b>STREET FUND</b>	
STREET MAINTENANCE	\$1,217,840
SNOW AND ICE REMOVAL	\$70,000
TRAFFIC	\$344,322
<b>TOTAL STREET FUND:</b>	<b>\$1,632,162</b>
<b>STATE HIGHWAY FUND</b>	<b>\$91,000</b>
<b>PUBLIC TRANSIT FUND</b>	<b>\$2,589,022</b>
<b>PARKS &amp; RECREATION FUND</b>	
PAPER DISTRICT MARINA	\$25,930
PAVILION (AQUATIC CENTER)	\$2,300
GOLF COURSE	\$223,500
RECREATION	\$423,920
BOAT RAMP	\$22,200
<b>TOTAL PARKS &amp; RECREATION FUND:</b>	<b>\$697,850</b>
<b>FIRE PENSION FUND</b>	<b>\$848,104</b>
<b>POLICE PENSION FUND</b>	<b>\$635,259</b>
<b>STATE GRANTS FUND</b>	<b>\$359,000</b>
<b>FEDERAL GRANTS FUND</b>	<b>\$1,008,000</b>
<b>INDIGENT DRIVER ALCOHOL TREATMENT FUND</b>	<b>\$80,000</b>
<b>ENFORCEMENT &amp; EDUCATION FUND</b>	<b>\$1,000</b>
<b>COURT COMPUTER FUND</b>	<b>\$35,000</b>
<b>INDIGENT TELEPHONE FUND</b>	<b>\$1,000</b>
<b>COURT PROBATION FUND</b>	<b>\$55,000</b>
<b>PAYROLL STABILIZATION FUND</b>	<b>\$145,000</b>
<b>REAL ESTATE DEVELOPMENT FUND</b>	<b>\$250,000</b>
<b>CAPITAL IMPROVEMENT FUND</b>	<b>\$610,000</b>
<b>CAPITAL PROJECTS FUND</b>	<b>\$21,448,000</b>
<b>TAX INCREMENT FUND</b>	<b>\$20,000</b>
<b>SPECIAL ASSESSMENT IMPROVEMENT FUND</b>	<b>\$370,500</b>
<b>GENERAL BOND &amp; NOTE RETIREMENT FUND</b>	<b>\$1,635,025</b>
<b>URBAN RENEWAL TEMPORARY REVENUE BONDS FUND</b>	<b>\$431,455</b>
<b>SPECIAL ASSESSMENT BOND RETIREMENT FUND</b>	<b>\$255,183</b>
<b>WATER FUND:</b>	
CUSTOMER ACCOUNTING OFFICE	\$204,148
BIG ISLAND WATER WORKS	\$2,879,476
WATER DISTRIBUTION	\$1,625,564
ADMINISTRATIVE SUPPORT	\$1,080,500
CAPITAL	\$2,076,580
DEBT SERVICE	\$1,784,597
<b>TOTAL WATER FUND:</b>	<b>\$9,650,865</b>
<b>SEWER FUND:</b>	
CUSTOMER ACCOUNTING OFFICE	\$204,148
WASTE WATER TREATMENT PLANT	\$3,515,128
SEWER MAINTENANCE	\$1,851,170
STORM WATER	\$202,000
ADMINISTRATIVE SUPPORT	\$1,130,500
CAPITAL	\$3,081,127
DEBT SERVICE	\$3,084,828
<b>TOTAL SEWER FUND:</b>	<b>\$13,068,901</b>
<b>INTERNAL SERVICE FUND</b>	<b>\$4,600,000</b>
<b>GENERAL TRUSTS</b>	<b>\$184,500</b>
<b>PARK ENDOWED TRUSTS</b>	<b>\$2,000</b>
<b>OAKLAND CEMETERY ENDOWED TRUSTS</b>	<b>\$72,000</b>
<b>TRUST &amp; AGENCY</b>	<b>\$60,000</b>
<b>TOTAL CITY MANAGER RECOMMENDATION:</b>	<b>\$85,725,648</b>

**ERIC L. WOBSEY - CITY MANAGER**  
**SANDUSKY, OHIO**  
**MARCH 11, 2019**



# City of Sandusky

## 2019 Draft Budget Version #2

March 11, 2019





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# GENERAL FUND EXECUTIVE SUMMARY FOR 2019

Estimated Beginning Balance at 1/1/19 \$4,874,829

Estimated 2019 Revenues \$24,891,186

Estimated 2019 Expenditures \$24,889,822

Estimated Ending Balance at 12/31/19 \$ 4,876,193

Estimated % of Ending Balance / Estimated Expend 

20%
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## History:

Year	Actual Revenues	Actual Expenditures	Ending Balance	Ending Balance as a % of Actual Expend
2003	\$16,088,939	\$16,176,261	\$3,090,453	19.1%
2004	\$16,540,288	\$16,858,510	\$2,771,935	16.4%
2005	\$16,470,821	\$16,090,230	\$3,152,526	19.6%
2006	\$16,793,365	\$16,676,931	\$3,268,960	19.6%
2007	\$17,527,154	\$17,122,845	\$3,673,269	21.5%
2008	\$17,768,342	\$17,751,049	\$3,690,562	20.8%
2009	\$16,731,925	\$17,574,865	\$2,847,622	16.2%
2010	\$16,867,171	\$16,238,496	\$3,476,297	21.4%
2011	\$16,367,165	\$16,226,079	\$3,617,383	22.3%
2012	\$15,964,014	\$15,875,025	\$3,706,372	23.3%
2013	\$16,966,326	\$16,445,002	\$4,227,696	25.7%
2014	\$16,327,718	\$16,351,129	\$4,204,285	25.7%
2015	\$19,932,739	\$19,967,000	\$4,170,024	20.9%
2016	\$22,177,977	\$21,860,573	\$4,487,429	20.5%
2017	\$22,789,884	\$22,548,041	\$4,729,272	21.0%
2018	\$23,396,062	\$23,250,505	\$4,874,829	21.0%

# 2019 GENERAL FUND REVENUE ESTIMATES WITH YTD ACTUAL AMOUNTS FROM 2014 - 2018

ACTUAL YTD AMOUNTS				
2014	2015	2016	2017	2018
YTD Actual	YTD Actual	YTD Actual	YTD Actual	YTD Actual

ORIGINAL BUDGET AMOUNTS				
Original	Original	Draft	Draft	Draft
2015	2016	2017	2018	2019
YTD Budget	YTD Budget	YTD Budget	YTD Budget	YTD Budget

## Revenues

### General Revenues

Property Tax	1,509,386	1,518,048	1,506,564	1,520,728	1,523,484	1,500,000	1,500,000	1,500,000	1,550,000	1,550,000
Income Tax	6,977,782	9,433,948	10,886,444	11,241,874	11,524,727	9,244,000	9,905,000	11,500,000	12,000,000	12,000,000
Admissions Tax	2,723,977	3,665,452	4,333,142	4,241,462	4,152,727	3,765,000	3,850,000	4,480,000	4,550,000	4,600,000
Hotel/Motel Tax	1,076,421	1,207,305	1,285,270	1,313,798	1,486,930	1,150,000	1,275,000	1,300,000	1,450,000	1,600,000
Estate Tax	47,897	19,593	3,184	-	-	-	-	-	-	-
Local Government Funds	415,593	436,902	403,972	394,501	405,284	417,597	430,000	400,000	400,000	411,282
Other State Levied Monies	185,479	183,231	179,852	178,494	176,701	185,000	185,000	185,000	185,000	185,000
Cable Franchise Fees	385,715	393,920	374,177	383,334	341,133	390,000	400,000	385,000	385,000	385,000
Liquor/Beer Permits	68,525	67,738	67,145	68,642	72,864	75,000	68,000	70,000	70,000	70,000
State Patrol Fines	14,931	14,534	13,115	16,590	14,800	20,000	15,000	15,000	15,000	15,000
Unclaimed Funds	2,286	-	-	-	3,922	1,000	-	-	-	-
Public Vendor Licenses	2,300	2,950	1,350	2,450	-	2,300	3,000	1,500	1,500	1,500
Tax Abatement Monitoring Fees	4,403	6,915	4,470	3,059	5,649	4,000	7,000	4,000	4,000	6,000
Sale of Property	3,219	44,519	3,093	8,162	1,465	45,000	5,000	3,000	3,000	3,000
Interest	133,280	147,719	143,100	199,474	388,460	135,000	150,000	160,000	220,000	400,000
Rental Income	187,295	172,402	212,309	330,328	199,773	160,000	190,000	215,000	250,000	250,000
Donations	-	-	25	120	-	-	-	-	-	-
Refunds / Reimbursements	379,263	279,753	68,810	219,205	268,373	220,000	100,000	50,000	75,000	275,000
	14,117,732	17,594,929	19,486,022	20,102,217	20,568,291	17,313,897	18,083,000	20,248,500	21,158,500	21,781,782

### Division / Department Revenues

Police Department	283,670	311,384	451,503	397,498	374,091	315,000	315,000	475,000	475,000	475,000
Police/Fire Marine Patrol	82,904	81,138	79,125	65,875	75,400	75,000	80,000	85,000	85,000	85,000
Fire Department	418,370	420,668	421,312	433,333	422,721	425,000	420,000	425,000	425,000	425,000
Oakland Cemetery	90,254	108,100	117,474	120,543	127,480	90,000	120,000	125,000	125,000	130,000
Com Dev/Jackson St Parking	27,178	57,733	83,413	132,689	115,351	51,000	60,000	85,000	125,000	140,000
Building Division	217,028	195,325	266,689	308,882	440,260	250,000	250,000	310,000	370,000	450,000
Horticultural Services	74,822	73,542	94,804	71,352	109,419	75,000	75,000	95,000	95,000	95,000
City Manager/Finance/HR	3,556	3,478	10,409	4,200	2,237	6,000	3,500	6,000	6,000	6,000
Data Processing Center	103,114	100,524	70,444	73,639	47,159	80,000	105,000	75,000	75,000	75,000
Law Department	11,301	12,383	11,448	9,839	10,348	10,000	12,500	13,000	13,000	13,000
City Commission	74	-	-	-	-	-	-	-	-	-
Municipal Court	889,418	928,825	1,035,320	1,019,516	1,053,701	920,000	970,949	1,085,000	1,044,865	1,172,404
Building Maintenance	1,116	5,057	4,093	4,819	4,236	2,000	2,000	4,000	5,000	5,000
Engineering	8,892	10,154	24,981	18,034	22,024	12,000	12,000	25,000	33,000	33,000
Mechanic Department	18,289	29,500	20,940	29,487	25,344	20,000	35,000	30,000	35,000	35,000
	2,209,985	2,337,811	2,691,955	2,687,667	2,829,771	2,331,000	2,480,949	2,838,000	2,911,865	3,139,404
<b>Total General Fund Revenues</b>	<b>16,327,717</b>	<b>19,932,739</b>	<b>22,177,977</b>	<b>22,789,884</b>	<b>23,396,062</b>	<b>19,644,897</b>	<b>20,543,949</b>	<b>23,086,500</b>	<b>24,070,365</b>	<b>24,891,186</b>



# POLICE DEPARTMENT - 2019 OPERATING BUDGET

The Police Department budget is for expenses related to providing safety services.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>POLICE - PATROL (110-1010)</b>						
WAGES/FRINGES	4,432,493	4,319,182	4,378,532	4,890,145	4,878,043	4,800,481
TRAVEL & TRAINING	16,820	21,358	21,983	22,500	22,500	22,500
CONTRACTUAL SERVICES	44,369	51,834	74,797	74,045	99,745	81,397
SUPPLIES & MATERIALS	146,754	162,963	156,160	176,300	182,900	195,000
MAJOR EXPENSES/OTHER	11,398	30,376	37,649	64,780	37,200	23,700
<b>TOTAL</b>	<b>4,651,834</b>	<b>4,585,510</b>	<b>4,669,121</b>	<b>5,017,770</b>	<b>5,021,288</b>	<b>5,123,078</b>
<b>POLICE - NON UNIFORM (110-1020)</b>						
WAGES/FRINGES	127,772	156,176	157,341	156,747	163,026	166,760
TRAVEL & TRAINING	-	-	-	500	500	500
CONTRACTUAL SERVICES	158,478	165,816	191,746	188,122	204,716	215,868
SUPPLIES & MATERIALS	393	-	-	-	-	-
MAJOR EXPENSES/OTHER	-	-	-	-	-	-
<b>TOTAL</b>	<b>286,641</b>	<b>321,992</b>	<b>349,087</b>	<b>345,369</b>	<b>368,242</b>	<b>383,128</b>
<b>POLICE - RESERVES (110-1030)</b>						
WAGES/FRINGES	134,389	154,266	117,593	142,531	164,385	164,885
TRAVEL & TRAINING	-	-	100	500	500	500
CONTRACTUAL SERVICES	311	-	53	500	500	500
SUPPLIES & MATERIALS	-	-	-	2,500	2,500	2,500
MAJOR EXPENSES/OTHER	-	-	-	-	-	-
<b>TOTAL</b>	<b>134,701</b>	<b>154,266</b>	<b>117,746</b>	<b>148,031</b>	<b>167,885</b>	<b>168,385</b>
<b>POLICE TOTAL</b>	<b>5,073,175</b>	<b>5,061,767</b>	<b>5,135,954</b>	<b>5,509,170</b>	<b>5,557,415</b>	<b>5,674,591</b>

# FIRE DEPARTMENT- 2019 OPERATING BUDGET

The Fire Department budget is for expenses related to providing firefighting services, EMS services, and fire prevention.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>FIRE (110-1310)</b>						
WAGES/FRINGES	4,492,204	4,532,722	4,490,494	4,837,250	4,763,745	4,883,666
TRAVEL & TRAINING	9,133	15,143	21,939	16,500	49,000	26,000
CONTRACTUAL SERVICES	207,109	206,517	183,722	223,650	217,800	175,000
SUPPLIES & MATERIALS	109,631	93,868	108,729	124,600	127,500	110,000
MAJOR EXPENSES/OTHER	2,660	5,161	1,135	2,000	2,000	30,000
<b>TOTAL</b>	<b>4,820,937</b>	<b>4,853,431</b>	<b>4,808,019</b>	<b>5,003,900</b>	<b>5,160,045</b>	<b>5,203,566</b>

# ADMINISTRATIVE SERVICES - 2019 OPERATING BUDGET

The Administrative Services budget is for expenses related to the operation of the human resources and information technology departments.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>HUMAN RESOURCES (110-7030)</b>						
WAGES/FRINGES	76,180	77,362	75,478	82,900	80,018	88,336
TRAVEL & TRAINING	344	203	1,643	3,400	4,020	5,138
CONTRACTUAL SERVICES	2,714	4,825	488	15,000	10,000	5,000
SUPPLIES & MATERIALS	2,920	2,272	4,742	4,725	6,205	6,080
MAJOR EXPENSES / OTHER	-	-	545	1,000	5,500	22,000
<b>TOTAL</b>	<b>82,158</b>	<b>84,662</b>	<b>82,896</b>	<b>107,025</b>	<b>105,743</b>	<b>126,554</b>
<b>INFO TECHNOLOGIES (110-7080)</b>						
WAGES/FRINGES	119,139	156,037	154,671	155,687	151,208	150,400
TRAVEL & TRAINING	763	593	679	2,500	5,000	5,000
CONTRACTUAL SERVICES	49,423	74,004	76,632	77,135	81,650	121,555
SUPPLIES & MATERIALS	12,553	18,882	11,676	31,625	50,500	63,500
MAJOR EXPENSES/OTHER	-	30,840	19,559	100,625	107,500	65,000
<b>TOTAL</b>	<b>181,877</b>	<b>280,355</b>	<b>263,217</b>	<b>367,572</b>	<b>395,858</b>	<b>405,455</b>

# **PUBLIC SERVICES - 2019 OPERATING BUDGET**

The Public Services budget is for expenses related to the operation of Oakland Cemetery, horticultural services, building maintenance, and fleet maintenance.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>CEMETERY (110-2600)</b>						
WAGES/FRINGES	197,843	238,932	268,762	298,770	352,806	341,235
TRAVEL & TRAINING	45	900	328	125	325	500
CONTRACTUAL SERVICES	21,068	19,817	23,951	20,965	26,240	37,000
SUPPLIES & MATERIALS	20,525	26,732	29,830	29,350	35,000	37,100
MAJOR EXPENSES/OTHER	-	440	450	10,000	-	-
<b>TOTAL</b>	<b>239,281</b>	<b>286,821</b>	<b>323,320</b>	<b>359,210</b>	<b>414,371</b>	<b>416,835</b>
<b>HORT SERVICES (110-4850)</b>						
WAGES/FRINGES	720,072	898,819	932,477	1,039,173	1,105,652	1,100,623
TRAVEL & TRAINING	1,205	974	1,384	1,755	1,875	2,829
CONTRACTUAL SERVICES	165,414	191,140	231,341	181,450	205,000	234,383
SUPPLIES & MATERIALS	95,148	110,349	105,491	110,108	125,000	144,000
MAJOR EXPENSES	4,948	17,212	-	10,000	-	-
OTHER	180	173	40	-	-	-
<b>TOTAL</b>	<b>986,966</b>	<b>1,218,666</b>	<b>1,270,732</b>	<b>1,342,484</b>	<b>1,437,427</b>	<b>1,481,835</b>
<b>MUNICIPAL BUILDINGS (110-7550)</b>						
WAGES/FRINGES	281,988	330,888	297,924	377,042	315,611	352,604
TRAVEL & TRAINING	-	68	45	1,935	3,935	3,884
CONTRACTUAL SERVICES	199,383	205,928	195,455	212,620	230,500	232,000
SUPPLIES & MATERIALS	55,543	56,419	56,026	47,000	55,000	66,600
MAJOR EXPENSES/OTHER	-	-	-	-	-	17,000
<b>TOTAL</b>	<b>536,914</b>	<b>593,313</b>	<b>549,449</b>	<b>638,597</b>	<b>605,046</b>	<b>672,088</b>
<b>MECHANICS (110-7750)</b>						
WAGES/FRINGES	246,798	262,979	235,856	247,808	244,162	304,622
TRAVEL & TRAINING	45	780	511	5,300	5,500	5,500
CONTRACTUAL SERVICES	17,564	8,132	6,647	7,790	8,720	7,150
SUPPLIES & MATERIALS	101,592	112,913	83,628	76,400	80,400	99,800
MAJOR EXPENSES/OTHER	-	-	14,325	-	15,000	14,500
<b>TOTAL</b>	<b>365,999</b>	<b>384,804</b>	<b>340,968</b>	<b>337,298</b>	<b>353,782</b>	<b>431,572</b>



# ADMINISTRATIVE SUPPORT - 2019 OPERATING BUDGET

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>ADMINISTRATIVE SUPPORT (110-7900)</b>						
WAGES/FRINGES	-	-	-	-	-	-
TRAVEL & TRAINING	727	998	-	700	700	-
CONTRACTUAL SERVICES	577,836	732,891	808,032	700,000	700,000	875,000
SUPPLIES & MATERIALS	8,822	6,910	3,957	8,500	7,000	2,000
MAJOR EXPENSES	-	-	-	-	-	-
OTHER	171,028	176,094	115,256	170,000	170,000	100,000
<b>TRANSFERS:</b>						
STREET FUND	31,000	50,442	-	162,273	208,346	127,162
TRANSIT FUND	241,792	310,352	420,696	200,000	200,000	241,000
PARKS & REC FUND	179,435	208,171	410,377	231,250	428,950	377,850
FIRE PENSION FUND	728,021	710,121	740,886	685,085	677,781	709,687
POLICE PENSION FUND	568,422	529,290	560,884	601,468	499,204	496,742
GEN BOND RETIREMENT FUND	450,000	397,564	400,000	417,082	421,924	403,299
PAYROLL STAB FUND	300,000	350,000	375,000	75,000	75,000	50,000
STATE/FEDERAL GRANTS FUNDS	-	62,681	167,833	-	-	-
SPECIAL ASSESS BOND RET FUND	200,000	-	-	18,525	10,333	-
PUBLIC ARTS COMMISSION	-	-	42,415	-	42,500	41,527
NEIGHBORHOOD INITIATIVE	900,000	-	-	-	-	-
PROGRAMMING/MARKETING	-	-	-	-	-	148,693
ED/HOUSING/BLIGHT - ISSUE 8	700,000	800,000	950,000	800,000	800,000	775,000
INFRASTRUCTURE - ISSUE 8	1,000,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
<b>TOTAL TRANSFERS</b>	<b>5,298,871</b>	<b>4,918,621</b>	<b>5,557,889</b>	<b>4,690,690</b>	<b>4,862,038</b>	<b>4,870,880</b>
<b>TOTAL</b>	<b>6,057,084</b>	<b>5,835,514</b>	<b>6,485,135</b>	<b>5,469,890</b>	<b>5,739,738</b>	<b>5,847,860</b>

The economic and community development budget is for expenses related to the operation of the code enforcement office, building division and housing offices. In addition, these departments assist with area businesses with development issues.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>ECONOMIC DEV (110-4070)</b>						
WAGES/FRINGES	-	-	-	-	-	-
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	30,000	30,000	30,000	30,000	30,000	30,000
SUPPLIES & MATERIALS	-	-	-	-	-	-
MAJOR EXPENSES/OTHER	-	-	-	-	-	-
<b>TOTAL</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>
<b>COMMUNITY DEV (110-4010) (110-6860)</b>						
WAGES/FRINGES	677,992	909,425	872,927	691,738	910,800	890,683
TRAVEL & TRAINING	3,284	3,431	3,848	7,860	10,650	16,150
CONTRACTUAL SERVICES	45,268	32,877	60,697	34,760	64,250	96,300
SUPPLIES & MATERIALS	10,294	7,694	12,028	21,916	23,300	36,000
MAJOR EXPENSES / OTHER	1,821	2,971	13,206	21,000	26,026	43,550
<b>TOTAL</b>	<b>738,658</b>	<b>956,199</b>	<b>962,705</b>	<b>777,263</b>	<b>1,036,026</b>	<b>1,082,683</b>
<b>BUILDING INSPECTIONS (110-4090)</b>						
WAGES/FRINGES	187,496	208,631	232,066	220,566	243,427	362,248
TRAVEL & TRAINING	421	275	315	2,500	3,090	4,500
CONTRACTUAL SERVICES	19,943	34,658	53,360	30,750	42,500	43,700
SUPPLIES & MATERIALS	3,234	3,813	7,540	9,000	10,000	8,500
MAJOR EXPENSES / OTHER	675	2,312	-	4,776	7,500	12,500
<b>TOTAL</b>	<b>211,769</b>	<b>249,680</b>	<b>293,281</b>	<b>267,691</b>	<b>306,427</b>	<b>431,448</b>

# CITY MANAGER - 2019 OPERATING BUDGET

The City Manager budget is for expenses related to the operation of the manager's office.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
CITY MANAGER (110-7020)						
WAGES/FRINGES	122,623	157,310	135,735	154,490	137,994	196,461
TRAVEL & TRAINING	10,219	1,892	2,347	3,430	5,600	5,000
CONTRACTUAL SERVICES	5,213	3,235	1,823	8,500	5,000	2,500
SUPPLIES & MATERIALS	1,279	3,398	7,275	2,063	7,500	12,500
MAJOR EXPENSES / OTHER	-	-	-	-	-	-
TOTAL	139,335	165,834	147,180	166,483	155,994	216,461

# CITY COMMISSION - 2019 OPERATING BUDGET

The City Commission budget is for expenses related to the operation of the Clerk and Commission offices.  
Commissioners are paid \$5,200 annually and the ex-officio mayor is paid \$6,240 annually.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>COMMISSION (110-7200)</b>						
WAGES/FRINGES	26,510	26,364	26,572	32,477	26,609	26,609
TRAVEL & TRAINING	818	1,199	1,350	640	640	1,609
CONTRACTUAL SERVICES	9,524	6,112	8,705	13,712	3,416	4,782
SUPPLIES & MATERIALS	397	977	42	1,600	400	900
MAJOR EXPENSES / OTHER	-	-	-	-	-	-
<b>TOTAL</b>	<b>37,248</b>	<b>34,652</b>	<b>36,669</b>	<b>48,329</b>	<b>31,064</b>	<b>33,810</b>

<b>COMMISSION CLERK (110-7210)</b>						
WAGES/FRINGES	46,464	46,504	40,962	47,651	45,989	43,911
TRAVEL & TRAINING	98	100	193	450	450	225
CONTRACTUAL SERVICES	575	392	485	905	590	213
SUPPLIES & MATERIALS	368	479	334	900	400	750
MAJOR EXPENSES / OTHER	-	-	-	-	-	-
<b>TOTAL</b>	<b>47,504</b>	<b>47,476</b>	<b>41,974</b>	<b>49,906</b>	<b>47,429</b>	<b>45,099</b>



# ENGINEERING DEPARTMENT - 2019 OPERATING BUDGET

The Engineering Department budget is for expenses related to the operation of the Engineering office.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>ENGINEER (110-7600)</b>						
WAGES/FRINGES	205,450	274,239	304,689	286,897	336,833	316,111
TRAVEL & TRAINING	901	891	1,519	1,800	1,800	3,600
CONTRACTUAL SERVICES	22,455	20,062	30,105	26,920	29,000	71,267
SUPPLIES & MATERIALS	6,013	8,165	5,372	10,807	16,000	14,833
MAJOR EXPENSES / OTHER	3,661	-	-	-	-	-
<b>TOTAL</b>	<b>238,480</b>	<b>303,346</b>	<b>341,686</b>	<b>325,224</b>	<b>383,633</b>	<b>404,811</b>

# **FINANCE DEPARTMENT - 2019 OPERATING BUDGET**

**The Finance Department budget is for expenses relating to the operation of the Finance and Tax departments.  
This includes accounts payable, payroll, investments, debt service, and preparation of the annual financial report.**

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>FINANCE (110-7060)</b>						
WAGES/FRINGES	112,319	110,780	104,808	127,412	124,742	134,808
TRAVEL & TRAINING	2,971	1,465	1,358	2,500	2,500	2,500
CONTRACTUAL SERVICES	2,713	2,704	2,351	15,850	15,850	10,850
SUPPLIES & MATERIALS	1,341	1,259	2,208	1,805	1,805	1,805
MAJOR EXPENSES / OTHER	696	-	-	2,000	2,000	2,000
<b>TOTAL</b>	<b>120,042</b>	<b>116,208</b>	<b>110,724</b>	<b>149,567</b>	<b>146,897</b>	<b>152,063</b>
<b>INCOME TAX (110-7070)</b>						
WAGES/FRINGES	68,820	70,469	68,611	70,314	71,581	73,682
TRAVEL & TRAINING	259	-	304	600	600	600
CONTRACTUAL SERVICES	388,202	395,108	405,896	389,700	389,700	389,700
SUPPLIES & MATERIALS	100	167	-	350	350	350
MAJOR EXPENSES / OTHER	-	-	-	1,000	1,000	1,000
<b>TOTAL</b>	<b>457,381</b>	<b>465,745</b>	<b>474,811</b>	<b>461,964</b>	<b>463,231</b>	<b>465,332</b>

# **LAW DEPARTMENT - 2019 OPERATING BUDGET**

The Law Department budget is for expenses related to prosecutor services in court, providing internal legal assistance to city staff, and monitoring and maintaining legal compliance with legislative actions.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>LAW (110-7100)</b>						
WAGES/FRINGES	271,304	284,887	266,121	288,087	303,869	300,127
TRAVEL & TRAINING	2,449	1,592	1,370	3,600	3,600	3,600
CONTRACTUAL SERVICES	14,266	11,017	9,430	32,701	32,701	32,701
SUPPLIES & MATERIALS	1,212	1,973	898	2,870	2,870	2,870
MAJOR EXPENSES / OTHER	1,409	981	-	2,148	2,148	2,148
<b>TOTAL</b>	<b>290,639</b>	<b>300,430</b>	<b>277,820</b>	<b>339,306</b>	<b>346,088</b>	<b>341,346</b>

# **MUNICIPAL COURT - 2019 OPERATING BUDGET**

The Municipal Court budget is for expenses related to the operation of municipal court which includes criminal, traffic, civil, and small claims matters.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>MUNICIPAL COURT (110-7260)</b>						
WAGES/FRINGES	876,232	958,924	969,543	901,739	992,866	1,120,404
TRAVEL & TRAINING	2,945	3,440	3,404	3,000	3,000	3,000
CONTRACTUAL SERVICES	51,372	50,042	41,428	40,000	40,000	40,000
SUPPLIES & MATERIALS	6,946	7,110	8,112	9,000	9,000	9,000
MAJOR EXPENSES / OTHER	-	-	-	-	-	-
<b>TOTAL</b>	<b>937,495</b>	<b>1,019,516</b>	<b>1,022,488</b>	<b>953,739</b>	<b>1,044,866</b>	<b>1,172,404</b>

# STREET LIGHTING - 2019 OPERATING BUDGET

The Street Lighting budget is for expenses related to street lights.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>STREET LIGHTING (110-1610)</b>						
WAGES/FRINGES	-	-	-	-	-	-
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	267,634	259,612	253,477	269,000	265,000	265,000
SUPPLIES & MATERIALS	-	-	-	-	-	-
MAJOR EXPENSES / OTHER	-	-	-	-	-	-
<b>TOTAL</b>	<b>267,634</b>	<b>259,612</b>	<b>253,477</b>	<b>269,000</b>	<b>265,000</b>	<b>265,000</b>

## GENERAL FUND TOTAL BY CATEGORY

WAGES/FRINGES	13,423,889	14,174,906	14,131,160	14,658,424	15,214,265	15,797,655
TRAVEL & TRAINING	53,444	55,299	64,620	81,985	125,495	111,935
CONTRACTUAL SERVICES	2,300,830	2,508,344	2,690,621	2,591,065	2,702,877	2,986,886
SUPPLIES & MATERIALS	585,064	626,332	604,048	671,016	743,530	814,088
MAJOR EXPENSES	27,488	90,273	86,870	209,328	205,873	208,398
OTHER	171,208	176,267	115,296	170,000	170,000	100,000
TRANSFERS	5,298,671	4,918,621	5,557,889	4,590,690	4,862,038	4,870,860
	<b>21,860,674</b>	<b>22,548,041</b>	<b>23,260,505</b>	<b>22,972,508</b>	<b>24,024,078</b>	<b>24,889,822</b>

## 2019 STREET FUND OPERATING BUDGET

The Street Fund budget is for expenses related to street maintenance and repair.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>STREET FUND (216)</b>						
<b>STREET (216-6200)</b>						
WAGES/FRINGES	861,617	795,263	682,093	931,080	976,120	883,840
TRAVEL & TRAINING	809	1,473	727	3,160	3,400	4,000
CONTRACTUAL SERVICES	152,413	162,303	139,128	148,063	137,700	166,000
SUPPLIES & MATERIALS	124,198	141,336	147,632	184,666	172,700	166,000
MAJOR EXPENSES	-	-	-	-	-	-
OTHER / CAPITAL	25,800	-	-	-	-	-
<b>TOTAL</b>	<b>1,164,837</b>	<b>1,100,375</b>	<b>969,580</b>	<b>1,266,969</b>	<b>1,288,920</b>	<b>1,217,840</b>
<b>STREET CAPITAL (216-6110)</b>	<b>-</b>	<b>48,268</b>	<b>106,000</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>SNOW &amp; ICE REMOVAL (216-6650)</b>						
SUPPLIES & MATERIALS	34,652	24,377	109,992	60,000	76,000	70,000
<b>TRAFFIC (216-7700)</b>						
WAGES/FRINGES	104,378	115,228	106,772	114,079	134,616	140,172
TRAVEL & TRAINING	100	637	-	6,130	5,130	4,160
CONTRACTUAL SERVICES	15,604	10,162	26,408	28,425	30,200	36,000
SUPPLIES & MATERIALS	68,727	140,622	121,993	161,400	163,300	166,000
MAJOR EXPENSES	-	-	-	-	10,000	10,000
OTHER	-	-	-	-	-	-
<b>TOTAL</b>	<b>188,809</b>	<b>266,649</b>	<b>255,173</b>	<b>309,034</b>	<b>333,146</b>	<b>344,322</b>
<b>TOTAL STREET FUND</b>	<b>1,388,299</b>	<b>1,439,669</b>	<b>1,440,745</b>	<b>1,626,993</b>	<b>1,697,066</b>	<b>1,632,162</b>

### Summary

WAGES/FRINGES	965,995	910,491		1,045,159	1,109,636	1,024,012
TRAVEL & TRAINING	909	2,109		8,280	8,530	8,150
CONTRACTUAL SERVICES	168,017	172,465		176,488	167,900	200,000
SUPPLIES & MATERIALS	227,578	306,336		398,066	401,000	390,000
MAJOR EXPENSES	-	-		-	10,000	10,000
OTHER	25,800	-		-	-	-
CAPITAL	-	48,268		-	-	-
	<b>1,388,299</b>	<b>1,439,669</b>		<b>1,626,993</b>	<b>1,697,066</b>	<b>1,632,162</b>



## 2019 STATE HIGHWAY FUND OPERATING BUDGET

**The State Highway Fund budget is for expenses related to maintenance and repair of state highways within the City.**

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>STATE HIGHWAY (217)</b>						
WAGES/FRINGES	35,483	51,045	43,523	35,000	54,000	50,000
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	11,114	12,256	28,193	30,000	13,000	29,000
SUPPLIES & MATERIALS	9,004	11,189	11,494	15,000	13,000	12,000
<b>TOTAL</b>	<b>55,602</b>	<b>74,490</b>	<b>83,210</b>	<b>80,000</b>	<b>80,000</b>	<b>91,000</b>

# 2019 PARKS & RECREATION OPERATING BUDGET

The Parks and Recreation Fund budget is for expenses related to the operation of the Sandusky Bay Pavilion, Mills Creek Golf Course, Boat Ramp, Paper District Marina, and Recreation programs.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
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## PD MARINA (227-3400)

WAGES/FRINGES	15,263	16,443	-	17,000	-	-
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	18,704	17,712	15,723	16,000	16,000	16,230
SUPPLIES & MATERIALS	3,669	1,651	3,534	3,000	7,700	9,700
MAJOR EXPENSES	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
OTHER	650	-	-	-	-	-
TOTAL	38,285	35,805	19,256	36,000	23,700	25,930

## SBP (227-3500)

WAGES/FRINGES	2,519	337	-	-	-	-
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	3,152	4,696	5,191	2,300	2,300	2,300
SUPPLIES & MATERIALS	494	-	-	-	-	-
MAJOR EXPENSES	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	6,166	5,034	5,191	2,300	2,300	2,300

## GOLF COURSE (227-3600)

WAGES/FRINGES	115,797	110,291	100,974	116,000	102,000	103,500
TRAVEL & TRAINING	-	180	-	200	900	900
CONTRACTUAL SERVICES	66,226	68,281	82,135	65,000	72,000	65,000
SUPPLIES & MATERIALS	37,775	36,460	34,306	45,000	45,000	47,000
MAJOR EXPENSES	4,948	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
OTHER	-	-	572	-	-	-
TOTAL	224,746	213,212	217,988	226,200	219,900	223,500

## RECREATION (227-3700)

WAGES/FRINGES	61,386	107,336	274,833	130,500	337,000	263,450
TRAVEL & TRAINING	3,502	2,271	1,319	3,000	3,500	3,500
CONTRACTUAL SERVICES	59,492	61,873	81,317	66,000	76,550	95,720
SUPPLIES & MATERIALS	26,161	38,402	47,425	55,000	55,000	61,250
MAJOR EXPENSES	-	218	-	-	-	-
CAPITAL	-	-	-	-	-	-
OTHER	1,425	25,370	1,375	-	-	-
TOTAL	151,966	235,270	406,269	254,500	472,050	423,920

## BOAT RAMP (227-3800)

WAGES/FRINGES	15,239	16,449	-	16,000	-	-
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	11,243	8,245	10,398	10,250	12,000	10,200
SUPPLIES & MATERIALS	6,712	8,340	5,226	12,000	13,000	12,000
MAJOR EXPENSES	-	-	-	-	-	-
CAPITAL	-	-	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	33,194	33,033	15,624	38,250	25,000	22,200

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
TOTAL PARKS & REC FUND	454,356	522,355	664,329	557,250	742,950	697,850

## Summary

WAGES/FRINGES	210,203	250,856	375,807	279,500	439,000	366,950
TRAVEL & TRAINING	3,502	2,451	1,319	3,200	4,400	4,400
CONTRACTUAL SERVICES	158,817	158,807	194,765	159,550	178,850	189,450
SUPPLIES & MATERIALS	74,812	84,853	90,491	116,000	120,700	129,950
MAJOR EXPENSES	4,948	218	-	-	-	-
CAPITAL	-	-	-	-	-	-
OTHER	2,075	25,370	1,947	-	-	-
	454,356	522,355	664,329	557,250	742,950	697,850

## 2019 PENSION FUNDS OPERATING BUDGET

The Fire and Police Pension Fund budgets are for expenses related to both the current pension contribution and debt service obligations related to the long term accounting liability.

Please see the Debt Service Summary Sheet for a more detailed listing of the debt service obligations.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>FIRE PENSION (236)</b>						
WAGES/FRINGES	806,377	795,251	827,616	769,541	763,442	799,749
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	2,443	2,420	2,405	3,000	3,000	3,000
SUPPLIES & MATERIALS	-	-	-	-	-	-
MAJOR EXPENSES	-	-	-	-	-	-
DEBT SERVICE	48,850	50,632	49,427	60,633	49,428	45,355
<b>TOTAL</b>	<b>857,670</b>	<b>848,304</b>	<b>879,448</b>	<b>823,174</b>	<b>815,870</b>	<b>848,104</b>
<b>POLICE PENSION (237)</b>						
WAGES/FRINGES	670,747	628,364	660,953	598,926	597,660	598,553
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	3,905	2,421	2,362	3,000	3,000	3,000
SUPPLIES & MATERIALS	-	-	-	-	-	-
MAJOR EXPENSES	-	-	-	-	-	-
DEBT SERVICE	36,304	37,628	36,733	37,628	36,733	33,706
<b>TOTAL</b>	<b>710,956</b>	<b>668,413</b>	<b>700,048</b>	<b>639,554</b>	<b>637,293</b>	<b>635,259</b>

## 2019 GENERAL BOND RETIREMENT FUND BUDGET

The General Bond Retirement Fund budget is for expenses related to debt service obligations that are general obligations of the City.

Please see the Debt Service Summary Sheet for a more detailed listing.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>GENERAL BOND RETIREMENT FUND (434)</b>						
WAGES/FRINGES	-	-	-	-	-	-
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	8,180	8,068	7,831	10,000	10,000	10,000
SUPPLIES & MATERIALS	-	-	-	-	-	-
DEBT SERVICE	1,599,562	1,587,390	1,628,221	1,587,390	1,628,222	1,625,021
TOTAL	1,607,742	1,595,458	1,636,053	1,597,390	1,638,222	1,635,021

## 2019 URBAN RENEWAL DEBT RETIREMENT FUND BUDGET

The Urban Renewal Revenue Debt Retirement Fund budget is for expenses related to debt service obligations on the urban renewal area.

Please see the Debt Service Summary Sheet for a more detailed listing.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>URBAN RENEWAL DEBT RETIREMENT FUND (435)</b>						
WAGES/FRINGES	-	-	-	-	-	-
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	9,307	9,870	10,482	11,000	11,000	11,000
SUPPLIES & MATERIALS	-	-	-	-	-	-
DEBT SERVICE	420,290	420,600	420,655	420,600	420,655	420,455
<b>TOTAL</b>	<b>429,597</b>	<b>430,470</b>	<b>431,137</b>	<b>431,600</b>	<b>431,655</b>	<b>431,455</b>

## 2019 SPECIAL ASSESSMENT BOND RETIREMENT FUND BUDGET

The Special Assessment Bond Retirement Fund budget is for expenses related to debt service obligations on projects where the City costs have been assessed to the property owner.

Please see the Debt Service Summary Sheet for a more detailed listing.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>SPECIAL ASSESSMENT BOND RETIREMENT FUND (535)</b>						
WAGES/FRINGES	-	-	-	-	-	-
TRAVEL & TRAINING	-	-	-	-	-	-
CONTRACTUAL SERVICES	-	-	-	1,500	1,500	1,500
SUPPLIES & MATERIALS	-	-	-	-	-	-
DEBT SERVICE	327,444	301,524	293,833	301,525	293,833	253,683
TOTAL	327,444	301,524	293,833	303,025	295,333	255,183

note: bonds were refunded in 2015

## 2019 WATER FUND BUDGET

The Water Fund budget is for expenses related to the operation of the water treatment plant, water distribution, customer accounting, debt service obligations, and administrative support.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>BIWW (612-5230)</b>						
WAGES/FRINGES	1,202,241	1,283,749	1,275,877	1,347,413	1,456,792	1,544,776
TRAVEL & TRAINING	4,793	5,122	6,944	7,900	7,000	8,000
CONTRACTUAL SERVICES	543,569	535,420	529,123	596,000	583,570	582,000
SUPPLIES & MATERIALS	517,248	613,200	594,158	697,090	669,189	737,700
MAJOR EXPENSES/OTHER	-	-	-	-	-	7,000
<b>TOTAL</b>	<b>2,267,851</b>	<b>2,437,492</b>	<b>2,406,102</b>	<b>2,648,403</b>	<b>2,716,551</b>	<b>2,879,476</b>
<b>WATER DISTRIBUTION (612-5250)</b>						
WAGES/FRINGES	863,662	852,044	880,559	911,459	980,378	1,124,064
TRAVEL & TRAINING	3,407	3,441	6,790	9,900	9,500	8,000
CONTRACTUAL SERVICES	27,347	48,830	67,106	88,376	85,866	85,000
SUPPLIES & MATERIALS	286,623	305,378	339,205	345,570	373,850	408,500
MAJOR EXPENSES	-	-	23,999	-	25,000	-
CAPITAL	-	-	-	-	-	-
OTHER	-	231	-	-	-	-
<b>TOTAL</b>	<b>1,181,038</b>	<b>1,209,925</b>	<b>1,317,659</b>	<b>1,355,305</b>	<b>1,474,593</b>	<b>1,625,564</b>
<b>CUSTOMER ACCT (612-5200)</b>						
WAGES/FRINGES	119,376	159,465	149,033	162,914	173,033	161,303
TRAVEL & TRAINING	360	90	763	1,025	1,025	1,025
CONTRACTUAL SERVICES	35,800	29,548	32,963	35,230	35,230	35,630
SUPPLIES & MATERIALS	3,585	2,980	2,532	3,940	3,940	3,940
MAJOR EXPENSES	1,214	-	3,316	2,000	2,000	2,000
OTHER	93	185	199	100	250	250
<b>TOTAL</b>	<b>160,428</b>	<b>192,268</b>	<b>188,805</b>	<b>205,209</b>	<b>215,478</b>	<b>204,148</b>
<b>ADMINISTRATIVE SUPPORT (612-5900)</b>						
WAGES/FRINGES	665,979	713,337	735,261	680,000	700,000	750,000
TRAVEL & TRAINING	5,140	3,923	5,706	5,500	5,500	5,500
CONTRACTUAL SERVICES	180,533	187,573	173,283	200,000	200,000	225,000
SUPPLIES & MATERIALS	18,852	21,892	22,014	20,000	20,000	25,000
MAJOR EXPENSES	4,315	42,906	5,408	5,000	5,000	50,000
CAPITAL	8,978	-	9,599	15,000	15,000	20,000
OTHER	1,749	2,899	2,743	2,000	2,000	5,000
<b>TOTAL</b>	<b>885,546</b>	<b>972,529</b>	<b>954,015</b>	<b>927,500</b>	<b>947,500</b>	<b>1,080,500</b>
<b>DEBT SERVICE OBLIGATIONS</b>	<b>1,539,762</b>	<b>1,675,413</b>	<b>1,774,711</b>	<b>1,675,730</b>	<b>1,788,412</b>	<b>1,784,597</b>
<b>TOTAL WATER FUND (OPERATING)</b>	<b>6,034,625</b>	<b>6,487,626</b>	<b>6,641,293</b>	<b>6,812,147</b>	<b>7,142,534</b>	<b>7,574,285</b>



# 2019 SEWER FUND BUDGET

The Sewer Fund budget is for expenses related to the operation of the wastewater treatment plant, sewer maintenance, customer accounting, debt service obligations, and administrative support.

