



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
AUGUST 12, 2019 at 5 p.m.
CITY HALL, 240 COLUMBUS AVENUE**

INVOCATION	Dave Waddington
PLEDGE OF ALLEGIANCE	
CALL TO ORDER	
ROLL CALL	D. Brady, N. Twine, D. Waddington, D. Murray, W. Poole, N. Lloyd & G. Lockhart
APPROVAL OF MINUTES	July 22, 2019
AUDIENCE PARTICIPATION	
SWEARING-IN	Sandusky Fire Department Fire Fighter Steven Haines
PROCLAMATION	2019 Drive Sober Campaign
PUBLIC HEARING	Proposed Vacation of 10' Alley for Three Parcels Along First and Second Streets Greg Voltz, Planner
COMMUNICATIONS	Motion to accept all communications submitted below
CURRENT BUSINESS	

CONSENT AGENDA ITEMS

FIRST READING

A. Submitted by Hank Solowiej, Finance Director

THREE YEAR AGREEMENT WITH OHIO AUDITOR OF STATE FOR PREPARATION OF CONSOLIDATED ANNUAL FINANCIAL REPORTS

Budgetary Information: The total cost will be an amount not to exceed \$28,000 for each year. The cost will be distributed to the general fund (\$14,000), water fund (\$7,000) and sewer fund (\$7,000). The prior ordinance was passed by the City Commission on December 27, 2016 by Ordinance 16-222 that covered the 2016, 2017 and 2018 Comprehensive Annual Financial Reports. There is no increase in the cost.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with the State of Ohio, Office of the Auditor, Local Government Services Division; for the preparation of the December 31, 2019, December 31, 2020 and December 31, 2021 Comprehensive Annual Financial Reports.

B. Submitted by Hank Solowiej, Finance Director

PAYMENT TO SOFTWARE SOLUTIONS, INC. FOR ANNUAL SOFTWARE SUPPORT FEE

Budgetary Information: The total cost for the annual support fee is \$29,874. Of this amount, \$14,937 will be paid by the general fund (\$7,468.50), by the water fund (\$7,468.50) and by the sewer fund (\$7,468.50).

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing payment to Software Solutions Incorporated of Lebanon, Ohio, for the annual software support fee for the period April 1, 2019, through March 31, 2020; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

C. Submitted by Nicole DeFreitas, STS Administrator

AUTHORIZING GRANT APPLICATIONS WITH ODOT FOR RURAL TRANSIT PROGRAM GRANT AND BUS & BUS FACILITIES GRANT FOR THE SANDUSKY TRANSIT SYSTEM

Budgetary Information: The 5311 rural transit program funds comprise approximately fifty percent of the Sandusky Transit System's budget and without this funding, the system would not be able to operate. The required local matching funds will be generated from multiple local sources; STS anticipates receiving \$90,000 in fare revenue, \$500,000 in contract revenue, \$50,000 in capital replacement fund revenue, \$65,000 from advertising, \$60,000 from fares paid by organizations, \$16,000 in Elderly & Disabled transit fare assistance program funds and \$260,000 in city general revenue funds. The 5339 Bus & Bus facilities grant will require \$20,500 of local match funding, all of which will be capital replacement fund revenue.

1. RESOLUTION NO. _____: It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation through the US Department of Transportation's Federal Transit Administration for the CY 2020 Bus & Bus Facilities program grant for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

2. RESOLUTION NO. _____: It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation for the CY 2020 Rural Transit program grant for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

D. Submitted by Jason Werling, Recreation Superintendent

LEASE AGREEMENT WITH SANDUSKY BAY ROWING ASSOCIATION FOR BOAT LAUNCH AND SHELL STORAGE AREAS

Budgetary Information: Sandusky Bay Rowing Association will pay the city \$1 per year as rental during the term of the lease.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city Manager to enter into a three year lease agreement with Sandusky Bay Rowing Association for a portion of Parcel No. 57-60001.000 located at the end of River Avenue and F Street for purposes of a boating launch and shell storage area; and declaring that ordinance shall take immediate effect in accordance with Section 14 of the city charter.

E. Submitted by Josh Snyder, Assistant City Engineer

BRIDGE INSPECTION AGREEMENT WITH OHIO DEPARTMENT OF TRANSPORTATION FOR CY2020 - 2022

Budgetary Information: There is no budgetary impact for the city.

RESOLUTION NO. _____: It is requested a resolution be passed adopting the preliminary legislation submitted by the Director of the Ohio Department of Transportation for the bridge inspection program services project for calendar years 2020 – 2022, PID No. 109334, authorizing and directing the City Manager to sign the preliminary legislation and to execute any necessary contracts with the Director of Transportation for this project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

F. Submitted by Kelly Kresser, Commission Clerk

TREX LIQUOR PERMIT TRANSFER FOR NOBLE AXES

A request has been received from the Ohio Division of Liquor Control for the transfer of **D1** (*beer only for on premises consumption or in sealed containers for carryout only until 1 a.m.*), **D2** (*wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1 a.m.*), **D3** (*spirituous liquor for on premises consumption only until 1 a.m.*), **D3A** (*extended issued permit privileges until 2:30 a.m.*) and **D6** (*sale of intoxicating liquor on Sunday between the hours of 10 a.m. or 11 a.m. and midnight*) liquor permits transfer from CDG DT Columbus LLC dba Claddagh Irish Pubs, Columbus, Ohio, to Noble Axes LLC 121 East Market Street, Sandusky. It is requested the Clerk be authorized to notify the Division of Liquor Control the city does not request a hearing.

G. Submitted by Kelly Kresser, Commission Clerk

LIQUOR PERMIT TRANSFER FOR ZUPPAMAN

A request has been received from the Ohio Division of Liquor Control for the transfer of **D1** (*beer only for on premises consumption or in original sealed containers for carryout only until 1 a.m.*), **D2** (*wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1 a.m.*) and **D3** (*spirituous liquor for on premises consumption only until 1 a.m.*) liquor permits transfer from Benjamin Vito Pruitt dba Benny Vito's Grill & Bar to Benjamin V. Pruitt dba Zuppaman, 1186 Cleveland Road. It is requested the Clerk be authorized to notify the Division of Liquor Control the city does not request a hearing.

REGULAR AGENDA ITEMS

FIRST READING

ITEM #1 - Submitted by Greg Voltz, Planner

PROPOSED VACATION OF 10' ALLEY

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 west of Wildman Street between Lots 400 – 403 on Second Street and Lots 404 – 407 on First Street, within the city, as set forth on the vacation plat, a copy of which is marked Exhibit A-2 and attached to this ordinance and incorporated herein.

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

GRANT AGREEMENT WITH CASE DEVELOPMENT FOR 409 WEST WATER STREET

Budgetary Information: The city will be responsible for providing a total of \$37,500 in grant proceeds from the Community Development capital projects fund on a reimbursable basis in the amount of \$7,500 at a time when the receipt of Certificate of Occupancy for the completion of each of the first five units.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$37,500 through the housing development and beautification grant program to Case Development, LLC, in relation to the property located at 409 West Water Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #3 – Submitted by John Storey, Economic Development Specialist

GRANT AGREEMENT WITH LAKE ERIE SHORES & ISLANDS FOR INSTALLATION OF EQUIPMENT AND SIGNAGE

Budgetary Information: The city will be responsible for providing a total of \$14,000 in grant proceeds from the economic development capital projects fund on a reimbursable basis at the completion of the project.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$14,000 through the small business assistance and signage and façade grant programs to the Erie County Visitors & Convention Bureau in relation to the 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 #4 – Submitted by Matt Lasko, Chief Development Officer

DESIGNATION OF SLUM AND BLIGHT FOR 627 HANCOCK STREET

Budgetary Information: There is no budgetary impact with this legislation.

ORDINANCE NO. _____: It is requested an ordinance be passed designating Parcel No. 56-00954.000 located at 627 Hancock Street as a “blighted parcel” (“Spot Slum”) as defined in Ohio Revised Code Section 1.08 for the purposes of blight elimination; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #5 – Submitted by Matt Lasko, Chief Development Officer

GRANT AGREEMENT TO BUDERER DRUG COMPANY, INC.

Budgetary Information: The city will be responsible for contributing \$150,000 toward the cost of the asbestos abatement and demolition. The funds are to be expensed from the EMS 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 \$150,000 to Buderer Drug Company, Inc., in relation to the property located at 627 Hancock Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #6 – Submitted by Stuart Hamilton, IT Manager

AUTHORIZATION TO PURCHASE COMPUTERS AND COMPUTER EQUIPMENT FROM DELL MARKETING

Budgetary Information: The cost of the project is \$26,451.69 and will be expensed as follows:

Water fund	\$1,298.04
Oakland Cemetery	649.02
Municipal Court (computerization fund)	\$10,384.32
Fire Department	\$5,599.05
Police Department	649.02
Sewer	2,596.08
Water Distribution	2,296.78
Law Department	324.51
IT Department	840.67
Mills Creek Golf Course	649.02
Sewer fund (admin. support)	582.59
Water fund (admin. support)	582.59

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to purchase 36 Dell workstations with peripherals, one laptop and one projector from Dell Marketing L.P. of Round Rock, Texas, through the State of Ohio Department of Administrative Services cooperative purchasing program to be used by various departments; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

FIRST READING

ITEM #7 – Submitted by Tom Horsman, Planner

NEORIDE COUNCIL OF GOVERNMENTS MEMBERSHIP AND EZFARE MOBILE TICKETING APP FOR SANDUSKY TRANSIT SYSTEM

Budgetary Information: The cost for the annual membership to NEORide is \$1,000 and there is an annual fee of about \$1,000 as well to utilize the EZFare mobile ticketing application.

ORDINANCE NO. _____: It is requested an ordinance be passed adopting the bylaws to NEORide Regional Council of Governments and approving membership into NEORide, an Ohio Council of Governments.

ITEM #8 – Submitted by Josh Snyder, Assistant City Engineer

PERMISSION TO BID FERROUS CHLORIDE SYSTEM REHABILITATION PROJECT FOR THE WASTE WATER TREATMENT PLANT

Budgetary Information: The estimated cost of the project including inspection, advertising and miscellaneous costs is \$503,600 and will be paid with sewer funds. This cost will be split with Erie County as per the current Sewer Services agreement.

RESOLUTION NO. _____: It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed Waste Water Treatment Plant ferrous chloride system rehabilitation project; approving the specifications and Engineer's estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #9 – Submitted by Josh Snyder, Assistant City Engineer

AUTHORIZATION TO BID CEDAR POINT CHAUSSEE WATER TOWER DEMOLITION

Budgetary Information: The estimated demolition cost is \$97,500; additional costs include advertising and miscellaneous expenses in the amount of \$500 for a total estimated cost of \$98,000 from water funds. Cost increases from the original estimate in 2018 are a result of inflation in this type of construction, the current market for scrap metal and availability of skilled workers who can perform this type of demolition work.

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

ITEM #10 – Submitted by Josh Snyder, Assistant City Engineer

CONTRACT WITH ERIE BLACKTOP, INC. FOR PIERCE STREET RECONSTRUCTION & RESURFACING PROJECT

Budgetary Information: The estimated cost of the project based on bids, including legal advertisement, recording fee and survey work is \$359,877.11 and will be paid with Issue 8 infrastructure funds from the capital projects fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the Pierce Street reconstruction and resurfacing project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #11 – Submitted by Jane Cullen, Assistant City Engineer

OHIO PUBLIC WORKS COMMISSION APPLICATION FOR CAMP STREET RESURFACING & RECONSTRUCTION PROJECT

Budgetary Information: There is no cost to submit the application. Notification of award would be in December, 2019. If awarded, the project would be constructed during the second half of 2020 since funds would not become available until July. If awarded, any matching funds required would be incorporated into the 2020 budget. The cost of this project is estimated to be \$416,463 and we are requesting a combination of loan and grant funds in the total amount of \$241,463 of which \$175,000 would be OPWC grant funds and \$66,463 would be a zero percent Ohio Public Works Commission loan. The city's total portion of the project (\$241,463) would be funded with capital projects funds (Issue 8). The application will be written to maximize the amount of points received, increasing the possibility of being awarded funding based on the combination of grant/loan money requested.

RESOLUTION NO. _____: It is requested a resolution be passed authorizing the submission of an application by the City Manager for financial assistance and to enter into a project agreement with the Ohio Public Works Commission in order to participate in the Ohio Public Works Commission's State Capital Improvement and/or Local Transportation improvement programs authorized by Chapter 164 (Aid to Local Government Improvements) of the Ohio Revised Code for the Camp Street resurfacing and reconstruction project; and declaring that this resolution take immediate effect in accordance with Section 14 of the city charter.

ITEM #12 – Submitted by Josh Snyder, Assistant City Engineer

OHIO PUBLIC WORKS COMMISSION APPLICATION FOR 2019 CITY-WIDE RESURFACING PROJECT

Budgetary Information: There is no cost to submit the application. Notification of award would be in December, 2019, giving sufficient time to allocate resurfacing dollars as part of the 2020 capital improvement planning process. To achieve maximum points, the cost of this project is estimated to be \$350,000 and we are requesting a 50/50 split. Therefore, the cost to the city would be \$175,000, coming from Issue 8, capital projects fund.

RESOLUTION NO. _____: It is requested a resolution be passed authorizing the submission of an application by the City Manager for financial assistance and to enter into a project agreement with the Ohio Public Works Commission in order to participate in the Ohio Public Works Commission's state capital improvement and/or local transportation improvement programs authorized by Chapter 164 (Aid to Local Government Improvements) of the Ohio Revised Code for the city-wide resurfacing project; and declaring that this resolution take immediate effect in accordance with Section 14 of the city charter.

ITEM #13 – Submitted by Scott Kromer, Streets & Utilities Superintendent

PURCHASE OF PUMP FROM XYLEM DEWATERING SOLUTIONS, INC. FOR THE SEWER MAINTENANCE DIVISION

Budgetary Information: The purchase of this piece of equipment and support materials shall not exceed \$50,627.18 and shall be paid with available sewer funds in the current 2019 operation and maintenance budget.

ORDINANCE NO. _____: It is requested an ordinance be passed declaring a 1960 6” Gorman Rupp pump, Mode 16A2, as unnecessary and unfit for city use pursuant to Section 25 of the city charter; authorizing and directing the City Manager to purchase a Godwin CD150S critically silenced 6” dri-prime pump, trailer and accessories from Xylem Dewatering Solutions, Inc., of Painesville, Ohio, through the State of Ohio Department of Administrative Services cooperative purchasing program for the Sewer Maintenance Division; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #14 – Submitted by Aaron Klein, Director of Public Works

CHANGE ORDER WITH SMITH PAVING & EXCAVATING, INC. FOR THE 2019 SIDEWALK REPAIR AND REPLACEMENT PROGRAM

Budgetary Information: The original contract with Smith Paving & Excavating, Inc., was for \$70,738. Change Order #1 and final increases the contract by \$8,783.46 to a total of \$79,521.46, or approximately 12.4%. The project will be paid with \$77,495.23 from capital projects funds made available through Issue 8 infrastructure funds and \$2,026.23 from the Sandusky Neighborhood Initiative funds.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to approve the first and final change order for work performed by Smith Paving & Excavating, Inc., of Norwalk, Ohio, for the 2019 sidewalk repair and replacement project in the amount of \$8,783.46; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

CITY MANAGER’S REPORT

OLD BUSINESS

NEW BUSINESS

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

EXECUTIVE SESSION(S)

ADJOURNMENT

Buckeye Broadband broadcasts on Channel 76:

Monday, August 12 at 8:30 p.m.

Tuesday, August 13 at 5 p.m.

Monday, August 19 at 8:30 p.m.

Online:

www.ci.sandusky.oh.us – Click “Play” 

PROCLAMATION

WHEREAS, from August through September , law enforcement nationwide will be joining the National Highway Traffic Safety Administration in the high visibility *Drive Sober or Get Pulled Over* crackdown campaign; and

WHEREAS, the crackdown will include high-visibility enforcement throughout Sandusky, and will run from August 14 through September 2, 2019; and

WHEREAS, officers in the Sandusky Police Department will be aggressively looking for drunk drivers during the crackdown and will arrest anyone caught driving drunk; and

WHEREAS, although it is illegal in all 50 states, the District of Columbia and Puerto Rico to drive drunk (having a blood alcohol concentration of .08 or higher), far too many people across the nation get behind the wheel after consuming too much alcohol; and

WHEREAS, every year, more than one third (38%) of all motor vehicle traffic deaths involve drivers who were drunk and holidays such as Labor Day are particularly dangerous; and

WHEREAS, drunk driving takes a particularly heavy toll among young drivers; and

WHEREAS, research has shown that high-visibility enforcement like the 'Drive Sober or Get Pulled Over' campaign reduces drunk driving fatalities by as much as 20 percent and by joining this nationwide effort, Sandusky's roadways will be made safer for everyone throughout the Labor Day period; and

WHEREAS, the Sandusky Police Department wants to remind everyone getting behind the wheel drunk is a terrible idea as it impairs your ability to operate a vehicle safely, impairs your judgment and good sense about whether you can, or should drive; and

WHEREAS, being arrested for driving drunk brings a wide range of negative consequences into one's life such as jail time, loss of driver licenses, and steep financial consequences such as higher insurance rates, attorney fees, court costs, lost time at work and the potential loss of one's job along with tremendous personal embarrassment; and

WHEREAS, driving drunk is simply not worth the risk;

NOW THEREFORE I, Dennis E. Murray, Jr., President of the Sandusky City Commission, do hereby proclaim and announce August 14 through September 2, 2019 as

“Drive Sober or Get Pulled Over 2019 Crackdown Weeks”

in the City of Sandusky, and urge all citizens to Drive Sober or Get Pulled Over while traveling on our roadways.

Dated this 12th day of August, 2019.

Dennis E. Murray, Jr., President
Sandusky City Commission
City of Sandusky, Ohio



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

240 Columbus Avenue
Sandusky, Ohio 44870
Phone (419) 627-5888
Fax (419) 627-5892

TO: Eric L. Wobser, City Manager

FROM: Hank S. Solowiej, CPA, Finance Director

DATE: July 31, 2019

RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

A three-year agreement with the State of Ohio, Office of the Auditor, Local Government Services Division (LGS), for the completion of the December 31, 2019, 2020, and 2021 Comprehensive Annual Financial Report.

The City is required to complete an annual financial report that conforms to Generally Accepted Accounting Principles (GAAP) every year. Sandusky has prepared a Comprehensive Annual Financial Report (CAFR) for many years and has been recognized by the national and Ohio Governmental Finance Officers Association as a recipient of the Certificate of Achievement for Excellence in Financial Reporting. The Governmental Accounting Standards Board (GASB) establishes the guidelines for preparing this report and there are regular technical changes required that make it difficult for the staff of the department to prepare this report along with other regular duties without external assistance.

BUDGETARY INFORMATION:

The total cost will be an amount not to exceed \$28,000 for each year. The cost will be distributed to the General Fund (\$14,000), Water Fund (\$7,000), & Sewer Fund (\$7,000). The prior ordinance was passed by City Commission on December 27, 2016 (Ordinance No. 16-222) that covered the 2016, 2017, and 2018 Comprehensive Annual Financial Reports. There is no increase in the cost.

ACTION REQUESTED:

It is requested that the City Commission approve the necessary legislation at first reading.

CC: Trevor Hayberger, Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO, OFFICE OF THE AUDITOR, LOCAL GOVERNMENT SERVICES DIVISION (LGS), FOR THE PREPARATION OF THE DECEMBER 31, 2019, DECEMBER 31, 2020, AND DECEMBER 31, 2021, COMPREHENSIVE ANNUAL FINANCIAL REPORTS.

WHEREAS, the City is required to complete an annual financial report that conforms to Generally Accepted Accounting Principles (GAAP) every year; and

WHEREAS, the City has prepared a Comprehensive Annual Financial Report (CAFR) for many years and has been recognized by the national and Ohio Governmental Finance Officers Association as a recipient of the Certificate of Achievement for Excellence in Financial Reporting; and

WHEREAS, the Governmental Accounting Standards Board (GASB) establishes the guidelines for preparing this report where there are regular technical changes required that make it difficult for the Department staff to prepare this report along with other regular duties without external assistance; and

WHEREAS, this City Commission approved an agreement with the State of Ohio, Office of the Auditor, Local Government Services Division for the preparation of the December 31, 2016, 2017, and 2018, Comprehensive Annual Finance Reports by Ordinance No. 16-222, passed on December 27, 2016; and

WHEREAS, the cost for the preparation of the report for each year is an amount not to exceed \$28,000.00 of which \$14,000.00 will be paid with General Funds, \$7,000.00 will be paid with Water Funds and \$7,000 will be paid with Sewer Funds; and

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

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

Section 1. The City Manager is authorized and directed to enter into an agreement with the State of Ohio, Office of the Auditor, for the preparation of the December 31, 2019, December 31, 2020, and December 31, 2021, Comprehensive Annual Financial Reports at a cost not to exceed Twenty Eight Thousand and 00/100 Dollars (\$28,000.00) for each year for a total amount **not to exceed** Eighty Four Thousand and 00/100 Dollars (\$84,000.00). Said services and the cost thereof shall be furnished and calculated in accordance with the contract, a copy

of which is attached to this Ordinance marked Exhibit "A" and specifically incorporated as if fully rewritten herein.

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

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

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance shall take effect 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:

OHIO AUDITOR OF STATE KEITH FABER



Local Government Services
88 East Broad Street, Fourth Floor
Columbus, Ohio 43215-3506
(614) 466-4717 or (800) 345-2519
contactlgs@ohioauditor.gov
www.ohioauditor.gov

June 27, 2019

Hank S. Solowiej, Finance Director
City of Sandusky
222 Meigs Street
Sandusky, Ohio 44870

Dear Mr. Solowiej:

This letter is to confirm our understanding of the terms and objectives of our engagement with the City of Sandusky and the nature and limitations of the services we will provide.

We will provide the following services:

Using our conversion software, the Local Government Services Section of the Office of the Auditor of State (LGS) will prepare, from information provided by the City, the annual financial statements for the City of Sandusky for the years ending December 31, 2019, December 31, 2020, and December 31, 2021.

The objective of our engagement is to prepare financial statements in accordance with accounting principles generally accepted in the United States of America based on information provided by the City. LGS will conduct this engagement in accordance with the Statements on Standards for Accounting and Review Services (SSARS) promulgated by the Accounting and Review Services Committee of the AICPA and comply with the AICPA's Code of Professional Conduct, including the ethical principles of integrity, objectivity, professional competence, and due care.

LGS is not required to, and will not, verify the accuracy or completeness of the information the City provides to LGS for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion or conclusion or provide any assurance on the financial statements.

Our engagement cannot be relied upon to identify any financial statement misstatements, including those caused by fraud or error, or to identify any wrongdoing within the City or noncompliance with laws and regulations.

Our engagement to be performed is conducted on the basis that management acknowledges and understands that our role is to prepare financial statements in accordance with accounting principles generally accepted in the United States of America. Management has the following overall responsibilities that are fundamental to our undertaking the engagement to prepare the City's financial statements in accordance with SSARs: 1) the selection of accounting principles generally accepted in the United States of America as the financial reporting framework to be applied in the preparation of the financial statements; 2) the prevention and detection of fraud; 3) to ensure that the City complies with the laws and regulations applicable to its activities; 4) the accuracy and completeness of the records, documents, explanations, and other information, including significant judgments the City provides to LGS for the engagement to prepare financial statements; and 5) to provide us with documentation and other information that is relevant to the preparation and presentation of the financial statements, additional information that may be requested for the purpose of the preparation of the financial statements, and unrestricted access to persons within the City of Sandusky of whom we determine necessary to communicate.

The financial statements will not be accompanied by a report. However, you agree that the financial statements will clearly indicate that no assurance is provided on them.

The City of Sandusky remains responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America as promulgated by the Governmental Accounting Standards Board. It is therefore the responsibility of the City to be in a position in fact and appearance to make informed judgments while reviewing, evaluating, and approving the services provided under this engagement. It is also the City's responsibility to design, implement, and maintain internal controls, including monitoring ongoing activities.

To demonstrate that the City is fulfilling these responsibilities, the following safeguards will be observed. The City will designate a management level individual to be the primary contact accountable for overseeing this engagement and who will take responsibility for the appropriateness of the results of this engagement. If the City has determined that someone other than the individual with whom we worked last year will fulfill this role, the City must submit documentation to support the new designee's knowledge and capability to perform this function. We will meet with this individual periodically to update our progress and to allow the individual to monitor engagement performance to ensure it meets management's objectives. This individual will perform all management functions and make all management decisions related to this conversion and compilation and will accept full responsibility for such decisions. Accordingly, this individual will review and approve all proposed adjustments before they are entered into the conversion software. Finally, this individual will evaluate the adequacy of the services performed under this engagement by the Local Government Services Section of the Office of the Auditor of State.

It is understood and agreed that the performance of this engagement by LGS will not lessen the scope and extent of the audit work to be performed by the Financial Audit Group of the Office of the Auditor of State.

Management is responsible for making all financial records and related information available to LGS. The hours of service offered in this letter are based upon the following information being provided by the City:

1. Information required to confirm appropriate fund classification and major fund status;

2. Information regarding estimated revenues and appropriations for use in the preparation of budgetary statements, including original budget amounts for all funds required to be presented in the basic financial statements, and documentation to ensure that financial records are in agreement with amended certificates requested and appropriations passed by the City Council during the year;
3. A current, complete, and appropriately classified record of all cash receipts and disbursements made during the year, along with bank reconciliations of all City funds and bank accounts as of year-end;
4. Documentation for receivables including taxes, intergovernmental, and accounts receivable, inventory, and prepaid items as of year-end;
5. The balances for all governmental capital assets by program and type and proprietary capital assets by fund and type as of the beginning and end of the year, including appropriate information regarding accumulated depreciation, as well as current year additions (including accounts charged for related expenditures) and deletions (including any related proceeds and accumulated depreciation on the deleted asset). In addition, information is required that presents depreciation expense by fund and type for proprietary capital assets and by program and type for general capital assets for the year;
6. Information regarding accrued salaries, compensated absences (both current and long-term), accounts payable, workers' compensation, retirement, and other current and long-term liabilities as of year-end;
7. Information regarding short-term debt (notes) including a schedule of changes in short-term debt that details balances at the beginning and end of the year, increases and decreases, and the purpose for which the short-term debt was issued;
8. Information regarding long-term debt balances as of the beginning and end of the year and information regarding additions and payments that occurred during the year. Information that details issuance costs, premiums, and discounts for additions should be identified separately.
9. Copies of amortization schedules that distinguish between principal and interest for each outstanding debt issue;
10. Information to support necessary modified accrual and accrual adjustments at year end;
11. Information regarding transfers by fund including the amount and purpose for each transfer;
12. Required supplementary information;
13. The transmittal letter and statistical section;
14. Management's Discussion and Analysis.

It is important that you provide financial records that balance and documentation that is adequate to support the necessary journal entries. If we discover inadequacies in the records or documentation you provide, we will return the information to you for correction.

