



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
JULY 8, 2019 at 5 p.m.
CITY HALL, 240 COLUMBUS AVENUE**

INVOCATION	Wes Poole
PLEDGE OF ALLEGIANCE	
CALL TO ORDER	
ROLL CALL	D. Waddington, G. Lockhart, W. Poole, Murray, D. Brady, N. Lloyd, Twine
APPROVAL OF MINUTES	June 24, 2019
AUDIENCE PARTICIPATION	
PRESENTATION	Tom Denbow with Biohabitats Sandusky Bay Strategic Restoration Initiative
PUBLIC HEARING	Greg Voltz, Planner Proposed Vacation of 20' alley between 1643 and 1649 Cleveland Road (Item #1 below)
COMMUNICATIONS	Motion to accept all communications submitted below
CURRENT BUSINESS	

REGULAR AGENDA ITEMS

FIRST READING

ITEM #1 – Submitted by Greg Voltz, Planner

PROPOSED VACATION OF 20' ALLEY BETWEEN 1643 & 1649 CLEVELAND ROAD

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

ORDINANCE NO. _____: It is requested an ordinance be passed vacating a portion of an alley located north of Cleveland Road between 1643 and 1649 Cleveland Road - and between 1649 Cleveland Road and Lots 118 – 121 on South Larchmont Drive, within the city, as set forth on the vacation plat, a copy of which is marked Exhibit A-2, attached to this ordinance and incorporated herein.

ITEM #2 – Submitted by Debi Eversole, Housing Development Specialist

AUTHORIZATION TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR PROPERTY LOCATED AT 1215 CENTRAL AVENUE THROUGH LAND BANK PROGRAM

Budgetary Information: The cost associated with this request for proposals is approximately \$300 for the required newspaper publications. It is anticipated that these and title report and transfer fees will be recouped upon sale.

ORDINANCE NO. _____: It is requested an ordinance be passed declaring that certain real property acquired through the city's land reutilization program and owned by the city identified as Parcel #58-00805.000 located at 1215 Central Avenue, is no longer needed for any municipal purpose and authorizing and directing the City Manager to proceed with a Request for Proposals process for the sale of property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #3 – Submitted by Debi Eversole, Housing Development Specialist

AUTHORIZATION TO ENTER INTO BEAUTIFICATION GRANT AGREEMENT TO RENAISSANCE TOO, LLC FOR PROPERTY LOCATED AT 131 EAST WATER STREET

Budgetary Information: The city will be responsible for providing \$22,500 in grant proceeds from the Community Development capital projects account on a reimbursable basis at the completion of the project.

ORDINANCE NO. _____: It is requested an ordinance be passed approving a grant in the amount of \$22,500 through the Housing Development & Beautification grant program to Renaissance Too, LLC in relation to the property located at 131 East Water Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #4 – Submitted by John Storey, Economic Development Specialist

AUTHORIZATION TO ENTER INTO SUBSTANTIAL DEVELOPMENT GRANT AGREEMENT WITH RENAISSANCE TOO, LCC FOR PROPERTY LOCATED AT 131 EAST WATER STREET

Budgetary Information: The city will be responsible for providing a total of \$102,500 in grant proceeds from the Economic Development capital projects fund on a reimbursable basis at the completion of the project.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$102,500 through the substantial development grant program to Renaissance Too, LLC in relation to the property located at 131 East Water Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #5 – Submitted by John Storey, Economic Development Specialist

ENTERPRISE ZONE TAX ABATEMENT AGREEMENT WITH RENAISSANCE TOO, LLC FOR PROPERTY LOCATED AT 131 EAST WATER STREET

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 employment in the local economy and will create a minimum of two (2) permanent full-time positions subject to City income tax.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an enterprise zone agreement with Renaissance Too, LLC relating to property located at 131 East Market Street, and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #6 – Submitted by John Storey, Economic Development Specialist

ENTERPRISE ZONE TAX ABATEMENT AGREEMENT WITH RENAISSANCE TOO, LLC FOR PROPERTY LOCATED AT 125 EAST WATER STREET

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 employment in the local economy and will create a minimum of two (2) permanent full-time positions subject to City income tax.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an enterprise zone agreement with Renaissance Too, LLC relating to property located at 125 East Water Street, and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #7 – Submitted by Aaron Klein, Director of Engineering Services

PAYMENT TO OHIO WATER DEVELOPMENT AUTHORITY FOR PROGRAM APPLICATION FEE FOR PIER TRACK PUMP STATION AND FARWELL PUMP STATION IMPROVEMENTS PROJECT

Budgetary Information: The amount owed to the OWDA for the application fee is \$11,402 which is to be paid with sewer funds.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing payment to the Ohio Water Development Authority for the Water Pollution Control loan fund program application fee for the Pier Track pump station and Farwell Pump station improvements project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #8 – Submitted by Angela Byington, Planning Director

EXTENSION TO AGREEMENT WITH DONALD EAGER FOR FAIR HOUSING SERVICES

Budgetary Information: The total cost of professional services will not exceed \$9,000 and will be paid from CDBG funds.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with Donald B. Eager & Associates, LLC, of Lancaster, Ohio, for professional services for the implementation of the city’s Community Development Block Grant fair housing program; 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, July 8 at 8:30 p.m.

Tuesday, July 9 at 5 p.m.

Monday, July 15 at 8:30 p.m.

Online:

www.ci.sandusky.oh.us – Click “Play” 



PLANNING DEPARTMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Greg Voltz, Planner

Date: June 24, 2019

Subject: July 8, 2019 Commission Agenda Item – petition for vacation of 20' Alley located between 1643 and 1649 Cleveland Road and parcel on Larchmont Drive.

Item for Consideration: Carmelo Ruta, has submitted a petition for the vacation of a 20' alley located north of Cleveland Road between 1643 Cleveland Road (BV 235 PG 389) and 1649 Cleveland Road (BV 430 PG 283) and Parcels on Larchmont Drive (Eastwood Subdivision No. 3 PV 16 PG 27 lots 118, 119, 120, 121).

Purpose: Generally, it is important for the City Commission to analyze and preserve streets and alleys for future planning endeavors or projects when possible. Street and Alley vacations should only be considered when the City can definitively determine there will not be a public use in the future and when the vacation will not land lock any parcels, nor adversely impact traffic circulation or adjacent properties.

Background Information: At the May 22, 2019 Planning Commission meeting the Commission unanimously recommended approval for the vacation of the above referenced alley. The applicant, Carmelo Ruta, applied to vacate this area to create a more developable parcel. Planning staff recognizes that the mentioned alley has been functioning as a vacated alley for a period of time already and that the other abutting parcel owners, have also sign the petition to vacate this alley. The proposed vacations will not land lock any property and the right-of-way is no longer of use for the public. Staff believes that the adjacent property owners will not be impacted, nor will it deny access to any properties.

Correlation to the Comprehensive Plan:

The Comprehensive Plan calls for reimagining this section of Cleveland Road corridor. The proposed vacation will assist in the redevelopment of the Cleveland Road corridor.

Budgetary Impact:

There is no impact to the general fund.

Action Requested: It is requested that City Commission approve the proposed a petition for the vacation of a 20' alley located north of Cleveland Road between 1643 Cleveland Road (BV 235 PG 389) and 1649 Cleveland Road (BV 430 PG 283) and Parcels on Larchmont Drive (Eastwood Subdivision No. 3 PV 16 PG 27 lots 118, 119, 120, 121).

I concur with this recommendation:

Eric Wobser, City Manager

Angie Byington, Planning Director

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

Petition for Vacation
City Right-Of-Way

John A. Feick, Agent for Carmelo Ruta

224 E Water Street

Sandusky OH 44870

419-625-3241

The undersigned owners of lots in the vicinity

Cleveland Road, Roosevelt Street and S. Larchmont Drive

Respectfully petition that a portion of said street/alley/right-of-way described as follows:

Alley north of Cleveland Road, east of Roosevelt Street, and south of S. Larchmont Drive in the rear of properties owned by Carmelo Ruta, Inc, Carmelo Ruta, John Jacobs, Kristofer M. Parsons, Gerold J. Bradley and James R. & Marjorie L. Cremean.

Be vacated for the reason that it is no longer of use to the public and its vacation will not be detrimental to the general interest.

By signing this petition, we herby support the proposed vacation and waive our right to public notice. Further, we realize that we shall be responsible for providing a completed petition including a complete legal description and a plat prepared by a professional, suitable for recording, and approved by the County Surveyor.

Name	Address	Date Signed
<i>John M. Jacobs</i>	<i>1636 S. LARCHMONT DR</i>	<i>4.11.16</i>
<i>CARMELO RUTA Inc by Carmelo RUTA</i>		
<i>Carmelo RUTA</i>		

(You may attach an additional sheet of paper if the space provided is not adequate)

Office use only:
_____ \$500.00 filing fee
_____ Plat as detailed in "Right-of-Way Vacation Procedures", and approved by the County Surveyor
_____ Legal Description approved by the County Surveyor
_____ Completed form containing required signatures

Peter J. McGary Atty/Agent for Carmelo Ruta

RECEIVED APR 13

1401 Cleveland Rd

Sandusky OH 44870

419 626-0055 office

419 239 9613 cell

Petition for Vacation
City Right-Of-Way

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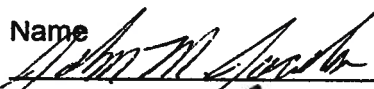
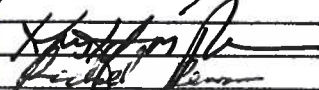

419 239 9613 cell

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Be vacated for the reason that it is no longer of use to the public and its vacation will not be detrimental to the general interest.

By signing this petition, we hereby support the proposed vacation and waive our right to public notice. Further, we realize that we shall be responsible for providing a completed petition including a complete legal description and a plat prepared by a professional, suitable for recording, and approved by the County Surveyor.

Name	Address	Date Signed
	1636 S. LARCHMONT DR	4.11.16
X 	1640 S Larchmont DR	11.11.18
X 	1640 S. Larchmont DR	11.11.19

(You may attach an additional sheet of paper if the space provided is not adequate)

Office use only:

_____ \$500.00 filing fee

_____ Plat as detailed in "Right-of-Way Vacation Procedures", and approved by the County Surveyor

_____ Legal Description approved by the County Surveyor

_____ Completed form containing required signatures

Petition for Vacation
City Right-Of-Way

John A. Feick, Agent for Carmelo Ruta
224 E Water Street
Sandusky OH 44870
419-625-3241

Peter J. McGary Atty/Agent for
Carmelo Ruta

RECEIVED APR 13

1401 Cleveland Rd
Sandusky OH 44870
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Respectfully petition that a portion of said street/alley/right-of-way described as follows:

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Be vacated for the reason that it is no longer of use to the public and its vacation will not be detrimental to the general interest.

By signing this petition, we herby support the proposed vacation and waive our right to public notice. Further, we realize that we shall be responsible for providing a completed petition including a complete legal description and a plat prepared by a professional, suitable for recording, and approved by the County Surveyor.

Name	Address	Date Signed
<i>John M. Jacobs</i>	1636 S. LARCHMONT DR	4-11-18
X <i>Gerold J. Bradley</i>	1640 S Larchmont Dr.	11-11-18
X <i>Kristofer M. Parsons</i>	1640 S. Larchmont Dr	11-11-18
X <i>James R. Cremean</i>	1648 S Larchmont Dr	11-28-18
X <i>Marjorie L. Cremean</i>	1648 S Larchmont Dr	11-27-18

(You may attach an additional sheet of paper if the space provided is not adequate)

Office use only:

_____ \$500.00 filing fee

_____ Plat as detailed in "Right-of-Way Vacation Procedures", and approved by the County Surveyor

_____ Legal Description approved by the County Surveyor

_____ Completed form containing required signatures

Completed form containing required signatures



CITY OF SANDUSKY APPLICATION FOR PLANNING COMMISSION APPROVAL

TYPE OF APPLICATION:

☐ Conditional Use Permit
☒ Flood Plain Variance
☒ Other Vacation of Alley
☐ Similar Main Use
☐ Front Yard Fence

APPLICANT/AGENT INFORMATION:

Property Owner Name: Carmelo Ruta Inc. / Carmelo Ruta

Property Owner Address: 2407 Deerpath Drive Sandusky
44870

Property Owner Telephone: _____

Authorized Agent Name: John Ferick Peter J. McGory

Authorized Agent Address: 224 E. Water St 1401 Cleveland Rd
Sandusky O. 44870 Sandusky O. 44870

Authorized Agent Telephone: 419 625 3241 419 626-0055
444-239-9613

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: Alley between 1643 and 1649 Cleveland Rd
and behind 1649 Cleveland Rd Sandusky OH 44870

Legal Description of Property (check property deed for description):
See attached

Parcel Number: _____ Zoning District: _____

DETAILED SITE INFORMATION:

Land Area of Property: Alley is .6086 (~~sq. ft.~~ or acres)

Total Building Coverage (of each existing building on property):

Building #1: _____ (in sq. ft.)

Building #2: _____

Building #3: _____

Additional: _____

Total Building Coverage (as % of lot area): N/A

Gross Floor Area of Building(s) on Property (separate out the square footage of different uses – for example, 800 sq. ft. is retail space and 500 sq. ft. is storage space: N/A

Proposed Building Height (for any new construction): N/A

Number of Dwelling Units (if applicable): N/A

Number of Off-Street Parking Spaces Provided: N/A

Parking Area Coverage (including driveways): N/A (in sq. ft.)

Landscaped Area: N/A (in sq. ft.)

PROPOSED DEVELOPMENT (check those that apply):

☐ New Construction (new building(s))
☐ Addition to Existing Building(s)
☐ Change of Use in Existing Building(s) > NONE

Description of Proposed Development (Describe in detail your development plans, for example – proposed use, size of building or proposed addition, hours of operation, days of operation, seating capacity, etc.):

request to vacate unused alley which runs
between and behind parcels owned by applicant
or applicants corporation. All adjoining property owners
consent. No immediate plans for redevelopment of
applicant's parcels but alley vacation is logical step
in any plan for redevelopment

15 copies of a site plan/off-street parking plan for property

Application Fee:

Similar Main Use: \$100.00

Conditional Use Permit:\$100.00

Similar Main Use: \$100.00

Flood Plan Variance: \$100.00

Front Yard Fence: no charge

Other: check with staff for fee

APPLICATION MUST BE COMPLETELY FILLED OUT!