	2016 Actual	2017 Actual	2018 Actual	2017 Proposed Appropriations	2018 Proposed Appropriations	2019 Proposed Appropriations
<b>WPC (613-5420)</b>						
WAGES/FRINGES	1,390,996	1,523,976	1,502,287	1,747,408	1,721,084	1,900,528
TRAVEL & TRAINING	11,170	9,644	13,839	21,195	14,895	19,000
CONTRACTUAL SERVICES	846,600	888,338	901,230	928,043	947,490	955,000
SUPPLIES & MATERIALS	274,676	340,259	367,982	378,000	399,680	540,800
MAJOR EXPENSES	-	54,587	24,667	115,000	115,000	100,000
TOTAL	2,523,443	2,816,804	2,810,004	3,189,646	3,198,149	3,515,128

<b>SEWER MAINTENANCE (613-5440)</b>						
WAGES/FRINGES	858,379	813,306	907,916	1,045,160	1,029,324	1,135,170
TRAVEL & TRAINING	2,417	1,076	2,781	5,950	6,000	5,000
CONTRACTUAL SERVICES	177,775	231,598	225,793	291,283	294,000	312,000
SUPPLIES & MATERIALS	223,826	250,263	257,669	308,420	313,000	314,000
MAJOR EXPENSES	9,925	47,761	78,850	75,000	85,000	85,000
TOTAL	1,272,321	1,344,004	1,473,009	1,726,793	1,727,324	1,851,170

<b>STORM WATER (613-5820)</b>						
WAGES/FRINGES	-	-	-	-	-	-
TRAVEL & TRAINING	48	645	1,192	2,000	2,000	2,000
CONTRACTUAL SERVICES	19,219	29,874	65,738	71,200	108,000	100,000
SUPPLIES & MATERIALS	35,049	40,470	44,089	75,000	60,000	85,000
MAJOR EXPENSES	-	-	-	-	25,000	15,000
CAPITAL	124,600	125,000	-	-	-	-
OTHER	-	-	-	-	-	-
TOTAL	178,916	195,989	110,999	148,200	195,000	202,000

<b>CUSTOMER ACCT (613-5400)</b>						
WAGES/FRINGES	124,841	159,465	149,613	162,914	173,033	161,303
TRAVEL & TRAINING	360	90	858	1,025	1,025	1,025
CONTRACTUAL SERVICES	32,475	30,783	33,861	35,630	35,630	35,630
SUPPLIES & MATERIALS	3,651	3,140	2,532	3,940	3,940	3,940
MAJOR EXPENSES/OTHER	1,214	-	3,316	2,000	2,000	2,000
OTHER	93	185	189	100	250	250
TOTAL	162,633	193,663	190,379	205,609	215,878	204,148

<b>ADMINISTRATIVE SUPPORT (613-5900)</b>						
WAGES/FRINGES	660,712	712,471	734,678	680,000	700,000	750,000
TRAVEL & TRAINING	5,108	3,517	5,668	5,500	5,500	5,500
CONTRACTUAL SERVICES	204,679	212,674	216,266	210,000	210,000	275,000
SUPPLIES & MATERIALS	18,853	23,139	21,928	20,000	20,000	25,000
MAJOR EXPENSES	4,315	43,148	5,408	5,000	5,000	50,000
CAPITAL	143,121	18,008	37,819	10,000	10,000	20,000
OTHER	410	2,414	1,036	1,000	1,000	5,000
TOTAL	1,037,197	1,015,371	1,022,802	931,500	951,500	1,130,500

<b>DEBT SERVICE OBLIGATIONS (613-5910)</b>						
	2,708,910	2,695,316	3,067,733	2,895,320	3,067,733	3,084,828
<b>TOTAL SEWER FUND (OPERATING)</b>	<b>7,883,421</b>	<b>8,261,147</b>	<b>8,674,925</b>	<b>8,896,068</b>	<b>9,355,684</b>	<b>9,987,774</b>

# LONG TERM DEBT SERVICE SCHEDULE:

	Fund	2019	2019	Total
		Principal	Interest	
Police Pension (refunded portion) (42.633%)	237-1810	\$27,711.45	\$5,994.20	\$33,705.65
				\$33,705.65
Fire Pension (refunded portion) (57.367%)	236-1810	\$37,288.55	\$8,065.80	\$45,354.35
				\$45,354.35
Schade/Mylander Plaza (refunded portion)	434-3440	\$15,000.00	\$772.50	\$15,772.50
City Complex	434-7910	\$770,000.00	\$22,950.00	\$792,950.00
Library	434-4091	\$345,000.00	\$77,412.50	\$422,412.50
City Building	434-7630	\$15,000.00	\$2,257.50	\$17,257.50
Amtrak (refunded)	434-7620	\$10,000.00	\$515.00	\$10,515.00
Fire Station (refunded)	434-1340	\$205,000.00	\$43,187.50	\$248,187.50
Remington Ave - City (refunded) 48.67%	434-6660	\$4,867.00	\$343.12	\$5,210.12
Columbus Underpass (refunded) 4.34%	434-6080	\$4,123.00	\$215.70	\$4,338.70
Streetscapes (refunded) 71.84%	434-6070	\$68,248.00	\$3,570.44	\$71,818.44
Lane St (refunded) 14.44%	434-6100	\$13,718.00	\$717.66	\$14,435.66
Butler Street (refunded) 9.38%	434-6670	\$8,911.00	\$466.18	\$9,377.18
Grade Separation	434-7910	\$10,000.00	\$2,745.00	\$12,745.00
				\$1,625,020.10
Remington Ave SA 51.33%	535	\$5,133.00	\$361.88	\$5,494.88
99 Nantucket	535	\$0.00	\$0.00	\$0.00
Polk '98	535	\$0.00	\$0.00	\$0.00
Campbell	535	\$0.00	\$0.00	\$0.00
Winnebago	535	\$3,500.00	\$210.00	\$0.00
Wilbert	535	\$5,500.00	\$330.00	\$5,830.00
Streetscape	535	\$16,000.00	\$960.00	\$16,960.00
Polk St '97	535	\$0.00	\$0.00	\$0.00
Cold Creek	535	\$115,000.00	\$89,050.00	\$204,050.00
07 Sidewalks, Curbs, & Gutters	535	\$0.00	\$0.00	\$0.00
Monroe	535	\$0.00	\$0.00	\$0.00
Seneca	535	\$3,000.00	\$382.00	\$3,582.00
Huntington Ave	535	\$7,000.00	\$1,945.50	\$8,945.50
06 Sidewalks, Curbs, & Gutters	535	\$0.00	\$0.00	\$0.00
Monroe PH # 3	535	\$8,440.00	\$379.80	\$8,819.80
				\$253,682.18
	Fund	2019	2019	Total
Water '05	612-5910	\$5,000.00	\$3,355.00	\$8,355.00
OWDA 3669-BIWW Expansion	612-5910	\$592,989.81	\$141,047.95	\$734,037.76
OWDA 4206-WTP Electrical Improvements	612-5910	\$452,063.16	\$153,501.93	\$605,565.09
OWDA 5858 -BIWW Chemical Improvements	612-5239	\$130,473.02	\$216,268.28	\$346,741.30
OWDA 7487 - WTP PAC Feed System HAB	612-5910	\$89,897.20		\$89,897.20
				\$1,784,596.35
(Preliminary Schedule)				
Sewer '05	613-5910	\$75,000.00	\$35,532.50	\$110,532.50
OWDA 2180 - Ultraviolet Treatment	613-5910	\$105,705.14	\$37,116.27	\$142,821.41
OWDA 3228 - Sewer Rehabilitation	613-5910	\$18,371.31	\$6,029.56	\$24,400.87
OWDA 3302 - Sewer Rehabilitation	613-5910	\$33,492.05	\$12,109.54	\$45,601.59
OWDA 3347 - CSO Flow Monitors	613-5910	\$15,182.41	\$5,968.47	\$21,150.88
OWDA 3366 - Sludge Digestion System Improvements	613-5910	\$61,865.50	\$22,086.34	\$83,951.84
OWDA 3562 - Cedar Point Pump Station	613-5910	\$304,583.97	\$42,429.78	\$347,013.75
OWDA 3583 - Final Settling Tank Improvements	613-5910	\$20,096.23	\$2,799.49	\$22,895.72
OWDA 3604 - WWTP Expansion	613-5910	\$932,134.35	\$218,786.84	\$1,150,921.19
OWDA 4977 - WWTP Improvements	613-5910	\$314,665.78	\$459,848.51	\$774,514.29
OWDA 7231 - WWTP Grit Tank Improv & Bar Screen Rehab	613-5910	\$73,812.21	\$37,641.73	\$111,453.94
OWDA 7148 - East End Sewer Improvements	613-5910	\$117,083.29	\$132,485.75	\$249,569.04
				\$3,084,827.02
Taxable Urban Renewal Revenue Bond	435-7910	\$410,000.00	\$10,455.00	\$420,455.00

Purpose:

To account for state-levied and state-controlled gasoline and motor vehicle license fees remitted to the City by state formula and the special \$5 license fee the City is permitted to impose by virtue of Ohio law. Monies are used for street maintenance and repairs.

**STREET FUND (#216)**

2016	2017	2018	2017 Original	2018 Original	2019 Original
Actual	Actual	Actual	Estimate	Estimate	Estimate
110,820	110,300	112,325	\$ 125,000	\$ 125,000	\$ 125,000
734,393	743,654	748,348	\$ 775,000	\$ 775,000	\$ 775,000
181,513	178,722	189,568	\$ 195,000	\$ 195,000	\$ 195,000
15	50	461	\$ 20	\$ 20	\$ 500
1,927	8,447	13,454	\$ 2,000	\$ 2,000	\$ 13,000
-	-	20	\$ -	\$ -	\$ -
31,000	50,442	-	\$ 162,273	\$ 208,346	\$ 127,162
332,460	330,950	336,975	\$ 350,000	\$ 350,000	\$ 350,000
123	129	240	\$ 200	\$ 200	\$ 500
521	3,662	5,923	\$ 500	\$ 500	\$ 5,000
11,167	23,138	29,776	\$ 10,000	\$ 35,000	\$ 35,000
788	-	2,998	\$ -	\$ -	\$ -
5,766	3,767	745	\$ 6,000	\$ 6,000	\$ 6,000
\$ 1,410,491	\$ 1,453,262	\$ 1,440,835	\$ 1,625,993	\$ 1,697,066	\$ 1,632,162

216-0000-41900 MV TAX  
 216-0000-42700 GAS TAX  
 216-0000-42800 M V L FEES  
 216-0000-48100 INT EARN  
 216-0000-49110 REIMB-WC  
 216-0000 OTHER  
 216-0000-49310 TRANS - GN  
 216-6110-41910 RESURF MV TAX-2ND  
 216-6110-48100 INT EARN  
 216-6200-48000 SALE OF PROPERTY/DONATIONS  
 216-6200-49108 STREET REIMB-OTHER  
 216-6550 SNOW & ICE REIMB  
 216-7700-49108 TRAFFIC REIMB OTHER

**Purpose:**

To account for 7.5 percent of the state-levied and state-controlled gasoline tax and the motor vehicle license fees remitted to the City by state formula. Monies are used for maintenance and repairs of state highways within the City. State highways represent approximately 10% of the roads inside the City limits.

**STATE HIGHWAY FUND (#217)**

217-0000-42700 GAS TAX  
217-0000-42800 M V L FEES  
217-0000-48100 INT EARN  
217-0000-49110 REIMB - WC

2016 Actual	2017 Actual	2018 Actual	2017 Original Estimate	2018 Original Estimate	2019 Original Estimate
59,545	60,296	60,677	\$ 60,000	\$ 60,000	\$ 61,000
14,717	14,491	15,370	\$ 15,000	\$ 15,000	\$ 15,000
43	217	479	\$ 50	\$ 50	\$ 500
109	490	858	\$ 100	\$ 100	\$ 800
\$ 74,415	\$ 75,494	\$ 77,384	\$ 75,150	\$ 75,150	\$ 77,300



Purpose:

To account for monies collected by the municipal golf course, boat ramp, recreation programs, and the Sandusky Bay Pavillion. Monies are used for the operation of the parks and recreational programs.

**PARKS & RECREATION FUND (#227)**

**General Revenues**

227-0000-45240 MISC-PARK  
227-0000-49xxx REIMB/SALE OF PROP  
227-0000-49310 TRANSFERS FROM GF

2016 Actual	2017 Actual	2018 Actual	2017 Original Estimate	2018 Original Estimate	2019 Original Estimate
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100	20	20	\$ -	\$ -	\$ -
888	2,821	4,104	\$ -	\$ -	\$ -
179,435	208,171	410,377	\$ 231,250	\$ 426,950	\$ 377,850

**Paper District Marina**

36,667	36,950	37,200	\$ 45,000	\$ 45,000	\$ 45,000
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**Sandusky Bay Pavillion (fka Surf's Up)**

-	750	-	\$ -	\$ -	\$ -
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**Mills Creek Golf Course**

172,769	195,195	161,363	\$ 195,000	\$ 195,000	\$ 195,000
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**Recreation**

62,676	75,455	62,012	\$ 80,000	\$ 70,000	\$ 80,000
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**Boat Ramp**

5,150	-	-	\$ 6,000	\$ 6,000	\$ -
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**Total**

\$ 457,686	\$ 519,362	\$ 675,077	\$ 557,250	\$ 742,950	\$ 697,850
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Purpose: To account for monies received from property taxes and transfers from the General Fund for payment of both the current pension contribution and the long-term accounting liability.

**FIRE PENSION FUND (#236) &  
POLICE PENSION FUND (#237)**

**Fire Pension Fund**

236-1810-41000 RE TAXES  
236-1810-41100 TANG PP TX  
236-1810-41300 TRAILER TX  
236-1810-42300 ST-RB/HMST  
236-1810-49310 TRANS-GN  
Subtotal

2016 Actual	2017 Actual	2018 Actual	2017 Original Estimate	2018 Original Estimate	2019 Original Estimate
123,624	124,644	124,893	124,000	124,000	124,428
2	-	-	-	-	-
318	354	325	439	439	439
14,659	14,565	14,424	13,650	13,650	13,650
728,021	710,121	740,685	685,085	677,781	709,587
\$ 866,625	\$ 849,684	\$ 880,327	\$ 823,174	\$ 815,870	\$ 848,104

**Police Pension Fund**

237-1710-41000 RE TAXES  
237-1710-41100 TANG PP TX  
237-1710-41300 TRAILER TX  
237-1710-42300 ST-RB/HMST  
237-1710-49108 REIMBURSEMENTS  
237-1710-49310 TRANS-GN  
Subtotal

123,624	124,644	124,893	124,000	124,000	124,428
2	-	-	-	-	-
318	354	325	439	439	439
14,659	14,565	14,424	13,650	13,650	13,650
4,244	-	-	-	-	-
568,422	529,290	560,884	501,465	499,204	496,742
\$ 711,270	\$ 668,853	\$ 700,527	\$ 639,554	\$ 637,293	\$ 635,259

Purpose: This fund accounts for resources that are used for the payment of principal, interest, and fiscal charges on general obligation debt.

**GENERAL BOND RETIREMENT FUND (#434)**

434-4091-41000 GB LBRY LVY RA TX-CO  
 434-4091-41100 GB LBRY LVY TRL TX  
 434-4091-41300 GB LBRY LVY RE TX-ST  
 434-4091-42300 GB LBRY LVY RE TX-ST  
 434-7910-41400 GB DEBT-B INCOME TAX  
 434-7910-49310 GB DEBT TRANS-GN  
**Total**

2016 Actual	2017 Actual	2018 Actual	2017 Original Estimate	2018 Original Estimate	2019 Original Estimate
412,005	415,467	416,311	409,686	409,686	411,110
7	-	-	-	-	-
1,061	1,180	1,085	917	917	917
48,862	48,551	48,081	49,695	49,695	49,695
722,541	746,483	770,051	720,000	756,000	770,000
450,000	397,564	400,000	417,092	421,924	403,299
<b>\$ 1,634,476</b>	<b>\$ 1,609,245</b>	<b>\$ 1,635,528</b>	<b>1,597,390</b>	<b>1,638,222</b>	<b>1,635,021</b>



Purpose: This fund accounts for resources that are used for the payment of principal, interest, and fiscal charges on urban renewal revenue bonds.

**URBAN RENEWAL DEBT RETIREMENT FUND  
(#435)**

435-0000-41021 TIF CHESAPEAKE  
435-0000-42300 ST-RB/HMST

**Total**

2016 Actual	2017 Actual	2018 Actual	2017 Original Estimate	2018 Original Estimate	2019 Original Estimate
523,299	575,201	571,171	525,000	525,000	570,000
59,728	57,440	58,615	60,000	60,000	60,000
583,027	632,641	627,786	585,000	585,000	630,000

**Purpose:**

This fund accounts for special assessment monies received for the payment of principal, interest, and fiscal charges on special assessment debt.

**SP. ASSESSMENT BOND RETIREMENT FUND**

(#535)

535-7910-43501 SB DEBT-B CERT-SA ST  
 535-7910-43601 SB DEBT-B CERT-SA SI  
 535-7910-43801 SB DEBT-B CERT-SA SW  
 535-7910-43951 SB DEBT-B CERT-SA PK  
 535-7910-43954 SB DEBT-B CERT-SA MISC  
 535-7910-47010 TSF FROM GEN FUND  
**Total**

2016 Actual	2017 Actual	2018 Actual	2017 Original Estimate	2018 Original Estimate	2019 Original Estimate
34,835	32,839	23,999	35,000	35,000	25,000
76,323	73,360	60,132	75,000	75,000	65,000
13	-	-	-	-	-
10,653	12,086	10,179	10,000	10,000	10,000
42,660	195,929	201,100	165,000	165,000	200,000
200,000	-	-	18,525	10,333	-
<b>364,485</b>	<b>314,214</b>	<b>295,410</b>	<b>303,525</b>	<b>295,333</b>	<b>300,000</b>

Purpose:

To account for operations of the water distribution system within the City and for the sale of the water to Erie County.

**WATER FUND (#612)**

612-0000-45000 WW SALES-GEN  
612-0000-45017 WW - RET CK  
612-0000-45261 WW - WA-MO  
612-0000-45262 WW - CO-WA  
612-0000-45270 WW - PIPE CONN  
612-0000-45271 WW - WATER TAPS  
612-0000-45272 WW - MSC-WATER  
612-0000-45275 WW - TURN ON-WT  
612-0000-48000 WW - SALE-PROP  
612-0000-48190 WW - INT -SERV  
612-0000-49108 WW - REIMB-OTHR  
612-0000-49110 WW - REIMB-WC  
612-0000-49112 WW - REIMB HOSP  
612-0000-49200 WW - REFUNDS  
612-5200 CAO  
612-5220 BIWW BLDG IMP GRANTS  
612-5230 BIWW  
612-5250 WTR DISTRIBUTION  
612-5900 ADMIN SUPPORT

612-5220-47076 **Debt Proceeds/OWDA Loans**  
612-5239-47053 BIWW BLDG IMP OWDA  
612-5910-47249 WT BIWW-CHEMICAL PROJ OWDA  
612-5910-49108 WW DT-B VAR IMP BONDS  
WT DT-B REIMB OTH

2016 Actual	2017 Actual	2018 Actual	2017 Original Estimate	2018 Original Estimate	2019 Original Estimate
-	-	1,867	\$ -	\$ -	\$ -
2,231	2,602	2,777	\$ 1,450	\$ 1,450	\$ 1,450
3,878,737	4,225,567	4,341,989	\$ 4,277,969	\$ 4,406,308	\$ 4,538,497
3,134,524	2,994,778	3,254,828	\$ 3,211,784	\$ 3,211,784	\$ 3,534,490
12,784	9,232	33,469	\$ 5,254	\$ 5,254	\$ 5,254
5,821	2,488	19,272	\$ 1,245	\$ 1,245	\$ 1,245
-	-	10,914	\$ 2	\$ 2	\$ -
66,749	90,992	90,763	\$ 36,066	\$ 36,066	\$ 90,000
624	-	-	\$ -	\$ -	\$ -
649	827	636	\$ 335	\$ 335	\$ 335
4,926	284	643	\$ 2,334	\$ 2,334	\$ 2,334
5,847	27,879	45,910	\$ 25,821	\$ 25,821	\$ 25,821
-	-	-	\$ 30,362	\$ 30,362	\$ -
-	-	-	\$ 6,405	\$ 6,405	\$ -
92	154	141	\$ -	\$ -	\$ -
19,267	-	-	\$ -	\$ -	\$ -
25,440	13,084	18,581	\$ -	\$ -	\$ -
14,242	7,112	27,688	\$ -	\$ -	\$ -
136	3,098	144	\$ -	\$ -	\$ -
\$ 7,170,060	\$ 7,377,895	\$ 7,849,603	\$ 7,599,027	\$ 7,727,366	\$ 8,199,426

313,750	1,476,544	-	\$ -	\$ -	\$ -
-	-	-	\$ -	\$ -	\$ -
-	-	-	\$ 2,500,000	\$ 600,000	\$ 666,667
-	-	-	\$ -	\$ -	\$ -
313,750	1,476,544	-	\$ 2,500,000	\$ 600,000	\$ 666,667

<b>Total</b>	<b>7,483,810</b>	<b>8,854,439</b>	<b>7,849,603</b>	<b>10,099,027</b>	<b>8,327,366</b>	<b>8,866,093</b>
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Purpose:

To account for operations of the sewer collection system within the City and for the sale of sewer services to Erie County.

## SEWER FUND (#813)

613-0000-45017 SW - RET CK  
 613-0000-45060 SW - SW-NON IND  
 613-0000-45065 SW - STORM WATER  
 613-0000-45062 SW - SW-COUNTY  
 613-0000-45070 SW - SW CONNECT  
 613-0000-45075 SW - MSC-WPC  
 613-0000-48000 SW - SALE-PROP  
 613-0000-48180 SW - INT -SERV  
 613-0000-48200 SW - RENTS  
 613-0000-49108 SW - REIMB-OTHR  
 613-0000-49110 SW - REIMB-WC  
 613-0000-49112 SW - REIMB HOSP  
 613-5400 CAO  
 613-5420 WPC  
 613-5430 WPC EQUIP REPLACE REIMB  
 613-5440 SWR MTC  
 613-5488 SEWER COLLECTIONS UPGRADE REIMB  
 613-5900 ADMIN SUPPORT

2016 Actual	2017 Actual	2018 Actual	2017 Original Estimate	2018 Original Estimate	2019 Original Estimate
2,005	2,415	2,895	\$ 10,000	\$ 10,000	\$ 10,000
7,332,280	9,184,839	9,986,310	\$ 9,269,186	\$ 9,792,645	\$ 10,024,624
337,285	339,455	340,271	\$ 337,716	\$ 337,716	\$ 337,716
1,176,234	1,142,118	1,083,954	\$ 890,710	\$ 917,431	\$ 944,954
7,768	9,938	14,488	\$ 2,500	\$ 2,500	\$ 2,500
219,565	208,889	171,101	\$ 85,000	\$ 85,000	\$ 85,000
-	-	-	\$ -	\$ -	\$ -
1,373	1,803	1,913	\$ 500	\$ 500	\$ 500
11,220	12,240	11,495	\$ 12,000	\$ 12,000	\$ 12,000
21,721	27,587	38,842	\$ 200,000	\$ 481,800	\$ 20,000
6,511	29,293	48,841	\$ 5,000	\$ 5,000	\$ 5,000
-	-	-	\$ 35,000	\$ 35,000	\$ 35,000
93	153	141	\$ 50	\$ 80	\$ 50
2,453	1,319	9,720	\$ -	\$ -	\$ -
176,722	157,342	-	\$ -	\$ -	\$ -
97	46,398	4,504	\$ 10,000	\$ 10,000	\$ 10,000
982	16,148	552,190	\$ -	\$ -	\$ -
138	3,112	144	\$ 500	\$ 500	\$ 500
9,298,413	11,183,049	12,276,817	\$ 10,858,162	\$ 11,630,142	\$ 11,487,844

## Debt Proceeds/OWDA Loans

613-5430 SW WPC PLANT OWDA - GRIT/BAR SCREEN  
 613-5488 SW SEWER COLLECTIONS UPGRADE  
 613-5910-49108 SW DT-B REIMB OTH

1,612,724	148,076	-	\$ -	\$ -	\$ -
4,141,909	858,442	-	\$ 1,800,000	\$ 1,000,000	\$ 350,000
-	-	-	\$ -	\$ -	\$ -
5,754,633	1,004,518	-	\$ 1,800,000	\$ 1,000,000	\$ 350,000

Total

15,051,048    12,187,567    12,276,817    12,658,162    12,630,142    11,837,844



CITY COMMISSION OFFICE

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TO: City Commission

FROM: Kelly L. Kresser, CMC  
Commission Clerk

DATE: February 25, 2019

SUBJECT: 2018 Replacement Pages for Codified Ordinances for the City of Sandusky

**ITEM FOR CONSIDERATION:** It is requested the City Commission authorize the adoption of an Ordinance approving current replacement pages to the Codified Ordinances and on the internet for the period January 1, 2018 - December 31, 2018, with Walter H. Drane Company.

The City of Sandusky completes a codification process each year in order to bring our Code of Ordinances up to date. Additionally, state laws which have been changed or newly adopted are incorporated into this update.

**BUDGETARY INFORMATION:** The cost of the revisions for the Codification supplements and updating the Code on the internet for 2018 will be taken from the contractual services line item in the Commission's budget (50%), sewer funds (25%), and water funds (25%). This item is appropriated each year.

**ACTION REQUESTED:** It is recommended an Ordinance be approved ratifying payment to Walter H. Drane Company in an amount not to exceed \$2,887 and approving the replacement pages. It is further requested this legislation take immediate effect in full accordance with Section 14 of the City Charter to allow for payment in a timely manner.

/klk

cc.: Hank Solowiej  
Trevor Hayberger  
Eric Wobser

***SANDUSKY, OHIO – HOME OF 'AMERICA'S ROLLER COAST'®***

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE SANDUSKY CODIFIED ORDINANCES FOR THE PERIOD OF JANUARY 1, 2018, THROUGH DECEMBER 31, 2018; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

**WHEREAS**, various Ordinances of a general and permanent nature have been passed by the City Commission which should be included in the Codified Ordinances; and

**WHEREAS**, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before this City Commission; and

**WHEREAS**, the total cost of the revisions of the Codification supplements and updating the Code on the internet is \$2,887.00 of which \$1,443.50 will be paid with funds from the Commission's budget, \$721.75 will be paid with Sewer Funds and \$721.75 will be paid with Water 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 approve the replacement pages to the Codified Ordinances and allow for payment of services in a timely manner; and

**WHEREAS**, in order to provide for the immediate preservation of the public peace, health, welfare and safety for the reason that there exists an imperative necessity for the earliest publication and distribution of current replacement pages to the officials and residents of the City of Sandusky, so as to facilitate administration, daily operation and avoid practical and legal entanglements, it is necessary to declare this Ordinance to be an emergency measure to take effect immediately upon its adoption and due authentication; and NOW, THEREFORE,

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

Section 1. The Ordinances of the City of Sandusky, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2018 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2. The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

- 301.53 Waste Collection Vehicle. (Added)
- 303.06 Freeway Use Restricted. (Amended)
- 303.991 Committing an Offense While Distracted Penalty. (Added)
- 313.01 Obedience to Traffic Control Devices. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.01 Driving Upon Right Side of Roadway; Exceptions. (Amended)
- 331.02 Passing to Right When Proceeding in Opposite Directions. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.04 Overtaking and Passing Upon Right. (Amended)
- 331.05 Overtaking, Passing to Left of Center. (Amended)
- 331.06 Additional Restrictions on Driving upon Left Side of Roadway. (Amended)
- 331.07 Hazardous or No Passing Zones. (Amended)
- 331.08 Driving in Marked Lanes or Continuous Lines of Traffic. (Amended)
- 331.09 Following Too Closely. (Amended)
- 331.10 Turning at Intersections. (Amended)
- 331.12 "U" Turns Restricted. (Amended)
- 331.13 Starting and Backing Vehicles. (Amended)
- 331.14 Signals Before Changing Course, Turning or Stopping. (Amended)
- 331.15 Hand and Arm Signals. (Amended)
- 331.16 Right of Way at Intersections. (Amended)
- 331.17 Right of Way When Turning Left. (Amended)
- 331.18 Operation of Vehicle at Yield Signs. (Amended)
- 331.19 Operation of Vehicle at Stop Signs. (Amended)
- 331.20 Emergency or Public Safety Vehicles at Stop Signals or Signs. (Amended)
- 331.22 Driving Onto Roadway From Place Other Than Roadway: Duty to Yield. (Amended)
- 331.23 Driving Onto Roadway From Place Other Than Roadway: Stopping At Sidewalk. (Amended)
- 331.24 Right of Way of Funeral Procession. (Amended)
- 331.26 Driving Upon Street Posted as Closed for Repair. (Amended)
- 331.27 Following and Parking Near Emergency or Safety Vehicles. (Amended)
- 331.28 Driving Over Fire Hose. (Amended)
- 331.29 Driving Through Safety Zone. (Amended)
- 331.30 One-Way Streets and Rotary Traffic Islands. (Amended)
- 331.31 Driving Upon Divided Roadways. (Amended)
- 331.33 Obstructing Intersection, Crosswalk or Grade Crossing. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 331.40 Stopping at Grade Crossing. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 333.031 Approaching a Public Safety Vehicle. (Amended)
- 333.04 Stopping Vehicle. (Amended)
- 333.05 Speed Limitations Over Bridges. (Amended)
- 337.16 Number of Lights. (Amended)
- 371.01 Right of Way in Crosswalk. (Amended)
- 371.02 Right of Way of Blind Person. (Amended)
- 371.07 Right of Way on Sidewalk. (Amended)
- 373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)
- 373.03 Attaching Bicycle or Sled to Vehicle. (Amended)
- 373.04 Riding Bicycles and Motorcycles Abreast. (Amended)
- 373.07 Riding Bicycle on Right Side. (Amended)



General Offenses Code

- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 545.10 Misuse of Credit Cards. (Amended)
- 549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)

Section 3. The complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances, a copy of which is on file in the office of the Clerk of the City Commission.

Section 4. 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 5. 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 6. 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  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: March 11, 2019



## CITY OF SANDUSKY POLICE DEPARTMENT

---

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5863  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

TO: Eric Wobser, City Manager

FROM: Chief John Orzech

DATE: 02/26/2019

RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

Requesting legislation authorizing the City Manager to purchase one (1) Survival Armor SRT Vest, fourteen (14) Survival Armor Paladin Level II vest with medical kits, fifteen (15) Survival Armor Molle Carriers, and thirty (30) Shot Stop SAPI plates from Rakich and Rakich, Inc. of Lorain, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program (Contract #800511, Index #STS781). The total amount of this purchase is \$23,763.29.

### **BACKGROUND INFORMATION:**

In January of 2019, the Police Department submitted a grant application to the State of Ohio's Attorney General's Office for financial assistance through the Ohio Law Enforcement Body Armor Program. This program is funded by the Ohio Bureau of Workers' Compensation, and provides money to eligible applicants for the purchase of body armor vests to enhance the safety and prevent injury of law enforcement officers. The program has a local match of twenty five percent (25%). The Police Department desires to replace body armor vests that are nearing the end of their useful life. The above listed items will be purchased through the State of Ohio, Department of Administrative Services Cooperative Purchasing Program which allows local political subdivisions to purchase items that have been competitively bid from the successful State vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding.

### **BUDGETARY INFORMATION:**

The total cost for the new body armor vests, carriers, and plates is twenty-three thousand seven hundred sixty three dollars and twenty-nine cents (\$23,763.29) of which \$17,822.47 (75%) will be paid

with funds received through the Ohio Law Enforcement Body Armor Program and the required local match of \$5,940.82 (25%) will be paid out of the police department's operating budget.

**ACTION REQUESTED:**

It is requested that the proper legislation be prepared for the purchase of one (1) Survival Armor SRT Vest, fourteen (14) Survival Armor Paladin Level II vest with medical kits, fifteen (15) Survival Armor Molle Carriers, and thirty (30) Shot Stop SAPI plates. The total of this purchase is \$23,763.29 and these items will be purchased from Rakich and Rakich, Inc., 506 Broadway Ave, Lorain, OH 44052. It is further requested that this be passed in accordance with Section 14 of the City Charter to expedite the purchase and replace the body armor vests at the earliest opportunity.

**Approved:**

**I concur with this recommendation:**

---

John Orzech, Police Chief

---

Eric Wobser, City Manager

cc: Trevor Hayberger, Law Director  
Hank Solowiej, Finance Director

Rakich and Rakich

# Estimate

Name/Address

Sandusky Police Department  
222 Meigs Street  
Sandusky, OH 44870

Date	Estimate No.	Project
01/07/19	71	

Item	Description	Quantity	Cost	Total
VEST	SURVIVAL ARMOR SRT VEST	1	2,002.94	2,002.94T
	Sales Tax		0.00%	0.00
			Total	\$2,002.94

Rakich and Rakich

# Estimate

Name/Address
Sandusky Police Department 222 Meigs Street Sandusky, OH 44870

Date	Estimate No.	Project
09/26/18	15	

Item	Description	Quantity	Cost	Total
VEST	SHOT STOP SAPI 15 YEAR WARRANTY PLATE	30	279.35	8,380.50T
VEST	SURVIVAL ARMOR MOLLE CARRIER	15	79.99	1,199.85T
	Sales Tax		0.00%	0.00
			Total	\$9,580.35

Rakich and Rakich

# Estimate

Name/Address

Sandusky Police Department  
222 Meigs Street  
Sandusky, OH 44870

Date	Estimate No.	Project
12/18/18	67	

Item	Description	Quantity	Cost	Total
VEST	SURVIVAL ARMOR PALADIN LVL 2 W/ MED KIT	14	870.00	12,180.00
	Sales Tax		0.00%	0.00
			Total	\$12,180.00

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE BODY ARMOR VESTS, CARRIERS, AND PLATES THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM FROM RAKICH AND RAKICH, INC. OF LORAIN, OHIO, FOR THE POLICE DEPARTMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission approved the submission of a grant application to the Office of the Attorney General for financial assistance through the Ohio Law Enforcement Body Armor Program by Resolution No. 001-19R, passed on January 14, 2019; and

**WHEREAS**, the Ohio Law Enforcement Body Armor Grant Program is funded by the Ohio Bureau of Workers' Compensation in collaboration with the office of the Ohio Attorney General and the program provides funds to eligible law enforcement organizations for the purchase of body armor vests to enhance the safety and prevent injuries among law enforcement officers; and

**WHEREAS**, the Police Department desires to replace body armor vests that are nearing the end of their useful life and is requesting approval to purchase one (1) Survival Armor Special Response Team (SRT) vest, fourteen (14) Survival Armor Paladin Level II vests with medical kits, fifteen (15) Survival Armor Molle carriers, and thirty (30) Shot Stop SAPI plates for the Police Department; and

**WHEREAS**, the new body armor vests, carries, and plates from Rakich and Rakich, Inc. of Lorain, Ohio, are available through the State of Ohio Department of Administrative Services Cooperative Purchasing Program thereby allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

**WHEREAS**, the total cost for the new body armor vests, carriers, and plates is \$23,763.29 of which \$17,822.47 (75%) will be paid with funds received from the Office of the Attorney General through the Ohio Law Enforcement Body Armor Program and the remaining required match of \$5,940.82 (25%) will be paid with funds from the Police Department's operating budget; 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 the purchase and replace the body armor vests at the earliest opportunity; and

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

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

Section 1. The City Manager is authorized and directed to purchase one (1) Survival Armor Special Response Team (SRT) vest, fourteen (14) Survival Armor Paladin Level II vests with medical kits, fifteen (15) Survival Armor Molle carriers, and thirty (30) Shot Stop SAPI plates for the Police Department through the State of Ohio Department of Administration Services Cooperative Purchasing Program, Contract #800511, Index #STS781, from Rakich and Rakich, Inc. of Lorain, Ohio, at an amount **not to exceed** Twenty Three Thousand Seven Hundred Sixty Three and 29/100 Dollars (\$23,763.29).

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

Section 4. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

ATTEST: \_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: March 11, 2019





## COMMUNITY DEVELOPMENT

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5832  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

TO: Eric Wobser, City Manager

FROM: Debi Eversole, Housing Development Specialist

DATE: February 26, 2019

RE: City Commission Agenda Item – Purchase and Sale Agreement 533 Taylor St.

**ITEMS FOR CONSIDERATION:** The purpose of this communication is to request approval of legislation allowing the City Manager to execute 'Purchase and Sale Agreements' for non-productive land currently in the City of Sandusky's Land Reutilization Program that is no longer needed for any municipal purpose located at 533 Taylor Street and further identified as Erie County Parcel No. 57-05304.000.

**BACKGROUND INFORMATION:** Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City requested and acquired this nonproductive land upon notice of delinquent tax foreclosure proceedings via Sheriff's sale. The City Commission approved acquisition of this parcel by Resolution No. 046-15R, passed on November 9, 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 that ownership of unbuildable vacant lots located between two (2) existing property owners shall be offered half each to the adjoining property owners. Randy H. Geiger, the adjoining property owner to the east at 529 Taylor Street, and Larry and Snookie Seiler, LLC, the adjoining property owners to the west at 535 Taylor Street, have requested acquisition of this nonproductive land. The Land Bank Administrator has verified that they qualify pursuant to the requirements of the Land Reutilization Policies and Procedures. The Land Bank Committee approved the acquisition and sale through the "Mow to Own" Side Lot Disposition Program on February 19, 2019.

**BUDGET IMPACT:** The cost associated with these purchase agreements is the total amount of the title examination, recording and transfer fees, and survey and deed preparation. Any such costs shall be recouped by the City from the nonrefundable earnest money deposits required to be paid by Purchasers upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting real property taxes in the amount of approximately one hundred twenty dollars and eighty eight cents (\$120.88) per year.

**ACTION REQUESTED:** It is requested legislation be approved allowing the City Manager to enter into purchase agreements for the sale of non-productive property no longer needed for any municipal purpose located at 533 Taylor Street, Sandusky, Ohio, Erie County Parcel No. 57-05304.000 to the adjoining property owners Randy H. Geiger and Larry and Snookie Seiler, LLC. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to execute the agreements in a timely manner to ensure maintenance of the lot.

---

Debi Eversole, Housing Development Specialist

I concur with this recommendation:

---

Matt Lasko, Chief Development Officer

---

Eric L. Wobser, City Manager

cc: Trevor Hayberger, Law Director  
Hank Solowiej, Finance Director  
Kelly Kresser, Commission Clerk

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY AS PART OF THE LAND REUTILIZATION PROGRAM IDENTIFIED AS PARCEL NO. 57-05304.000, LOCATED AT 533 TAYLOR STREET, SANDUSKY, IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING THE EXECUTION OF PURCHASE AND SALE AGREEMENTS WITH RESPECT TO THAT REAL PROPERTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

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

**WHEREAS**, the City Commission previously authorized the acquisition of the property located at 533 Taylor Street, Parcel No. 57-05304.000 by Resolution No. 046-15R, passed on November 9, 2015, under said Land Reutilization Program which property is more specifically described in Exhibit "A", which is no longer needed for any municipal purposes; and

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

**WHEREAS**, adjoining property owner, Randy Geiger, desires to purchase the west one-half (1/2) of Parcel No. 57-05304.000, which is more specifically described in Exhibit "C" (the "Property") attached to a certain Purchase Agreement, a copy of which is marked Exhibit "B" with respect thereto (the "Purchase Agreement"); and

**WHEREAS**, adjoining property owner, Larry and Snookie Seiler, LLC, desires to purchase the east one-half (1/2) of Parcel No. 57-05304.000, which is more specifically described in Exhibit "E" (the "Property") attached to a certain Purchase Agreement, a copy of which is marked Exhibit "D" with respect thereto (the "Purchase Agreement"); and

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

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

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community Development,

of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. This City Commission finds, determines and declares that the Property, Parcel No. 57-05304.000, located at 533 Taylor Street, Sandusky, more specifically described in Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, is no longer needed for any municipal purpose and that the execution of the Purchase and Sale Agreements providing for the sales, pursuant to Section 25 of the Charter of this City, to the Purchasers of the Property at the purchase prices set forth in the Purchase and Sale Agreements, is in the economic interest of the City and in furtherance of the City's Land Reutilization Program referenced in those preambles in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City Manager is hereby authorized and directed to execute the Purchase and Sale Agreements on behalf of the City, substantially in the same forms as attached to this Ordinance, marked Exhibits "B" and "D", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose. Upon the exercise by the Purchasers to purchase the Property pursuant to the Purchase and Sale Agreements, the City Manager is also hereby authorized and directed on behalf of the City to execute quit claim deeds conveying the Property to the Purchasers, which quit claim deeds shall be in a form satisfactory to the Law Director. The City Manager, Law Director, Finance Director, and other City officials, as appropriate, are each hereby authorized to execute and deliver such instruments, certificates and other documents and take such actions as are necessary and in the best interests of the City in order to carry out and consummate the foregoing actions authorized by this Ordinance.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions

thereof.

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

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

ATTEST:

\_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: March 11, 2019

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

FEE \$ \_\_\_\_\_  
 Exempt: ☒

R.E. TRANSFER:  
 \$ \_\_\_\_\_  
 Richard H. Jeffrey  
 Erie County Auditor

Trans. Fees: \$ .50  
 Date: 8-9-16 By: [Signature]

Per O.R.C. 319.203  
[Signature]  
 Erie County Auditor/Engineer  
 Date: 8-9-16

Barbara A. Sessler  
 County Recorder, Erie County OH

201606826 Total Pages: 2  
 08/09/2016 03:31:35 PM Fees: \$0.00

**SHERIFF'S DEED**  
 Revised Code Sec. 2329.36

I, Paul A. Sigsworth, Sheriff of Erie County, pursuant to the Confirmation of Sale entered on July 14, 2016 and the statutory provisions of O.R.C. 5722, do hereby grant unto the **CITY OF SANDUSKY** all rights, title and interest of the parties in Case No. 2015-CV-0724; Court of Common Pleas, Erie County, Ohio; *Pamela Farrell, Treasurer vs. Tim W. Hunter, et al*, and all pleadings therein are incorporated herein by reference, in and to the following lands and tenements, situated in the City of Sandusky, County of Erie, and State of Ohio, whose prior owner was Tim W. Hunter and Amy S. Hunter, and whose prior deed reference is Erie County Official Records Book 259, Page 300, and is known and further described as follows:

Situated in the City of Sandusky, County of Erie and State of Ohio:

Being Lot Number Fifty-seven (57) on Taylor Street in Andrew Oswald's Annexation part of Outlot No. Ninety-two (92) in said City of Sandusky, subject to all legal highways.

Property Address: 533 Taylor Street, Sandusky, OH 44870

Tax ID No.: 57-05304.000

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

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

Executed this 25<sup>TH</sup> day of JULY, 2016.

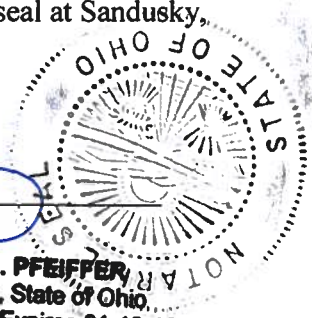
  
Paul A. Sigsworth, Sheriff of Erie County, Ohio

STATE OF OHIO           )  
                                      ) SS:  
COUNTY OF ERIE        )

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Sandusky, Ohio this JULY 25, 2016.

  
Notary Public

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

This instrument prepared by:  
Gerhard R. Gross  
Assistant Prosecutor  
Erie County Prosecutor's Office  
247 Columbus Ave. Suite 319  
Sandusky, Ohio 44870

### **PURCHASE AND SALE AGREEMENT**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2019, by and between the City of Sandusky, Erie County, Ohio, a Municipal Corporation, 222 Meigs Street, Sandusky, Ohio 44870, hereinafter referred to as the "Seller" and Randy H. Geiger, 214 Boston Rd, Sandusky, Ohio 44870, hereinafter referred to as the "Purchaser".

#### **WITNESSETH:**

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

1. The Seller agrees to sell to the Purchaser and the Purchaser agrees to purchase from the Seller, the west one-half of an unimproved parcel of real property located at 533 Taylor Street, Erie County Parcel Number 57-05304.000, Sandusky, Ohio, and more fully described in the survey and legal description marked Exhibit "A" and attached hereto, the legal description of which will be set forth in the deed transferring ownership of said parcel and hereinafter referred to as the "Property." The Property is adjacent to and contiguous with real property that is owned by the Purchaser located at 529 Taylor Street, Erie County Parcel Number 57-01853.000.

2. The total purchase price for the Property is three thousand, seven hundred and twenty dollars (\$3,720.00), which is not less than the fair market value as determined by the appraised valuation of the Erie County Auditor. Purchaser shall pay a non-refundable earnest money deposit of three hundred thirty seven dollars and seventy five cents (\$337.75) in cash, certified check or cashier's check made payable to Seller. The remaining balance of three thousand three hundred and eighty two dollars and twenty five cents (\$3,382.25) shall be paid by in-kind service of the Purchaser by mowing and maintaining the Property in a nuisance free condition for a minimum of two (2) years according to the terms of the City of Sandusky's "Mow to Own" Side Lot Disposition Program, a copy of which is attached hereto, marked as Exhibit B and specifically incorporated herein.

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

a) This parcel is not a building lot and is conveyed to an adjoining owner of a building lot pursuant to Sandusky Municipal Code Section 1177.01(31)(A). This parcel shall not be conveyed separate and apart from the adjoining building lot and before such conveyance, this



parcel shall be combined with the Purchasers' adjoining building lot in order to form one parcel of real property.

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

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

5. Seller shall not furnish a title insurance policy.

6. The closing date of this transaction shall be no later than March 12, 2021, or at such other time as may be mutually agreed upon, in writing, by the parties.

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

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

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

10. The Purchaser has examined the Property, has had the opportunity to fully inspect and ask questions about conditions of the same, and acknowledges that they are accepting the Property "AS IS" subject to no warranties as of the date of the execution of this Purchase Agreement and that there have been no representations by the Seller as to the condition of the Property.

11. In the event that the Purchaser breaches this Agreement by not closing this transaction on or before March 12, 2021, Seller may sell the Property to another adjoining property owner or may retain the Property for devotion to public use.

12. This Agreement sets forth the entire understanding between the parties with respect to the subject matter hereof, and no agreements or understandings nor any

representations concerning the same shall be binding upon the parties unless specifically set forth herein.

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

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

**SIGNATURE PAGES TO FOLLOW**

DRAFT

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

PURCHASER:

\_\_\_\_\_  
Randy H. Geiger

State of Ohio            )  
                                  )       ss:  
County of Erie         )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public in and for said County and State, personally appeared Randy H. Geiger, and acknowledged his execution of the foregoing instrument and that the same is his voluntary act and deed.

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

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF OHIO )  
 ) ss:  
ERIE COUNTY )

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

Approved as to Form:

Trevor M. Hayberger (#0075112)  
Law Director  
City of Sandusky

**EXHIBIT A**

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

DRAFT

## **PURCHASE AND SALE AGREEMENT**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2019, by and between the City of Sandusky, Erie County, Ohio, a Municipal Corporation, 222 Meigs Street, Sandusky, Ohio 44870, hereinafter referred to as the “Seller” and Larry and Snookie Seiler, LLC, 3115 W. Fox Road, Sandusky, Ohio 44870, hereinafter referred to as the “Purchaser”.

### **WITNESSETH:**

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

1. The Seller agrees to sell to the Purchaser and the Purchaser agrees to purchase from the Seller, the east one-half of an unimproved parcel of real property located at 533 Taylor Street, Erie County Parcel Number 57-05304.000, Sandusky, Ohio, and more fully described in the survey and legal description marked Exhibit “A” and attached hereto, the legal description of which will be set forth in the deed transferring ownership of said parcel and hereinafter referred to as the “Property.” The Property is adjacent to and contiguous with real property that is owned by the Purchaser located at 535 Taylor Street, Erie County Parcel Number 57-01853.000.

2. The total purchase price for the Property is three thousand, seven hundred and twenty dollars (\$3,720.00), which is not less than the fair market value as determined by the appraised valuation of the Erie County Auditor. Purchaser shall pay a non-refundable earnest money deposit of three hundred thirty seven dollars and seventy five cents (\$337.75) in cash, certified check or cashier’s check made payable to Seller. The remaining balance of three thousand three hundred and eighty two dollars and twenty five cents (\$3,382.25) shall be paid by in-kind service of the Purchaser by mowing and maintaining the Property in a nuisance free condition for a minimum of two (2) years according to the terms of the City of Sandusky’s “Mow to Own” Side Lot Disposition

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

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

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

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

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

5. Seller shall not furnish a title insurance policy.

6. The closing date of this transaction shall be no later than March 12, 2021, or at such other time as may be mutually agreed upon, in writing, by the parties.

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

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

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

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

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

11. In the event that the Purchaser breaches this Agreement by not closing this transaction on or before March 12, 2021, Seller may sell the Property to another adjoining property owner or may retain the Property for devotion to public use.

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

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

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

**SIGNATURE PAGES TO FOLLOW**



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

PURCHASER: Larry and Snookie Seiler, LLC

\_\_\_\_\_  
Lawrence C. Seiler;

(title)

\_\_\_\_\_  
Helen L. Seiler;

(title)

State of Ohio

)

)

ss:

County of Erie

)

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public in and for said County and State, personally appeared Larry and Snookie Seiler, LLC, and acknowledged his execution of the foregoing instrument and that the same is his voluntary act and deed.

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

\_\_\_\_\_  
NOTARY PUBLIC

SELLER:  
CITY OF SANDUSKY

Eric L. Wobser  
City Manager

STATE OF OHIO )  
 ) ss:  
ERIE COUNTY )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, before me, a Notary Public in and for said County and State, personally appeared Eric L. Wobser, City Manager of the City of Sandusky, Ohio, and acknowledged his execution of the foregoing instrument as said officer of said City on behalf of said City and by its authority and that the same is his voluntary act and deed as said officer on behalf of said City and the voluntary act and deed of said City.