All documents provided to LGS in connection with our services including financial records and reports, payroll records, employee rosters, health and medical records, tax records, etc. must be redacted of any personal information before submission. Personal information is defined as social security numbers, dates of birth, drivers' license numbers, or financial institution account numbers associated with an individual. The City shall redact all personal information from electronic records before they are transmitted to LGS. This information should be fully blacked out in all paper documents prior to sending them to LGS. If personal information cannot be redacted from any records or documents, the City must identify these records to LGS prior to their submission.

If redacting this personal information impairs the ability of LGS to provide the contracted services, the City and the Auditor of State's Office will consider these exceptions on a case-by-case basis. Additionally, if redacting this information creates hardship on the City in terms of resources, recordkeeping, or other issues, the City and LGS may collaborate on alternative methods of providing the City's data to LGS without compromising the personal information on individuals served or employed by the City.

As part of the annual financial report, you will be required to prepare a Management's Discussion and Analysis (MD&A). LGS assistance with respect to the MD&A will be limited to reviewing the MD&A to determine that all required topics have been addressed and to ensure that the amounts presented in the MD&A match the amounts presented in the financial statements.

During the course of this preparation, from financial records and supporting documentation you provide, LGS will propose journal entries for the preparation of the basic financial statements, review records and other information to determine whether data is being gathered at the required level to permit the preparation of the financial statements, enter usable information from the prior year trial balances to the trial balances that will be used for the year being reported, and input approved journal entries into the trial balances. LGS will also discuss with you the requirements for budgetary presentations and assist in the identification of original budgetary information.

LGS assistance with respect to capital assets will be limited to explaining the information necessary for report preparation. If additional assistance in the review of policies or significant guidance related to the calculation of capital assets is required, this engagement will need to be amended.

All work papers prepared by the Office of the Auditor of State will remain the property of the Auditor of State. Accordingly, we are responsible for their care and custody. At the conclusion of the project, we will provide copies of any of the work papers you would like to have for your records. However, the work papers should not be regarded as a part of, or a substitute for, your accounting records.

It is estimated that 560 hours will be needed to complete this engagement for each year 2019, 2020, and 2021. Our fees for these services will be billed monthly to the City at a rate of \$50 per hour and the total cost is not anticipated to exceed \$28,000 each year. If additional time or services should be necessary, we will notify the City regarding any amendment to this contract that may be required.

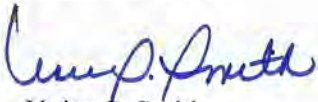
Upon a thirty day written notice, either party may terminate this agreement for any reason. Such notice shall be sent by U.S. mail or by personal delivery to the Auditor of State, Local Government Services Section, 88 East Broad Street, Fourth Floor, Columbus, Ohio 43215-3506. In the event of such termination, the Auditor of State shall be compensated at the contractually agreed upon rate for any and all work done to the date of such notice.

Hank S. Solowiej, Finance Director
City of Sandusky
June 27, 2019
Page 5 of 5

If you are in agreement with the terms of this contract, please sign and certify this engagement letter in the appropriate spaces and return it to me no later than August 30, 2019. If we do not hear from you by August 30, 2019, we will assume the City does not wish to contract for the services of the Local Government Services Section of the Office of the Auditor of State. Should you have any questions concerning this letter, please do not hesitate to contact Belinda L. Miller, Chief Project Manager, at 1-800-345-2519.

Sincerely,

KEITH FABER
Auditor of State



Unice S. Smith
Chief of Local Government Services

We desire the Auditor of State's Office to perform the services described above and agree to the terms and conditions set forth in this letter.

THE CITY OF SANDUSKY

Date: _____

By: _____

Ordinance No. _____

City Manager

It is hereby certified that the amount of \$_____ required to pay this contract has been lawfully appropriated and is in the treasury or in the process of collection to the credit of the _____ Fund, free from any obligation or certification now outstanding.

Date: _____

Hank Solowiej, Finance Director

cc: Belinda Miller, Chief Project Manager
Stephen Flickinger, Chief Auditor



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

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

TO: Eric Wobser, City Manager

FROM: Hank S. Solowiej, CPA, Finance Director

DATE: July 31, 2019

RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

It is requested that an ordinance be approved authorizing payment to Software Solutions Incorporated of Lebanon, Ohio, for the annual support fee for the period April 1, 2019 through March 31, 2020. The City uses this software for payroll, utility billing, asset management, and financial management. The City has used Software Solutions Incorporated since 1995.

BUDGETARY INFORMATION:

The total cost for the annual support fee is \$29,874.00. Of this amount, \$14,937.00 will be paid by the General Fund, \$7,468.50 by the Water Fund, and \$7,468.50 by the Sewer Fund.

ACTION REQUESTED:

It is requested that legislation be approved authorizing payment in the amount of \$29,874.00 to Software Solutions Incorporated, for the annual support fee for the period April 1, 2019 through March 31, 2020, in accordance with Section 14 of the City Charter under suspension of the rules. The need for immediate action is because the payment is due.

CC: Trevor Hayberger, Law Director



Software Solutions

Personal Attention. Public Solutions.

8534 Yankee Street, Suite 2B
Dayton, OH 45458

Bill To:

City of Sandusky
222 Meigs St
Sandusky, OH 44870

Ship To:

City of Sandusky
222 Meigs St
Sandusky, OH 44870

INVOICE

Invoice #:	INV-0004271
Invoice Date:	06/30/2019
Term:	Net 30
Due Date:	07/30/2019
PO #:	

Description

Annual Software Support Contract for Visual Intelligence for period 04/01/2019 thru 03/31/2020

RECEIVED
SANDUSKY FINANCE DEPT
2019 JUL 26 AM 7:47

SUBTOTAL	\$29,874.00
Sales Tax	\$0.00
TOTAL	\$29,874.00

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

In the matter of: SSI annual support

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
Hank S. Solowiej, CPA
Finance Director

7/31/19
Date

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING PAYMENT TO SOFTWARE SOLUTIONS INCORPORATED OF LEBANON, OHIO FOR THE ANNUAL SOFTWARE SUPPORT FEE FOR THE PERIOD APRIL 1, 2019, THROUGH MARCH 31, 2020; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City has used Software Solutions Incorporated since 1995 and currently uses this software for payroll, utility billing, asset management, and financial management; and

WHEREAS, the cost for the annual software support fee for the period April 1, 2019, through March 31, 2020, is \$29,874.00 of which \$14,937.00 will be paid with General Funds, \$7,468.50 will be paid with Water Funds and \$7,468.50 will be paid with Sewer Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to make payment to Software Solutions Incorporated immediately as the payment is due; and

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

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

Section 1. This City Commission hereby authorizes and directs the City Manager and/or Finance Director to make payment to Software Solutions Incorporated of Lebanon, Ohio in an amount **not to exceed** Twenty Nine Thousand Eight Hundred Seventy Four and 00/100 Dollars (\$29,874.00) for the annual software support fee for the period April 1, 2019, through March 31, 2020.

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: August 12, 2019



PLANNING DEPARTMENT

Division of Transit

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

TO: Eric Wobser, City Manager

FROM: Nicole DeFreitas, Transit Administrator

DATE: July 30th, 2019

SUBJECT: **CY 2020 Sandusky Transit System 5311 Rural Transit Program Grant and 5339: Bus and Bus Facilities Grant Applications**

ITEM FOR CONSIDERATION: Request for Resolution of Authorization to file applications with the Ohio Department of Transportation (ODOT) for the CY 2020 Rural Transit Program Grant and Section 5339: Bus and Bus Facilities and upon approval for the City Manager to execute all grant or agreement as awarded.

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

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

The City will apply for Federal 5311 Rural Transit Grant operating funds of \$1,511,750 along with State General Revenue Funds of \$446,250.00 and Capitalized Maintenance funds of \$300,000. These funds will be used for daily operation of the Sandusky Transit System, while also allowing STS to expand services by increasing frequency on the Blue and Red Lines and making the Yellow Line a permanent route that will be adding a stop at Sawmill Creek.

In addition to the 5311 funding, the City is applying for \$164,000 in Federal 5339: Bus and Bus Facilities funds, along with \$20,500 in State General Revenue Funds that will be used to purchase two small vehicles for out of county trips, benches for bus stops, bike racks for the buses, a large shelter for the Downtown Transit Hub and the creation of additional parking at 1230 North Depot Street.

BUDGET IMPACT:

The 5311 Rural Transit Program funds comprise approximately 50% of STS's budget and without this funding the system would not be able to operate. The required local matching funds will be generated from multiple local sources; STS anticipates receiving \$90,000 in Fare Revenue, \$500,000 in contract revenue, \$50,000 in Capital Replacement Fund revenue, \$65,000 from Advertising, \$60,000 from fares

paid by organizations; \$16,000 in Elderly & Disabled Transit Fare Assistance Program Funds; and \$260,000 in City General Revenue Funds.

The 5339: Bus and Bus Facilities grant will require \$20,500 of local match funding, all of which will be Capital Replacement Fund revenue.

ACTION REQUESTED: A resolution authorizing the filing of an application with the Ohio Department of Transportation for the CY 2020 Rural Transit Program Grant and Section 5339: Bus and Bus Facilities, and upon approval, for the City Manager to execute any grant or agreement as awarded. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter since applications are due to the Ohio Department of Transportation by August 14, 2019.

Nicole DeFreitas, Transit Administrator

I concur with this recommendation:

Eric Wobser

City Manager

Angela Byington

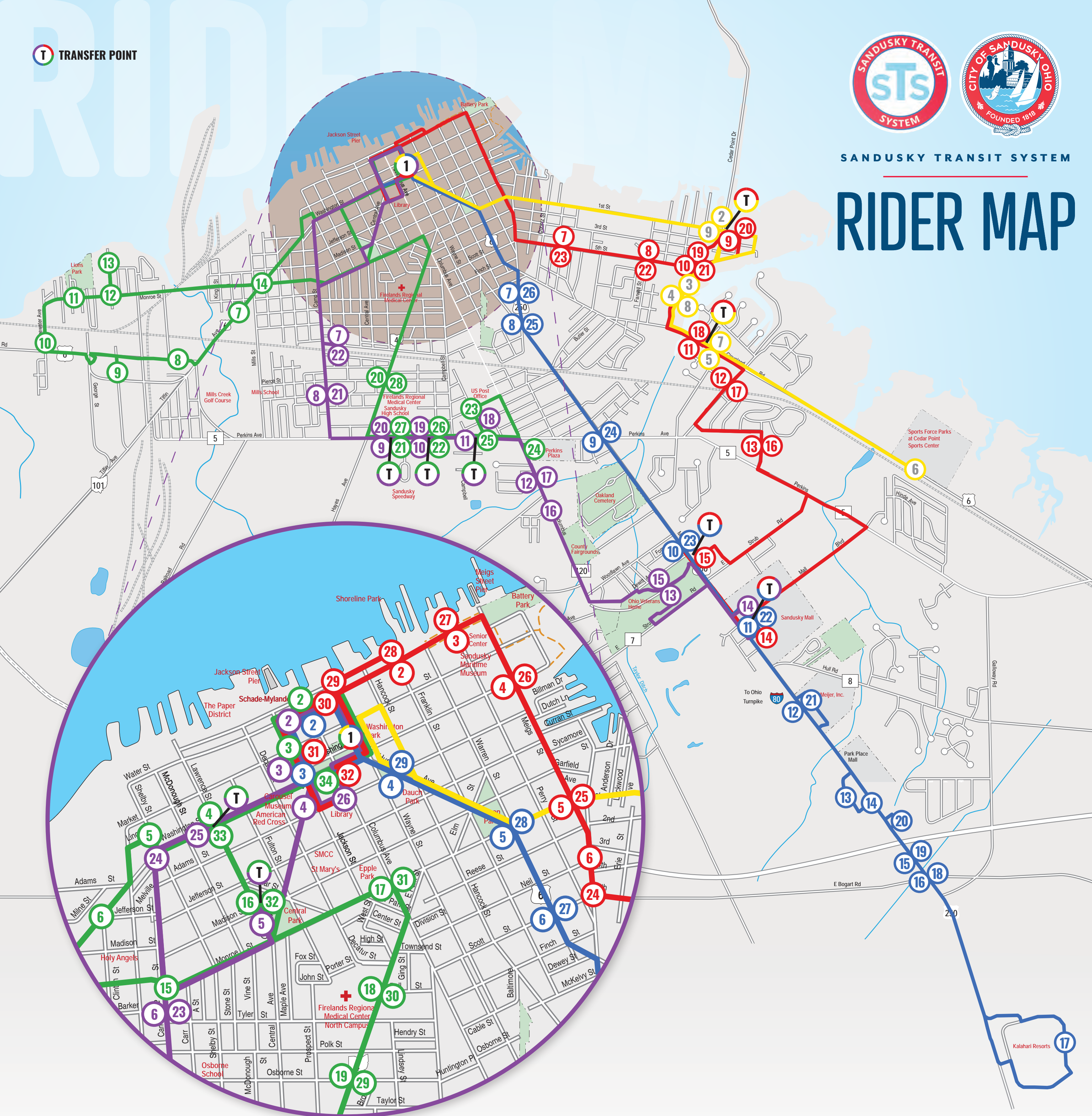
Director of Planning

T TRANSFER POINT



SANDUSKY TRANSIT SYSTEM

RIDER MAP



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CY 2020 BUS AND BUS FACILITIES PROGRAM GRANT FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Bus and Bus Facilities Grant Program, as authorized by the Federal Transit Administration, 49, USC Section 5339, makes federal resources available to states and direct recipients to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities including technological changes or innovations to modify low or no emission vehicles or facilities; and

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

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

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

WHEREAS, the City will be applying for financial assistance in the amount of \$164,000.00, along with \$20,500.00 in State General Revenue Funds for the purchase of two (2) new small transit vehicles, benches for bus stops, bike racks for the buses, a large shelter for the downtown transit hub and the creation of additional parking at the Amtrak Station at 1230 North Depot Street; and

WHEREAS, if awarded, the required local matching funds in the amount of \$20,500.00 will be paid with City Capital Replacement Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to file a grant application with the Ohio Department of Transportation for CY 2020 Bus and Bus Facilities Program Grant funds by the submission deadline of August 14, 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 Municipal Departments, including the Sandusky Transit System, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is hereby authorized to execute and file a grant application on behalf of the City of Sandusky with the Ohio Department of Transportation for the Bus and Bus Facilities Program to aid in the financing of transit vehicles, benches, bike racks, shelter, and additional parking pursuant to 49 USC. Section 5339 and the Ohio Public Transportation Grant Program for the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds consistent with the application should they be awarded.

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

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

Section 4. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. That for the reasons set forth in the preamble hereto, this

Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

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

Passed: August 12, 2019

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CY 2020 RURAL TRANSIT PROGRAM GRANT FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

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

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

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

WHEREAS, the City will be applying for financial assistance in the amount of \$1,511,750.00 for Operating Funds, along with \$446,250.00 in State General Revenue Funds, and \$300,000.00 for Capitalized Maintenance Funds; and

WHEREAS, if awarded, the Rural Transit Program funds will provide approximately 50% of the Sandusky Transit System's budget and the required local matching funds will be generated from multiple local sources including fare revenue, contract revenue, Capital Replacement Funds, advertising revenue, fares paid by organizations, Elderly & Disabled Transit Fare Assistance Program Funds, and an estimated \$260,000.00 in City General Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to file a grant application with the Ohio Department of Transportation for CY 2020 Rural Transit Program funds by the submission deadline of August 14, 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 Municipal Departments, including the Sandusky Transit System, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

PAGE 2 - RESOLUTION NO. _____

Section 1. The City Manager is hereby authorized to execute and file a grant application on behalf of the City of Sandusky with the Ohio Department of Transportation for the CY 2020 Rural Transit Program to aid in the financing of operating projects pursuant to 49 USC Section 5311 and the Ohio Public Transportation Grant Program for the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds consistent with the application should they be awarded.

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

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

Section 4. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City

Commission of the City of Sandusky, Ohio.

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

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

Passed: August 12, 2019



RECREATION

222 Meigs Street
Sandusky, Ohio 44870
419.627.5886
www.ci.sandusky.oh.us

Date: August 8, 2019
To: Eric Wobser, City Manager
From: Jason Werling, Recreation Superintendent
Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Approval of legislation for a Lease Agreement between the City of Sandusky and the Sandusky Bay Rowing Association (SBRA) for a portion of Parcel No. 57-60001.000 for purposes of a boating launch and shell storage area.

BACKGROUND INFORMATION: SBRA has leased PPN #57-60001.000 located at the end of River Avenue and F Street from the City since 2013. The current lease expired July 24, 2019, and SBRA desires to enter into another lease the property. This parcel is the same parcel on which the Big Island Water Works is situated. The property is zoned PF – Public Facilities and will still be owned by the City of Sandusky. SBRA constructed a pole barn to be used a boat house in 2013. A 50' EZ dock with canoe/kayak launch was installed in collaboration with the city and SBRA in 2018. The SBRA has provided programming support for the Sandusky Recreation Department in recent years. This proposed lease is for a three (3) year term with the option to extend for another three (3) year term.

BUDGETARY INFORMATION: Sandusky Bay Rowing Association will pay the City \$1.00 per year as rental during the term of the Lease.

ACTION REQUESTED: It is recommended that the proposed Lease Agreement be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to put the lease into effect immediately.

I concur with this recommendation:

Eric Wobser
City Manager

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR LEASE AGREEMENT WITH SANDUSKY BAY ROWING ASSOCIATION FOR A PORTION OF PARCEL NO. 57-60001.000 LOCATED AT THE END OF RIVER AVENUE AND F STREET FOR PURPOSES OF A BOATING LAUNCH AND SHELL STORAGE AREA; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission approved a Lease Agreement with Sandusky Bay Rowing Association for a portion of Parcel No. 57-60001.000 located at the end of River Avenue and F Street for purposes of a boating launch and shell storage area by Ordinance No. 13-067, passed on July 22, 2013; and

WHEREAS, the initial term of the lease was one (1) year and extended for five (5) years pursuant to the terms of the agreement which expired on July 24, 2019; and

WHEREAS, the City and Sandusky Bay Rowing Association desire to enter into three (3) year lease agreement, with the option to extend for an additional three (3) year term, for this portion of Parcel No. 57-60001.000 located at the end of River Avenue and F Street and consisting of a metal pole barn, which is used for the storage of boats and related equipment, and a 50' EZ Dock with canoe/kayak launch which is available to the public; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the Lease Agreement and allow the Sandusky Bay Rowing Association to continue leasing the premises for boat launching and storage; 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 Recreation, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to enter into a Lease Agreement with Sandusky Bay Rowing Association for a portion of Parcel No. 57-60001.000 located at the end of River Avenue and F Street for purposes of boating launching and storage, substantially in the same form as Exhibit "1", a

copy of which is attached to this Ordinance and specifically incorporated as if fully rewritten herein together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

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

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

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

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

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

Passed: August 12, 2019

LEASE AGREEMENT

THIS LEASE made at Sandusky, Ohio dated this _____ day of _____, 2019, between the City of Sandusky, Erie County, Ohio (hereinafter referred to as "Lessor") and Sandusky Bay Rowing Association, the Lessee, (hereinafter referred to as the "Lessee"):

WITNESSETH:

Article 1. Description of Premises. The lessor does hereby lease and demise to the Lessee, the following premises situated in Erie County and State of Ohio (the "Premises"). The Premises are completely marked and delineated on the diagram attached hereto and made a part hereof, marked as "Schedule A".

Article 2. Use of Premises. The Premises have been designated by the Lessor as a boathouse and boating launch and are leased to Lessee for use as a boating launch and shell storage area with associated boating purposes. If the Lessee disbands as a group, the boathouse shall remain on the Premises for use by the Lessor. If the Lessee moves operation location, the boathouse shall be moved at Lessee's expense.

Article 3. Term. To have and to hold the same for a term to commence as of July 25, 2019, and to end on July 24, 2022. Thirty (30) days prior to the end of the term, the parties shall review the Lease and if both parties mutually agree, the Lease shall be extended for an additional three (3) year term upon written agreement subject to the same terms, conditions, provisions and obligations and any mutually agreed to modifications.

Article 4. Rent. Lessee hereby covenants and agrees to pay Lessor the sum of One Dollar (\$1.00) per year as rental during the term of this Lease.

Article 5. Maintenance. As additional consideration for this Lease, Lessee will maintain the Premises in a clean, safe and well-maintained condition. The Premises includes a 24'x80' metal pole barn (hereinafter referred to as "Boathouse") which Lessee will use for storage of boats and related equipment and a 50' EZ dock with canoe/kayak launch which is available for use to the public. Lessor has made no representation or warranty concerning the condition of the Premises and the Premises are being leased to Lessee and Lessee accepts the same, in their current "AS IS WHERE AS" condition. Lessee will make repairs to the boathouse and dock on the Premises at its sole expense. Lessee shall remove all garbage and refuse from the premises in a timely manner. Mowing, keeping plantings current, trimming, mulching, treatment of diseased plant life and removal of dead animals shall be the responsibility of the Lessee.

Article 6. Rules. Lessor shall provide for public safety and law enforcement on the Premises. Lessee shall coordinate with Lessor for special events that require extra law enforcement and parking privileges. Applicable provisions of said Rules and Regulations shall be posted in conspicuous places upon the Premises and said Regulations shall be in effect and enforced by Lessor and Lessee. A copy of said Rules and Regulations have been provided to Lessee and receipt of same is hereby acknowledged by Lessee.

Lessor shall not be required to apply for and obtain permits from Lessor for the following: sales of food on the premises by Lessee; the collection of dues, fees or the solicitation of donations by the Lessee on the Premises; the holding of boating events on the Premises by the Lessee; sales of merchandise by the Lessee on the Premises; and after-hours use of the Premises by Lessee.

Article 7. Compliance with Laws. The Lessee shall, at Lessee's expense, comply with all laws, ordinances, rules and regulations of all public authorities, including, but not limited to, the Lessor having any jurisdiction over the premises or any part of thereof. The Lessee, at its own expense, shall obtain and keep in effect all licenses or permits which may be required by law to operate the lessee's activities on the Premises.

Article 8. Discrimination. The Lessee shall not discriminate against any member of the public desiring to use the Premises because of handicap, race, gender, sex, sexual identity or expression, religion, color or national origin.

Article 9. Conduct and Safety of the Operations of the Lessee. The Lessee shall, at all times, exercise all reasonable care to guard the Premises and any other structure on the Premises against damage by Lessee's invitees or guests or others and keep the Premises clean and free from refuse and debris and shall cooperate fully with the Lessor to facilitate waste and rubbish removal, including, without limitation, placing trash in the appropriate receptacles in designated areas.

Lessee shall use or permit the use of shells solely for educational and recreational purposes in an area specifically designed and designated for such use on the Premises.

Lessee shall not park any vehicles or equipment or store any equipment, trailer or material so as to block access to any portion of the Premises by emergency, ranger, fire or medical vehicles or block access to any properties and/or businesses on River Avenue.

Article 10. Public Use. The Lessee shall use all reasonable care and diligence in sharing the Premises with the public. However, Lessee boats and boating equipment are to be used exclusively by Sandusky Bay Rowing Association members. Members of the Association are required to sign a waiver, releasing the City, Sandusky Bay Rowing Association, each of their administrators, directors, agents, officers, volunteers, employees and other participating regatta organizers, sponsors or advertisers from all liability, claims demands, losses or damages to either persons or property during the term of this Lease.

Article 11. Signs. The Lessee shall not place any signs upon the Premises except upon receipt of prior written approval from the Lessor as to the location, type, size and content of such signs.

Article 12. Inspection. Representatives of the Lessor may inspect the Premises and the operations of the Lessee from time to time to ensure that the provisions of this lease are being fulfilled; provided, further, that the failure of the Lessor to inspect should not be considered a waiver of any right accruing to the Lessor upon any failure of the Lessee to perform duties and obligations under the provisions of this lease.

Article 13. Utilities. In the event utilities are supplied to the Premises, Lessee shall pay for all public utilities used or consumed on the Premises, including, but not limited to, electricity, gas, water, sewer and telephone. Such utilities shall be placed in the Lessee's name. The Lessee shall, at its own

expense, obtain all necessary licenses and permits for public utilities and shall pay the fees, charges and taxes associated with such utilities. The Lessee shall promptly pay all public and utility service charges billed to the Lessee for services or facilities furnished on the Premises.

Article 14. Improvements. In the event that Lessee desires or intends to construct any improvements on the Premises, Lessee shall first obtain the written consent of Lessor and all such improvements shall be made at the expense of Lessee. The Lessee shall not permit any liens to be maintained against the Premises for any labor or material furnished to the Premises.

Article 15. Use and Occupation. The Lessee covenants that no waste or damage shall be committed upon or to the Premises; that the Premises shall be used for the purposes herein above stated and shall not be used or permitted to be used for any other purpose; that said Premises shall not be used for any unlawful purpose and no violations of law or ordinances shall be committed thereon; that nothing shall be done or suffered or any substance kept on said Premises which will operate to increase the fire hazard or to cause the insurance rates thereon to be increased.

Article 16. Assignments and Subletting. This lease shall not be assigned, or the Premises underlet, without the written consent of the Lessor hereon endorsed and such consent having been given, the Lessee shall, nevertheless, remain primarily liable to perform all covenants and conditions hereof and to guarantee such performance by their assignee or subtenant.

Article 17. Lessor's Non-Liability. It is agreed that the Lessor shall not be liable to the Lessee or any other person on the premises by the Lessee's consent, invitation or license, expressed or implied, for any damage either to person or property, sustained by reason of the condition of said Premises, or any part thereof, or due to the act or neglect of any guest, member or invitee of the Lessee or the act of any other person thereon, or due to any casualty or accident in or about said Premises.

Article 18. Lessee's Employees, Volunteers, Independent Contractors, Agents, Visitors. Lessee is solely responsible for its personnel and agents who perform services for Lessee on the Premises. If Lessee has employees or independent contractors who provide services for Lessee on the Premises, Lessee shall provide Lessor a copy of its certificate of current compliance with the Ohio Workers Compensation and/or contract with independent contractors and/or statement of volunteers. Lessee is also responsible for conduct and welfare of its visitors to the Premises.

Article 19. Insurance. Lessee agrees to place and maintain, at Lessee's expense, public liability insurance with respect to Lessee's use of said Premises. Proof of such insurance is attached hereto and made a part hereof, marked as "Schedule B". Lessee shall also insure any boats stored on the Premises and contents located in any building on the Premises.

Article 20. Indemnification. The Lessee shall indemnify, hold harmless and, if requested, defend the Lessor and its officers, employees and agents against all actions, claims, demands, loss, costs, damages, liabilities and expenses of any kind which may be brought or made against the Lessor, or which the Lessor may incur, which arise directly or indirectly out of, or are related to, the Lessee's use of the Premises or this Lease. In no event shall the Lessor be responsible for any loss, cost, damage, liability or expense incurred by Lessee.