APPLICATION AUTHORIZATION:

If this application is signed by an agent, authorization in writing from the legal owner is required. Where owner is a corporation, the signature of authorization should be by an officer of the corporation under corporate seal.

seal. X Lapelo R019.
Signature of Owner or Agent

12/17/18
Date

PERMISSION TO ACT AS AUTHORIZED AGENT:

As owner of _____ (municipal street address of property), I hereby authorize _____ to act on my behalf during the Planning Commission approval process.

Signature of Property Owner

Date _____

STAFF USE ONLY:

Date Application Accepted: _____ **Permit Number:** _____

Date of Planning Commission Meeting: _____

Planning Commission File Number: _____

PLANNING COMMISSION REPORT

PETITION FOR VACATION OF 20' ALLEY
LOCATED BETWEEN 1643 AND 1649
CLEVELAND RD AND PARCELS ON SOUTH
LARCHMONT DRIVE.

Reference Number: PC-01-19

Date of Report: 05-09-2019

Report Author: Greg Voltz, Planner



City of Sandusky, Ohio

Planning Commission Report

BACKGROUND INFORMATION

Carmelo Ruta has submitted a petition for the vacation of a 20' alley located between 1643 and 1649 Cleveland Road and parcels on South Larchmont Drive. The following information is relevant to this application:

Applicant: Carmelo & Nunzia Ruta
2407 Deerpath Drive
Sandusky, Ohio 44870

Authorized Agent(s):	John A. Feick	Peter J. McGory
	224 E Water Street	1401 Cleveland Rd
	Sandusky, Ohio 44870	Sandusky, Ohio 44870

Site Location: Alley located between 1643 Cleveland Road (DBV 235 PG 389), 1649 Cleveland Road (BV 430 PG 283), and Parcels on South Larchmont Drive (Eastwood Subdivision lots 118, 119, 120, and 121).

Zoning: City right-of-way
Adjacent Zoning: North: "R1-50" – Single-Family Residential
South: "GB" – General Business
East: "GB" – General Business
West: "GB" – General Business

Site Area: Alley – 0.6086 Acre

Existing Use: Undeveloped – City right-of-way

Proposed Use: The proposed vacated area will split between parcels currently owned by Carmelo Ruta and adjacent property owners.

SITE DESCRIPTION

The Alley located between 1643 Cleveland Road (DBV 235 PG 389), 1649 Cleveland Road (57-04103.000), and Parcels on South Larchmont Drive (Eastwood Subdivision lots 118, 119, 120, and 121). The parcels adjacent to the right-of-ways are currently zoned as “GB”/ General Business and “R1-50” / Single Family.

Per the Ohio Revised Code the proposed vacation of the alley and street would be divided between the adjacent property owners, in this case between Carmelo Ruta and all adjacent property owners. All adjacent property owners have signed the petition for this alley vacation. The applicant proposes to vacate the parcel to clean up the property and create more marketable parcels.

The applicant previously requested a vacation on the opposite side of Roosevelt Street that is currently going through the approval process at City Commission.

Please see below for an aerial photo, and zoning map of the subject property.

Alley Outlined in Red



ENGINEERING STAFF COMMENTS

The City's Engineering staff has reviewed the proposed vacation and has no issues. The owners would also need to coordinate with Ohio Edison for any electrical service.

BUILDING STAFF COMMENTS

The City Building Official has reviewed the proposed vacation and has no issues.

POLICE DEPARTMENT COMMENTS

The Police Department has reviewed the proposed vacation and has no issues.

FIRE DEPARTMENT COMMENTS

The Fire Department has noted that they have reviewed the proposed vacation and has no issues.

CONCLUSION/RECOMMENDATION

In conclusion, planning staff has no objection to the Sandusky City Planning Commission recommending approval of the requested vacations to the City Commission because vacation of the alley will not adversely impact the adjoining properties and all the adjacent property owners have signed the petition. This right-of-way is no longer of use for the public, and does not create a land locked parcel. With this in mind planning staff recommends that a recommendation of approval to City Commission is granted.




Department of Planning

222 Meigs St.
Sandusky, OH 44870
Phone: 419.627.5973
Fax: 419.627.5933
www.ci.sandusky.oh.us

May 24th, 2019

Planning Commission at the May 22nd, 2019 meeting recommended approval to the City Commission for the proposed petitions for vacation of a 20' alley located between 1643 and 1649 Cleveland Road.



Mike Zuithof
Planning Commission Chair

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF AN ALLEY LOCATED NORTH OF CLEVELAND ROAD BETWEEN 1643 AND 1649 CLEVELAND ROAD AND BETWEEN 1649 CLEVELAND ROAD AND LOTS 118-121 ON SOUTH LARCHMONT DRIVE, WITHIN THE CITY, AS SET FORTH ON THE VACATION PLAT, A COPY OF WHICH IS MARKED EXHIBIT "A-2", ATTACHED TO THIS ORDINANCE AND INCORPORATED HEREIN.

WHEREAS, Section 723.04 of the Ohio Revised Code provides for statutory proceedings to vacate a street, alley, or portion thereof by the legislative authority upon petition by a person owning a lot in the immediate vicinity of the street or alley; and

WHEREAS, the petitioners, John A. Feick and Peter J. McGory, on behalf of Carmelo Ruta, and all abutting property owners are consenting to and signed the Petition for Vacation which dispensed with the notice requirement contained in Section 723.06 of the Ohio Revised Code; and

WHEREAS, the alley proposed for vacation will be split between parcels currently owned by Carmelo Ruta and adjoining properties owners; and

WHEREAS, the City's Engineering Department, Police Department, Fire Department, and Building Department have reviewed the petition for vacation and do not object; and

WHEREAS, the Planning Commission considered this vacation request at its May 22, 2019, meeting and resolved unanimously to recommend approval of the requested vacation; and

WHEREAS, pursuant to the requirements of Section 723.04 of the Ohio Revised Code, the City Commission held a public hearing at its July 8, 2019, regularly scheduled meeting to consider the Planning Commission's recommendation for **approval** pursuant to Section 713.02 of the Ohio Revised Code; and

WHEREAS, this City Commission finds that there is good cause for such vacation as prayed for and that such vacation will not be detrimental to the general interest and is conducive to the general interests of the public and the area is no longer needed for any municipal purpose, and that it should be made; 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, that this vacation be made; **NOW, THEREFORE**,

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

Section 1. A portion of an alley located north of Cleveland Road between 1643 and 1649 Cleveland Road and between 1649 Cleveland Road and Lots 118-121 on South Larchmont Drive, within the City, labeled as described on the vacation plat, with a total area of approximately 0.1912 acre, more or less, as provided in the

following legal description:

Being situated in the State of Ohio, County of Erie, City of Sandusky, Second Ward, Part Amended Plat of D.L.C. Ransom Subdivision (PV 7 PG 1) and being more definitely described as follows:

Commencing at a monument box, found, marking the intersection of the centerline of Cleveland Road with the centerline of Roosevelt Street (66 FT); Thence North 09°58'39" East along the centerline of Roosevelt Street, a distance of 497.24 feet to a point on the South line of Eastwood Subdivision No. 3 (PV 16 PG 27); Thence North 80°01'21" East along the South line of said Eastwood Subdivision No. 3, a distance of 156.00 feet to a point, marking the Northeast corner of a parcel owned by Carmelo Ruta, Inc. (BV 235 PG 389) and the point of beginning;

1. Thence South 08°01'21" East continuing along the South line of said Eastwood Subdivision No. 3, a distance of 176.00 feet to a point, marking the Northwest corner of a parcel owned by Carmelo Ruta, Inc. (BV 247 PG 920);

2. Thence South 09°58'39" West along the West line of said Ruta parcel, a distance of 25.00 feet to a point, marking the Northeast corner of a parcel owned by Carmelo & Nunzia Ruta (DV 393 PG 413);

3. Thence North 80°01'21" West along the North line of said Ruta parcel, a distance of 156.00 feet to a point, marking the Northwest corner of said Ruta parcel; and

4. Thence South 09°58'39" West along the West line of said Ruta parcel, a distance of 196.39 feet to a point; and

5. Thence North 80°17'51" West a distance of 20.00 feet to a point on the East line of said Carmelo Ruta, Inc. parcel;

6. Thence North 09°58'39" East along the East line of said Ruta, Inc. parcel, a distance of 221.48 feet to the point of beginning, containing 0.1912 acre, more or less, but being subject to all legal highways, easements and restrictions of record.

And as more fully described in the legal description and vacation plat marked Exhibits "A-1" and "A-2", attached to this Ordinance and specifically incorporated herein, be and the same are hereby vacated pursuant to the Ohio Revised Code, Section 723.08 and is a revocation of the acceptance thereof by this City Commission.

Section 2. The said vacation be and hereby is subject to the permanent easements for public utility purposes in such vacated premises as set forth in Section 723.041 of the Ohio Revised Code.

Section 3. The Clerk of the City Commission be instructed to endorse upon the plat, the City Commission action in vacating such portion of the street and to cause said plat to be recorded in the office of the Erie County Recorder and to notify the Auditor of Erie County of such vacation, by sending him a copy 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 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:

Proposed Vacation of a 0.1912 Acre Parcel
City of Sandusky

Being situated in the State of Ohio, County of Erie, City of Sandusky, Second Ward, Part Amended Plat of D.L.C. Ransom Subdivision (PV 7 PG 1) and being more definitely described as follows:

Commencing at a monument box, found, marking the intersection of the centerline of Cleveland Road with the centerline of Roosevelt Street (66 FT); Thence North $09^{\circ}58'39''$ East along the centerline of Roosevelt Street, a distance of 497.24 feet to a point on the South line of Eastwood Subdivision No. 3 (PV 16 PG 27); Thence South $80^{\circ}01'21''$ East along the South line of said Eastwood Subdivision No. 3, a distance of 156.00 feet to a point, marking the Northeast corner of a parcel owned by Carmelo Ruta, Inc. (BV 235 PG 389) and the point of beginning;

(1) Thence South $80^{\circ}01'21''$ East continuing along the South line of said Eastwood Subdivision No. 3, a distance of 176.00 feet to a point, marking the Northwest corner of a parcel owned by Carmelo Ruta, Inc. (BV 247 PG 920);

(2) Thence South $09^{\circ}58'39''$ West along the West line of said Ruta parcel, a distance of 25.00 feet to a point, marking the Northeast corner of a parcel owned by Carmelo & Nunzia Ruta (DV 393 PG 413);

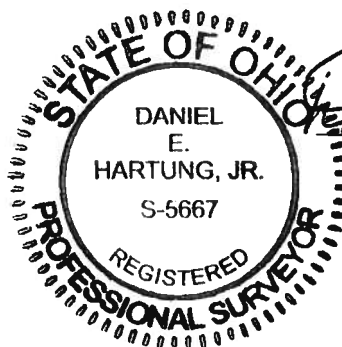
(3) Thence North $80^{\circ}01'21''$ West along the North line of said Ruta parcel, a distance of 156.00 feet to a point, marking the Northwest corner of said Ruta parcel;

(4) Thence South $09^{\circ}58'39''$ West along the West line of said Ruta parcel, a distance of 196.39 feet to a point;

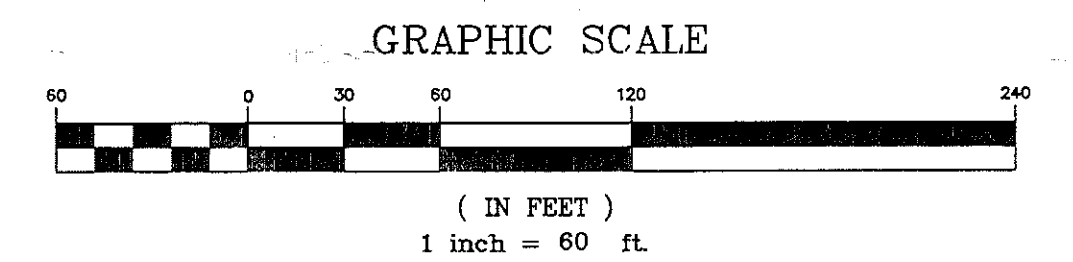
(5) Thence North $80^{\circ}17'51''$ West a distance of 20.00 feet to a point on the East line of said Carmelo Ruta, Inc. parcel;

(6) Thence North $09^{\circ}58'39''$ East along the East line of said Ruta, Inc. parcel, a distance of 221.48 feet to the point of beginning, containing 0.1912 acre, more or less, but being subject to all legal highways, easements and restrictions of record.

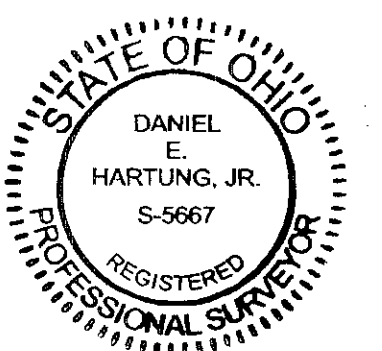
The above description was prepared from an actual survey by Daniel E. Hartung Jr., Professional Surveyor No. 5667 in April 2019. The bearings were assumed only for the purpose of indicating angles.



Daniel E. Hartung Jr. 4/4/2019
Daniel E. Hartung Jr., PE, PS



Daniel E Hartung 4/4/2019
DANIEL E. HARTUNG, JR, PE, PS



DANIEL E. HARTUNG JR., PE, PS



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5832
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager
FROM: Debi Eversole, Housing Development Specialist
DATE: June 26, 2019
RE: City Commission Agenda Item

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

BACKGROUND INFORMATION: Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City of Sandusky's Land Reutilization Policies and Procedures facilitate reutilization of nonproductive properties situated within the City of Sandusky and supports neighborhood revitalization and promotes residential and economic development. The property is described in Exhibit A attached to this communication. It is anticipated that more than one (1) person will be interested in purchasing this property and pursuant to the Land Reutilization Policy and Procedures, if more than one (1) qualified person or entity is interested in a specific Land Bank property, the purchaser shall be chosen by competitive bidding through a sealed bid process. Purchase Agreements will be negotiated and brought back to City Commission for approval.