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

NOTARY PUBLIC

Approved as to Form:

Trevor M. Hayberger (#0075112)  
Law Director  
City of Sandusky

## EXHIBIT A

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

DRAFT



## PLANNING DEPARTMENT

### *Division of Transit*

222 Meigs Street  
Sandusky, Ohio 44870  
419.621.8462  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

**TO:** Eric Wobser, City Manager

**FROM:** Nicole DeFreitas, Transit Administrator

**DATE:** February 27, 2019

**SUBJECT:** Agreement for Transportation Services – Sandusky City Schools

**ITEM FOR CONSIDERATION:** Legislation requesting approval for the City Manager to enter into a contract for transportation services between the City of Sandusky / Sandusky Transit System and Sandusky City Schools.

**BACKGROUND INFORMATION:** The Sandusky Transit System (STS) has provided transportation services to the Sandusky City Schools since February of 2017. The City and Sandusky City Schools agreed to modified services and rates which were effective on November 1, 2018.

This contract is in effect from November 1, 2018 until December 31, 2019 at a negotiated rate of \$9.00 per student passenger trip.

<b>Guaranteed Dial-a-Ride Service</b>	
<b><i>Individual One-Way Trip</i></b>	<b>\$ 9.00</b>
<b>Fixed Route Service</b>	
<b><i>SCS Quarterly Student</i></b>	<b>\$ 50.00</b>
Fixed Route Pass	
<b><i>Individual Rides</i></b>	<b>\$10.00</b>
multiples of 10 tickets	

STS will provide Sandusky City Schools with reports, training and information that were agreed upon in said proposed contract. Sandusky City Schools will be invoiced and billed on a Quarterly basis and be expected to pay in a timely manner. The money received from this contract will help meet the local match to support the 5311 Rural grant program to support transit in Erie County.

**BUDGET IMPACT:** STS will receive \$9.00 per passenger trip from Sandusky City Schools for the length of the proposed contract. This money collected will be used to offset the capital planning and operating expenses through the 5311 Rural grant program.

**ACTION REQUESTED:** It is requested legislation be adopted allowing the City Manager to enter into a contract for transportation services with Sandusky City Schools. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter to allow the agreement to be executed immediately and approve the modified terms which commenced on November 1, 2018, and continue to provide transportation services.

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Nicole DeFreitas

Transit Administrator

I concur with this recommendation:

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Eric Wobser

City Manager

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Angela Byington

Director of Planning

cc: Kelly Kresser, Clerk of the City Commission

Hank Solowiej, Finance Director

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR TRANSPORTATION SERVICES BETWEEN THE CITY OF SANDUSKY AND SANDUSKY CITY SCHOOLS FOR SERVICES RELATED TO THE SANDUSKY TRANSIT SYSTEM FOR THE PERIOD OF NOVEMBER 1, 2018, THROUGH DECEMBER 31, 2019; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Sandusky Transit System will provide transportation services approved by Sandusky City Schools for program participants throughout Erie County and these services will be coordinated between Sandusky City Schools and the Sandusky Transit System; and

**WHEREAS**, this City Commission approved an agreement with Sandusky City Schools for services related to the Sandusky Transit System for the period of February 1, 2017, through December 31, 2017, by Ordinance No. 17-023, passed on February 13, 2017; and

**WHEREAS**, the Sandusky Transit System has continued to provide these services and it is desirous of the City and Sandusky City Schools to formally agree to modified services and rates which began on November 1, 2018; and

**WHEREAS**, the Sandusky Transit System will receive \$9.00 per one-way trip for curb-to-curb services, \$50.00 quarterly for a student fixed route pass, and \$10.00 for multiples of 10 individual ride tickets for the period of November 1, 2018, through December 31, 2019; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the agreement and approve the modified services and rates which commenced on November 1, 2018, and continue to provide transportation services; 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 an Agreement with Sandusky City Schools for transportation services related to the

Sandusky Transit System for the period from November 1, 2018, through December 31, 2019, 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: March 11, 2019

## **TRANSPORTATION AGREEMENT**

This Transportation Agreement between the City of Sandusky / Sandusky Transit System (STS) and Sandusky City Schools (SCS) outlines the terms agreed upon between the parties for provision of program eligible transportation service.

Term: The services performed under this agreement will be for the period commencing November 1, 2018 and continuing through December 31, 2019.

Scope of Service: STS will provide transportation services approved by SCS for program participants throughout Erie County.

Operating Days: Service will be available every day except on the following holidays: Martin Luther King Day; Presidents Day; Memorial Day; Independence Day; Labor Day; Veterans' Day; Thanksgiving; Christmas Day;

Fare and Payment Schedule: SCS will be billed for the services outlined below:

<b><u>Guaranteed Dial-a-Ride Service</u></b>	
Individual One-Way Trip	\$ 9.00
<b><u>Fixed Route Service</u></b>	
SCS Quarterly Student Fixed Route Pass	\$ 50.00
Individual Rides – multiples of 10 tickets	\$10.00

### **Guaranteed Dial-A-ride Service**

STS guarantees Transportation to the SCS for trips scheduled with 72 hours' notice.

#### **Individual One-Way Trip**

A one-way trip is defined as a one-way trip to and from any destination within Erie County.



### Fixed Route Service

#### SCS Quarterly Student Fixed Route Pass

The Fixed Route pass is good for unlimited transportation for students on the Fixed Route system for the SCS Quarter. The SCS is responsible for the distribution of student passes to students. The STS is responsible for printing passes for SCS.

#### Fixed Route Tickets

STS will provide bulk Fixed Route Individual Ride tickets to SCS on request at \$10.00 in multiples of 10 tickets.

### Billing

SCS will be billed for transportation services rendered and ticket and pass sales on a monthly basis.

### **STS Responsibilities**

1. Vehicle Operations: STS will be responsible for operations and maintenance functions as necessary to provide the highest quality service possible, including: hiring and training of drivers, supervising personnel, processing passenger reservations and preparing daily schedules, dispatching vehicles, maintaining, servicing, and repairing vehicles and equipment, and insuring vehicles, employees, and passengers. STS as Shared Ride Service reserves the right to combine trips between multiple organizations.
2. Passenger Reservations and Scheduling: STS will maintain a telephone number to SCS staff to make or cancel reservations as necessary.
3. Driver qualifications: STS will ensure all drivers meet or exceed the standards set forth in OAC #173-39-02 and records of their qualifications maintained and available for inspection by SCS upon request.

### **Agency Responsibilities**

1. Passenger Information: The following information must be provided for each individual: name; date of birth; address; telephone number; and any special accommodations that may be necessary for the comfort and convenience of passenger. Additions or deletions to information may be communicated to STS in writing or by telephone or fax.
2. Payment for Services: Payment for transportation services provided to SCS will be expected upon receipt of billing. Billing will normally be mailed by the 10<sup>th</sup> of month following service.

Monitoring and Evaluation: STS and SCS will monitor the manner in which the terms of this Agreement are being carried out and evaluate its effectiveness.

Amendments: This Agreement may be amended at any time by a written amendment signed by both parties. Reasons for amendments may include, but are not necessarily limited to, the following:

- The quality or extent of general public services furnished by STS does not meet the needs of SCS.
- The actual cost of providing service significantly increases above the originally agreed upon rates and terms.

Termination: This agreement may be terminated by either party upon ninety (90) days notice in writing provided by one party to the other. In the event that funding for the services covered in this agreement is eliminated or decreased, each party shall have a right to terminate or negotiate a modification of the scope and compensation. STS will continue to provide service until the effective date of termination, and SCS will make payment in accordance with the payment provisions of the Agreement for the services prior to the effective date of termination.

**SIGNATURE PAGE TO FOLLOW**

**WITNESSES:**

**CITY OF SANDUSKY**

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
Eric L. Wobser, City Manager

\_\_\_\_\_  
Date

**WITNESSES:**

**SANDUSKY CITY SCHOOLS**

Melanie Thorburn

SAS

Eugene Sanders

(Signature)

Laurel J. Barrett-Bach

Eugene Sanders, CEO and Superintendent  
(Printed Name and Title)

2/12/19  
Date

Approved as to Form:

\_\_\_\_\_  
Trevor M. Hayberger #0075112  
Law Director  
City of Sandusky



## PLANNING DEPARTMENT

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5715  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

**To:** Eric Wobser, City Manager

**From:** Tom Horsman, Assistant Planner

**Date:** February 12, 2019

**Subject:** February 25, 2019 Commission Agenda Item – Proposed amendments to the City of Sandusky Planning and Zoning Code Chapter 1161–Landmark Preservation.

**Item for Consideration:** To amend Chapter 1161 of the City of Sandusky Planning and Zoning Code.

**Purpose:** To clarify specific criteria for granting a certificate of appropriateness, allowing the Landmark Commission to delegate to staff the ability to review minor changes, adding additional language to the minimum maintenance requirements section, and general streamlining and clarifying of language in the ordinance.

**Background Information:** The City Commission had passed the Landmark Preservation ordinance in 2015, which created the Landmark Commission and allowed for the designation of local landmarks. It also created a process by which any exterior changes to designated historic and landmark buildings and sites would need to be reviewed and approved by the Landmark Commission. Staff has submitted proposed amendments to various sections of the chapter. The proposed amendments in section 1161.07 (d) (e) & (f) add specific criteria for granting certificates of appropriateness, notably mandating required materials that need to be submitted with an application for demolition as well as outlining criteria by which the Landmark Commission shall consider such applications. The amendments to section 1161.07 (b) allows for the Landmark Commission to delegate to staff the authority to review minor items that may not warrant a hearing of the full commission. The amendment to section 1161.11 (b) adds language to reinforce that the city's Building Department and Division of Code Compliance shall be responsible for enforcing the Building Code as it relates to the minimum maintenance requirements of the designated historic and landmark properties. The other various amendments throughout the chapter streamline and clarify the language in the ordinance. At the December 19<sup>th</sup>, 2018 Planning Commission meeting, the Planning Commission recommended approval of the Amendments to Chapter 1161 of the City of Sandusky Planning and Zoning Code.

**Correlation to the Comprehensive Plan:**

The Comprehensive Plan calls for preserving Sandusky's historic buildings and neighborhoods as they are an important asset in revitalizing the city.

**Budgetary Impact:**

There is no impact to the general fund.

**Action Requested:** Per the Planning Commission's recommendation, it is requested that City Commission approve the proposed amendments to Chapter 1161 of the City of Sandusky Planning and Zoning Code.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Angela Byington, AICP  
Planning Department

Attachments: Exhibit A: Planning Commission Recommendation, Exhibit B: Planning Commission Staff Report, Exhibit C: Planning Commission Minutes

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

CITY OF SANDUSKY, OHIO  
PLANNING DEPARTMENT

# PLANNING COMMISSION REPORT

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ORDINANCE AMENDMENTS TO CHAPTER  
1161 OF THE PLANNING AND ZONING CODE

Reference Number: PC-25-18

Date of Report: December 10, 2018

Report Author: Tom Horsman, Assistant Planner



# City of Sandusky, Ohio

## Planning Commission Report

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### BACKGROUND INFORMATION

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The City of Sandusky has submitted the following application, below is the information that is relevant to this application:

Applicant:	City of Sandusky 222 Meigs Street Sandusky, Ohio 44870
Applicable Plans & Regulations:	City of Sandusky Comprehensive Plan Sandusky Zoning Code Chapter 1161

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### DESCRIPTION

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The City Commission had passed the Landmark Preservation ordinance in 2015, which created the Sandusky Landmark Commission and allowed for the designation of local landmarks. It also created a process by which any exterior changes to designated historic and landmark buildings and sites would need to be reviewed and approved by the Landmark Commission. Staff has submitted proposed amendments to the Landmark Preservation chapter.

**Purpose:** The amendments to the Landmark Preservation chapter involve four areas: 1) Clarifying specific criteria for granting a certificate of appropriateness, including adding criteria for demolition, 2) Allowing the Landmark Commission to delegate to staff the ability to review minor changes, 3) Adding additional language to the minimum maintenance requirements section, and 4) General streamlining and clarifying of language in the ordinance.

**Item for Consideration:** Amendments to **Chapter 1161 Landmark Preservation.**

Chapter 1161 shall state the following. Additional items are in red and removed words are struck through:

#### **1161.01 INTENT.**

The intent of this Chapter is to: (1) to designate, preserve, protect, and enhance current and future Landmark ~~and Historic~~ properties ~~and structures, and properties within historic districts~~, within the City of Sandusky; (2) to foster civic pride in and consistent with established long term goals and policies of the City; (3) to stabilize or improve the aesthetic and economic vitality and values of Landmark ~~and Historic~~ sites, ~~structures, and districts~~; (4) to protect and enhance the City's attraction to tourist and visitors; and (5) to promote the use of these sites for the improvements and objects for the education, invigoration, and welfare of the people of the City.

#### **1161.02 DEFINITIONS.**

(a) "Alteration" means any act or process that changes one or more of the exterior architecture features of a building or structure; including, but not limited to, the erection, construction, reconstruction, or removal of the building or structure.

(b) "Addition" means any act or process that changes one or more of the exterior architectural features of a building or structure by adding to, joining with or increasing the size or capacity of the building or structure.

(c) "Archaeological/Historic/~~Landmark~~ Site" means a single site, including the associated buildings, structures, and plant life, which is considered to have historic and/or prehistoric significance due to its association with past events of historical, cultural, architectural, and/or archeological value.

(d) "Building" means a structure which is permanently affixed to the land, having one or more floors and a roof, being bounded by either open spaces or lot lines, and used as a shelter or enclosure for persons, animals, or property. "Building" shall be used synonymously with "structure" unless otherwise noted and shall be construed as if followed by the words "part or parts thereof".

(e) ~~"Landmark~~ "Certificate of Appropriateness" means a certificate issued by the ~~Sandusky~~ Landmark Commission indicating that a proposed change, alteration, or demolition of a ~~Landmark or~~ Historic building or structure within a historic site, district, or on the National Registry of Historic ~~buildings~~ ~~Places~~, is in accordance with the provisions of this Chapter and local design guidelines.

(f) "Change" means any exterior alteration, demolition, removal or construction involving any ~~structures and sites~~ ~~property~~ subject to the provisions of this Chapter.

(g) "Construction" means the act of constructing an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

(h) "Demolition" means any act or process that destroys in part or in whole any building or structure

(i) "Historic District" ~~and/or "Historic Building"~~ ~~means any area or building listed on the National Register of Historic Places.~~

(j) "Historic Structure" means any building or structure which has historic, architectural or archaeological significance and has been so designated according to the



provisions of this Chapter. The significance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or the nation may be achieved in several ways:

- (1) Association with broad pattern of our history, events, activities, or patterns;
- (2) Association with important persons;
- (3) Distinctive physical characteristics of design, construction, or form;
- (4) Potential to yield information important in history or prehistory (archaeology);
- (k) "Landmark Commission" means the Commission established under the provisions of the enabling legislation.
- (l) "Landmark" means any building, structure or archaeological site that has been designated as a "Landmark" by ordinance of the City or Commission, pursuant to procedures prescribed herein, that is worthy of preservation, restoration or rehabilitation because of its historic, architectural or archaeological significance.
- (m) "Owner" means the owner or owners of record.
- (n) "Preservation" means the act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property.
- (o) "Reconstruction" means the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.
- (p) "Rehabilitation" means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.
- (q) "Restoration" means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

### **1161.03 ESTABLISHMENT OF LANDMARK COMMISSION.**

- (a) The hereby established City of Sandusky Landmark Commission shall consist of seven (7) members; the President of the City Commission or another member of the City Commission designated by the President and confirmed by the City Commission to serve in his place, and six (6) citizens of the City each of whom shall serve without compensation and shall be appointed by the City Commission for a term of three (3) years. The terms of the citizen members shall be so arranged that the term of two members will expire each year.
- (b) The ~~Sandusky~~ Landmark Commission shall meet ~~as needed~~ **monthly, unless determined otherwise, and at the call of the Chairman and at such other times as the Landmark Commission may determine.**
- (c) The ~~Sandusky~~ Landmark Commission meetings shall comply with Federal and State laws dealing with public meetings and meeting notices.
- (d) The ~~Sandusky~~ Landmark Commission members shall be subject to the provisions of the City Charter and these Codified Ordinances regarding conflict of interest and ethics. In addition, The ~~Sandusky~~ Landmark Commission members shall be subject to related provisions of the Ohio Revised Code.



(e) The Sandusky Landmark Commission, designated City Staff, or others shall prepare a written report at least once a year, for submission to the City Manager and City Commission that summarizes the Sandusky Landmark Commission activities, cases, and recommendations. Such reports shall be available for public inspections.

(f) At a minimum two members shall be professionals or have expertise in the following disciplines need to be represented: architecture, history, planning, archaeology, or related disciplines, to the extent available within the community.

(g) To the extent possible, the Sandusky Landmark Commission should regularly complete annual training regarding historic preservation provided by Staff.

(h) The Sandusky Landmark Commission shall meet at least 4 times per year, meetings shall be held in a public place, advertised, and open to the public.

#### **1161.04 POWERS AND DUTIES OF LANDMARK COMMISSION.**

(a) To recommend to City Commission legislation for designation of individual landmark properties, sites, and historic districts that would serve to beautify, protect, preserve, restore, and develop the City.

(b) To study problems and determine the needs of the City in restoring and preserving historic landmarks buildings, structures, areas, and neighborhoods.

(c) To review and act on all applications for Certificates of Appropriateness as required and utilize Roberts Rules of Order for this action.

(d) Review applications for renovations changes to existing landmark and historic buildings and sites within the City.

(e) Work to erect historic markers to denote landmark and historic buildings within the City.

(f) Act as a liaison on behalf of the City of Sandusky to individuals and organizations concerned with historic preservation; educate citizens regarding historic preservation issues and concerns.

(g) The Sandusky Landmark Commission and City Planning Staff shall maintain a surveyed inventory for historic and cultural resources within the City. The inventory will detail designated districts, sites, and/or structures. This inventory will be submitted to the State Historic Preservation Office and open to the public. The inventory shall be updated periodically to reflect changes, alterations, and demolitions.

#### **1161.05 APPROVAL PROCESS FOR DESIGNATION OF LANDMARKS.**

The Sandusky Landmark Commission shall review all landmark designation applications and make a recommendation of approval or denial based on the Criteria for Designation of Landmarks found in section 1161.06. Sandusky The City Commission shall have final approval on the application. All applications shall be reviewed by Sandusky Landmark Commission within forty-five (45) days after a completed application is submitted. Applications must include owners or majority of owners consent in order to be considered complete. All meetings shall be available to the public, and agendas shall be publically advertised. A written notification of the Sandusky Landmark Commission's recommendation will also be sent to each applicant by regular mail. Detailed minutes of the meeting and decision rendered by the Sandusky Landmark Commission shall be kept on file and available for public inspection.

#### **1161.06 CRITERIA FOR DESIGNATION OF LANDMARKS.**

An object, site or building, which is at least fifty (50) years old, may be designated for preservation as a landmark site or landmark district if it has significant character, interest or value as part of the development, heritage, or cultural characteristics of the City, state, or nation, if it has integrity, or the ability to convey its significance, and if it falls into one of the following categories:

- (a) It is in the location of, or is associated in a significant way with, a historic event with a significant effect upon the community, city, state, or nation; or
- (b) It is associated in a significant way with the life of a person important in the history of the city, state, or nation; or
- (c) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; or
- (d) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; or
- (e) It is an outstanding work of a designer or builder; or
- (f) Because of its prominence of spatial location, contrasts of siting, age, or scale it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City.
- (g) The Secretary of Interior Standards for Rehabilitation shall be utilized when applications for Certificates of Appropriateness.
- (h) The property owner shall indicate consent for the Landmark **building, structure, or site** designation.
- (i) Sixty percent of the affected property owners must consent to **the** proposed Landmark **district** designation.

#### **1161.07 CERTIFICATE OF APPROPRIATENESS.**

(a) Certificate of Appropriateness shall be required for all ~~renovations, alterations, and demolition~~ **changes** to existing Landmark **and Historic** buildings, **sites, structures and districts**.

(b) **The Landmark Commission may delegate to the Planning Department staff the authority to administratively review and grant a Certificate of Appropriateness without formal action by the Landmark Commission.**

**(1) The Landmark Commission may grant the authority to approve minor changes such as, but not limited to, landscaping, fencing, and changes approved by the State Historic Preservation Office. The Landmark Commission shall have the ability to rescind the granting of such authority.**

**(2) If the Planning Department does not grant administrative approval of an application, the applicant may request that the application be referred to the Landmark Commission and will be considered in accordance with the application review schedule contained in this section.**

**(3) Any changes that were approved by the Planning Department staff shall be communicated to the Landmark Commission at their subsequent meeting.**

(c) ~~The Sandusky~~ Landmark Commission shall prepare an application form and a list of the procedures necessary for obtaining Certificates of Appropriateness, which shall be made available to the general public. All applicants must submit applications to the Sandusky Planning Department.

(d) In evaluating applications for changes to Landmark and Historic buildings, sites or districts, the Landmark Commission shall consider the following standards created by the U.S. Department of the Interior, including:

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment;
  - (2) The historic character of a property shall be retained and preserved. The removal of historic materials or alternation of features and spaces that characterize a property shall be avoided;
  - (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken;
  - (4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved;
  - (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved;
  - (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence;
  - (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;
  - (8) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken;
  - (9) New additions, exterior, alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment; and
  - (10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- (e) All applications for demolition of existing Landmark and Historic buildings, sites, or districts shall include, but are not limited to:
- (1) A report as to the structural soundness of the building prepared by professionals experienced in preservation and rehabilitation;
  - (2) Estimates of the costs and income for rehabilitation of the building;
  - (3) Estimates of the costs and income for new development;
  - (3) Valuation of the property;
  - (4) Preliminary development plans.

(f) The Landmark Commission shall consider the following factors in evaluating applications for demolition of existing Landmark and Historic buildings, sites, or districts:

- (1) The architectural and historic significance of the building;
- (2) The significance of the building in contributing to the architectural or historic character of its surroundings;
- (3) The economic feasibility of rehabilitation and reuse of the building;
- (4) The extent to which the owner sought out alternative uses for the property;
- (5) The extent to which the proposed redevelopment implements the goals of the city's comprehensive plan;
- (6) If demolition is necessary due to imminent safety hazards, as determined in writing by the city's Building Department or Fire Department.

(g) All applications shall be reviewed by Landmark Commission within forty-five (45) days after a completed application is submitted. The applicant shall be given written notice of the meeting at which his or her application will be considered. All Certificate of Appropriateness applications shall be reviewed utilizing the preservation design guidelines, on file at the ~~Department of Community Development~~ **Planning Department**, as well as the Secretary of Interior Standards for Rehabilitation. A written notification of the ~~Sandusky~~ Landmark Commission's decision will also be sent to each applicant by regular mail.

#### **1161.08 NATIONAL REGISTER PROCESS.**

In accordance with the National Historic Preservation Amendments Act of 1980, the Landmark Commission shall submit a report to the State Historic Preservation Office (SHPO) regarding the eligibility of each property or District proposed for nomination to the National Register within the City. This report shall include the recommendation of the ~~Historic Preservation Commission~~ **Sandusky Landmark Commission** and the majority of City Commission. A copy of the report prepared by the Commission for SHPO shall be made available for public inspection.

The Landmark Commission will be involved in the National Register process in the following manner:

(a) The SHPO will forward a copy of completed National Register nominations with a staff review sheet to the ~~Sandusky~~ Landmark Commission for all properties within the City prior to the preliminary review of the nomination unless the Commission itself has initiated or reviewed the nomination prior to submission to the SHPO.

(b) Following the initial review by Ohio Historic Site Preservation Advisory Board (OHSPAB), the State Review Board, and prior to the final review of the nomination, the ~~Sandusky~~ Landmark Commission shall inform the SHPO and the property owner(s) as to their opinion regarding the eligibility of the property.

(c) If the City Commission recommends that a property not be nominated, the SHPO will so inform the property owner(s), the State Review Board, and the property will not be nominated unless an appeal is filed with the State Historical Preservation Officer under the regulations established for the appeals process which is outlined in 36 CFR (Code of Federal Regulations), Part 60.

(d) If either or both the ~~Sandusky~~ Landmark Commission and the majority of City Commission agree that the property should be nominated, the nomination will be scheduled for final review by the Ohio Historic Site Preservation Advisory Board. If no

report is submitted, the nomination will be reviewed within sixty days. The opinion or opinions of the Sandusky Landmark Commission and the majority of City Commission will be presented to OHSPAB for its consideration.

(e) The Ohio Historic Site Preservation Advisory Board after considering all opinions shall make its recommendation to the State Historic Preservation Officer. Either the Sandusky Landmark Commission or the majority of City Commission may appeal the final decision of the SHPO under the aforementioned appeals procedure.

(f) If necessary, the Sandusky Landmark Commission shall seek assistance of academics or others from professional disciplines when considering a National Register nomination.

#### **1161.09 ENFORCEMENT AND PENALTIES.**

(a) If it is found that any of the provisions of these standards are being violated, a person or a corporation shall be guilty of a misdemeanor of the fourth degree where: any violation of any of the provisions of this zoning code exists in a building or tract of land, and a stop work order or notice of zoning violation has been served on the owner agent, lessee, or tenant of the building or tract of land, or part thereof, or upon the architect, builder, contractor, or any person who commits or assists in any violation, and the person fails to comply with such order within 72 hours of receipt of a stop work order or written notice.

(b) Any persons who fails to comply within the specified time shall be guilty of a misdemeanor of the fourth degree with each day the violation continues being a separate offense.

(c) Filing an appropriate appeal to any order issued pursuant to the provision of [1109.07](#) shall toll the time for compliance with such order until the appeal is ruled upon.

#### **1161.10 APPEALS PROCEDURES.**

(a) Decisions by the Sandusky Landmark Commission may be appealed in writing to the City Commission within ten (10) days of the Sandusky Landmark Commission hearing. No building permit or other permit required for the activity applied for shall be issued during the ten-day period or while an appeal is pending.

(b) The City Commission shall consider an appeal within thirty (30) days of receipt and shall utilize the written findings of the Sandusky Landmark Commission in rendering their decision. A simple majority vote of the City Commission membership shall be required to overturn or modify a decision of the Sandusky Landmark Commission.

#### **1161.11 MINIMUM MAINTENANCE REQUIREMENTS.**

(a) No owner of a building or structure in the historic district shall by willful action or willful neglect, fail to provide sufficient and reasonable care in the maintenance and upkeep to assure such building's perpetuation and to prevent its destruction by deterioration. The owner of a protected property shall provide sufficient maintenance to ensure its protection from hazards and to prevent deterioration or destruction.

(b) It shall be the duty of the Building Department and Division of Code Compliance to enforce this section according to the City's Building Code. The Landmark Commission, on its own initiative, may notify the Division of Code Compliance and request that action is taken against any owner who is in violation of his or her section.

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#### CONCLUSION/RECOMMENDATION

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In conclusion, planning staff recommends that Planning Commission recommend the proposed amendments to City Commission.

Planning Commission  
December 19th, 2018  
Meeting Minutes

The Chairman called the meeting to order at 4:31pm. The following members were present: Mr. Miller, Mr. Waddington, Chairman Zuilhof, Mr. McGory, Mr. Galea, and Mr. Whelan. Mr. Greg Voltz and Mr. Horsman represented the Planning Department; Mr. Trevor Hayberger represented the Law Department and Ms. Casey Sparks, Clerk from Community Development.

Mr. Miller made a motion to approve the February 20<sup>th</sup>, 2018, March, 20<sup>th</sup>, 2018, and April, 25<sup>th</sup>, 2018 Landmark Commission meeting minutes; Mr. Galea seconded the motion.

Mr. Waddington motioned to approve the minutes from November 28<sup>th</sup>, 2018; Mr. Galea seconded the motion.

Mr. Hayberger swore in those giving testimony.

Public Hearing: Zoning Amendments to 1161 the Landmark Ordinance

Mr. Horsman stated that the Planning Commission and Landmark Commission gave feedback regarding the initial proposed changes, Landmark Commission approved the proposed amendment this afternoon. The proposed amendments include additional criteria for granting a Certificate of Appropriateness, including demolition; allowing for the Commission to delegate to staff the ability to issue a Certificate of Appropriateness for minor changes; and minor changes of definitions and clarification of language within the ordinance.

Mr. Horsman discussed the proposed criteria for section 1161.07(e) regarding demolition, this section discusses the criteria used for issuing a Certificate of Appropriateness. In section 1161.07(f) there was language added stating that the property owner would need to try to find alternative uses for the property before demolishing. The proposed amendment is included to assure the buildings are preserved. Section 1161.07(b) discusses giving landmark commission the ability to grant authority of staff to review. Staff added language that states that the Landmark Commission has the authority to resend this authority from staff.

In Section 1161.11 subsection B was added. Staff requests that an addition be made to this, the current proposal states that the Landmark Commission may notify the department of code compliance regarding a property owner that is not currently in compliance with the maintenance requirements of Chapter 1161. Staff would like to add the Building Department to this section. Staff wanted to reiterate the ability to enforce the building code and assure that a penalty is consistent with the penalty referenced within the zoning code. Mr. Horsman stated that these changes have been approved by the Ohio Historic preservation office. The Landmark Commission also suggested adding the word structures to Section 1161.07(a).

Mr. McGory motioned to make a favorable recommendation to City Commission regarding the proposed legislation with minor changes as recommended by the Landmark Commission; Mr. Galea seconded the motion.

With no further discussion the motion was approve unanimously. The motion was approved with a 6/0 vote.

Public Hearing: Zoning Amendment to Parcels Located west of Wildman Street between First Street and Second Street: 57-03841.000, 57-03857.000, 57-03858.000 and properties located west of an unnamed alley within the 1900 block between First and Second Street: 57-03851.000, 57-00555.000, 57-03852.000, 57-03852.001

Mr. Horsman stated that the applicant D. Jeffery Rengel has applied for a rezoning of the property to CR Commercial Recreation. Currently the property is zoned as R1-40 Single Family Residential. Some of the parcels went through the BZA last month for a use variance to build boat storage. The applicant also applied for the zoning amendment in 2016 but it was not brought before Planning Commission. The properties are

currently owned by RLR Properties and Central Erie, Ltd. Both groups of properties are immediately surrounded by R1-40 Single Family Residential on the south, east, and west, CR Commercial Recreation zoning is across First Street to the north. The Sandusky Bicentennial Vision Comprehensive Plan has targeted this area along First Street for residential stabilization and infill and mixed use infill. There are currently development plans in progress for this neighborhood, as well as major investments in public infrastructure, such as the Sandusky Bay Pathway. Staff does not recommend the approval of the rezoning. If approved, any commercial development would require site plan approval and possible alley vacation.

Mr. Miller stated that the applicant has proposed boat storage for one of the areas in question, was there something else that the applicant was proposing for the other parcels.

Mr. Horsman stated that the area proposed for the boat storage was the only development plan brought before the Board of Zoning Appeals, the secondary parcels were not brought to the Board of Zoning Appeals. The BZA tabled the application as the scope of the decision is out of their purview, they thought it should be brought to the Planning Commission.

Jeff Rengel, RFL Properties, stated the application was made in June 2016 after developer expressed interest in property with the contingent that the property was rezoned. The property is currently zoned as R1-40. The Planning Department and the applicant agreed to temporarily table the application, six months after the application was made the developer pulled away from the deal. Mr. Rengel stated that this zoning classification is improper, zoning law states that if the zoning cannot hold the property owner from an economically viable use of the property. Mr. Rengel stated that based on case law if an owner is denied an economically viable use for substantial time a taking has occurred. The courts said you must consider three things: the economic impact of the zoning on the property owner, the extent to which the regulations have interfered with distinct investment backed expectations, and the character of the governmental action. In this case zoning was not in place when these properties were purchased.

Mr. Rengel stated that the facts of the case are as follows: the Planning Department depends on the Bicentennial Vision plan which was not in effect at the original time the application was made. That plan calls for infill of vacant land and mixed use development within this area. To his knowledge no residence have been building within the last 40 years. Several adjacent residence within have been torn down. No new residence have been built along First Street from Sycamore Line to the Causeway except properties within the CR Commercial Recreation District. In the last 40 years only commercial properties constructed along First Street. The only construction within the R-1 district has been from Cedar Point, in which this board approved a rezoning from R-1 Single Family Residential to CR Commercial Recreation without development plans in place. This property is surrounded by R1- 40 Single Family Residential Zoning on three sides and adjacent to CR Commercial Recreation district on the north side. Mr. Rengel stated the property in question this evening has the same situation. First Street is not conducive to residential. The traffic count is very high within certain areas. The city has received several complaints regarding the traffic from residential properties within the area. The present zoning is not conducive to the health and safety of the area. Mr. Rengel stated that his family has owned this property for over a 100 years, they currently still own approximately 40 lots, and they owned these before the city had a zoning code. To date he has received no offers or considerations for residential housing within the past 40 years, all inquiries received have been related to commercial development of some sort. The current offer is subject to CR Commercial Recreation zoning.

Mr. Rengel stated that it is his opinion that it is highly unlikely that the property will sell unless the zoning is changed due to the history, present traffic, and development conditions of the area. The Planning Department states that the law states that the property owner has to be deprived of all economic viability of the property, however staff should go one step further and analyze the application on how the magnitude of the regulations impact with the true property interest. The property is greatly being effected by the currently zoning classification, which historically has such an economic impact that it has made development within the area unlikely.



Mr. McGory stated ask if approved what may be developed within the area.

Mr. Rengel stated that the current buyer has expressed in developing the property and they have stated that it would need to be rezoned to CR. They have interest for commercial drive thru and boat storage in the past, or boat storage with a loft on the second floor.

Mr. Rengel stated that a perspective buyer two years ago had communicated interest for boat storage similar to the boat storage constructed on Cleveland Road in Huron. The current perspective buyer does not have interest in residential. The only lots in question this evening are along First Street, the other lots along Second and Third Street are not in question this evening as they are more conducive to residential.

Mr. Galea discussed the dimensions of the lots that are seeking rezoning, and ask if the lots would have frontage on Second Street.

Mr. Rengel stated that the way the county assigned parcel numbers some of these lots were combined to create three permanent parcel numbers, the eight lots are all identical in size. The parcels are generally 40' x 130-140' depending if an alley is present. The first group of parcels includes a 160 feet of frontage on First Street and 160 feet of frontage on Second Street. The second group of parcels has 120 feet of frontage on First Street and 120 feet frontage of Second Street.

Mr. Horsman stated that there are eight lots, generally they are 40' x 140' and a one that is 40' x 120' along First Street and Second Street.

Mr. Zuilhof ask when the family developed the residential development that is currently within the area.

Mr. Rengel described the history of the properties that his family owned and developed, there are about seven or eight houses that they built, however they have not seen residential within this area for nearly 40 years.

Mr. Zuilhof ask the application if there was any objection to the zoning when it was established within that area.

Mr. Rengel stated that he is unable to recall, his father was in charge of the property at that time.

Mr. Miller ask about the potential property tax consequence within the area if there were boat storage or drive thru instead of residential.

Mr. Rengel stated that there would be a substantial tax increase within the area if this were rezoned to commercial, which may help for future development within the area.

Mr. Miller discussed the option of a drive thru concept, he would assume that a potential buyer would have research on why this location would be appropriate for a drive thru.

Mr. Rengel stated that he was not aware of any of their research, most of the interested firms were from out of town.

Mr. Miller stated that visually boat storage could work within the area due to the frontage, however he could not see a drive thru working within this area. Mr. Miller ask if there has been any discussion regarding rezoning the northern half of the lots and keeping the southern half of the parcels as residential.

Mr. Rengel stated that the offer is contingent on all parcels, if all of the parcels were not rezoned the current offer would fall apart.

Mr. Miller stated that is it accurate to characterize the lots on Second Street under your family control are more ample for residential development.

Mr. Rengel stated that the properties along Second, Third, and Fourth Street are more conducive to residential as the two areas in question allow a pass thru onto First Street. Many of the lots in questions this evening would not be appropriate for residential because of traffic considerations.

Bob Waldock, 2015 Cedar Point Road, stated that he owns a total of 17 lots around the proposed area he is not opposed to, or for the plan. The Bicentennial Vision plan calls for residential development to continue along First Street, if the Commission does consider approving the First Street portion would they consider approving it for the Second, Third, and Fourth Street portion. Mr. Waldock stated that he owns the parcels to the west of parcels in question, if the Commission is going to allow the rezoning to these lots he would ask that they consider rezoning the remaining eight lots west of First Street as well.

Mr. Zuilhof stated that he would characterize this as spot zoning, if more of the surrounding lots could be rezoned along First Street it may make more sense. Mr. Zuilhof stated that they should consider the rights of the surrounding property owners and make sure that they are looking at the big picture.

Mr. Miller stated in respect of the Bicentennial Vision plan, what argues in favor for residential and what does mix use entail for this area.

Ms. Byington stated that the plan calls for stabilization of residential, there is currently residential within the area. The plan also calls for infill which be based on the existing use which is residential. It also speaks to mixed use, it does not speak to what is included in the mixed use. Staff as discussed if this corridor should be rezoned to commercial, the CR Commercial Recreation district would permit several uses that could impact the surrounding area. Staff believes that if a rezoning is to occur that it should be a larger area, however to date they have not been convinced that a rezoning would not impact the surrounding properties.

Mr. Zuilhof stated that suggested a planned unit development for this area, as it could mitigate some of the restrictions on the use of the land and create an economically viable option.

Mr. McGory asked if Commercial Recreation would include vacation condos and transient uses.

Ms. Byington stated that vacation rental would be a permitted uses within the Commercial Recreation District.

Mr. McGory ask how many houses are owner occupied vs. tenant occupied.

Ms. Byington stated that they are not aware of the number of owner occupied properties vs. tenant occupied properties.

Mr. Zuilhof stated that there may be a possibility for upscale residential uses within the area, just because residential has not worked to date this does not mean that no residential uses could work within the area.

Mr. McGory stated that he would like staff to evaluate the whole area rather than look at this specific area mentioned in the report.

Mr. Rengel stated that current contract is valid through December 31<sup>st</sup> however he could see if an extension is possible. He is not sure the buyer's timeline for commencing on building. Mr. Rengel stated that they should have started this with Planning Commission, as they will now still have to go to City Commission. He does not believe this is spot zoning as it is on the edge of the CR Commercial Recreation District.

Mr. Zuilhof ask Staff to look into possibly adding more area to be rezoned.

Mr. McGory made a motion to table the application to look into extending the area being considered for rezoning. Mr. McGory stated that he is not pleased with the Bicentennial Vision plan when it comes to this area. He would like staff to work on this quickly as there is a current buyer in place. Mr. Galea seconded the motion.

Mr. Miller stated that an analysis regarding owner occupied vs. rental within the area and the properties being affected, If we were to recommend commercial zoning how does this effect the current residential zoning and how does this transition over time.

With no further discussion the motion was tabled.

Mr. Voltz stated that Nunzia and Camelo Ruta have submitted a petition for the vacation of a portion of a 20' alley located between 1625 and 1631 Cleveland Road. The existing use of the land is a vacant property.

The current zoning of the property is General Business GB. The alley proposed to be vacated would be divided between Camelo and Nunzia and District Petroleum Products, Inc. The applicant proposed to utilize the area to create a more marketable parcel for future development. In conclusion planning staff has no objection to recommending approval of the requested vacations to City Commission.

Mr. Galea motioned to approve the proposed petition for the vacation between 1625 and 1631 Cleveland Road; Mr. Waddington seconded the motion.

Mr. Miller ask if there are any public utilities located within this easement; Mr. Voltz stated that there may be an electrical easement on the property owner, but there is no sewer or water lines within the area.

With no further discussion the motion was approved. The motion was approved with a 5/0 vote; Mr. McGory abstained from the vote.

Chip Marous, 1702 Joseph Lloyd Pkwy, Willoughby stated that the Cedar Fair Resort and Attraction Management Facility to be located at 250 Market Street has been a joint venture with Cedar Fair, work in collaboration with BGSU, City of Sandusky and the Port Authority. This is the second project for Marous in downtown Sandusky.

Andrew Kurtz, Dean of BGSU Firelands, stated that he is excited to work on the project. This program will be the home for a Bachelors Degree for Resort and Attraction Management the program would concentrate on amusement parks, museums, zoos, and family entrainment centers. The students will come in as juniors and they will have already completed a co-op with Cedar Fair, they will complete an additional co-op with Cedar Fair in one of their parks before graduating. The first floor will house the education classrooms, gathering spaces, and office for BGSU staff.

Mr. Zuilhof stated that because he lives in close proximity to the proposed development to avoid the appearance of conflict, although he does not believe there is one he will not be voting, however he will bring up points he believes are important for the Commission to consider.

Mr. McGory ask if the upper floors will be student housing.

Mr. Kurtz stated that this is not being called a residential hall, student may reside in this building but it is not a requirement for students.

Mr. Zuilhof ask if each unit conforms to the zoning code in regards minimum square footage.

Mr. McGory ask how they came to decide on this location.

Denver Brooker, Vocon, stated that the site is on the eastern edge of the Central Business District. The school will be located along Hancock Street and East Market Street. Immediately east of the property is public parking as well as diagonal parking. The education portion of the building will occupy approximately 12,000 sq. The first floor will also have a modestly retail area, lobby, fitness, and residential maintenance area. There

will be 10ft easement created as an access way for the parking and service area. The site plan is proposing 32 spaces, eight on-street parking spaces, and three handicapped spaces. There is modest landscaping proposed including maples and boxwoods.

The facility will include both studio apartments and two bedroom apartments. The building will be brand new however they will try to take design cues from the surrounding buildings to create something with a historic design that has a more of modern look. Mr. Brooker described the building materials and colors for the site. He stated that the elevations have been modified since the planning report as there was concerns with the the upper floors being all white. They have extended the gray accent into the fourth floor. The west side of the building is a little more simple design but still matches the other proposed elevation of the building. Mr. Brooker discussed the proposed blade sign. There are also canopies associated with each entrance. The lighting is discrete and simple; they are proposing full cut off fixtures.

Chris Coplin, Mannik & Smith, stated that the site is .08 acres. Mr. Coplin discussed the proposed parking for the site. The site is proposing seven red maples as well white gem boxwoods within the parking islands. The parking stalls are 9' x 19' and the drive aisle is 24', the access drive off Hancock is 20' and the entrance drive off Market is matching the easement that is in place.

Mr. Voltz stated that site is zoned as Downtown Business District and the applicant is requesting site plan approval. The building is proposed to be 58' in height which is well within the height requirement and the building does meet the required parking. The Central Business District does not have parking requirements, however the applicant is proposing to provide parking. There is adjacent parking that sits unused. This development will allow students to live car free, they have indoor bike parking and the site is near the downtown transient hub. Mr. Voltz discussed the survey parking results which will show that this area has very low utilization for parking. Staff does believe the applicant has provided sufficient parking for the development. Currently the aisle width will require a 1' variance.

Mr. Horsman stated that this site is within the design review area. Staff reviewed site in accordance with the design guidelines and applicant has addressed any concerns they had. Staff thought the proposed building was appropriate and to scale and height and in accordance with the architecture to the surrounding area.

Mr. Voltz reviewed engineering comments with staff. Staff is recommending approval with the following conditions:

1. Parking blocks shall be utilized so vehicles are not able to be parked within any easement areas.
2. A one foot (1) variance is approved by the Board of Zoning Appeals for the center aisle width in the off street parking area.
3. The lighting shall be in conformance with section 1149.10 and a cut sheet shall be submitted for staff approval that shows lighting for the parking area be dark sky friendly.
4. Dumpster area is screened with material submitted for staff approval.
5. Type of street trees are approved through the City of Sandusky Public Works Department

Mr. Zuilhof stated that he believes that there is a minimum square footage for the apartments within the Downtown Business District, they may get a variance for smaller units.

Mrs. Byington stated that zoning code states that square footage are required to be 400 square feet within the multi- family zoning district.

Mr. McGory ask if the ownership is with Cedar Fair.

Chip Marous stated that the ownership is a joint ownership with Marous and with Cedar Fair.

Mr. McGory ask if the property is still currently owned by the City of Sandusky.

Mrs. Byington stated the purchase of the property will still have to go to City Commission for approval.

Mr. McGory stated that this appears to be a great development, it seems to be a lot of building on a relatively small lot. He stated that it is also unrealistic to state that the occupants of this development will not have cars.

Mr. Galea stated that he believes that they should approve the site plan, more multi- family and dense developments should continue to be proposed for downtown. This type of development is what we want to see within the city.

Mr. Miller motioned to approve the site plan with the conditions indicated by staff; Mr. Galea seconded the motion.

Mr. Zuilhof stated that he was blown away with what they have done and this is a break thru development for the city.

With no further discussion the motion was unanimously approved. The motion was approved with a 5/0 vote. Mr. Zuilhof abstained.

Mr. Galea motioned to untable the application regarding the zoning amendment for properties along First and Second Street and continue the public hearing at the January meeting; Mr. Waddington seconded the motion.

With no further discussion the motion was unanimously approved.

Mr. Hayberger stated that staff will notify the surrounding property owners of the hearing.

Mr. McGory motioned to adjourn the meeting; Mr. Waddington seconded the motion.

With no further business, the meeting at 6:19 PM.

APPROVED:

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Casey Sparks, Clerk

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Michael Zuilhof, Chairman



## Department of Planning

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December 20<sup>th</sup>, 2018

At the December 19<sup>th</sup>, 2018 Planning Commission meeting the Commission recommended approval of the ordinance amendments to Chapter 1161 of the City of the Planning and Zoning Code.



Michael Zuilhof  
Planning Commission Chair

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING PART ELEVEN (PLANNING AND ZONING CODE), TITLE FIVE (ADDITIONAL ZONING REQUIREMENTS), CHAPTER 1161 (LANDMARK PRESERVATION) OF THE CODIFIED ORDINANCES OF THE CITY OF SANDUSKY, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW.

WHEREAS, the purpose of the proposed amendments is to clarify specific criteria for granting a certificate of appropriateness and include criteria for demolitions, allow the Landmark Commission to delegate authority to the Planning Department to approve minor changes, add additional language to the minimum maintenance requirements, and for general streamlining and clarifying language in the Ordinance; 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 Eleven (Planning and Zoning Code), Title Five (Additional Zoning Requirements), Chapter 1161 (Landmark Preservation) of the Codified Ordinances of the City is hereby be amended as follows:

CHAPTER 1161  
Landmark Preservation

- 1161.01 Intent.
- 1161.02 Definitions.
- 1161.03 Establishment of Landmark Commission.
- 1161.04 Powers and duties of Landmark Commission.
- 1161.05 Approval process for designation of landmarks.
- 1161.06 Criteria for designation of landmarks.
- 1161.07 Certificate of appropriateness.
- 1161.08 National register process.
- 1161.09 Enforcement and penalties.
- 1161.10 Appeals procedures.
- 1161.11 Minimum maintenance requirements.

1161.01 INTENT.

The intent of this Chapter is to: (1) to designate, preserve, protect, and enhance current and future Landmark **and Historic** properties **and structures, and properties within historic districts**, within the City of Sandusky; (2) to foster civic pride in and consistent with established long term goals and policies of the City; (3) to stabilize or improve the aesthetic and economic vitality and values of Landmark **and Historic** sites, **structures, and districts**; (4) to protect and enhance the City's attraction to tourist and visitors; and (5) to promote the use of these sites for the improvements and objects for the education, invigoration, and welfare of the people of the City.

~~(Ord. 15-161. Passed 11-23-15.)~~

## **1161.02 DEFINITIONS.**

(a) "Alteration" means any act or process that changes one or more of the exterior architecture features of a building or structure; including, but not limited to, the erection, construction, reconstruction, or removal of the building or structure.