Article 21. Termination of Lease at Option of Lessor or Lessee. Lessor and Lessee each shall have the right to terminate this Lease at any time and for any reason upon thirty (30) days written notice to the other party.

Article 22. Termination in the Event of Default. Lessor shall have the right to terminate this Lease immediately upon an event of default by Lessee. An event of default under this Lease shall be deemed to have occurred:

- a. When the Lessee shall fail to comply with any Rules and Regulations after receipt of five (5) days written notice by the Lessor of such noncompliance. In the event that full compliance cannot be achieved within such five (5) day period, the Lessee shall have such reasonable time as shall be required to remedy such noncompliance, provided that the Lessee has commenced to remedy promptly after receipt of notice and is diligently attempting to effect such compliance.
- b. When the Lessee makes any assignment for the benefit of creditors or files a petition in bankruptcy or is adjudicated a bankrupt or is dissolved, voluntarily or involuntarily, or if a receiver or a trustee of the Lessee and/or its property shall be appointed in any proceedings.
- c. When the Lessee shall fail to perform any of the provisions, duties, obligations, covenants or conditions of this Agreement to be kept or performed by the Lessee after receipt of five (5) days written notice by the Lessor of such noncompliance by the Lessee. In the event that full compliance cannot be achieved within such five (5) day period, the Lessee shall have such reasonable time as shall be required to remedy, provided that the Lessee has commenced to remedy such noncompliance promptly after receipt of notice and is diligently attempting to effect compliance. The determination of the Lessor as to these matters shall be final and binding.

Article 23. Noninterference with Public Use. Except for the uses provided for herein, the Lessee, in the operation and conduct of its business and activities under this Lease shall not in any manner interfere with the enjoyment thereof by the general public.

Article 24. Notices. All notices to be given hereunder by either party shall be in writing and given by personal delivery to the Lessor or the Lessee, or shall be sent by ordinary mail addressed to the party intended to be notified at the address of such party last known to the party giving such notice and notice given as aforesaid shall be sufficient service thereof and shall be deemed given as of the date when deposited in any post office or in any post office box regularly maintained by the Federal Government.

Article 25. Construction. It is understood that the term Lessor and Lessee, used herein, shall be construed to mean Lessors and Lessees where there is more than one and the necessary grammatical changes required to make the provisions hereof apply either to corporations or individuals, men or women, shall in all cases be assumed as though fully expressed. This lease shall be construed, interpreted and enforced according to the laws of the State of Ohio.

Article 26. Nonprofit Status. Lessee is a not-for-profit entity. Proof of Lessee's not-for-profit classification must be provided to Lessor as a condition of this Agreement and shall be satisfied by Lessee providing a copy of the following, attached hereto as Schedule C:

- a. Lessee is a 501(c) organization, a copy of the 501(c) approval letter issued by the Internal Revenue Service is attached hereto and made a part hereof, marked as "Schedule C";
- b. Copy of Lessee's Articles of Incorporation or the equivalent issued by the state in which Lessee was formed, indicating Lessee's formation as a nonprofit entity is attached hereto and made a part hereof, marked as "Schedule D";
- c. Copy of Lessee's Statutory Agent form on file with the Ohio Secretary of State is attached hereto and made a part hereof, marked as "Schedule E".

Article 27. Complete Agreement. Unless there is an additional written Use Agreement between the Parties (which must be affixed hereto) this is the complete Agreement between the Parties. No oral or other representations not stated herein shall be enforceable. This Agreement may be modified by a written Amendment, signed by both Parties and attached hereto.

Article 28. Severability. If any provision of this Agreement is declared or found to be unenforceable, the balance of this Agreement shall be unaffected and remain in full force and effect.

Article 29. Ohio Law. This Agreement is governed by Ohio law. Should litigation arise under this agreement, the sole jurisdiction and venue shall be in the Erie County Court of Common Pleas.

Article 30. Addresses for Mailing and Notices Under This Agreement. Mailings and notices required under this Agreement shall be sent as follows:

To Lessor:

City of Sandusky
c/o Recreation Superintendent
240 Columbus Avenue
Sandusky, Ohio 44870

To Lessee:

Lindsey Schilling
c/o Sandusky Bay Rowing Association
2351 River Avenue
Sandusky, Ohio 44870

Article 27. Conclusion. The Lessor covenants that the Lessee, on performing the covenants aforesaid, shall and may peacefully and quietly have, hold and enjoy the Premises for the term aforesaid. The covenants and agreements contained in the foregoing lease are binding upon the parties hereto and their respective successors, legal representatives and assigns. This instrument contains the entire agreement of the parties and may not be modified except by an agreement in writing signed by the parties of their respective successors in interest.

WHEREFORE, in witness whereof, the Parties' signatories hereto each represent that s/he has the authority to bind the principals and has executed this Agreement as of the date first set forth above.

LESSOR

CITY OF SANDUSKY

LESSEE

SANDUSKY BAY ROWING ASSOCIATION

Eric Wobser, City Manager

Lindsey Schilling, President

Date:_____

Date:_____



DEPARTMENT OF PUBLIC WORKS

240 Columbus Ave
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: July 23, 2019

Subject: Commission Agenda Item – 2020 – 2022 Bridge Inspection Agreement w/ODOT

ITEM FOR CONSIDERATION: Legislation granting consent to the Director of the Ohio Department of Transportation (ODOT) to perform Bridge Inspection Program Services for the years 2020 – 2022 within the City of Sandusky. This project includes but is not limited to performing bridge load ratings, scour assessments, bridge inspections and fracture critical plan development.

BACKGROUND INFORMATION: Pursuant to O.R.C. §723.54, municipalities throughout the State of Ohio are responsible for performing inspections on all or portions of bridges within their jurisdiction, except for bridges on the state highway system and the county highway system. Because of calamities like the I-35 bridge failure in Minnesota in 2007, the state and federal governments have pushed municipalities to come into compliance with this law, but have acknowledged that there is an educational and financial burden that is placed on those municipalities.

Therefore in 2014, the city joined the Bridge Inspection Program Services ODOT launched to help municipalities with a population less than 50,000 achieve full compliance with Federal Highway Administration's bridge metrics. This program allows the state to assume responsibility of routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection if needed on any bridge located within the City limits.

The proposed legislation outlines the cooperation between the City and the Director of Transportation regarding the program. The State assumes and will bear 100% of the cost of the Bridge Inspection Program Services requested by the City and agreed to by the State, described in Exhibit A of the agreement.

The City agrees to pay 100% of the cost of those features which are not included as part of this program, which may include, but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. If any of these actions are required, staff shall follow the appropriate procurement rules.

BUDGETARY INFORMATION: There is no budgetary impact for the City.

ACTION REQUESTED: It is recommended that proper legislation be prepared allowing the City to sign into agreement with ODOT to perform Bridge Inspection Program Services be approved and that the

necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow the agreement be executed and forwarded to ODOT at their request for review and final signatures immediately.

I concur with this recommendation:

Eric Wobser
City Manager

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

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE PRELIMINARY LEGISLATION SUBMITTED BY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE BRIDGE INSPECTION PROGRAM SERVICES PROJECT FOR CALENDAR YEARS 2020-2022, PID NO. 109334; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN THE PRELIMINARY LEGISLATION AND TO EXECUTE ANY NECESSARY CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION FOR THIS PROJECT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the preliminary legislation, a copy of which is attached to this Resolution and marked Exhibit “1”, is necessary for the Director of the Ohio Department of Transportation to provide services for the Bridge Inspection Program Services Project, including, but not limited to load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports, if needed, within the City of Sandusky and outlines the cooperation between the City of Sandusky and the Director of Transportation regarding the Bridge Inspection Program Services Project; and

WHEREAS, pursuant to Ohio Revised Code §723.54, municipalities throughout the State of Ohio are responsible for performing inspections on all or portions of bridges within their jurisdiction, except for bridges on the state highway system and the county highway system; and

WHEREAS, in 2014, the Ohio Department of Transportation (ODOT) launched the Bridge Inspection Program Services to help municipalities across the State achieve full compliance with Federal Highway Administration’s bridge metrics and since this time the City has participated in this program; and

WHEREAS, the State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately return the executed preliminary legislation to the Ohio Department of Transportation as requested by the Ohio Department of Transportation; and

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

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

Section 1. The preliminary legislation submitted by the Director of the Ohio

Department of Transportation, a copy of which is attached to this Resolution and marked Exhibit "1", for the Bridge Inspection Program Services Project for calendar years 2020-2020, PID No. 109334, consenting to the Director of Transportation to perform Bridge Inspection Program Services, including, but not limited to load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports, if needed, is adopted by this City Commission and the President of this City Commission is authorized to sign the preliminary legislation.

Section 2. The City Manager is hereby authorized and directed to sign the preliminary legislation and to execute any necessary contracts with the Director of Transportation to complete the Bridge Inspection Program Services Project, PID No. 109334.

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

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

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

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

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

Passed: August 12, 2019

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Ordinance/Resolution # : _____

PID No. : 109334

County/Route/Section : _____

The following is a/an _____ enacted by the _____ of _____
(Ordinance/Resolution) (Local Public Agency)

County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA) has determined the need for the described project:

Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

NOW THEREFORE, be it ordained by the _____ of _____ County, Ohio.
(LPA)

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the LPA. Starting in October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

SECTION V Authority to Sign

I, _____ of said _____ is hereby empowered on behalf of the
(Contractual Agent) (LPA)
_____ to enter into contracts with the Director of Transportation which is necessary to
(LPA)
complete the above described project.

Passed: _____, 2 _____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

Attested: _____
(Title)

(President of Council)

The _____ is hereby declared to be an emergency measure to expedite the highway project and
(Ordinance/Resolution)
to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**CERTIFICATE OF COPY
STATE OF OHIO**

_____ of _____ County, Ohio
(LPA)

I, _____, as Clerk of the _____
(LPA)
of _____ County, Ohio, do hereby certify that the foregoing is a true and correct copy of
_____ adopted by the legislative Authority of the said
(Ordinance/Resolution)

_____ on the _____ day of _____, 2_____.
(LPA)

That the publication of such _____ has been made and certified of record according to
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such _____ have been taken;
(Ordinance/Resolution)

and that such _____ and certificate of publication thereof are of record in _____,
Page _____.
(Record No.) (Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this _____ day of _____ 2_____.

(Clerk)

(CITY SEAL)

_____ of _____ County, Ohio
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

The foregoing is accepted as a basis for proceeding with the project herein described.

For the _____ of _____ County, Ohio.
(LPA)

Attested: _____ Date _____
(Contractual Agent)

For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

Approved Final Scope of Services Minutes Date: _____

GENERAL ENGINEERING SERVICES

Central Office, Office of Structural Engineering

Scope of Services

The CONSULTANT may be required to perform the following services on a task order type basis for bridges designated by regulation or by agreement as City or Village inspection responsibility. Tasks which may include but are not limited to the following:

Task 1 - Scour Tasks

- Task 1A - Scour Critical Assessment
- Task 1B - Scour Plan-of-Action
- Task 1C – Scour Analysis

Task 2 - Load Rating Tasks

- Task 2A - Field Measurements for Load Rating
- Task 2B - Load Rating Calculations

Task 3 – SMS Structure Inventory and Review

Task 4 – Inspection Procedures

- Task 4A - Fracture Critical Plan
- Task 4B – Underwater Inspection Procedures

Task 5 - Bridge Inspection

- Task 5A – Routine Bridge Inspection
- Task 5B – Fracture Critical Inspection
- Task 5C – Underwater Dive Inspection

Services shall be conducted in accordance with the following:

- ODOT Manual of Bridge Inspection, Latest Version
- ODOT SMS Bridge and Inventory Coding Guide, Latest Version
- ODOT Bridge Design Manual, Section 900), Latest Version
- Hydraulic Engineering Circulars 18, 20 and 23
- The Manual for Bridge Evaluation, Second Edition 2013 interim with revisions, AASHTO

Publication

- Bridge Inspector's Reference Manual, FHWA NHI Publication Number: 12-049,
Publication Year: 2012
- Underwater Bridge Inspection, FHWA Publication Number: FHWA NHI-10-027,
Publication Year: 2010

The CONSULTANT shall maintain a project cost accounting system that will segregate costs for individual task orders. The invoicing progress reports shall be detailed enough to show the breakdown of each assigned structure indicating the status of all subtasks. Completion of the individual subtasks is necessary for reimbursement credits.

The Department will be performing an annual Quality Assurance Review (QAR) for each selected consultant in accordance with Manual of Bridge Inspection to ensure accuracy and consistency of the inspection and documentation in SMS. This typically includes an office and field review.

The project will be divided into four (4) sub-projects (SP). A CONSULTANT will be selected for each sub-project. Municipalities opted into the previous inspection program will have the option to renew their legislation. Municipalities with population greater than 50,000 people are excluded from the program. The sub-projects have the following general geographic areas, category characteristics, and maximum contract values for the municipalities with municipal inspection responsibility obtained from SMS data as of March 2019.

Project: SP01 - District (1, 2, &3), Total Structures = 435*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	170	158	24	0	352
Multi-Span	21	18	29	15	83
Culvert	156	45	0	0	201
Truss	0	0	2	0	2
Underwater Inspection	0	0	0	0	0
Fracture Critical Inspection	0	4	0	0	4
Load Rating**	149	75	16	10	250

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges

General Engineering Services Scope of Services
Central Office, Office of Structural Engineering
PID No. 109334

Project: SP02 - District (4, 11, &12), Total Structures = 270*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	86	86	25	0	197
Multi-Span	16	14	27	16	73
Culvert	82	36	0	0	118
Truss	1	1	5	0	7
Underwater Inspection	0	0	0	1	1
Fracture Critical Inspection	0	1	5	0	6
Load Rating**	67	35	16	5	123

* Level 1 Bridge Inspection structures

** Tasked as budget allows w/priority for NBI bridges

Project: SP03 - District (5, 6, &10), Total Structures = 355*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	132	126	29	0	287
Multi-Span	7	8	35	18	68
Culvert	108	62	4	0	174
Truss	0	0	8	0	8
Underwater Inspection	0	0	1	1	2
Fracture Critical Inspection	0	0	8	1	9
Load Rating**	141	73	20	8	242

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges

Project: SP04 - District (7, 8 &9), Total Structures = 426*

Type	L ≤ 20'	20' < L ≤ 60'	60' < L ≤ 200'	L > 200'	Total
Single Span	150	125	29	0	304
Multi-Span	27	42	41	12	122
Culvert	135	93	30		231
Truss	0	1	5	1	7
Underwater Inspection	0	0	1	1	2
Fracture Critical Inspection	0	2	4	1	7
Load Rating	180	81	27	2	290

* Level 1 bridge inspection structures

** Tasked as budget allows w/priority for NBI bridges

Please note that the total number of structure types is estimated based on current SMS data query, and it may be adjusted when tasks are assigned in the future.

UNDERSTANDING

1. Inspections shall be completed by firm's full-time staff prequalified with ODOT for Level 1 bridge inspection according to the Manual of Bridge Inspection.
2. Task order are intended for maintaining compliance with the FHWA 23-Mertics, Ohio Revised Code, and ODOT policy manuals. Deadlines set by the task orders shall be respected.
3. All reports and records compiled under this agreement shall become the property of the City or Village and shall be housed in the City or Village. ODOT shall receive an electronic copy of plans, analysis files, reports and other items mentioned below.
 - a) CONSULTANT shall perform all applicable updates to SMS with new or revised information for structure inventory and appraisal data, inspections, scour, fracture critical members, and load ratings.
 - b) CONSULTANT shall submit copies of all reports and calculations electronically, or in hard copies when requested, to the City or Village for inclusion in their bridge records.
 - c) This includes, as applicable, a printed copy of the inspection report, Scour Plan-of-Action, Fracture Critical Plan, load rating report, gusset plate analysis, inspection procedures, and field measurement notes, digital pictures as well as a reproducible digital data file (.pdf, .doc, .xml, and .xls formats).
4. Copies of all transmittal letters related to this Task Order shall be submitted to Central Office, Office of Structural Engineering.
 - a) When required, CONSULTANTS shall locate the original construction plans, as-built, and shop drawings from archive locations specified by the municipality and upload them onto SMS.

Services to be furnished by CONSULTANT may include:

TASK 1 - SCOUR TASKS

Task 1A – Scour Critical Susceptibility NBIS Item 113) - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection. Deliverables include field notes, a completed Scour Critical Assessment Checklist as per Appendix I of the 2014 Manual of Bridge Inspection, and any other reference material needed for the bridge

owner to properly maintain their bridge files. Channel photos or cross sections maybe tasked under this item if assigned.

Task 1B - Scour Plan-of-Action - The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection Appendix H for the scope of this task. Deliverables include a completed Scour Plan-of-Action, field notes, calculations, and any other reference material needed by bridge owner to maintain bridge files.

TASK 2 – LOAD RATING TASKS

Task 2A - Field Measurements for Load Rating - Should no plans exist or if additional information is required, each main member shall be field measured for load rating. The condition of the member should be noted on the field documentation. All measurements shall be included in the load rating report.

Task 2B - Load Rating Calculations – A bridge carrying vehicular traffic shall be rated to determine the safe load carrying capacity. The CONSULTANT shall review existing bridge plans and inspection reports and other inspection information such as photographs and estimates of section loss for bridge members and connections. The analysis for existing structures shall be performed for AASHTO HS20-44 [MS 18] (truck, lane, & military) loading for both inventory and operating levels, and for the four Ohio Legal Loads including the special hauling vehicles (2F1, 3F1, 4F1, and 5C1, SU4, SU5, SU6, SU7, EV2, and EV3) at operating level. The CONSULTANT shall try to complete the load rating analysis utilizing BrR (Virtis) at first. Hand-calculations or Spreadsheets if BrR is not applicable. The BrR analysis file, other load rating files, and BR100 shall be included with the submittal to OSE.

The inventory and operating ratings shall be coded as per the most recent version of the ODOT Bridge Inventory Coding Guide. Update SMS Inventory with the load rating results and upload BR100 pdf file.

The electronic deliverable shall include if applicable an Excel spreadsheet or other files used for analysis for each bridge which shall include the member areas, member capacities both with and without section loss, influence lines (can be the ordinates or graph of the lines), dead loads and dead load stresses in members, live loads and live load stresses in members for all truck loadings and the load ratings of the members. Truck loadings to be used for the ratings are specified in BDM Section 900.

The Load Rating Report shall be prepared by a registered or non-registered engineer and it shall be checked, signed, sealed and dated by an Ohio Registered Professional Engineer.

The Load Rating Report shall explain the method used to calculate the load rating of each bridge.

AASHTO Load Factor Rating (LFR) shall be utilized for all bridges not designed by Load and Resistance Factor Design. AASHTO Load and Resistance Factor Rating (LRFR) shall be utilized for all structures designed for HL93 loading starting October 2010.

Load Rating Report Submittal to the City or Village shall include:

- a. Two (2) printed copies and one electronic pdf copy of the Load Rating Report for each bridge.
- b. Final summary of inventory and operating ratings for each member and the overall ratings of the structure shall be presented for each live load truck. An acceptable format is ODOT form BR-100.
- c. Analysis program input files. Both input and output files shall be submitted when programs other than BrR or spreadsheets are used.
- d. All calculations related to the load rating.
- e. If applicable, the weight limits posting recommendations including a copy of the standard posting sign; such as R12-1 (24" x 30"), R12-H5 (30" x 48"), and R12-H7 (30" x 30").

TASK 3 – SMS STRUCTURE INVENTORY AND REVIEW

The scope of this task includes a limited review of the structure inventory data in the ODOT SMS. In general, the CONSULTANT shall review specific existing ODOT bridge inventory records (as provided by the City and approved by ODOT) of the designated bridge. The CONSULTANT may download the inventory report, which contains inventory data for each bridge on file with ODOT from the ODOT website. The CONSULTANT shall verify this data and determine if the ODOT SMS structure file information needs changing. If no changes are necessary, then no SMS inventory needs to be filled out. If changes are necessary, the scope of this task shall also include completing and filing inventory updates (and supplements, as needed) in SMS. The CONSULTANT shall refer to the ODOT Office of Structural Engineering Inventory and Coding Guide of SMS for inventory coding details.

TASK 4 – INSPECTION PROCEDURES

Task 4A – Fracture Critical Plan – A Fracture Critical Member Plan and inspection procedure shall be developed and updated. For more details, refer to Chapter 4: Inspection Types in the Manual of Bridge Inspection. It shall include:

1. Sketches of the superstructure with locations of all fatigue and fracture prone details identified.
 - a. Use framing plan or schematic with detail locations labeled and a legend explaining each labeled item on the scheme.

- b. Use an elevation view for trusses.
 - c. Classify similar fatigue/fracture prone details as types (e.g. end of partial cover plate).
2. A table or location of important structural details indicating:
 - a. Type of detail (e.g. end of partial cover plate, short web gap, etc.)
 - b. Location of each occurrence of detail
 - c. AASHTO Fatigue Category of detail
 - d. Identify retrofits previously installed
3. Risk Factors Influencing the inspector access.

Photos and sketches shall be properly referenced. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

Task 4B – Underwater Inspection Procedures – An underwater inspection procedure shall be developed. For more details, refer to Chapter 4: Underwater Inspections in the Manual of Bridge Inspection. Please note that ODOT has recently revised Appendix F of the inspection manual. The diving team shall fill out or update the new form and upload it on SMS prior to performing the actual dives. Please contact OSE for a copy of a blank form if not uploaded on SMS at the time.

TASK 5 – BRIDGE INSPECTION

Task 5A – Routine Bridge Inspection (SMS Input) - Perform a routine field inspection of the structure to determine the general condition. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task. Section 1111 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) modified 23 U.S.C.144, requires Ohio to report bridge element level data for NBIS bridges on the National Highway System (NHS) to FHWA. A condition rating or element level inspection will be assigned. This task includes: Condition Rating Inspection for non-NBI structures, Condition Rating Inspection for NBI structures, and Element Level Inspection for NBI classified as NHS.

Task 5B – Fracture Critical Inspection - Perform a fracture critical field inspection of fracture critical items. The CONSULTANT shall update the FCM inspection procedure with current photos and descriptions. The CONSULTANT shall refer to the most recent ODOT Manual of Bridge Inspection for additional details on the scope of this task.

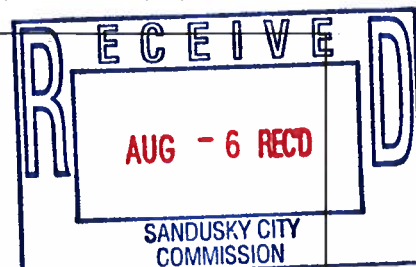
Task 5C – Underwater Dive Inspection – Perform Underwater/ In-Water inspection of substructure units according to the cycle shown in SMS. Emergency underwater inspection may arise for specific structures over the duration of the contract period. Work shall be done in accordance with the reference manuals and inspection procedure. Scour risk shall be evaluated after field and data collection.

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

0892199		TREX		TO	
PERMIT NUMBER		TYPE		NOBLE AXES LLC	
02	01	2018		DBA NOBLE AXES	
ISSUE DATE				121 E MARKET ST	
07	31	2019		SANDUSKY OH 44870	
FILING DATE					
D1	D2	D3	D3A	D6	
PERMIT CLASSES					
22	077	B	F22783		
TAX DISTRICT				RECEIPT NO.	

FROM 08/02/2019 SAFEKEEPING



1167500				CDG DT COLUMBUS LLC	
PERMIT NUMBER		TYPE		DBA CLADDAGH IRISH PUBS	
02	01	2018		RM 100E 1ST FL & BSMT	
ISSUE DATE				585 S FRONT ST & PATIOS	
07	31	2019		COLUMBUS OH 43215	
FILING DATE					
D1	D2	D3	D3A	D6	
PERMIT CLASSES					
25	044				
TAX DISTRICT				RECEIPT NO.	



MAILED 08/02/2019

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/03/2019

IMPORTANT NOTICE

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

B TREX 0892199

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF SANDUSKY CITY COUNCIL
222 MEIGS STREET
SANDUSKY OHIO 44870

Commerce Division of Liquor Control : Web Database Search

OWNERSHIP DISCLOSURE INFORMATION

This online service will allow you to obtain ownership disclosure information for issued and pending retail liquor permit entities within the State of Ohio.

Searching Instructions

Enter the known information and click the "Search" button. **For best results, search only ONE criteria at a time.** If you try to put too much information and it does not match exactly, the search will return a message "No records to display".

The information is sorted based on the Permit Number in ascending order.

To do another search, click the "Reset" button.

SEARCH CRITERIA**Permit Number**

0892199

Permit Name / DBA**Member / Officer Name****Search****Reset****Main Menu**

Member/Officer Name	Shares/Interest	Office Held
Permit Number: 0892199; Name: NOBLE AXES LLC; DBA: DBA NOBLE AXES; Address: 121 E MARKET ST SANDUSKY 44870		
BENJAMIN T BYINGTON		
RYAN WHALEY		
MEGHAN HOGREFE	5% VOTING	
RICHARD HOGREFE	5% VOTING	

- [Ohio.Gov](#)
- [Ohio Department of Commerce](#)

[Commerce Home](#) | [Press Room](#) | [CPI Policy](#) | [Privacy Statement](#) | [Public Records Request Policy](#) | [Disclaimer](#) | [Employment](#) | [Contacts](#)

Kelly Kresser

From: Greg Voltz
Sent: Tuesday, August 6, 2019 10:37 AM
To: Kelly Kresser; Thomas Horsman; John Orzech; Stephen Rucker
Subject: RE: TREX Liquor Permit

121 E Market Street is zoned "DBD" – Downtown Business which permits this use. No Issues.



Greg Voltz | Planner
PLANNING DEPARTMENT
240 Columbus Avenue | Sandusky, OH 44870
T: 419.627.5973 | F: 419.627.5945
www.ci.sandusky.oh.us



From: Kelly Kresser
Sent: Tuesday, August 6, 2019 10:33 AM
To: Thomas Horsman <thorsman@ci.sandusky.oh.us>; Greg Voltz <gvoltz@ci.sandusky.oh.us>; John Orzech <JOrzech@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>
Subject: TREX Liquor Permit

Attached is a request for a TREX D1 (*beer only for on premises consumption or in sealed containers for carryout only until 1 a.m.*), D2 (*wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1 a.m.*), D3 (*spiruous liquor for on premises consumption only until 1 a.m.*), D3A (*extended issued permit privileges until 2:30 a.m.*) and D6 (*sale of intoxicating liquor on Sunday between the hours of 10 a.m. or 11 a.m. and midnight*) liquor permits transfer from CDG DT Columbus LLC dba Claddagh Irish Pubs, Columbus, Ohio, to Noble Axes LLC 121 East Market Street, Sandusky.

Please provide comments to me at your earliest convenience.

Kelly Kresser

From: John Orzech
Sent: Tuesday, August 6, 2019 11:30 AM
To: Kelly Kresser; Thomas Horsman; Greg Voltz; Stephen Rucker
Subject: RE: TREX Liquor Permit

No issues from police.