Pursuant to Resolution No. 021-17R passed on April 10, 2017, the property located at 1215 Central Avenue, Erie County Permanent Parcel No. 58-00805.000 was approved for acquisition into the City of Sandusky's Land Reutilization Program. On June 10, 2019, the deed was transferred to the City of Sandusky. The property consists of a two (2) story, single-family residential structure that is zoned "residential two (2) family" (R2F). The structure has three (3) bedrooms and one and one half (1 1/2) bathrooms with approximately 2,466 square feet of living space. It has a lot size of approximately 42' X 132'. Preference will be given to those that propose owner occupancy.

BUDGET IMPACT: The cost associated with this request for proposals is approximately three hundred dollars (\$300.00) for the required newspaper publications. It is anticipated that these and title report and transfer fees will be recouped upon sale.

ACTION REQUESTED: It is requested that legislation be adopted allowing the City Manager to execute a Request for Proposals for the sale of 1215 Central Avenue that the City has acquired through the City of Sandusky's Land Reutilization Program which is no longer needed for any municipal purpose. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to advertise the property and promptly facilitate a sale so that the new property owner can properly secure and protect the structure from vandalism and to permit rehabilitation to begin as soon as possible.

Debi Eversole, Housing Development Specialist

I concur with this recommendation:

Matt Lasko, Chief Operations Officer

Eric Wobser, City Manager

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

Erie County, Ohio - Property Record Card

Parcel: 58-00805.000 Card: 1

GENERAL PARCEL INFORMATION

Owner CITY OF SANDUSKY
 Property Address 1215 CENTRAL SANDUSKY OH 44870
 Mailing Address 222 MEIGS ST

Land Use 640 - EXEMPT OWNED BY CITY OR VILLAGE
 Legal Description 11 CENTRAL AVE WH

Neighborhood 5855801 -
 School District SANDUSKY SD

MAP NUMBER: 2

VALUATION

	Appraised	Assessed
Land Value	\$9,870.00	\$3,450.00
Improvements Value	\$82,650.00	\$28,930.00
CAUV Value	\$0.00	\$0.00
Total Value	\$92,520.00	\$32,380.00

LAND

Land Type	Acreage	Depth	Frontage	Depth	Value
F - FRONT LOT	0.1273	132	42	94	\$9,870.00

AGRICULTURAL

Land Type	Land Usage	Soil Type	Acres	Value
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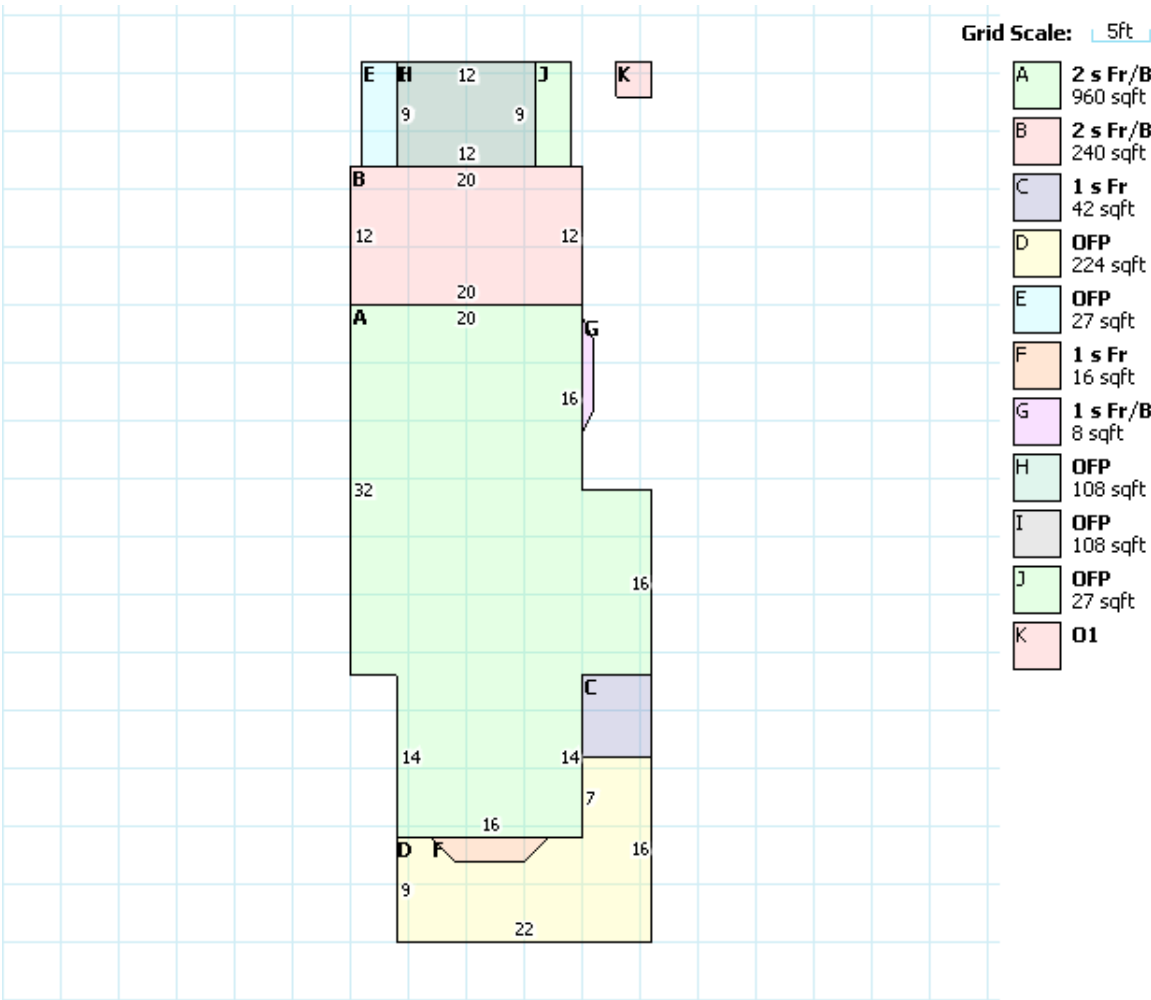
SALES

Date	Buyer	Seller	Price
6/10/2019	CITY OF SANDUSKY	GALLAGHER ANN L	\$0
1/1/1987	GALLAGHER ANN L	Unknown	\$0

RESIDENTIAL		
Building Style	SINGLE FAMILY	
Year Built	1890	
Stories	2	
Finished Area	2466	
First Floor Area	1266	
Half Floor Area	0	
Upper Floor Area	1200	
Rooms	8	
Bedrooms	3	
Family Rooms	0	
Full Baths	1	
Half Baths	1	
Basement	PT BASEMENT	
Finished Basement Area	0	
Heating	CENTRAL HEAT	
Cooling	NONE	
Exterior Wall	WOOD	
Attic	NONE	
Number of Fireplace Openings	0	
Number of Fireplace Stacks	0	

ADDITIONS			
Description	Area	Year Built	Value
OFP - Open Fr Porch	224	0	\$3,140.00
OFP - Open Fr Porch	27	0	\$380.00
OFP - Open Fr Porch	27	0	\$380.00
OFP - Open Fr Porch	108	0	\$1,510.00
OFP - Open Fr Porch	108	0	\$1,510.00

IMPROVEMENTS				
Description	Year Built	Dimension	Area	Value
Detch Br Garage -	1950	20x28	560	\$5,650.00



TAX			
	1st Half	2nd Half	Total
Charge:	\$1,631.95	\$1,631.95	
Credit:	(\$616.18)	(\$616.18)	
Rollback:	(\$88.30)	(\$88.30)	
Reduction:	(\$20.72)	(\$20.72)	
Homestead:	(\$244.66)	(\$244.66)	
Sales Credit:	\$0.00	\$0.00	
Net Tax:	\$0.00	\$0.00	
CAUV Recoupment:	\$0.00	\$0.00	
Special Assessments:	\$0.00	\$0.00	
Penalties/Adjustments:	\$0.00	\$0.00	
Delinquencies:	\$6,605.59		
Net Owed:	\$0.00	\$0.00	\$6,605.59
Net Paid:	\$0.00	\$0.00	(\$6,605.59)
Net Due:	\$0.00	\$0.00	\$0.00



ORDINANCE NO. _____

AN ORDINANCE DECLARING THAT CERTAIN REAL PROPERTY ACQUIRED THROUGH THE CITY'S LAND REUTILIZATION PROGRAM AND OWNED BY THE CITY IDENTIFIED AS PARCEL NO. 58-00805.000 LOCATED AT 1215 CENTRAL AVENUE, IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO PROCEED WITH A REQUEST FOR PROPOSALS (RFP) PROCESS FOR THE SALE OF PROPERTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

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

WHEREAS, this City Commission previously authorized the acquisition of the property located at 1215 Central Avenue by Resolution No. 021-17R, passed on April 10, 2017, under said Land Reutilization Program which is no longer needed for any municipal purposes; and

WHEREAS, the property is a two-story, single-family residential structure and has three (3) bedrooms and one (1) and one-half (1/2) bathrooms with approximately 2,466 square feet of living space; and

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

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to advertise the property and promptly facilitate sales so that the new property owner can properly secure and protect the structure from vandalism and to permit rehabilitation to begin as soon as possible; and

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

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

Section 1. This City Commission finds, determines and declares that the property identified as Parcel No. 58-00805.000, located at 1215 Central Avenue, Sandusky, is no longer needed for any municipal purpose, pursuant to Section 25 of the Charter of this City and the City Manager is authorized and directed to proceed with a Request for Proposals (RFP) process for the sale of property.

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

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

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

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

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

Passed: July 8, 2019



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5832
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager

From: Debi Eversole, Housing Development Specialist

Date: June 25, 2019

Subject: Commission Agenda Item – Grant Agreement between City of Sandusky and Renaissance Too LLC

Items for Consideration: Legislation approving a Grant Agreement to be entered into between the City of Sandusky (“the City”) and Renaissance Too LLC (“the Company”), an Ohio Limited Liability Company, for the purposes of furthering housing development efforts in the City.

Background Information: The Company, led by local developer and its managing member Robert Hare, purchased the Barnes Building at 131 E. Water Street (the “Building”). The Building and its adjoining building, the Biemiller Building, at 125 E. Water Street (the “Biemiller”), also owned by the Company, have been fighting for their survival as the Company attempts to salvage these properties after the July, 2018 storm that substantially damaged both buildings.

Mr. Hare has significant experience in redeveloping and revitalizing historic properties and he is working towards the twin goals of returning these currently condemned buildings to tenantable condition and to develop a mixed-use project with commercial spaces inhabiting the first floor(s) and residential floors inhabiting the above floors, including the buildout of a penthouse level. It is anticipated that the Building will support three (3) residential units and the total budget for the residential development is approximately \$558,000. Pursuant to the Housing Development and Beautification Guidelines and Application, the Company is eligible for a grant in an amount of up to \$7,500 per unit for substantial redevelopment projects that cost in excess of \$50,000, thus resulting in the Company being eligible for a grant of up to \$22,500 for the development of three (3) residential units

The above grants are conditioned upon compliance with all Planning and Zoning, Building and Code Compliance matters and other applicable codes and regulations of the City, including obtaining permits. The Applicant is still obligated to meet the requirements for disbursement prior to receiving any award funds – as outlined on Page 12 of the Housing Development and Beautification Program Guidelines and Application. Furthermore, the Applicant agrees to display a sign during construction noting the City’s support.

Budgetary Information: The City will be responsible for providing \$22,500 in grant proceeds from the Community Development Capital Projects account on a reimbursable basis at the completion of the project.

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

Debi Eversole
Housing Development Specialist

I concur with this recommendation:

Matthew D. Lasko, MUPDD, MSSA
Chief Development Officer

Eric L. Wobser
City Manager

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

**CHIEF FINANCIAL OFFICER'S CERTIFICATION OF
FUNDS AVAILABLE**

In the matter of: Renaissance Two LLC grant agreement- housing

It is hereby certified that the moneys required to meet the obligations of the City of Sandusky have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Ohio Rev. Code Sections 5705.41 and 5705.44.

H. S. Solowiej
Hank S. Solowiej, CPA
Finance Director

6 26 19
Date

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$22,500.00 THROUGH THE HOUSING DEVELOPMENT AND BEAUTIFICATION GRANT PROGRAM TO RENAISSANCE TOO LLC IN RELATION TO THE PROPERTY LOCATED AT 131 EAST WATER STREET; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Renaissance Too LLC purchased 131 E. Water Street, the Barnes Building, for the purpose of developing this historic building in downtown Sandusky into a prominent mixed-use development and once completed will have commercial space on the first floor and multiple residential units on the above floors; and

WHEREAS, Renaissance Too LLC, led by its President and local business leader, Robert Hare, previously acquired the westerly property at 125 E. Water Street, the Biemiller Building, and was developing an akin mixed-use space when a massive storm in July, 2018, came close to destroying both buildings; and

WHEREAS, Renaissance Too LLC was able to acquire the Barnes Building in the wake of this storm and developed a plan to concurrently repair and renovate these historic buildings with similar mixed-use plans and plans to invest approximately \$558,000.00 to renovate the Barnes Building which will include commercial spaces and residential units, including the buildout of a penthouse level; and

WHEREAS, this grant is specific to the residential redevelopment of three (3) residential rental units and it is being requested in companion legislation to approve a Substantial Development Grant in the amount of \$102,500.00 to assist with other building renovations on the property and approve an Enterprise Zone Agreement for tax abatement; 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, it is recommended to approve a grant to Renaissance Too, LLC, in the amount of \$22,500.00, in accordance with the Sandusky City Development Programs, to assist with the redevelopment costs for the residential rental units for the purpose of furthering housing development efforts in the City; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute the Grant Agreement and allow Renaissance Too, LLC, to move forward with budgetary planning and facilitate rehabilitation; and

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

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

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

Section 1. This City Commission authorizes and directs the City Manager to enter into a Grant Agreement with Renaissance Too LLC for financial assistance through the Housing Development and Beautification Grant Program for the purpose of furthering housing development efforts in the City, substantially in the same form as Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

Section 2. This City Commission authorizes and approves the grant funding to Renaissance Too LLC and the Finance Director is directed to expend funds to Renaissance Too LLC in an amount **not to exceed** Twenty Two Thousand Five Hundred and 00/100 Dollars (\$22,500.00) from the Community Development Capital Projects Fund of the City of Sandusky pursuant to and in accordance with the terms of the Grant Agreement.