(b) "Addition" means any act or process that changes one or more of the exterior architectural features of a building or structure by adding to, joining with or increasing the size or capacity of the building or structure.

(c) "Archaeological/Historic/Landmark Site" means a single site, including the associated buildings, structures, and plant life, which is considered to have historic and/ or prehistoric significance due to its association with past events of historical, cultural, architectural, and/or archeological value.

(d) "Building" means a structure which is permanently affixed to the land, having one or more floors and a roof, being bounded by either open spaces or lot lines, and used as a shelter or enclosure for persons, animals, or property. "Building" shall be used synonymously with "structure" unless otherwise noted and shall be construed as if followed by the words "part or parts thereof".

(e) ~~"Landmark~~ "Landmark Certificate of Appropriateness" means a certificate issued by the ~~Sandusky~~ Landmark Commission indicating that a proposed change, alteration, or demolition of a **Landmark or Historic** building or structure within a historic site, district, or on the National Registry of ~~H~~**Historic-buildings Places**, is in accordance with the provisions of this Chapter and local design guidelines.

(f) "Change" means any exterior alteration, demolition, removal or construction involving any **structures and sites** ~~property~~ subject to the provisions of this Chapter.

(g) "Construction" means the act of constructing an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.



(h) "Demolition" means any act or process that destroys in part or in whole any building or structure.

(i) "Historic District" **and/or "Historic Building"** means any area **or building listed on the National Register of Historic Places**~~designated by ordinance of the City Commission which may contain within definable geographic boundaries, buildings, structures or sites of historic, architectural or archaeological significance.~~

~~(j) "Landmark Commission" means the Commission established under the provisions of the enabling legislation.~~

(~~k~~j) "Historic Structure" means any building or structure which has historic, architectural or archaeological significance and has been so designated according to the provisions of this Chapter. The significance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or the nation may be achieved in several ways:

- (1) Association with broad pattern of our history, events, activities, or patterns;
- (2) Association with important persons;
- (3) Distinctive physical characteristics of design, construction, or form;
- (4) Potential to yield information important in history or prehistory (archaeology);

(~~k~~) "Landmark" means any building, structure or archaeological site that has been designated as a "landmark" by ordinance of the City Commission, pursuant to procedures ~~pr~~escribed herein, that is worthy of preservation, restoration or rehabilitation because of its historic, architectural or archaeological significance.

**(l) "Landmark Commission" means the Commission established under the provisions of the enabling legislation.**

(m) "Owner" means the owner or owners of record.

(n) "Preservation" means the act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property.

(o) "Reconstruction" means the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

(p) "Rehabilitation" means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.

(q) "Restoration" means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

~~(Ord. 15-161. Passed 11-23-15.)~~

### **1161.03 ESTABLISHMENT OF LANDMARK COMMISSION.**

(a) The hereby established City of Sandusky Landmark Commission shall consist of seven (7) members; the President of the City Commission or another member of the City Commission designated by the President and confirmed by the City Commission to serve in his place, and six (6) citizens of the City each of whom shall serve without compensation and shall be appointed by the City Commission for a term of three (3) years. The terms of the citizen members shall be so arranged that the term of two members will expire each year.

(b) The ~~Sandusky~~ Landmark Commission shall meet ~~as needed monthly,~~ **unless determined otherwise, and at the call of the Chairman and at such other times as the Landmark Commission may determine.**

(c) The ~~Sandusky~~ Landmark Commission meetings shall comply with Federal and State laws dealing with public meetings and meeting notices.

(d) The ~~Sandusky~~ Landmark Commission members shall be subject to the provisions of the City Charter and these Codified Ordinances regarding conflict of interest and ethics. In addition, ~~the Sandusky~~ Landmark Commission members shall be subject to related provisions of the Ohio Revised Code.

(e) The ~~Sandusky~~ Landmark Commission, designated City Staff, or others shall prepare a written report at least once a year, for submission to the City Manager and City Commission that summarizes the ~~Sandusky~~ Landmark Commission activities, cases, and recommendations. Such reports shall be available for public inspections.

(f) At a minimum two members shall be professionals or **have** expertise in the following disciplines need to be represented: architecture, history, planning, archaeology, or related disciplines, to the extent available within the community.

(g) To the extent possible, the ~~Sandusky~~ Landmark Commission should regularly complete annual training regarding historic preservation provided by Staff.

(h) The ~~Sandusky~~ Landmark Commission shall meet at least 4 times per year, meetings shall be held in a public place, advertised, and open to the public.

~~(Ord. 17-053. Passed 3-13-17.)~~

#### **1161.04 POWERS AND DUTIES OF LANDMARK COMMISSION.**

(a) To recommend to City Commission legislation for designation of individual **landmark** properties, **sites**, and ~~historic~~ districts that would serve to beautify, protect, preserve, restore, and develop the City.

(b) To study problems and determine the needs of the City in restoring and preserving historic ~~landmarks~~**buildings, structures**, areas, and neighborhoods.

(c) To review and act on all applications for Certificates of Appropriateness as required and utilize Roberts Rules of Order for this action.

(d) Review applications for ~~renovations~~**for changes to** existing landmark **and historic** buildings **and sites** within the City.

(e) Work to erect historic markers to denote landmark **and historic** buildings within the City.

(f) Act as a liaison on behalf of the City of Sandusky to individuals and organizations concerned with historic preservation; educate citizens regarding historic preservation issues and concerns.

(g) The ~~Sandusky~~ Landmark Commission and City Planning Staff shall maintain a surveyed inventory for historic and cultural resources within the City. The inventory will detail designated districts, sites, and/or structures. This inventory will be submitted to the State Historic Preservation Office and open to the public. The inventory shall be updated periodically to reflect changes, alterations, and demolitions.

~~(Ord. 15-161. Passed 11-23-15.)~~

#### **1161.05 APPROVAL PROCESS FOR DESIGNATION OF LANDMARKS.**

The ~~Sandusky~~ Landmark Commission shall review all landmark designation applications and make a recommendation of approval or denial based on the Criteria for Designation of Landmarks found in Section 1161.06. ~~Sandusky~~ **The** City Commission shall have final approval on the application. All applications shall be reviewed by ~~Sandusky~~ Landmark Commission within forty-five (45) days after a completed application is submitted. Applications must include owners or majority of owners consent in order to be considered complete. All meetings shall be

available to the public, and agendas shall be publically advertised. A written notification of the ~~Sandusky~~ Landmark Commission's recommendation will also be sent to each applicant by regular mail. Detailed minutes of the meeting and decision rendered by the ~~Sandusky~~ Landmark Commission shall be kept on file and available for public inspection.

~~(Ord. 15-161. Passed 11-23-15.)~~

#### **1161.06 CRITERIA FOR DESIGNATION OF LANDMARKS.**

An object, site or building, which is at least fifty (50) years old, may be designated for preservation as a landmark site or landmark district if it has significant character, interest or value as part of the development, heritage, or cultural characteristics of the City, state, or nation, if it has integrity, or the ability to convey its significance, and if it falls into one of the following categories:

(a) It is in the location of, or is associated in a significant way with, a historic event with a significant effect upon the community, city, state, or nation; or

(b) It is associated in a significant way with the life of a person important in the history of the city, state, or nation; or

(c) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; or

(d) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; or

(e) It is an outstanding work of a designer or builder; or

(f) Because of its prominence of spatial location, contrasts of siting, age, or scale it is an easily identifiable visual feature of its neighborhood or the City and contributes to the distinctive quality or identity of such neighborhood or the City.

(g) The Secretary of Interior Standards for Rehabilitation shall be utilized when applications for Certificates of Appropriateness.

(h) The property owner shall indicate consent for the Landmark **building, structure, or site** designation.

(i) Sixty percent (**60%**) of the affected property owners must consent to **the** proposed Landmark **district** designation.

~~(Ord. 15-161. Passed 11-23-15.)~~

**1161.07 CERTIFICATE OF APPROPRIATENESS.**

(a) Certificate of Appropriateness shall be required for all ~~renovations, alterations, and demolition~~ changes to existing ~~L~~andmark and Historic buildings, sites, structures and districts.

(b) The Landmark Commission delegates to the Planning Department staff the authority to administratively review and grant a Certificate of Appropriateness without formal action by the Landmark Commission in the following circumstance:

(1) The Landmark Commission grants the authority to approve minor changes such as, but not limited to, landscaping, fencing, and changes approved by the State Historic Preservation Office. The Landmark Commission shall have the ability to rescind the granting of said authority.

(2) If the Planning Department does not grant administrative approval of an application, the applicant may request that the application be referred to the Landmark Commission and will be considered in accordance with the application review schedule contained in this Section.

(3) Any changes that were approved by the Planning Department staff shall be communicated to the Landmark Commission at their subsequent meeting.

~~(b)~~ (c) The ~~Sandusky~~ Landmark Commission shall prepare an application form and a list of the procedures necessary for obtaining Certificates of Appropriateness, which shall be made available to the general public. All applicants must submit applications to the Sandusky Planning Department.

(d) In evaluating applications for changes to Landmark and Historic buildings, sites or districts, the Landmark Commission shall consider the following standards created by the U.S. Department of the Interior, including:

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment;

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alternation of features and spaces that characterize a property shall be avoided;

(3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken;

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved;

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved;

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence;

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;

(8) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken;

(9) New additions, exterior, alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment; and

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(e) All applications for demolition of existing Landmark and Historic buildings, sites, or districts shall include, but are not limited to:

(1) A report as to the structural soundness of the building prepared by professionals experienced in preservation and rehabilitation;

(2) Estimates of the costs and income for rehabilitation of the building;

(3) Estimates of the costs and income for new development;

(4) Valuation of the property;

(5) Preliminary development plans.

(f) The Landmark Commission shall consider the following factors in evaluating applications for demolition of existing Landmark and Historic buildings, sites, or districts:

- (1) The architectural and historic significance of the building;
- (2) The significance of the building in contributing to the architectural or historic character of its surroundings;
- (3) The economic feasibility of rehabilitation and reuse of the building;
- (4) The extent to which the owner sought out alternative uses for the property;
- (5) The extent to which the proposed redevelopment implements the goals of the city's comprehensive plan;
- (6) If demolition is necessary due to imminent safety hazards, as determined in writing by the City's Building Department or Fire Department.

(eg) All applications shall be reviewed by **the** Landmark Commission within forty-five (45) days after a completed application is submitted, **unless the application is approved pursuant to Section 1161.07(b)**. The applicant shall be given written notice of the meeting at which his or her application will be considered. All Certificate of Appropriateness applications shall be reviewed utilizing the preservation design guidelines, on file at the ~~Department of Community Development~~**Planning Department**, as well as which are the Secretary of Interior Standards for Rehabilitation. A written notification of the ~~Sandusky~~ Landmark Commission's decision will also be sent to each applicant by regular mail.

~~(Ord. 15-161. Passed 11-23-15.)~~

#### **1161.08 NATIONAL REGISTER PROCESS.**

In accordance with the National Historic Preservation Amendments Act of 1980, the Landmark Commission shall submit a report to the State Historic Preservation Office (SHPO) regarding the eligibility of each property or District proposed for nomination to the National Register within the City. This report shall include the recommendation of the ~~Historic Preservation Commission~~ **Landmark Commission** and the majority of City Commission. A copy of the report prepared by the **Landmark** Commission for SHPO shall be made available for public inspection.

The Landmark Commission will be involved in the National Register process in the following manner:

- (a) The SHPO will forward a copy of completed National Register nominations with a staff review sheet to the ~~Sandusky~~ Landmark Commission for all properties within the City prior to the preliminary review of the nomination

unless the **Landmark** Commission itself has initiated or reviewed the nomination prior to submission to the SHPO.

b) Following the initial review by Ohio Historic Site Preservation Advisory Board (OHSPAB), the State Review Board, and prior to the final review of the nomination, the ~~Sandusky~~ Landmark Commission shall inform the SHPO and the property owner(s) as to their opinion regarding the eligibility of the property.

(c) If the City Commission recommends that a property not be nominated, the SHPO will so inform the property owner(s), the State Review Board, and the property will not be nominated unless an appeal is filed with the State Historical Preservation Officer under the regulations established for the appeals process which is outlined in 36 CFR (Code of Federal Regulations), Part 60.

(d) If either or both the ~~Sandusky~~ Landmark Commission and the majority of City Commission agree that the property should be nominated, the nomination will be scheduled for final review by the Ohio Historic Site Preservation Advisory Board. If no report is submitted, the nomination will be reviewed within sixty days. The opinion or opinions of the ~~Sandusky~~ Landmark Commission and the majority of City Commission will be presented to OHSPAB for its consideration.

(e) The Ohio Historic Site Preservation Advisory Board after considering all opinions shall make its recommendation to the State Historic Preservation Officer. Either the ~~Sandusky~~ Landmark Commission or the majority of City Commission may appeal the final decision of the SHPO under the aforementioned appeals procedure.

(f) If necessary, the ~~Sandusky~~ Landmark Commission shall seek assistance of academics or others from professional disciplines when considering a National Register nomination.

~~(Ord. 15-161. Passed 11-23-15.)~~

#### **1161.09 ENFORCEMENT AND PENALTIES.**

(a) If it is found that any of the provisions of these standards are being violated, a person or a corporation shall be guilty of a misdemeanor of the fourth degree where: any violation of any of the provisions of this zoning code exists in a building or tract of land, and a stop work order or notice of zoning violation has been served on the owner agent, lessee, or tenant of the building of tract of land, or part thereof, or upon the architect, builder, contractor, or any person who commits or assists in any violation, and the person fails to comply with such order within 72 hours of receipt of a stop work order or written notice.

(b) Any persons who fails to comply within the specified time shall be guilty of a misdemeanor of the fourth degree with each day the violation continues being a separate offense.



(c) Filing an appropriate appeal to any order issued pursuant to the provision of 1109.07 shall toll the time for compliance with such order until the appeal is ruled upon.

(Ord. 15-161. Passed 11-23-15.)

#### **1161.10 APPEALS PROCEDURES.**

(a) Decisions by the ~~Sandusky~~ Landmark Commission may be appealed in writing to the City Commission within ten (10) days of the ~~Sandusky~~ Landmark Commission hearing. No building permit or other permit required for the activity applied for shall be issued during the ten-day period or while an appeal is pending.

(b) The City Commission shall consider an appeal within thirty (30) days of receipt and shall utilize the written findings of the ~~Sandusky~~ Landmark Commission in rendering their decision. A simple majority vote of the City Commission membership shall be required to overturn or modify a decision of the ~~Sandusky~~ Landmark Commission.

~~(Ord. 15-161. Passed 11-23-15.)~~

#### **1161.11 MINIMUM MAINTENANCE REQUIREMENTS.**

(a) No owner of a building or structure in the historic district shall by willful action or willful neglect, fail to provide sufficient and reasonable care in the maintenance and upkeep to assure such building's perpetuation and to prevent its destruction by deterioration. The owner of a protected property shall provide sufficient maintenance to ensure its protection from hazards and to prevent deterioration or destruction.

**(b) It shall be the duty of the Building Department and Division of Code Compliance to enforce this Section according to the City's Building Code. The Landmark Commission, on its own initiative, may notify the Division of Code Compliance and request that action is taken against any owner who is in violation of this Section.**

~~(Ord. 15-161. Passed 11-23-15.)~~

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: March 11, 2019 (effective after 30 days)



## PLANNING DEPARTMENT

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5715  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

**To:** Eric Wobser, City Manager

**From:** Tom Horsman, Assistant Planner

**Date:** February 26, 2019

**Subject:** March 11, 2019 Commission Agenda Item –Application for an amendment to the zoning map for parcels along First Street.

**Item for Consideration:** Application to rezone Property 1: parcels 57-03841.000, 57-03857.000, 57-03858.000 and Property 2: 57-03851.000, 57-00555.000, 57-03852.000, 57-09852.001 from “R1-40” Single Family Residential to “CR” Commercial Recreation.

**Purpose:** The Bicentennial Vision Comprehensive Plan outlines the citywide development for the next ten years. In general, zoning amendments should align with the proposed land uses stated in a Comprehensive Plan. Therefore, the Comprehensive Plan is utilized by staff as one factor when evaluating proposed amendments.

**Background Information:** In November 2018, RLR Properties, submitted an application to the Board of Zoning Appeals for a use variance on Property 1: parcels 57-03841.00, 57-03858.00, and 57-03857.00 in order to construct a two-story, 9,600 square foot storage facility. The Board of Zoning Appeals voted to table the application. D. Jeffrey Rengel, as an authorized agent of RLR Properties and Central Erie Ltd., submitted a rezoning application for Property 1: parcels 57-03841.00, 57-03858.00, 57-03857.00 and Property 2: 57-03851.000, 57-00555.000, 57-03852.000, 57-09852.001 to be rezoned to CR Commercial Recreation from R1-40 Single Family Residential. Staff had recommended against the rezoning because the Bicentennial Vision Comprehensive Plan targeted this area for infill residential development and staff believes that the wide range of uses permitted in a CR zoning district could negatively affect the existing residents in the surrounding areas. More specific details are outlined in the Staff Report in Exhibit B.

The Planning Commission held a public hearing on December 19, 2018 and decided to table the application until the January meeting. On January 23<sup>rd</sup>, 2019, the Planning Commission voted to recommend approval of the application to City Commission.

### **Correlation to the Comprehensive Plan:**

The Bicentennial Vision Comprehensive Plan outlined multiple priorities for this area including 1) the creation of the Sandusky Bay Pathway multi-purpose trail along First Street, 2) redevelop vacant land and infill to extend and stabilize single family neighborhoods, 3) target areas around First Street for residential stabilization and infill and mixed-use residential development.

### **Budgetary Impact:**

There is no impact to the general fund.

**Action Requested:** It is requested that City Commission deny the proposed amendment to the zoning map for the following parcels: 57-03841.000, 57-03857.000, 57-03858.000, 57-03851.000, 57-00555.000, 57-03852.000, 57-09852.001.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Angela Byington  
Planning Department

Attachments: Exhibit A: Planning Commission Recommendation  
Exhibit B: Planning Commission Staff Report  
Exhibit C: Planning Commission Minutes

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



## Department of Planning

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January 24<sup>th</sup>, 2019

At the January 23<sup>rd</sup>, 2019 meeting Planning Commission recommended approval for the zoning amendment to the following parcels: 57-03841.000, 57-03857.000, 57-03858.000, 57-03851.000, 57-00555.000, 57-03852.000, 57-09852.001 to change from "R1-40"/Single-Family Residential to "CR"/Commercial Recreation.



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Michael Zuilhof  
Planning Commission Chair

# PLANNING COMMISSION REPORT

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APPLICATION FOR MAP AMENDMENTS TO  
FIRST STREET PARCELS 57-03841.000, 57-  
03857.000, 57-03858.000, 57-03851.000, 57-  
00555.000, 57-03852.000, 57-09852.001.

Reference Number: PC-18-24

Date of Report: January 15<sup>th</sup>, 2019

Report Author: Tom Horsman, Assistant Planner



# City of Sandusky, Ohio

## Planning Commission Report

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### BACKGROUND INFORMATION

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D. Jeffrey Rengel, as an authorized agent of RLR Properties and Central Erie Ltd., has applied for a rezoning of property from R1-40/Single-Family Residential to CR/Commercial Recreation. This application was heard at the December 19<sup>th</sup> Planning Commission meeting. The Commission resolved to table to the application to allow staff further review of existing conditions. The following information is relevant to this application:

Applicant: D. Jeffrey Rengel  
421 Jackson Street  
Sandusky, Ohio 44870

Site Location: Property 1: Parcels 57-03841.000, 57-03857.000, 57-03858.000 and  
Property 2: Parcels 57-03851.000, 57-  
00555.000, 57-03852.000, 57-09852.001.

Zoning: “R1-40” Single-Family Residential

Surrounding Zoning: North- First Street, then “CR” Commercial Recreation / Use: Residential  
East- “R1-40” Single-Family Residential District / Use: Residential  
South- “R1-40” Single-Family Residential District / Use: Vacant  
West- “R1-40” Single-Family Residential District / Use: Residential

Existing Use: Vacant Lots

Proposed Zoning: “CR” Commercial Recreation

Applicable Plans & Regulations: City of Sandusky Bicentennial Comprehensive Plan  
City of Sandusky Planning and Zoning Code Chapters:  
1129 Residential Districts  
1137 Commercial Districts

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## SITE DESCRIPTION

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The subject properties are currently located within an R1-40 Single-Family Residential District. The subject property is adjacent to a R1-40 Single Family Residential District on three sides and across First Street is a CR Commercial Recreation District. The parcels of the subject properties are pointed out:

**Subject Parcels Outlined in Red (Top) and Blue (Bottom):**





**Photos of Property 1 Taken November 6, 2018**

Looking East on First Street



Looking West on First Street





Looking Northwest on Second Street



Looking Northeast on Second Street



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**PLANNING DEPARTMENT COMMENTS**

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The lots are mostly adjacent to other R1-40 residential districts, and across the street from a Commercial Recreation district, which is being used primarily as residential boat houses. A block to the west of Property 1 is a Commercial Services district, as well as a General Manufacturing District. A block to the east of Property 2 is a Commercial Recreation district.

According to the City's Bicentennial Vision Comprehensive Plan, the vacant land in the eastern neighborhoods along First Street is called to be residential stabilization and infill and mixed-use infill. Since the adoption of that plan, there have been proposed residential projects, as well as proposed investments in infrastructure such as the Sandusky Bay Pathway. The city has also implemented a residential tax abatement program. The plan described this area as a great opportunity for residential development within close proximity of recreation areas.

The Bicentennial Comprehensive Plan outlines a number of priorities for the eastern neighborhoods. Some of the priorities related to this site are:

- 1) Creation of the Sandusky Bay Pathway multi-purpose trail along First Street.
- 2) Redevelop vacant land and infill to extend and stabilize single family neighborhoods.
- 3) Target areas around First Street for residential stabilization and infill and mixed-use residential development.

**Additional Comments:**

Staff has further reviewed this case after it was tabled at the December 2018 Planning Commission meeting. The Planning Commission had requested that staff gather additional information regarding the area in the immediate vicinity of the subject parcels. About 25% of the housing units on First and Second Streets to the east of Farwell are owner-occupied. Staff has concerns about how a change to Commercial Recreation zoning would impact the existing residents in this neighborhood. Commercial Recreation allows for the following uses:

- (1) One- and two-family dwellings, boathouses, motels;
- (2) The following amusement establishments, whether open or enclosed:
  - A. Beaches and swimming pools, with accessory bath houses and locker rooms;
  - B. Manufacturing, rental, repair, and storage of boats, marinas; sale of live bait for fishing;
  - C. Hunting and fishing clubs, shooting ranges;
  - D. Arenas, auditoriums;
  - E. Golf courses, driving ranges;
  - F. Riding academies, stables, race tracks;
  - G. Assembly and meeting halls, bowling alleys, dance halls, skating rinks.
  - H. All retail stores, services and offices as permitted in General Business Districts.
  - I. Transient Occupancy.

As it states under section G, Commercial Recreation zoning districts allow for uses that are permitted in General Business Districts, which thus also allows for uses in Roadside and

Local Business districts. This would allow for by-right development of many various uses, some of which could negatively impact the surrounding single-family residences. Even though the land to the north of First Street is zoned as Commercial Recreation, it does not immediately adjoin the subject parcels as it is separated by First Street, and the current use in that part of the Commercial Recreation district is residential boathouses.

Staff has also reexamined the City's Bicentennial Vision Comprehensive Plan as it relates to this area. The plan often mentions the opportunities of the redevelopment of land along the First Street corridor, particularly pointing out its advantages of being in close proximity to Cedar Point. The plan touts this neighborhood as being one of the largest redevelopment opportunities in the city. Mixed-use development is called for on Cedar Point Drive, along with areas slightly to the east on First Street. Beyond that, the plan states the city should "redevelop vacant land and infill to extend and stabilize single family neighborhoods" for the area south of First Street and to "develop waterfront residential on former industrial sites while maintaining and/or creating public access..." for the area on the north side of First Street.

This residential section of the city has had many challenges over the past few decades, and little residential development has taken place in recent years. However, the planned investments of the Sandusky Bay Pathway and other private investments, along with the recent implementation of Sandusky's residential tax abatement program, staff believes that this neighborhood could be well-poised for residential development in the future. The area's proximity to Cedar Point and the waterfront also present it with many opportunities. Staff believes that the land along the First Street Corridor should be developed in line with the goals laid out in the Bicentennial Vision Comprehensive Plan and that development here should not negatively impact the existing residents in the neighborhood.

Chapter 1113 Amendments, of the Zoning Code states that the Zoning Map may be amended periodically in order to keep it abreast of new zoning techniques, as well as when the following general conditions arise:

- (1) Whenever a general hardship prevails throughout a given district;
- (2) Whenever a change occurs in land use, transportation, or other sociological trends, either within or surrounding the community; and
- (3) Whenever extensive developments are proposed that do not comply but would be in the public interest.

Understanding the goals set for this area by the city's Comprehensive Plan, as well as the fact that staff believes the rezoning would not satisfy the above conditions, staff would not recommend the rezoning of these properties.

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**ENGINEERING STAFF COMMENTS**

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The City Engineer has reviewed the proposed zoning amendment and has no objections.

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**BUILDING STAFF COMMENTS**

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The City Building Official has reviewed the proposed zone map amendment and has no objections.

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**POLICE DEPARTMENT COMMENTS**

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The City Police Chief has reviewed the proposed zone map amendment and has no objections.

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**FIRE DEPARTMENT COMMENTS**

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The City Fire Chief has reviewed the proposed zone map amendment and has no objections

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**CONCLUSION/RECOMMENDATION**

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In conclusion, staff continues to not recommend the approval of the rezoning for these properties. The comprehensive plan calls for residential stabilization and infill and mixed-use development in this area and there are significant public and private investments planned for this area, including the creation of the Sandusky Bay Pathway. Staff believes that there are viable uses for these properties as they are currently zoned.

If the rezoning is approved, any commercial development would require site plan approval and possible vacation of an alley.

Planning Commission  
December 19th, 2018  
Meeting Minutes

The Chairman called the meeting to order at 4:31pm. The following members were present: Mr. Miller, Mr. Waddington, Chairman Zuilhof, Mr. McGory, Mr. Galea, and Mr. Whelan. Mr. Greg Voltz and Mr. Horsman represented the Planning Department; Mr. Trevor Hayberger represented the Law Department and Ms. Casey Sparks, Clerk from Community Development.

Mr. Miller made a motion to approve the February 20<sup>th</sup>, 2018, March, 20<sup>th</sup>, 2018, and April, 25<sup>th</sup>, 2018 Landmark Commission meeting minutes; Mr. Galea seconded the motion.

Mr. Waddington motioned to approve the minutes from November 28<sup>th</sup>, 2018; Mr. Galea seconded the motion.

Mr. Hayberger swore in those giving testimony.

Public Hearing: Zoning Amendments to 1161 the Landmark Ordinance

Mr. Horsman stated that the Planning Commission and Landmark Commission gave feedback regarding the initial proposed changes, Landmark Commission approved the proposed amendment this afternoon. The proposed amendments include additional criteria for granting a Certificate of Appropriateness, including demolition; allowing for the Commission to delegate to staff the ability to issue a Certificate of Appropriateness for minor changes; and minor changes of definitions and clarification of language within the ordinance.

Mr. Horsman discussed the proposed criteria for section 1161.07(e) regarding demolition, this section discusses the criteria used for issuing a Certificate of Appropriateness. In section 1161.07(f) there was language added stating that the property owner would need to try to find alternative uses for the property before demolishing. The proposed amendment is included to assure the buildings are preserved. Section 1161.07(b) discusses giving landmark commission the ability to grant authority of staff to review. Staff added language that states that the Landmark Commission has the authority to resend this authority from staff.

In Section 1161.11 subsection B was added. Staff requests that an addition be made to this, the current proposal states that the Landmark Commission may notify the department of code compliance regarding a property owner that is not currently in compliance with the maintenance requirements of Chapter 1161. Staff would like to add the Building Department to this section. Staff wanted to reiterate the ability to enforce the building code and assure that a penalty is consistent with the penalty referenced within the zoning code. Mr. Horsman stated that these changes have been approved by the Ohio Historic preservation office. The Landmark Commission also suggested adding the word structures to Section 1161.07(a).

Mr. McGory motioned to make a favorable recommendation to City Commission regarding the proposed legislation with minor changes as recommended by the Landmark Commission; Mr. Galea seconded the motion.

With no further discussion the motion was approve unanimously. The motion was approved with a 6/0 vote.

Public Hearing: Zoning Amendment to Parcels Located west of Wildman Street between First Street and Second Street: 57-03841.000, 57-03857.000, 57-03858.000 and properties located west of an unnamed alley within the 1900 block between First and Second Street: 57-03851.000, 57-00555.000, 57-03852.000, 57-03852.001

Mr. Horsman stated that the applicant D. Jeffery Rengel has applied for a rezoning of the property to CR Commercial Recreation. Currently the property is zoned as R1-40 Single Family Residential. Some of the parcels went through the BZA last month for a use variance to build boat storage. The applicant also applied for the zoning amendment in 2016 but it was not brought before Planning Commission. The properties are currently owned by RLR Properties and Central Erie, Ltd. Both groups of properties are immediately

surrounded by R1-40 Single Family Residential on the south, east, and west, CR Commercial Recreation zoning is across First Street to the north. The Sandusky Bicentennial Vision Comprehensive Plan has targeted this area along First Street for residential stabilization and infill and mixed use infill. There are currently development plans in progress for this neighborhood, as well as major investments in public infrastructure, such as the Sandusky Bay Pathway. Staff does not recommend the approval of the rezoning. If approved, any commercial development would require site plan approval and possible alley vacation.

Mr. Miller stated that the applicant has proposed boat storage for one of the areas in question, was there something else that the applicant was proposing for the other parcels.

Mr. Horsman stated that the area proposed for the boat storage was the only development plan brought before the Board of Zoning Appeals, the secondary parcels were not brought to the Board of Zoning Appeals. The BZA tabled the application as the scope of the decision is out of their purview, they thought it should be brought to the Planning Commission.

Jeff Rengel, RFL Properties, stated the application was made in June 2016 after developer expressed interest in property with the contingent that the property was rezoned. The property is currently zoned as R1-40. The Planning Department and the applicant agreed to temporarily table the application, six months after the application was made the developer pulled away from the deal. Mr. Rengel stated that this zoning classification is improper, zoning law states that if the zoning cannot hold the property owner from an economically viable use of the property. Mr. Rengel stated that based on case law if an owner is denied an economically viable use for substantial time a taking has occurred. The courts said you must consider three things: the economic impact of the zoning on the property owner, the extent to which the regulations have interfered with distinct investment backed expectations, and the character of the governmental action. In this case zoning was not in place when these properties were purchased.

Mr. Rengel stated that the facts of the case are as follows: the Planning Department depends on the Bicentennial Vision plan which was not in effect at the original time the application was made. That plan calls for infill of vacant land and mixed use development within this area. To his knowledge no residence have been building within the last 40 years. Several adjacent residence within have been torn down. No new residence have been built along First Street from Sycamore Line to the Causeway except properties within the CR Commercial Recreation District. In the last 40 years only commercial properties constructed along First Street. The only construction within the R-1 district has been from Cedar Point, in which this board approved a rezoning from R-1 Single Family Residential to CR Commercial Recreation without development plans in place. This property is surrounded by R1- 40 Single Family Residential Zoning on three sides and adjacent to CR Commercial Recreation district on the north side. Mr. Rengel stated the property in question this evening has the same situation. First Street is not conducive to residential. The traffic count is very high within certain areas. The city has received several complaints regarding the traffic from residential properties within the area. The present zoning is not conducive to the health and safety of the area. Mr. Rengel stated that his family has owned this property for over a 100 years, they currently still own approximately 40 lots, and they owned these before the city had a zoning code. To date he has received no offers or considerations for residential housing within the past 40 years, all inquiries received have been related to commercial development of some sort. The current offer is subject to CR Commercial Recreation zoning.

Mr. Rengel stated that it is his opinion that it is highly unlikely that the property will sell unless the zoning is changed due to the history, present traffic, and development conditions of the area. The Planning Department states that the law states that the property owner has to be deprived of all economic viability of the property, however staff should go one step further and analyze the application on how the magnitude of the regulations impact with the true property interest. The property is greatly being effected by the currently zoning classification, which historically has such an economic impact that it has made development within the area unlikely.

Mr. McGory stated ask if approved what may be developed within the area.

Mr. Rengel stated that the current buyer has expressed in developing the property and they have stated that it would need to be rezoned to CR. They have interest for commercial drive thru and boat storage in the past, or boat storage with a loft on the second floor.

Mr. Rengel stated that a perspective buyer two years ago had communicated interest for boat storage similar to the boat storage constructed on Cleveland Road in Huron. The current perspective buyer does not have interest in residential. The only lots in question this evening are along First Street, the other lots along Second and Third Street are not in question this evening as they are more conducive to residential.

Mr. Galea discussed the dimensions of the lots that are seeking rezoning, and ask if the lots would have frontage on Second Street.

Mr. Rengel stated that the way the county assigned parcel numbers some of these lots were combined to create three permanent parcel numbers, the eight lots are all identical in size. The parcels are generally 40' x 130-140' depending if an alley is present. The first group of parcels includes a 160 feet of frontage on First Street and 160 feet of frontage on Second Street. The second group of parcels has 120 feet of frontage on First Street and 120 feet frontage of Second Street.

Mr. Horsman stated that there are eight lots, generally they are 40' x 140' and a one that is 40' x 120' along First Street and Second Street.

Mr. Zuilhof ask when the family developed the residential development that is currently within the area.

Mr. Rengel described the history of the properties that his family owned and developed, there are about seven or eight houses that they built, however they have not seen residential within this area for nearly 40 years.

Mr. Zuilhof ask the application if there was any objection to the zoning when it was established within that area.

Mr. Rengel stated that he is unable to recall, his father was in charge of the property at that time.

Mr. Miller ask about the potential property tax consequence within the area if there were boat storage or drive thru instead of residential.

Mr. Rengel stated that there would be a substantial tax increase within the area if this were rezoned to commercial, which may help for future development within the area.

Mr. Miller discussed the option of a drive thru concept, he would assume that a potential buyer would have research on why this location would be appropriate for a drive thru.

Mr. Rengel stated that he was not aware of any of their research, most of the interested firms were from out of town.

Mr. Miller stated that visually boat storage could work within the area due to the frontage, however he could not see a drive thru working within this area. Mr. Miller ask if there has been any discussion regarding rezoning the northern half of the lots and keeping the southern half of the parcels as residential.

Mr. Rengel stated that the offer is contingent on all parcels, if all of the parcels were not rezoned the current offer would fall apart.

Mr. Miller stated that is it accurate to characterize the lots on Second Street under your family control are more ample for residential development.

Mr. Rengel stated that the properties along Second, Third, and Fourth Street are more conducive to residential as the two areas in question allow a pass thru onto First Street. Many of the lots in questions this evening would not be appropriate for residential because of traffic considerations.



Bob Waldock, 2015 Cedar Point Road, stated that he owns a total of 17 lots around the proposed area he is not opposed to, or for the plan. The Bicentennial Vision plan calls for residential development to continue along First Street, if the Commission does consider approving the First Street portion would they consider approving it for the Second, Third, and Fourth Street portion. Mr. Waldock stated that he owns the parcels to the west of parcels in question, if the Commission is going to allow the rezoning to these lots he would ask that they consider rezoning the remaining eight lots west of First Street as well.

Mr. Zuilhof stated that he would characterize this as spot zoning, if more of the surrounding lots could be rezoned along First Street it may make more sense. Mr. Zuilhof stated that they should consider the rights of the surrounding property owners and make sure that they are looking at the big picture.

Mr. Miller stated in respect of the Bicentennial Vision plan, what argues in favor for residential and what does mix use entail for this area.

Ms. Byington stated that the plan calls for stabilization of residential, there is currently residential within the area. The plan also calls for infill which be based on the existing use which is residential. It also speaks to mixed use, it does not speak to what is included in the mixed use. Staff as discussed if this corridor should be rezoned to commercial, the CR Commercial Recreation district would permit several uses that could impact the surrounding area. Staff believes that if a rezoning is to occur that it should be a larger area, however to date they have not been convinced that a rezoning would not impact the surrounding properties.

Mr. Zuilhof stated that suggested a planned unit development for this area, as it could mitigate some of the restrictions on the use of the land and create an economically viable option.

Mr. McGory asked if Commercial Recreation would include vacation condos and transient uses.

Ms. Byington stated that vacation rental would be a permitted uses within the Commercial Recreation District.

Mr. McGory ask how many houses are owner occupied vs. tenant occupied.

Ms. Byington stated that they are not aware of the number of owner occupied properties vs. tenant occupied properties.

Mr. Zuilhof stated that there may be a possibility for upscale residential uses within the area, just because residential has not worked to date this does not mean that no residential uses could work within the area.

Mr. McGory stated that he would like staff to evaluate the whole area rather than look at this specific area mentioned in the report.

Mr. Rengel stated that current contract is valid through December 31<sup>st</sup> however he could see if an extension is possible. He is not sure the buyer's timeline for commencing on building. Mr. Rengel stated that they should have started this with Planning Commission, as they will now still have to go to City Commission. He does not believe this is spot zoning as it is on the edge of the CR Commercial Recreation District.

Mr. Zuilhof ask Staff to look into possibly adding more area to be rezoned.

Mr. McGory made a motion to table the application to look into extending the area being considered for rezoning. Mr. McGory stated that he is not pleased with the Bicentennial Vision plan when it comes to this area. He would like staff to work on this quickly as there is a current buyer in place. Mr. Galea seconded the motion.

Mr. Miller stated that an analysis regarding owner occupied vs. rental within the area and the properties being affected, If we were to recommend commercial zoning how does this effect the current residential zoning and how does this transition over time.

With no further discussion the motion was tabled.

Mr. Voltz stated that Nunzia and Camelo Ruta have submitted a petition for the vacation of a portion of a 20' alley located between 1625 and 1631 Cleveland Road. The existing use of the land is a vacant property.

The current zoning of the property is General Business GB. The alley proposed to be vacated would be divided between Camelo and Nunzia and District Petroleum Products, Inc. The applicant proposed to utilize the area to create a more marketable parcel for future development. In conclusion planning staff has no objection to recommending approval of the requested vacations to City Commission.

Mr. Galea motioned to approve the proposed petition for the vacation between 1625 and 1631 Cleveland Road; Mr. Waddington seconded the motion.

Mr. Miller ask if there are any public utilities located within this easement; Mr. Voltz stated that there may be an electrical easement on the property owner, but there is no sewer or water lines within the area.

With no further discussion the motion was approved. The motion was approved with a 5/0 vote; Mr. McGory abstained from the vote.

Chip Marous, 1702 Joseph Lloyd Pkwy, Willoughby stated that the Cedar Fair Resort and Attraction Management Facility to be located at 250 Market Street has been a joint venture with Cedar Fair, work in collaboration with BGSU, City of Sandusky and the Port Authority. This is the second project for Marous in downtown Sandusky.

Andrew Kurtz, Dean of BGSU Firelands, stated that he is excited to work on the project. This program will be the home for a Bachelors Degree for Resort and Attraction Management the program would concentrate on amusement parks, museums, zoos, and family entrainment centers. The students will come in as juniors and they will have already completed a co-op with Cedar Fair, they will complete an additional co-op with Cedar Fair in one of their parks before graduating. The first floor will house the education classrooms, gathering spaces, and office for BGSU staff.

Mr. Zuilhof stated that because he lives in close proximity to the proposed development to avoid the appearance of conflict, although he does not believe there is one he will not be voting, however he will bring up points he believes are important for the Commission to consider.

Mr. McGory ask if the upper floors will be student housing.

Mr. Kurtz stated that this is not being called a residential hall, student may reside in this building but it is not a requirement for students.

Mr. Zuilhof ask if each unit conforms to the zoning code in regards minimum square footage.

Mr. McGory ask how they came to decide on this location.

Denver Brooker, Vocon, stated that the site is on the eastern edge of the Central Business District. The school will be located along Hancock Street and East Market Street. Immediately east of the property is public parking as well as diagonal parking. The education portion of the building will occupy approximately 12,000 sq. ft. the first floor will also have a modestly retail area, lobby, fitness, and residential maintenance area. There will be a 10ft easement created as an access way for the parking and service area. The site plan is proposing 32 spaces, eight on-street parking spaces, and three handicapped spaces. There is modest landscaping proposed including maples and boxwoods.

The facility will include both studio apartments and two bedroom apartments. The building will be brand new however they will try to take design cues from the surrounding buildings to create something with a historic design that has a more of modern look. Mr. Brooker described the building materials and colors for the site. He stated that the elevations have been modified since the planning report as there was concerns with the the upper floors being all white. They have extended the gray accent into the fourth floor. The west side of the building is a little more simple design but still matches the other proposed elevation of the building. Mr. Brooker discussed the proposed blade sign. There are also canopies associated with each entrance. The lighting is discrete and simple; they are proposing full cut off fixtures.

Chris Coplin, Mannik & Smith, stated that the site is .08 acres. Mr. Coplin discussed the proposed parking for the site. The site is proposing seven red maples as well white gem boxwoods within the parking islands. The parking stalls are 9' x 19' and the drive aisle is 24', the access drive off Hancock is 20' and the entrance drive off Market is matching the easement that is in place.

Mr. Voltz stated that site is zoned as Downtown Business District and the applicant is requesting site plan approval. The building is proposed to be 58' in height which is well within the height requirement and the buidinding does met the required parking. The Central Business District does not have parking requirements, however the applicant is proposing to provide parking. There is adjacent parking that sits unused. This development will allow students to live car free, they have indoor bike parking and the site is near the downtown transient hub. Mr. Voltz discussed the survey parking results which will show that this area has very low utilization for parking. Staff does believe the applicant has provided sufficient parking for the development. Currently the aisle width will require a 1' variance.

Mr. Horsman stated that this site is within the design review area. Staff reviewed site in accordance with the design guidelines and applicant has addressed any concerns they had. Staff thought the proposed building was appropriate and to scale and height and in accordance with the architecture to the surrounding area.

Mr. Voltz reviewed engineering comments with staff. Staff is recommending approval with the following conditions:

1. Parking blocks shall be utilized so vehicles are not able to be parked within any easement areas.
2. A one foot (1) variance is approved by the Board of Zoning Appeals for the center aisle width in the off street parking area.
3. The lighting shall be in conformance with section 1149.10 and a cut sheet shall be submitted for staff approval that shows lighting for the parking are be dark sky friendly.
4. Dumpster area is screened with material submitted for staff approval.
5. Type of street trees are approved through the City of Sandusky Public Works Department

Mr. Zuilhof stated that he believes that there is a minimum square footage for the apartments within the Downtown Business District, they may to get a variance for smaller units.

Mrs. Byington stated that zoning code states that square footage are required to be 400 square feet within the multi- family zoning district.

Mr. McGory ask if the ownership is with Cedar Fair.

Chip Marous stated that the ownership is a joint ownership with Marous and with Cedar Fair.

Mr. McGory ask if the property is still currently owned by the City of Sandusky.

Mrs. Byington stated the purchase of the property will still have to go to City Commission for approval.

Mr. McGory stated that this appears to be a great development, it seems to be a lot of building on a relatively small lot. He stated that it is also unrealistic to state that the occupants of this development will not have cars.

Mr. Galea stated that he believes that they should approve the site plan, more multi- family and dense developments should continue to be proposed for downtown. This type of development is what we want to see within the city.

Mr. Miller motioned to approve the site plan with the conditions indicated by staff; Mr. Galea seconded the motion.

Mr. Zuilhof stated that he was blown away with what they have done and this is a break thru development for the city.

With no further discussion the motion was unanimously approved. The motion was approved with a 5/0 vote. Mr. Zuilhof abstained.

Mr. Galea motioned to untable the application regarding the zoning amendment for properties along First and Second Street and continue the public hearing at the January meeting; Mr. Waddington seconded the motion.

With no further discussion the motion was unanimously approved.

Mr. Hayberger stated that staff will notify the surrounding property owners of the hearing.

Mr. McGory motioned to adjourn the meeting; Mr. Waddington seconded the motion.

With no further business, the meeting at 6:19 PM.

APPROVED:

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Casey Sparks, Clerk

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Michael Zuilhof, Chairman

Planning Commission  
January 23<sup>rd</sup>, 2019  
Meeting Minutes

The Chairman called the meeting to order at 4:31pm. The following members were present: Mr. Miller, Mr. Waddington, Chairman Zuilhof, Mr. McGory, Mr. Galea, and Mr. Whelan. Mr. Greg Voltz and Mr. Horsman represented the Planning Department; Mr. Trevor Hayberger represented the Law Department and Ms. Casey Sparks, Clerk from Community Development.

Mr. Wobser gave Planning Commission a copy of the book Walkability City Rules and informed them that staff will be meeting to discuss the book and encouraged Planning Commission to read the book and join the discussions.

Nomination of Officers

Mr. McGory nominated all existing officers for a new term; Mr. Waddington seconded the motion. The no further discussion the motion passes.

Mr. Zuilhof discussed the proposed corrections on the minutes. Mr. Miller motioned to approve the minutes with the corrections as discussed; Mr. Waddington seconded the motion.

Continuation of a Public Hearing for several parcels along First Street.

Mr. Horsman stated that the application was for two properties currently zoned as Single Family Residence, the application is proposing to rezone these parcels to Commercial Recreation. Mr. Horsman stated that the surrounding properties are zoned as Single Family Residential. Since the time of the last public hearing staff has reviewed the application and the permitted uses with the Commercial Recreation zoning district and the business districts. Staff is concerned about the available uses by right within the Commercial Recreation District and how they would affect the surrounding uses. Staff also reviewed the existing comprehensive plan and the previous comprehensive plan which called for low density residential. Understanding that staff reviews applications based on the best long term plans for the City, staff is recommending that zoning remain the same. The City is looking at long term strategies for development. Currently First Street is listed as a priority corridor for infrastructure and improvement, the city is offering residential tax abatement, and a future bike path is planned. For these reasons staff will uphold their position to maintain this as Single Family Residential zoning district.

Mr. Galea ask if there has been any discussion or plans for the engineering changes to First Street, in regards to traffic calming. The character of First Street directs Cedar Point traffic down that corridor which is not conducive to Single Family Residential. He ask if these changes were currently in the works or will the City be waiting for development to implement the changes.

Mr. Horsman stated that there is a number of corridors we are looking into; it is not something that is occurring currently but it is a priority.

Mr. Miller stated that there is single family resident's entrance to Cedar Point and the residence hate this option. Trying to slow down the traffic within this area does not help Cedar Point.

Mr. Horseman stated that the first priority is the residence of Sandusky, studies show that traffic calming will have negligible effects on putting traffic through an area. We want to make sure cars are not speeding through the area.

Mr. Miller stated that the area in question has fundamentally changed, the current houses are not what the existing market is craving.

Mr. Horsman stated that the vacant lots within the area will give opportunities for development, understanding the proximity to the water and connecting the area to opportunities such as the bike path.

Mr. Zuilof stated that the priority is respecting the rights of the current landowners. Mr. Zuilhof stated that there are three major property owners within the area, a street that does carry heavy traffic, and the area could be residential however it could be tough with houses having their own driveway along First Street. He is against this application because it is spot zoning. He feels that there are alternatives that should be looked into such as mixed uses, multifamily, or a planned unit development. A storage building on the entire lot does not serve the area well in the future. Zoning for a particular use in isolation is not a good policy.