John Orzech | Chief of Police
SANDUSKY POLICE DEPARTMENT
222 Meigs Street | Sandusky, OH 44870
T: 419.627.5869 | F: 419.627.5862
www.ci.sandusky.oh.us



From: Kelly Kresser
Sent: Tuesday, August 6, 2019 10:33 AM
To: Thomas Horsman <thorsman@ci.sandusky.oh.us>; Greg Voltz <gvoltz@ci.sandusky.oh.us>; John Orzech <JOrzech@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>
Subject: TREX Liquor Permit

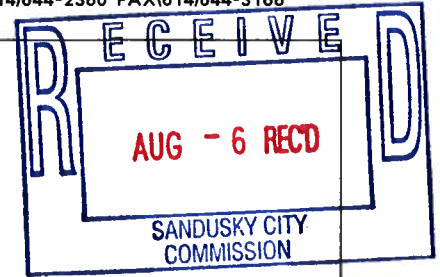
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Please provide comments to me at your earliest convenience.

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

70991180001		TRFL	TO
PERMIT NUMBER		TYPE	BENJAMIN V PRUITT
02	01	2019	DBA ZUPPAMAN
ISSUE DATE			1186 CLEVELAND RD
08	01	2019	SANDUSKY OH 44870
FILING DATE			
D1	D2	D3	
PERMIT CLASSES			
22	077	B	F22790
TAX DISTRICT		RECEIPT NO.	



FROM 08/05/2019

7099118			
PERMIT NUMBER		TYPE	BENJAMIN VITO PRUITT
02	01	2019	DBA BENNY VITOS GRILL & BAR
ISSUE DATE			902 W ADAMS ST UNIT B
08	01	2019	SANDUSKY OH 44870
FILING DATE			
D1	D2	D3	
PERMIT CLASSES			
22	077		
TAX DISTRICT		RECEIPT NO.	



MAILED 08/05/2019

RESPONSES MUST BE POSTMARKED NO LATER THAN. 09/05/2019

IMPORTANT NOTICE

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

B TRFL 7099118-0001

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title) - ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF SANDUSKY CITY COUNCIL
222 MEIGS STREET
SANDUSKY OHIO 44870

Kelly Kresser

From: Greg Voltz
Sent: Tuesday, August 6, 2019 10:36 AM
To: Kelly Kresser; Thomas Horsman; John Orzech; Stephen Rucker
Subject: RE: Liquor Permit Transfer

1186 Cleveland Road is zoned "GB" – General Business which does permit this use. No Issues.



Greg Voltz | Planner
PLANNING DEPARTMENT
240 Columbus Avenue | Sandusky, OH 44870
T: 419.627.5973 | F: 419.627.5945
www.ci.sandusky.oh.us



From: Kelly Kresser
Sent: Tuesday, August 6, 2019 10:33 AM
To: Thomas Horsman <thorsman@ci.sandusky.oh.us>; Greg Voltz <gvoltz@ci.sandusky.oh.us>; John Orzech <JOrzech@ci.sandusky.oh.us>; Stephen Rucker <srucker@ci.sandusky.oh.us>
Subject: Liquor Permit Transfer

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Please provide comments to me at your earliest convenience.

Kelly Kresser

From: John Orzech
Sent: Tuesday, August 6, 2019 11:30 AM
To: Kelly Kresser; Thomas Horsman; Greg Voltz; Stephen Rucker
Subject: RE: Liquor Permit Transfer

No issues from police



John Orzech | Chief of Police
SANDUSKY POLICE DEPARTMENT
222 Meigs Street | Sandusky, OH 44870
T: 419.627.5869 | F: 419.627.5862
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Please provide comments to me at your earliest convenience.



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: July 30, 2019

Subject: August 12, 2019 Commission Agenda Item – petition for vacation of 10' Alley located between parcels 57-03841.000, 57-03858.000, and 57-03857.000 between First Street and Second Street.

Item for Consideration: Jeff Rengel, on behalf of RLR Properties has submitted a petition for vacation of a portion of a 10' alley located between parcel 57-03841.000 (Lots 404-407) along First Street and parcels 57-03858.000 and 57-03857.000 (Lots 400-403) along Second Street.

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 June 26, 2019 Planning Commission meeting the Commission recommended approval for the vacation of the above referenced alley. The applicant, Jeff Rengel, 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 applicant is the sole owner of property adjacent to the area proposed to be vacated. Jeff Rengel is the only abutting property owner to the alley. The proposed vacations will not land lock any property and the right-of-way is no longer of use for the public. However, staff does have slight concern of vacating alleys along first street as that will force property owners to create curb cuts along First Street rather than utilizing alleys to gain vehicular access from the rear of the property.

Correlation to the Comprehensive Plan:

The Comprehensive Plan calls for reimagining this section for residential stabilization and infill as well as mixed use redevelopment of the First Street corridor. The proposed vacation will assist in the redevelopment of the First Street 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 portion of a 10' alley located between parcel 57-03841.000 (Lots 404-407) along First Street and parcels 57-03858.000 and 57-03857.000 (Lots 400-403) along Second Street.

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

D. Jeffery Rengel

Typed or Printed Name of Circulator

421 JACKSON ST., SANDUSKY, OH.

Typed or Printed address of Circulator

419-627-0400

Phone Number of Circulator

The undersigned owners of lots in the vicinity

FIRST-SECOND ST. at WILLAMAN ST
LOTS 400-407

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

lying between LOTS 400-403 and 404-407

lying between PARCELS 57-03857/57-03858/57-03841

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

D. Jeffery Rengel for
RLR Properties Ltd.

Address

421 JACKSON ST.

Date Signed

5-24-19

(You may attach an additional sheet of paper if the space provided above 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



CITY OF SANDUSKY

APPLICATION FOR PLANNING COMMISSION APPROVAL

TYPE OF APPLICATION:

☐ Conditional Use Permit
☐ Flood Plain Variance
☒ Other Alley Vacation

☐ Similar Main Use
☐ Front Yard Fence

APPLICANT/AGENT INFORMATION:

Property Owner Name: RLR Properties, Ltd.
Property Owner Address: 421 JACKSON ST
SANDUSKY, OHIO 44870
Property Owner Telephone: 419-627-0400
Authorized Agent Name: Jeff Rengel
Authorized Agent Address: SAME
Authorized Agent Telephone: SAME

LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: CORNER FIRST & WILDMAN VACANT LAND. No Address
Legal Description of Property (check property deed for description):
52-03858.000 ; 52-03857.000 ; 52-03844.000
See ATTACHED. LOTS 400-407
Parcel Number: _____ Zoning District: CR

DETAILED SITE INFORMATION:

Land Area of Property: 1 Acre (sq. ft. or acres)

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

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

Building #2: _____

Building #3: _____

Additional: _____

N/A

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): _____

Number of Dwelling Units (if applicable): _____

Number of Off-Street Parking Spaces Provided: _____

Parking Area Coverage (including driveways): _____ (in sq. ft.)

Landscaped Area: _____ (in sq. ft.)

A simultaneous site plan approval application is being submitted.

PROPOSED DEVELOPMENT (check those that apply):

New Construction (new building(s)) *See site plan Application*

Addition to Existing Building(s)

Change of Use in Existing Building(s)

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.):

[illegible]

REQUIRED SUBMITTALS:

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

Application Fee:

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.

Signature of Owner or Agent

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: _____

Owner: RLR Properties, Ltd.
Location: SW Corner of First and Wildman Streets, Sandusky, OH
Parcel#: 57-3858.000; 57-03857.000; 57-03844.000
Lots: 400-407
Zoned: Commercial-Recreational

Addendum to Application for Alley Vacation and Building Site Plan Approval

This application is for vacation of a platted but never used alley running between these parcels. The platted alley runs, on paper, between Wildman and E. Farwell Streets. There are no garages which abut upon or are accessed by this "alley" in any manner. This alley has never historically been used as an alley by the adjacent properties. In fact, until just a few months ago there was a very large tree and considerable shrubbery lying within this "alley" between lots 399-400-407-408 and 409 thereby effectively blocking any use of this area as an alley. When the tree collapsed, the City claimed it was on property not owned by the City refused to remove it or pay for its removal or clean-up. The brush was removed by Mr. Waldock as part of the recent clean-up after his housing demolition on nearby properties fronting First Street.

A similar "paper alley" was vacated on the next block east on our application in the 1980's.

Legal description of the "alley" and plat map are attached.

A site application with specifications for the proposed building are being submitted simultaneous with this application.

PLANNING COMMISSION REPORT

PETITION FOR VACATION OF A PORTION
OF A 10' ALLEY LOCATED BETWEEN
PARCELS 57-03841.000, 57-03858.000, AND 57-
03857.000 ALONG FIRST STREET.

Reference Number: PC-09-19

Date of Report: 06-14-2019

Report Author: Greg Voltz, Planner



City of Sandusky, Ohio

Planning Commission Report

BACKGROUND INFORMATION

Jeff Rengal, on behalf of RLR Properties has submitted a petition for vacation of a portion of a 10' alley located between parcels 57-03841.000, 57-03858.000, and 57-03857.000 along First Street. The following information is relevant to this application:

Applicant: RLR Properties Ltd.
421 Jackson Street
Sandusky, Ohio 44870

Authorized Agent(s): Jeff Rengal
421 Jackson Street
Sandusky, Ohio 44870

Site Location: Alley located between parcel 57-03841.000 (Lots 404-407) and parcels 57-03858.000 and 57-03857.000 (Lots 400-403) along First Street.

Zoning: City right-of-way

Adjacent Zoning: North: "CR" – Commercial Recreation
South: "R1-40" – Single-Family Residential
East: "R1-40" – Single-Family Residential
West: "R1-40" – Single-Family Residential

Site Area: Alley – 1,600 Sq. Ft.

Existing Use: Undeveloped – City right-of-way

Proposed Use: The proposed vacated area will be combined into adjacent properties for a future development.

SITE DESCRIPTION

The Alley located between parcel 57-03841.000 (Lots 404-407) and parcels 57-03858.000 and 57-03857.000 (Lots 400-403) along First Street. The parcels adjacent to the right-of-ways are currently zoned as “CR”/ Commercial Recreation and “R1-40” / Single-Family Residential.

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 the three parcels owned by RLR Properties LTD. RLR Properties LTD is the sole property owner that was required to have signed the petition for this alley vacation. The applicant proposes to vacate the alley to later combine all the parcels for a future development.

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

Alley Outlined in Red





PUD - Planned Unit Development



TRO - Transient Rental Overlay



Zoning



AG - Agriculture



CA - Commercial Amusement



CR - Commercial Recreation



CS - Commercial Service



DBD - Downtown Business



GB - General Business



GM - General Manufacturing



LB - Local Business



LM - Local Manufacturing



P - Auto Parking



PF - Public Facilities



R1-40 - Single Family Residential



R1-50 - Single Family Residential



R1-60 - Single Family Residential



R1-75 - Single Family Residential



R2F Two-Family Residential



RB - Roadside Business



RMF - Multi-Family Residential



RRB - Residential/Business



RS - Residential Suburban

DIVISION OF PLANNING COMMENTS

This property was recently rezoned to Commercial Recreation after a great deal of discussion regarding the property and the future of the First Street corridor. Planning Staff is still working on creating an outline for a potential overlay district for First Street that will help ensure the highest and best use for the corridor moving forward.

Much of the discussion during the rezoning process amounted to Planning Commission directing staff into creating a multi-use pedestrian friendly overlay district on First Street which would allow for a more pedestrian focused street in the long term. There was also discussions at length regarding vehicle speed and that curb cuts along First Street should be minimized to lessen the likely hood of a vehicle backing out into traffic with little speed constraints. Planning Staff acknowledges that curb cuts also create more likelihood of a pedestrian/cyclist vs vehicle conflicts.

Planning Staff does have concern that vacation of a portion of this alley would create a dead end alley and also lessen the likelihood that future development would utilize the alley for vehicular access rather than creating multiple curb cuts along First Street. However, it should be noted that the property owner to the West has expressed interest in submitting a vacation of the remainder of the alley within the block.

Planning Staff would recommend promoting vehicular access from the alley rather than creating multiple curb cuts for each development along First Street.

ENGINEERING STAFF COMMENTS

The City's Engineering staff has reviewed the proposed vacation and has no issues.

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, although Planning Staff would recommend developments to utilize the platted alley, staff does not strongly object to the Sandusky City Planning Commission recommending approval of the requested vacation to the City Commission. The primary concern by Planning Staff of having a dead end alley would be minimized if the property owner to the west proceeds with the petition to vacate the remaining alley as they had expressed to staff previously. This right-of-way currently has no public use, and does not create a land locked parcel. However, the vacation does reduce the ability for future development to access the rear of properties located within this block, thus creating a higher likelihood of multiple curb cuts along First Street. That being said Planning Staff does not object to a recommendation of approval to City Commission.

Planning Commission
June 26th, 2019
Meeting Minutes

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

Mr. Miller motioned to approve the special meeting of April 24th, 2019 Planning Commission minutes; Mr. Waddington seconded the motion.

Mr. Zuilhof stated that there was a request to shuffle the agenda as such staff will be giving a presentation on the Shoreline Drive project.

Ms. Byington discussed the process for approval of the plan and the main concepts which include a two way street, multi- use path and sidewalk, approximately 134 parking spaces, and consolidated dumpster enclosures. Ms. Byington discussed the detailed plans for the east end of Shoreline Drive.

Aaron Klein, City of Sandusky Engineering Department, discussed the proposed lighting stating that the style of the pole will be similar to the poles that are being used for bayfront paper district and the Jackson Street parking lot. The new poles will be 25', the far east end will have the bollards that are currently there.

Mr. Klein discussed the proposed utilities, currently under contract is a plan to bury from Wayne Street to the city marina. We have an option to go to Hancock and we are getting a price to go from Hancock all the way to the east end. Mr. Klein discussed the other proposed utility changes and proposed crosswalk. Mr. Klein reviewed the four options that were presented for the east end of Shoreline Drive that was provided by Kokosing. Mr. Klein reviewed the elements of Option 3 which was chosen.

Mr. Klein explained to the Commission node zero which will be located near Schade Mylander plaza, this will be the center point of the Sandusky Bay pathway. Mr. Klein described the design features of node zero.

Mr. McGory ask if the utilities would be buried to the east is there any thought of where that money would come from.

Mr. Klein stated we are looking at different options for the budget of the project.

Mr. McGory ask if everyone one was in favor of burying the utilities.

Mr. Klein stated the majority of individuals within the area are in favor, because the utilities are going under the bike path now would be time to do this without incurring a large amount of additional cost.

Mr. Zuilhof confirmed with staff the locations of the underground utilities. Mr. Zuilhof stated that option three was chosen for safety reasons.

Mr. Miller ask if option three is the preferred option of the condo owners.

Mr. Tom Tucker stated the owners had concerns with the length of the delineated driveways due to snow plowing but they have been working with the city on the length of these drives.

Mr. Whelan ask if there will be a hard curve between the bike bath and the road.

Mr. Klein stated there will be a 6" curb between the road and amenity area as well as additional area between the bike path.

Mr. Whelan ask staff to review the locations of the trash receptacles.

Ms. Byington stated that the two enclosures will be on the north side and one on the south side east of Shade Mylander and the remaining was is just east of Wayne Street on the south side.

Mr. Zuilhof stated Jeff Rengal, on behalf of RLR properties has submitted a petition for vacation of a portion of a 10' alley located between parcels, 57-03841.000, 57-03858.000, and 57-03857.000 along First Street.

Mr. Voltz stated the existing zoning is "CR" Commercial Recreation and the adjacent properties are both a mix of residential and vacant land. The existing use is unimproved right of way. The applicant intends to construct a personal storage building.

Mr. Voltz stated that staff would recommend developments utilize the platted alley, staff does not strongly object to the Sandusky Planning Commission recommending approval of the requested vacation to the City Commission. The primary concern by planning staff of having a dead end alley that would be minimized if the property owner to the west proceeds with the petition to vacate the remaining alley as they have expressed to staff previously. The right of way currently has no public use, and does not create a land locked parcel. However, the vacation does reduce the ability for future development to access the rear of the properties located within this block, thus creating a higher likelihood of multiple curb cuts along First Street. That being said Planning Staff does not object to a recommendation of approval to City Commission.

Mr. Miller stated that the concern for dead end alley is not a large concern as anyone who is accessing those lots will be turning in and out of a parcel anyway. Mr. Miller stated he understands concern of not having access to large property, the commission may consider delineating the number of access points to that road or restrict the number of curb cuts.

Mr. Voltz stated the remaining First Street adjacent properties are the same property owner, the other property owners along Second Street are several different owners. The owner along First Street may be interested in vacating as well.

Mr. Zuilhof ask if the surrounding property owners were notified.

Ms. Byington stated we follow Ohio Revised Code which states that if all property owners surrounding sign off on that a public notice was not required.

Mr. Zuilhof stated he could get on board with the alley vacation along First Street, but the alleys along Second Street should not be vacated until those residential lots are not viable.

Mr. Jackson ask where does the alley ends.

Mr. Voltz stated it ends at Farwell and it is an unimproved at this time.

Mr. Miller made a motion to approve the application; Mr. McGory seconded the motion.

Mr. Whelan ask if it possible to move the curb cuts on Frist Street to Wildman Street.

Mr. Zuilhof stated that would be reviewed at the site plan application.

With no further discussion the motion was approved with 6 ayes and 1 nay.

Mr. Zuilhof stated the next item on the agenda is an application from Jeff Rengel, on behalf of RLR Properties for a site plan application for a private storage building to be located on parcels 57-03858.00, 57-03857.000, and 57-03844.000 along First Street.

Mr. Voltz stated that applicant is applying for site plan approval for a personal storage building. The property was recently rezoned to CR. The rezoning process amounted to much discussion regarding the long term future of First Street and staff hoping to create a more pedestrian focused street in the long term. Planning Commission staff is concerned that private storage buildings along this corridor will only decrease the viability of the corridor for future economic or residential use as storage is not the highest and best use of the land. Staff does not believe that this site requires dedicated striped parking as its proposed use is for personal storage by the property owner and not for commercial use. In conclusion, if the alley is fully vacated between the parcels Planning Commission staff recommends approval of the proposed site plan application with the following conditions:

1. All necessary permits are obtained through Engineering, Building, and any other applicable agency.
2. Parcels are combined prior to construction.
3. The alley is vacated prior to construction.

Mr. McGory motioned to approve the application subject to the conditions given by staff; Mr. Waddington seconded the motion.

Jeff Rengel, stated that these are simply paper alleys on a plat but not utilized as an alley. The party that will be purchasing the property was not able to attend the meeting, however they want a curb cut on Wildman and Second Street.

Mr. Whelan discussed the possibility of a curb cuts at First Street being moved to Wildman Street.

Mr. Zuilhof stated the site plan provided is not to scale and ask staff the proposed building meets code requirements for setbacks, parking, etc.

Mr. Voltz stated that there are no parking requirements for self-storage.

Mr. Rengel stated that he could ask his buyer to provide a better site plan and confirm what curb cuts for the site.

Mr. Miller motioned to table the application; Mr. McGory seconded the application. With no further discussions the motion was unanimously approved.

Mr. McGory motioned to table the application until the next meeting; Mr. Waddington seconded motion.

Mr. Zuilhof stated the next application is from Edmond W. Dangler, on behalf of Cedar Point Park , LLC has submitted a site plan application for a new use at 1201 Cedar Point Drive.

Mr. Voltz stated Edmon W. Dangler, on behalf of Cedar Point Park, LLC has applied for site plan approval for a new use on the parcel. The adjacent properties are Commercial Recreation, Public Facilities, Residential, General Business, and Commercial Service. The existing zoning is Commercial Recreation, the applicant is proposing to create a sunflower field in partnership with the nonprofit "Prayers from Maria". The existing use is vacant land.

Staff does note that the applicant believes there is plenty of parking to serve the needs of this attraction. However they are requesting to construct a nearly 4,7000 square foot gravel overflow parking area that will be used if necessary. In conclusion, Planning Staff recommends approval of the proposed site plan for 1201

Cedar point Drive with the following conditions: the planning commission waves the requirement for paved parking as per section 1149.09(a).

Ed Dangler, Cedar Point Park, LLC, stated that he is working with an organization called Prayers for Maria and described the proposed site plan to Planning Commission.

Mr. Whelan made a motion to approve the proposed site plan with staff's conditions; Mr. Waddington seconded the motion.

Mr. Zuilhof stated the next application was submitted by Case Development, LLC for a design review application for a Certificate of Appropriateness for new construction of a 13-unit condominium project at 409 W. Water Street.

Mr. Horsman stated that the applicant has submitted an application for a Certificate of Appropriateness for construction of a 13 unit condominium at the former site of the Keller Building which was demolished in 2015. Mr. Horsman described the surrounding buildings and stated that the applicant had previously received approval in 2016, a variance was giving for first floor residential living space in 2016. Staff recommends approval of the Certificate of Appropriateness. Staff reviewed the proposed elevation plans as well as the proposed building materials.

Mr. Miller stated he would like the applicant to address staffs comment regarding having a front door onto the north, he believes that it better mirrors the façade of the other buildings to the south. Mr. Miller expressed his concern regarding the turning radius of the garages and the possibility of gating the alley.

Mr. DeCesare discussed the site plan and stated that the major change is the three units along Shoreline Drive. Mr. DeCesare stated they are proposing a 25' of separation between the north units and the south end units, reviewed the proposed garages, and discussed the building materials.

Mr. Zuilhof discussed the building material with the applicant and the Commission and stated that the alley area between the buildings should be pedestrian friendly.

Mr. Miller ask about the number of units, stating that did they move to 13 units to assure economically viability of the project.

Mr. DeCesare stated that 10-13 units as staff thought the density is important for the project. Six units will have an entry price of under \$300,000 they will be considered condos and will have an association. He would like to have the ground breaking in the beginning of August.

Mr. Miller moved to approve the motion; Mr. Jackson second the motion.

Mr. Poggiali ask if they condos will have single car garages and there will be on street parking available.

Mr. DeCesare stated that some units are one car garages and some units are two car garages depending on size and space. There are is also parking available within the surrounding area.

With no further discussion the motion was passed unanimously.

Mr. Horsman stated that the staff will be scheduling a special Planning Commission meeting in the near future to discuss changes to the site plan chapter. Specifically the Commission will discuss the following items:

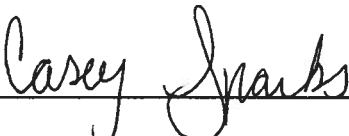
1. Intent and approval process
2. Revisions of parking requirement measures
3. Ability to modify parking requirements
4. Bicycle parking requirements
5. Landscaping

6. Site Access
 - a. Vehicles
 - b. Pedestrians

Mr. Miller made a motion to adjourn the meeting; Mr. Jackson seconded the motion.

With no further business, the meeting at 5:40 PM.

APPROVED:



Casey Sparks, Clerk



Michael Zuilhof, Chairman

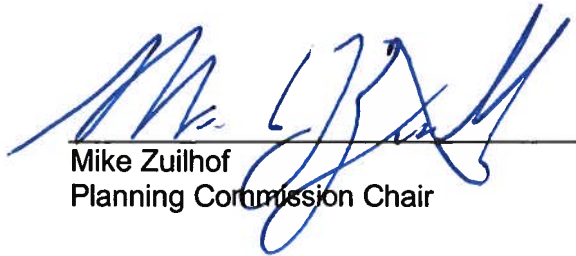


Department of Planning

240 Columbus Avenue
Sandusky, OH 44870
Phone: 419.627.5973
Fax: 419.627.5933
www.ci.sandusky.oh.us

July 30, 2019

Planning Commission at the June 26th, 2019 meeting recommended approval to the City Commission for the proposed petition for vacation of a portion of a 10' alley located between parcel 57-03841.000 (Lots 404-407) along First Street and parcels 57-03858.000 and 57-03857.000 (Lots 400-403) along Second Street.



Mike Zuilhof
Planning Commission Chair

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF AN ALLEY LOCATED WEST OF WILDMAN STREET BETWEEN LOTS 400-403 ON SECOND STREET AND LOTS 404-407 ON FIRST STREET, 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 petitioner, D. Jeffery Rengel, on behalf of RLR Properties Ltd., as the only abutting property owner, is 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 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 June 26, 2019, meeting and resolved 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 August 12, 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. The portion of an alley Located west of Wildman Street between Lots 400-403 on Second Street and Lots 404-407 on First Street, labeled as described on the vacation plat, with a total area of approximately 1600 square feet of land, more or less, 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:

LEGAL DESCRIPTION
Alley Vacation between First St. and Second St.

Situate in the State of Ohio, County of Erie, City of Sandusky, Ward 2 and being all of that alley as shown on the plat of Sandusky Business Men's Association Subdivision, P.V. 6, Pg. 37 lying west of Wildman St. and between Lots 404, 405, 406, and 407 First Street (50' in width) and Lots 400, 401, 402, and 403 Second Street (50' in width), all references herein to the records of the Erie County Recorder, and more particularly described as follows:

Beginning, for reference, at an iron pin in a monument box found at the intersection of centerlines of Second Street and Wildman Street; thence N 9°47'13" E a distance of 25.00 feet to a point; thence, N 80°12'47" W, a distance of 25.00 feet to a 5/8" iron rod set in the west line of Wildman Street at the north line of Second Street; thence, N 9°47'13" E with the west line of Wildman Street, an distance of 135.63 feet to a 1" iron pipe found and the **TRUE POINT OF BEGINNING** for this description;

1. Thence, N 80°12'47" W with the north line of Lots 400, 401, 402 and 403 Second St., a distance of 160.00 feet to a point at the northwest corner of Lot 400 Second Street;
2. Thence, N 9°47'13" E through said alley as platted, a distance of 10.00 feet to a 1" iron pipe found at the southwest corner of Lot 407;
3. Thence, S 80°12'47" E with the south line of Lots 404, 405, 406, and 407 First St., a distance of 160.00 feet to a 1" iron pipe found;
4. Thence, S 9°47'13" W with the west line of Wildman St., a distance of 10.00 feet to the point of beginning, containing 1600 square feet of land, more or less, subject to legal highways, easements and restrictions of record.

This description was prepared by John Hancock, P.S. No. 6918 from a survey conducted in May, 2019. Bearings herein are based on Ohio State Plane Coordinate System NAD '83 (2011).

John Hancock & Associates, Inc.


John Hancock, P.S.

Date: 5/14/2019

file: 271919/2719alleylegal50919



APPROVED as per Erie County Requirements
And Sections 4733-37 thru 4733-37-07 of the Ohio
Administrative Code only. No Field Verifications
for Accuracy made.


Erie County Engineer
Date: 05/15/19



COMMUNITY DEVELOPMENT

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5832
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager
From: Debi Eversole, Housing Development Specialist
Date: July 30, 2019
Subject: Commission Agenda Item – Grant Agreement between City of Sandusky and Case Development, LLC

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

Background Information: The Applicant owns the vacant land located at 409 W. Water Street (“the Property”) and plans to ultimately construct a 13-unit housing development in 2-3 phases. The first phase will consist of a 5-unit townhouse building on the eastern portion of the site along W. Water Street. The total construction budget for the first phase, including utility and site work, is just over \$1.5 million dollars. According to the Housing Development and Beautification Guidelines and Application, the Applicant 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 per unit. As such, in this case, the Applicant is eligible for a grant of up to \$37,500.