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

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

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its

adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

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

Passed: July 8, 2019



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager
From: John Storey, Economic Development Specialist
Date: June 25, 2019
Subject: Commission Agenda Item – Grant Agreement between City of Sandusky and Renaissance Too LLC

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

Background Information: Renaissance Too purchased 131 E. Water Street (the “Barnes Building”) for the purpose of developing this historic building in downtown Sandusky into a prominent mixed-use development. Once completed, the Barnes Building will have commercial space on the first floor and multiple residential units on the floors above. Led by its President and local business leader, Mr. Robert Hare had previously acquired the westerly neighbor, 125 E. Water Street (the “Biemiller Building”), and was developing an akin mixed-use space when a massive storm in July, 2018 came ever so close to destroying both buildings. Renaissance Too was able to acquire the Barnes Building in the wake of this storm and developed a plan to concurrently repair and renovate these historic buildings with similar mixed-use plans. This Grant Agreement is specifically related to the redevelopment the Barnes Building as the Biemiller Building was previously awarded a substantial development grant.

Renaissance Too is undertaking an approximately \$1,210,000 renovation to the Barnes Building. This renovation encompasses what is essentially a complete rebuild to the structure. The scope of this project includes the following: (i) demolition of all existing floor structures; (ii) installation of two masonry egress stairways and elevator shaft (which will be shared with the Biemiller Building); (iii) addition of a penthouse residential level with outdoor deck and two garage doors at the rear of the property for indoor, basement parking; and (iv) construction of a new roof structure. Staff recommends that the City Commission approve a grant of up to \$102,500.00 to assist with this critically important project.

The above grant is conditioned upon the applicant complying with all Planning and Zoning codes and other applicable codes and regulations of the City and displaying signage noting the City of Sandusky’s support. The project is expected to be complete by December 31, 2020. The application and grant amount was approved at the June 11, 2019 Economic Development Incentive Committee meeting, in accordance with the Sandusky City Economic Development Programs.

Budgetary Information: The City will be responsible for providing a total of \$102,500.00 in grant proceeds from the Economic Development Capital Projects Fund on a reimbursable basis at the completion of the project.

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

John Storey
Economic Development Specialist

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko
Chief Development Officer

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

**CHIEF FINANCIAL OFFICER'S CERTIFICATION OF
FUNDS AVAILABLE**

In the matter of: Renaissance Two LLC grant agreement- housing

It is hereby certified that the moneys required to meet the obligations of the City of Sandusky have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Ohio Rev. Code Sections 5705.41 and 5705.44.

H.S. Solowiej
Hank S. Solowiej, CPA
Finance Director

6 26 19
Date

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$102,500.00 THROUGH THE SUBSTANTIAL DEVELOPMENT GRANT PROGRAM TO RENAISSANCE TOO LLC IN RELATION TO THE PROPERTY LOCATED AT 131 EAST WATER STREET; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Renaissance Too LLC purchased 131 E. Water Street, the Barnes Building, for the purpose of developing this historic building in downtown Sandusky into a prominent mixed-use development and once completed will have commercial space on the first floor and multiple residential units on the above floors; and

WHEREAS, Renaissance Too LLC, led by its President and local business leader, Robert Hare, previously acquired the westerly property at 125 E. Water Street, the Biemiller Building, and was developing an akin mixed-use space when a massive storm in July, 2018, came close to destroying both buildings; and

WHEREAS, Renaissance Too LLC was able to acquire the Barnes Building in the wake of this storm and developed a plan to concurrently repair and renovate these historic buildings with similar mixed-use plans; and

WHEREAS, Renaissance Too LLC is undertaking an approximately \$1,210,000.00 renovation to the Barnes Building which encompasses demolition of all existing floor structures, installation of two masonry egress stairways and elevator shaft (which will be shared with the Biemiller Building), the addition of a penthouse residential level with outdoor deck and two garage doors at the rear of the property for indoor, basement parking and includes construction of a new roof structure; and

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

WHEREAS, the Economic Development Incentive Committee met on June 11, 2019, and is recommending to approve a grant to Renaissance Too LLC in the amount of \$102,500.00, in accordance with the Sandusky City Economic Development Programs, to assist with building renovation costs for the purpose of furthering economic development efforts in the City; and

WHEREAS, it is being requested in companion legislation to approve a Housing Development and Beautification grant in the amount of \$22,500.00 and approve an Enterprise Zone Agreement for tax abatement; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute the Grant Agreement and allow Renaissance Too LLC to move forward with budgetary planning and facilitate rehabilitation; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the

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

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

Section 1. This City Commission authorizes and directs the City Manager to enter into a Grant Agreement with Renaissance Too LLC for financial assistance through the Substantial Development Grant Program for the purpose of furthering economic development efforts in the City, substantially in the same form as Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

Section 2. This City Commission authorizes and approves the grant funding to Renaissance Too LLC and the Finance Director is directed to expend funds to Renaissance Too LLC in an amount **not to exceed** One Hundred Two Thousand Five Hundred and 00/100 Dollars (\$102,500.00) from the Economic Development Capital Projects Fund of the City of Sandusky pursuant to and in accordance with the terms of the Grant Agreement.

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

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

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take

immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

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

Passed: July 8, 2019

GRANT AGREEMENT

This Grant Agreement (the "Agreement") is made and entered into as of the ____ day of JULY, 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 Renaissance Too LLC ("the Company"), an Ohio Limited Liability Company.

WITNESSETH:

WHEREAS, the Company, led by local developer and its managing member Robert Hare, purchased the Barnes Building at 131 E. Water Street (the "Building"). The Building and its adjoining building, the Biemiller Building, at 125 E. Water Street (the "Biemiller"), also owned by the Company, have been fighting for their survival as the Company attempts to salvage these properties after the July, 2018 storm that substantially damaged both buildings.

WHEREAS, Mr. Hare has significant experience in redeveloping and revitalizing historic properties and he is working towards the twin goals of returning these currently condemned buildings to tenantable condition and to develop a mixed-use project with commercial spaces inhabiting the first floor(s) and residential floors inhabiting the above floors, including the buildout of a penthouse level. Mr. Hare has negotiated a Letter of Intent with Lake Erie Shores and Islands ("LESI") to be the primary tenant of the Biemiller and is currently undertaking a whitebox buildout of the commercial space within this Building to allow for a variety of commercial end-uses.

WHEREAS, this catalytic project will increase employment within the business district and directly address an office-space shortage in the downtown market, while providing high-end for-sale residential units. The Company will arrange for all work needed to preserve and renovate the interior and exterior of the property. Renovations include installation of an elevator lobby and elevator, office-space area, an open reception area for visitors, a conference room, a new entrance from Shoreline Drive and a secondary stairway as well as restoration of the exterior and ADA accommodations at the Water Street entrance, herein after referred to as the ("Project"); and

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

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

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

Section 1. City Grant.

The City agrees to grant up to \$102,500.00 in the form of a Substantial Redevelopment grant to the Company (the "City Grant") toward the costs of the Project, with fifty percent (50%) of the City Grant, or \$51,250, to be disbursed upon fifty percent (50%) of the Project and the remaining fifty percent (50%) of the City Grant, or \$51,250, to be disbursed upon issuance of a certificate of occupancy for the Building

or February 1, 2020, whichever is later. This City Grant will not increase if the applicant chooses to make additional improvements not contemplated in the grant application. The City reserves the right to make adjustments to the awarded grant amount, if recommended by the Economic Development Incentive Committee, for substantive changes to the project scope only. 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 approval, and other applicable codes and regulations of the City, including obtaining permits. Furthermore, the Company agrees to display a sign during construction and for at least one (1) year upon completion of the Project noting the City's support; and

The Company shall notify the City promptly following the completion of the Project consistent with this Section and provide the City with any documents it reasonably requests related to Project costs and construction. The City shall then promptly review those documents and inspect the site and let the Company know if it has satisfied the conditions set forth in this Section and, if not, describe what is found to be deficient. In order to receive the City Grant, the Project will need to be completed by 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.

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

Section 3. Assignment or Transfer.

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

Section 4. Choice of Law.

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

Section 5. Binding Agreement.

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

Section 6. Miscellaneous.

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

- (i) TO THE CITY: City Manager

c/o Development Specialist
City of Sandusky, Ohio
240 Columbus Avenue
Sandusky, OH 44870

(ii) TO THE COMPANY: Renaissance Too LLC
PO Box 1070
Sandusky, OH 44871-1070
Attention: Robert Hare

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.

SIGNATURES EXECUTED ON THE FOLLOWING PAGE

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.

RENAISSANCE TOO LLC,
An Ohio limited liability company

Title: Managing Member

CITY OF SANDUSKY

Title: 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.

Hank Solowiej, Director of Finance



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager
From: John Storey, Economic Development Specialist
Date: June 25, 2019
Subject: Commission Agenda Item – Enterprise Zone (EZ) Tax Abatement Agreement between City of Sandusky and Renaissance Too LLC (131 E. Water Street)

Items for Consideration: Legislation approving an Enterprise Zone Tax Abatement Agreement (the “Agreement”) to be entered into between the City of Sandusky (“the City”) and Renaissance Too LLC (“Renaissance Too”), an Ohio Limited Liability Company, for the purposes of furthering economic development efforts in the City.

Background Information: Renaissance Too purchased 131 E. Water Street (the “Barnes Building”) for the purpose of developing this historic building in downtown Sandusky into a prominent mixed-use development. Once completed, the Barnes Building will have commercial space on the first floor and multiple residential units on the floors above. Led by its President and local business leader, Mr. Robert Hare had previously acquired the westerly neighbor, 125 E. Water Street (the “Biemiller Building”), and was developing an akin mixed-use space when a massive storm in July, 2018 came ever so close to destroying both buildings. Renaissance Too was able to acquire the Barnes Building in the wake of this storm and developed a plan to concurrently repair and renovate these historic buildings with similar mixed-use plans.

Renaissance Too is undertaking an approximately \$1,210,000 renovation to the Barnes Building. This renovation encompasses what is essentially a complete rebuild to the structure. The scope of this project includes the following: (i) demolition of all existing floor structures; (ii) installation of two masonry egress stairways and elevator shaft (which will be shared with the Biemiller Building); (iii) addition of a penthouse residential level with outdoor deck and two garage doors at the rear of the property for indoor, basement parking; and (iv) construction of a new roof structure. Based on these costs to renovate and build out the Barnes Building, Renaissance Too has 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. Additional terms of the proposed Agreement call for the project development to be completed by December 31, 2020. Further, this project is to result in the hiring of no less than two (2) new employment positions upon its completion and an increase in payroll of \$100,000. These above estimates are extremely conservative estimates based upon the nature of the whitebox buildout of the commercial space. If potential uses such as a restaurant, doctor’s office, or law or accounting firm were to become lessees of the Barnes Building, these estimates would be multiples higher.

Based upon this investment and the importance of this project for both preserving our historic downtown building stock and bringing leasable commercial space and residential units to market, staff is recommending the approval of a 10-year, 75% real estate tax abatement on the increase to the assessed valuation of the property. Pursuant to Ohio Revised Code Section 5709.83, the Sandusky City Schools have been afforded the appropriate notice based on a certain school notification letter delivered on June 20, 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 employment in the local economy and will create a minimum of two (2) permanent full-time positions subject to City income tax.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into an Enterprise Zone Tax Abatement Agreement with Renaissance Too. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter in order to immediately approve the Enterprise Zone Tax Abatement Agreement to ensure the full benefit of the abatement is realized.

John Storey
Economic Development Specialist

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko
Chief Development Officer

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



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

June 20, 2019

Gina Deppert, Treasurer
Sandusky City Schools
407 Decatur Street
Sandusky, Ohio 44870

Re: Renaissance Too LLC - Request for Enterprise Zone Tax Abatement

Dear Ms. Deppert:

The City of Sandusky has received a request for tax abatement from Renaissance Too LLC (the "Company") under the Enterprise Zone (EZ) abatement program for the renovation of the vacant and underutilized building located at 131 East Water Street, Sandusky, Ohio 44870 (the "Property"). The company plans to return this currently vacant building to productive use by renovating the facility into a mixed-use building including professional offices and residential housing.

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 set forth below. These terms and conditions have been accepted by the Company.

1. Abatement of new real estate taxes for improvements made at the Property 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 estate improvements.
2. The Company's investment includes the substantial repair and rehabilitation of the Property into leasable commercial space with residential living space on the upper floors. The estimated value of the improvement including acquisition costs is approximately \$1,125,000.
3. The Company will pay an annual monitoring fee of \$200 payable to the City of Sandusky no later than April 15th of the year following each year the agreement is in effect.
4. The tenants leasing the Property will employ two (2) full-time permanent employees. The minimum stabilized payroll for the tenants leasing the Property shall be approximately \$100,000.
5. All other terms and conditions apply.

We believe that this mixed-use project is another great example of transforming a dormant property

into a productive and populated building on a critical thoroughfare in the city's core. Succinctly stated, the return of this vacant and storm-damaged property into a revenue generating endeavor is in the 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 July 8, 2019.

We have attached the company's Enterprise Zone Application as well as a draft of the Enterprise Zone Agreement. Please review these documents and contact the undersigned at 419-627-5783 or via e-mail at jstorey@ci.sandusky.oh.us with any questions, corrections or suggestions you may have.