Mr. McGory stated that he understands the concepts of the Bicentennial Vision plan and he knows there is intent to connect the Cedar Point facility on Cleveland Road, but cannot fathom First Street traffic ever changing. It is not conducive to developing residential, it is conducive to Commercial Recreation zoning.

Mr. Whelan stated that at the last meeting the Commission discussed a more holistic approach to rezoning the area, and ask staff if there has been any conversations along the line that staff could share with the Commission.

Mr. Horsman stated that they did discuss the rezoning in a holistic approach but went ahead with the original recommendation to not rezone these parcels in question.

Mrs. Byington stated that looking long term traffic calming on First Street is important. Staff also recognizes with the CRA being city wide, tax abatement being available, and the new housing programs residential development could be possible within this location. The uses that would be permitted if the property is rezoned to Commercial Recreation could be detrimental to the existing residential uses. Mrs. Byington stated that she is not speaking to the proposed development, only to the uses that would be permitted within the CR Commercial Recreation zoning district.

Mr. Zuilhof stated that if the application is approved we are done; if the application is not approved we are not necessarily done as staff can continue to look at other options with the applicant.

Mr. Rengel provided an attachment to the Commission regarding the comments that staff provided. Mr. Rengel stated that Planning staff stated that 25% of the houses west of Farwell are owner occupied. Mr. Rengel stated that there are 145 lots east of Farwell Street, of those 145 lots 24 of those are residential homes. At least 12 out of the 24 houses are not owner occupied houses. This would mean less than 8% of them are owner occupied. Mr. Rengel stated that many of the permitted uses within the Commercial Recreation zoning district would likely not occur and some of them will not be detrimental to the area, or different than what has already been developed within the area. The trend within the area is not residential, however it is more commercial uses that have already been developed. There will be immediate benefits within the area if the property is zoned to Commercial Recreation. Mr. Rengel stated that the vision of the Planning Department cannot occur without cooperation of the surrounding property owners and he is proof that one of the property owners do not agree with the current city plan.

Mr. Zuilhof stated he is voting against this, however he wants to point out that only having 8% of homes as owner occupied does not mean that the neighborhood is not stable. He is voting no because he believes it is spot zoning.

Beatrice Beckham, 1216 West Bogart Road, stated that they are attending to see what taking place, she agrees that spot zoning would not be good for the property. There are not many individuals property owners within the area, however many of them have lived there for 30-40 years. Mr. Beckham stated that she is a property owner with the area, she currently owns a property on Third Street.

Mr. Miller stated that the motion could be positive or negative, what is the next step, what needs to be changed or different. He understands staff's opinion however what the next step is for the applicant.

Ms. Byington stated that this matter will go to City Commission and a public hearing will be set no matter what the decision. If it is denied staff will continue to work with applicant. Mrs. Byington stated that they can also look at possibly reviewing the code to modify the uses permitted within the Commercial Recreation zoning district. Staff can also review the option of a zoning overlay district for transient rental. Staff can continue to look into long term solution for investments along First Street.

Mr. Miller ask staff if Planning Commission recommends denial does it takes a super majority of City Commission to rezone the property.

Ms. Byington confirmed that this is correct.

Mr. Miller motioned to approve the application for the requested zoning amendment for several parcels along First Street; Mr. Whelan seconded the motion.

With no further discussion the motion passed; 5 to 1.

Mr. Voltz asked the Commission to table the application from Carmelo Ruta regarding a petition for the vacation of a 20' alley between 1643 and 149 Cleveland Road and parcels on South Larchmont Drive.

Mr. Zuilhof stated that the application was withdrawn so it is off the agenda.

Mr. Robert Waldock asked if the application will then go to City Commission.

Mr. Zuilhof stated that it will go to City Commission and it will take a super majority of City Commission to override a recommendation to Planning Commissions.

The Commission nominated Joe Galea to the CRA Committee.

Mr. McGory motioned to adjourn the meeting; Mr. Waddington seconded the motion.

With no further business, the meeting at 5:24 PM.

APPROVED:

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Casey Sparks, Clerk

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Michael Zuilhof, Chairman

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF SANDUSKY TO REZONE SEVEN (7) PARCELS FROM "R1-40" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "CR" COMMERCIAL RECREATION DISTRICT.**

**WHEREAS**, a request is being made on behalf of RLR Properties, Ltd. and Central Erie, Ltd. for an amendment to the Zone Map No. 96-01 as codified in Section 1121.03 of the Codified Ordinances of the City for three (3) parcels located at Lots 404, 405, 406, and 407 First Street and Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000) and four (4) parcels located at Lots 425, 426, and 427 First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001) from "R1-40" Single-Family Residential District to "CR" Commercial Recreation District and as more fully described in Exhibit "A" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein; and

**WHEREAS**, a public hearing was held by the Planning Commission December 19, 2018, in which the Planning Commission tabled the application, and subsequently this request was heard by the Planning Commission at their January 23, 2019, meeting resulting in the Planning Commission's recommendation to **approve** the requested Zone Map Amendment for three (3) parcels located at Lots 404, 405, 406, and 407 First Street and Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000) and four (4) parcels located at Lots 425, 426, and 427 First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001); and

**WHEREAS**, a public hearing on the applicant's request was held by this City Commission at their March 11, 2019, regularly scheduled meeting; and

**WHEREAS**, this Ordinance should be passed approving the Amendment to the Zone Map 96-01 as Codified in Section 1121.03 of the Codified Ordinances three (3) parcels located at Lots 404, 405, 406, and 407 First Street and Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000) and four (4) parcels located at Lots 425, 426, and 427 First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001) from "R1-40" Single-Family Residential District to "CR" Commercial Recreation District; 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 Department of Community Development, 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 approves the requested rezoning and the Zone Map 96-01, as codified in Section 1121.03 of the Codified Ordinances of the



City, is hereby amended to effect the rezoning of three (3) parcels located at Lots 404, 405, 406, and 407 First Street and Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000) and four (4) parcels located at Lots 425, 426, and 427 First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001) from "R1-40" Single-Family Residential District to "CR" Commercial Recreation District as more fully described in Exhibits "A" and "B" which are attached to this Ordinance and specifically incorporated herein.

Section 2. The City's Chief Planner is directed to make the change on the original Zoning Map on file in the Office of Planning and Zoning.

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 shall take effect at the earliest time allowed by Law.

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

ATTEST: \_\_\_\_\_  
KELLY KRESSER  
CLERK OF THE CITY COMMISSION

Passed:

RLR Properties, Ltd  
D. Jeffery Rengel, sole unitholder

404, 405, 406, 407 First St. WH Lockwood Subdivision, Ward 2  
400 Second St. WH, Ward 2  
401, 402, 403 Second St. WH Lockwood Subdivision, Ward 2

57-03841.000 (four lots)  
57-03857.000 (one lot)  
57-03858.000 (three lots)

**Central Erie, Ltd**  
**D. Jeffery Rengel, sole unitholder**

425 First St., Lockwood Subdivision WH, Ward 2 & vacated alley  
 426 First St., Lockwood Subdivision WH, Ward 2  
 427 First St., Lockwood Subdivision WH, Ward 2 & vacated alley  
 428, 429, 430 Second St., Lockwood Subdivision WH, Ward 2 & vacated alley rear of  
 lots

57-03851.000 (one lot)  
57-00555.000 (one lot)  
57-03852.000 (one lot)  
57-03852.001 (three lots)

50.00 Robert Rengel.

QUITCLAIM DEED

RN 112263 OR 363/ 932  
JOHN W. SCHAEFFER  
RECORDING FEE:  
CTR Rec. Date 11/14/97 Time 11P 50.00 14:39

I, Robert C. Sr. and LaDonna J. Rengel, married as husband and wife respectively, of Erie County, Ohio, for valuable consideration paid, do grant, bargain and convey to RLR Properties, Ltd. and whose tax mailing address shall be 1507 Shelby Street, Sandusky, Ohio 44870, the following described premises:

Parcel No. 1

Situated in the City of Sandusky, County of Erie and State of Ohio, and being the Northerly Eighty and Eighty-nine Hundredths (80.89) feet of Lot Number Thirty-Five (35) on First Street in the John Whitworth and L.L. Curtis Subdivision in the City of Sandusky, Erie County, Ohio, as per Plat recorded in Volume 5 of Plats, Page 25, Erie County, Ohio Records.  
Perm. Parcel # 57-03837; 1230 First Street.

Parcel No. 2

Situated in the City of Sandusky, County of Erie and State of Ohio, and being that part of Outlot Number Thirty-Five (35) in Darling's Survey East of Sycamore Line, in the City of Sandusky, Erie County, Ohio, bounded and described as follows:

Beginning in the North line of First Street at its intersection with the West line of a 2.81 acre tract set off to Charles and Harriet Todd by proceedings in Supreme Court of Ohio in the year 1845, and recorded in Supreme Chancery Records Volume 2, Page 160, Erie County Common Pleas Court, said point being approximately 316.6 feet East of the West line of said Outlot Number 35; thence running North 7 degrees 30' East, 132.0 feet; thence South 82 degrees 30' East, 30.0 feet; thence South 7 degrees 00' West, 132.0 feet to the North line of First Street; thence North 82 degrees 30' West, along the North line of First Street, 30.0 feet to the place of beginning.  
Perm Parcel # 57-03838; 1243 First Street.

Parcel No. 3

Situated in the City of Sandusky, County of Erie and State of Ohio, and beginning at a point in the North R/W line of First Street, said point being located S 80 degrees 01' E, and a distance of 30.00 feet from the Southeast corner of lands conveyed to Farrell-Cheek Steel Co., per Erie County Deed Volume 160, Page 215, and Volume 331, Page 287, said point marking the Southeast corner of Lot #68; thence along east line of Lot #68, a distance of 110.00' to a point; thence S 80 degrees 01' E, and a distance of 43.00' to a point; thence S 10 degrees 00' W, and a distance of 110.00' to a point in the North R/W line of First Street; thence N 80 degrees 01' W, along the North line of First Street, a distance of 43.00' to the point of beginning, containing 0.0108 acres, more or less.  
Perm. Parcel # 57-03831; 1245 First Street.

Parcel No. 4

Situated in the City of Sandusky, County of Erie and State of Ohio, and being that part of Outlot Number Thirty-Five (35) in Darling's Survey East Sycamore Line, in the City of Sandusky, Erie County, Ohio, bounded and described as follows:

On the South and North line of First Street; on the East and the North by the land conveyed by Emma Cronk by deed dated November 5, 1913, and recorded in Volume 98 of Deeds, Page 267, Erie County, Ohio Records; and on the West by the East line of the property now or formerly owned by Fred J. Wagner, Jr. Said premises having a frontage of forty (40) feet on the North line of First Street and extending Northerly therefrom, between parallel lines, a distance of One Hundred Thirty-two (132) feet, being known as House #1251 First Street, Sandusky, Ohio.  
Perm. Parcel # 57-03839; 1251 First Street.

Parcel No. 5

Situated in the City of Sandusky, County of Erie, and State of Ohio, and being in the Second Ward of the City of Sandusky, commencing at a point in the North line of First Street, and 180.5 feet Westerly from the East line of Outlot 35, East of Sycamore Line; thence Northerly along Rose Burden's West Line, parallel with the East line of the above outlot No. 35, to the South line of the Lake Shore and Michigan Southern Railway pier track right of way; thence Northwesterly along the Southerly line of the above Lake Shore and then Northwesterly along Southerly line of the above Lake Shore and Michigan Southern Railway right of way to the East line of property in the name of E. W. Wagner; thence Southerly along Wagner's East line to the North line of First Street;

ERN 112263 ERIE COUNTY OHIO RECORDER  
thence Easterly to the point of the beginning, containing about 38/100 of acre, EXCEPTING, however, from the above described lands, a parcel of land taken from the southwest corner thereof, and having a frontage of 40 feet on First Street, and being 132 feet, in depth, and also EXCEPTING from the above described lands, a parcel of land taken from the Southeast corner thereof, and having a frontage of 37.86 feet on First Street and being 132 foot in depth.  
Perm. Parcel # 57-03840; 1303 First Street.

**Parcel No. 6**

Situated in the City of Sandusky, County of Erie and State of Ohio, and beginning at a point in the North R/W line of First Street, said point being located S 80 degrees 01' E, and a distance of 166.40' from the Southeast corner of lands conveyed to Farrell-Cheek Steel Co., per Erie County Deed Volume 160, Page 215, and Volume 331, Page 287; thence N 10 degrees 00' E, and a distance of 132.00' to a point; thence S 80 degrees 01' E, and a distance of 47.50' to a point; thence S 10 degrees 00' W, and a distance of 132.00' to a point in the North R/W line of First Street; thence N 80 degrees 01' W, along the North line of First Street, a distance of 47.50' to the point of beginning. Containing 0.143 acre, more or less.  
Perm. Parcel # 57-03835; 1305 First Street.

**Parcel No. 7**

Situated in the City of Sandusky, County of Erie and State of Ohio, and beginning at a point marking the Northeast corner of lands conveyed to Farrell-Cheek Steel Co., per Erie County Deed Volume 160, Page 215, and Volume -31, Page 287; said point being located in the South R/W line of the Penn-Central R.R. Co.; thence S 46 degrees 50' E, along said R.R. Co. South R/W line, a distance of 106.34' to a point; thence S 10 degrees 00' W, and a distance of 122.19' to a point, thence N 80 degrees 01' W, and a distance of 16.00' to a point; thence S 10 degrees 00' W, and a distance of 38.00' to a point; thence N 80 degrees 01' W, and a distance of 43.00' to a point in the East line of Lot #68; thence N 10 degrees 00' W, along the East line of Lot #68, a distance of 22.00' to the Northeast corner of Lot #68; thence N 80 degrees 01' W, along the North line of Lot #68, a distance of 30.00 feet to a point; thence N 10 degrees 00' E, and a distance of 196.39' to the point of beginning. Containing 0.357 acre, more or less. (Provision is also made for easement, see description.)  
Perm. Parcel # 57-03832; 1245 First Street (rear).

**Parcel No. 8**

Situated in the City of Sandusky, County of Erie and the State of Ohio, and being known as Sublot No. 404 First Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03841; 404 First Street.

**Parcel No. 9**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 405 First Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03841; 405 First Street.

**Parcel No. 10**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 406 First Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03841; 406 First Street.

**Parcel No. 11**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 407 First Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03841; 407 First Street.

**Parcel No. 12**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 425 First Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Deed Volume 6, Page 37, together with the North 1/2 between the East and West lines of Lot 425 extended Southerly, of a vacated alley.  
Perm. Parcel #57-03851; 425 First Street.

**Parcel No. 13** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 427 First Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03852; 427 First Street.

**Parcel No. 14** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 380 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm Parcel # 57-03853; 380 Second Street.

**Parcel No. 15** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 381 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03854; 381 Second Street.

**Parcel No. 16** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Lot No. 382 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03855; 383 Second Street.

**Parcel No. 17** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 400 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03857; 400 Second Street.

**Parcel No. 18** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Lot No. 401 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03858; 401 Second Street.

**Parcel No. 19** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 402 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03838; 402 Second Street.

**Parcel No. 20** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 403 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03858; 403 Second Street.

**Parcel No. 21** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 428 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37.  
Perm. Parcel # 57-03852.001; 428 Second Street.

**Parcel No. 22** ✓

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 429 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37, together with the South 1/2 between the East and West lines of Lot 429, extended Northerly, of a vacated alley.  
Perm. Parcel # 57-03852; 429 Second Street.

Erie County Deed Volume 160, Page 215, and Volume 331, Page 287; thence continuing S 46 degrees 50' E, along said R. R. Co., South R/W line, a distance of 92.46' to a point in the West line of an existing alley; thence S 10 degrees 00' W, along the West line of said alley, a distance of 64.01' to a point; thence N 80 degrees 01' West, and a distance of 34.40' to a point; thence N 10 degrees 00' E, and a distance of 30.00' to a point; thence N 80 degrees 01' W, and a distance of 84.90' to a point; thence N 10 degrees 00' E, and a distance of 16.00' to a point; thence N 40 degrees 21' E, and a distance of 52.00' to a point; thence N 43 degrees 22' E, and a distance of 28.47' to the point of beginning. Containing 0.178 acres, more or less. (Provision is also made for easement, see description.) situated in the Township of Margaretta, County of Erie and State of Ohio and being Sublots No. 316 and 317 in Crystal Rock Allotment Subdivision B, being part of Lot 10 of the annexation of Margaretta Township as shown on the recorded plat in Volume 9 of Plats, Page 6 of Erie County Records; and being 40 feet on the East side of Sandusky Avenue and extending back 88.60 feet on the North line and 88.46 feet on the South line, and 40 feet on the rear line as to Lot 316; and being 90 feet on Sandusky Avenue and extending back equal distance of 45 feet as to Lot 317.  
Perm. Parcel # 57-03836 ; 1311 First (Garages)

Prior title recorded in Volume 443, page 272 of Erie County, Ohio Deed Records.

To have and to hold said premises with all privileges and appurtenances thereunto belonging, to the said grantees, as tenants in common during their several joint lifetimes, with remainder in fee simple absolute to the ultimate survivor of them, his or her heirs and assigns forever.

I, LaDonna J. Rengel, wife of grantor, Robert C. Rengel, Sr., do hereby release, remise and quitclaim all rights of dower which we may have therein.

Witness our hands this 17<sup>th</sup> day of November 1997

WITNESSES:

Shirley A. Sample

Robert C. Rengel Sr.  
ROBERT C. RENGEL, SR.

Lori J. Nemres

LaDonna J. Rengel  
LADONNA J. RENGEL

STATE OF OHIO )  
 ) ss.  
COUNTY OF ERIE )

BEFORE ME, a Notary Public in and for the State of Ohio, did personally appear ROBERT C. RENGEL and LADONNA J. RENGEL who each did swear and state that they did sign the foregoing instrument on the 17<sup>th</sup> day of NOVEMBER 1997



D. Jeffery Rengel  
NOTARY PUBLIC

DEED PREPARED WITHOUT BENEFIT OF SURVEY; PREPARED USING LEGAL DESCRIPTION GIVEN BY TITLE COMPANY.

D. JEFFERY RENGEL  
Notary Public/Attorney At Law  
My Commission does not expire.  
O.R.C. 147.03

This instrument prepared by:  
D. Jeffery Rengel  
Rengel Law Office  
421 Jackson Street  
Sandusky, Ohio 44870  
419-627-0400

MICROFILMED

transcribed  
Nov. 14, 1997  
Rene A. Strickland  
fct 7.01.97



## WARRANTY DEED

Robert C, Sr. and LaDonna J. Rengel, married as husband and wife respectively, individually and as authorized agents of RLR Properties, Ltd., an Ohio limited liability corporation, and as trustees of the Robert C. Rengel Sr. Trust Agreement and the LaDonna J. Rengel Trust Agreement (both dated August 2, 1999, and as amended and restated on June 12, 2006), of 1507 Shelby Street, Sandusky, Ohio 44870, for valuable consideration paid, do give, grant, bargain and convey to Central Erie, Ltd., an Ohio limited liability corporation, whose tax mailing address shall be 421 Jackson Street, Sandusky, Ohio 44870, the following described premises:

**Parcel No. 1--425 First St.**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 425 First Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Deed Volume 6, Page 37 together with the North 1/2 of a Ten (10) foot, more or less, vacated alley between the East and West lines of Lot 425 as lies between Sublot Nos. 425 and 430.

Perm. Parcel#57-03851.

**Parcel No. 2--427 First St.**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 427 First Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37 together with the North 1/2 of a vacated alley between the East and West lines of Sublot No. 427 as lies between Sublot Nos. 428 and 427. In addition, a vacated alley lying Easterly of Sublot No. 427 extending to Sublot No. 596 and bounded on the North by First Street and extending in a Southerly direction 201.26 feet, more or less.

Perm. Parcel#57-03852.

**Parcel No. 3--428 Second St.**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 428 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37 together with the South 1/2 of a Ten (10) foot, more or less, vacated alley as lies between Sublot Nos. 428 and 427, between the East and West lines of Sublot No. 428. In addition, a vacated alley lying Easterly of Sublot No. 428 extending to Sublot No. 584 and bounded on the North by and including the South 1/2 of the aforesaid vacated alley of Ten (10) feet and extending in a Southerly direction 201.26 feet, more or less.

Perm. Parcel#57-03852.001

**Parcel No. 4-- 429 Second St.**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 429 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37, together with the South 1/2 of a Ten (10) foot, more or less, vacated alley between the East and West lines of Lot 429 as lies between Sublot Nos. 429 and 426.

Perm. Parcel#57-03852.001

**Parcel No. 5-- 430 Second St.**

Situated in the City of Sandusky, County of Erie and State of Ohio, and being known as Sublot No. 430 Second Street in the Sandusky Business Men's Association Subdivision No. 1, as recorded in Erie County Plat Volume 6, Page 37, together with the South 1/2 of a Ten (10) foot, more or less, vacated alley between the East and West lines of Lot 430 as lies between Sublot Nos. 430 and 425.

Perm. Parcel#57-03852.001

be the same more or less, but subject to all legal highways.

**TO HAVE AND TO HOLD** the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, its successors and assigns forever. And Robert C, Sr. and LaDonna J. Rengel, married as husband and wife respectively, individually and as authorized agents of RLR Properties, Ltd., an Ohio limited liability corporation, the said Grantors, do for themselves and their successors, assigns, heirs, executors and administrators, covenant with the said Grantee, its successors and assigns, that at and until the ensembling of these presents, that they are well seized of the above described premises, as a good and indefeasible estate in FEE SIMPLE, and have good right to bargain and sell the same in manner and form as above written, and that the same are free from all encumbrances whatsoever except taxes and assessments, both general and special, which are a lien but not yet due and payable and that they will **WARRANT AND DEFEND** said premises, with the appurtenances thereunto belonging, to the said Grantee, its successors and assigns, against all lawful claims and demands whatsoever except said encumbrances.

Witness our hands this 12<sup>th</sup> day of June, 2009.

LaDonna J. Rengel  
LaDonna J. Rengel, individually and as  
authorized agents of RLR Properties, Ltd., an  
Ohio limited liability corporation and as trustee  
of the LaDonna J. Rengel Trust Agreement  
(dated August 2, 1999, and as  
amended and restated on June 12, 2006)

Robert C. Rengel Sr.  
Robert C. Rengel, Sr., individually and as  
authorized agents of RLR Properties, Ltd., an  
Ohio limited liability corporation and as trustee  
of the Robert C. Rengel Sr. Trust Agreement  
(dated August 2, 1999, and as amended and  
restated on June 12, 2006)

STATE OF OHIO )  
 )ss.  
COUNTY OF ERIE )

BEFORE ME, a Notary Public in and for the State of Ohio, did personally appear  
ROBERT C. RENGEL and LADONNA J. RENGEL, individually and as authorized agents of  
RLR Properties, Ltd., an Ohio limited liability corporation and as trustees of of the Robert C.  
Rengel Sr. Trust Agreement and the LaDonna J. Rengel Trust Agreement (both dated August 2,  
1999, and as amended and restated on June 12, 2006) who each did swear and state that they did  
sign the foregoing instrument on the 12th day of June, 2009.

Lori J. Demres  
NOTARY PUBLIC

my commission expires:

This instrument prepared by:  
D. Jeffery Rengel  
Rengel Law Office  
421 Jackson Street  
Sandusky, Ohio 44870  
419-627-0400

LORI J. DEMRES  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES APR. 4, 2011



APPROVED as per Erie County Requirements  
And Sections 4733-27 thru 4733-37-07 of the  
Ohio Administrative Code only. No Field  
Verifications for Accuracy made.

Erie County Engineer  
7/17/09

<b>Transferred</b>	
In Compliance with sections 319-202 and 322-02 of the Ohio Revised Code.	
FEE: \$	<u>5.00</u>
EXEMPT:	
R.E. TRANSFER:	
\$	<u>15.00</u>
Thomas J. Paul Erie County Auditor	
Trans. Fees: \$	<u>3.50</u>
Date: <u>7/17/09</u>	By: <u>[Signature]</u>

Thomas J. Paul



# WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS** That Judith Rengel, the Grantor, who claims title by or through instrument, recorded in RN \_\_\_\_\_ and RN \_\_\_\_\_, Erie County Recorder's Office, for the consideration of TEN Dollars (\$10.00) received to her full satisfaction of Central Erie Ltd., an Ohio limited liability corporation, the Grantee, whose TAX MAILING ADDRESS will be 421 Jackson Street, Sandusky, Ohio, do give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the following described premises, situated in the City of Sandusky, County of Erie and State of Ohio:

**PARCEL No. 1:**

Being known as Lot No. 912 on Taft Street in the Sandusky Businessmen's Association Subdivision of Outlot no. 25 East of Sycamore line as per Plat recorded in Volume 6 of Plats at page 39 of Erie County Plat Records.

(Auditor's P.P. No. 57-0056)

**PARCEL No. 2:**

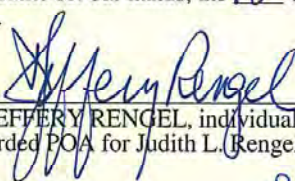
Being known as Lot No. 426 on First Street in the Lockwood Subdivision as per Plat recorded in Volume 6 of Plats at page 39 of Erie County Plat Records. And any interest in a vacated alley adjacent to lot 426.  
(Auditor's P.P. No. 57-00555.000)

be the same more or less, but subject to all legal highways.

**TO HAVE AND TO HOLD** the above granted and bargained premises, with the appurtenances thereof, unto the said Grantee, its successors and assigns forever. And Judith Rengel, the said Grantor, does for herself and her heirs, executors and administrators, covenant with the said Grantee, its successors and assigns, that at and until the enrolling of these presents, she is well seized of the above described premises, as a good and indefeasible estate in FEE SIMPLE, and have good right to bargain and sell the same in manner and form as above written, and that the same are free from all encumbrances whatsoever except easements, appurtenances, encroachments, rights-of-way and taxes which are a lien but not yet due and payable, and that she will WARRANT AND DEFEND said premises, with the appurtenances thereunto belonging, to the said Grantee, its successors and assigns, against all lawful claims and demands whatsoever except said encumbrances.

Further, that D. Jeffery Rengel, husband of Grantor, does surrender any and all claim of dower in said property and grant to Grantee, its successors and assigns for now and for all time.

**IN WITNESS WHEREOF**, We have hereunto set our hands, the 18<sup>th</sup> day of October, in the year of our Lord One Thousand Two Hundred and Six.

  
D. JEFFERY RENDEL, individually and under  
recorded POA for Judith L. Rengel

STATE OF OHIO )  
                          )ss.  
ERIE COUNTY     )

POA - OR 152 / 802

**Before me**, a Notary Public in and for said County and State, personally appeared the above named D. Jeffery Rengel, individually and under power of attorney for Judith L. Rengel, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

*mail*  
This instrument prepared by:  
D. Jeffery Rengel  
Rengel Law Office  
421 Jackson Street  
Sandusky, Ohio 44870  
419-627-0400

**In Testimony Whereof** I have hereunto  
set my hand and official seal, at  
Sandusky, Ohio this 18<sup>th</sup>  
day of October, A.D. 2006

  
NOTARY PUBLIC

LORI J. DEMRES  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES APR. 4, 2011



LW FCW DE BP  
Q1 PR Q2 SC

MICROFILMED/  
SCANNED

RN 200613180      Page 1 of 2  
ERIE COUNTY OHIO RECORDER  
Barbara A. Sessler      2P  
RECORDING FEE:      28.00  
CTR Date 10/18/2006      Time 13:54:55

NOTED BY THE RECORDER FOR THE COUNTY ENGINEER  
DATE: 10-18-06

APPROVED as per Erie County Requirements  
And Sections 4733.27 and 4733.37 of the  
Ohio Administrative Code (OAC) No Field  
Verifications for Accuracy made.

*transferred*  
*October 18, 2006*  
*Connie L. Ward*  
ERIE COUNTY AUDITOR  
*\$1,500.00*  
Erie County Engineer  
*10-18-06*

This conveyance has been examined and the grantor has complied with sections 310-202 and 322-02 of the Revised Code.	
FEE: \$	<input checked="" type="checkbox"/>
EXEMPT: <input type="checkbox"/>	
R. E. TRANSFER:	
By: <i>Connie L. Ward</i>	
CONNIE L. WARD Erie County Auditor	





## Proposed Zoning Change from "R1-40" Single-Family Residential District to "CR" Commercial Recreation District



Property #1: Three (3) parcels located at Lots 404, 405, 406, and 407 First Street, Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000).

Property #2: Four (4) parcels located at Lot 425, 426, and 427, First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001).

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DISAPPROVING THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND THE OFFICIAL ZONE MAP OF THE CITY OF SANDUSKY TO REZONE SEVEN (7) PARCELS FROM "R1-40" SINGLE-FAMILY RESIDENTIAL DISTRICT TO "CR" COMMERCIAL RECREATION DISTRICT.**

**WHEREAS**, a request is being made on behalf of RLR Properties, Ltd. and Central Erie, Ltd. for an amendment to the Zone Map No. 96-01 as codified in Section 1121.03 of the Codified Ordinances of the City for three (3) parcels located at Lots 404, 405, 406, and 407 First Street and Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000) and four (4) parcels located at Lots 425, 426, and 427 First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001) from "R1-40" Single-Family Residential District to "CR" Commercial Recreation District and as more fully described in Exhibit "A" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein; and

**WHEREAS**, a public hearing was held by the Planning Commission December 19, 2018, in which the Planning Commission tabled the application, and subsequently this request was heard by the Planning Commission at their January 23, 2019, meeting resulting in the Planning Commission's recommendation to approve the requested Zone Map Amendment for three (3) parcels located at Lots 404, 405, 406, and 407 First Street and Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000) and four (4) parcels located at Lots 425, 426, and 427 First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001); and

**WHEREAS**, a public hearing on the applicant's request was held by this City Commission at their March 11, 2019, regularly scheduled meeting; and

**WHEREAS**, this Ordinance should be passed disapproving the recommendation of the Planning Commission to amend the Zone Map 96-01 as Codified in Section 1121.03 of the Codified Ordinances to rezone three (3) parcels located at Lots 404, 405, 406, and 407 First Street and Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000) and four (4) parcels located at Lots 425, 426, and 427 First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001) from "R1-40" Single-Family Residential District to "CR" Commercial Recreation District; 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 Department of Community Development, 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 disapproves the recommendation of the Planning Commission to rezone three (3) parcels located at Lots 404, 405, 406, and 407 First Street and Lots 400, 401, 402, and 403 Second Street (Parcel Nos. 57-03841.000, 57-03857.000, and 57-03858.000) and four (4) parcels located at Lots 425, 426, and 427 First Street and Lots 428, 429, and 430 Second Street (Parcel Nos. 57-03851.000, 57-00555.000, 57-03852.000, and 57-03852.001) from "R1-40" Single-Family Residential District to "CR" Commercial Recreation District.

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 KRESSER  
CLERK OF THE CITY COMMISSION

Passed:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE MAKING GENERAL APPROPRIATIONS FOR THE FISCAL YEAR 2019.**

**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 Department of Finance, 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. There shall be and hereby are appropriated out of any funds now in the treasury and any accruing revenues of the City available for said purposes, the values set forth below for the payment of all expenses and obligations of the City during fiscal year 2019, for the various purposes hereinafter specified.

Section 2. The amounts appropriated for the various purposes hereinafter set forth shall, in no event, be exceeded unless the City Commission shall by Ordinance authorize a transfer from one appropriation account to another, or shall appropriate additional unappropriated funds:

<b>DEPARTMENT</b>	<b>PERSONAL SERVICES</b>	<b>OTHER</b>	<b>TOTAL</b>
POLICE PATROL	4,800,481	322,597	5,123,078
POLICE RECORDS	166,760	216,368	383,128
POLICE RESERVES	164,885	3,500	168,385
FIRE	4,863,565	340,000	5,203,565
STREET LIGHTING	-	255,000	255,000
OAKLAND CEMETERY	341,235	74,600	415,835
COMMUNITY DEVELOPMENT	890,683	192,000	1,082,683
CITY WIDE ECON DEVELOPMNT	-	30,000	30,000
BUILDING DIVISION	362,248	69,200	431,448
HORTICULTURAL SERVICES	1,100,623	381,212	1,481,835
CITY MANAGER	196,461	20,000	216,461
ADMINISTRATIVE SERVICES	88,336	38,218	126,554
FINANCE	134,908	17,155	152,063
INCOME TAX	73,682	391,650	465,332
DATA PROCESSING CENTER	150,400	255,065	405,465
LAW	300,127	41,219	341,346
CITY COMMISSION	26,609	7,201	33,810
CITY COMMISSION CLERK	43,911	1,188	45,099
MUNICIPAL COURT	1,120,404	52,000	1,172,404
BUILDING MAINTENANCE	352,604	319,484	672,088

**PAGE 2 - ORDINANCE NO. \_\_\_\_\_**

ENGINEERING	315,111	89,700	404,811
FLEET MAINTENANCE	304,622	126,950	431,572
ADMINISTRATIVE SUPPORT	-	977,000	977,000
TRANSFERS:			
STREET FUND	-	127,162	127,162
TRANSIT FUND	-	241,000	241,000
PARKS & RECREATION FUND	-	377,850	377,850
POLICE PENSION FUND	-	496,742	496,742
PAYROLL STAB FUND	-	50,000	50,000
CAPITAL ECONOMIC DEV FUND	-	475,000	475,000
CAPITAL COMMUNITY DEV FUND	-	300,000	300,000
CAPITAL STREETS/RIGHT OF WAY FUND	-	985,000	985,000
CAPITAL PARKS & REC FUND	-	325,000	325,000
CAPITAL FLEET/VEHICLES/EQUIP. FUND	-	145,000	145,000
CAPITAL PLANNING/SPECIAL PROJECTS / PUB ART FUND	-	45,000	45,000
CAPITAL PUBLIC ART COMMISSION FUND	-	41,527	41,527
CAPITAL PROGRAMMING/MARKETING	-	148,693	148,693
FIRE PENSION FUND	-	709,587	709,587
BOND RETIREMENT FUND	-	403,299	403,299
GENERAL FUND	15,797,655	9,092,167	24,889,822
STREETS	883,840	334,000	1,217,840
SNOW & ICE REMOVAL	-	70,000	70,000
TRAFFIC & ELECTRICAL MNTC	140,172	204,150	344,322
STREET FUND	1,024,012	608,150	1,632,162
ST HIGHWAY FUND	50,000	41,000	91,000
TRANSIT	-	150,000	150,000
2018 PUBLIC TRANSIT	9,456	167,067	176,523
2019 PUBLIC TRANSIT FUND	105,264	2,157,235	2,262,499
TRANSIT FUND	114,720	2,474,302	2,589,022
PAPER DISTRICT MARINA PAVILION	-	25,930	25,930
MILLS CREEK GOLF COURSE	-	2,300	2,300
RECREATION DEPARTMENT	103,500	120,000	223,500
BOAT LAUNCH RAMP	263,450	160,470	423,920
PARKS & RECREATION FUND	-	22,200	22,200
	366,950	330,900	697,850
FIRE PENSION FUND	799,749	48,355	848,104
POLICE PENSION FUND	598,553	36,706	635,259
POLICE	-	25,000	25,000
UNDERGROUND STORAGE GRANT	-	32,000	32,000
LANDBANK	-	25,000	25,000
HOME PROGRAM	-	2,000	2,000
REVOLVING LOAN-ECO DEV	-	275,000	275,000

**PAGE 3 - ORDINANCE NO. \_\_\_\_\_**

STATE GRANTS FUND	-	359,000	359,000
POLICE JAG	-	6,000	6,000
POLICE BULLETPROOF VESTS	-	7,000	7,000
EMS	-	25,000	25,000
BROWNFIELD GRANT - ASSESSMENT	-	100,000	100,000
BROWNFIELD GRANT - REMEDIATION	-	100,000	100,000
HUD CDBG	220,000	550,000	770,000
FEDERAL GRANTS FUND	220,000	788,000	1,008,000
INDIGENT DRIVER ALCOHOL TRT FUND	-	80,000	80,000
ENFORCEMENT & EDUCATION FUND	-	1,000	1,000
COURT COMPUTER FUND	10,000	25,000	35,000
INDIGENT TELEPHONE FUND	-	1,000	1,000
COURT PROBATION FUND	15,000	40,000	55,000
PAYROLL STAB FUND	145,000	-	145,000
REAL ESTATE DEV FUND	-	250,000	250,000
CAPITAL - SECURITY OF PERSONS & PROP	-	50,000	50,000
CAPITAL - HEALTH	-	5,000	5,000
CAPITAL - LEISURE	-	350,000	350,000
CAPITAL - COMMUNITY	-	5,000	5,000
CAPITAL - TRANSPORTATION	-	150,000	150,000
CAPITAL - GENERAL GOVERNMENT	-	50,000	50,000
TOTAL CAPITAL IMPROVEMENT FUND	0	610,000	610,000
POLICE PATROL	-	150,000	150,000
EMS	80,000	1,625,000	1,705,000
PUBLIC ART COMMISSION FUND	-	43,000	43,000
SCHADE/MYLANDER PLAZA	-	100,000	100,000
SANDUSKY BAY PATHWAY	-	75,000	75,000
RECREATION IMPROVEMENTS	-	50,000	50,000
SAND BAY STRATEGIC RESTORATION INITIATIVE	-	165,000	165,000
SANDUSKY BAY INITIATIVE	-	141,000	141,000
COMMUNITY DEVELOPMENT	-	475,000	475,000
ECONOMIC DEVELOPMENT	-	1,000,000	1,000,000
NEIGHBORHOOD INITIATIVE	-	450,000	450,000
WESTEND OVERPASS	-	225,000	225,000
STREET PROJECTS	-	500,000	500,000
CAPITAL STREETS/RIGHT OF WAY FUND	-	1,345,000	1,345,000
CAPITAL PARKS & REC FUND	-	500,000	500,000
CAPITAL FLEET/VEHICLES/EQUIPMENT FUND	-	185,000	185,000



**PAGE 4 - ORDINANCE NO. \_\_\_\_\_**

CAPITAL PLANNING/SPECIAL PROJECTS/PUB ART FUND	-	65,000	65,000
SHORELINE DRIVE PROJECT	-	4,500,000	4,500,000
JACKSON ST PIER PROJECT	-	4,500,000	4,500,000
TRANSIT CAPITAL	-	38,000	38,000
DATA PROCESSING	-	100,000	100,000
MUNI COURT	25,000	50,000	75,000
CITY HALL RELOCATION	-	916,000	916,000
PAPER DISTRICT	-	1,275,000	1,275,000
WAYFINDING/LANDING PROJECTS	-	2,710,000	2,710,000
AMTRACK STATION UPGRADES	-	5,000	5,000
JUSTICE CENTER	-	150,000	150,000
FLEET MAINTENANCE	-	5,000	5,000
CAPITAL PROJECTS FUND	105,000	21,343,000	21,448,000
TAX INCREMENT FUND	-	20,000	20,000
PP REMOVAL UNSAFE BLDGS	-	40,000	40,000
NUISANCE REMOVAL	-	25,000	25,000
RENTAL REGISTRATION FEE	260,000	20,000	280,000
INSPECTION FEE	-	20,000	20,000
ADMIN FEE	-	5,500	5,500
SPECIAL ASSESSMENT FUND	260,000	110,500	370,500
FIRE STA. #1 RELOCATION	-	258,188	258,188
SCHADE/MYLANDER PLAZA	-	15,773	15,773
LIBRARY LEVY	-	422,413	422,413
ERI-SANDUSKY STREETScape	-	71,819	71,819
COL AVE UNDERPASS IMP	-	4,339	4,339
LANE ST IMPR	-	14,436	14,436
ST-REMINGTON	-	5,211	5,211
BUTLER ST RAMP	-	9,378	9,378
ERI - AMTRAK STATION	-	10,515	10,515
POL/COURT/LAW RENOVATION	-	17,258	17,258
DEBT SERVICE-BONDS	-	805,695	805,695
BOND RETIREMENT FUND	0	1,635,025	1,635,025
URBAN RENEWAL TEMP REV BOND FUND	-	431,455	431,455
SPECIAL ASMNT BOND RETIREMENT FUND	-	255,183	255,183
CAO	161,303	42,845	204,148
BIWW FILTRATION PLANT	1,544,776	1,334,700	2,879,476
WATER DISTRIBUTION DEPT	1,124,064	501,500	1,625,564
ADMINISTRATIVE SUPPORT	750,000	330,500	1,080,500
BIWW BUILDING IMPROVEMENTS	-	150,000	150,000
PAC & BAY INTAKE REPLACEMENT	-	50,000	50,000
HEALTH & SAFETY GRANT PROGRAM	-	100,000	100,000
EQUIPMENT REPLACEMENT	-	250,000	250,000

**PAGE 5 - ORDINANCE NO. \_\_\_\_\_**

CEDAR POINT WATERLINE	-	250,000	250,000
GENERAL PLAN & WEST SIDE UTILITY	-	250,000	250,000
SHELDON'S MARSH INTAKE	-	50,000	50,000
JACKSON ST PIER-OWDA	-	476,580	476,580
CAPITAL OUTLAY	-	500,000	500,000
DEBT SERVICE-BASIC UTIL	-	1,784,597	1,784,597
WATER FUND	3,580,143	6,070,722	9,650,865
CAO	161,303	42,845	204,148
WATER POLLUTION CONTROL PLANT	1,900,528	1,614,600	3,515,128
SEWER MAINTENANCE DEPT	1,135,170	716,000	1,851,170
ADMINISTRATIVE SUPPORT	750,000	380,500	1,130,500
STORM WATER	-	202,000	202,000
WPC BUILDING IMPROVEMENTS	-	100,000	100,000
HEALTH & SAFETY GRANT PROGRAM	-	100,000	100,000
LIFT & PUMP STATIONS	-	365,000	365,000
EQUIPMENT REPLACEMENT	-	250,000	250,000
GENERAL PLAN & WEST SIDE UTILITY	-	350,000	350,000
VENICE RD PUMP STATION	-	1,000,000	1,000,000
JACKSON ST PIER-OWDA	-	516,127	516,127
CAPITAL OUTLAY	-	400,000	400,000
DEBT SERVICE-BASIC UTIL	-	3,084,828	3,084,828
SEWER FUND	3,947,001	9,121,900	13,068,901
INTERNAL SERVICE FUND	-	4,600,000	4,600,000
POLICE	-	10,000	10,000
CONTRABAND TRUST FD	-	65,000	65,000
DRUG LAW ENFORCEMENT TRUST	-	45,000	45,000
FED FORFEITURE	-	33,000	33,000
FIRE	-	5,000	5,000
GREEN TRUST	-	2,000	2,000
FRIENDS OF THE GREENHOUSE	-	3,000	3,000
SAILING CLUB SCHOLARSHIP	-	10,000	10,000
SKATE PARK	-	3,500	3,500
PARK TRUST	-	7,500	7,500
UNCLAIMED FUNDS	-	500	500
GENERAL TRUST FUND	0	184,500	184,500
SHORELINE PARK IMPR	-	500	500
WASHINGTON PARK & GREENHOUSE	-	500	500
RED WAGON TRUST	-	500	500
FRED EPPEL TRUST	-	500	500
PARK ENDOWMENT FUND	0	2,000	2,000
OAKLAND CEMETERY DEPT	50,000	5,000	55,000
CHAPEL RESTORATION	-	1,000	1,000
GARDEN MAUSOLEUM	-	5,000	5,000
PERPETUAL CARE	-	1,000	1,000
SPECIAL CARE	-	1,000	1,000
MEMORIAL PLANTINGS	-	1,000	1,000

RIDGEVIEW COLUMBARIUM	-	8,000	8,000
CEMETERY ENDOW FUND	50,000	22,000	72,000
STATE PATROL TRANSFER FD	-	60,000	60,000
TOTAL ALL FUNDS	27,083,783	58,641,865	85,725,648

Section 3. 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 4. 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 5. 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 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 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:



## PLANNING DEPARTMENT

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5973  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

**To:** Eric Wobser, City Manager

**From:** Greg Voltz, Assistant Planner

**Date:** February 25, 2019

**Subject:** March 11<sup>th</sup> Commission Agenda Item –Adoption of the 2019 Public Art Work Plan.

**Item for Consideration:** Adoption of the 2019 Public Art Work Plan

**Background Information:** Arts and Culture is highlighted greatly within the Destination City section of the City of Sandusky Strategic Vision document. As such, the City dedicated funding for Public Art and created the Public Arts and Culture Commission in January 2018. The Strategic Vision also states, “The City of Sandusky will engage partners including local foundations, the County, and others to analyze the importance of arts and culture in our economy and evaluate models for public support that have succeeded elsewhere.”

In 2018, the City of Sandusky adopted the City of Sandusky Public Art and Placemaking Plan that is meant to guide the Public Arts and Culture Commission, staff, and leadership over the course of the next ten years towards creating a city with a strong public art presence. This master plan calls for the utilization of attributes within Sandusky to develop projects that will stand the test of time and/or create memorable experiences. These projects should be highly visible, they should add to the geographic diversity of our collection, and they should maximize interactive opportunities and vantage points. The projects proposed within this work plan are meant to stay within the goals and guiding principles set forth within the City of Sandusky Public Art and Placemaking Plan.

The Public Art Work Plan is an annual document that outlines what projects will be initiated in the coming fiscal year, as well as projects that will be in process during that fiscal year, as mandated within the Public Art and Placemaking Plan. The Public Arts and Culture Commission developed the work plan in consultation with the Planning Department. Once the Arts and Culture Commission approves the Work Plan, it is then submitted to the City Commission as part of the budget for review and approval.

The Public Arts and Culture Commission worked with the Planning department over the course of their November and January meetings to create the 2019 Public Art Work Plan. The 2019 Public Art Work Plan was unanimously approved by the Public Arts and Culture Commission at their February 19<sup>th</sup> meeting.

Projects listed in the plan include: Hike Hancock/Walk Wayne, Art Park, Business Partnership Grant, Arts Festival, “Welcoming Sandusky” Murals, temporary transit murals, City Hall Gallery or Scholarship, Citywide Lighting Project, Temporary Sculpture Exhibit, Sandusky Bay Pathway Ground Zero, and Jackson Street Pier Artwork. The 2019 Public Art Work Plan is meant to describe projects and outline funding.

While not all of the projects outlined may be completed in 2019, the goal is to begin planning all of these projects in 2019, while ideally completing many of the projects by the end of the year.

**Budgetary Impact:** There is no direct budgetary impact related to the adoption of the 2019 Public Art Work Plan. However, implementation of the projects listed in the Plan will be completed with Public and Cultural Art and Acquisition Fund ("PAAAF") dollars, Sandusky Neighborhood Initiative (SNI) dollars, and grants and donations that may become available. All projects exceeding ten thousand dollars (\$10,000) will require City Commission approval. The PAAAF referenced in the Work Plan, was created with the creation of the City of Sandusky Public Arts and Culture Commission and shall be funded on an annual basis with the use of general funds, not admission tax dollars. One percent (1%) of the total admissions tax received from the previous year was used to calculate the budget for the PAAAF.