The above grants are conditioned upon compliance with all Planning and Zoning matters and other applicable codes and regulations of the City, including obtaining permits. The Applicant is still required to meet the requirements for disbursement prior to receiving any award funds.

Budgetary Information: The City will be responsible for providing a total of \$37,500 in grant proceeds from the Community Development Capital Projects Fund on a reimbursable basis in the amount of \$7,500 at a time with the receipt of Certificate of Occupancy for the completion of each of the first 5 units.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into a Grant Agreement with Case Development, 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 Case Development, LLC to move forward with budgetary planning and facilitate construction.

Debi Eversole
Housing Development Specialist

I concur with this recommendation:

Eric L. Wobser
City Manager

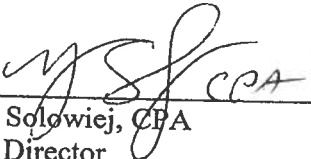
Matthew D. Lasko
Chief Development Officer

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: Case Development - 409 W. Water St

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

7-31-19

Date

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$37,500.00 THROUGH THE HOUSING DEVELOPMENT AND BEAUTIFICATION GRANT PROGRAM TO CASE DEVELOPMENT, LLC, IN RELATION TO THE PROPERTY LOCATED AT 409 W. WATER STREET; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Case Development, LLC, acquired the property located at 409 W. Water Street, formally known as the Keller Building site, from the City in July of 2016 and is planning to construct a 13-unit housing development in 2-3 phases in which the first phase will consist of a 5-unit townhouse building on the eastern portion of the site along W. Water Street; and

WHEREAS, the total construction budget for the first phase, including utility and site work, is over \$1.5 million dollars; 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 Case Development, LLC, in the amount of \$37,500.00, in accordance with the Sandusky City Development Programs, to assist with the construction costs 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 immediately execute the Grant Agreement and allow Case Development, LLC, to move forward with budgetary planning and facilitate construction; 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 Case Development, 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 Case Development, LLC, in an amount **not to exceed** Thirty Seven Thousand Five Hundred and 00/100 Dollars (\$37,500.00) 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 all legal requirements.

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

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

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

Passed: August 12, 2019

GRANT AGREEMENT

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

WITNESSETH:

WHEREAS, the Applicant owns the vacant land located at 409 W. Water Street ("the Property") and plans to ultimately construct a 13-unit housing development in 2-3 phases. The first phase will consist of a 5-unit townhouse building on the eastern portion of the site along W. Water Street, herein after referred to as the "Project"; and

WHEREAS, the total construction budget for the first phase, including utility and site work, is just over \$1.5 million dollars; and

WHEREAS, according to the Housing Development and Beautification Guidelines and Application, the Applicant 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 per unit. As such, in this case, the Applicant is eligible for a grant of up to \$37,500.00; and

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

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

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

Section 1. City Grant.

The City agrees to grant up to \$37,500, payable to the Applicant (the "City Grant") toward the costs of the Project, payable in the amount of \$7,500 at a time upon completion of each of the first 5 units of the Project. The City Grant will be expensed from the Community Development Capital Projects account (#431-4010-53000). Construction must be done in accordance with and to the reasonable satisfaction of the City, which includes, but is not limited to, compliance with all Planning and Zoning matters and other applicable codes and regulations of the City, including obtaining permits. The Applicant is still required to meet the requirements for disbursement prior to receiving any award funds – as outlined on Page 11 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; and

The Applicant 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

Applicant know if it has satisfied the condition 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 on or before August 13, 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 Applicant 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 Applicant 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 Housing Development Specialist
City of Sandusky, Ohio
City Hall
240 Columbus Avenue
Sandusky, OH 44870 |
| (ii) | TO THE APPLICANT: | Case Development, LLC
c/o Michael DeCesare
6606 Father Caruso Drive
Cleveland, Ohio 44102 |

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

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

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

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

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

CASE DEVELOPMENT, LLC
an Ohio Limited Liability Company

By: _____
Michael DeCesare

Title: _____

CITY OF SANDUSKY, OHIO

By: _____
Eric Wobser
City Manager, City of Sandusky, Ohio

The legal form of the within instrument
is hereby approved.

Trevor M. Hayberger
Law Director, City of Sandusky, Ohio
Ohio Supreme Court #0075112



COMMUNITY DEVELOPMENT

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

To: Eric L. Wobser, City Manager
From: John Storey, Economic Development Specialist
Date: July 29, 2019
Subject: Commission Agenda Item – Grant Agreement between City of Sandusky and Erie County Visitors & Convention Bureau

Items for Consideration: Legislation approving a Grant Agreement to be entered into between the City of Sandusky (“the City”) and Erie County Visitors & Convention Bureau, an Ohio corporation not for profit, for the purposes of furthering economic development efforts in the City.

Background Information: Erie County Visitors & Convention Bureau will be tenancing the first and second floor commercial space of the Biemiller Building, which is located at 125 E. Water Street. This commercial space will house the downtown visitors center and main corporate offices for the administrative and management of Erie County Visitors & Convention Bureau.

The Biemiller Building is currently undergoing a complete renovation. It is important to note that the building renovation and this project were delayed for over a year after the July, 2018 storm nearly destroyed it. The owner of the Biemiller Building, Renaissance Too LLC, has painstakingly sought to rebuild and to activate this commercial space in the heart of downtown. Renaissance Too is also concurrently working on a similar mixed-use development within its easterly neighbor, 131 E. Water Street. Upon project completion, both buildings will have commercial and residential units.

This Grant Agreement is in the amount of fourteen thousand dollars (\$14,000.00) with ten thousand dollars allocated from the City’s Small Business Assistance program and four thousand dollars allocated from the City’s Signage and Façade program. The scope of this project includes the following: (i) installation of two interactive informational kiosks; (ii) installation of phone/tablet charging stations for visitors to use; (iii) and design and installation of new signage along the front of the Biemiller Building. Erie County Visitors & Convention Bureau’s total project cost is approximately \$25,000.00.

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 June 30, 2020.

The application and grant amount was approved at the April 10, 2018 Economic Development Incentive Committee meeting, in accordance with the Sandusky City Economic Development Programs. The resulting delay was directly related to the storm that nearly destroyed the Building and arduous rebuild.

Budgetary Information: The City will be responsible for providing a total of \$14,000.00 in grant proceeds from the Economic Development Capital Projects Fund on a reimbursable basis at the completion of the project.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into a Grant Agreement with Erie County Visitors & Convention Bureau. 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 Erie County Visitors & Convention Bureau to move forward with budgetary planning and facilitate rehabilitation.

John Storey
Economic Development Specialist

I concur with this recommendation:

Eric L. Wobser
City Manager

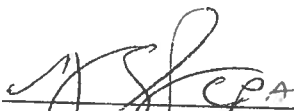
Matthew D. Lasko
Chief Development Officer

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: LESI grant

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

7 3 1 19
Date

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$14,000.00 THROUGH THE SMALL BUSINESS ASSISTANCE AND SIGNAGE & FAÇADE GRANT PROGRAMS TO ERIE COUNTY VISITORS & CONVENTION BUREAU IN RELATION TO THE 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, Erie County Visitors & Convention Bureau will be leasing the first and second floor commercial space of the Biemiller Building, which is located at 125 E. Water Street, for the downtown visitors center and main corporate offices for the administrative and management of Lake Erie Shores and Islands; and

WHEREAS, Erie County Visitors & Convention Bureau plans to install two (2) interactive informational kiosks, install phone/tablet charging stations for visitors to use, and design and install signage along the front of the Biemiller Building at an estimated project cost of \$25,000.00; 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 people of the City; and

WHEREAS, the Economic Development Incentive Committee met on April 10, 2018, and is recommending to approve a grant to Erie County Visitors & Convention Bureau in the amount of \$14,000.00, in accordance with the Sandusky City Economic Development Programs to assist with project costs for the purpose of furthering economic development efforts in the City; and

WHEREAS, the Biemiller Building is currently undergoing a complete renovation and the building renovation and this project were delayed for over a year after a massive storm came close to destroying the building in July, 2018; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the Grant Agreement and allow Erie County Visitors & Convention Bureau 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 Erie County Visitors & Convention Bureau for financial assistance through the Small Business Assistance and Signage & Façade 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 Erie County Visitors & Convention Bureau in an amount **not to exceed** Fourteen Thousand and 00/100 Dollars (\$14,000.00) from the Economic Development Capital Projects Fund of the City of Sandusky pursuant to and in accordance with the terms of the Grant Agreement.

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

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

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

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

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

Passed: August 12, 2019

GRANT AGREEMENT

This Grant Agreement (the "Agreement") is made and entered into as of the ____ day of _____, 2019 between the CITY OF SANDUSKY, OHIO (the "City"), a municipal corporation and political subdivision duly organized and validly existing under the Constitution, its Charter, and the laws of the State of Ohio, and ERIE COUNTY VISITORS & CONVENTION BUREAU, ("the Company"), an Ohio corporation not for profit.

WITNESSETH:

WHEREAS, the Company is a nonprofit whose mission is to grow the region's tourism economy through collaborative promotion that increases visitor spending and makes Lake Erie Shores & Islands the ideal place to play, live and work (the "Business");

WHEREAS, the Company shall be the tenant at the Biemiller Building, which is more specifically located at 125 E. Water Street (the "Property") and will be occupying the first and second floor commercial space in the heart of the City's downtown;

WHEREAS, the Company desires to undertake the following: (i) install signage at the Property, both on the existing indentation of the Water Street entrance, above the second-floor windows, and above the doors of the Shoreline Drive entrance; and (ii) install interactive informational kiosks and phone/tablet charging station for visitors to gather information about the region. All of the aforementioned shall hereinafter be referred to as the "Project"; and

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

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

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

Section 1. City Grant.

The City agrees to grant up to \$14,000.00 to the Company toward the costs of the Project, which shall be allocated as follows: (i) \$10,000.00 through the Small Business Assistance grant program; and (ii) \$4,000.00 through the Signage and Façade grant program, (the "City Grants"), payable upon completion. The City Grants will be expensed from the Economic Development Capital Projects account (#431-4070-53000). This grant amount will not increase if the applicant chooses to make additional improvements not contemplated in the grant application. The City reserves the right to adjust 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 would include, but not limited to, compliance with all Planning and Zoning codes and other applicable codes and regulations of the City of Sandusky, including obtaining permits. The Project must be completed by June 30, 2020. This date may be extended at the discretion of the City Manager. Furthermore, the Company agrees to display a sign for at least one 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 the construction and Project costs. The City shall then promptly review those documents and inspect the site and let the Company know if it has satisfied the condition set forth in this Section and, if not, describe what is found to be deficient.

The City shall pay the City Grant by check in the name of the Company 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 Manager.

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 Economic Development Specialist
John Storey
City of Sandusky, Ohio
City Building
240 Columbus Avenue
Sandusky, OH 44870
- (ii) TO THE COMPANY: ERIE COUNTY VISITORS & CONVENTION BUREAU
c/o: Dawn Weinhardt
216 E. Water Street
Sandusky, Ohio 44870

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.

ERIE COUNTY VISITORS & CONVENTION BUREAU,
an Ohio corporation not for profit

By: _____
TITLE: PRESIDENT

CITY OF SANDUSKY, OHIO

By: _____
City Manager

The legal form of the within instrument
Is hereby approved.

Director of Law
City of Sandusky



COMMUNITY DEVELOPMENT

Matthew D. Lasko
Chief Development Officer
mlasko@ci.sandusky.oh.us

240 Columbus Avenue
Sandusky, Ohio 44870
419-627-5707
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager
From: Matt Lasko, Chief Development Officer
Date: July 31, 2019
Subject: Commission Agenda Item – Blighted Parcel / Spot Slum Designation

Items for Consideration: Resolution authorization the City of Sandusky (the “City”) to designate the property located at 627 Hancock Street, Parcel No. 56-00954.000, as a blighted parcel (spot slum) per Ohio Revised Code, Section 1.08, for the purposes of blight elimination.

Background Information: Buderer Drug Company, Inc. (the “Company”) has Sandusky roots tracing back to 1878. The Company, known most notably for its compounding pharmaceuticals and drug repository, has maintained headquarters at 633 Hancock Street since 1973 after purchasing shares of the now defunct Fisher Drug Company. They also own establishments in Avon and Perrysburg.

The Company has historically also leased space at the property located at 627 Hancock Street for purposes of housing the drug repository program – a second property associated with the former Fisher Drug Company. However, due to the deteriorating conditions of 627 Hancock Street and the need for future expansion into modern space - the Company has long desired to acquire 627 Hancock Street for the purposes of demolition and eventual expansion. In December of 2018, the Company was successful in purchasing 627 Hancock Street.

The Company has spent several months undertaking a \$100,000+ renovation to its existing facility while simultaneously securing asbestos abatement and demolition estimates for the demolition of 627 Hancock Street. Among the sources of financing being considered for the asbestos abatement and demolition is Erie County Revolving Loan/Grant funds. However, for these funds to be eligible for use in the demolition project, given that the location is not located in a designated slum and blight area, it requires a blighted parcel (spot slum) designation per Ohio Revised Code, Section 1.08.

The Chief Building Official for the City completed a thorough inspection of 627 Hancock Street on July 24, 2019 and found the property to be in excess of 80% damaged, decayed and deteriorated – far in excess of the 50% requirement for the City to typically order a structure demolished. All elements of the building were inspected and documented including foundations, exterior walls, mechanical systems, interior finishes and exterior amenities. Based on this, it is requested that the property located at 627 Hancock Street be designated as a blighted parcel (spot slum) per Ohio Revised Code, Section 1.08.

Budgetary Information: There is no budgetary impact with this legislation.

Action Requested: It is requested that the proper resolution be prepared authorizing the City to designate the property located at 627 Hancock Street as a blighted parcel (spot slum) per Ohio Revised Code, Section 1.08 for the purposes of blight elimination. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to expedite passage to ensure the swift demolition of this blighted property for the health and wellness of the residents of the City of Sandusky.

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko, MUPDD, MSSA
Chief Development Officer

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

1.08 Blighted area defined - excluded considerations.

As used in the Revised Code:

(A) "Blighted area" and "slum" mean an area in which at least seventy per cent of the parcels are blighted parcels and those blighted parcels substantially impair or arrest the sound growth of the state or a political subdivision of the state, retard the provision of housing accommodations, constitute an economic or social liability, or are a menace to the public health, safety, morals, or welfare in their present condition and use.

(B) "Blighted parcel" means either of the following:

(1) A parcel that has one or more of the following conditions:

(a) A structure that is dilapidated, unsanitary, unsafe, or vermin infested and that because of its condition has been designated by an agency that is responsible for the enforcement of housing, building, or fire codes as unfit for human habitation or use;

(b) The property poses a direct threat to public health or safety in its present condition by reason of environmentally hazardous conditions, solid waste pollution, or contamination;

(c) Tax or special assessment delinquencies exceeding the fair value of the land that remain unpaid thirty-five days after notice to pay has been mailed.

(2) A parcel that has two or more of the following conditions that, collectively considered, adversely affect surrounding or community property values or entail land use relationships that cannot reasonably be corrected through existing zoning codes or other land use regulations:

(a) Dilapidation and deterioration;

(b) Age and obsolescence;

(c) Inadequate provision for ventilation, light, air, sanitation, or open spaces;

(d) Unsafe and unsanitary conditions;

(e) Hazards that endanger lives or properties by fire or other causes;

(f) Noncompliance with building, housing, or other codes;

(g) Nonworking or disconnected utilities;

(h) Is vacant or contains an abandoned structure;

(i) Excessive dwelling unit density;

(j) Is located in an area of defective or inadequate street layout;

(k) Overcrowding of buildings on the land;

(l) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(m) Vermin infestation;

(n) Extensive damage or destruction caused by a major disaster when the damage has not been remediated within a reasonable time;

(o) Identified hazards to health and safety that are conducive to ill health, transmission of disease, juvenile delinquency, or crime;

(p) Ownership or multiple ownership of a single parcel when the owner, or a majority of the owners of a parcel in the case of multiple ownership, cannot be located.

(C) When determining whether a property is a blighted parcel or whether an area is a blighted area or slum for the purposes of this section, no person shall consider whether there is a comparatively better use for any premises, property, structure, area, or portion of an area, or whether the property could generate more tax revenues if put to another use.

(D)

(1) Notwithstanding any other provision of this section, absent any environmental or public health hazard that cannot be corrected under its current use or ownership, a property is not a blighted parcel because of any condition listed in division (B) of this section if the condition is consistent with conditions that are normally incident to generally accepted agricultural practices and the land is used for agricultural purposes as defined in section [303.01](#) or [519.01](#) of the Revised Code, or the county auditor of the county in which the land is located has determined under section [5713.31](#) of the Revised Code that the land is "land devoted exclusively to agricultural use" as defined in section [5713.30](#) of the Revised Code.

(2) A property that under division (D)(1) of this section is not a blighted parcel shall not be included in a blighted area or slum.

Effective Date: 2007 SB7 10-10-2007 .

ORDINANCE NO. _____

AN ORDINANCE DESIGNATING PARCEL NO. 56-00954.000, LOCATED AT 627 HANCOCK STREET, AS A “BLIGHTED PARCEL” (“SPOT SLUM”) AS DEFINED IN OHIO REVISED CODE SECTION 1.08 FOR THE PURPOSES OF BLIGHT ELIMINATION; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Buderer Drug Company, Inc., has roots in Sandusky tracing back to 1878, and is known most notably for its compounding pharmaceuticals and drug repository, and has maintained headquarters at 633 Hancock Street since 1973 after purchasing shares of the now defunct Fisher Drug Company; and

WHEREAS, Buderer Drug Company, Inc., has historically also leased space at the property located at 627 Hancock Street for purposes of housing the drug repository program, a second property associated with the former Fisher Drug Company, however, due to the deteriorating conditions of 627 Hancock Street and the need for future expansion into modern space, Buderer Drug Company, Inc., has long desired to acquire 627 Hancock Street for the purposes of demolition and eventual expansion and in December of 2018, successfully purchased the property; and

WHEREAS, Buderer Drug Company, Inc., has spent several months undertaking a \$100,000+ renovation to its existing facility while simultaneously securing asbestos abatement and demolition estimates for the demolition of 627 Hancock Street and the lowest and best bid for asbestos abatement and demolition services is \$212,000.00; and

WHEREAS, it is being requested in companion legislation to approve a Grant Agreement with Buderer Drug Company, Inc. in the amount of \$150,000.00 to assist in the cost for asbestos abatement and demolition of the property located at 627 Hancock Street; and

WHEREAS, another source of financing being considered is Erie County Revolving Loan Grant funds, however, the property is not located in a designated slum and blight area so in order for the funds to be eligible for use for the demolition project, it is required to be designated a “blighted parcel” (“spot slum”) as defined in Ohio Revised Code Section 1.08; and

WHEREAS, the Chief Building Official completed an inspection of 627 Hancock Street on July 24, 2019, and found the property to be in excess of 80% damaged, decayed and deteriorated, far in excess of the 50% requirement for the City to order a structure demolished, and based upon the findings documented in the inspection reported, it is requested that the property located at 627 Hancock Street to be designated a “blighted parcel” (“spot slum”) as defined in Ohio Revised Code Section 1.08; and

WHEREAS, the property located at 627 Hancock Street is found to be a “blighted parcel” (“spot slum”) pursuant to Ohio Revised Code Sections 1.08(B)(1) & (B)(2); 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 ensure the swift demolition of this blighted property for the health and wellness of the citizens of the City of Sandusky; and

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

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

Section 1. This City Commission hereby declares Parcel No. 56-00954.000, located at 627 Hancock Street, further described in Exhibit "A", a copy of which is attached to this Ordinance, as a "blighted parcel" ("spot slum") as defined in the Ohio Revised Code §1.08 for the purposes of blight elimination as documented in the Chief Building Official's Inspection Report dated July 24, 2019, a copy of which is marked Exhibit "B" and is attached to this Ordinance and is specifically incorporated as if fully rewritten herein.

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

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

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance 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: August 12, 2019

Exhibit 'A'

Real property in the City of Sandusky, County of Erie, State of Ohio, and is described as follows:

And being Lot Number 40 on Hancock Street and a part of Lot Number 42 on Hancock Street in the First Ward of said City, Erie County, Ohio and more fully described as follows:

Beginning at a magnetic nail set at the Southeasterly corner of Lot Number 38 Hancock Street;

1. Thence South $89^{\circ} 56' 10''$ West, along the Southerly line of Lot Number 38 Hancock Street, a distance of 200.10 feet to an existing fence post found at the Northeasterly corner of a parcel now or formerly owned by Erie Residential Living as per deed recorded in Volume 463, Page 398, Erie County Deed Records;
2. Thence South $00^{\circ} 00' 00''$ East, along the Easterly line of said Erie Residential Living parcel, a distance of 66.26 feet to a railroad spike found at the Southerly corner of said Erie Residential Living parcel, the same being the Northwesternly corner of Lot Number 42 Hancock Street;
3. Thence North $89^{\circ} 56' 10''$ East, along the Northerly line of Lot Number 42 Hancock Street, a distance of 66.72 feet to a magnetic nail set;
4. Thence South $00^{\circ} 00' 00''$ East, a distance of 20.00 feet to a magnetic nail set at a Northwesternly corner of a parcel now or formerly owned by James and Joyce Buderer as per deed recorded in Recorder's File No. 9919099, Erie County Records;
5. Thence North $63^{\circ} 16' 50''$ East, along the Northwesternly line of said Buderer parcel, a distance of 22.29 feet to a drill hole put in concrete at the Northwesternly corner of said Buderer parcel;
6. Thence North $89^{\circ} 56' 10''$ East, along a Northerly line of said Buderer parcel, a distance of 64.73 feet to the corner of an existing building;
7. Thence South $00^{\circ} 00' 00''$ East, along an Easterly line of an existing building, a distance of 11.30 feet to a corner of the existing building;
8. Thence North $89^{\circ} 56' 10''$ East, along a Northerly line of the existing building a distance of 48.74 feet to a cross cut in concrete in the Easterly line of Lot Number 42 Hancock Street;
9. Thence North $00^{\circ} 00' 00''$ West, along the Easterly line of Lot Number 42 and 40 Hancock Street, a distance of 87.56 feet to the place of beginning, containing .3499 acres, more or less.

W. H. H.
A meridian was assumed for the purpose of indicating angles only.



COMMUNITY DEVELOPMENT

Building Division

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5940
www.ci.sandusky.oh.us

07/24/2019

INSPECTION REPORT – DANGEROUS OR UNFIT STRUCTURES

Owner Information:

633 Hancock Street LLC.
633 Hancock Street
Sandusky, OH 44870

Property Information:

627 Hancock Street
Sandusky, OH 44870
Parcel #: 56-00954.000

Based on an exterior and interior inspection I performed on Wednesday, July 24, 2019, I have determined that the structure located at 627 Hancock Street is at least 80% damaged, decayed and deteriorated from its original construction because:

1. This structure is not safe, sanitary and free from danger or hazard to the life, safety, health or welfare of persons occupying or frequenting it, or from danger of settlement, movement, disintegration, or collapse, whether such danger arises from the method or materials of its construction or from equipment installed therein, for the purpose of lighting, heating, the transmission or utilization of electric current, or from its location or otherwise.
2. The structure is not occupied and appears to have been neglected for several years.
3. Most of the building elements which are defined as the "physical parts of the buildings construction, which include individual materials, assemblies of materials, equipment, or assemblies of materials and equipment" for this document. Including but not limited to: foundation, exterior walls, weather-resistant exterior wall envelope, interior walls, stairs, roofing, electrical systems, plumbing systems, heating and cooling systems, ventilation systems, windows and doors are beyond their useful life and or in non-working order.
4. Roofs are not watertight, several areas are leaking, and light is visible through the roof assembly in multiple locations throughout the structure, rainwater soaked components will decay at an accelerated rate further damaging the structural elements.; mold most likely exists throughout due to roof leaks, presenting unsanitary and inadequate facilities to protect the health, safety and general welfare of human beings who may live there or frequenting it.

5. The interior of the unit is dilapidated with finishes missing, plumbing and mechanical units damaged, perhaps beyond repair, floors, walls and ceiling neglected.
6. The structure is not secured with broken and open windows in numerous locations making it accessible to animals and vermin which effects health, safety and general welfare of human beings who may live in close proximity.

Estimated Percentage of Structure Deterioration				
PHASE	DESCRIPTION	NAHB % of Cost	% of Phase Deteriorated	% of Buildings Deterioration
Foundation	Excavation, Foundation, Concrete, Retaining walls, Backfill and Other associated costs.	14%	45%	6.30%
Exterior Structure	Building Structure/Frame and All Exterior Windows, Doors, Roofing, Siding, Gutters and Downspouts.	35%	85%	29.75%
Mechanical Systems	Plumbing, HVAC, Electrical, Lighting and Fixtures	20%	95%	19.00%
Interior Finishes	All Interior: Insulation, Drywall, Painting, Trims, Doors, Staircases, Cabinetry, Floorcoverings, Fireplaces, Appliances and Hardware.	28%	95%	26.60%
Exterior Amenities	Landscaping, Patios, Decks, Porches and Driveways	3%	65%	1.95%
Total Percentage of Structures Deterioration:				83.60%

NAHB percentage of construction cost obtained from "NAHB Cost of Constructing a Home" November 2, 2015 By Heather Taylor. Some costs have been combined, moved or redistributed to reflect a more accurate comparison between New and Old Housing Stock.

Chief Building Official:


 Scott T. Thom

07/24/2019
 Date



COMMUNITY DEVELOPMENT

Matthew D. Lasko
Chief Development Officer
mlasko@ci.sandusky.oh.us

240 Columbus Avenue
Sandusky, Ohio 44870
419-627-5707
www.ci.sandusky.oh.us

To: Eric L. Wobser, City Manager
From: Matt Lasko, Chief Development Officer
Date: July 31, 2019
Subject: Commission Agenda Item – Grant Agreement

Items for Consideration: Resolution authorizing the City of Sandusky (the “City”) to enter into a Grant Agreement (the “Agreement”) with Buderer Drug Company, Inc. (the “Company”) for the purposes of blight elimination.

Background Information: The Company has Sandusky roots tracing back to 1878. The Company, known most notably for its compounding pharmaceuticals and drug repository, has maintained headquarters at 633 Hancock Street since 1973 after purchasing shares of the now defunct Fisher Drug Company. They also own establishments in Avon and Perrysburg.

The Company has historically also leased space at the property located at 627 Hancock Street for purposes of housing the drug repository program – a second property associated with the former Fisher Drug Company. However, due to the deteriorating conditions of 627 Hancock Street and the need for future expansion into modern space - the Company has long desired to acquire 627 Hancock Street for the purposes of demolition and eventual expansion. In December of 2018, the Company was successful in purchasing 627 Hancock Street.