Sincerely,



John O'Neill Storey
Economic Development Specialist

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH RENAISSANCE TOO LLC, RELATING TO PROPERTY LOCATED AT 131 E. WATER STREET, 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, Renaissance Too LLC purchased 131 E. Water Street, the Barnes Building, for the purpose of developing this historic building in downtown Sandusky into a prominent mixed-use development and once completed will have commercial space on the first floor and multiple residential units on the above floors; and

WHEREAS, Renaissance Too LLC, led by its President and local business leader, Robert Hare, previously acquired the westerly property at 125 E. Water Street, the Biemiller Building, and was developing an akin mixed-use space when a massive storm in July, 2018, came close to destroying both buildings; and

WHEREAS, Renaissance Too LLC is undertaking an approximately \$1,210,000.00 renovation to the Barnes Building which encompasses demolition of all existing floor structures, installation of two masonry egress stairways and elevator shaft (which will be shared with the Biemiller Building), the addition of a penthouse residential level with outdoor deck and two garage doors at the rear of the property for indoor, basement parking and includes construction of a new roof structure; and

WHEREAS, the City received a request for Enterprise Zone tax abatement from Huntley Building, LLC, for their renovation 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 space and residential units 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 June 20, 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 two (2) permanent full-time employment positions that will be subject to City income tax; and

WHEREAS, it is being requested in companion legislation to approve a Housing Development and Beautification grant in the amount of \$22,500.00 and a Substantial Development grant in the amount of \$102,500.00 for renovations at the Barnes Building located at 131 E. Water Street; 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 immediately execute the agreement 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 Commission hereby approves the Enterprise Zone Agreement with Renaissance Too LLC 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 2. The City Manager is hereby authorized and directed to execute the Enterprise Zone Agreement with Renaissance Too 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 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

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

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

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

Passed: July 8, 2019

ENTERPRISE ZONE AGREEMENT

This ENTERPRISE ZONE AGREEMENT (the "Agreement") is 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 240 Columbus Avenue, Sandusky, Ohio 44870 (the "City"), and RENAISSANCE TOO LLC, an Ohio limited liability company, with mailing address of P.O. Box 1070, Sandusky, Ohio 44870 (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 multiple properties within the City of Sandusky. The Company previously acquired the currently vacant approximate 7,300 square foot commercial building located at **131 E. Market Street**, Sandusky, Ohio 44870 and further identified as Permanent Parcel No. 56-00170.001. The Company is now desirous of substantially repairing storm damage and rehabilitating such building into leasable commercial and residential space. The Company will invest between approximately \$1,125,000 - \$1,210,000 into this mixed-use project, including \$85,000 for building acquisition, between \$940,000 - \$1,000,000 for building improvements and renovation, and between \$100,000 - \$125,000 for additions and/or new construction (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 7,300 square foot historic building to be utilized for lease to commercial and residential tenants. The Company estimates an anticipated real estate investment for the Project between \$1,125,000 and \$1,210,000 including acquisition costs. The acquisition cost for the building was \$85,000. The Project represents a significant new investment on the site. The construction is expected to commence by July 1, 2019 and be completed by December 31, 2020.

2. The Company shall create or cause to be created the equivalent of two (2) new full-time job opportunities within the time period outlined below.

The Company schedule for hiring is to hire or cause to be hired two (2) new full-time jobs by December 31, 2010. The job creation period begins December 31, 2020 and all jobs are expected to be in place by December 31, 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 \$100,000.00 (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 \$100,000.00, permanent part-time \$0 temporary full-time \$0 and temporary part-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 2021 nor extend beyond 2030.

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 15th 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 RENAISSANCE TOO LLC by Robert Hare, its Manager, has caused this instrument to be executed on this ____ day of _____, 2019.

CITY OF SANDUSKY, OHIO

By: _____
Eric Wobser, City Manager

RENAISSANCE TOO LLC,
An Ohio limited liability company

By: _____
Robert Hare, Manager

Approved as to form:

By: _____
Director of Law

Date: _____, 2019

EXHIBIT A

[Attach Application]

DRAFT

**OHIO DEVELOPMENT SERVICES AGENCY
OHIO ENTERPRISE ZONE PROGRAM**

PROPOSED AGREEMENT for Enterprise Zone Tax Incentives between the City of Sandusky located in the County of Erie and Renaissance Too LLC.

- 1a. Name of business, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

Renaissance Too LLC
enterprise name

Robert W. Hare, Manager
contact person

419-277-0815
telephone number

C/O 212 E Water St. Sandusky, OH 44870
address

- 1b. Project site:

Robert W. Hare
contact person

419/277-0815
telephone number

131 E. Water St. (56-00170.001)
address

Sandusky, OH 44870

- 2a. Nature of business (manufacturing, distribution, wholesale or other).
General Business, upper residential

- 2b. List primary 6 digit NAICS # 531120 (RToo).
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)

Consolidation not anticipated

- 2d. Form of business of enterprise (corporation, partnership, proprietorship, or other).

TBD for tenant. For Renaissance too LLC, the form of enterprise is LLC

3. Name of principal owner(s) or officers of the business (attach list if necessary).

TBD for tenant. For Renaissance Too LLC see attached ownership information.

4. Is business seasonal in nature? Yes___ No X

- 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 X

- 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:

- 5/1/19 JDS 5d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):

~~X~~ 0

- 5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets: 0

- 5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?

- 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).

8. Project Description (attach additional pages if necessary):

See Attached Project Description

9. Project will begin June 1, 2019 and be completed March 31, 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): 2 full time employees.

10b. State the time frame of this projected hiring: 2 years

10c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary

employees): **2 years**.

11a. Estimate the amount of annual payroll such new employees will add est. **\$60,000 permanent full time** (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).

11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$0

12. Market value of the existing facility as determined for local property taxation.
\$85,000

13a. Business's total current investment in the facility as of the proposal's submission.
\$115,000

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:	\$ 85,000	\$ 85,000
B.Additions/New Construction:	\$ 100,000	\$ 125,000
C.Improvements to existing buildings:	\$ 600,000	\$ 650,000
D.Machinery & Equipment:	\$ 0	\$
E.Furniture & Fixtures:	\$ 0	\$
F.Inventory:	\$ 0	\$
Total New Project Investment:	\$ 785,000	\$ 860,000

15. a. Business requests the following tax exemption incentives: 75 % for 10 years covering real property 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)
See attached explanation.

Submission of this application expressly authorizes The City of Sandusky of Erie 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.

Renaissance Too LLC

Name of Enterprise

April 30, 2019

Date

Signature

Robert W. Hare, Manager

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.

RENAISSANCE TOO LLC

CRA PROGRAM APPLICATION SUPPORTING DOCUMENTATION

131 E. Water Street

PRINCIPLE OWNERS/OFFICERS

Renaissance Too LLC Membership

Robert W. Hare, Managing Member
Ben Murcek, Member
Paul Biedenbach, Member
Mardi Murcek, Member
Cesare Avallone, Member
Bryan Kasper, Member

PROJECT DESCRIPTION

The Weeber-Reber building at 127-131 E. Water Street was in most recent years the offices for Barnes Tax Accounting Services. The first floor was occupied by the business, while the second and third floors were vacant and unimproved. On July 26, 2018, while the building was owned by the Barnes', a strong thunder storm caused significant damage to the building. The roof was blown off and a portion of the west brick wall above the roof collapsed into the building. The result caused a large portion of the third-floor structure to collapse into the second floor, which then partially collapsed into the first floor. For the balance of 2018, the building sat in this damaged condition while the Barnes' worked with their insurance company to settle their claim. In late 2018, they settled, and Renaissance Too negotiated purchase of the building in its damaged condition. Renaissance Too purchased the building on January 15, 2019 and set about to clean out the building at its own expense to remove the debris, and first floor finishes that had significant water damage. As part of the first-floor strip out, it was discovered that a new floor surface had been installed on top of the original floor surface/structure. The condition of that original floor surface structure requires it be removed and reinstalled.

Planned improvements to the building include internal demolition of the damaged structures/remnants, and re-construction of all floor structures. In addition, two new egress stairs and an elevator will be added as shared amenities with the occupants of the neighboring Biemiller building. Other improvements include installation of all new mechanical, electrical and plumbing. The first floor will be "white boxed" commercial space. The second and third floors will be individual residential space with a penthouse level added for a third residential space. Indoor parking in the basement with entry from the rear at Shoreline Drive is planned. Façade improvements include addition of new exit doors at front and rear, new windows at the rear, and installation of two new garage doors for entry to the indoor parking. The residential use that is planned will require the addition of a fire protection system (sprinklers) to the building.

BUSINESS REASONS FOR EXEMPTION REQUEST

The proposed project building interior is currently has significant structural damage and requires it be completely stripped of all partitions, finishes, HVAC and utilities. Substantial work (new roof and all new floors) and materials are needed to make the space tenable and avoid a demise that would force another building in this block to be demolished. Given this, the cost of improvements detailed in this application far exceeds the current member investments and available financing and will far exceed the future value of the property. To make this project viable, local grant funding, and local property tax abatement are necessary. This project is not viable without significant local support.



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager
From: John Storey, Economic Development Specialist
Date: June 25, 2019
Subject: Commission Agenda Item – Enterprise Zone (EZ) Tax Abatement Agreement between City of Sandusky and Renaissance Too LLC (125 E. Water Street)

Items for Consideration: Legislation approving an Enterprise Zone Tax Abatement Agreement (the “Agreement”) to be entered into between the City of Sandusky (“the City”) and Renaissance Too LLC (“Renaissance Too”), an Ohio Limited Liability Company, for the purposes of furthering economic development efforts in the City.

Background Information: Led by its President and local business leader, Mr. Robert Hare, Renaissance Too purchased 125 E. Water Street (the “Biemiller Building”) for the purpose of developing this historic building in downtown Sandusky into a prominent mixed-use development. Once completed, the Biemiller Building will have commercial space on the first and second floor and residential units on the third floor. Lake Erie Shores & Islands (“LESI”) will be the commercial tenant in the first floor space. It is critical to note that the Biemiller Building mixed-use renovation was well underway when a massive storm in July, 2018 came ever so close to destroying it. In the aftermath of the storm, Renaissance Too had to determine whether the building was salvageable physically and whether the new market conditions would permit the project to continue.

Renaissance Too is undertaking an approximately \$812,000 renovation to the Biemiller Building, including \$262,000 for the acquisition and \$550,000 for building improvements and renovation. This renovation encompasses what is essentially a complete rebuild to the structure. Upon project completion, the first floor commercial space will be leased by LESI and two residential units will be created on the upper floors. Based on these costs to renovate and build out the Biemiller Building, Renaissance Too has 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. Additional terms of the proposed Agreement call for the project development to be completed by December 31, 2020. Further, this project is to result in the hiring of no less than ten (10) new employment positions upon its completion and an increase in payroll of \$400,000.

Based upon this investment and the importance of this project for both preserving our historic downtown building stock and bringing leasable commercial space and residential units to market, staff is recommending the approval of a 10-year, 75% real estate tax abatement on the increase to the assessed valuation of the property. Pursuant to Ohio Revised Code Section 5709.83, the Sandusky City

Schools have been afforded the appropriate notice based on a certain school notification letter delivered on June 20, 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 employment in the local economy and will create a minimum of ten (10) permanent full-time positions subject to City income tax.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into an Enterprise Zone Tax Abatement Agreement with Renaissance Too. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter in order to immediately approve the Enterprise Zone Tax Abatement Agreement to ensure the full benefit of the abatement is realized.

John Storey
Economic Development Specialist

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko
Chief Development Officer

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



COMMUNITY DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

June 20, 2019

Gina Deppert, Treasurer
Sandusky City Schools
407 Decatur Street
Sandusky, Ohio 44870

Re: Renaissance Too LLC - Request for Enterprise Zone Tax Abatement

Dear Ms. Deppert:

The City of Sandusky has received a request for tax abatement from Renaissance Too LLC (the "Company") under the Enterprise Zone (EZ) abatement program for the renovation of the vacant and underutilized building located at 125 East Water Street, Sandusky, Ohio 44870 (the "Property"). The company plans to return this currently vacant building to productive use by renovating the facility into a mixed-use building including professional offices and residential housing.

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 set forth below. These terms and conditions have been accepted by the Company.

1. Abatement of new real estate taxes for improvements made at the Property 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 estate improvements.
2. The Company's investment includes the substantial repair and rehabilitation of the Property into leasable commercial space with residential living space on the upper floors. The estimated value of the improvement including acquisition costs is approximately \$762,000.
3. The Company will pay an annual monitoring fee of \$200 payable to the City of Sandusky no later than April 15th of the year following each year the agreement is in effect.
4. The tenants leasing the Property will employ ten (10) full-time permanent employees and four (4) part-time permanent employees. The minimum stabilized payroll for the tenants leasing the Property shall be approximately \$400,000.
5. All other terms and conditions apply.

We believe that this mixed-use project is another great example of transforming a dormant property

into a productive and populated building on a critical thoroughfare in the city's core. Succinctly stated, the return of this vacant and storm-damaged property into a revenue generating endeavor is in the 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 July 8, 2019.

We have attached the company's Enterprise Zone Application as well as a draft of the Enterprise Zone Agreement. Please review these documents and contact the undersigned at 419-627-5783 or via e-mail at jstorey@ci.sandusky.oh.us with any questions, corrections or suggestions you may have.

Sincerely,

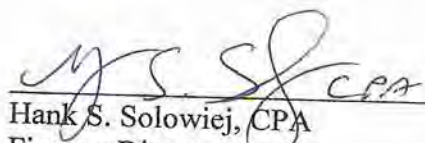
A handwritten signature in blue ink, appearing to read 'John O'Neill Storey', with a stylized flourish at the end.

John O'Neill Storey
Economic Development Specialist

**CHIEF FINANCIAL OFFICER'S CERTIFICATION OF
FUNDS AVAILABLE**

In the matter of: Renaissance Too LLC grant agreement - ED

It is hereby certified that the moneys required to meet the obligations of the City of Sandusky have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Ohio Rev. Code Sections 5705.41 and 5705.44.