**Action Requested:** It is requested that legislation be passed under Section 13 of the City Charter to adopt the 2019 Public Art Work Plan.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Angela Byington,  
Planning Director

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

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROVING AND ADOPTING THE 2019 PUBLIC ART WORK PLAN FOR THE CITY OF SANDUSKY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT UNDER SUSPENSION OF THE RULES AS CONTAINED IN AND IN ACCORDANCE WITH SECTION 13 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission created the Public Arts and Culture Commission by Ordinance No. 18-004, passed on January 8, 2018, for the purpose to administer, promote, facilitate, and oversee the creation of public art projects that will promote the cultural heritage and artistic development of the City, enhance the City's character and identity, contribute to economic development and tourism, add warmth, dignity, beauty and accessibility to public spaces, and expand the experience and participation of citizens with visual arts, and in addition, created a Public and Cultural Art and Acquisition Fund (PCAAF) for authorized expenditures which will be funded on an annual basis with general funds based on a formula for establishing the budget of the PCAAF; and

**WHEREAS**, one of the duties of the Public Arts and Cultural Commission was to prepare, maintain, and update a Public Art Master Plan and this City Commission approved and adopted the Public Art and Placemaking Master Plan by Ordinance No. 18-219, passed on November 13, 2018; and

**WHEREAS**, the Public Art Work Plan is an annual document that outlines the projects that will be initiated in the coming year, as well as projects that will be in process during that year, as mandated within the Public Art and Placemaking Plan, and this proposed 2019 Public Art Work Plan was developed by the Public Arts and Culture Commission in consultation with the Planning Department; and

**WHEREAS**, projects in the proposed 2019 Public Art Work Plan include: Hike Hancock/Walk Wayne, Art Park, Business Partnership Grant, Arts Festival, "Welcoming Sandusky" Murals, temporary transit murals, City Hall Gallery or Scholarship, Citywide Lighting Project, Temporary Sculpture Exhibit, Sandusky Bay Pathway Ground Zero, and Jackson Street Pier Artwork; and

**WHEREAS**, the Public Arts and Culture Commission approved the proposed 2019 Public Art Work Plan at their meeting on February 19, 2019, and is recommending this City Commission approve and adopt the 2019 Public Art Work Plan; 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 Department of Public Works, 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 approves and adopts the 2019 Public Art Work Plan for the City of Sandusky, a copy of which is marked Exhibit "A" and is attached to this Ordinance and is specifically incorporated as if fully rewritten

herein.

Section 2. 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 under suspension of the rules as contained in and in accordance with Section 13 of the City Charter after its adoption and due authentication by the President and the Clerk of The City Commission.

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

ATTEST: \_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: March 11, 2019 (effective after 30 days)

# SANDUSKY

## 2019 PUBLIC ART WORK PLAN

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**FEBRUARY 2019**  
CITY OF SANDUSKY, OHIO





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# INTRODUCTION & PURPOSE

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*In 2018, the City of Sandusky adopted the City of Sandusky Public Art and Placemaking Plan that is meant to guide the Public Arts and Culture Commission,*

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staff, and leadership over the course of the next ten years towards creating a city with a strong public art presence. This master plan calls for the utilization of attributes within Sandusky to develop projects that will stand the test of time and/or create memorable experiences. These projects should be highly visible, they should add to the geographic diversity of our collection, and they should maximize interactive opportunities and vantage points. The projects proposed within this work plan are meant to stay within the goals and guiding principles

set forth within the City of Sandusky Public Art and Placemaking Plan.

The Public Art Work Plan is an annual document that outlines what projects will be initiated in the coming fiscal year, as well as projects that will be in process during that fiscal year. The Public Arts and Culture Commission developed the work plan in consultation with the Planning Department. The work plan is then submitted to the City Commission as part of the budget for review and approval.

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# DEVELOPMENT

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*The 2019 Public Art Work Plan was developed with guidance from the Arts and Culture Commission and the Public Art and Placemaking Plan.*

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## **STEPS TAKEN TO DEVELOP THE PUBLIC ART WORK PLAN:**

- Determine availability of funding
- Identify projects to be paid for by identified funding
- Develop a draft Public Art Work Plan that will include locations, goals and budget for public projects and programs
- Present the plan to City Commission as part of the city budget approval

## **DEVELOPMENT**

### **GOALS OF THE 2019 PUBLIC ART WORK PLAN:**

- To further the development of, awareness and interest in the visual arts;
- To integrate the design work of artists into Sandusky;
- To create an enhanced, interactive visual environment for Sandusky residents;
- To commemorate Sandusky's rich history;
- To promote tourism and economic vitality in Sandusky through the artistic enhancement of public spaces;
- To increase attachment to place;
- To engage community partners to build support for public art.

### **2019 PUBLIC AND CULTURAL ART AND ACQUISITION FUND (PCAAFF):**

We based the 2019 work plan off the availability of \$40,000.00 within the PCAAFF which was estimated in late October of 2018 based on admissions tax returns we had received to that date. One percent (1%) of the total admissions tax from the previous year shall be used as the formula to determine the budget for the current year.

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# PROPOSED PROJECTS

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*The proposed projects listed below utilize ideas drawn from many different places.*

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Some are based off conceptual projects or programs called for in the Public Art and Placemaking Plan, others compliment ongoing projects within the Sandusky Neighborhood Initiative, while some are new ideas. However, they all take into account the goals and guiding principles set forth within the Public Art and Placemaking Plan. The Public Arts and Culture Commission looks to leverage the PCAAF fund to partner wherever possible, and

looks forward to working with others to create the exciting projects listed below in 2019 and beyond.

## **PROPOSED PROJECTS**

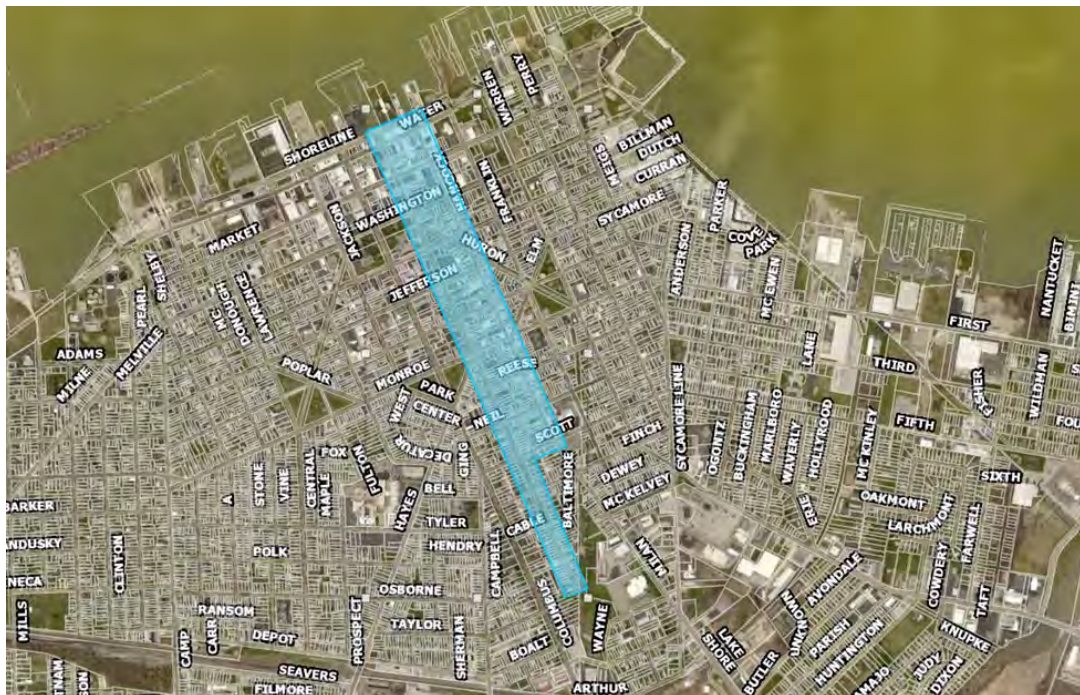
### ***Project 1: Hike Hancock/Walk Wayne***

#### **PROJECT DESCRIPTION:**

This would tie into a Sandusky Neighborhood Initiative project of increasing the walkability and livability of these two important and distinct corridors. The city could issue a call for artists to create a temporary exhibit(s) that would benefit the goals of creating a more walkable neighborhood and work to bring people of various walks of life together. Another possible project would be a pop-up art gallery within the two neighborhoods.

#### **BUDGET:**

Budget: \$10,000.00 Sources: PCAAF, Sandusky Neighborhood Initiative



## **PROPOSED PROJECTS**

**Examples of similar projects:**





## **PROPOSED PROJECTS**

### ***Project 2: Art Park***

#### **PROJECT DESCRIPTION:**

This would be a place, to be determined by the Arts and Culture Commission with approval by City Commission, that would allow for artists to come to an area and create pieces within guidelines set by the Arts and Culture Commission. This could tie into the Hike Hancock/Walk Wayne project.

#### **Examples:**

#### **BUDGET:**

Budget: \$0.00





## **PROPOSED PROJECTS**

### ***Project 3: Business Partnership Grant***

#### **PROJECT DESCRIPTION:**

The Arts and Culture Commission will work in partnership with a business to create an artist designed and installed piece of artwork to be viewed from a public way.

#### **BUDGET:**

Budget: \$1,000.00

Sources: PCAAF

#### **Examples:**



## **PROPOSED PROJECTS**

### ***Project 4: Arts Festival***

#### **PROJECT DESCRIPTION:**

This could be a smaller version of the ArtPrize Festival in Grand Rapids, Michigan. In partnering with the Sandusky Art Walk or another organization we could do a day or week-long display of artworks that were curated from a response to a call for artists. At the conclusion of the festival a chosen winner could receive a prize. The Arts and Culture Commission would like 2019 to be a planning year.

#### **Examples:**

#### **BUDGET:**

Budget: \$0.00



## **PROPOSED PROJECTS**

### ***Project 5: “Welcoming Sandusky” Murals***

#### **PROJECT DESCRIPTION:**

A series of murals of local people that are painted by artists. Arts and Culture Commission member Marsha Carrington explained this idea in an email, stating, “large scale murals of PEOPLE...a black resident, a white resident, a Hispanic Resident, an Asian resident...People in our community...People who have made a difference in our community. Maybe just a start. There are so many ways to create public art that has a message...one of “LOVE,” tolerance and acceptance. In an atmosphere presently in our country and world where there is so much division and HATE, I think it might just be Sandusky’s calling to send a message out there with Public Art...and a VERY positive message.”

#### **BUDGET:**

Budget: \$40,000.00

Sources: PCAAF, Marketing, Other

#### **Example:**





## **PROPOSED PROJECTS**

**Example:**



## **PROPOSED PROJECTS**

### ***Project 6: Temporary Transit Murals***

#### **PROJECT DESCRIPTION:**

A call for artists would be placed to request proposals for artwork to be placed on transit hubs and/or busses. The Arts and Culture Commission requested these possibly have faces of local children and tie into the “Welcoming Sandusky” Mural program.

#### **Examples:**

#### **BUDGET:**

Budget: \$2,000.00

Sources: PCAAF



## **PROPOSED PROJECTS**

### ***Project 7: City Hall Gallery or Scholarship***

#### **PROJECT DESCRIPTION:**

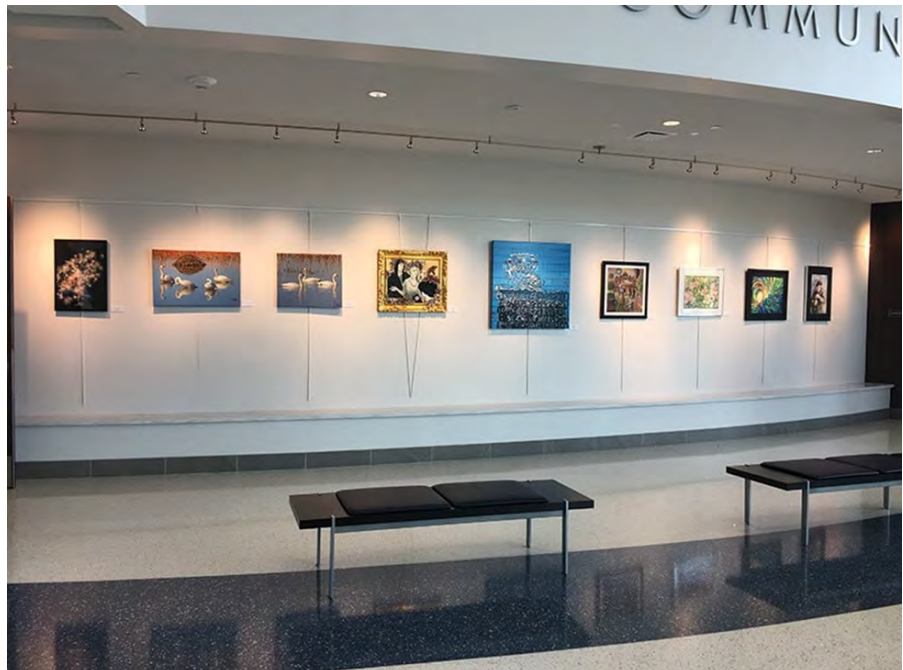
The Arts and Culture Commission would issue a call for artists to create a temporary gallery in city hall curated by the Arts and Culture Commission. This could be a very low-cost project or the Arts and Culture Commission can choose to offer a prize for the crowd favorite or commission favorite. The Arts and Culture Commission also asked that an option be to issue a call and select one to three student created artworks to be placed in city hall with the winner receiving a scholarship.

#### **BUDGET:**

Budget: \$1,000.00

Sources: PCAAF

#### **Example:**





## **PROPOSED PROJECTS**

**Example:**



## **PROPOSED PROJECTS**

### ***Project 8: City Wide Lighting Project***

#### **PROJECT DESCRIPTION:**

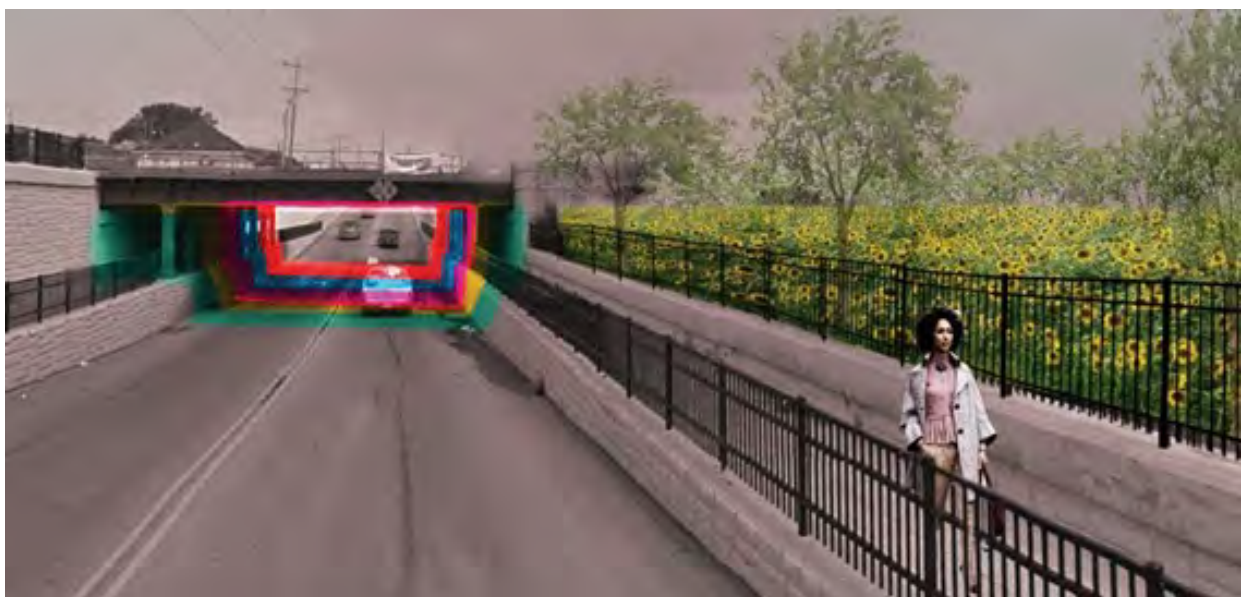
Work to create creative lighting projects throughout the city to highlight architecture, create more walkable areas, give the sense of a safer environment and also make places more interesting. As called for in the Neighborhood Initiative and the Public Art and Placemaking Master Plan. Locations could include underpasses, historic buildings, and in neighborhood parks. This would be a great opportunity to work with building owners to enhance the public space surrounding their properties.

#### **BUDGET:**

Budget: \$150,000.00

Sources: PCAAF, Sandusky Neighborhood Initiatives, Foundations,  
Private, Grant

#### **Example:**





## **PROPOSED PROJECTS**

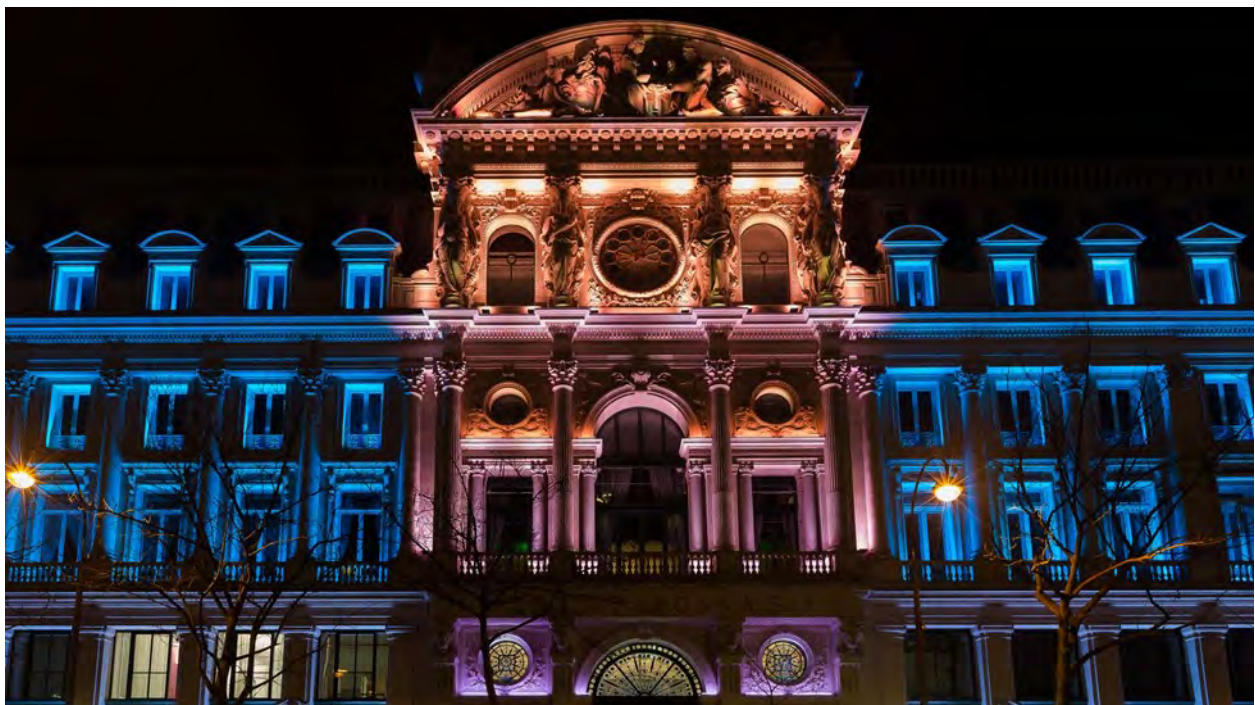
**Example:**



## PROPOSED PROJECTS

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Examples:



## **PROPOSED PROJECTS**

### ***Project 9: Temporary Sculpture Exhibit***

#### **PROJECT DESCRIPTION:**

Partner with the Lange Trust for a year-long sculpture exhibit similar to the 2018-2019 Midwest Sculpture Initiative.

#### **BUDGET:**

Budget: \$10,000.00

Sources: PCAAF, Foundation





## **PROPOSED PROJECTS**

### ***Project 10: Sandusky Bay Pathway Ground Zero***

#### **PROJECT DESCRIPTION:**

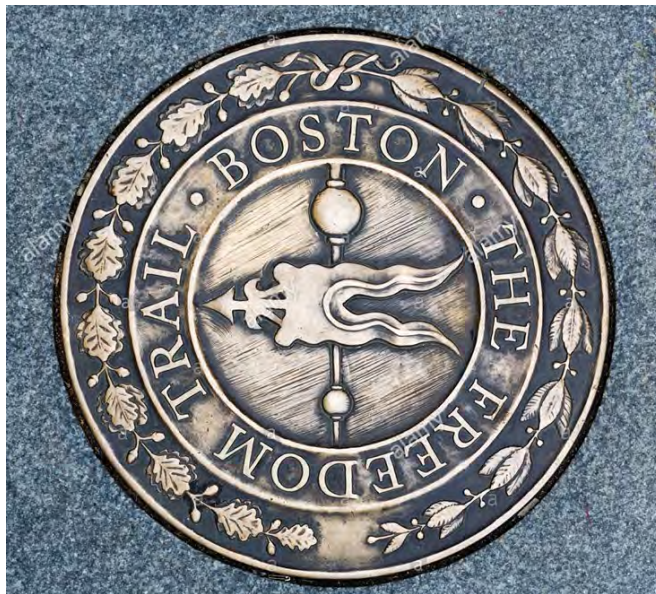
The Sandusky Bay Pathway's epicenter will be at the foot of Columbus Avenue. There is a potential that the Public Arts and Culture Commission will be tasked to collaborate with partners to conceptualize a public art piece that commemorates this location.

#### **BUDGET:**

Budget: Unknown

Sources: PCAAF, Unknown

#### **Example:**



## **PROPOSED PROJECTS**

### ***Project 11: Jackson Street Pier Artwork***

#### **PROJECT DESCRIPTION:**

During the conceptual design phase of the Jackson Street Pier there was a desire to create a piece of artwork that is meant to be interactive and a destination. The Public Arts and Culture Commission may be requested to assist in conceptualizing a unique piece that will be a destination in and of itself.

#### **Examples:**

#### **BUDGET:**

Budget: Unknown

Sources: PCAAF, Unknown



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# BUDGET BREAKDOWN

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*The budget is made up of various funding sources including dollars from the Public and Cultural Art and Acquisition Fund (PCAAF), the Sandusky Neighborhood Initiative, Grants, and other funding sources.*

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Proposed Project	Cost	PCAAF	Neighborhood Initiative	Grant	Other
Business Partnership Grant	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00
Arts Festival Planning	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Hike Hancock/Walk Wayne	\$10,000.00	\$5,000.00	\$5,000.00	\$0.00	\$0.00
Art Park	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
City Hall	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00
"Welcoming Sandusky" Mural(s)	\$40,000.00	\$10,000.00	\$0.00	\$0.00	\$30,000.00
Temporary Transit Murals	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00
Grant/Partner Match Funds		\$21,000.00	\$0.00	\$0.00	\$0.00
Citywide Lighting Project					
Hayes Avenue	\$40,000.00	\$0.00	\$35,000.00	\$0.00	\$0.00
Erie Blvd.	\$10,000.00	\$0.00	\$10,000.00	\$0.00	\$0.00
Parking Garage	\$30,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Other Building	\$30,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Camp Street	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Temporary Sculpture Exhibit	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Sandusky Bay Pathway Ground Zero	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Jackson Street Pier Artwork	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Totals	\$214,000.00	\$40,000.00	\$50,000.00	\$0.00	\$30,000.00



## DEPARTMENT OF PUBLIC WORKS

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5829  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: February 26, 2019

**Subject: Commission Agenda Item – 2019 Tree Removal Project**

**ITEM FOR CONSIDERATION:** Legislation authorizing the City to accept bids for the 2019 Tree Removal Project, which incorporates the removal of twenty-one (21) dead trees.

**BACKGROUND INFORMATION:** The maintenance and removal of trees located within the city boulevard are the responsibility of the abutting property owner pursuant to the Ohio Revised Code. Since the passage of Issue 8 in 2015, City Commission and residents have requested that staff take a better approach to the maintenance and removal of dead or dying trees located within the boulevard and on city properties by allocating up to \$75,000 of Issue 8 Capital funds each year for the removal and maintenance of such trees and \$25,000 of storm water money for planting new trees. Since that time, the City has contracted out the removal of roughly 231 boulevard trees and the trimming of approximately 71 boulevard trees.

The three employees within the Forestry Division have continued to make incredible strides in removing the trees that are accessible by City equipment and the backlog of tree removals within the boulevard is noticeably smaller than in 2015. In fact, trees scheduled for removal as part of this year's project are the final ones remaining on the current list that can not be accomplished in-house. These trees measure at least 24-inches in diameter or are near power lines. The city does not have the proper equipment to remove trees of that size or to maneuver in tight, dangerous spaces. The project for this year is scheduled to remove twenty-one dead trees located in the boulevard. A listing of property locations where tree removal is planned as part of this projects has been attached.

**BUDGETARY INFORMATION:** The engineer's estimate for the 2019 Tree Removal Project is \$47,250.00, which shall be paid for out of Capital Projects Funds (Issue 8 Infrastructure).

**ACTION REQUESTED:** It is recommended that proper legislation be approved to accept bids for the 2019 Tree Removal Project and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow ample time for bidding, accept bids and award a contract to ensure that the project is completed prior to early fall so grass can be established in 2019.

I concur with this recommendation:

---

Eric Wobser  
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Acting Law Director

**2019 Tree Removal Project  
Property Locations**

926 Adams St, West  
1826 Adams St, West (2)  
1815 Barker St  
1529 Campbell St  
1521 Clinton St  
1528 Columbus Ave  
416 Jefferson St, East  
1103 Market St, West  
502 McKelvey St  
1513 Pearl St  
1422 Pierce St  
828 Polk St (2)  
1322 Putnam St (2)  
1020 Third St (2)  
1921 Tiffin Ave  
911 Warren St  
1515 Wayne St



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED 2019 TREE REMOVAL 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 2019 Tree Removal Project involves the removal of twenty-one (21) dead trees located on City boulevards and includes seeding at the removal site; and

**WHEREAS**, the estimated cost of this project is \$47,250.00 and will be paid with Issue 8 infrastructure funds from the Capital Projects Fund; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to bid and award the project to allow the contractor to complete the project in the Fall so grass can be established in 2019; 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 2019 Tree Removal 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 2019 Tree Removal 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 2019 Tree Removal 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: March 11, 2019



## DEPARTMENT OF PUBLIC WORKS

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5829  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: February 27, 2019

Subject: **Commission Agenda Item – Permission to Bid 2019 Sidewalk Repair & Replacement Project**

**ITEM FOR CONSIDERATION:** Requesting legislation authorizing the City to accept bids for the 2019 Sidewalk Repair & Replacement Project.

**BACKGROUND INFORMATION:** Sidewalks raised by trees or simply deteriorating from old age throughout the City neighborhoods have become an increasing safety concern for many years. Although the Ohio Revised Code states that maintenance and repair of sidewalks are the abutting property owner's responsibility, the voters have asked via the passage of Issue 8, to have the City perform these repairs with tax dollars generated by their positive vote. In the past, when a residential sidewalk complaint was received by the Public Works Department, staff would investigate the issue and notify the abutting homeowner of their responsibility to maintain and/or repair the sidewalk. While responsibility has not changed, these complaints are now tracked in an Excel spreadsheet and a repair project will be devised annually as long as funds are available. If the sidewalk is heaved by an inappropriate boulevard tree, the tree will be scheduled for removal or root grinding as deemed appropriate by the city's arborist and may be placed on the annual tree removal program. One primary focus annually is on ADA accessibility issues, some of which are reported by the ADA advisory board.

Over the past three years the City has completed three sidewalk repair and replacement projects, removing and installing roughly 55,942 square feet of sidewalk and 732 linear feet of curb throughout the City.

The 2019 Sidewalk Repair & Replacement project includes over 6,420 square feet of sidewalk and 148 linear feet of curb. This includes several residential locations and improvements to heaved slabs within the southeast quadrant of Washington Park. Staff is hoping to complete all needed sidewalk repairs within the park over the next 5 years. Attached is a listing of the locations included in this project.

The contractor will be allowed 90 days from the Notice to Proceed. The engineer's estimate for the 2019 Sidewalk Repair & Replacement Project is \$93,282.50.

**BUDGETARY INFORMATION:** The engineer's estimate for the 2019 Sidewalk Repair & Replacement is \$93,282.50 which shall be paid for out of Capital Projects Funds (Issue 8 Infrastructure).

**ACTION REQUESTED:** It is recommended that the proposed 2018 Sidewalk Repair & Replacement be approved for bidding and 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 complete the safety improvements this construction season. The most competitive prices are typically received at the onset of the construction season.

I concur with this recommendation:

---

Eric Wobser  
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director

**2019 Sidewalk Replacement Project  
Property Locations**

1308	Cleveland Rd
2331	Columbus Ave
1106	Fourth St
2045	Heritage Dr
1302	Hollyrood Rd
1714	Knupke St
418	McDonough St
415	Meigs St
1009	Mills St
1305	Mills St
1310	Mills St
1711	Monroe St, West
1414	Monroe St, West
1505	Pearl St
201	Perkins Ave, East
2009	Sherman St
611	Sycamore Ln
615	Sycamore Ln
513	Wayne St

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED 2019 SIDEWALK REPAIR & 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 2019 Sidewalk Repair & Replacement Project consists of over 6,420 square feet of sidewalk repairs and 148 linear feet of curb repairs and includes several residential locations and improvements to heaved slabs within the southeast quadrant of Washington Park; and

**WHEREAS**, the estimated cost for this project is \$93,282.50 and will be paid with Issue 8 infrastructure funds from the Capital Projects Fund; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to bid and award the project and to complete the project and safety improvements this construction season; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public 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 2019 Sidewalk Repair & 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 2019 Sidewalk Repair & 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 2019 Sidewalk Repair & 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: March 11, 2019



## DEPARTMENT OF PUBLIC WORKS

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[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: February 27, 2019

**Subject: Commission Agenda Item – Consent to ODOT for Preliminary Legislation to resurface State Route 6 between Venice Road and the east corporation limit and Milan Road between Cleveland Road and Butler Street**

**ITEM FOR CONSIDERATION:** Legislation granting consent to the Director of the Ohio Department of Transportation (ODOT) to complete the Resurfacing-Urban Paving City of Sandusky Project - ERI-006-06.41 from (Venice Rd) to 11.34 (Sandusky ECL) ERI-250.00.00 (Concrete Repairs) (Sycamore Line/Cleveland Rd) to 0.49 (Butler St).

**BACKGROUND INFORMATION:** Per state law, maintenance of state routes and US routes within the municipal corporation limits are the responsibility of the municipality. However, ODOT began a state-wide Urban Paving program several years ago that would allocate funds towards resurfacing of dedicated state routes. To prioritize these projects, ODOT completes a pavement analysis on all state routes on a routine basis, and all of State Route 6 within the corporation limits were scheduled for reconstruction between 2020 and 2022.

ODOT agrees to pay 80%, with the City agreeing to pay 20%, of the roadway construction and construction engineering costs, which include pavement planning, asphalt overlay, treatment of shoulder, height adjustment to existing guardrail, pavement markings, temporary and fast dry, adjustments to catch basins, manholes, valve boxes, etc., mailbox supports and approaches, and work zone signs. In addition, the City agrees to pay 100% of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and Federal Highway Administration.

ODOT also assumes full responsibility for design costs. All other items, such as curbs, gutters, curb ramps, base repairs or any alterations for roadway improvements would be completed at 100% cost to the City.

Staff from Street, Sewer and Water departments have been heavily involved in the planning process to date and have made several requests for inclusion in the project. Although not all of the suggestions can be included, ODOT has agreed to incorporate many of the items, including more concrete repairs on Milan Road between Sycamore Line and the Butler Street overpass at a 50/50 split.



Upon completion of final design later in 2019, ODOT will present the City with a contract and an update cost estimate for this project, which will also be brought before City Commission for final approvals. ODOT has tentatively set a construction date for their project for spring and summer of 2020. ODOT will act as the lead agency and administer the project.

A second project on State Route 6 between the west corporation limit and the new overpass is scheduled for 2022. To accommodate this project, the City has taken steps to complete needed underground utility design work along Venice Road, known as the West Side Utility & Connectivity project.

**BUDGETARY INFORMATION:** The project cost is estimated at \$1,921,016.36 of which the City's portion is estimated to be \$866,510.15.

**ACTION REQUESTED:** It is recommended that proper legislation be prepared allowing the City to consent the Director of Transportation to complete the Resurfacing-Urban Paving City of Sandusky Project - ERI-006-06.41 from (Venice Rd) to 11.34 (Sandusky ECL) ERI-250.00.00 (Concrete Repairs) (Sycamore Line/Cleveland Rd) to 0.49 (Butler St) 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 return the preliminary legislation to ODOT by the March 29, 2019 deadline.

I concur with this recommendation:

---

Eric Wobser  
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION ADOPTING THE PRELIMINARY LEGISLATION SUBMITTED BY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THEIR RESURFACING – URBAN PAVING CITY OF SANDUSKY PROJECT, PID NO. 92889; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN THE PRELIMINARY LEGISLATION AND TO EXECUTE ANY NECESSARY CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION FOR THIS PROJECT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the preliminary legislation, a copy of which is attached to this Resolution and marked Exhibit “A”, is necessary for the Director of the Ohio Department of Transportation to complete the Resurfacing-Urban Paving City of Sandusky Project which includes resurfacing from Venice Road to Sandusky ECL (ERI-006-06.41) and concrete repairs from Sycamore Line / Cleveland Road to Butler Street (ERI-250-00.00); and

**WHEREAS**, the preliminary legislation, Exhibit “A” attached to this Resolution, provides the terms of the agreement and cooperation between the City of Sandusky and the Director of Transportation regarding the completion of the project; and

**WHEREAS**, the estimated project cost is \$1,921,016.36 and the City’s portion of the costs (20% of roadway construction and construction engineering costs) is \$866,510.15; 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 return the executed preliminary legislation to the Ohio Department of Transportation by the March 29, 2019, deadline; 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 preliminary legislation submitted by the Director of the Ohio Department of Transportation, a copy of which is attached to this Resolution and marked Exhibit “1”, for the Resurfacing - Urban Paving City of Sandusky Project, PID No. 92889, consenting to the Director of Transportation to complete resurfacing from Venice Road to Sandusky ECL (ERI-006-06.41) and concrete repairs from Sycamore Line / Cleveland Road to Butler Street (ERI-250-00.00), is adopted by this City Commission and the President of this City Commission is

authorized to sign the preliminary legislation.

Section 2. The City Manager is hereby authorized and directed to sign the preliminary legislation and to execute any necessary contracts with the Director of Transportation to complete the Resurfacing - Urban Paving City of Sandusky Project, PID No. 92889.

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: March 11, 2019

## **PRELIMINARY LEGISLATION**

Ordinance/Resolution No. \_\_\_\_\_

**PID No. 92889**

**Project Name: ERI US 0006 06.41**

The following \_\_\_\_\_ enacted by the City of Sandusky of Erie County,  
(Ordinance/Resolution)  
Ohio, hereinafter referred to as the City, in the matter of the stated described project.

### **SECTION I - Project Description**

WHEREAS, the State has identified the need for the described project:

*Resurfacing-Urban Paving City of Sandusky*

*ERI-006-06.41 (Venice Rd) to 11.34 (Sandusky ECL)*

*ERI-250-00.00(Concrete Repairs) (Sycamore Line/Cleveland Rd.) to 00.49(Butler St.)*

*Construction is tentatively scheduled to begin in the Summer of 2020.*

NOW THEREFORE, be it ordained by the City of Sandusky of Erie County, Ohio.

### **SECTION II - Consent Statement**

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

### **SECTION III - Cooperation Statement**

The City shall cooperate with the Director of Transportation, for the portion of this project within the Sandusky Corporation limit, as follows:

- 1) *ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs, and environmental studies costs.*
- 2) *ODOT agrees to assume and bear eighty percent (80%) of the roadway construction and construction engineering costs;*
- 3) *The City agrees to assume and bear twenty percent (20%) of the roadway construction and construction engineering costs;*

**PID No. 92889**

**SECTION III - Cooperation Statement continued.**

- 4) *ODOT and the City agree that the following roadway construction items are eligible for 80% ODOT/20% City funding: Pavement planing, asphalt overlay, treatment of shoulder, height adjustment to existing guardrail, pavement markings, temporary and fast dry, adjustments to catch basins, manholes, valve boxes, etc., mailbox supports & approaches, and work zone signs.*
- 5) *ODOT agrees to assume and bear one hundred percent (100%) of the bridge related costs.*
- 6) *The City further agrees to pay One Hundred Percent (100%) of the cost of the following construction items: Pavement repair partial & full depth, curbs, curb ramps, sidewalks, city owned signs, guardrail- replacement of deficient existing & required new locations, and those items requested by the City which are determined to be unnecessary by the State or Federal Highway Administration for the intent of this project.*
- 7) *A preliminary cost estimate for the city's share of this project is **\$900,000.00** for construction costs and **\$30,000.00** for construction engineering (inspection).*

**SECTION IV - Maintenance**

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
- 2) Provide ample financial provisions, as necessary, for the maintenance of the described project;
- 3) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

## SECTION V – Utilities and Right-of-Way Statement

If city owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the city will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

Passed: \_\_\_\_\_, 20\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk) \_\_\_\_\_  
(Officer of City - title)

Attested: \_\_\_\_\_  
(Title) \_\_\_\_\_  
(President of Council)

This \_\_\_\_\_ is hereby declared to be an emergency measure to expedite the highway  
(Ordinance/Resolution)  
project and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Project Name: **PID No. 92889**  
**ERI US 0006 06.41**

**CERTIFICATE OF COPY**  
**STATE OF OHIO**  
City of Sandusky of Erie County, Ohio

I, \_\_\_\_\_, as Clerk of the City of Sandusky of Erie County, Ohio,  
Do hereby certify that the foregoing is a true and correct copy of \_\_\_\_\_ adopted by  
(Ordinance/Resolution)  
the legislative Authority of the said City of Sandusky on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
that the publication of such \_\_\_\_\_ has been made and certified of record according to  
(Ordinance/Resolution)  
law; that no proceedings looking to a referendum upon such \_\_\_\_\_ have been taken;  
(Ordinance/Resolution)  
and that such \_\_\_\_\_ and certificate of publication thereof are of record in  
(Ordinance/Resolution)  
\_\_\_\_\_, Page \_\_\_\_\_.  
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official  
seal, if applicable, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

(SEAL) \_\_\_\_\_  
(If Applicable) Clerk Signature  
City of Sandusky of Erie County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Sandusky of Erie County, Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Contractual Officer

\*\*\*\*\*  
For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation



## DEPARTMENT OF PUBLIC WORKS

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5829  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: February 27, 2019

**Subject: Commission Agenda Item – Miscellaneous Purchases from Core & Main, LP**

**ITEM FOR CONSIDERATION:** Requesting legislation authorizing purchases of miscellaneous materials from Core & Main, LP, of Ashland, Ohio, for work to be performed by the Public Works, Division of Water Distribution for miscellaneous in-house water main repairs.

**BACKGROUND INFORMATION:** Each year, the Division of Water Distribution purchases a variety of steel products for water line repairs such as valves, pipes, bends, meters and hydrants. Core & Main, LP is the closest supplier of parts for steel water systems and their customer service has proven to be quite exceptional. On several occasions, the sales representative has personally delivered materials to a job site at any hour of the day, including occasions in the middle of the night, to expedite repair if city crews could not leave the main break or when the branch warehouse, located in Ashland, Ohio is closed. One reason for this is because they stock a lot of Sandusky's common items, acting as a supplemental warehouse for the City, so additional materials don't have to be stored at the Water Distribution building. In addition to stocking the City's common items, they also stock Cedar Point and Erie County items so availability of non-typical items is also very good. All materials are lead-free and many are American-made.

Core & Main, LP is the local distributor for the Sensus water meters that outfit the entire city system and they allow the city to trade in old brass meters, even if they are beyond repair, for a credit on a new meter, which exceeds any value the City could get if scrapped. Water crews have been actively changing out full routes of water meters based on which routes take the most time to walk since the new meters allow crews to remotely read meters from their vehicle. The new meters will improve accuracy of readings since many of the current meters are several years past their useful life.

Prior to 2017, when City Commission first passed an ordinance for expending funds for the purchase of water main and meter materials, crews purchased materials weekly based on their current need. Occasionally, purchases approached, but never exceeded \$10,000. If a necessary weekly purchase was due to exceed this limit, crews would have to make additional trips or wait for materials to perform necessary repairs. Commission approval for items budgeted in the draft General Appropriations for Fiscal year 2019 could help expedite repairs, while providing an additional layer of accountability during the annual audit.

Water Meter update: In 2013, the City had budgeted \$1,000,000 annually over three years for water meter replacements because nearly all were approaching their useful life. Instead, staff embarked on a pilot project with these new meters to determine the potential return on investment. It didn't make sense to take out a long-term loan for equipment that had a useful life shorter than the term of the loan. After many bumps in the road at the onset of the pilot project, the new meters have been running very well. However, staff did not see the desired return on investment for residential meters that would



justify huge capital expenditures, but did see a good return on investment for many of the commercial meters. The reason is that all water meters slow down and continually read lower and lower as they age. Therefore, the higher the consumption, the more revenue is lost to the City. These inaccurate readings increase water loss calculations and a need to reevaluate rates. Accurate readings mean that we will be billing consumers for exactly what they are using.

Since the pilot project did not justify spending large sums of money up front but the meters are reaching their useful life, staff has developed a plan to systematically replace all of the meters in the City over a period of time. This will afford the opportunity to not increase rates with large annual capital expenditures, but still replace aging infrastructure. In addition, each meter will have an M-Unit installed on it. An M-Unit allows the meter to be read remotely with a piece of equipment mounted onto a vehicle. This saves significant time for field crews that will no longer have to walk every route. The installation of the M-Unit allows meters to be read when covered with snow, rather than the current practice of estimating until the snow clears and then trying to adjust.

Currently, it takes twelve (12) total hours to read the two routes selected for 2019. The first route consists of streets within the Cove District, from the southside of Cove Street to the northside of Fifth Street and the eastside of Sycamore Line to the westside of Arthur Street right of way. The second route consists of a portion of streets within the First through Fifth Streets District, from the southside of Fifth Street to the northside of Cleveland Road and the eastside of McKinley Street to the westside of Sycamore Line, as well as properties located West of Cedar Point Road through F Street from First Street to River Avenue. Driving would free up at least eleven (11) hours per month that could be used for other projects directly related to infrastructure improvements. The total cost to completely replace this route of 993 meters, is approximately \$400,000.

The goal is to eventually get to a time when field crews can read the entire City in a few hours per month rather than taking almost the entire month to do so. All labor will be performed in house and supplemented with seasonal staff. All meters are being spatially located within the GIS system. Water distribution crews will select specific routes each year that are the most time consuming to walk, contain the oldest meters and/or are the most difficult to find. They will replace that entire route in addition to specific older commercial meters throughout the City that are suspected to be reading lower. Full replacement is expected to take 10-15 years.

**BUDGETARY INFORMATION:** The budgeted cost for Core & Main, LP, as presented in the O&M and capital budgets is based on historic annual repairs in the field totaling \$600,000. This year's allocations are for hydrants and valves (\$100,000), miscellaneous materials (\$100,000), and meters (\$400,000 – split evenly with sewer maintenance) and will be paid with Water Funds in the amount of \$400,000 and Sewer Funds in the amount of \$200,000. A portion has already been spent for recent water main repairs via the temporary appropriations. Purchases exceeding this amount from Core & Main, LP would require approval from City Commission.

**ACTION REQUESTED:** It is recommended that the purchase of materials from Core & Main, LP for use within the water distribution system be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter which will allow crews to purchase materials and parts as needed for repairs and replacement.

I concur with this recommendation:

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Eric Wobser  
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS TO CORE & MAIN, LP, OF ASHLAND, OHIO, FOR THE PURCHASE OF MATERIALS AND PARTS FOR IN-HOUSE WATER MAIN REPAIRS IN CALENDAR YEAR 2019; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City purchases a variety of steel products for water line repairs such as valves, pipes, bends, meters, and hydrants from Core & Main, LP (formerly HD Supply Waterworks) who is the local distributor for Sensus water meters that outfits the City's entire system; and

**WHEREAS**, in addition, Core & Main, LP, has exceptional customer service and stocks many of the City's common items, acting as a supplemental warehouse, so spare materials do not need to be stored at the Water Distribution facility; and

**WHEREAS**, in 2013, the City budgeted \$1,000,000 annually for three years for the replacement of all water meters within the City and conducted a pilot study to determine the potential return on investment and it was determined that the new meters ran very well but the return on investment for residential meters did not justify significant capital expenditures; and

**WHEREAS**, Staff developed a plan to systematically replace all the meters in the City over a period of time and last year selected Cedar Point Drive (the Chaussee), Cedar Point, the Cedar Point dormitories, LEWCO, Inc., and a portion of properties within the First through Fifth Streets District for meter replacement; and

**WHEREAS**, this year Staff selected the Cove District and another portion of properties within the First through Fifth Streets District for meter replacement and the cost to completely replace the 993 meters in this area is approximately \$400,000.00; and

**WHEREAS**, the allocation for 2019 is based on historic annual repairs in the field and funds will be allocated as follows: hydrants and valves (\$100,000.00), miscellaneous materials (\$100,000.00), and meters (\$400,000.00 - split with sewer maintenance); and

**WHEREAS**, the total estimated cost for materials and parts for water main repairs in 2019 is \$600,000.00 of which \$400,000.00 will be paid with Water Funds and \$200,000.00 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 to allow City crews to purchase materials and parts as needed for repairs and replacement; 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 materials and parts to be used for in-house water main repairs in CY 20198 at an amount **not to exceed** Six Hundred Thousand and 00/100 Dollars (\$600,000.00) to be paid to Core & Main, LP, of Ashland, Ohio.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

Section 4. That for reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

ATTEST: \_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: March 11, 2019



## DEPARTMENT OF PUBLIC WORKS

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5829  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: February 27, 2019

Subject: Commission Agenda Item- Cedar Point Watermain Improvement Project

**ITEM FOR CONSIDERATION:** Requesting legislation for approval of Change Order No. 1 for the Cedar Point Watermain Improvement Project.

**BACKGROUND INFORMATION:** This project was awarded to Cash Services, LLC. Millbury, Ohio at the September 10 18, 2018 city commission meeting per ordinance 18-182 in the amount of \$403,107.50.

There is an existing sixteen-inch (16") watermain from First Street to Cedar Point that is the main supply of potable water to Cedar Point and the residents along the Cedar Point Chaussee. Over the last several years this existing water main has experienced multiple breaks along three different sections.

This project provides for the replacement of two sections of existing watermain along Cedar Point Drive. The first section will be starting at the First Street and Cedar Point Causeway intersection and proceeding approximately three hundred feet (300') northerly. This project will involve removing older valves, sections of smaller mains and other potential problems at this location. This section of pipe experienced a break on a bypass line during the winter a few years ago. The second portion of construction will involve replacing the twelve (12") water main on and in the vicinity of the High Bridge on the Causeway

Change Order No. 1 in the amount of \$45,666.66 provides for several items that found during the installation of the insulated waterline pipe through the northern and southern abutment walls at the high bridge area. For items 1 and 2, for safety reasons it was determined to remove the existing I beams since they were so deteriorated, it was feared that they would fall into the bay if the casing pipe and waterline was removed. It appeared that the casing pipe and waterline were partial holding the I beams in place. Part of the cost involved temporarily supporting the existing casing and waterline from the surface of the roadway while the I beams were removed. Under item 3, the contractor notified the City and Cedar Fair that the existing lateral bracing beneath the existing waterline was in need of replacement on the high bridge. This bracing is not a support for the waterline, it is part of the bridge structure. Cedar Fair agreed to cover the cost once the contractor provided an estimated cost. Additional work was required at north and south abutment walls and existing casing pipes through the abutment walls to replace the old 12" waterline with a new 16" waterline that is also insulated. Additional abutment work was needed in both the horizontal and also in the vertical alignments of the new waterline in order to tie back into the existing 16" waterline on both sides of the bridge.