The Company has spent several months undertaking a \$100,000+ renovation to its existing facility while simultaneously securing asbestos abatement and demolition estimates for the demolition of 627 Hancock Street. The lowest and best bid for asbestos abatement and demolition services is \$212,000. The City desires to aid in the costs of the asbestos abatement and demolition – and eventual construction on the site for the Company’s planned expansion in the future. Had the Company not purchased the property at 627 Hancock Street, the City would have intended to move forward with demolition and absorb the entirety of the costs – without the ability to leverage other funding streams. The Chief Building Official for the City completed a thorough inspection of 627 Hancock Street on July 24, 2019 and found the property to be in excess of 80% damaged, decayed and deteriorated – far in excess of the 50% requirement for the City to typically order a structure demolished. All elements of the building were inspected and documented including foundations, exterior walls, mechanical systems, interior finishes and exterior amenities.

As such, staff is recommending the approval of a \$150,000 grant to aid in the cost of the asbestos abatement and demolition – and eventual construction of an enlarged facility on the site. The grant will be provided on a reimbursable basis.

Budgetary Information: The City will be responsible for contributing \$150,000 towards the cost of the asbestos abatement and demolition. The funds are to be expensed from the EMS Fund on a reimbursable basis at the completion of the project.

Action Requested: It is requested that the proper resolution be prepared authorizing the City to enter in a grant agreement with Buderer Drug Company, Inc. for the purposes of blight elimination. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to expedite passage to ensure the swift demolition of this blighted property for the health and wellness of the residents of the City of Sandusky.

I concur with this recommendation:

Eric L. Wobser
City Manager

Matthew D. Lasko, MUPDD, MSSA
Chief Development Officer

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$150,000.00 TO BUDERER DRUG COMPANY, INC., IN RELATION TO THE PROPERTY LOCATED AT 627 HANCOCK STREET; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Buderer Drug Company, Inc., has roots in Sandusky tracing back to 1878, and is known most notably for its compounding pharmaceuticals and drug repository, and has maintained headquarters at 633 Hancock Street since 1973 after purchasing shares of the now defunct Fisher Drug Company; and

WHEREAS, Buderer Drug Company, Inc., has historically also leased space at the property located at 627 Hancock Street for purposes of housing the drug repository program, a second property associated with the former Fisher Drug Company, however, due to the deteriorating conditions of 627 Hancock Street and the need for future expansion into modern space, Buderer Drug Company, Inc., has long desired to acquire 627 Hancock Street for the purposes of demolition and eventual expansion and in December of 2018, successfully purchased the property; and

WHEREAS, Buderer Drug Company, Inc., has spent several months undertaking a \$100,000+ renovation to its existing facility while simultaneously securing asbestos abatement and demolition estimates for the demolition of 627 Hancock Street and the lowest and best bid for asbestos abatement and demolition services is \$212,000.00; and

WHEREAS, it has been determined that this project and the demolition of the property 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 primarily by eliminating existing blight and providing for future economic development opportunities at the property site; and

WHEREAS, it is recommended to approve a grant to Buderer Drug Company, Inc., in the amount of \$150,000.00 to assist with the cost of the asbestos abatement and demolition; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the Grant Agreement and ensure the swift demolition of this blighted property for the health and wellness of the citizens of the City of Sandusky; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of 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 Buderer Drug Company, Inc., in relation to the property located at 627 Hancock Street for the purposes of blight elimination 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 Buderer Drug Company, Inc., in an amount **not to exceed** One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) from the EMS 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: August 12, 2019

GRANT AGREEMENT

This Grant Agreement (the "Agreement") is made and entered into as of the ____ day of _____, 2019 between the CITY OF SANDUSKY, OHIO (the "City"), a municipal corporation and political subdivision duly organized and validly existing under the Constitution, its Charter, and the laws of the State of Ohio, and BUDERER DRUG COMPANY, INC., ("the Company"), an Ohio limited liability company.

WITNESSETH:

WHEREAS, the Company and the City are entering into this Agreement whereby the City will grant one hundred fifty thousand dollars (\$150,000.00) to the Company to facilitate asbestos abatement and demolition of the Company's property (the "Project"), more specifically located at 627 Hancock Street (the "Property"); and

WHEREAS, the City has determined that this Project and the demolition of the Property 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 primarily by eliminating existing blight and providing for future economic development opportunities at the Property site.

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 One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) to the Company toward the costs of the Project through the Emergency Medical Services Fund, (the "City Grant"), which shall be payable only after an inspection and full approval by the City that the Project has been satisfactorily completed. The City Grants will be expensed from the Emergency Medical Services Fund (#431-1330-53000). 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 adjust the awarded grant amount, for substantive changes to the Project scope only. Construction must be done in accordance with and to the reasonable satisfaction of the City, which would include, but not limited to, compliance with all Planning and Zoning codes and other applicable codes and regulations of the City of Sandusky, including obtaining permits and licenses. The Project must be completed by December 31, 2019. This date may be extended at the discretion of the City Manager.

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 Manager.

Section 4. Choice of Law.

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

Section 5. Binding Agreement.

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

Section 6. Miscellaneous.

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

- (i) **TO THE CITY:** City Manager
c/o Chief Development Officer
Matthew Lasko
City of Sandusky, Ohio
City Hall
240 Columbus Avenue
Sandusky, OH 44870
- (ii) **TO THE COMPANY:** BUDERER DRUG COMPANY, INC.
c/o: Mr. Matthew Buderer
633 Hancock Street
Sandusky, Ohio 44870

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

DRAFT

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.

BUDERER DRUG COMPANY, INC.,
an Ohio corporation

By: _____
TITLE: _____

CITY OF SANDUSKY, OHIO

By: _____
City Manager

The legal form of the within instrument
Is hereby approved.

Director of Law
City of Sandusky



ADMINISTRATIVE SERVICES

222 Meigs Street
Sandusky, Ohio 44870
Phone: 419-627-5969
shamilton@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Stuart Hamilton

Date: July 22nd, 2019

Subject: **Commission Agenda Item – Dell Consolidated Purchase**

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City of Sandusky to expend funds for the purchase of 36 new workstations with peripherals, one laptop and a Projector from Dell Computer Inc. of Round Rock, TX, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program (Contract #534109)

BACKGROUND INFORMATION:

We currently budget to replace each workstation/laptop every four years. The hardware covered in this communication are the pieces that are scheduled to be replaced this year.

Proposed Solution:

With the help of our departments, we have pooled our buying power and saved close to \$4,000 on this order. This allows us to make the most of our savings with Dell, and by standardizing our hardware it is enabling smoother support and higher productivity by increased uptime. This order will replace old hardware and remove a lot of Windows 7 computers that will be end of life come January 2020.

BUDGETARY INFORMATION: The cost of the project is \$26,451.69 and will be expensed from the Water Fund in the amount of \$1,298.04, from the Oakland Cemetery operating budget in the amount of \$649.02, from the Court Computerization Fund in the amount of \$10,384.32, from the Fire Department operating budget in the amount of \$5,599.05, from the Police Department operating budget in the amount of \$649.02, from the Sewer operating budget in the amount of \$2596.08, from the Water Distribution operating budget in the amount of \$2,296.78, from the Law Department operating budget in the amount of \$324.51, the IT Department operating budget in the amount of \$840.67, the Mills Creek Golf Course operating budget in the amount of \$649.02, the Sewer Fund Administrative support account in the amount of \$582.59, and \$582.59 from the Water Fund Administrative support account.

ACTION REQUESTED: Requesting legislation authorizing the City of Sandusky to expend funds for the consolidated purchase of computer equipment from Dell Computer Inc. of Round Rock, TX. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to expedite the order, so the City can begin using these devices at the earliest opportunity and ensure the we receive the time sensitive savings offered.

Stuart Hamilton
I.T Manager

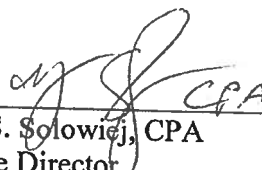
Eric Wobser
City Manager

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: Dell computers

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

7-31-19
Date



A quote for your consideration!

Based on your business needs, we put the following quote together to help with your purchase decision. Below is a detailed summary of the quote we've created to help you with your purchase decision.

To proceed with this quote, you may respond to this email, order online through your [Premier page](#), or, if you do not have Premier, use this [Quote to Order](#).

Quote No.	3000042529143.1
Total	\$26,451.69
Customer #	8434015
PO Number	02019001243
Quoted On	Jul. 17, 2019
Expires by	Aug. 16, 2019
Deal ID	16356782

Sales Rep	Caleb Tindall
Phone	(800) 456-3355, 7250415
Email	Caleb_Tindall@Dell.com
Billing To	PAYABLE ACCOUNTS CITY OF SANDUSKY CITY OF SANDUSKY 222 MEIGS ST SANDUSKY, OH 44870-2835

Message from your Sales Rep

Please contact your Dell sales representative if you have any questions or when you're ready to place an order. Thank you for shopping with Dell!

Regards,
Caleb Tindall

Additional Comments

State of Ohio Department of Administrative Services Cooperative Purchasing Program (contract #534109)

Shipping Group 1 of 2

Shipping To	Shipping Method
DON RUMBUTIS CITY OF SANDUSKY IT DEPT 222 MEIGS ST SANDUSKY, OH 44870-2835 (419) 627-5868	Standard Delivery

Product	Unit Price	Qty	Subtotal
OptiPlex 3060 MFF	\$529.76	36	\$19,071.36
Dell Memory Upgrade - 8GB - 1Rx8 DDR4 UDIMM 2666MHz	\$112.79	36	\$4,060.44

Optional DisplayPort for Micro	\$6.47	36	\$232.92
APC Back-UPS 650VA UPS Battery Backup & Surge Protector (BE650G1)	\$74.32	2	\$148.64
Epson Home Cinema 3100 HD Home Theater Projector	\$1,055.91	1	\$1,055.91
Dell 24 Monitor - E2417H	\$91.80	3	\$275.40

Shipping Group 2 of 2

Shipping To Shipping Method

DON RUMBUTIS
CITY OF SANDUSKY
IT DEPT
222 MEIGS ST
SANDUSKY, OH 44870-2835
(419) 627-5868

Standard Delivery

Dell Latitude 7390 2-in-1	\$1,440.43	1	\$1,440.43
Dell Dock- WD19 130w Power Delivery - 180w AC	\$166.59	1	\$166.59

Subtotal:	\$26,451.69
Shipping:	\$0.00
Non-Taxable Amount:	\$26,451.69
Taxable Amount:	\$0.00
Estimated Tax:	\$0.00
Total:	\$26,451.69

Special lease pricing may be available for qualified customers and offers. Please contact your DFS Sales Representative for details.

Shipping Group 1 of 2, Details

Shipping To

DON RUMBUTIS
CITY OF SANDUSKY
IT DEPT
222 MEIGS ST
SANDUSKY, OH 44870-2835
(419) 627-5868

Shipping Method

Standard Delivery

		\$529.76	Qty 36	Subtotal \$19,071.36
OptiPlex 3060 MFF Estimated delivery if purchased today: Jul. 30, 2019 Contract # 22aal Customer Agreement # STS033-534109				
Description	SKU	Unit Price	Qty	Subtotal
OptiPlex 3060 Micro Form Factor BTX	210-AOIK	-	36	-
Intel Core i5-8500T (6 Cores/9MB/6T/up to 3.5GHz/35W); supports Windows 10/Linux	338-BNZV	-	36	-
Win 10 Pro 64 English, French, Spanish	619-AHKN	-	36	-
No AutoPilot	340-CKSZ	-	36	-
No Productivity Software	630-AAPK	-	36	-
8GB 1X8GB DDR4 2666MHz Non-ECC	370-ADZL	-	36	-
No Additional Hard Drive	401-AANH	-	36	-
SSD as first boot drive	340-ABIG	-	36	-
M.2 256GB SATA Class 20 Solid State Drive	400-AWFS	-	36	-
M2X3.5 Screw for SSD/DDPE	773-BBBC	-	36	-
Qualcomm QCA9377 Dual-band 1x1 802.11ac Wireless with MU-MIMO + Bluetooth 4.1	555-BDZT	-	36	-
Internal Wireless Antennas	555-BDZX	-	36	-
Qualcomm Wireless QCA9377 1x1 driver	555-BECR	-	36	-
No PCIe add-in card	492-BBFF	-	36	-
OptiPlex 3060 Micro with 65W up to 87% efficient adapter	329-BDQY	-	36	-
Black Dell KB216 Wired Multi-Media Keyboard English	580-ADJC	-	36	-
Black Dell MS116 Wired Mouse	275-BBBW	-	36	-
No Cable Cover	325-BCZQ	-	36	-
No Additional Cable Requested	379-BBCY	-	36	-
Not selected in this configuration	817-BBBC	-	36	-
No Integrated Stand option	575-BBBI	-	36	-
SupportAssist	525-BBCL	-	36	-
Dell(TM) Digital Delivery Cirrus Client	640-BBLW	-	36	-
Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	658-BBMR	-	36	-
Waves Maxx Audio	658-BBRB	-	36	-

Dell Developed Recovery Environment	658-BCUV	-	36	-
Software for OptiPlex Systems	658-BDVY	-	36	-
No Anti-Virus Software	650-AAAM	-	36	-
OS-Windows Media Not Included	620-AALW	-	36	-
Energy Star	387-BBLW	-	36	-
Fixed Hardware Configuration	998-CYYF	-	36	-
CMS Software not included	632-BBBJ	-	36	-
TPM Enabled	329-BBJL	-	36	-
US Power Cord	450-AAZN	-	36	-
Intel(R) Core(TM) i5 Processor Label	389-CGBB	-	36	-
Retail POD	389-BDQH	-	36	-
Safety/Environment and Regulatory Guide (English/French Multi-language)	340-AGIK	-	36	-
No Intel Responsive	551-BBBJ	-	36	-
No Out-of-Band Systems Management	631-ABSG	-	36	-
No CompuTrace	461-AABF	-	36	-
US Order	332-1286	-	36	-
Regulatory,Label,Opti 3060 MFF,65W	389-CMVJ	-	36	-
Ship Material for OptiPlex Micro Form Factor	340-CDWS	-	36	-
Shipping Label for DAO	389-BBUU	-	36	-
Documentation,English,French,Dell OptiPlex 3060	340-CDWM	-	36	-
65 Watt AC Adapter	450-ADTR	-	36	-
Desktop BTS/BTP Shipment	800-BBIP	-	36	-
No External ODD	429-ABGY	-	36	-
No Option Included	340-ACQQ	-	36	-
Dell Limited Hardware Warranty Plus Service	803-8583	-	36	-
ProSupport: Next Business Day Onsite, 3 Years	803-8646	-	36	-
ProSupport: 7x24 Technical Support, 3 Years	803-8702	-	36	-
Thank you choosing Dell ProSupport. For tech support, visit //support.dell.com/ProSupport or call 1-866-516-3115	989-3449	-	36	-
			Qty	Subtotal
Dell Memory Upgrade - 8GB - 1Rx8 DDR4 UDIMM 2666MHz		\$112.79	36	\$4,060.44

Estimated delivery if purchased today:
Jul. 25, 2019
Contract # 22aal
Customer Agreement # STS033-534109

Description	SKU	Unit Price	Qty	Subtotal
Dell Memory Upgrade - 8GB - 1Rx8 DDR4 UDIMM 2666MHz	AA101752	-	36	-

Optional DisplayPort for Micro
Estimated delivery if purchased today:
Jul. 24, 2019
Contract # 22aal
Customer Agreement # STS033-534109

Description	SKU	Unit Price	Qty	Subtotal
Optional DisplayPort for Micro	382-BBFP	-	36	-

APC Back-UPS 650VA UPS Battery Backup & Surge Protector (BE650G1)
Estimated delivery if purchased today:

Description	SKU	Unit Price	Qty	Subtotal
Optional DisplayPort for Micro	382-BBFP	-	36	-

APC Back-UPS 650VA UPS Battery Backup & Surge Protector (BE650G1)
Estimated delivery if purchased today:

Description	SKU	Unit Price	Qty	Subtotal
Optional DisplayPort for Micro	382-BBFP	-	36	-

APC Back-UPS 650VA UPS Battery Backup & Surge Protector (BE650G1)
Estimated delivery if purchased today:

Description	SKU	Unit Price	Qty	Subtotal
Optional DisplayPort for Micro	382-BBFP	-	36	-

APC Back-UPS 650VA UPS Battery Backup & Surge Protector (BE650G1)
Estimated delivery if purchased today:

Jul. 25, 2019
Contract # 22aal
Customer Agreement # STS033-534109

Description	SKU	Unit Price	Qty	Subtotal
APC Back-UPS 650VA UPS Battery Backup & Surge Protector (BE650G1)	A5547002	-	2	-
Epson Home Cinema 3100 HD Home Theater Projector		\$1,055.91	Qty 1	Subtotal \$1,055.91

Estimated delivery if purchased today:

Jul. 26, 2019
Contract # 22aal
Customer Agreement # STS033-534109

Description	SKU	Unit Price	Qty	Subtotal
Epson Home Cinema 3100 HD Home Theater Projector	A9434907	-	1	-
Dell 24 Monitor - E2417H		\$91.80	Qty 3	Subtotal \$275.40

Estimated delivery if purchased today:

Jul. 23, 2019
Contract # 22aal
Customer Agreement # STS033-534109

Description	SKU	Unit Price	Qty	Subtotal
Dell 24 Monitor - E2417H	210-AIWG	-	3	-
Dell Limited Hardware Warranty	814-9340	-	3	-
Advanced Exchange Service, 3 Years	814-9341	-	3	-

Subtotal:	\$24,844.67
Shipping:	\$0.00
Estimated Tax:	\$0.00
Total:	\$24,844.67

Shipping Group 2 of 2, Details

Shipping To

DON RUMBUTIS
CITY OF SANDUSKY
IT DEPT
222 MEIGS ST
SANDUSKY, OH 44870-2835
(419) 627-5868

Shipping Method

Standard Delivery

Dell Latitude 7390 2-in-1	\$1,440.43	Qty 1	Subtotal \$1,440.43
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Estimated delivery if purchased today:

Aug. 02, 2019
Contract # 22aal
Customer Agreement # STS033-534109

Description	SKU	Unit Price	Qty	Subtotal
Dell Latitude 7390 2-in-1 XCTO Base	210-ANRD	-	1	-
8th Gen Intel Core i7-8650U Processor (Quad Core, 8MB Cache, 1.9GHz,15W)	379-BCXG	-	1	-
Win 10 Pro 64 English, French, Spanish	619-AHKN	-	1	-
No Productivity Software	630-AAPK	-	1	-

Intel Core i7-8650U(up to 4.2GHz,vPro Capable),16G 2133MHz Memory,Intel UHD Graphics 620,Thunderbolt	338-BNJI	-	1	-
ODM Assembly Base	338-BNJJ	-	1	-
Intel vPro Technology Advanced Management Features	631-ABNO	-	1	-
Intel Sensor Solution	631-ABNP	-	1	-
16GB LPDDR3 2133MHz	370-AEHM	-	1	-
M.2 256GB SATA Class 20 Solid State Drive	400-AOTF	-	1	-
No AutoPilot	340-CKSZ	-	1	-
No Additional Hard Drive	401-AAGM	-	1	-
13.3" FHD (1920 X 1080) Touch LCD with Mic/Camera, WLAN Capable	391-BDKN	-	1	-
Internal US English Qwerty Backlit Keyboard	583-BDYM	-	1	-
No Mouse	570-AADK	-	1	-
Intel(R) Dual-Band Wireless-AC 8265 Wi-Fi + BT 4.2 Wireless Card (2x2) driver	555-BDUO	-	1	-
Intel Dual-Band Wireless-AC 8265 Wireless Card (2x2), SAR	555-BDIB	-	1	-
No Mobile Broadband Card	362-BBBB	-	1	-
Primary 4-cell 60W/HR Battery	451-BBZC	-	1	-
65W E5 Type-C Power Adapter	492-BBXR	-	1	-
Palmrest with No Security, w/Thunderbolt, tie with 82key keyboard	346-BCNK	-	1	-
No FGA	817-BBBB	-	1	-
US Power Cord	450-AAEJ	-	1	-
Safety/Environment and Regulatory Guide (English/French Multi-language)	340-AGIK	-	1	-
No Resource DVD / USB	430-XXYG	-	1	-
QSG placemat for Win10 DAO	340-BWHQ	-	1	-
No Option Included	340-ACQQ	-	1	-
US Order	332-1286	-	1	-
Energy Star Certified	387-BBMW	-	1	-
No Docking Station	452-BBSE	-	1	-
No UPC Label	389-BCGW	-	1	-
Direct ship Info Mod	340-AAPP	-	1	-
Min Config Package for ODM L10	340-BSMQ	-	1	-
Shuttle Box Package for ODM L10	340-BSMT	-	1	-
SHIP,NBK,DAO,TPM,SHTLE,7390V	340-BWHK	-	1	-
SHIP,NBK,WW,TPM,MIN,7390V	340-BWHS	-	1	-
Regulatory Label included	389-BEYY	-	1	-
8th Gen Intel Core i7 vPro processor label	389-CGJM	-	1	-
Dell Command Power Manager (DCPM)	525-0131	-	1	-
SupportAssist	525-BBCL	-	1	-
Latitude 7390 2-in-1 Software Driver	631-ABNK	-	1	-
Dell(TM) Digital Delivery Cirrus Client	640-BBLW	-	1	-
Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps)	658-BBMR	-	1	-

Waves Maxx Audio	658-BBRB	-	1	-
Dell Developed Recovery Environment	658-BCUV	-	1	-
No Media	620-AAOH	-	1	-
BTO Standard Shipment (VS)	800-BBGU	-	1	-
No Anti-Virus Software	650-AAAM	-	1	-
Dell Limited Hardware Warranty Plus Service	807-7362	-	1	-
Onsite/In-Home Service After Remote Diagnosis 3 Years	807-7366	-	1	-

			Qty	Subtotal
Dell Dock- WD19 130w Power Delivery - 180w AC		\$166.59	1	\$166.59

Estimated delivery if purchased today:

Jul. 23, 2019

Contract # 22aal

Customer Agreement # STS033-534109

Description	SKU	Unit Price	Qty	Subtotal
Dell Dock- WD19 130 PD	210-ARIQ	-	1	-
Advanced Exchange Service, 3 Years	824-3984	-	1	-
Dell Limited Hardware Warranty	824-3993	-	1	-

Subtotal:	\$1,607.02
Shipping:	\$0.00
Estimated Tax:	\$0.00
Total:	\$1,607.02

Important Notes

Terms of Sale

Unless you have a separate written agreement that specifically applies to this order, your order will be subject to and governed by the following agreements, each of which are incorporated herein by reference and available in hardcopy from Dell at your request: [Dell's Terms of Sale](#), which include a binding consumer arbitration provision and incorporate Dell's U.S. [Return Policy](#) and Warranty (for [Consumer warranties](#); for [Commercial warranties](#)).

If this purchase includes software: in addition to the foregoing applicable terms, your use of the software is subject to the license terms accompanying the software, and in the absence of such terms, then use of the Dell-branded application software is subject to the Dell End User License Agreement - [Type A](#) and use of the Dell-branded system software is subject to the Dell End User License Agreement - [Type S](#).

If your purchase is for Mozy, in addition to the foregoing applicable terms, your use of the Mozy service is subject to the terms and conditions located at <https://mozy.com/about/legal/terms>.

If your purchase is for Boomi services or support, your use of the Boomi Services (and related professional service) is subject to the terms and conditions located at <https://boomi.com/msa>.

If your purchase is for Secureworks services or support, your use of the Secureworks services (and related professional service) is subject to the terms and conditions located at <https://www.secureworks.com/eula/eula-us>.

If this purchase is for (a) a storage product identified in the DELL EMC Satisfaction Guarantee Terms and Conditions located at [\("Satisfaction Guarantee"\)](#) and (ii) three (3) years of a ProSupport Service for such storage product, in addition to the foregoing applicable terms, such storage product is subject to the Satisfaction Guarantee.

You acknowledge having read and agree to be bound by the foregoing applicable terms in their entirety. Any terms and conditions set forth in your purchase order or any other correspondence that are in addition to, inconsistent or in conflict with, the foregoing applicable online terms will be of no force or effect unless specifically agreed to in a writing signed by Dell that expressly references such terms.

Pricing, Taxes, and Additional Information

All product, pricing, and other information is valid for U.S. customers and U.S. addresses only, and is based on the latest information available and may be subject to change. Dell reserves the right to cancel quotes and orders arising from pricing or other errors. Please indicate any tax-exempt status on your PO, and fax your exemption certificate, including your Customer Number, to the Dell Tax Department at 800-433-9023. Please ensure that your tax-exemption certificate reflects the correct Dell entity name: **Dell Marketing L.P.**

Note: All tax quoted above is an estimate; final taxes will be listed on the invoice.

If you have any questions regarding tax please send an e-mail to Tax_Department@dell.com.

For certain products shipped to end-users in California, a State Environmental Fee will be applied to your invoice. Dell encourages customers to dispose of electronic equipment properly.

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE THIRTY-SIX (36) DELL WORKSTATIONS WITH PERIPHERALS, ONE (1) LAPTOP, AND ONE (1) PROJECTOR FROM DELL MARKETING L.P. OF ROUND ROCK, TEXAS, THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM TO BE USED BY VARIOUS DEPARTMENTS; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this new equipment will replace old hardware and remove a lot of Windows 7 computers that will be at the end of their useful life in January of 2020 and standardizing the City's hardware will enable smoother support and higher productivity by increasing uptime and in addition, consolidating these purchases provides a cost savings to the City; and

WHEREAS, the Dell workstations, laptop, and projector from Dell Marketing L.P. of Round Rock, Texas, are available through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, thereby, allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, the total cost of the thirty-six (36) Dell workstations with peripherals, one (1) laptop, and one (1) projector is \$26,451.69 and will be paid with Water Funds in the amount of \$1,298.04, Oakland Cemetery operating funds in the amount of \$649.02, Court Computerization Funds in the amount of \$10,384.32, Fire Department operating funds in the amount of \$5,599.05, Police Department operating funds in the amount of \$649.02, Sewer operating funds in the amount of \$2,596.08, Water Distribution operating funds in the amount of \$2,296.78, Law Department operating funds in the amount of \$324.51, IT Department operating funds in the amount of \$840.67, Mills Creek Golf Course operating funds in the amount of \$649.02, Sewer Fund Administration Support account in the amount of \$582.59, and Water Fund Administration Support account in the amount of \$582.59; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to expedite the purchase so the equipment can be used at the earliest opportunity and utilize the time sensitive savings offered; 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 Information Technology Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to purchase thirty-six (36) Dell workstations with peripherals, one (1) laptop, and one (1) projector to be used by various departments through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, Contract #534109, from Dell Marketing L.P., of Round Rock, Texas, at an amount **not to exceed** Twenty Six Thousand Four Hundred Fifty One and 69/100 Dollars (\$26,451.69).