Hank S. Solowiej, CPA
Finance Director

6 26 19
Date

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH RENAISSANCE TOO LLC, RELATING TO PROPERTY LOCATED AT 125 E. WATER STREET, 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, Renaissance Too LLC, led by its President and local business leader, Robert Hare, previously acquired the westerly property at 125 E. Water Street, the Biemiller Building, and was developing an akin mixed-use space when a massive storm in July, 2018, came close to destroying the building; and

WHEREAS, Renaissance Too LLC determined the building was salvageable and is continuing with the project and once completed, the Biemiller Building will have commercial space on the first and second floor with residential units on the third floor; and

WHEREAS, Renaissance Too LLC is undertaking an approximately \$812,000.00 renovation to the Biemiller Building, including \$262,000.00 for the acquisition and \$550,000.00 for building improvements and renovation and upon completion, the first floor commercial space will be leased by Lake Erie Shores & Islands (LESI) and two residential units will be created on the upper floors; and

WHEREAS, the City received a request for Enterprise Zone tax abatement from Renaissance Too LLC for their renovation 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 space and residential units 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 June 20, 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) permanent full-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 immediately execute the agreement 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 Commission hereby approves the Enterprise Zone Agreement with Renaissance Too LLC 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 2. The City Manager is hereby authorized and directed to execute the Enterprise Zone Agreement with Renaissance Too 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 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent

jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

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

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

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

Passed: July 8, 2019

ENTERPRISE ZONE AGREEMENT

This ENTERPRISE ZONE AGREEMENT (the "Agreement") is 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 240 Columbus Avenue, Sandusky, Ohio 44870 (the "City"), and RENAISSANCE TOO LLC, an Ohio limited liability company, with offices with mailing address of P.O. Box 1070, Sandusky, Ohio 44870 (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 multiple properties within the City of Sandusky. The Company previously acquired the currently vacant approximate 7,350 square foot commercial building located at 125 E. Market Street, Sandusky, Ohio 44870 and further identified as Permanent Parcel No. 56-01387.000. The Company is now desirous of substantially repairing storm damage and rehabilitating such building into leasable commercial and residential space. The Company will invest between approximately \$762,000 - \$812,000 into this mixed-use project, including \$262,000 for building acquisition and between \$500,000 - \$550,000 for building improvements and renovation (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 7,350 square foot historic building to be utilized for lease to commercial and residential tenants. The Company estimates an anticipated real estate investment for the Project between \$500,000-\$550,000 not including acquisition costs. The acquisition cost for the building was \$262,000. The Project represents a significant new investment on the site. The construction is expected to commence by June 1, 2019 and be completed by December 31, 2020.

2. The Company shall retain or cause to be retained the equivalent of ten (10) full-time, four (4) part-time and zero (0) seasonal equivalent job opportunities.

The Company will be leasing the commercial space to a tenant who currently has 10 full-time permanent employees, 4 part-time permanent employees, 0 part-time temporary employees and 0 full-time temporary employees at the Project site. In total, the Company and/or its tenant(s) currently have 10 full-time permanent employees, 4 part-time permanent employees, 0 full-time temporary employees, and 0 part-time temporary employees in the State of Ohio.

This amount of existing payroll related to the job retention associated with this Project will result in approximately \$400,000.00 (dollars) of retained annual payroll for the Company or made possible by the Company. The following is an itemization by the type of retained jobs: permanent full-time \$350,000 permanent part-time \$50,000 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 2021 nor extend beyond 2030.

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 15th 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.

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 RENAISSANCE TOO LLC by Robert Hare, its Manager, has caused this instrument to be executed on this ____ day of _____, 2019.

CITY OF SANDUSKY, OHIO

By: _____
Eric Wobser, City Manager

RENAISSANCE TOO LLC,
An Ohio limited liability company

By: _____
Robert Hare, Manager

Approved as to form:

By: _____
Director of Law

Date: _____, 2019

EXHIBIT A

[Attach Application]

DRAFT

OHIO DEVELOPMENT SERVICES AGENCY
OHIO ENTERPRISE ZONE PROGRAM

PROPOSED AGREEMENT for Enterprise Zone Tax Incentives between the City of Sandusky located in the County of Erie and Renaissance Too LLC.

- 1a. Name of business, home or main office address, contact person, and telephone number (attach additional pages if multiple enterprise participants).

Renaissance Too LLC
enterprise name

Robert W. Hare, Manager
contact person

419-277-0815
telephone number

C/O 212 E Water St. Sandusky, OH 44870
address

- 1b. Project site:

Robert W. Hare
contact person

419/277-0815
telephone number

125 E. Water St. (56-01387.000)
address

Sandusky, OH 44870

- 2a. Nature of business (manufacturing, distribution, wholesale or other).
General Business, upper residential

- 2b. List primary 6 digit NAICS # 531120 (RToo).
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)
- No Consolidation
-
- 2d. Form of business of enterprise (corporation, partnership, proprietorship, or other).
- LESI – 501C 6. For Renaissance too LLC, the form of enterprise is LLC
-
3. Name of principal owner(s) or officers of the business (attach list if necessary).
- See attached.
-
4. Is business seasonal in nature? Yes___ No X
- 5a. State the enterprise's current employment level at the proposed project site:
- LESI – 10 Full, 4 Part Time, 10 seasonal
-
- 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 X
- 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:
-
-
- 5d. State the enterprise's current employment level in Ohio (itemized for full and part-time and permanent and temporary employees):
-
- 5e. State the enterprise's current employment level for each facility to be affected by the relocation of employment positions or assets:
- 5f. What is the projected impact of the relocation, detailing the number and type of employees and/or assets to be relocated?
- 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).

8. Project Description (attach additional pages if necessary):

See Attached Project Description.

9. Project will begin June 1, 2019 and be completed March 31, 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): 0 (See attached explanation).

10b. State the time frame of this projected hiring:

10c. State proposed schedule for hiring (itemize by full and part-time and permanent and temporary

employees):

- 11a. Estimate the amount of annual payroll such new employees will add est. (new annual payroll must be itemized by full and part-time and permanent and temporary new employees).
- 11b. Indicate separately the amount of existing annual payroll relating to any job retention claim resulting from the project: \$400,000
12. Market value of the existing facility as determined for local property taxation.
\$262,000
- 13a. Business's total current investment in the facility as of the proposal's submission.
\$262,000 + \$175,000 = \$437,000 (including storm repairs)
- 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: | \$ 262,000 | \$ 262,000 |
| B.Additions/New Construction: | \$ 0 | \$ 0 |
| C.Improvements to existing buildings*: | \$ 500,000 | \$ 550,000 |
| D.Machinery & Equipment: | \$ 0 | \$ |
| E.Furniture & Fixtures: | \$ 0 | \$ |
| F.Inventory: | \$ 0 | \$ |
| Total New Project Investment: | \$ 762,000 | \$ 812,000 |
15. a. Business requests the following tax exemption incentives: 75 % for 10 years covering real property 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)
See attached explanation.

Submission of this application expressly authorizes The City of Sandusky of Erie 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.

Renaissance Too LLC

April 30, 2019

Name of Enterprise

Date

Signature

Robert W. Hare, Manager

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.

RENAISSANCE TOO LLC

CRA PROGRAM APPLICATION SUPPORTING DOCUMENTATION

125 E. Water Street

PRINCIPLE OWNERS/OFFICERS

LESI Officers

President – Jeff Hoffman
Vice President – Brian Shanle
Secretary – Brian Pieffer
Treasurer – George Ruta

Renaissance Too LLC Membership

Robert W. Hare, Managing Member
Ben Murcek, Member
Paul Biedenbach, Member
Mardi Murcek, Member
Cesare Avallone, Member
Bryan Kasper, Member

PROJECT DESCRIPTION

The Erie County Visitors and Convention Bureau, also referred to as Lake Erie Shores and Islands (LESI) would like to relocate to 125 E. Water Street for their operational headquarters. Their plan is to occupy the first and second floor of the space for their operations, plus basement space for storage. First floor improvements include adding a 24 hour information center, access to an elevator lobby and elevator and new stairs (three floors) in the adjacent building, public restrooms, two offices, conference room, and an open reception area for visitors to the building. The second floor will be improved with offices, break area, and a private bathroom. Other improvements include the various utility installations to support the tenants operations. Outdoor improvements include restoration/renovation of the front and rear façade, and cleanup and painting of the exposed masonry on the west wall (previously covered by the demolished 109 E. Water building). The anticipated use of the third floor as residential will require the addition of a fire protection system (sprinklers) to the building. On July 26, 2018 a significant storm caused significant damage to several buildings on East Water Street, including the Biemiller. Insurance covered most of the repair costs, but it did not cover it all.

Item 10(a), New Employee Plans for LESI

It should be noted that an application for Property Tax Abatement for this property was submitted previously in March, 2018 as the building improvements were scheduled for completion by the end of 2018 (no CRA Agreement executed). A severe storm on July 26, 2018 caused significant damage to the building which required a change to the scheduled occupancy of the building. LESI remained committed to the leased space, but the hiring plans detailed in the prior application were ultimately implemented during 2018 as they had committed to. The new hires have been working into the temporary spaces that LESI utilized

while waiting for the new permanent facility to be completed. This updated application recognizes that those additional employees are on the rolls of LESI, but the “additional” hires are no longer a part of the application. In the end the City has benefited from those additional employees being added to their organization in spite of the project timing.

BUSINESS REASONS FOR EXEMPTION REQUEST

The proposed project building interior is currently completely stripped of all partitions, finishes, and utilities with no heat. Substantial work and materials are needed to make the space tenable. Given this, the cost of improvements far exceeds the current member investments and available financing and will far exceed the future value of the property. Having LESI in this location will have synergistic effects on promotion of downtown Sandusky, further improving the business environment, and eliminating the blight this prominent building has endured for over 25 years. To make this project viable, local grant funding, and local property tax abatement are necessary. This project is not viable without significant local support. The project with its prospective tenant has been determined to be a catalytic development by development staff so, to make this location competitive with the prospective tenants current location/rent structure, significant local funding is needed to offer competitive rent rates void of capital buildout costs that would otherwise need to be incorporated into a lease.



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: June 25, 2019

Subject: **Commission Agenda Item – Payment of Application Fee for the WPCLF Loan on the Pier Track Pump Station & Farwell Pump Station Improvements Project Loan**

ITEM FOR CONSIDERATION: Requesting legislation approving the payment of the Application Fee for the WPCLF Loan on the Pier Track Pump Station & Farwell Pump Station Improvements Project loan to Ohio Water Development Authority (OWDA).

BACKGROUND INFORMATION: Staff presented legislation at the April 8, 2019 City Commission meeting requesting approval to sign into a loan agreement with the Ohio Environmental Protection Agency (OEPA) and the Water Pollution Control Loan Fund (WPCLF) which was approved via ordinance 19-065. Since that approval the City has executed all agreements and is now required to pay a 0.35% Application Fee to OWDA for overhead expenses, including legal and financial services fees on the total projected project cost of \$3,257,688.40. This fee is not deemed an eligible project costs and cannot be rolled in to the loan.

BUDGETARY INFORMATION: The amount owed to OWDA for the Application Fee is \$11,402.00, which is to be paid with Sewer Funds.

ACTION REQUESTED: It is recommended that proper legislation be prepared to authorizing payment to Ohio Water Development Authority (OWDA) for the Application Fee on the WPCLF Loan on the Pier Track & Farwell Pump Station Improvement Project Loan 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 expedite payment for the application fee due in accordance with the Water Pollution Control Loan Fund Agreement dated April 25, 2019.

I concur with this recommendation:

Eric Wobser
City Manager

cc: K. Kresser, Commission Clerk; H. Solowiej, Finance Director; T. Hayberger, Law Director

**CHIEF FINANCIAL OFFICER'S CERTIFICATION OF
FUNDS AVAILABLE**

In the matter of: Application Fee for WPCLF Loan - Pier Truck (Farwell)

It is hereby certified that the moneys required to meet the obligations of the City of Sandusky have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Ohio Rev. Code Sections 5705.41 and 5705.44.

H.S. Solowiej, CPA
Hank S. Solowiej, CPA
Finance Director

06 26 19
Date



OHIO WATER DEVELOPMENT AUTHORITY
480 SOUTH HIGH STREET
COLUMBUS, OHIO 43215-5603
614-466-5822
614-728-9114 (FAX)
OWDA.ORG

MIKE DEWINE
GOVERNOR

JAMES STEWART
CHAIRMAN

SCOTT CAMPBELL
DIRECTOR

INVOICE

Date: April 25, 2019

ENGINEERING

MAY 09 2019

CITY OF SANDUSKY

Mr. Eric Wobser
City Manager
Sandusky
222 Meigs St.
Sandusky, OH 44870

For: Ohio Water Development Authority Fee for the following named construction project:

Sandusky Pier Track and Farwell Pump Station Upgrades CSO Account: 8489

*Charge made by the Ohio Water Development Authority based on 0.35% for Ohio Water Development Authority overhead expenses including legal and financial services fees on total project cost of \$3,257,688.40.