**Summary of Costs:**

<b>Item 1:</b> Temporary support of existing waterline and casing pipe	ADD: \$1,929.41
<b>Item 2:</b> Existing I beam removals	ADD: \$14,263.57
<b>Item 3:</b> Removal of existing C channel lateral bracing and installation of new lateral bracing	ADD: \$17,874.16
<b>Item 4:</b> Additional saw cutting, excavation, casing pipe and abutment work on the north and south sides of the high bridge	ADD: \$11,599.52
TOTAL ADDITION: \$45,666.66	

**BUDGETARY INFORMATION:** Change Order No. 1 in the amount of \$45,666.66, will revise the original contract amount of \$403,107.50 to \$448,774.16. The additional costs are paid by the Water Fund. Cedar Fair will be reimbursing the city \$17,874.16 for the work involving the removal and replacement of the C channel lateral bracing under the bridge.

**ACTION REQUESTED:** It is requested that legislation be prepared to allow for the approval of Change Order No. 1 for additional work for the Cedar Point Watermain Improvement Project. It is further requested that this be passed in accordance with Section 14 of the City Charter so that the contractor can be paid for work already completed in the field.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Aaron Klein, P.E.  
Director

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST CHANGE ORDER FOR WORK PERFORMED BY CASH SERVICES, LLC, OF MILLBURY, OHIO, FOR THE CEDAR POINT WATERMAIN IMPROVEMENT PROJECT IN THE AMOUNT OF \$45,666.66; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

**WHEREAS**, there is an existing sixteen-inch (16”) watermain from First Street to Cedar Point that is the main supply of potable water to Cedar Point and the residents along the Cedar Point Chaussee and over the last several years this existing watermain has experienced multiple breaks along three (3) different sections and one (1) section was replaced as an emergency in 2016; and

**WHEREAS**, the Cedar Point Watermain Improvement Project provides for the replacement of the other two (2) sections starting at the First Street and Cedar Point Causeway intersection and proceeding approximately 300 feet north and the replacement of the 12” watermain to the section on and in the vicinity of the High Bridge on the Causeway; and

**WHEREAS**, this City Commission authorized and directed the City Manager to enter into an agreement for Professional Design Services with Arcadis U.S., Inc. of Toledo, Ohio, for the Cedar Point Watermain Improvement Project by Resolution No. 17-227, passed on December 11, 2017; and

**WHEREAS**, this City Commission declared the necessity to proceed with the proposed Cedar Point Watermain Improvement Project by Resolution No. 029-18R, passed on July 23, 2018; and

**WHEREAS**, this City Commission approved the awarding of the contract to Cash Services, LLC, of Millbury, Ohio, for work to be performed for the Cedar Point Watermain Improvement Project by Ordinance No. 18-182, passed on September 10, 2018; and

**WHEREAS**, this First Change Order reflects several items found during the installation of the insulated waterline pipe through the northern and southern abutment walls at the high bridge area and are summarized as follows:

1. Temporary support of existing waterline and casing pipe	ADD	\$1,929.41
2. Existing I beam removals	ADD	\$14,263.57
3. Removal of existing C channel lateral bracing and installation of new lateral bracing	ADD	\$17,874.16
4. Additional saw cutting, excavation, casing pipe and abutment work on the north & south sides of the high bridge	ADD	\$11,599.52
	TOTAL	<u>\$45,666.66</u>

**WHEREAS**, the original contract with Cash Services, LLC, was \$403,107.50 and with the addition of this First Change Order in the amount of \$45,666.66, the revised contract amount is \$448,774.16 and the additional cost of \$45,666.66 will be paid with Water Funds of which \$17,874.16 will be reimbursed from Cedar Fair for the removal and replacement of the C channel lateral bracing under the bridge; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to make payment in a timely manner to contractor for services already provided; and

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

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

Section 1. The City Manager is hereby authorized and directed to approve this First Change Order for work performed for the Cedar Point Watermain Improvement Project in an amount **not to exceed** Forty Five Thousand Six Hundred Sixty Six and 66/100 Dollars (\$45,666.66) resulting in the revised contract cost of Four Hundred Forty Eight Thousand Seven Hundred Seventy Four and 16/100 Dollars (\$448,774.16) with Cash Services, LLC, of Millbury, Ohio.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

ATTEST: \_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: March 11, 2019





## DEPARTMENT OF PUBLIC WORKS

### *Division of Engineering*

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5829  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: February 25, 2019

Subject: **Commission Agenda Item – Permission to bid the Thorpe Drive Culvert Replacement Project**

**ITEM FOR CONSIDERATION:** Requesting legislation authorizing the City to accept bids for the Thorpe Drive Culvert Replacement Project

**BACKGROUND INFORMATION:** At the City Commission meeting on July 10, 2017, Ordinance No. 17-137, the city entered a design services agreement with K.E. McCartney & Associates, Inc. (KEM) for the Thorpe Drive Culvert Replacement Project. The existing culvert is corrugated metal multi plate arch structure located on Thorpe Drive between Venice Road and Venice Heights Boulevard. It was original installed in 1956 and recently in February 2017 the Ohio Department of Transportation (ODOT) completed a Bridge Load Summary Report for this structure. Due to the heavy corrosion noted in the culvert pipe, ODOT recommended installing weight limit signs for the bridge which was completed in February by the City's street department. They also recommended replacing the culvert with a new concrete box culvert or slipping a new smaller culver inside the existing one. Due to problems with quality control when pumping grout into the annular spaces between the existing culvert and a new one, it was determined to do a complete replacement of the culvert. The proposed work for the culvert replacement project will also involve replacing the existing sidewalk on the west side of Thorpe Drive and installing new sidewalk on the east side where currently there is a gap in the sidewalk. The resurfacing portion of this project will resurface Thorpe Drive from Venice Road to Venice Heights Boulevard. The section of Thorpe Drive over the culvert will have a complete pavement reconstruction over the new culvert.

**BUDGETARY INFORMATION:** The estimated cost of the project, including engineering, inspection, advertising, and miscellaneous costs is \$357,500.00. In September 2018, the City applied for Ohio Public Works Funds in the amount of \$162,500.00 for the Thorpe Drive Culvert Replacement Project which is a 50 percent split of the construction costs. The city was notified in December that this project had scored high enough to be awarded funding. The remaining cost to the city would be \$195,000.00 to be paid with Sewer Funds.

**ACTION REQUESTED:** It is recommended that the proposed Thorpe Drive Culvert 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 have a contractor in place to complete the construction activities by the estimated date of September 13, 2019, per the schedule submitted to the OPWC with the application.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Aaron M. Klein  
Director of Engineering

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED THORPE DRIVE CULVERT 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 existing culvert on Thorpe Drive between Venice Road and Venice Heights Boulevard is a corrugated metal multi plate arch structure originally installed in 1956 and in February of 2017 the Ohio Department of Transportation (ODOT) completed a Bridge Load Summary Report for this structure and due to the heavy corrosion noted in the culvert pipe, ODOT recommended installing weight limit signs for the bridge, which was completed in February by the City's Street Department, and in addition recommended replacing the culvert with a new concrete box culvert or slipping a new smaller culvert inside the existing one; and

**WHEREAS**, the proposed Thorpe Drive Culvert Replacement Project involves the complete replacement of the Thorpe Drive culvert and includes replacing the existing sidewalk on the west side of Thorpe Drive and installing new sidewalk on the east side where currently there is a gap in the sidewalk, resurfacing Thorpe Drive from Venice Road to Venice Heights Boulevard, and complete pavement reconstruction over the new culvert on Thorpe Drive; and

**WHEREAS**, this City Commission approved an agreement for professional design services with K.E. McCartney & Associates, Inc., of Mansfield, Ohio, for the Thorpe Drive Culvert Replacement Project by Ordinance No. 17-137, pass on July 10, 2017; and

**WHEREAS**, this City Commission authorized the submission of an application and to enter into a Project Agreement with the Ohio Public Works Commission (OPWC) to participate in the Ohio Public Works Commission's State Capital Improvement and/or Local Transportation Improvement Programs authorized by Chapter 164 (Aid to Local Government Improvements) of the Ohio Revised Code for the Thorpe Drive Culvert Replacement Project by Resolution No. 034-18R, passed on August 27, 2018; and

**WHEREAS**, the total estimated cost of this project, including engineering, inspection, advertising and miscellaneous expenses is \$357,500.00 of which \$162,500.00 (50% of construction costs) will be paid with Ohio Public Works Commission (OPWC) grant funds and the remaining balance of \$195,000.00 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 allow construction to be completed by the estimated date of September 13, 2019, pursuant to the schedule submitted to the OPWC with the application; 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 Thorpe Drive Culvert 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 Thorpe Drive Culvert 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 Thorpe Drive Culvert 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.

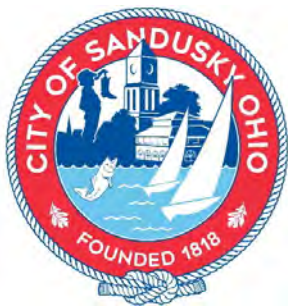
Section 6. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take

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: March 11, 2019



## COMMUNITY DEVELOPMENT

Matthew D. Lasko  
Chief Development Officer  
mlasko@ci.sandusky.oh.us

222 Meigs Street  
Sandusky, Ohio 44870  
419-627-5707  
www.ci.sandusky.oh.us

**To:** Eric L. Wobser, City Manager

**From:** Matthew D. Lasko, Chief Development Officer

**Date:** February 26, 2019

**Subject:** Commission Agenda Item – Service Level Agreement between the City of Sandusky and the Erie County Economic Development Corporation (ECEDC) for calendar year 2019.

**Items for Consideration:** Legislation approving a Service Level Agreement to be entered into by the City with ECEDC for the provision of certain economic development and marketing services for calendar year 2019.

**Background Information:** ECEDC is a regional economic development non-profit organization whose mission is to facilitate both the creation and retention of jobs within Erie County and is committed to increasing economic opportunities for individuals and businesses through comprehensive economic development programs.

ECEDC has partnered with the City for many years on economic development initiatives within the City including helping potential new businesses locate sites and secure redevelopment resources for building acquisition, equipment and working capital and linking new and existing businesses to the local workforce. ECEDC has also been integral in spurring local entrepreneurship through their Regional Incubator for Sustainability and Entrepreneurship.

ECEDC has in the past and will be engaged to continue the promotion of existing programs within the City while enhancing efforts around: (1) the promotion of the City as a regional destination for business expansion and creation based on local attractions, development incentives, availability of sites and proximity to a skilled workforce, and (2) small business development and entrepreneurship training.

**Budgetary Information:** The City will provide ECEDC \$30,000 from the General Fund in 2019 for services rendered and programs offered. The \$30,000 is to be paid to ECEDC quarterly in 2019 with payments to occur on or around March 31, June 30, September 30 and December 15 of 2019.

**Action Requested:** It is requested that the proper legislation be prepared to allow the City to enter into a Service Level Agreement with ECEDC for 2019. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to expedite passage in order for

ECEDC to be compensated for services provided thus far in 2019 and to permit the continuation of these services through the balance of the calendar year.

I concur with this recommendation:

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Eric L. Wobser  
City Manager

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Matthew D. Lasko  
Chief Development Officer

cc: Kelly Kresser, Clerk of the City Commission  
Trevor Hayberger, Law Director  
Hank Solowiej, Finance Director

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE ERIE COUNTY ECONOMIC DEVELOPMENT CORPORATION (ECEDC) FOR CERTAIN ECONOMIC DEVELOPMENT AND MARKETING SERVICES FOR CALENDAR YEAR 2019; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, ECEDC is a regional economic development non-profit organization whose mission is to facilitate both the creation and retention of jobs within Erie County and is committed to increasing economic opportunities for individuals and businesses through comprehensive economic development programs; and

**WHEREAS**, ECEDC has partnered with the City of Sandusky for many years on economic development initiatives within the City including helping potential new businesses locate sites and secure redevelopment resources for building acquisition, equipment and working capital and linking new and existing businesses to the local workforce and has also been integral in spurring local entrepreneurship through their Regional Incubator for Sustainability and Entrepreneurship; and

**WHEREAS**, ECEDC will again be engaged to continue the promotion of existing programs within the City of Sandusky while enhancing efforts around: (1) the promotion of the City as a regional destination for business expansion and creation based on local attractions, development incentives, availability of sites and proximity to a skilled workforce, and (2) small business development and entrepreneurship training; and

**WHEREAS**, the City will provide ECEDC \$30,000.00 from the General Fund in 2019 for services rendered and programs offered in calendar year 2019; 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 compensate ECEDC for services provided and programs offered in 2019 and to permit the continuation of services through the balance of the calendar year; 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 an Agreement with the Erie County Economic Development Corporation



(ECEDC) for certain economic development and marketing services in calendar year 2019, 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. This City Commission authorizes and approves the funding contribution to the Erie County Economic Development Corporation (ECEDC) for services rendered and to be rendered in CY 2019 and the City Manager and/or Finance Director are authorized and directed to make payments in an amount **not to exceed** Thirty Thousand and 00/100 Dollars (\$30,000.00) pursuant to and in accordance with the 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 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 reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

ATTEST: \_\_\_\_\_  
KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: March 11, 2019

## **AGREEMENT FOR SERVICES OF CONSULTANT**

This Agreement made on and entered into on this \_\_\_\_\_ day of \_\_\_\_\_, 2019, between the City of Sandusky, Ohio, a Municipal Corporation of the State of Ohio, located in the County of Erie, herein referred to as "City," and Erie County Economic Development Corporation, 247 Columbus Avenue, Suite 126, Sandusky, Ohio 44870, herein referred to as "Consultant."

In consideration of the mutual promises herein set out, the City and the Consultant agree as follows:

### **I. RECITALS**

The City desires to contract with the Consultant to provide assistance with economic development initiatives consistent with the document that is attached and marked Exhibit "A" and is specifically incorporated as if fully rewritten herein.

### **II. SCOPE OF SERVICES / NON-ASSIGNMENT**

The Consultant agrees to perform the services as described in Exhibit "A".

Consultant shall perform such services in accordance with the applicable sections of the Ohio Revised Code and any other applicable Federal, State, or Local rules, regulations, statutes and ordinances.

Consultant shall perform the duties under this Agreement personally and shall not assign or delegate the performance of those duties to any other person or entity without the prior written consent of the City.

### **III. INDEPENDENT CONTRACTOR**

Consultant acknowledges that it is an independent contractor while performing the services required in the Agreement, and any personnel required to perform the services in this Agreement will not be employees of the City.

#### **IV. COMPENSATION**

The City shall pay Consultant for the services specified in Exhibit "A" in the following manner: Thirty Thousand Dollars (\$30,000) for services rendered and to be rendered in CY 2019 to be paid quarterly with equal payments of Seven Thousand Five Hundred Dollars (\$7,500) to occur on or before March 31, 2019, June 30, 2019, September 30, 2019, and December 15, 2019.

#### **V. TERM AND TERMINATION FOR CAUSE**

This Agreement shall be in effect from the date of execution and shall end on December 31, 2019, unless sooner terminated by either party as provided herein.

Notwithstanding any other provision of this Agreement, either party may terminate this agreement for cause by giving written notice to the other party.

Notice of termination shall be by certified mail, return receipt requested, to Consultant at 247 Columbus Avenue, Suite 126, Sandusky, Ohio 44870 and to the City at 222 Meigs Street, Sandusky, Ohio, 44870, Attention: City Manager, with a copy to the Chief Development Officer.

The notice of termination is deemed to be effective upon receipt by the other party. Upon termination of this Agreement, Consultant shall have no further obligation to provide services to the City and the City shall have no further obligation to pay compensation beyond that for satisfactory services rendered in CY 2019 before the notice of termination is received together with the balance due for the services rendered by Consultant to the City in CY 2019. Consultant shall surrender to the City copies of all completed work, work in progress and any reports, records, contracts, financial records, and any other documents relating to the scope of services that may be in possession of Consultant at the time of termination.

**VI. NOTICE**

Whenever in this Agreement there shall be required or permitted that notice or demand to be given or served by either party to this Agreement, to or on the other, such notice or demand shall be given or served in writing by certified mail, return receipt requested addressed as follows:

City of Sandusky  
City Manager  
222 Meigs Street  
Sandusky, OH 44870

Erie County Economic Development  
Corporation  
247 Columbus Avenue, Suite 126  
Sandusky, OH 44870

**VII. GOVERNING LAW**

This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

**VIII. EQUAL EMPLOYMENT OPPORTUNITY**

In connection with the execution of this project, Consultant shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin. Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, color, sex, or national origin.

**IX. INDEMNIFICATION OF CITY**

Consultant shall indemnify City against any and all liability, demands, claims, suits, losses, damages, causes of action, fines or judgments and expenses incident to the same, for injuries to persons or property arising out of or in connection with Consultant's performance under and pursuant to this contract unless caused by the gross negligence or willful misconduct of the City.

#### **X. ENTIRE AGREEMENT / MODIFICATION**

This Agreement supersedes any and all agreements, both oral and written, between the City and Consultant with respect to the rendering of services by the Consultant for the City and contains all of the covenants and agreements between the City and Consultant. Each party acknowledges that no representations, inducements, promises, or agreements, written or oral, have been made by either party, or by anyone acting on behalf of either party, that are not embodied in this Agreement.

Any modification to this Agreement shall be effective only if it is in writing and signed by both the City and Consultant.

#### **XI. BINDING EFFECT**

All the terms and conditions of this contract shall be binding on City and Consultant, and their respective heirs, legal and personal representatives, successors and assigns.

**SIGNATURE PAGE TO FOLLOW**

**WITNESSES:**

\_\_\_\_\_  
  
\_\_\_\_\_

**CITY OF SANDUSKY:**

\_\_\_\_\_  
Eric L. Wobser, City Manager

**WITNESSES:**

\_\_\_\_\_  
  
\_\_\_\_\_

**CONSULTANT: ERIE COUNTY  
ECONOMIC DEVELOPMENT CORPORATION**

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(printed name & title)

Approved as to Form:

\_\_\_\_\_  
Trevor M. Hayberger(#0075112)  
Law Director  
City of Sandusky

**CERTIFICATE OF DIRECTOR OF FINANCE**

The undersigned, fiscal officer of the City of Sandusky, hereby certifies that the funds required to meet the obligations of the City during the year 2019 under the Agreement have been lawfully appropriated by the 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.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Hank Solowiej  
Director of Finance

\_\_\_\_\_  
Account Number

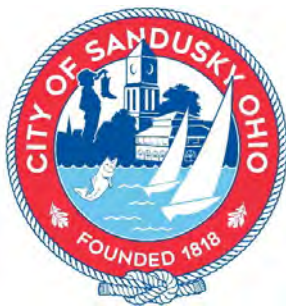
# Sandusky Service Level Agreement – 2019

City of Sandusky & Erie County Economic Development Corporation (ECEDC)

ECEDC Top Priorities	Commitment to City of Sandusky
<p><u>Business retention, expansion, and attraction</u></p>	<ul style="list-style-type: none"> <li>▶ Conduct regular business retention visits through the Business Expansion and Retention (BEAR) program to ensure existing businesses receive the assistance necessary to stay and grow in Sandusky. This program works to create an environment conducive to growth by identifying issues and early warning signs of threats or opportunities. Once needs are ascertained, ECEDC coordinates efforts with resource providers to ensure that businesses are receiving the best assistance available. Sandusky's economic development programs, incentives, and support systems will be marketed through ECEDC's BEAR program.</li> <li>▶ Link eligible new or existing businesses to regional, state and federal resources to facilitate business development and the construction or expansion of facilities and/or technologies. ECEDC will provide City of Sandusky staff with notices of funding availability when aware and relevant information with regard to changes to federal, state, regional policies that may impact the economic development arena within the City of Sandusky.</li> <li>▶ Serve as Erie County's JobsOhio network partner to receive leads and vet and develop prospect proposal and responses. ECEDC will make every effort to connect to the City of Sandusky early in the prospect development phase when eligible to maximize Sandusky's chances of successfully securing new business commitments. Upon receipt, eligible leads will be distributed via email to Sandusky's economic development staff and their input will be incorporated into Requests for Information (RFI) submitted to JobsOhio. In addition to regular communications, ECEDC will meet with Sandusky economic development staff bi-annually to share the results of these leads and to discuss regional trends in business attraction and needs for Erie County's physical and technical infrastructure.</li> <li>▶ Inventory available development sites and buildings in order to market them to potential new businesses. An individual from the Sandusky economic development staff will also be set up as a contributor to ECEDC's system in order to jointly review and update property listings regularly.</li> <li>▶ Assist the City of Sandusky economic development staff in attracting unique retail offerings to the downtown business district, possibly as part of a cohesive strategy involving landlords, developers, and other local partners.</li> <li>▶ In partnership with the City, attract upper floor commercial office tenants in the downtown business district.</li> </ul>



<u>Small business development and entrepreneur support</u>	<ul style="list-style-type: none"> <li>▶ Support entrepreneurs through the continued operation of the Regional Incubator for Sustainability and Entrepreneurship (RISE) program. RISE is a partnership with the Great Lakes Innovation and Development Enterprise (GLIDE) and Bowling Green State University (BGSU) Firelands campus and provides business development assistance to both startups and existing businesses. RISE services are offered free of charge and include viability analysis, business plan development, sales and marketing support, employee training and development, and access to capital. Services are primarily delivered through one-on-one milestone mentoring, but also includes monthly networking and educational events targeting critical areas for entrepreneurs and small business owners.</li> <li>▶ Be available to the City of Sandusky to vet proposals received through its economic development programs.</li> <li>▶ Evaluate the creation of a physical location for RISE in the downtown Sandusky business district.</li> </ul>
<u>Human capital attraction and development</u>	<ul style="list-style-type: none"> <li>▶ Support regional workforce development needs both proactively and in project specific applications for City of Sandusky businesses such as demographic or labor market analysis.</li> <li>▶ Work with area education and workforce partners, specifically the Firelands Partnership, to assess regional labor force availability and ever-changing needs for workplace skills and strategies to drive align between the two.</li> <li>▶ Serve as the lead of the Erie County K-16 Business Advisory Council (includes Sandusky City Schools and Sandusky Central Catholic) whose mission is to cultivate relationships and enhance connections between the business and education communities to understand ongoing opportunities and implement support strategies.</li> </ul>
<u>Strong regional identity</u>	<ul style="list-style-type: none"> <li>▶ Regularly feature Sandusky based businesses and City of Sandusky vision and economic development incentives in marketing campaigns promoting our region as a pro-growth location (such as 2018 campaigns like the Erie County FutureMakers or 12 Days of Development series which consistently reached thousands of business readers).</li> </ul>
<u>Stewardship of regional economic development</u>	<ul style="list-style-type: none"> <li>▶ Share information about regional and State of Ohio development programs and activities to local constituents, local governments, chambers of commerce, and other organizations that support local economic development initiatives. This information will be shared through in-person meetings, ECEDC's website, email, social media, and other appropriate channels. ECEDC will proactively assess program availability and updates on a monthly basis with our JobsOhio partners and on a quarterly basis with the Ohio Economic Development Association. Programs or significant changes will be shared with Sandusky economic development staff as information becomes available.</li> <li>▶ Monitoring efforts will also examine State of Ohio legislation considered to have an impact on area economic development opportunities.</li> </ul>



## COMMUNITY DEVELOPMENT

Matthew D. Lasko  
Chief Development Officer  
mlasko@ci.sandusky.oh.us

222 Meigs Street  
Sandusky, Ohio 44870  
419-627-5707  
www.ci.sandusky.oh.us

**To:** Eric L. Wobser, City Manager  
**From:** Matt Lasko, Chief Development Officer  
**Date:** February 26, 2019  
**Subject:** Commission Agenda Item – Demolition Loan Agreement – First Amendment

**Items for Consideration:** Legislation approving a First Amendment to Demolition Loan Agreement to be entered into between the City of Sandusky (the “City”) and the Erie County Land Reutilization Corporation. (“ECLRC”), an Ohio non-profit corporation, for the purposes of furthering blight elimination efforts within the City.

**Background Information:** ECLRC’s purpose is to “promote and facilitate the reclamation, rehabilitation and reutilization of vacant, abandoned, tax-foreclosed or other real property in Erie County. By strategically acquiring properties and returning them to productive use, ECLRC works to reduce blight, increase property values, strengthen neighborhoods, and improve the quality of life for all Erie County residents.”

ECLRC traditionally provides blight elimination services and activities based on the availability of grant funding. The current grant ECLRC is administering through the Ohio Housing Finance Agency’s Neighborhood Initiative Program, provides grant proceeds for the abatement and demolition of blighted residential structures – however, only provides funding on a reimbursable basis.

ECLRC, although operating with a modest annual budget, was able to traditionally wait for reimbursements due to demolishing only a handful of properties at any given time. However, over the course of the previous month and through the remainder of 2019, ECLRC has and will demolish between 8-12 additional properties. ECLRC does not have sufficient funds in their operating account to pay 100% of the asbestos surveying, abatement and demolition expenses while awaiting reimbursement.

Knowing this issue was also a concern in 2018, Commission had previously approved a \$125,000 Demolition Loan Agreement to aid ECLRC in bridging expenses while awaiting reimbursement from the Ohio Housing Finance Agency. During the original term of the loan, ECLRC drew down a total of \$88,685 and has since paid the loan balance in full and cannot draw down any additional funds per the terms of the original Demolition Loan Agreement. Based on the pipeline of demolitions noted above in 2019, staff is recommending entering into a First Amendment to the Demolition Loan Agreement to allow ECLRC to access funds to bridge demolition and asbestos surveying/abatement expenses in 2019 while awaiting reimbursement

from the Ohio Housing Finance Agency. Per the terms of the proposed First Amendment, ECLRC will be able to draw down funds for any and all demolition, asbestos survey and asbestos abatement expenses incurred on properties within the municipal limits of Sandusky. Funds can be drawn down through November 30, 2019 and all funds must be repaid to the City no later than December 15, 2019. The loan amount will remain \$125,000 and all other terms of the original Demolition Loan Agreement remain unchanged.

**Budgetary Information:** The City will be responsible for continuing to make available loan proceeds to ECLRC in an amount not to exceed \$125,000 from the Real Estate Development Fund. These funds can only be disbursed during calendar year 2019 and must be returned to the City in full no later than December 15, 2019.

**Action Requested:** It is requested that the proper legislation be prepared to allow the City to enter into a First Amendment to Demolition Loan Agreement with ECLRC. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to expedite passage for all needed demolition activities to be completed prior to the end of calendar year 2019.

I concur with this recommendation:

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Eric L. Wobser  
City Manager

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Matthew D. Lasko, MUPDD, MSSA  
Chief Development Officer

cc: Kelly Kresser, Clerk of the City Commission  
Trevor Hayberger, Law Director  
Hank Solowiej, Finance Director

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING AND APPROVING A FIRST AMENDMENT TO THE DEMOLITION LOAN AGREEMENT IN THE AMOUNT OF \$125,000.00 WITH THE ERIE COUNTY LAND REUTILIZATION CORPORATION (ECLRC) FOR THE PURPOSES OF FURTHERING BLIGHT ELIMINATION EFFORTS IN CALENDAR YEAR 2019; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Erie County Land Reutilization Corporation's (ECLRC) purpose is to promote and facilitate the reclamation and reutilization of abandoned, tax foreclosed, and other property in Erie County and by strategically acquiring properties and returning them to productive use, ECLRC works to reduce blight, increase property values, strengthen neighborhoods, and improve the quality of life for all Erie County residents; and

**WHEREAS**, ECLRC traditionally provides blight elimination services and activities based on the availability of grant funding and currently is administering grant funds through the Ohio Housing Finance Agency's Neighborhood Initiative Program, which provides grant proceeds for the abatement and demolition of blighted residential structures on a reimbursable basis; and

**WHEREAS**, this City Commission approved a Demolition Loan Agreement in the amount of \$125,000.00 to the Erie County Land Reutilization Corporation (ECLRC) for purposes of furthering blight elimination efforts by Ordinance No. 18-200, passed on October 22, 2018, of which a total of \$88,685.00 in funds were expensed to the ECLRC in 2018 and have since been paid; and

**WHEREAS**, ECLRC anticipates demolishing between 8-12 additional properties over the course of the previous month through the remainder of 2019 and does not have sufficient funds in their operating account to pay 100% of the asbestos surveying, abatement and demolition expenses while awaiting reimbursement; and

**WHEREAS**, it is recommended to execute a First Amendment to the Demolition Loan Agreement to provide a loan in the amount of \$125,000.00 to ECLRC for the costs of asbestos surveying, abatement, demolition (and other related costs) in 2019 for blight elimination efforts on properties within the City of Sandusky at a 0% interest rate; and

**WHEREAS**, pursuant to the First Amendment, funds can be expensed through November 30, 2019, and must be repaid to the City no later than December 15, 2019; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the First Amendment to the Demolition Loan Agreement and allow for all of the demolition activities to be completed prior to the end of the calendar year 2019; 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 First Amendment to the Demolition Loan Agreement with the Erie County Land Reutilization Corporation (ECLRC) for the purposes of furthering flight elimination efforts within the City in calendar year 2019, 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 being consistent with the objectives and requirements of this Ordinance and with carrying out the City's public purposes.

Section 2. This City Commission authorizes and approves the loan funding to the Erie County Land Reutilization Corporation in an amount **not to exceed** One Hundred Twenty Five Thousand and 00/100 Dollars (\$125,000.00) from the Real Estate Development Fund pursuant to and in accordance with the terms of the First Amendment to the Demolition Loan 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: March 11, 2019

## FIRST AMENDMENT TO DEMOLITION LOAN AGREEMENT

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THIS FIRST AMENDMENT TO DEMOLITION LOAN AGREEMENT made by and between the City of Sandusky, Ohio, hereinafter City, and the Erie County Land Reutilization Corporation, hereinafter ECLRC.

WHEREAS, the City is a member of the ECLRC, and

WHEREAS, the ECLRC has the statutory purpose provided in R.C. 1724.01 (B)(2)(a) to facilitate the reclamation and reutilization of abandoned, tax foreclosed, and other property in Erie County including within the City, and

WHEREAS, the City has received a significant public benefit within its various neighborhoods by the actions and performance of the ECLRC, and

WHEREAS, the primary source of ECLRC's funding for demolitions comes from the Ohio Housing Finance Agency (OHFA), which has now established year-end demolition deadlines in order to qualify for and receive funding, and

WHEREAS, the ECLRC is now experiencing a shortfall in its current funds on hand that are necessary to pay demolition contractors to continue without interruption to their demolition contracts, and

WHEREAS, in order to complete as many demolitions as possible within 2019, the ECLRC lacks sufficient funds to pay all the necessary up-front demolition costs, and

WHEREAS, the timing of the receipt of the expected Ohio Housing Financing Agency (OHFA) reimbursement for these demolitions will not occur until after completion of each actual and current demolition, which does not allow ECLRC to cover the immediate shortfall of the necessary up-front costs, and

WHEREAS, in order for the City to receive the long-term public benefit of enabling the ECLRC to timely complete as many 2019 demolitions as possible, a short-term loan made by the City to the ECLRC would be in the general public interest, and

WHEREAS, R.C. 1724.02 (A)(1) authorizes the ECLRC to otherwise borrow and secure the necessary funds for its demolition purposes provided in R.C. 1724.01 (2)(a), and

WHEREAS, on October 31, 2018, the City and ECLRC entered into their first Demolition Loan Agreement, and

WHEREAS, ECLRC has reimbursed the City under the original Demolition Loan Agreement and desires to renew the Agreement, and

WHEREAS, the City and ECLRC have reached mutually satisfactory terms for the City to make another secured loan to the ECLRC.

NOW, THEREFORE, IN CONSIDERATION of the terms and conditions herein, the City and the ECLRC agree as follows:

#### LOAN TERMS

1. During the period from March \_\_\_\_, 2019 to December 15, 2019, the City agrees according to the terms of this Agreement to make one or more loans to ECLRC in a principal amount up to but not exceeding One Hundred Twenty-five Thousand (\$125,000.00) Dollars without interest. Payable upon proof shown of expenses.

2. The loan(s) shall be used only for the demolition of buildings on properties owned by ECLRC. Only property within the municipal boundaries of the City shall be eligible for any loan. ECLRC may draw down from the loan principal as needed without prior request to the City based on the eligible costs and expenses under this Agreement through November 30, 2019.

3. ECLRC shall repay the loan(s) from the reimbursement funding from OHFA. Repayment shall be made within seven (7) business days of the receipt of an OHFA reimbursement. ECLRC agrees that its full and complete repayment of all loan(s) under this Agreement shall be completed by December 15, 2019.

4. ECLRC represents that it is authorized to borrow from the City under terms of this Agreement to pledge or otherwise secure its loan from the City. As collateral for receipt of this Loan, ECLRC does pledge all pending and future OHFA reimbursement as endorsed by the attached Uniform Commercial Code (UCC) Financing Statement.

5. ECLRC shall not assign this Agreement.



6. ECLRC shall disclose to the City all information that addresses the demolitions financed by and under this Loan agreement as well as the application for reimbursement status and actual receipt of OHFA funds.

7. ECLRC shall not pledge or otherwise use its OHFA reimbursements except to pay all actual costs of demolitions occurring under this Loan Agreement and to repay the loan given by the City.

8. This Agreement contains all the representations and understandings of the parties.

SIGNED by the respective authorized representatives and officials of each party on the dates corresponding to each signature.

CITY OF SANDUSKY, OHIO

by \_\_\_\_\_  
Eric L. Wobser, City Manager

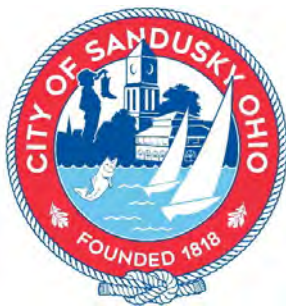
ERIE COUNTY LAND REUTILIZATION CORPORATION

by \_\_\_\_\_  
Patrick J. Shenigo, Board President

APPROVED AS TO FORM:

\_\_\_\_\_  
Trevor Hayberger  
Law Director, City of Sandusky, Ohio

\_\_\_\_\_  
Jon K. Burton, Attorney for the Erie County  
Land Reutilization Corporation



## COMMUNITY DEVELOPMENT

Matthew D. Lasko  
Chief Development Officer  
mlasko@ci.sandusky.oh.us

222 Meigs Street  
Sandusky, Ohio 44870  
419-627-5707  
www.ci.sandusky.oh.us

**To:** Eric L. Wobser, City Manager

**From:** Matthew D. Lasko, Chief Development Officer

**Date:** February 13, 2019

**Subject:** Commission Agenda Item – Enterprise Zone (EZ) Tax Abatement Agreement

**Items for Consideration:** Legislation approving an Enterprise Zone Tax Abatement Agreement (the “Agreement”) between the City of Sandusky and Cooke Building, LLC, an Ohio limited liability company, for the purposes of furthering economic development efforts in the City.

**Background Information:** Cooke Building, LLC is owned by Richard & Meghan Hogrefe (the “Hogrefe’s”). The Hogrefe’s have purchased eleven (11) buildings in downtown Sandusky and two (2) buildings in Bayview. The Hogrefe’s have and are investing significantly to renovate and restore many properties in Sandusky. Most recently, the Hogrefe’s, with attention to historic detail, beautifully restored and invested \$3M into the Schmidt building at 246 E. Market Street into eight (8) residential apartment units and three (3) retail/commercial storefronts.

The Hogrefe’s have recently acquired the partially vacant commercial buildings located at 119 E. Market Street 154-162 Columbus Avenue and further identified as Permanent Parcel Nos. 56-00527.000, 56-00528.000 and 56-00528.001. The Hogrefe’s are now desirous of substantially rehabilitating the approximate thirty-five thousand (35,000) square foot buildings into leasable retail and commercial space along with entertainment and event space on the third floor. The project calls for an investment of between \$6,000,000 - \$7,000,000 in new construction/renovation and approximately \$500,000 in furniture, fixtures and equipment. However, based on the cost of rehabilitation versus what the leasable spaces can be rented out for, the Hogrefe’s have requested real estate tax abatement through the Enterprise Zone program to realize operational tax liability savings for the first ten (10) years of the project until the project has stabilized, and market rents have increased.

Additional terms of the proposed Agreement call for the project to be completed by September 1, 2020 but in no instance later than December 31, 2020. Further, the project is to result in the hiring of no less than eight (8) new employment positions no later than June 30, 2021 and an increase in annual payroll of minimally \$300,000.

Based on this investment and the importance of the project for both preserving our historic downtown building stock and bringing leasable commercial and retail space to market, staff is

recommending approving a 10-year, 75% real estate tax abatement on the increase to the assessed valuation on the property.

Pursuant to ORC Section 5709.83, the Sandusky City Schools have been afforded the appropriate notice based on a certain school notification letter that was delivered on February 11, 2019.

**Budgetary Information:** The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create a minimum of eight (8) permanent full- and part-time employment positions that will be subject to City income tax. Additionally, the new real estate tax revenues in years 1-30 will be paid into the Central Public Improvement Tax Increment Equivalent Fund.

**Action Requested:** It is requested that the proper legislation be prepared to allow the City of Sandusky to enter into an EZ Tax Abatement Agreement with Cooke Building, LLC. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to immediately approve the EZ Tax Abatement Agreement and allow the Hogrefe's to move forward with final budgetary planning and ensure the full benefit of the abatement is realized

I concur with this recommendation:

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Eric L. Wobser  
City Manager

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Matthew D. Lasko, MUPDD, MSSA  
Chief Development Officer

cc: Kelly Kresser, Clerk of the City Commission  
Trevor Hayberger, Law Director  
Hank Solowiej, Finance Director



## COMMUNITY DEVELOPMENT

Matthew D. Lasko  
Chief Development Officer  
mlasko@ci.sandusky.oh.us

222 Meigs Street  
Sandusky, Ohio 44870  
419-627-5707  
www.ci.sandusky.oh.us

February 11, 2019

Gina Deppert, Treasurer  
Sandusky City Schools  
407 Decatur Street  
Sandusky, Ohio 44870

### **Re: Cooke Building, LLC - Request for Enterprise Zone Abatement Agreement**

Dear Ms. Deppert:

The City of Sandusky has received a request for tax abatement from Cooke Building, LLC under the Enterprise Zone (EZ) abatement program for the rehabilitation of a commercial/retail facility located at 154-162 Columbus Avenue and 119 E. Market Street, Sandusky, Ohio 44870. This will be a historic rehabilitation project including three (3) legal permanent parcels and two (2) distinct buildings.

The City's Community Development Department has reviewed this request and is recommending that an Enterprise Zone Agreement be approved consistent with the terms and conditions enumerated below. These terms and conditions have now been accepted by the company.

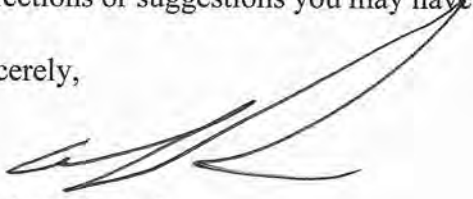
1. Abatement of taxes of new real estate taxes for improvements made at the Project Site for a period of ten (10) years at 75% is recommended. The company will be granted abatement on the appraised value of the new real improvements.
2. The company's investment includes the rehabilitation of the three-story structure that, once completed, will use the third floor for entertainment purposes, the second floor as office space and ground floor retail. The estimated value of the improvements including acquisition costs is between \$6,500,000 - \$7,500,000 – not including furniture, fixtures and equipment.
3. The company will pay an annual monitoring fee of \$200 payable to the City of Sandusky no later than April 15<sup>th</sup> of the year following each year the agreement is effective.
4. The company and its tenants will create a minimum of ten (10) new full-time and part-time jobs between March 1, 2020 – July 1, 2020. The minimum stabilized payroll for the company and tenants is estimated to between \$260,000 - \$350,000 annually.
5. All other standard terms and conditions apply.

This project will create new employees and payroll immediately upon completion of construction. Furthermore, this project repurposes and rejuvenates one of downtown's most iconic buildings and one that is listed individually on the National Register of Historic Places. We believe that this project is instrumental in fully realizing the potential of downtown while maintaining our historic building stock and its proposal is in the best interests of all parties and we hope that the Sandusky Schools agree.

Pursuant to Ohio Revised Code Section 5709.83 the Sandusky City Schools are hereby notified that the City of Sandusky will consider the request at its Commission meeting on February 25, 2019.

We have attached the company's Enterprise Zone Application. Please review these documents and contact the undersigned at 419-627-5707 or via e-mail at [mlasko@ci.sandusky.oh.us](mailto:mlasko@ci.sandusky.oh.us) with any questions, corrections or suggestions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew D. Lasko', with a long, sweeping horizontal stroke extending to the right.

Matthew D. Lasko  
Chief Development Officer

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REPEALING ORDINANCE NO. 19-031 AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH COOKE BUILDING, LLC; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the State of Ohio has provided for the establishment of “Enterprise Zones” pursuant to Sections 5709.61 to 5709.914 of the Ohio Revised Code (the “Act”), and for the provision of tax incentives to private enterprise in order to promote and encourage expansion programs by private enterprise in such Enterprise Zones, and the creation and/or preservation of jobs and economic development in connection therewith; and

**WHEREAS**, the City Commission, by Resolution No. 05-183 adopted December 27, 2005, designated an area as an Enterprise Zone pursuant Section 5709.61(A)(1)(a) and (f) of the Act; and

**WHEREAS**, effective April 18, 2006, the Director of Ohio Development Services Agency of the State of Ohio determined that the geographic area designated in said Resolution No. 05-183 contains the characteristics set forth in Section 5709.61(A)(1)(a) and (f) of the Act and certified said area as an Enterprise Zone under the Act; and

**WHEREAS**, Richard and Meghan Hogrefe are the owners of Cooke Building, LLC, and have purchased eleven (11) buildings in downtown Sandusky and have and are investing significantly to renovate and restore many properties in Sandusky, and most recently, restored the Schmidt building at 246 E. Market Street into eight (8) residential apartment units and three (3) retail/commercial storefronts; and

**WHEREAS**, the Hogrefe’s have recently acquired the partially vacant commercial buildings located at 119 E. Market Street 154-162 Columbus Avenue, further identified as Permanent Parcel Nos. 56-00527.000, 56-00528.000 and 56-00528.001, and intend to substantially rehabilitate the approximate thirty-five thousand (35,000) square foot buildings into leasable retail and commercial space along with entertainment and event space on the third floor and the project proposes an investment of between \$6,000,000 - \$7,000,000 in new construction/renovation and approximately \$500,000 in furniture, fixtures and equipment; and

**WHEREAS**, the City received a request for Enterprise Zone tax abatement from Cooke Building, LLC, for their rehabilitation project; and

**WHEREAS**, it is recommended to approve a 10-year, 75% real estate tax abatement on the increase to the assessed valuation of the property, based on the investment and the importance of the project for both preserving the City’s historic downtown building stock and bringing leasable commercial and retail space to market; and

**WHEREAS**, pursuant to Ohio Revised Code §5709.83, the Board of Education of the Sandusky City Schools was notified in writing of the request for tax exemption by letter dated and delivered on February 11, 2019; and

**WHEREAS**, this proposed project will have an ongoing positive impact the City's General Fund as 25% of the increase in value will be subject to real estate taxes during the abatement period and the project will help sustain construction jobs in the local economy and will additionally create a minimum of eight (8) full- and part-time employment positions that will be subject to City income tax; 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 expedite approval of the agreement and allow the Hogrefe's to move forward with final budgetary planning and ensure the full benefit of the abatement is realized; 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 hereby repeals Ordinance No. 19-031, passed on February 25, 2019.

Section 2. This Commission hereby approves the Enterprise Zone Agreement pursuant to the terms and conditions contained therein, a copy of which is marked Exhibit "1" attached to this Ordinance and is specifically incorporated as if fully rewritten herein.

Section 3. The City Manager is hereby authorized and directed to execute the Enterprise Zone Agreement with Cooke Building, LLC, on behalf of the City in accordance with the terms and conditions as contained in the form of the agreement marked Exhibit "1" attached to this Ordinance 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 terms of this Ordinance.

Section 4. 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 5. 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 6. 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: March 11, 2019



## **ENTERPRISE ZONE AGREEMENT**

This agreement made and entered into by and between the City of Sandusky, Ohio, an Ohio municipal corporation with a Commission-Manager form of government with its main offices located at 222 Meigs Street Sandusky, Ohio 44870 (the “City”), and Cooke Building, LLC, an Ohio limited liability company, with offices located at 5235 Castle Hills Drive, San Diego, California 92109 (the “Company”),

### **WITNESSETH:**

WHEREAS, The City of Sandusky has encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, the owners of the Company have purchased and renovated in part eleven (11) properties within the City of Sandusky. The Company has recently acquired two (2) partially vacant commercial buildings located at 154-162 Columbus Avenue, Sandusky, Ohio 44870 and 119 E. Market Street, Sandusky, Ohio 44870 and further identified as Permanent Parcel Nos. 56-00527.000, 56-00528.000 and 56-00528.001. The Company is now desirous of substantially rehabilitating the approximate thirty-five thousand (35,000) combined square foot buildings into leasable retail and commercial space along with upper floor entertainment space. The Company will invest between \$6,000,000 - \$7,000,000 in new construction and approximately \$500,000 in furniture, fixtures and equipment (the “Project”), which Project will preserve or create employment opportunities within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said Project; and

WHEREAS, the Sandusky City Commission of the City of Sandusky, Ohio by Resolution No. 05-183 adopted April 18, 2006, designated the area as an "Enterprise Zone" pursuant Chapter 5709.61(A)(1)(a) and (f) of the Ohio Revised Code; and

WHEREAS, effective April 18, 2006, the Director of the Ohio Development Services Agency of the State of Ohio determined that the aforementioned area designated in said Resolution No. 05-183 contains the characteristics set forth in Section 5709.61(A)(1)(a) and (f) of the Ohio Revised Code and certified said area as an Enterprise Zone under said Chapter 5709; and

WHEREAS, the City having the appropriate authority for the stated type of project is desirous of providing the Company with incentives available for the development of the Project in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, the Company has submitted a proposed agreement application (herein attached as Exhibit A) to the City (the "Application"); and

WHEREAS, the Company has remitted the required state application fee of \$750.00 made payable to "Treasurer of the State of Ohio" with the application to be forwarded with the final agreement; and

WHEREAS, the Chief Development Officer of the City has investigated the application of the Company and has recommended the same to the Sandusky City Commission on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of the City; and

WHEREAS, the project site as proposed by the Company is located in the Sandusky City School District and the Board of Education of the Sandusky City Schools have been notified in accordance with Section 5709.83 and been given a copy of the application; and

WHEREAS, pursuant to Section 5709.62(C) and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties agree as follows:

1. The Company shall renovate approximately thirty-five thousand (35,000) square foot in two (2) historic buildings to be utilized for lease to retail and commercial tenants while also creating entertainment space on the third floor. The Company estimates an anticipated real estate investment for the Project between \$6,000,000 - \$7,000,000 not including acquisition costs. Furthermore, the Company will install approximately \$500,000 in furniture, fixtures, equipment and machinery for the Project. The Project represents a significant new investment at the site. The construction is expected to be complete by September 1, 2020 but no later than December 31, 2020.