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

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

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

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

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

Passed: August 12, 2019



DEPARTMENT of PLANNING

420 Columbus Ave
Sandusky, Ohio 44870
419.627.5844
www.cityofsandusky.com

To: Eric Wobser, City Manager

From: Thomas Horsman, Assistant Planner

Date: July 31, 2019

Subject: August 12, 2019 Commission Agenda Item – Resolution to join NEORide, an Ohio council of governments.

Item for Consideration: Adoption of an ordinance approving the bylaws to become a member of NEORide, an Ohio council of governments.

Purpose: To join NEORide, an Ohio council of governments that works to plan, promote, and enhance transportation options within and between the jurisdictions of the members and in the state of Ohio.

Background Information: In 2014, the transit agencies in Summit, Portage, and Stark counties joined together to create NEORide in an attempt to improve coordination between the three agencies. The organization helped break down barriers and made it easier to synchronize service across county borders. Since that time, seven additional transit systems have joined NEORide, bringing the total membership up to 10 systems. The organization has grown in scope and has outlined three specific strategic goals: 1) implement a statewide mobile ticketing app, 2) seek joint grant or funding initiatives, and 3) work toward multi-agency procurement.

NEORide recently launched a mobile ticketing app called EZFare, which allows customers to use a mobile application to purchase electronic fare cards for all of the transit agencies that are members of NEORide. By joining NEORide, Sandusky Transit would be able to utilize EZFare and customers could purchase their bus fare on their phone. This would make it more convenient for Sanduskians to ride the bus and it would also make it easier for out-of-town guests to utilize the transit system. The EZFare application could also be used to distribute fare cards to employees of Cedar Point and Kalahari in a more efficient way. Joining NEORide would also give Sandusky Transit the opportunity for group procurement and grant applications.

Budgetary Impact:

The cost for the annual membership to NEORide is \$1,000, and there is an annual fee of about \$1,000 as well to utilize the EZFare mobile ticketing application.

Action Requested: It is requested that City Commission approve the by-laws of NEORide to become a member of the organization.

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

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE BYLAWS OF NEORIDE REGIONAL COUNCIL OF GOVERNMENTS AND APPROVING MEMBERSHIP INTO NEORIDE, AN OHIO COUNCIL OF GOVERNMENTS.

WHEREAS, Ohio Revised Code § 167 provides that a political subdivision may, pursuant to the extent that it considers necessary, join with other political subdivisions in establishing and maintaining a Council of Governments for the purpose of including, but not limited to promoting cooperative arrangements and coordinate actions among its members; and

WHEREAS, the City has identified a need to plan, promote, future and enhance transportation options within and between the jurisdictions of the members and in the State of Ohio by encouraging cooperative arrangements and coordinating action among the members, and between the members and other governmental agencies, private persons, corporations, or agencies; and

WHEREAS, this City Commission has determined that it is in the best interest of the Sandusky Transit System to become a member of a NEORide, an Ohio Council of Governments, to explore coordination options and join with other political subdivisions to benefit all involved; and

WHEREAS, NEORide was created in 2014 by transit agencies in Summit, Portage, and Stark counties in an attempt to improve coordination between the three agencies and since that time, NEORide has grown its membership to include ten (10) transit systems and has outlined three specific strategic goals: 1) implement a statewide mobile ticketing app, 2) seek joint grant or funding initiatives, and 3) work toward multi-agency procurement.; and

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

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

Section 1. This City Commission hereby adopts the Bylaws of NEORide Regional Council of Governments, a copy of which is attached to the Ordinance and marked Exhibit "1", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, and authorizes and directs the City Manager to execute a membership agreement into NEORide to explore coordination options and join with other political subdivisions to benefit all involved.

Section 2. This City Commission hereby authorizes and directs the City Manager to appoint from his Staff the City's primary voting director and the alternate voting director to represent the City of Sandusky on the NEORide

Governing Board.

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

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

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

**BYLAWS
OF
NEORIDE REGIONAL COUNCIL OF GOVERNMENTS**

Adopted November 19, 2014

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**BYLAWS
OF
NEORIDE REGIONAL COUNCIL OF GOVERNMENTS**

ARTICLE I GENERAL

SECTION 1. AUTHORITY: The NEORide Regional Council of Governments (“NEORide”) has been established by the legislative action of the Portage Area Regional Transportation Authority (“PARTA”), Metro Regional Transit Authority (“METRO”) and Stark Area Regional Transit Authority (“SARTA,” and together with PARTA and METRO, collectively, the “Cooperative Parties”) as a regional council of governments pursuant to the authority of Chapter 167 of the Ohio Revised Code.

SECTION 2. ORGANIZATION: PARTA, METRO and SARTA entered into the Agreement Establishing the NEORide Regional Council of Governments dated as of November 19, 2014 (the “Establishing Agreement”).

SECTION 3. PURPOSE: In accordance with the Establishing Agreement, the purpose of NEORide is to plan, promote, further and enhance transportation options within the jurisdictions of the Members and in the State of Ohio by encouraging cooperative arrangements and coordinating action among the Members, and between the Members and other governmental agencies, private persons, corporations, or agencies.

SECTION 4. POWERS: NEORide shall have such powers as are now, or hereafter may be, granted to regional council of governments by Chapter 167 of the Ohio Revised Code, as amended from time to time, and the Establishing Agreement.

SECTION 5. APPOINTMENT OF FISCAL OFFICER: In accordance with Section 167.04 of the Ohio Revised Code, the Ohio Transit Risk Pool is hereby appointed as the Fiscal Officer of NEORide. The Fiscal Officer shall receive, deposit, invest, and disburse the funds of NEORide in the manner authorized by action of the Governing Board. The Fiscal Officer shall make an annual report of the activities of NEORide to the Members in compliance with Section 167.06(C) of the Ohio Revised Code. The Fiscal Officer shall develop and follow procedures for the receipt, expenditure and accounting of funds in a manner that is capable of being audited and in accordance with the public accounting practices required for data information sites by the law of Ohio and the regulations of the Auditor of State. The Fiscal Officer shall prepare an annual budget for consideration and adoption by the Governing Board. The Fiscal Officer shall prepare and file an annual report on behalf of NEORide in the manner set forth in Section 117.38 of the Ohio Revised Code and shall participate in all audits of NEORide as required by Section 117.11 of the Ohio Revised Code.

SECTION 6. LEGAL ADDRESS: The legal address for the NEORide and the Governing Board shall be: NEORide, 1 Park Center Drive #300, Wadsworth, OH 44281. All notices permitted or required by law, these by-laws or establishing agreement shall be written and delivered, by first class mail postage prepaid, to the Legal Address; provided, however, notices of

the withdrawal of a Member, a hearing on the removal of a Member, or a hearing on any request to amend these by-laws, shall be sent by certified mail.

ARTICLE II MEMBERSHIP IN NEORIDE

SECTION 1. MEMBERS: Members of NEORide shall include the Cooperative Parties and any other political subdivision admitted as a Member pursuant to the terms of the Establishing Agreement.

SECTION 2. ADDITIONAL MEMBERS: Any political subdivision located in the State of Ohio may apply for membership in NEORide in accordance with the Establishing Agreement and mutually agreed upon initial fiscal contribution under Section 7.2 of said agreement. The Governing Board of NEORide shall meet and shall take action to admit or decline to admit the applicant as a Member of NEORide.

SECTION 3. ACTION BY MEMBERS: Any action to be taken by NEORide that requires the authorization, approval or ratification of the Members shall be taken only with the affirmative vote of a majority of the Members. Each Member shall as to such matter have one vote, which vote shall be exercised by such Member's legislative authority. The Governing Board may make recommendations to the NEORide Members as to matters to be considered for approval by the Members.

SECTION 4. REMOVAL OF MEMBERS If a Members fails to pay its financial commitments to NEORide when due, then such Member may be removed by a majority vote of the remaining members of the Governing Board.

ARTICLE III GOVERNING BOARD

SECTION 1. GOVERNING BOARD: There shall exist a Governing Board whose purpose it shall be to consider matters relating to the membership and operation of NEORide. The powers of NEORide shall be exercised by and under the direction of the Governing Board.

SECTION 2. MEMBERS OF THE GOVERNING BOARD: Each Member shall designate, by appropriate action of its legislative authority, from time to time, a Representative, who shall act as a member of the Governing Board. Any Member may designate one or more alternative Representatives to represent such Member on the Governing Board from time to time through an appropriate action of its legislative authority.

SECTION 3. RESIGNATION AND REMOVAL: Any member of the Governing Board may resign at any time by giving written notice thereof to the secretary of the Governing Board. A Representative of the Governing Board may be removed at any time by action of the legislative authority of the Member designating such Representative.

SECTION 4. VACANCIES: Any vacancy occurring in the Governing Board shall be filled from time to time by the Member whose Representative has resigned or been removed.

SECTION 5. LIMITATION CLAUSE: The Governing Board shall have no authority to do or perform any act and thing which is reserved to the Members in the Establishing Agreement or under Ohio law.

ARTICLE IV MEETINGS OF THE GOVERNING BOARD

SECTION 1. REGULAR MEETINGS: Regular meetings of the Governing Board shall be held not less than three times each year at a time and place designated by the Chairman of the Governing Board.

SECTION 2. SPECIAL MEETINGS: Special meetings of the Governing Board may be called by the Chairman of the Governing Board or by a majority of the members of the Governing Board in a writing delivered to the secretary of the Governing Board. The person or persons calling the meeting shall specify the place, time and purpose for such meeting.

SECTION 3. LOCATION OF MEETING: Meetings of the Governing Board shall be held at any place located within the territory of the Members.

SECTION 4. NOTICE OF MEETING: Written notice of the time and place of each regular and special meeting of the Governing Board shall be given to each Representative of the Governing Board by personal delivery, facsimile or e-mail transmission or by regular mail at least five days before the meeting, which notice, in the case of a regular meeting, need not specify the purpose of the meeting. If the notice is mailed, it shall be deemed to be delivered when deposited in the United States mail so addressed with postage thereon prepaid. The attendance of a Representative at a Governing Board meeting shall constitute a waiver of notice of such meeting, except where the member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

SECTION 5. QUORUM: A majority of the members of the Governing Board is necessary to constitute a quorum for a meeting of the Governing Board. The act of a majority of the members of the Governing Board present at a meeting at which a quorum is present is the act of the Governing Board.

SECTION 6. VOTING: Each Representative on the Governing Board shall be entitled to one vote on any matter coming before the Governing Board for vote or action.

SECTION 7. COMPENSATION AND EXPENSES: Representatives on the Governing Board shall not receive any compensation for their service.

SECTION 8. PUBLIC MEETINGS: The Governing Board of NEORide hereby adopts the public meetings policy set forth in Exhibit A attached hereto as required by Section 121.22 of the Ohio Revised Code.

ARTICLE V COMMITTEES OF GOVERNING BOARD

SECTION 1. COMMITTEES: The Governing Board by action may designate such committees which shall have and may exercise such powers as shall be conferred or authorized

from time to time by the Governing Board. The Governing Board, by affirmative vote, shall have power at any time to change the powers and members of any such committees, to fill vacancies, and to dispose of any such committee.

SECTION 2. ACTION BY COMMITTEES: A majority of the members of any committee may determine its actions and fix the time and place of its meetings unless the Governing Board shall otherwise provide.

ARTICLE VI OFFICERS OF GOVERNING BOARD

SECTION 1. OFFICERS: The officers of the Governing Board shall consist of a Chairman, a Vice Chairman and a Secretary-Treasurer and such other officers and assistant officers as the Governing Board may deem necessary, each of whom may be designated by such other titles as may be provided in an action of the Governing Board. The officers of the Governing Board shall each be elected from among the members of the Governing Board.

SECTION 2. ELECTION AND TERM OF OFFICE: The officers of the Governing Board shall be elected annually by the Governing Board at the first regular meeting after the beginning of a new fiscal year. Each officer shall hold office for a term of one year, or until his successor shall have been duly elected and accepted office, or until his death, resignation or removal in the manner hereinafter provided.

SECTION 3. REMOVAL: Any officer may be removed at any time by the Governing Board by a vote of a majority of the members of the Governing Board.

SECTION 4. VACANCIES: A vacancy in office because of death, resignation, removal, disqualification or otherwise may be filled by the Governing Board.

SECTION 5. CHAIRMAN: The Chairman of the Governing Board shall preside at all meetings of the Governing Board. The Chairman shall have general overall supervision of all of the business and affairs of the Governing Board.

SECTION 6. VICE CHAIRMAN: In the absence of the Chairman or the inability or refusal of the Chairman to act, the Vice Chairman shall perform the duties of the Chairman, and otherwise the Vice Chairman shall perform duties as may be prescribed by the Governing Board from time to time.

SECTION 7. SECRETARY-TREASURER: The Secretary-Treasurer shall, subject to the direction of the Governing Board, keep or cause to be kept the minutes of the meetings of the Governing Board; assure that minutes of all meetings of committees of the Governing Board are prepared and filed with the records of the Governing Board; assure that minutes of all notices are given in accordance with the provisions of these Bylaws or as required by the Cooperative Agreement; be custodian of the records of the Governing Board; and in general perform all duties as may be assigned to the Secretary-Treasurer by Governing Board from time to time.

ARTICLE VII ANNUAL BUDGET

SECTION 1. ANNUAL BUDGET: Annually the Governing Board shall consider and adopt an annual budget as prepared by the Fiscal Officer which maintains operations and expenditures within the budget.

SECTION 2. BUDGET PROCESS: The Governing Board shall provide, or cause to be provided, budget procedures and shall maintain supervision over budget controls. The Governing Board shall adopt the annual budget for the upcoming year, prior to the last day of NEORide's fiscal year.

SECTION 3. PAYMENTS: The Governing Board shall determine the time and the amount of all payments from Members and Former Members.

ARTICLE VIII AMENDMENTS

SECTION 1. AMENDMENTS: These Bylaws may be amended or they may be repealed and new Bylaws adopted by a majority vote of the legislative authorities of the Members upon the recommendation of the Governing Board.

ARTICLE IX TERMINATION

SECTION 1. TERMINATION: If and when determined by a majority vote of the Governing Board that the purposes of NEORide are not being fulfilled, that the continuation of NEORide is impractical, unnecessary, or contrary to law, NEORide shall be terminated. In the event of termination, all assets of NEORide must first be used to pay all debts and legal obligations of NEORide. All assets remaining after the satisfaction of all legal obligations shall be distributed to the then current Members on a pro-rata basis as determined by their membership dues or contributions to NEORide. No Member shall be liable for any debt or obligation of NEORide.

EXHIBIT A

Section 1: Deliberations

Ohio Revised Code Section 121.22(A) states that “This section shall be liberally construed to require public officials to take official action and to conduct all deliberations upon official business only in open meetings unless the subject matter is specifically excepted by law.” This provision, which includes all deliberations rather than just final decisions is difficult to fully specify in law but should be considered a major guiding principle concerning public meetings. It clearly requires that deliberations upon official business not occur at private meetings, even if a quorum of the Council or of a particular committee is not present. However, there is also a proper place in government for research, consultation, identification of alternatives, personal reflection, and informal discussion outside of public meetings.

Section 2: Definitions

“**Deliberations**” are defined as the process of choosing among alternatives for official action by the Governing Board.

“**Executive Session**” means a meeting of the Governing Board or any committee that is not open to the public.

“**Public meeting**” means any prearranged discussion of official business relating to NEORide which is open to the public and for which the public notice and other requirements of this ordinance and Section 121.22 of the Ohio Revised Code have been met.

Section 3. State Law to Control

All provisions of Ohio Revised Code Section 121.22 and all other provision of general law related to open, public meetings shall apply to the conduct of NEORide. All provisions of this ordinance shall be construed only in ways that are consistent with general law.

Section 4: Open Meetings

(a) Open Meetings Required. All meetings conducted by any public body at which official action is considered or deliberations upon official business takes place shall be open to the public.

(b) Executive Session. Notwithstanding the foregoing, any public body may conduct an Executive Session, provided that all of the requirements of Ohio Revised Code Section 121.22, as amended, are met. An Executive Session may be conducted solely to discuss but not act upon any of the matters set forth in Ohio Revised Code Section 121.22 (G), as amended, and no other matters may be discussed or acted upon.

Prior to conducting an Executive Session, the public body shall, at a public meeting of that body, adopt a motion to go into Executive Session, stating the specific matter(s) to be discussed and stating that no other matters shall be discussed. The motion shall be approved by a majority of members present, by roll call vote, with a quorum being present. The agenda

for the meeting at which an executive session is to be conducted shall state the intent to conduct an executive session and name the matter(s) to be discussed.

Section 5: Notice Requirements

(a) Schedule of Governing Board and Committee Meetings. The Fiscal Officer shall post on NEORide's website and make available to the public a list of the dates, times, and locations of the meetings of the Governing Board and any committees thereof.

(b) Publication of Notice and Agenda for Meetings. Not later than the close of business on the second business day prior to each Governing Board or committee meeting, the Fiscal Officer shall post the meeting notice and agenda for the meeting and supporting information from the packets of information prepared on NEORide's website.

(c) Emergency Meetings. The Governing Board, its committees, and other public bodies may conduct emergency or special meetings with less notice than that specified in Section 5(b) of this policy. Such meetings shall be publicized in the same way as other meetings of the same public body and the meeting notice and agenda shall also be sent to news media organizations who have requested this information. A meeting may be held with less than twenty-four (24) hours' notice only when (A) there is an emergency that requires immediate official action, (B) the notice and agenda for the meeting state the nature of the emergency, and (C) matters related to the emergency are the only matters discussed at the meeting.

(d) Minutes. Minutes shall be kept at all public meetings and maintained as public records. Minutes of all meetings shall be available to the public and posted on the appropriate page of NEORide website when approved by the Governing Board. The minutes of all public meetings shall include the following:

the name of the organization conducting the meeting;

that location, date, and time that the meeting started and the time that the meeting adjourned;

a presentation of the events of the meeting that included all matters discussed and all actions taken, including amendments and procedural actions;

a summary of all votes taken, including a description of the question that was considered, the results of the vote, and the vote of each member.

(e) Advance Notice Available to News Media. The Fiscal Officer shall provide to any news organization, upon request, information including the date, time, location, and agenda of any special or emergency meeting of that public body. The Fiscal Officer shall establish a procedure, consistent with Section 121.22 of the Ohio Revised Code, for news media to apply to receive this information on an ongoing basis.



DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Joshua R. Snyder, P.E.

Date: July 29, 2019

Subject: Commission Agenda Item – Permission to bid the Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City to accept bids for the Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project.

BACKGROUND INFORMATION: The City of Sandusky owns a series of Ferrous Chloride tanks at the Wastewater Treatment Plant. Ferrous Chloride is used in the treatment process of waste water prior to the final effluent of the plant. Two of the tanks hold the corrosive chemical year-round while the third tank is used primarily as a back-up when a failure occurs. This happened first in 2013 when the rubber liner in the first tank deteriorated allowing the chemical to contact the steel shell which then began to rust. The liner was immediately replaced through ordinance 037-13R at that time, but has since deteriorated again. Unfortunately, it is outside its warranty period. The first time it was replaced, the contractor claimed that they mis-bid the project and the cost would be significantly higher in the future.

Because of this chemical's corrosive properties, the exposure and contact with the existing rubber-lined steel tanks and other metal-surfaced surroundings, many are rusted and at the end of their useful life. Staff researched other materials compatible with the chemical so we could replace the tanks rather than re-lining the existing tanks again. New tanks would be slightly more expensive and we would need to install hatches in the roof, but the return on investment is much better than replacing the liner every 5 years. Upon deciding to purchase new tanks, staff also agreed that it was more cost effective and it would extend the longevity of other materials inside the building to place the tanks within secondary containment outside. Specifically, the metal tanks, piping, stairway supports, handrailings and controls have all been exposed to this chemical for years and are in need of replacement with this project. These items are to be replaced with stainless steel, fiberglass, PVC and plastic materials, where practical, to bring them up to current safety standards.

The design consultant, Brown and Caldwell has prepared construction drawings and an engineer's estimate for the replacement and upgrade for the current Ferrous Chloride tank treatment system.

BUDGETARY INFORMATION: The estimated cost of the project, including inspection, advertising, and miscellaneous costs is \$503,600 will be paid with Sewer Funds. This cost will be split with Erie County as per the current Sewer Services Agreement.

ACTION REQUESTED: It is recommended that the proposed Ferrous Chloride System Rehabilitation Project be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to bid the project, receive competitive prices and

start the construction activities this fall since it is expected to take twelve months for substantial completion of the construction items with final completion expected in September of 2020.

I concur with this recommendation:

Eric Wobser
City Manager

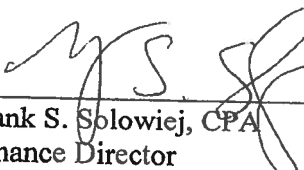
Aaron M. Klein
Public Works Director

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: Pump, trailer, and accessories

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.

 CPA
Hank S. Solowiej, CPA
Finance Director

7 31 19
Date

RESOLUTION NO. _____

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED WASTEWATER TREATMENT PLANT (WWTP) FERROUS CHLORIDE SYSTEM REHABILITATION PROJECT; APPROVING THE SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City owns a series of steel rubber-lined Ferrous Chloride tanks at the Wastewater Treatment Plant that are used for storing Ferrous Chloride, which is used in the treatment process of wastewater prior to the final effluent at the plant; and

WHEREAS, due to Ferrous Chloride's corrosive properties, the exposure and contact with the existing rubber-lined steel tanks and other metal-surfaced surroundings, many are rusted and at the end of their useful life and upon researching other materials compatible with the chemical, it was determined that although new tanks would be slightly more expensive, they would be a better return on investment than replacing the liners every 5 years; and

WHEREAS, the Wastewater Treatment Plant (WWTP) Ferrous Chloride System Rehabilitation Project involves the replacement of the metal tanks, construction of outside secondary containment for the tanks, replacement of piping, stairway supports, handrailings and controls, which have been exposed to Ferrous Chloride for years, and to replace these items with stainless steel, fiberglass, PVC and plastic materials, where practical, to bring up to the current safety standards; and

WHEREAS, this City Commission authorized and directed the City Manager to enter into an agreement for Professional Design Services with Brown and Caldwell of Independence, Ohio, for the WWTP Ferric Tanks Project by Ordinance No. 18-231, passed on November 26, 2018; and

WHEREAS, the total estimated cost for this project, including inspection, advertising, and miscellaneous costs, is \$503,600.00 and will initially be paid with Sewer Funds and a portion of the costs will be reimbursed from Erie County pursuant to the Sewer Services Agreement; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to bid and award the project and start the construction activities this fall since it is expected to take twelve (12) months for substantial completion of the construction items with final completion expected in September of 2020; and

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

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

Section 1. The specifications and estimates of cost as prepared by the Director of Public Works and submitted to this City Commission, and which are now on file in the offices of the Director of Public Works and the Clerk of the City Commission, for the proposed Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with the proposed Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the proposed Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

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

Passed: August 12, 2019



DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Joshua R. Snyder, PE

Date: 7/17/19

Subject: **Commission Agenda Item – Authorization to Bid 2019 Cedar Point (Chaussee) Water Tower Demolition Project**

ITEM FOR CONSIDERATION: Legislation authorizing the City to accept bids for the 2019 Cedar Point (Chaussee) Water Tower Demolition project.

BACKGROUND INFORMATION: The circa 1955 tank required annual repairs beyond general maintenance requirements for years prior to the last time it was in-service in 2012. It was not returned to service due to leakage following the 2012 repairs and would not sufficiently hold water and it has been determined that the tank cannot be salvaged and is no longer needed for service. A study completed in February 2011 by ARCADIS, evaluated the system hydraulics and justified that the tank is not necessary. The tank is located within an easement on private property and the easement will expire when the water tower and piping are removed from the site.

The Department of Public Works submitted an application to Ohio EPA on August 1, 2016, for the proposed plans for the City of Sandusky Cedar Point (Chaussee) Elevated Tank Decommissioning. Ohio EPA issued an approval letter on August 23, 2016, for the demolition of the 100,000-gallon elevated steel water tower. This approval is good for a 5-year period from the date of the letter.

The 2019 Cedar Point (Chaussee) Water Tower Demolition Project includes the removal of the tank and appurtenances, tank foundations and embankment, erosion control measures, capping of existing water main and disposal of materials. The existing tee in Cedar Point Road will be removed and replaced with a 10" diameter pipe. The site will be regraded and reseeded back to a pre-demolition condition.

BUDGETARY INFORMATION: The estimated demolition cost is \$97,500.00; additional costs include advertising and miscellaneous expenses in the amount of \$500.00 for a total estimated cost of \$98,000.00 from Water Funds. Cost increases from the original estimate in 2018 are a result of inflation in this type of construction, the current market for scrap metal and availability of skilled workers that can perform this type of demolition work.

ACTION REQUESTED: It is recommended that the proposed 2019 Cedar Point (Chaussee) Water Tower Demolition Project be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to bid the project, receive competitive prices and to complete the demolition work over the winter and prior to anticipated improvements being performed by Cedar Point on Cedar Point Road before the opening of the Park in 2020.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron Klein, P.E.
Director

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

RESOLUTION NO. _____

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY TO PROCEED WITH THE PROPOSED CEDAR POINT (CHAUSSEE) WATER TOWER DEMOLITION PROJECT; APPROVING THE SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Cedar Point water tank was taken out of service in 2012 after years of repairs going beyond general maintenance; and

WHEREAS, the Cedar Point Water Tower is no longer salvageable and no longer needed for service and an application was submitted to the Ohio EPA on August 1, 2016, with proposed plans for decommissioning the Cedar Point Water Tank and the City received an approval letter on August 23, 2016, which is good for a 5-year period; and

WHEREAS, the proposed Cedar Point (Chaussee) Water Tower Demolition Project involves the removal of the water tank, appurtenances, foundation and embankment, erosion control measures, capping of the existing water main, and disposal of materials; and

WHEREAS, the total estimated cost of this project including advertising, and miscellaneous expenses is \$98,000.00 and will be paid with Water Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to bid the project, receive competitive prices and complete the project over the Winter and prior to anticipated improvements being performed by Cedar Point on Cedar Point Road before the opening of the Cedar Point Amusement Park in 2020; and

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

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

Section 1. The specifications and estimates of cost as prepared by the Director of Public Works and submitted to this City Commission, and which are now on file in the offices of the Director of Public Works and the Clerk of the City Commission, for the proposed Cedar Point (Chaussee) Water Tower Demolition Project, be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with

the proposed Cedar Point (Chaussee) Water Tower Demolition Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the proposed Cedar Point (Chaussee) Water Tower Demolition Project as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 6. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

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

Passed: August 12, 2019



DEPARTMENT OF PUBLIC WORKS

240 Columbus Ave.
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Joshua Snyder, P.E.

Date: July 30, 2019

Subject: **Commission Agenda Item – Award Pierce Street Reconstruction and Resurfacing Project to Erie Blacktop, Inc.**

ITEM FOR CONSIDERATION: Legislation awarding a contract to Erie Blacktop, Inc. of Sandusky, Ohio for the Pierce Street Reconstruction & Resurfacing Project.