Amount Due: \$11,402.00

Payable To:

OHIO WATER DEVELOPMENT AUTHORITY
PO BOX 73514
CLEVELAND, OH 44193

Scott Campbell
Executive Director

* As per Cooperative Agreement for construction, Maintenance and Operation of Waste Water Facility dated April 25, 2019 on file in the office of the Ohio Water Development Authority.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING PAYMENT TO THE OHIO WATER DEVELOPMENT AUTHORITY FOR THE WATER POLLUTION CONTROL LOAN FUND (WPCLF) PROGRAM APPLICATION FEE FOR THE PIER TRACK PUMP STATION AND FARWELL PUMP STATION IMPROVEMENTS PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Pier Track Pump Station and Farwell Pump Station Improvements Project involves the replacement of three (3) pumps and the generator at the Pier Track Pump Station located along the eastern side of Cedar Point Road between Cleveland Road and First Street and major improvements to the Farwell Pump Station located along Farwell Street between Second Street and First Street; and

WHEREAS, the improvements to the Pier Track and Farwell Pump Stations are required by the Ohio Environment Protection Agency (EPA) pursuant to negotiations related to the CSO General Plan; and

WHEREAS, this City Commission approved the filing of an application with the Ohio Environmental Protection Agency (OEPA) for a loan through the Water Pollution Control Loan Fund (WPCLF) Program for the design and construction of the Pier Track Pump Station and Farwell Pump Station Improvements Project by Resolution No. 048-18R, passed on October 22, 2018; and

WHEREAS, this City Commission approved a Water Pollution Control Loan Fund (WPCLF) Agreement between the City of Sandusky, the Ohio Environmental Protection Agency (OEPA), and the Ohio Water Development Authority (OWDA) to finance the cost of the Pier Track Pump Station and Farwell Pump Station Improvements Project by Ordinance No. 19-065, passed on April 8, 2019; and

WHEREAS, the City has executed all agreements relating to the WPCLF loan and is required to submit an application fee based on 0.35% for Ohio Water Development Authority overhead expenses, including legal and financial services fees, on the total project cost of \$3,257,688.40; and

WHEREAS, the total cost for this application fee is \$11,402.00 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 in order to expedite payment to the OWDA for the application fee due in accordance with the Water Pollution Control Loan Fund Agreement; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is

advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. This City Commission hereby authorizes and directs the City Manager and/or Finance Director to make payment to the Ohio Water Development Authority for the Water Pollution Control Loan Fund (WPCLF) Program application fee in an amount **not to exceed** Eleven Thousand Four Hundred Two and 00/100 Dollars (\$11,402.00) for the Pier Track Pump Station and Farwell Pump Station Improvements Project.

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: July 8, 2019



PLANNING DEPARTMENT

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5715
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Angela Byington, Planning Director

Date: June 26, 2019

Subject: July 8th Commission Agenda Item – Professional Services Agreement with Donald B. Eager and Associates for Implementation of the City's Fair Housing Program.

Item for Consideration: Agreement with Donald B. Eager and Associates for professional services to provide for the implementation of the City's Fair Housing Program for the City of Sandusky. A Fair Housing Program is a requirement of the City of Sandusky being awarded CDBG funds.

Purpose: The purpose of a Fair Housing Program is to address community needs and to ensure compliance with the regulations governing the City of Sandusky's housing programs – to affirmatively further fair housing. The scope of work includes, but is not limited to, conducting two fair housing seminars, conducting training and technical assistance to staff on fair housing issues, tenant/landlord rights/responsibilities, providing information on fair house issues, laws, reasonable accommodation, resources and current events, developing a fair housing outreach plan, conducting fair housing testing, responding to fair housing complaints and compiling all fair housing records necessary for property reporting to HUD.

Background Information: A Request for Proposals (RFP) and Cost was issued by the City of Sandusky. The City directly mailed the RFP to eight (8) firms specializing in fair housing and posted the RFP on the City's website. Proposals were accepted from May 24th through June 14th. The only proposal that was received was from Donald B. Eager and Associates. Upon an evaluation process performed by a Selection Committee, Donald B. Eager and Associated was selected as the most qualified firm based upon their experience, qualifications, and having implemented this program prior years. The proposed contract, if approved, will be in effect for the duration of the FY19 CDBG Program year, which runs from July 1, 2019 through June 30, 2020. The contract provides an option for the City to extend the contract for two additional one-year terms.

Budgetary Impact:

The total cost of professional services will not exceed nine thousand (\$9,000) dollars and will be paid from CDBG funds.

Action Requested: It is requested that City Commission approve the proposed contract and that proper legislation be prepared authorizing the City Manager to enter into a contract with Donald B. Eager and Associates for professional services for the implementation of the City's Fair Housing Program. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter, to execute an agreement in a timely manner to implement the program for the FY19 CDBG program year which began on July 1, 2019.

I concur with this recommendation:

Eric Wobser
City Manager


Angela Byington
Planning Director

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

**CHIEF FINANCIAL OFFICER'S CERTIFICATION OF
FUNDS AVAILABLE**

In the matter of: Donald B. Eager and Associates- Fair Housing

It is hereby certified that the moneys required to meet the obligations of the City of Sandusky have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given in compliance with Ohio Rev. Code Sections 5705.41 and 5705.44.


Hank S. Solowiej, CPA
Finance Director

6 27 19
Date

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DONALD B. EAGER & ASSOCIATES, LLC, OF LANCASTER, OHIO, FOR PROFESSIONAL SERVICES FOR THE IMPLEMENTATION OF THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FAIR HOUSING PROGRAM; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this agreement would allow Donald B. Eager & Associates, LLC, to act as the City's consultant for the implementation of City's Fair Housing program and to provide fair housing services to low- and moderate income residents in Sandusky under the rules and regulations of the U.S. Department of Housing and Urban Development Community Development Block Grant; and

WHEREAS, a Request for Proposals (RFP) was issued and Donald B. Eager and Associates was the only respondent to submit a proposal and upon an evaluation process performed by a Selection Committee, Donald B. Eager and Associates was selected as the most qualified firm based upon their experience, qualifications, and having provided the City with Fair Housing services in the past; and

WHEREAS, the initial term of the agreement is the period from July 1, 2019, through June 30, 2020, with an option for the City to extend for two (2) additional one (1) year periods; and

WHEREAS, the cost for the professional services for the implementation of the City's Fair Housing Program for the FY19 CDBG program year is not to exceed \$9,000.00 and will be paid with Community Development Block Grant (CDBG) funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute an agreement and allow Donald B. Eager & Associates, LLC to implement the program for the FY19 CDBG program year which began on July 1, 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 Planning 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 enter into an agreement with Donald B. Eager & Associates, LLC, of Lancaster, Ohio, for professional services for the implementation of the City's Community Development Block Grant (CDBG) Fair Housing program for the period of July 1, 2019, through June 30, 2020, consistent with the proposal submitted, a copy of which is marked

Exhibit "A" and attached to this Ordinance, at an amount **not to exceed** Nine Thousand and 00/100 Dollars (\$9,000.00).

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

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

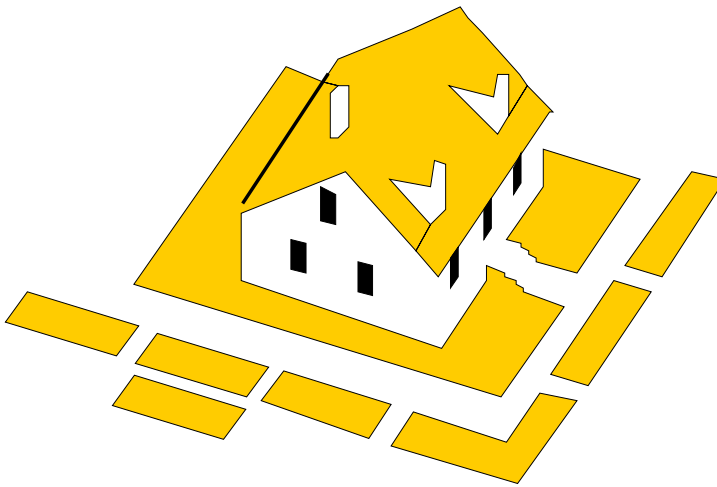
Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission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

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

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

Passed: July 8, 2019

**FAIR HOUSING SERVICES
PROPOSAL
FOR
THE CITY OF SANDUSKY, OHIO
2019-2020**



PREPARED FOR:
City of Sandusky
Community Development Department
222 Meigs Street
Sandusky, Ohio 44222

SUBMITTED BY:
Donald B. Eager & Associates
2126 Scenic Drive NE
Lancaster, Ohio 43130
1-740-243-0884

FAIR HOUSING PROGRAM PROPOSAL
JULY 1, 2019 - June 30, 2020
THE CITY OF SANDUSKY

This proposal outlines a comprehensive plan to provide professional services for the implementation of the fair housing program for the City of Sandusky for July 1, 2019 to June 30, 2020 by fair housing consultants Donald B. Eager & Associates. The City's fair housing program is administered in accordance with the Community Development Block Grant (CDBG) program as approved by U.S. Department of Housing and Urban Development (HUD) and will be implemented over a twelve month period with an option for the City to extend the contract for two additional one year periods.

Scope of Work

The purpose of a fair housing program is to address community needs and to ensure compliance with the regulations governing the City of Sandusky's housing programs - to affirmatively further fair housing.

Fair Housing Education

1. Conduct a minimum of two (2) seminars - Donald B. Eager & Associates has developed a number of training programs that will more than address the need to provide a seminar on Federal and State Fair Housing Regulations for the private sector, non-profit agencies, government agencies and/or other appropriate agencies and other appropriate audiences as determined by the City.

These seminars have been developed to fit within the time frames of one half-hour to all day depending on the needs of each agencies, group, and/or organization. These seminars include approved courses for Real Estate Professionals and others who require continuing education credits for their profession.

These seminars would include all areas of fair housing rights and responsibilities, tenant/landlord regulations, reasonable accommodations, resources, current changes to fair housing laws, and current events.

Donald B. Eager and Associates have received high marks for their training's and their programs in terms of content and presentation. Current agenda's and training outlines can be reviewed and adjusted with the input of the City and the Fair Housing Board to assure the needs of the City and those participating in the training are met.

2. Conduct training and technical assistance to City staff and others regarding Fair Housing issues, tenant/landlord rights/responsibilities, Fair Housing Issues, laws, reasonable accommodation, resources and current events. This training will be developed with input from the City and the Fair Housing Board to assure that topics and issues of concern are being met.

Fair Housing Outreach

Donald B. Eager and Associates will develop a comprehensive geographic outreach plan and means for the distribution of education material throughout the City to assure that as many residents as possible are getting access to fair Housing Program information.

1. Donald B. Eager & Associates has developed posters, flyers, brochures for the City that cover the following topics in both English and Spanish as needed: Brochures - Guide To Fair Housing, How To Request A Reasonable Accommodation, Your Right to A Service/Companion Animal, How To Request An Accommodation For A Service/Companion Animal, Tenant Landlord Guide To Rights and Responsibilities, Repairs To Rentals. Flyers - How To Escrow Your Rent, Responsibilities of The Tenant, Responsibilities of The Landlord, 10 Tips on Picking the Right Apartment/Landlord, 10 Tips On Picking The Right Tenant. Posters- Fair Housing Equal Opportunity To Housing (color & Black & White.) Booklet - Your Rights and Duties as a Tenant (Limited)
2. Continue to monitor and edit the City Fair Housing Facebook Page.
3. Participate in the City of Sandusky Fair Housing Board meetings. Update Board members on activities regarding the City Fair Housing Program and gather any input from members on future activity. Attend Human Relations Commission meetings as needed.
4. Address findings and activities identified in the City of Sandusky's Analysis of Impediments to Fair Housing. Upon review of the current AI a plan will be developed to incorporate the impediments identified into the current program year activities so that they may be addressed and also included in the HUD required Action Plan.
5. Prepare a update to the City's Analysis to Impediments to Fair Housing on an annual basis. Provided an report to staff, incorporating the Fair Housing Board's reviews of the AI, the City's actions to remove impediments and any proposed amendments or newly identified impediments.

Fair Housing Testing

Donald B. Eager and Associates has designed, implemented and reviewed hundreds of housing related tests. These test include all facets of the housing industry from sales, to rentals and to mortgages. It has written manuals on testing, trained testers and organizations to do testing and is recognized an expert in this important area of fair housing enforcement.

The City's Fair Housing Program will implement a testing program and when necessary provide testing on complaints that warrant such action. It will also conduct a minimum of 2 paired tests based on criteria as directed by the City, to included both rental and sales

testes of randomly selected listings.

Fair Housing Referral

Donald B. Eager & Associates' knowledge and experience ensures that as the Contractor it will provide a timely and professional response to discrimination complaints. Since discrimination complainants often fail to file complaints, history shows that referral of fair housing complaints to the Ohio Civil Rights Commission (OCRC) or HUD are best addressed as quickly as possible. The ability to readily refer complaints and monitor discriminatory activities can make a significant difference in findings and thus the outcome of fair housing complaints. The City of Sandusky will be involved in all aspects of fair housing complaints received and Donald B. Eager and Associates will provided assistance to the City on all complaints that it recieve's. It is important that a coordinated effort is maintained.

The Department of Housing and Urban Development (HUD) requires fair housing programs to have in place a fair housing complaint intake and referral system. In response to this requirement, we offer a local fair housing office contact number and a fair housing hotline (1-800-854-0467). Both telephone numbers and the office address are printed on all informational and marketing materials. These materials are distributed to various organizations at public, civic, social service and school educational meetings and mailed throughout the program year.

Although we are not attorneys (however we do have a licensed, experienced para legal on staff and we do have a experienced fair housing attorney that has worked with us on many fair housing cases over the years) and hence do not give legal advice, we do have a thorough knowledge of Ohio Landlord and Tenant Law and Fair Housing Law. We answer the 1-800 fair housing and landlord/tenant hotline five days a week during normal business hours. We provide information to City residents with questions and concerns regarding housing discrimination and landlord/tenant issues. If it is determined that we cannot be of assistance, the caller is referred to the appropriate person, agency or office. For messages left in voice-mail on the hotline after regular business hours (Monday through Friday - 9:00 am to 5:00 pm) and on weekends and holidays, a response will be made within 24 to 48 hours.

The intake of calls provides that each caller telephone number, date and time of the call, their name and address name if given and their address. This basic information is always asked for and in most cases it is given by the caller. If the caller prefers not to give name an address if it is not pushed for. It is stated that all calls are CONFIDENTIAL and the information is never shared or reported without the consent. This promise is very important in assuring the caller that they can speak freely without reprisal. We also try to get other information like race, marital status, number of children (if any) income (low, low-mod, etc.) often times this information can be ascertain by the conversation. But it is important when trying to determine who we are serving within the City. Also where geographically our calls are coming from.