2. The Company shall create or cause to be created the equivalent of eight (8) new full-time equivalent job opportunities within the time period outlined below.

The Company schedule for hiring is to hire or cause to be hired eight (8) new jobs by June 30, 2021. The job creation period begins March 1, 2020 and all jobs are expected to be in place by June 30, 2021.

The Company currently has 0 full-time permanent employees, 0 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees at the Project site. In total, the Company has 0 full-time permanent employees, 0 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees in the State of Ohio.

This total increase in the number of employees over the entire job creation period will result in approximately \$300,000.00 (dollars) of additional annual payroll for the Company or made possible by the Company. The following is an itemization by the type of new jobs created: permanent full-time \$250,000.00, permanent part-time \$50,000.00 and temporary full-time \$0.

3. The Company shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council.

4. The Company will use its best efforts to hire employees from Erie County, with a preference to residents of the City. Furthermore, the Company shall use Erie County contractors for work related to the Project to the greatest extent possible.

5. The City hereby grants the Company a tax exemption for real property improvements made to the Project site pursuant to Section 5709.62 of the Ohio Revised Code for ten (10) years and shall be in the following amounts:

<u>Year of Tax Exemption</u>	<u>Tax Exemption Amount</u>
YR 1	75%
YR 2	75%
YR 3	75%
YR 4	75%
YR 5	75%
YR 6	75%
YR 7	75%
YR 8	75%
YR 9	75%
YR 10	75%

The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after 2020 nor extend beyond 2029.

The Company must file the appropriate tax forms with the County Auditor and with the State Department of Taxation (#913) to effect and maintain the exemptions covered in the agreement. The #913 Ohio tax form **must** be filed annually.

6. The Company shall pay an annual monitoring fee equal to two hundred dollars (\$200.00).

The fee shall be made payable to the City once per year, due no later than April 15<sup>th</sup> of each year. The fee is to be paid to the Director of Finance by check made out to the City of Sandusky. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with section 5709.68 of the Ohio Revised Code and by the Tax Incentive Review Council created under section 5709.85 of the Ohio Revised Code exclusively for the purposes of performing the duties prescribed under that section.

7. The Company shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If the Company fails to pay such taxes or file such returns

and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

8. The City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

9. If for any reason the Enterprise Zone designation expires, the Director of the Ohio Development Services Agency revokes certification of the zone, or the City revokes the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless the Company materially fails to fulfill its obligations under this agreement and the City terminates or modifies the exemptions from taxation granted under this agreement.

10. If the Company materially fails to fulfill its obligations under this agreement, other than with respect to the number of employee positions estimated to be created or retained under this agreement, or if the City determines that the certification as to delinquent taxes required by this agreement is fraudulent, the City may terminate or modify the exemptions from taxation granted under this agreement.

11. In any three-year period during which this agreement is in effect, if the actual number of employee positions created or retained by the Company is not equal to or greater than seventy-five per cent of the number of employee positions estimated to be created or retained under this agreement during that three-year period, the Company shall repay the amount of taxes on property that would have been payable had the property not been exempted from taxation under this agreement during that three-year period. In addition, the City may terminate or modify the exemptions from taxation granted under this agreement.

12. The Company hereby certifies that at the time this agreement is executed, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio and does not owe delinquent taxes for which the Company is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753. of the Revised Code, or, if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against the Company. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.

13. The Company affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

14. The Company and the City acknowledge that this agreement must be approved by formal action of the legislative authority of the City as a condition for the agreement to take effect. This agreement shall take effect upon the later of the date of such legislative approval or the date all parties have signed this agreement.

15. The City has developed a policy to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this agreement, the Company is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, sexual orientation, gender identity or expression, disability, color, national origin, or ancestry.

16. Exemptions from taxation granted under this agreement shall be revoked if it is determined that the Company, any successor enterprise, or any related member (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

17. The Company affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for the Enterprise Zone incentives. If any representative of the Company has knowingly made a false statement to the State or local political subdivision to obtain the Enterprise Zone incentives, the Company shall be required to immediately return all benefits received under the Enterprise Zone Agreement pursuant to ORC Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

18. This agreement is not transferrable or assignable without the express, written approval of the City.

[Signature page follows.]

IN WITNESS WHEREOF, the City of Sandusky, Ohio, by Eric Wobser, its City Manager, and pursuant to Ordinance No. \_\_\_\_\_, has caused this instrument to be executed this \_\_\_\_ day of \_\_\_\_\_, 2019 and Cooke Building, LLC by Richard Hogrefe, its \_\_\_\_\_, and by Meghan Hogrefe its \_\_\_\_\_ has caused this instrument to be executed on this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF SANDUSKY, OHIO

By: \_\_\_\_\_  
Eric Wobser, City Manager

COOKE BUILDING, LLC

By: \_\_\_\_\_  
Richard Hogrefe, its: \_\_\_\_\_

By: \_\_\_\_\_  
Meghan Hogrefe, its: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Director of Law

Date: \_\_\_\_\_, 2019

## **EXHIBIT A**

[Attach Application]

DRAFT



**OHIO DEVELOPMENT SERVICES AGENCY  
OHIO ENTERPRISE ZONE PROGRAM**

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**PROPOSED AGREEMENT** for Enterprise Zone Tax Incentives between the \_\_\_\_\_ (local legislative authorities) \_\_\_\_\_ located in the County of \_\_\_\_\_ and Cooke, LLC

- 1a. Name of business, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

Cooke, LLC

enterprise name

858-688-2874 Richard  
617-817-3261 Meghan

telephone number

Richard and Meghan Hogrefe

contact person

5235 Castle Hills Drive San Diego, CA 92109

address

- 1b. Project site: Cooke Complex

Richard and Meghan Hogrefe

contact person

858-688-2874 Richard  
617-817-3261 Meghan

telephone number

156-162 Columbus Ave and 119 E. Market Street Sandusky, OH 44870

address

- 2a. Nature of business (manufacturing, distribution, wholesale or other).

**Real Estate Development**

- 2b. List primary 6 digit NAICS # 531390 .

Business may list other relevant SIC numbers.

- 2c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred)
- N/A
- 
- 2d. Form of business of enterprise (corporation, partnership, proprietorship, or other).
- Limited Liability Corporation
- 
3. Name of principal owner(s) or officers of the business (attach list if necessary).
- Richard and Meghan Hogrefe
- 
4. Is business seasonal in nature? Yes\_\_\_ No<sup>x</sup>\_\_\_
- 5a. State the enterprise's current employment level at the proposed project site:
- 0
- 
- 5b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Note that relocation projects are restricted in non-distress based Ohio Enterprise Zones. A waiver from the Director of the Ohio Department of Development is available for special limited circumstances. The business and local jurisdiction should contact ODOD early in the discussions.
- Yes\_\_\_ No<sup>x</sup>\_\_\_
- 5c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:
- N/A
- 
- 5d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):
- 0
- 
- 5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:
- N/A
- 5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?
- N/A
- 6a. Has the Enterprise previously entered into an Enterprise Zone Agreement with the local

legislative authorities at any site where the employment or assets will be relocated as a result of this proposal? Yes \_\_\_ No X

6b. If yes, list the local legislative authorities, date, and term of the incentives for each Enterprise Zone Agreement:

7. Does the Enterprise owe :

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes\_\_\_ No X

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes\_\_\_ No XX

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

Yes\_\_\_ No X

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

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8. Project Description (attach additional pages if necessary):

Renovate Cooke Buildig with an attempt to returen to the late 1800's look. Add safety feature and elevator.

Rehabilitate full upper floor for entertainment, 2nd floore as office space. All first floor is retail space.

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9. Project will begin March 1, 2019 and be completed September 1, 2020 provided a tax exemption is provided.

10a. Estimate the number of new employees the business intends to hire at the facility that is the project site (job creation projection must be itemized by full and part-time and permanent and temporary):

Developing Space

5 FT, 5 PT

10b. State the time frame of this projected hiring: N/A 1.25 years

10c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary

MARCH 1, 2019 - JULY 1, 2020

employees): N/A

- 11a. Estimate the amount of annual payroll such new employees will add \$ N/A (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).

260,000 Ft , 91,000 PT

- 11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ N/A

12. Market value of the existing facility as determined for local property taxation.  
\$ \$486,650.00

- 13a. Business's total current investment in the facility as of the proposal's submission.  
\$ \$7.0M

- 13b. State the businesses' value of on-site inventory required to be listed in the personal property tax return of the enterprise in the return for the tax year (stated in average \$ value per most recent 12 month period) in which the agreement is entered into (baseline inventory):  
\$ 0

14. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

	<u>Minimum</u>	<u>Maximum</u>
A.Acquisition of Buildings:	\$ 500K	\$ 500K
B.Additions/New Construction:	\$	\$
C.Improvements to existing buildings:	\$ 6.0M	\$ \$7.0M
D.Machinery & Equipment:	\$ 500K	\$ 500K
E.Furniture & Fixtures:	\$	\$
F.Inventory:	\$	\$
<b>Total New Project Investment:</b>	<b>\$ \$7.0M</b>	<b>\$ 8.0M</b>

15. a. Business requests the following tax exemption incentives: 75 % for 10 years covering real \_\_\_\_\_ and/or personal property including inventory \_\_\_\_\_ as described above. Be specific as to type of assets, rate, and term.
- 
-

b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)  
The main purpose is to keep the rental rates as low as possible while Sandusky grows over the next

5-10 years to allow the higher rates high property taxes will require.

At this time we pay \$15k in taxes. Our rental model includes a future rate of \$40K.

A rate much higher than that will require us to raise rents even higher.

Submission of this application expressly authorizes (name of the local jurisdiction) and/of (name of county) to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item #7 and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation or complete a waiver form allowing the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

Applicant agrees to supply additional information upon request.

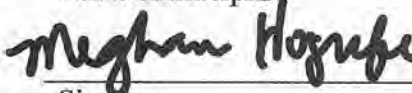
The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefit as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

Cooke, LLC

1/30/19

Name of Enterprise

Date

 RH

Meghan and Richard Hogrefe

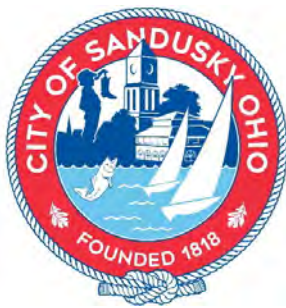
Signature

Typed Name and Title

\* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

\*\* Attach to Final Enterprise Zone Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Enterprise Zone Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.



## COMMUNITY DEVELOPMENT

Matthew D. Lasko  
Chief Development Officer  
mlasko@ci.sandusky.oh.us

222 Meigs Street  
Sandusky, Ohio 44870  
419-627-5707  
www.ci.sandusky.oh.us

**To:** Eric L. Wobser, City Manager

**From:** Matthew D. Lasko, Chief Development Officer

**Date:** February 13, 2019

**Subject:** Commission Agenda Item – Enterprise Zone (EZ) Tax Abatement Agreement

**Items for Consideration:** Legislation approving an Enterprise Zone Tax Abatement Agreement (the “Agreement”) between the City of Sandusky and Huntley Building, LLC, an Ohio limited liability company, for the purposes of furthering economic development efforts in the City.

**Background Information:** Huntley Building, LLC is owned by Richard & Meghan Hogrefe (the “Hogrefe’s”). The Hogrefe’s have purchased eleven (11) buildings in downtown Sandusky and two (2) buildings in Bayview. The Hogrefe’s have and are investing significantly to renovate and restore many properties in Sandusky. Most recently, the Hogrefe’s, with attention to historic detail, beautifully restored and invested \$3M into the Schmidt building at 246 E. Market Street into eight (8) residential apartment units and three (3) retail/commercial storefronts.

The Hogrefe’s have recently acquired the formerly and entirely vacant commercial building located at 133 E. Market Street and further identified as Permanent Parcel No. 56-00816.000. The Hogrefe’s are now desirous of substantially rehabilitating the approximate thirty thousand (30,000) square foot building into leasable retail and commercial space. The project calls for an investment of between \$1,500,000 - \$2,500,000 in new construction/renovation and between \$100,000 - \$200,000 in furniture, fixtures and equipment. However, based on the cost of rehabilitation versus what the leasable spaces can be rented out for, the Hogrefe’s have requested real estate tax abatement through the Enterprise Zone program to realize operational tax liability savings for the first ten (10) years of the project until the project has stabilized, and market rents have increased.

Additional terms of the proposed Agreement call for the project to be completed by June 30, 2019 but in no instance later than December 31, 2019. Further, the project is to result in the hiring of no less than ten (10) new employment positions no later than June 30, 2020 and an increase in annual payroll of minimally \$150,000.

Based on this investment and the importance of the project for both preserving our historic downtown building stock and bringing leasable commercial and retail space to market, staff is recommending approving a 10-year, 75% real estate tax abatement on the increase to the assessed valuation on the property.



Pursuant to ORC Section 5709.83, the Sandusky City Schools have been afforded the appropriate notice based on a certain school notification letter that was delivered on February 11, 2019.

**Budgetary Information:** The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create a minimum of ten (10) permanent full- and part-time employment positions that will be subject to City income tax. Additionally, the new real estate tax revenues in years 1-30 will be paid into the Central Public Improvement Tax Increment Equivalent Fund.

**Action Requested:** It is requested that the proper legislation be prepared to allow the City of Sandusky to enter into an EZ Tax Abatement Agreement with Huntley Building, LLC. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to immediately approve the EZ Tax Abatement Agreement and allow the Hogrefe's to move forward with final budgetary planning and ensure the full benefit of the abatement is realized.

I concur with this recommendation:

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Eric L. Wobser  
City Manager

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Matthew D. Lasko, MUPDD, MSSA  
Chief Development Officer

cc: Kelly Kresser, Clerk of the City Commission  
Trevor Hayberger, Law Director  
Hank Solowiej, Finance Director



## COMMUNITY DEVELOPMENT

Matthew D. Lasko  
Chief Development Officer  
mlasko@ci.sandusky.oh.us

222 Meigs Street  
Sandusky, Ohio 44870  
419-627-5707  
www.ci.sandusky.oh.us

February 11, 2019

Gina Deppert, Treasurer  
Sandusky City Schools  
407 Decatur Street  
Sandusky, Ohio 44870

### **Re: Huntley Building, LLC - Request for Enterprise Zone Abatement Agreement**

Dear Ms. Deppert:

The City of Sandusky has received a request for tax abatement from Huntley Building, LLC under the Enterprise Zone (EZ) abatement program for the rehabilitation of a commercial/retail facility located at 133 E. Market Street, Sandusky, Ohio 44870. This will be a historic rehabilitation project including one (1) legal permanent parcel and one (1) building formerly known as the "Huntley."

The City's Community Development Department has reviewed this request and is recommending that an Enterprise Zone Agreement be approved consistent with the terms and conditions enumerated below. These terms and conditions have now been accepted by the company.

1. Abatement of taxes of new real estate taxes for improvements made at the Project Site for a period of ten (10) years at 75% is recommended. The company will be granted abatement on the appraised value of the new real improvements.
2. The company's investment includes the rehabilitation of the two-story structure that, once completed, will also utilize the basement for leasable space. The facility will be called the "Marketplace at Cooke" and house smaller retail and food vendors inside. The estimated value of the improvements including acquisition costs is between \$1,950,000 - \$2,950,000 – not including furniture, fixtures and equipment.
3. The company will pay an annual monitoring fee of \$200 payable to the City of Sandusky no later than April 15<sup>th</sup> of the year following each year the agreement is effective.
4. The company and its tenants will create a minimum of twelve (12) new full-time and part-time jobs between now and April 30, 2019. The minimum stabilized payroll for the company and tenants is estimated to be between \$150,000 - \$175,000 annually.
5. All other standard terms and conditions apply.

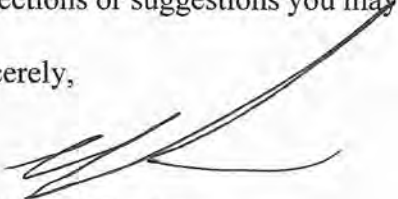


This project will create new employees and payroll immediately upon completion of construction. Furthermore, this project repurposes and rejuvenates one of downtown's most iconic buildings while creating a diverse marketplace for entrepreneurial small businesses. We believe that this project is instrumental in fully realizing the potential of downtown while maintaining our historic building stock and its proposal is in the best interests of all parties and we hope that the Sandusky Schools agree.

Pursuant to Ohio Revised Code Section 5709.83 the Sandusky City Schools are hereby notified that the City of Sandusky will consider the request at its Commission meeting on February 25, 2019.

We have attached the company's Enterprise Zone Application. Please review these documents and contact the undersigned at 419-627-5707 or via e-mail at [mlasko@ci.sandusky.oh.us](mailto:mlasko@ci.sandusky.oh.us) with any questions, corrections or suggestions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew D. Lasko', with a long, sweeping horizontal stroke extending to the right.

Matthew D. Lasko  
Chief Development Officer

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REPEALING ORDINANCE NO. 19-032 AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH HUNTLEY BUILDING, LLC; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the State of Ohio has provided for the establishment of “Enterprise Zones” pursuant to Sections 5709.61 to 5709.914 of the Ohio Revised Code (the “Act”), and for the provision of tax incentives to private enterprise in order to promote and encourage expansion programs by private enterprise in such Enterprise Zones, and the creation and/or preservation of jobs and economic development in connection therewith; and

**WHEREAS**, the City Commission, by Resolution No. 05-183 adopted December 27, 2005, designated an area as an Enterprise Zone pursuant Section 5709.61(A)(1)(a) and (f) of the Act; and

**WHEREAS**, effective April 18, 2006, the Director of Ohio Development Services Agency of the State of Ohio determined that the geographic area designated in said Resolution No. 05-183 contains the characteristics set forth in Section 5709.61(A)(1)(a) and (f) of the Act and certified said area as an Enterprise Zone under the Act; and

**WHEREAS**, Richard and Meghan Hogrefe are the owners of Huntley Building, LLC, and have purchased eleven (11) buildings in downtown Sandusky and have and are investing significantly to renovate and restore many properties in Sandusky, and most recently, restored the Schmidt building at 246 E. Market Street into eight (8) residential apartment units and three (3) retail/commercial storefronts; and

**WHEREAS**, the Hogrefe’s have recently acquired the vacant commercial building located at 133 E. Market Street, further identified as Permanent Parcel No. 56-00816.000, and intend to substantially rehabilitate the approximate thirty thousand (30,000) square foot building into leasable retail and commercial space and the project proposes for an investment of between \$1,500,000 - \$2,500,000 in new construction/renovation and between \$100,000 - \$200,000 in furniture, fixtures and equipment; and

**WHEREAS**, the City received a request for Enterprise Zone tax abatement from Huntley Building, LLC, for their rehabilitation project; and

**WHEREAS**, it is recommended to approve a 10-year, 75% real estate tax abatement on the increase to the assessed valuation of the property, based on the investment and the importance of the project for both preserving the City’s historic downtown building stock and bringing leasable commercial and retail space to market; and

**WHEREAS**, pursuant to Ohio Revised Code §5709.83, the Board of Education of the Sandusky City Schools was notified in writing of the request for tax exemption by letter dated and delivered on February 11, 2019; and

**WHEREAS**, this proposed project will have an ongoing positive impact the City's General Fund as 25% of the increase in value will be subject to real estate taxes during the abatement period and the project will help sustain construction jobs in the local economy and will additionally create a minimum of ten (10) full- and part-time employment positions that will be subject to City income tax; 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 expedite approval of the agreement and allow the Hogrefe's to move forward with final budgetary planning and ensure the full benefit of the abatement is realized; 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 hereby repeals Ordinance No. 19-032, passed on February 25, 2019.

Section 2. This Commission hereby approves the Enterprise Zone Agreement pursuant to the terms and conditions contained therein, a copy of which is marked Exhibit "1" attached to this Ordinance and is specifically incorporated as if fully rewritten herein.

Section 3. The City Manager is hereby authorized and directed to execute the Enterprise Zone Agreement with Huntley Building, LLC, on behalf of the City in accordance with the terms and conditions as contained in the form of the agreement marked Exhibit "1" attached to this Ordinance 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 terms of this Ordinance.

Section 4. 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 5. 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 6. 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: March 11, 2019

## **ENTERPRISE ZONE AGREEMENT**

This agreement made and entered into by and between the City of Sandusky, Ohio, an Ohio municipal corporation with a Commission-Manager form of government with its main offices located at 222 Meigs Street Sandusky, Ohio 44870 (the "City"), and Huntley Building, LLC, an Ohio limited liability company, with offices located at 5235 Castle Hills Drive, San Diego, California 92109 (the "Company"),

### **WITNESSETH:**

WHEREAS, The City of Sandusky has encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, the owners of the Company have purchased and renovated in part eleven (11) properties within the City of Sandusky. The Company has recently acquired the formerly and entirely vacant commercial building located at 133 E. Market Street, Sandusky, Ohio 44870 and further identified as Permanent Parcel No. 56-00816.000. The Company is now desirous of substantially rehabilitating the approximate thirty thousand (30,000) square foot building into leasable retail and commercial space. The Company will invest between \$1,500,000 - \$2,500,000 in new construction and between \$100,000 - \$200,000 in furniture, fixtures and equipment (the "Project"), which Project will preserve or create employment opportunities within the boundaries of the aforementioned Enterprise Zone, provided that the appropriate development incentives are available to support the economic viability of said Project; and

WHEREAS, the Sandusky City Commission of the City of Sandusky, Ohio by Resolution No. 05-183 adopted April 18, 2006, designated the area as an "Enterprise Zone" pursuant Chapter 5709.61(A)(1)(a) and (f) of the Ohio Revised Code; and

WHEREAS, effective April 18, 2006, the Director of the Ohio Development Services Agency of the State of Ohio determined that the aforementioned area designated in said Resolution No. 05-183 contains the characteristics set forth in Section 5709.61(A)(1)(a) and (f) of the Ohio Revised Code and certified said area as an Enterprise Zone under said Chapter 5709; and

WHEREAS, the City having the appropriate authority for the stated type of project is desirous of providing the Company with incentives available for the development of the Project in said Enterprise Zone under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, the Company has submitted a proposed agreement application (herein attached as Exhibit A) to the City (the “Application”); and

WHEREAS, the Company has remitted the required state application fee of \$750.00 made payable to “Treasurer of the State of Ohio” with the application to be forwarded with the final agreement; and

WHEREAS, the Chief Development Officer of the City has investigated the application of the Company and has recommended the same to the Sandusky City Commission on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and improve the economic climate of the City; and

WHEREAS, the project site as proposed by the Company is located in the Sandusky City School District and the Board of Education of the Sandusky City Schools have been notified in accordance with Section 5709.83 and been given a copy of the application; and

WHEREAS, pursuant to Section 5709.62(C) and in conformance with the format required under Section 5709.631 of the Ohio Revised Code, the parties hereto desire to set forth

their agreement with respect to matters hereinafter contained;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties agree as follows:

1. The Company shall renovate an approximate thirty thousand (30,000) square foot historic building to be utilized for lease to retail and commercial tenants. The Company estimates an anticipated real estate investment for the Project between \$1,500,000 - \$2,500,000 not including acquisition costs. Furthermore, the Company will install between \$100,000 - \$200,000 in furniture, fixtures, equipment and machinery for the Project. The Project represents a significant new investment and expansion on the site. The construction is expected to be complete by June 30, 2019 but no later than December 31, 2019.

2. The Company shall create or cause to be created the equivalent of ten (10) new full-time equivalent job opportunities within the time period outlined below.

The Company schedule for hiring is to hire or cause to be hired ten (10) new jobs by June 30, 2020. The job creation period begins April 30, 2019 and all jobs are expected to be in place by June 30, 2020.

The Company currently has 0 full-time permanent employees, 0 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees at the Project site. In total, the Company has 0 full-time permanent employees, 0 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees in the State of Ohio.

This total increase in the number of employees over the entire job creation period will result in approximately \$150,000.00 (dollars) of additional annual payroll for the Company or made possible by the Company. The following is an itemization by the type of new jobs created: permanent full-time \$130,000.00, permanent part-time \$20,000.00 and temporary full-time \$0.

3. The Company shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the enterprise's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council.

4. The Company will use its best efforts to hire employees from Erie County, with a preference to residents of the City. Furthermore, the Company shall use Erie County contractors for work related to the Project to the greatest extent possible.

5. The City hereby grants the Company a tax exemption for real property improvements made to the Project site pursuant to Section 5709.62 of the Ohio Revised Code for ten (10) years and shall be in the following amounts:

<u>Year of Tax Exemption</u>	<u>Tax Exemption Amount</u>
YR 1	75%
YR 2	75%
YR 3	75%
YR 4	75%
YR 5	75%
YR 6	75%
YR 7	75%
YR 8	75%
YR 9	75%
YR 10	75%

The exemption commences the first year for which the real property would first be taxable were that property not exempted from taxation. No exemption shall commence after 2019 nor extend beyond 2028.

The Company must file the appropriate tax forms with the County Auditor and with the State Department of Taxation (#913) to effect and maintain the exemptions covered in the agreement. The #913 Ohio tax form **must** be filed annually.

6. The Company shall pay an annual monitoring fee equal to two hundred dollars (\$200.00).

The fee shall be made payable to the City once per year, due no later than April 15<sup>th</sup> of each year. The fee is to be paid to the Director of Finance by check made out to the City of Sandusky. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with section 5709.68 of the Ohio Revised Code and by the Tax Incentive Review Council created under section 5709.85 of the Ohio Revised Code exclusively for the purposes of performing the duties prescribed under that section.

7. The Company shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If the Company fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter.

8. The City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

9. If for any reason the Enterprise Zone designation expires, the Director of the Ohio Development Services Agency revokes certification of the zone, or the City revokes the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless the Company materially fails to fulfill its



obligations under this agreement and the City terminates or modifies the exemptions from taxation granted under this agreement.

10. If the Company materially fails to fulfill its obligations under this agreement, other than with respect to the number of employee positions estimated to be created or retained under this agreement, or if the City determines that the certification as to delinquent taxes required by this agreement is fraudulent, the City may terminate or modify the exemptions from taxation granted under this agreement.

11. In any three-year period during which this agreement is in effect, if the actual number of employee positions created or retained by the Company is not equal to or greater than seventy-five per cent of the number of employee positions estimated to be created or retained under this agreement during that three-year period, the Company shall repay the amount of taxes on property that would have been payable had the property not been exempted from taxation under this agreement during that three-year period. In addition, the City may terminate or modify the exemptions from taxation granted under this agreement.

12. The Company hereby certifies that at the time this agreement is executed, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio and does not owe delinquent taxes for which the Company is liable under Chapter 5733, 5735, 5739, 5741, 5743, 5747, or 5753. of the Revised Code, or, if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against the Company. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes.

13. The Company affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

14. The Company and the City acknowledge that this agreement must be approved by formal action of the legislative authority of the City as a condition for the agreement to take effect. This agreement shall take effect upon the later of the date of such legislative approval or the date all parties have signed this agreement.

15. The City has developed a policy to ensure recipients of Enterprise Zone tax benefits practice non-discriminating hiring in its operations. By executing this agreement, the Company is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, sexual orientation, gender identity or expression, disability, color, national origin, or ancestry.

16. Exemptions from taxation granted under this agreement shall be revoked if it is determined that the Company, any successor enterprise, or any related member (as those terms are defined in Section 5709.61 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

17. The Company affirmatively covenants that it has made no false statements to the State or local political subdivision in the process of obtaining approval for the Enterprise Zone incentives. If any representative of the Company has knowingly made a false statement to the State or local political subdivision to obtain the Enterprise Zone incentives, the Company shall be required to immediately return all benefits received under the Enterprise Zone Agreement pursuant to ORC Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

18. This agreement is not transferrable or assignable without the express, written approval of the City.

[Signature page follows.]

IN WITNESS WHEREOF, the City of Sandusky, Ohio, by Eric Wobser, its City Manager, and pursuant to Ordinance No. \_\_\_\_\_, has caused this instrument to be executed this \_\_\_\_ day of \_\_\_\_\_, 2019 and Huntley Building, LLC by Richard Hogrefe, its \_\_\_\_\_, and by Meghan Hogrefe its \_\_\_\_\_ has caused this instrument to be executed on this \_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF SANDUSKY, OHIO

By: \_\_\_\_\_  
Eric Wobser, City Manager

HUNTLEY BUILDING, LLC

By: \_\_\_\_\_  
Richard Hogrefe, its: \_\_\_\_\_

By: \_\_\_\_\_  
Meghan Hogrefe, its: \_\_\_\_\_

Approved as to form:

By: \_\_\_\_\_  
Director of Law

Date: \_\_\_\_\_, 2019

## **EXHIBIT A**

[Attach Application]

DRAFT

**OHIO DEVELOPMENT SERVICES AGENCY  
OHIO ENTERPRISE ZONE PROGRAM**

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**PROPOSED AGREEMENT** for Enterprise Zone Tax Incentives between the \_\_\_\_\_ (local legislative authorities) \_\_\_\_\_ located in the County of \_\_\_\_\_ and (Huntley, LLC)

- 1a. Name of business, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

Huntley, LLC

enterprise name

858-688-2874 Richard  
617-817-3261 Meghan

telephone number

Richard and Meghan Hogrefe

contact person

5235 Castle Hills Drive San Diego, CA 92109  
address

- 1b. Project site: The Marketplace at Cooke

Richard and Meghan Hogrefe

contact person

858-688-2874 Richard  
617-817-3261 Meghan

telephone number

131 Market Street Sandusky, OH 44870

address

- 2a. Nature of business (manufacturing, distribution, wholesale or other).

**Real Estate Development**

- 2b. List primary 6 digit NAICS # 531390 .

Business may list other relevant SIC numbers.

- 2c. If a consolidation, what are the components of the consolidation? (must itemize the location, assets, and employment positions to be transferred)  
N/A
- 
- 2d. Form of business of enterprise (corporation, partnership, proprietorship, or other).  
Limited Liability Corporation
- 
3. Name of principal owner(s) or officers of the business (attach list if necessary).  
Richard and Meghan Hogrefe
- 
4. Is business seasonal in nature? Yes\_\_\_ No<sup>x</sup>\_\_\_
- 5a. State the enterprise's current employment level at the proposed project site:  
0
- 
- 5b. Will the project involve the relocation of employment positions or assets from one Ohio location to another? Note that relocation projects are restricted in non-distress based Ohio Enterprise Zones. A waiver from the Director of the Ohio Department of Development is available for special limited circumstances. The business and local jurisdiction should contact ODOD early in the discussions.  
  
Yes\_\_\_ No<sup>x</sup>\_\_\_
- 5c. If yes, state the locations from which employment positions or assets will be relocated and the location to where the employment positions or assets will be located:  
N/A
- 
- 5d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):  
0
- 
- 5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets: N/A
- 5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated? N/A
- 6a. Has the Enterprise previously entered into an Enterprise Zone Agreement with the local

legislative authorities at any site where the employment or assets will be relocated as a result of this proposal? Yes \_\_\_ No X

6b. If yes, list the local legislative authorities, date, and term of the incentives for each Enterprise Zone Agreement:

7. Does the Enterprise owe :

a. Any delinquent taxes to the State of Ohio or a political subdivision of the state?

Yes\_\_\_ No X

b. Any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State? Yes\_\_\_ No X

c. Any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

Yes\_\_\_ No X

d. If yes to any of the above, please provide details of each instance including but not limited to the location, amounts and/or case identification numbers (add additional sheets if necessary).

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8. Project Description (attach additional pages if necessary):

Renovate Cooke Building with an attempt to return to the late 1800's look. Add safety feature and elevator.

Connecting this structure with an adjoining lobby to The Marketplace at Cooke formerly the Huntley Building.

There will be a mix of businesses of retail shops and restaurants on the main floor and a Children's Museum

---

9. Project will begin January 1, 2018 and be completed April, 2019 provided a tax exemption is provided.

10a. Estimate the number of new employees the business intends to hire at the facility that is the project site (job creation projection must be itemized by full and part-time and permanent and temporary): depends on tenants 9 FT , 3 PT

10b. State the time frame of this projected hiring: N/A 25 years

10c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary

APRIL 2019

employees): N/A

- 11a. Estimate the amount of annual payroll such new employees will add \$ \_\_\_\_\_ (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).

N/A

152,016 FT, 28,800 PT

- 11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$ \_\_\_\_\_

N/A

12. Market value of the existing facility as determined for local property taxation.  
\$ \_\_\_\_\_

\$390,920

- 13a. Business's total current investment in the facility as of the proposal's submission.  
\$ \_\_\_\_\_

\$2M

- 13b. State the businesses' value of on-site inventory required to be listed in the personal property tax return of the enterprise in the return for the tax year (stated in average \$ value per most recent 12 month period) in which the agreement is entered into (baseline inventory):  
\$ \_\_\_\_\_

0

14. An estimate of the amount to be invested by the enterprise to establish, expand, renovate or occupy a facility:

	<u>Minimum</u>	<u>Maximum</u>
A.Acquisition of Buildings:	\$ 450K	\$ 450K
B.Additions/New Construction:	\$	\$
C.Improvements to existing buildings:	\$ 1.5M	\$ 2.5M
D.Machinery & Equipment:	\$ 50K	\$ 100K
E.Furniture & Fixtures:	\$ 50K	\$ 100K
F.Inventory:	\$	\$
<b>Total New Project Investment:</b>	\$ 2.05M	\$ 3.15M

15. a. Business requests the following tax exemption incentives: 75 % for 10 years covering real \_\_\_\_\_ and/or personal property including inventory \_\_\_\_\_ as described above. Be specific as to type of assets, rate, and term.



b. Business's reasons for requesting tax incentives (be quantitatively specific as possible)  
The main purpose is to keep the rental rates as low as possible while Sandusky grows over the next

5-10 years to allow the higher rates high property taxes will require.

At this time we pay \$10.5k in taxes. Our rental model includes a future rate of approximately \$3

Submission of this application expressly authorizes (name of the local jurisdiction) and/of (name of county) to contact the Ohio Environmental Protection Agency to confirm statements contained within this application including item #7 and to review applicable confidential records. As part of this application, the business may also be required to directly request from the Ohio Department of Taxation or complete a waiver form allowing the Ohio Department of Taxation to release specific tax records to the local jurisdictions considering the incentive request.

Applicant agrees to supply additional information upon request.

The applicant affirmatively covenants that the information contained in and submitted with this application is complete and correct and is aware of the ORC Sections 9.66(C)(1) and 2921.13(D)(1) penalties for falsification which could result in the forfeiture of all current and future economic development assistance benefit as well as a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

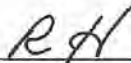
Huntley, LLC

1/30/19

Name of Enterprise

Date





Meghan and Richard Hogrefe

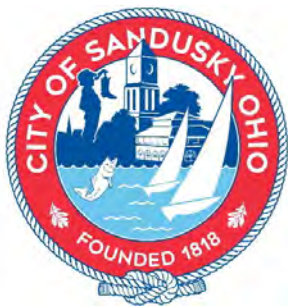
Signature

Typed Name and Title

\* A copy of this proposal must be forwarded by the local governments to the affected Board of Education along with notice of the meeting date on which the local government will review the proposal. Notice must be given a minimum of fourteen (14) days prior to the scheduled meeting to permit the Board of Education to appear and/or comment before the legislative authorities considering the request.

\*\* Attach to Final Enterprise Zone Agreement as Exhibit A

Please note that copies of this proposal must be included in the finalized Enterprise Zone Agreement and be forwarded to the Ohio Department of Taxation and the Ohio Development Services Agency within fifteen (15) days of final approval.



## COMMUNITY DEVELOPMENT

Matthew D. Lasko  
Chief Development Officer  
mlasko@ci.sandusky.oh.us

222 Meigs Street  
Sandusky, Ohio 44870  
419-627-5707  
www.ci.sandusky.oh.us

**To:** Eric L. Wobser, City Manager

**From:** Matthew D. Lasko, Chief Development Officer

**Date:** February 12, 2019

**Subject:** Commission Agenda Item – Grant Agreement

**Items for Consideration:** Resolution approving a Grant Agreement (the “Agreement”) between the City of Sandusky and both Cooke Building, LLC – an Ohio limited liability company, and Huntley Building, LLC, an Ohio limited liability company, or their assigns, for the purposes of furthering economic development efforts in the City.

**Background Information:** Both of the above-mentioned limited liability companies are owned by Richard & Meghan Hogrefe (the “Hogrefe’s”). The Hogrefe’s have purchased eleven (11) buildings in downtown Sandusky and two (2) buildings in Bayview. The Hogrefe’s have and are investing significantly to renovate and restore many properties in Sandusky. Most recently, the Hogrefe’s with attention to historic detail, beautifully restored \$3M Schmidt building at 246 E. Market Street into eight (8) residential apartment units and three (3) retail/commercial storefronts.

The location of the proposed project includes the Cooke building located at 154-162 Columbus Avenue, 119 E Market Street, and the Huntley building located at 133 E. Market Street. The building at 119 E. Market Street will be converted into the new main entrance for the collection of buildings. These buildings are hereinafter referred to as the Cooke Complex. The Hogrefe’s have already secured site control on all three (3) properties and plan to preserve and substantially rehabilitate them as part of an approximate \$8.45M - \$10.45M mixed-use development that will activate nearly 65,000 square feet of space. The total investment amount includes acquisition but does not include furniture, fixtures, equipment and machinery. Regarding Cooke specifically, the plan calls for bringing 15+ leasable spaces of varying sizes to market on the first and second floors (could be less if tenants need larger spaces) and will transform the third floor into event space. The Huntley building will be converted into a more open air, less formal retail complex with future tenants able to occupy a portion of the ground floor in more stall or display areas while sharing common areas and facilities with adjacent tenants. Basement areas will be opened up for retail uses with the addition of new stairs and infrastructure. The buildings will undergo complete façade restoration, improved retail spaces and all new mechanical systems, fire suppression and ADA accessibility upgrades.

The total proposed grant is not to exceed \$500,000. Terms of the Grant Agreement call for \$150,000 to be disbursed upon 100% construction completion of the Huntley Building and receipt of a certificate of occupancy and the remaining \$350,000 to be disbursed upon 100% construction completion on the remainder of the project and receipt of a certificate of occupancy for both 119 E. Market Street and the Cooke Building. The entire project is anticipated to be completed by September 1, 2020 but must be completed no later than December 31, 2020.

This project is transformative and catalytic for the business district and ultimately the City and ensures the long-term preservation of nationally registered historic buildings. As such, it is recommended that a grant from the Chesapeake TIF in an amount not to exceed \$500,000 be contributed to the project (approximately between 4.75% - 6.0% of the total project costs which is less than what the City has recently committed to similar catalytic projects).

The above grant is conditioned upon the applicant complying with all Planning/Zoning codes and other applicable codes of the City and displaying signage noting the City of Sandusky's support.

Please note, the Hogrefe's are simultaneously applying for Enterprise Zone tax abatement for this project under two (2) separate applications. These parcels are also included in the Central Public Improvement fund and will be paying into a separate fund dedicated to infrastructure improvements based on the increased tax valuation for a period of thirty (30) years after construction completion. And although not voted on by the Economic Development Incentive Committee, since the source is not Economic Development Capital Funds, the project was unanimously supported from the standpoint of its importance and level of City investment.

**Budgetary Information:** The City will be responsible for providing \$500,000 in grant funds paid initially from the Capital Projects Fund. The City intends to finance this amount through the issuance of urban renewal revenue notes or bonds. These notes or bonds will use proceeds from the Chesapeake TIF to pay for the debt service.

**Action Requested:** It is requested that the proper legislation be prepared to approve the Grant Agreement between the City of Sandusky and both Cooke Building, LLC and Huntley Building, LLC. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to immediately approve the Grant Agreement to allow the parties to move forward with final budgetary planning and commencement on the Cooke Building.

I concur with this recommendation:

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Eric L. Wobser  
City Manager

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Matthew D. Lasko, MUPDD, MSSA  
Chief Development Officer

cc: Kelly Kresser, Clerk of the City Commission  
Trevor Hayberger, Law Director  
Hank Solowiej, Finance Director

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE REPEALING ORDINANCE NO. 19-033 AND AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$500,000.00 THROUGH THE SUBSTANTIAL DEVELOPMENT GRANT PROGRAM TO COOKE BUILDING, LLC, AND HUNTLEY BUILDING, LLC, IN RELATION TO THE PROPERTIES LOCATED AT 154-162 COLUMBUS AVENUE, 119 E. MARKET STREET AND 133 E. MARKET STREET; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, Richard and Meghan Hogrefe are the owners of Cooke Building, LLC, and Huntley Building, LLC, and have purchased eleven (11) buildings in downtown Sandusky and have and are investing significantly to renovate and restore many properties in Sandusky, and most recently, restored the Schmidt building at 246 E. Market Street into eight (8) residential apartment units and three (3) retail/commercial storefronts; and

**WHEREAS**, the Hogrefe's intend to substantially rehabilitate the Cooke building located at 154-162 Columbus Avenue and 119 E Market Street, and the Huntley building located at 133 E. Market Street, hereinafter referred to as the Cooke Complex, and plan to preserve and rehabilitate the properties as part of an approximate \$8.45M - \$10.45M mixed-use development that will activate nearly 65,000 square feet of space, including 15+ leasable spaces, event space, and a retail complex; and

**WHEREAS**, this City Commission approved the City's intent to invest in the of the Cooke Complex Project by Resolution No. 030-18R, passed on July 23, 2018; 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 \$500,000.00 in grant funding will initially be paid with Capital Projects Funds and the City intends to finance the funding through the issuance of urban renewal revenue bonds with the notes or bonds using proceeds from the Chesapeake TIF to pay for the debt service; and

**WHEREAS**, the Hogrefe's have applied for tax abatements for this project and approval is being requested in companion legislation to enter into Enterprise Zone Agreements; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the Grant Agreement and allow the parties to move forward with final budgetary planning and commence rehabilitation on the Cooke Building; 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 hereby repeals Ordinance No. 19-033, passed on February 25, 2019.

Section 2. This City Commission authorizes and directs the City Manager to enter into a Grant Agreement with Cooke Building, LLC, and Huntley Building, LLC, for financial assistance related to the properties located at 154-162 Columbus Avenue, 119 E. Market Street, and 133 E. Market Street, 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 3. This City Commission authorizes and approves the grant funding to the Cooke Building, LLC, and Huntley Building, LLC, and the Finance Director is directed to expend funds to Cooke Building, LLC, and Huntley Building, LLC, in an amount **not to exceed** Five Hundred Thousand and 00/100 Dollars (\$500,000.00) pursuant to and in accordance with the terms of the Grant Agreement.

Section 4. 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 5. 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 the law.

Section 6. 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: March 11, 2019

## GRANT AGREEMENT

This Grant Agreement (the "Agreement") is made and entered into as of the \_\_\_\_ day of \_\_\_\_\_, 2019 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 Cooke Building, LLC (the "Cooke"), an Ohio limited liability company and Huntley Building, LLC (the "Huntley"), an Ohio limited liability company (collectively the "Parties").

### WITNESSETH:

WHEREAS, Cooke and Huntley are Ohio limited liability companies both owned entirely by Richard & Meghan Hogrefe (the "Hogrefe's"). The Hogrefe's have purchased eleven (11) buildings in downtown Sandusky and two (2) buildings in Bayview. The Hogrefe's have and are investing significantly to renovate and restore many properties in Sandusky and desire to substantially rehabilitate the Cooke building located at 154-162 Columbus Avenue, 119 E Market Street, and the Huntley building located at 133 E. Market Street. The building at 119 E. Market Street will be converted into the new main entrance for the collection of buildings. The Hogrefe's have already secured site control on all three (3) properties and plan to preserve and substantially rehabilitate them as part of an approximate \$8.45M - \$10.45M mixed-use development that will activate nearly 65,000 square feet of space. The total investment amount includes acquisition but does not include furniture, fixtures, equipment and machinery. Regarding Cooke specifically, the plan calls for bringing 15+ leasable spaces of varying sizes to market on the first and second floors (could be less if tenants need larger spaces) and will transform the third floor into event space. The Huntley building will be converted into a more open air, less formal retail complex with future tenants able to occupy a portion of the ground floor in more stall or display areas while sharing common areas and facilities with adjacent tenants. Basement areas will be opened for retail uses with the addition of new stairs and infrastructure. The buildings will undergo complete façade restoration, improved retail spaces and all new mechanical systems, fire suppression and ADA accessibility upgrades and are herein after referred to as the "Project". To aid in the development of the Project, Cooke and Huntley have requested grant assistance through the City; and

WHEREAS, to induce the Project, the City has agreed to provide economic incentive grants to Cooke and Huntley 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 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 Three Hundred and Fifty Thousand dollars (\$350,000.00) to Cooke and One Hundred and Fifty Thousand dollars (\$150,000.00) to Huntley (collectively the "City Grants") toward the costs of the Project, payable in two (2) disbursements: (1) \$150,000 payable to Huntley at the time construction has been completed and a certificate of occupancy has been secured for Permanent Parcel Number 56-00816.000 and (2) \$350,000 payable to Cooke at the time construction has been completed and a certificate of occupancy has been secured for Permanent Parcel Numbers 56-00528.001, 56-00528.000 and 56-00527.000. All funds will be disbursed from the Capital Project Fund. The City intends to finance this amount through the issuance of urban renewal revenue notes or bonds. These notes or bonds will use proceeds from the Chesapeake TIF to pay for the debt service. This grant amount will not increase if either Cooke or Huntley chooses to make additional improvements beyond what has been summarized in this Grant Agreement. 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, including Landmarks Commission and Planning Commission approval, and other applicable codes and regulations of the City, including obtaining permits. Furthermore, Cooke and Huntley agree to display a sign during construction and for at least one (1) year upon completion of the Project noting the City's support; and

Both Cooke and Huntley individually shall notify the City promptly following the completion of each of the two (2) phases 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 both Cooke and Huntley know if they individually have satisfied the conditions set forth in this Section and, if not, describe what is found to be deficient. To receive the City Grants, both phases of the Project will need to be completed by December 31, 2020. This date may be extended at the discretion of the City Manager.

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.**

Cooke, Huntley and the City all represent that this Agreement has been approved by formal action of the duly authorized representatives of all parties.

### **Section 3. Assignment or Transfer.**

Cooke and Huntley agree 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 Chief Development Officer  
City of Sandusky, Ohio  
City Building  
222 Meigs Street  
Sandusky, OH 44870
- (ii) TO THE COOKE: Cooke Building, LLC  
5235 Castle Hills Drive  
San Diego, CA 92109  
Attention: Richard & Meghan Hogrefe
- (iii) TO THE HUNTLEY: Huntley Building, LLC  
5235 Castle Hills Drive  
San Diego, CA 92109  
Attention: Richard & Meghan Hogrefe

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.

**COOKE BUILDING, LLC**

An Ohio limited liability company

By: \_\_\_\_\_  
Richard Hogrefe, Owner

By: \_\_\_\_\_  
Meghan Hogrefe, Owner

**HUNTLEY BUILDING, LLC**

An Ohio limited liability company

By: \_\_\_\_\_  
Richard Hogrefe, Owner

By: \_\_\_\_\_  
Meghan Hogrefe, Owner

**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.

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Director of Finance

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Date