BACKGROUND INFORMATION: Pierce Street consists of asphalt pavement between Hayes and Thomas; between Thomas and Campbell it turns to a concrete roadway and both segments are in poor condition. Little maintenance has been performed beyond minor repairs over the past 25 years. Natural deterioration has progressed so that repairs to both the concrete and asphalt segments are needed. The project consists of milling the asphalt pavement, replacement of the concrete roadway portion, removal and replacement of damaged concrete curbs and gutters, removal and replacement of select sidewalks and new handicap ramps. Catch basins and manhole castings will be adjusted to grade with new castings installed.

The following bid was received on July 30th, 2019 at a formal public bid opening:

Erie Blacktop, Inc.	Bid	\$ 356,879.71
Sandusky, Ohio		

The engineer's estimate for the base bid was \$324,765.00
The contractual schedule for completion of construction is June 12, 2020.

BUDGETARY INFORMATION: The estimated cost of the project based on bids, including legal advertisement, recording fee and survey work, is \$359,877.11 and will be paid with Issue 8 infrastructure funds from the Capital Projects Fund.

ACTION REQUESTED: It is recommended that proper legislation be prepared to award a contract to Erie Blacktop, Inc. of Sandusky, Ohio for the Pierce Street Reconstruction and Resurfacing Project in an amount not to exceed \$356,879.71 be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow the contractor the opportunity to begin work early, if possible and complete the project prior to the construction completion deadline of June 12, 2020.

I concur with this recommendation:

Eric Wobser
City Manager

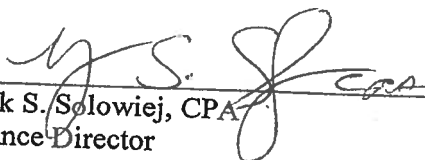
Aaron M. Klein, P.E.
Director

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: Pierce St Reconstruction

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

7 31 19
Date

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ERIE BLACKTOP, INC., OF SANDUSKY, OHIO, FOR THE PIERCE STREET RECONSTRUCTION AND RESURFACING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Pierce Street Reconstruction and Resurfacing Project involves the milling and resurfacing of asphalt between Hayes Avenue and Thomas Street and the removal of concrete between Thomas Street and Campbell Street which will be replaced with asphalt, including new curb and gutters, the replacement of select sidewalks, and new handicap ramps; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Pierce Street Reconstruction and Resurfacing Project by Resolution No. 024-19R, passed on June 24, 2019; and

WHEREAS, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid from Erie Blacktop, Inc., of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total estimated cost of this project based on bids, including advertising, recording fee, and survey work, is \$359,877.11 and will be paid with Issue 8 Infrastructure Funds from the Capital Projects Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the contractor to begin work early, if possible, and complete the project prior to the construction completion deadline of June, 12, 2020; and

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the Pierce Street Reconstruction and Resurfacing Project in an amount **not to exceed** Three Hundred Fifty Six Thousand Eight Hundred Seventy Nine and 71/100 Dollars (\$356,879.71) consistent with the bid submitted by Erie Blacktop, Inc., of Sandusky, Ohio, currently on file in the office of the Director of Public Works.

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

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

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

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

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

Passed: August 12, 2019



DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: July 29, 2019

**Subject: Commission Agenda Item –OPWC Application, Round 34
Camp Street Resurfacing and Reconstruction Project**

ITEM FOR CONSIDERATION: A Resolution approving the submission of one application to participate in the Ohio Public Works Commission (OPWC) Round 34 State Capital Improvement Program (SCIP) and/or Local Transportation Improvement Program (LTIP) and to execute contracts as required. The application is for Camp Street from West Monroe Street to West Washington Street.

BACKGROUND INFORMATION: The 2015 TransMap Pavement Condition Study rated sections of Camp Street roadway from Monroe Street north to Washington Street from a low PCI rating of 30 (very poor) to a PCI rating of 69 (Fair). In 2018 The City of Sandusky Public Works Department applied for project funding through the Erie County Metropolitan Planning Organization (MPO) for this project. This project scored well as it tied with the City of Vermilion for third place, however, funding was only awarded to the two highest scoring projects of which one was the Monroe Street Project located in the City of Sandusky.

In an effort to complete this project for a major north-south collector street, the Public works Department is continuing pursuing all funding opportunities. The current 2019 PCI rating for this section of Camp Street has degraded to a low of 13 which is serious rating to a high of 53 which is poor/serious rating on the PCI ranking. The PCI Ranking System for PCI of poor recommends resurfacing and for a PCI of very poor/serious it recommends reconstruction, rebuild, and full depth reclamation of the pavement. Currently 46% of the pavement surface is considered as very poor/serious requiring reconstruction.

BUDGETARY INFORMATION: There is no cost to submit the application. Notification of award would be in December 2019. If awarded, the project would be constructed during the second half of 2020 since funds would not become available until July. If awarded, any matching funds required would be incorporated into the 2020 budget. The cost of this project is estimated to be \$416,463.00 and we are requesting a combination of loan and grant in the total amount of \$241,463.00 of which \$175,000.00 would be OPWC grant funds and \$66,463.00 would be a 0% OPWC loan. The City's total portion of the project \$241,463.00 would be funded with Capital Projects Funds (Issue 8). The application will be written to maximize the amount of points received, increasing the possibility of being awarded funding based on the combination of grant/loan money requested. Capital Projects Funds (Issue 8).

ACTION REQUESTED: It is recommended that the authorization for preparation and submittal for OPWC Round 34 applications 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 submit this application package to an OPWC representative by the Sept 7, 2019 deadline.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein, P.E.
Director

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER FOR FINANCIAL ASSISTANCE AND TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN ORDER TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AUTHORIZED BY CHAPTER 164 (AID TO LOCAL GOVERNMENT IMPROVEMENTS) OF THE OHIO REVISED CODE FOR THE CAMP STREET RESURFACING AND RECONSTRUCTION PROJECT; AND DECLARING THAT THIS RESOLUTION TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the 2015 TransMap Pavement Condition Study rated sections of Camp Street roadway from Monroe Street north to Washington Street from a low PCI rating of 30 (very poor) to a PCI rating of 69 (Fair) and in 2018 the City applied for project funding through the Erie County Metropolitan Planning Organization (MPO) and although the project scored well, funding was only awarded to the two highest scoring projects, one of which was the City's Monroe Street Project; and

WHEREAS, the current 2019 PCI rating for this section of Camp Street has degraded to a low of 13 (serious) rating to a high of 53 (poor/serious) rating and the PCI Ranking System for PCI of poor recommends resurfacing and for a PCI of very poor/serious it recommends reconstruction, rebuild, and full depth reclamation of the pavement and currently 46% of the pavement surface is considered as very poor/serious requiring reconstruction; and

WHEREAS, the proposed Camp Street Resurfacing and Reconstruction Project involves the resurfacing and reconstruction of Camp Street from West Monroe Street to West Washington Street; and

WHEREAS, the estimated cost for the Camp Street Resurfacing and Reconstruction Project is \$416,463.00 and the City is requesting a combination of loan and grant funds in the amount of \$241,463.00 and if awarded, the City's portion of the project will be paid with Issue 8 funds from the Capital Projects Fund; and

WHEREAS, a certified copy of the legislation approving the project is required by the governing body of the applicant; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the grant application and Resolution to be submitted to the Ohio Public Works Committee by the deadline of September 7, 2019; and

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

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

Section 1. This City Commission hereby approves the submission of an application for financial assistance with the Ohio Public Work's Commission's State Capital Improvement and/or Local Transportation Improvement Programs as provided in Chapter 164 of the Ohio Revised Code for the Camp Street Resurfacing and Reconstruction Project, authorizes and directs the City Manager to file the application for assistance and authorizes and directs the City Manager and/or Finance Director to provide any necessary information and assurances and to execute appropriate project agreements if assistance is awarded by the Ohio Public Works Commission.

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

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

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

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

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

Passed: August 12, 2019



DEPARTMENT OF PUBLIC WORKS

240 Columbus Ave
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager
From: Joshua R. Snyder, P.E.
Date: July 26, 2019
Subject: **Commission Agenda Item – OPWC Application, Round 34
2020 Citywide Resurfacing Project**

ITEM FOR CONSIDERATION: A Resolution approving the submission of one application to participate in the Ohio Public Works Commission (OPWC) Round 34 State Capital Improvement Program (SCIP) and/or Local Transportation Improvement Program (LTIP) and to execute contracts as required.

BACKGROUND INFORMATION: TransMap performed a citywide pavement survey in 2015, with results coming forth in 2016. Since the completion of said survey, various roadways have been paved or reconstructed to various extents. In June of 2019, the survey was updated with work that has been performed over the last 4 years. The need for asphalt pavement repair throughout the City is great. A majority of the Engineering and Public Works Departments' complaints come from the conditions of the residential and collector street segments that are well beyond their useful life.

This application is for 46 of the worst asphalt street segments (block to block) to be milled and resurfaced. Specifically, this project would mill and replace the surface course of asphalt with other repairs as needed. Although city-wide resurfacing of local roadways is not typically funded through OPWC District 5, staff feels this would be a great resource to use City dollars to leverage grant funding. Addressing the 46 worst streets first, will shore up many of the complaint areas and prevent damage from becoming so extreme that more intensive and expensive construction would be required to make the proper repairs. Although the typical life expectancy of a street resurfacing is 10 years, many of the street segments identified have not been addressed in over 20 years.

If awarded, the project would be constructed during the second half of 2020 since funds would not become available until July. If funds are not awarded from OPWC, it is unlikely that the project would be funded in 2020.

BUDGETARY INFORMATION: There is no cost to submit the application. Notification of award would be in December 2019, giving sufficient time to allocate resurfacing dollars as part of the 2020 Capital Improvement Planning process. To achieve maximum points, the cost of this project is estimated to be \$350,000.00 and we are requesting a 50/50 split. Therefore, the cost to the city would be \$175,000, coming from Issue 8, Capital Projects Fund.

ACTION REQUESTED: It is recommended that the authorization for preparation and submittal for OPWC Round 34 applications 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 submit this application package to an OPWC representative by the Sept 7, 2019 deadline.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron M. Klein, P.E.
Director

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

Name	From	To
THIRTEENTH ST	C ST	ALPINE DR
CENTRAL ST	MC DONOUGH ST	CENTRAL AVE
SHELBY ST	PIERCE ST	FILMORE ST
N DEPOT ST	HAYES AVE	THOMAS ST
HANCOCK ST	E ARTHUR ST	LANE ST
THIRD ST	ONTARIO ST	LANE ST
W JEFFERSON ST	MILLS ST	PUTNAM ST
CLINTON ST	BARKER ST	W MONROE ST
CLINTON ST	TAYLOR ST	SENECA ST
FILMORE ST	PUTNAM ST	HARRISON ST
PEARL ST	TAYLOR ST	SENECA ST
HARRISON ST	W JEFFERSON ST	W ADAMS ST
HARRISON ST	BARKER ST	W MONROE ST
N DEPOT ST	CARR ST	SHELBY ST
RANSOM ST	CARR ST	SHELBY ST
WAYNE ST	CABLE ST	FINCH ST
CENTRAL AVE	W MONROE ST	POPLAR ST
COVE ST	COVE PARK BLVD	SYCAMORE ST
PEARL ST	SENECA ST	SANDUSKY ST
SANDUSKY ST	PUTNAM ST	HARRISON ST
SYCAMORE LINE	GARFIELD AVE	COVE PARK BLVD
W PARISH ST	GRANT ST	CALDWELL ST
44 ST	COLUMBUS AVE	HANCOCK ST
CEMENT AVE	W MONROE ST	PLEASANTVIEW PL
CLINTON ST	SANDUSKY ST	BARKER ST
FILMORE ST	HARRISON ST	CLAY ST
BARKER ST	KING ST	BROADWAY ST
BARKER ST	BROADWAY ST	JAY ST
HARRISON ST	SENECA ST	SANDUSKY ST
MILLS ST	SANDUSKY ST	BARKER ST
PUTNAM ST	SANDUSKY ST	BARKER ST
SANDUSKY ST	MILLS ST	PUTNAM ST
SANDUSKY ST	HARRISON ST	CLINTON ST
ELM ST	E MONROE ST	FRANKLIN ST
SADLER ST	W PERKINS AVE	W FARWELL ST
THIRD ST	SYCAMORE LINE	ERIE ST
W JEFFERSON ST	PEARL ST	CAMP ST
GARFIELD AVE	MEIGS ST	SYCAMORE LINE
LAWRENCE ST	W ADAMS ST	W WASHINGTON ST
MC DONOUGH ST	N DEPOT ST	CENTRAL ST
MILLS ST	SENECA ST	SANDUSKY ST
PERRY ST	E ADAMS ST	E WASHINGTON ST
E JEFFERSON ST	WARREN ST	PERRY ST
ELM ST	HURON AVE	WARREN ST
WAYNE ST	FINCH ST	SCOTT ST
HORSESHOE AVE	W MONROE ST	PLEASANTVIEW PL

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER FOR FINANCIAL ASSISTANCE AND TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN ORDER TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AUTHORIZED BY CHAPTER 164 (AID TO LOCAL GOVERNMENT IMPROVEMENTS) OF THE OHIO REVISED CODE FOR THE 2020 CITYWIDE RESURFACING PROJECT; AND DECLARING THAT THIS RESOLUTION TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, TransMap performed a citywide pavement survey in 2015, which was updated in June of 2019, and the updated survey indicated there is a great need for asphalt pavement repair throughout the City; and

WHEREAS, the proposed 2020 Citywide Resurfacing Project involves the milling and resurfacing of forty-six (46) of the worst asphalt street segments (block to block) in the City, along with making other repairs as needed, and this work will address many of the complaint areas and prevent further damage that would then require more intensive and expensive construction; and

WHEREAS, the estimated cost for the 2020 Citywide Resurfacing Project is \$350,000.00 and the City is requesting grant funds in the amount of \$175,000.00 (50% of the estimated project cost) and if awarded, the City's portion of the project will be paid with Issue 8 funds from the Capital Projects Fund; and

WHEREAS, a certified copy of the legislation approving the project is required by the governing body of the applicant; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the grant application and Resolution to be submitted to the Ohio Public Works Committee by the deadline of September 7, 2019; and

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

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

Section 1. This City Commission hereby approves the submission of an application for financial assistance with the Ohio Public Work's Commission's State Capital Improvement and/or Local Transportation Improvement Programs as provided in Chapter 164 of the Ohio Revised Code for the 2020 Citywide Resurfacing Project, authorizes and directs the City Manager to file the application

for assistance and authorizes and directs the City Manager and/or Finance Director to provide any necessary information and assurances and to execute appropriate project agreements if assistance is awarded by the Ohio Public Works Commission.

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

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

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

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

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

Passed: August 12, 2019



DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Scott Kromer, Streets & Utilities Superintendent

Date: July 31, 2019

Subject: Commission Agenda Item – Request to purchase pump for Sewer Maintenance

ITEM FOR CONSIDERATION: Legislation to purchase one (1) Godwin CD150S Critically Silenced 6" Dri-Prime pump, trailer and accessories from Xylem Dewatering Solutions, Inc. of Painesville, OH, for the Sewer Maintenance Division.

BACKGROUND INFORMATION: The above listed pump is available through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, Contract #800773 for a total purchase price of \$50,627.18. The Ohio Cooperative Purchasing Program allows local political subdivisions to purchase items that have been competitively bid from the successful state vendor thereby giving the City the benefit of the State's negotiated price and purchasing power. There are no local vendors that supply this type of equipment.

This new pump will replace the 1960 six-inch Gorman Rupp Pump, Model 16A2, serial # 255227, that is currently out of service due to engine failure and is used in the Sewer Maintenance division for emergency bypass pumping at all City sewage lift stations and dewatering the sediment ponds for Big Island Water Works. This replacement purchase was planned for 2020. However, due to historically high water levels in Sandusky Bay, that have caused severe flooding in roadways throughout the City, and the need to rent additional pumps to be on stand-by for emergency purposes, staff recommends a replacement pump be purchased immediately to reduce rental service expenses on First Street. The existing pump is not operational and due to its age and condition repair of this pump is not feasible. Staff is recommending this pump be declared obsolete, unnecessary and unfit for City use and be auctioned on the internet with the proceeds from the sale being deposited in the Sewer Fund.

The new pump has greater pumping capacity and indefinite dry-running capabilities along with a critically silenced enclosure to reduce noise. Additionally, it offers a control float system, allowing for automatic operation for periods of extended use. The full purchase includes one (1) Godwin CD150S Critically Silenced 6" Dri-Prime pump and drop-in trailer, 6" 150# Flange Suction and Discharge, all hoses and adapters, Isuzu 4LE2X FT4 Diesel Engine with FST, Global Series 6 Skid-mounted, Spill Containment, 110% Fuel Containment and accessories.

BUGETARY INFORMATION: The purchase of this piece of equipment and support materials shall not exceed \$50,627.18 and shall be paid with available sewer funds in the current 2019 Operation and Maintenance budget.

ACTION REQUESTED: It is requested that the proper legislation be prepared to purchase one (1) Godwin CD150S Critically Silenced 6" Dri-Prime pump and drop-in trailer from Xylem Dewatering Solutions, Inc. of Painesville, Ohio. It is further requested that the legislation be passed under

suspension of the rules in full accordance with section 14 of the City Charter to allow the order to be placed and receive the pump so the Sewer Maintenance Division can begin using the new pump for emergency situations at the earliest opportunity.

I concur with this recommendation:

Eric Wobser
City Manager

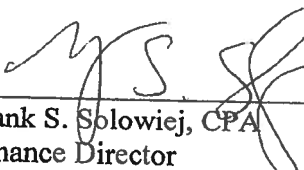
Aaron Klein, PE
Director, City Engineer

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: Pump, trailer, and accessories

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.

 CPA
Hank S. Solowiej, CPA
Finance Director

7 31 19
Date

ORDINANCE NO. _____

AN ORDINANCE DECLARING A 1960 6" GORMAN RUPP PUMP, MODEL 16A2, AS UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE A GODWIN CD150S CRITICALLY SILENCED 6" DRI-PRIME PUMP, TRAILER, AND ACCESSORIES FROM XYLEM DEWATERING SOLUTIONS, INC., OF PAINESVILLE, OHIO, THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM FOR THE SEWER MAINTENANCE DIVISION; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Sewer Maintenance Division currently has a 1960 6" Gorman Rupp Pump, Model 16A2, Serial #255227, that was used for emergency bypass pumping at sewage lift stations and dewatering sediment ponds for Big Island Water Works that is currently out of service, nonoperational, and is no longer of any use to the City and Staff is recommending this pump be declared obsolete, unnecessary and unfit for City use and be auctioned on the internet with the proceeds from the sale being deposited in the Sewer Fund; and

WHEREAS, due to historically high water levels in the Sandusky Bay, causing severe flooding in roadways throughout the City, and the need to rent additional pumps to be on stand-by for emergency purposes, it is recommended to replace the old pump immediately and purchase a Godwin CD150S Critically Silenced 6" Dri-Prime Pump; and

WHEREAS, the Godwin CD150S Critically Silenced 6" Dri-Prime Pump, Trailer, and accessories are available from Xylem Dewatering Solutions, Inc., of Painesville, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program thereby, allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, the total purchase price for the Godwin CD150S Critically Silenced 6" Dri-Prime Pump, Trailer, and accessories is \$50,627.18 and will be paid with Sewer Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the pump to be immediately ordered and received so the Sewer Maintenance Division can begin using the new pump for emergency situations at the earliest opportunity and also reduce the need for rental services and save costs; 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 finds and determines that the 1960 6" Gorman Rupp Pump, Model 16A2, Serial #255227, is unnecessary and unfit for City use pursuant to Section 25 of the City Charter and the City Manager is authorized and directed to dispose of this personal property no longer needed for City purposes through public auction, sale process, or internet auction with the proceeds from sale to be deposited into the Sewer Fund.

Section 2. The City Manager is authorized and directed to purchase a Godwin CD150S Critically Silenced 6" Dri-Prime Pump, Trailer, and accessories from Xylem Dewatering Solutions, Inc., of Painesville, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, Contract #800773, at an amount **not to exceed** Fifty Thousand Six Hundred Twenty Seven and 18/100 Dollars (\$50,627.18).

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

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

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

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

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

Passed: August 12, 2019



DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5829
www.ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: July 29, 2019

Subject: **2019 Sidewalk Repair & Replacement project, Change Order #1 & Final**

ITEM FOR CONSIDERATION: Legislation approving Change Order #1 & Final for the 2019 Sidewalk Repair & Replacement project for Smith Paving and Excavating, Inc.

BACKGROUND INFORMATION: The Issue 8 campaign promised walkability through sidewalk improvements city-wide. The 5-year Capital Improvement Plan allocated \$100,000 annually for this work and the goal was to perform the repairs without an assessment. The final quantities for the 2019 project are on the attached final change order.

As mentioned previously in the manager's report, the southwest quadrant of Washington Park was completed in lieu of the northeast quadrant because of low unit prices. In addition, Engineering and IT staff decided that the ADA-accessible curb ramp in front of City Hall on Columbus Avenue should be completed prior to opening the building to the public and Planning staff requested to add sidewalk to the splash pad at Churchwell Park (MacArthur).

BUDGETARY INFORMATION: The original contract with Smith Paving and Excavating, Inc., was for \$70,738.00. Change Order #1 & Final increases the contract by \$8,783.46 to a total of \$79,521.46; approximately 12.4%. The project will be paid with \$77,495.23 from Capital Projects Funds made available through Issue 8 infrastructure funds and \$2,026.23 from the Sandusky Neighborhood Initiative funds.

ACTION REQUESTED: It is recommended that an Ordinance be passed approving Change Order #1 and Final in the amount of \$8,783.46 for Smith Paving and Excavating, Inc., from Norwalk, Ohio and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to pay the contractor in a timely manner and close out the completed project.

I concur with this recommendation:

Eric Wobser
City Manager

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

CITY OF SANDUSKY, OHIO
DEPARTMENT OF PUBLIC WORKS

Project: 2019 Sidewalk Repair & Replacement Project
Construction Work Order No.: 1 & Final

CONTRACT: 2923
ORDINANCE NO. 19-090

Contractor: Smith Paving and Excavating, Inc.
4426 North Old State Rd.
Norwalk, Ohio 44857

STREET OR LOCATON OF WORK: CITY WIDE

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

Bid Item No.	ODOT Item No.	Plan Quantity	Actual Quantity	Difference in Quantity	Unit	Description	Unit Price	Bid Price	Actual Price	Total ADD/DED
1	602	878	1,124.40	246.40	SF	Concrete Removal	\$ 1.75	\$ 1,536.50	\$ 1,967.70	\$ 431.20
2	608	3,220	3,410.85	190.85	SF	4" Concrete Sidewalk	\$ 6.65	\$ 21,413.00	\$ 22,682.15	\$ 1,269.15
3	608	3,200	3,879.17	679.17	SF	6" Concrete Sidewalk	\$ 7.75	\$ 24,800.00	\$ 30,063.57	\$ 5,263.57
4	608	243	167.50	-75.50	SF	8" Concrete Sidewalk	\$ 8.95	\$ 2,174.85	\$ 1,499.13	\$ (675.73)
5	608	4	0.00	-4.00	EA	Truncated Domes	\$ 275.00	\$ 1,100.00	\$ -	\$ (1,100.00)
6	609	148	175.00	27.00	LF	Type 6 Concrete Curb and Gutter	\$ 31.00	\$ 4,588.00	\$ 5,425.00	\$ 837.00
7	659	1,839	585.66	-1,253.34	SY	Seeding, Fertilizing and Mulching*	\$ 2.35	\$ 4,321.65	\$ 1,376.30	\$ (2,945.35)
8	Special	108	877.53	769.53	EA	Sandstone Sidewalk, Replace with concrete	\$ 8.00	\$ 864.00	\$ 7,020.24	\$ 6,156.24
9	Special	1	1.00	9,940.00		Contingency/Owner's Allowance				
		0	16.20	16.20	LF	Type 2 Curb & Gutter	\$ 38.00	\$ -	\$ 615.60	\$ 615.60
		0	55.00	55.00	LF	Remove Sandstone Curb, Replace with Type 6	\$ 39.00	\$ -	\$ 2,145.00	\$ 2,145.00
		0	1.00	1.00	LS	ADA Ramp at City Hall	\$ 4,700.54	\$ -	\$ 4,700.54	\$ 4,700.54
	Special	0	1.00	1.00	LS	Splash Pad sidewalk at McArthur Park	\$ 2,026.23	\$ -	\$ 2,026.23	\$ 2,026.23

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

Total Difference \$ 18,723.46

Accepted:  Date: 7/29, 2019
Contractor

Accepted: _____ Date: _____, 2019
City Engineer

Original Contract Price = \$ 70,738.00
Contract Price after CO1 = \$ 79,521.46
% Increase = 12.4%
Original Budget/Estimate = \$ 93,282.50
% Increase = -14.8%

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY SMITH PAVING & EXCAVATING, INC., OF NORWALK, OHIO, FOR THE 2019 SIDEWALK REPAIR & REPLACEMENT PROJECT IN THE AMOUNT OF \$8,783.46; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity to proceed with the proposed 2019 Sidewalk Repair & Replacement Project by Resolution No. 010-19R, passed on March 11, 2019; and

WHEREAS, this City Commission approved the awarding of the contract to Smith Paving & Excavating, Inc., of Norwalk, Ohio, for work to be performed for the 2019 Sidewalk Repair & Replacement Project by Ordinance No. 19-090, passed on May 13, 2019; and

WHEREAS, the 2019 Sidewalk Repair & Replacement Project consists of over 6,420 square feet of sidewalk repairs and 148 linear feet of curb repairs and includes several residential locations and improvements to heaved slabs within Washington Park; and

WHEREAS, this First & Final Change Order reflects final quantities used, completion of the southwest quadrant of Washington Park in lieu of the northeast quadrant, the addition of ADA-accessible curb ramp in front of the new City Hall and the addition of sidewalks to the splash pad at Churchwell Park (MacArthur); and

WHEREAS, the original contract with Smith Paving & Excavating, Inc., was \$70,738.00 and with the addition of this First & Final Change Order in the amount of \$8,783.46, the final contract cost is \$79,521.46 of which \$77,495.23 will be paid with Issue 8 infrastructure funds from the Capital Projects Fund and the remaining balance of \$2,026.23 will be paid with Sandusky Neighborhood Initiative 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 make payment to contractor in a timely manner for work already performed and to close out the completed project; and

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

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

Section 1. The City Manager is hereby authorized and directed to approve this First & Final Change Order for work performed for 2019 Sidewalk Repair & Replacement Project in an amount **not to exceed** Eight Thousand Seven Hundred Eighty Three and 46/100 Dollars (\$8,783.46) resulting in the final contract cost of Seventy Nine Thousand Five Hundred Twenty One and 46/100 Dollars (\$79,521.46) with Smith Paving & Excavating, Inc., of Norwalk, Ohio.

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

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

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

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

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

Passed: August 12, 2019