Fair Housing complaints can go one of three ways once we have determined that they are valid. Usually through questions of the complainant we can determine if further action is necessary. Keep in mind that the complainant is involved in the process throughout. We never leave the complainant in the dark or without a direct line to us.

The first way is to determine if we need to do testing on the complaint. If we do we have a fair housing investigator that we can call upon that generally test a rental or sales location within 48 to 72 hours depending on the nature of the complaint. Once the test is complete then we can determine which direction to proceed.

The second way is to go directly to the fair housing attorney and let the complainant talk to him. This is often the way that the complaint goes. Usually because the unit has been rented or the complainant would rather proceed in the direction. Our fair housing attorney is very reasonable and in fair housing cases legal fees are awarded by the court. If the complainant can not afford the initial fee of the attorney (\$95) we cover it through funds that we receive from the City through our contract to do the fair housing program or through our own funds.

The third way is to file the complaint with the Ohio Civil Rights Commission. Fair Housing complainants are informed of fair housing rights and remedies. They can file their complaint on line at the OCRC website (with our assistance) or we can mail a fair housing complaint form, cover letter and informational materials regarding complaint procedures. A stamped/self-addressed envelope and fair housing brochure are also included with each complaint form. The complainant is asked to forward the original complaint form to the OCRC and return a copy of the signed, completed complaint form to us for our records. In addition, complainants are told that we will assist them in all aspects of the process as their advocate if they wish. Should the complainant prefer to deal directly with the responsible agency, the complainant is given the agency regional office address and phone number. Where necessary a representative from Donald B. Eager & Associates will meet with the client and assist them in this process. Donald B Eager & Associates never leaves the complainant without assistance or support throughout the complaint process, which can be lengthy.

This processes will be used in cooperation with City and all staff will be trained in the process to assure that everyone is following the same procedure.

REPORTING REQUIREMENTS

Donald B Eager & Associates will keep all records necessary and required by the city. We will report all complaints and the disposition of those complaints. All records regarding testing will be maintained regarding the testing program. All mailings of fair housing outreach materials will be documented and receipt maintained. Agendas, sign in sheets, minutes, etc of all meetings will be maintained. Semi-annual reports will be submitted documenting all activities, with supporting documents.

Budget

This budget is based on the volume of service as described in the scope of services above. This budget is inclusive of all time and materials needed to carry out the program. The Consultant has adequate staff and time to complete the program in an effective manner.

Budget Category	Description	Cost
Consultant/Contract Services	All time inclusive to carry out contract	\$6000.00
Total Consultant		\$6500.00
Testing	Conduct 2 Paired Tests	\$750.00
1-800 Hotline	Cost of Maintain 1-800 Line	\$300.00
Printing	Cost of printing brochures, posters, booklets, flyers, etc.	\$1250.00
Travel	Travel to Board meetings, to local meetings, etc.	\$750.00
Postage	Mailings of Education materials, etc.	\$325.00
Total Non- Consultant		\$3325.00
Total Project Budget		\$9,000.00

Experience

Donald B. Eager and Associates have conducted the City's fair housing program from 2011 through part of 2014, and from 2015 to present. Mr. Eager has 38 years of experience in fair housing and tenant/landlord programs.

Donald B. Eager and Associates, LLC was formed in 1991 and officially incorporated in 1995. The fair housing and community planning experience dates from 1977 when Donald Eager became a planner for a four county regional planning and development organization -NEFCO and organized the first fair housing effort in northern Ohio on a multi county level.

Members of the company have served as directors of prestigious private fair housing organizations and community development corporations. They have also authored fair

housing statutes and regulations, litigated fair housing cases, and advised Governors on fair housing/fair lending issues. Their wide range of training experience includes: non-profit

organizations, city officials, state agencies, and, finally, HUD Field and Executive Staff where they received the highest rating of any training program in the agency's history at that time.

The Company's staff has received numerous national and state awards and citations for their remarkable accomplishments in the fair housing/fair lending field. Their extensive and diverse experience is recognized throughout the United States. In sum, Donald B. Eager and Associates is a proven expert.

Donald B. Eager & Associates has provided fair housing program activities in the following counties and communities in Ohio. These programs are operated under the State of Ohio's Small Cities CDBG Formula, CHIP and HUD Entitlement CDBG requirements. **Shaded** communities represent current programs.

City of Bellefontaine	City of Wooster
City of Circleville	City of Salem
City of Cuyahoga Falls(HUD)	Clinton County
City of East Liverpool	Hardin County
City of East Palestine	Jefferson County
City of Mt. Vernon	Knox County
City of Newark(HUD)	Lorain County
City of Wilmington	Madison County
City of Toronto	Wayne County
Ashtabula County	City of Ashtabula
City of Conneaut	Jackson County
City of Athens	Athens County
Pickaway County	Logan County
City of London	Williams County
Defiance County	Henry County
Fulton County	Erie County
Union County	City of Sandusky(HUD)
Coshocton County	

**City of Sandusky, Ohio
Fair Housing Services
Application Worksheet**

Applicant Information

Agency Name: Donald B. Eager &

Street: Associates 2126 Scenic Dr. NE

City/State/Zip Code: Lancaster, OH 43130

Phone Number: 740-243-0884

Fax Number:

Tax ID Number: 311680185

Authorized Official

Name: Donald B. Eager

Title: President

E-mail Address: db40dd@gmail.com

Contact Person (if other than Authorized Official)

Name:

Title:

Phone Number:

E-mail Address:

Total Project Budget

12 months: \$9,000.00

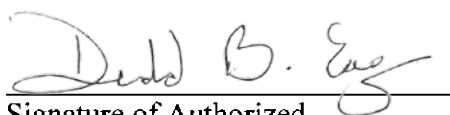
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Applicant Certification:

To the best of my knowledge and belief, the information contained in this application is true and correct, the document has been duly authorized by the governing body of the applicant, and the applicant will comply with all assurances, federal, state, and local laws and regulations if funding is approved.

Donald B Eager, President

Typed Name and Title



Signature of Authorized
Official

RESUME

DONALD B. EAGER

2102 Scenic Dr. NE
Lancaster, Ohio 43130

Telephone: (740) 243-0884 -

E-mail: dbe40dd@gmail.com

AREAS OF EXPERTISE

MANAGEMENT AND OPERATION OF METROPOLITAN HOUSING AUTHORITIES	
FAIR HOUSING PROGRAM DEVELOPMENT	BUDGET MANAGEMENT
CRA/FAIR LENDING	GRANT WRITING & FUNDING
ADMINISTRATION	STAFFING & TRAINING
HMDA ANALYSIS	PUBLIC SPEAKING
INVESTIGATIONS (TESTING)	PROGRAM MANAGEMENT
EDUCATION/TRAINING	FAIR HOUSING OUTREACH
LITIGATION PROCEDURES	DISABILITY ISSUES
PROJECT PLANNING	ADVERTISING ISSUES
PROGRAM DEVELOPMENT	CDBG PROJECT ADMINISTRATION
ZONING & SUBDIVISION REGULATIONS	

SOLUTION DRIVEN, DEDICATED, AND RESULTS ORIENTED. ACCUSTOMED TO ACCEPTANCE OF RESPONSIBILITY WITH ABILITY TO SUPERVISE PROJECTS, STAFF, AND OVERALL ADMINISTRATION. ABLE TO ORGANIZE MULTIPLE ACTIVITIES AND MAINTAIN EFFECTIVE COMMUNICATIONS WITH PUBLIC, ELECTED OFFICIALS, BOARDS OF DIRECTORS AND STAFF.

EXPERIENCE

1991 - PRESENT PRESIDENT OF DONALD B. EAGER & ASSOCIATES LLC, LANCASTER, OHIO

A nationally recognized organization that develops and implements comprehensive fair housing programs for local, state, and federal government.

1983-1992 EXECUTIVE DIRECTOR, FAIR HOUSING CONTACT SERVICE, AKRON, OHIO

Responsible for all agency functions and activities, promoting the goals and objectives of FHCS and equal housing opportunities. Accomplishments/duties:

- Assumed directorship when agency was on verge of collapse. Restored funding, hired competent staff, earned community confidence in FHCS.
- Supervised staff of 15
- Maintained, improved and increased agency budget
- Worked closely with 15 member board
- Coordinated activities with local, state, and federal government.

- Made presentations, gave workshops, delivered speeches educating others on equal housing.

**1977 - 1982 CHIEF HOUSING SPECIALIST/COMPREHENSIVE PLANNER,
NORTHEAST OHIO FOUR COUNTY REGIONAL PLANNING AND DEVELOPMENT
ORGANIZATION, AKRON, OHIO.**

Complex assignments and responsibilities included:

Developed and wrote various chapters of NEFCO area-wide housing opportunity plan (AHOP).

Administered \$1.4 million AHOP bonus program, which included additional funding from HUD for assisted housing, CDBG, 701 comprehensive planning and fair housing activities.

Provided initial research and contributed to design aspects of AHOP.

Assisted in developing and writing AHOP bonus fund application.

Worked with local developers in building senior and low and moderate income housing under various HUD and FMHA programs.

Maintained overall work program & CDBG project activities.

Maintained housing and population data/statistics, used by housing staff and public.

Manage four county fair housing education/outreach program.

EDUCATION

Bachelor of Arts, Kent State University (1976)

- Degree emphasis on urban studies, sociology, and economics.

Certificate of Urban and City Planning, Kent State University (1976)

Completed three year deacon training program at the Anglican Academy, Episcopal Church, Southern Diocese of Ohio, ordained to the diaconate in June 2004 - currently serve as deacon at St. John's Episcopal Church, Lancaster, Ohio

Completed public Housing Authorities Directors Association (PHADA) certification program for housing authorities directors through Rutgers University - 2008

Numerous courses and seminars selected to enhance professional development and to stay current in areas of expertise.

ACTIVITIES

Past Chairman of the Board of Commissioners the Fairfield County Metropolitan Housing Authority

Past Board Member Lancaster Community Housing Coalition

Past Board Member Social Justice & Episcopal Public Policy Committee

AWARDS

Fair Housing Founders Award - Ohio Department of Development - Office of Housing & Community Partnerships

Keeping the Dream Alive Award - Ohio Civil Rights Commission

Presidents Award for Excellence - Ohio Fair Housing Congress

Ohio House of Representatives Recognition for Service

RESUME - LINDA S. EAGER

2102 Scenic Drive NE • Lancaster, Ohio 43130 • 740-653-2498 • lseager@greenapple.com

AREAS OF EXPERTISE

PROGRAM PLANNING, DEVELOPMENT, ORGANIZATION, IMPLEMENTATION AND MANAGEMENT

PROJECT PLANNING, DEVELOPMENT, ORGANIZATION, IMPLEMENTATION AND MANAGEMENT

BUDGET PLANNING, DEVELOPMENT, ORGANIZATION, IMPLEMENTATION AND MANAGEMENT

STAFF HIRING, EDUCATION, TRAINING AND SUPERVISION

SPECIAL EVENT COORDINATOR

SELF MOTIVATED, SOLUTION DRIVEN AND RESULT ORIENTED

ACCUSTOMED TO ACCEPTANCE OF RESPONSIBILITY

ABILITY TO SUPERVISE PROGRAMS, PROJECTS, MULTIPLE ACTIVITIES AND STAFF

ABLE TO MAINTAIN EFFECTIVE COMMUNICATIONS WITH PUBLIC, STAFF, ELECTED OFFICIALS AND FUNDING AGENTS.

EXPERIENCE

1994 - PRESENT SENIOR CONSULTANT FOR DONALD B. EAGER & ASSOCIATES, LANCASTER OHIO

DONALD B. EAGER & ASSOCIATES IS A NATIONALLY RECOGNIZED CIVIL RIGHTS CONSULTING ORGANIZATION THAT PROVIDES TRAINING AND TECHNICAL ASSISTANCE FOR LOCAL, STATE AND FEDERAL GOVERNMENT AGENCIES. MORE SPECIFICALLY, THE ORGANIZATION DEVELOPS AND IMPLEMENTS COMPREHENSIVE FAIR HOUSING PROGRAMS, PUBLISHES COMPREHENSIVE STUDIES REGARDING FAIR LENDING, FAIR INSURING AND IMPEDIMENTS TO FAIR HOUSING AND DEVELOPMENTS, ORGANIZES AND MANAGES CONFERENCES.

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| 1992-1994 | ASSOCIATE CONSULTANT FOR DONALD B. EAGER & ASSOCIATES, AKRON OHIO |
| 1988 - 1992 | SOLE OWNER OF SUNSET INTERIORS, TUCSON ARIZONA |
| | SUNSET INTERIORS WAS A FULL SERVICE DESIGN STUDIO OFFERING SPATIAL DESIGN DEVELOPMENT AND FURNISHINGS FOR COMMERCIAL AND RESIDENTIAL INTERIORS. |
| 1991 | CAMPAIGN MANAGER OF CANDIDATE FOR ARIZONA CONGRESSIONAL HOUSE SEAT |
| 1991 | CAMPAIGN MANAGER FOR ARIZONA CONGRESSIONAL SENATE SEAT CANDIDATE |
| 1977 - 1988 | VARIOUS ROLES OF PARTICIPATION IN COMMUNITY SERVICE ORGANIZATIONS
CHAIRPERSON - PTO FUND RAISERS
PRESIDENT - PARENT TEACHER ASSOCIATION (PTO)
LEADER - CAMP FIRE GIRLS
BOARD OF DIRECTORS - CAMP FIRE GIRLS
COACH - GIRL'S LITTLE LEAGUE
BOARD OF DIRECTORS - PIMA COUNTY BAR AUXILIARY |

EDUCATION

BACHELOR OF SCIENCE, INTERIOR DESIGN UNIVERSITY OF ARIZONA (1988) -
DEGREE EMPHASIS COMMERCIAL DESIGN

CERTIFICATION AS A PARALEGAL IN THE STATE OF OHIO - COLUMBUS
COMMUNITY COLLEGE

NUMEROUS COURSES AND SEMINARS SELECTED TO ENHANCE
PROFESSIONAL DEVELOPMENT

HOBBIES

PHOTOGRAPHY
GARDENING
READING
CANOEING/KAYAKING