



**SANDUSKY CITY COMMISSION  
REGULAR SESSION AGENDA  
OCTOBER 28, 2019 at 5 p.m.  
CITY HALL, 240 COLUMBUS AVENUE**

<b>INVOCATION</b>	Dave Waddington
<b>PLEDGE OF ALLEGIANCE</b>	
<b>CALL TO ORDER</b>	
<b>ROLL CALL</b>	D. Brady, N. Twine, D. Waddington, D. Murray, W. Poole, N. Lloyd & G. Lockhart
<b>APPROVAL OF MINUTES</b>	October 14, 2019
<b>AUDIENCE PARTICIPATION</b>	
<b>COMMUNICATIONS</b>	Motion to accept all communications submitted below
<b>CURRENT BUSINESS</b>	

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**CONSENT AGENDA ITEMS**

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

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**ANNUAL PAYMENT TO ERIE COUNTY FOR 9-1-1 AGREEMENT**

**Budgetary Information:** The total amount of this expenditure is \$16,961.47. The replacement cost is \$9,342.22 and the maintenance cost is \$7,619.25. The cost will be paid with funds from the Police Department's 2019 operating budget in the amount of \$8,480.74 and from the EMS fund in the amount of \$8,480.73.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing payment for replacement and maintenance costs for calendar year 2020 pursuant to the 9-1-1 agreement between the City of Sandusky and Erie County; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

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**ANNUAL CONTRACT WITH ERIE COUNTY HEALTH DEPARTMENT FOR BULKY & SOLID WASTE VEHICLE INSPECTION SERVICES**

**Budgetary Information:** The city will collect an annual registration fee of \$50 per vehicle for the purpose of inspection, administration and enforcement of Chapter 955. One half of the permit fees collected will be paid by the city to the Board of Health for providing bulky and solid waste vehicle inspection services.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed authorizing the City Manager to enter into a contract for services with the Erie County General Health District Board of Health for bulky and solid waste vehicle inspection services for the period of December 1, 2019, through November 30, 2020; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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**C. Submitted by Sally Martin, Interim Finance Director**

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**APPROPRIATION AMENDMENT #3**

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

- Boiler replacement at the old City Hall
- New City Hall relocation costs
- Demolition of the Cedar Point Chaussee water tower
- Vehicle purchases
- Administrative support services
- QCI/Pier Track services
- Fire Department services and overtime
- Additional transit line and service
- Recreation expenses

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed adopting amendment #3 to Ordinance #19-054 passed by this City Commission on March 25, 2019, making general appropriations for the fiscal year 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

## **REGULAR AGENDA ITEMS**

### **ITEM #1 - Submitted by John Storey, Economic Development Specialist**

#### **GRANT AGREEMENT WITH MAGROUP, LLC FOR 256 COLUMBUS AVENUE**

**Budgetary Information:** The city will be responsible for providing a total of \$21,454 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 \$21,454 through the small business assistance and signage and façade grant programs to Magroup, LLC, in relation to the property located at 256 Columbus Avenue; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

### **ITEM #2 – Submitted by Matt Lasko, Chief Development Officer**

#### **CONTRACT WITH ED BURDUE & CO. FOR DEMOLITION & ASBESTOS ABATEMENT FOR VACANT PARCELS**

**Budgetary Information:** The project cost based on the bid, including advertisement and miscellaneous costs is \$67,342.50. This project will be paid for with FY 2019 Community Development Block grant funds. Liens will be placed on all privately-owned properties for the cost of asbestos abatement and demolition.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Ed Burdue & Co., LLC of Sandusky, Ohio, for the CDBG FY 2019 demolition project #1; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

### **ITEM #3 – Submitted by Jason Werling, Recreation Director**

#### **CHANGE IN FEES FOR MILLS CREEK GOLF COURSE FOR 2020 OPERATING SEASON**

**Budgetary Information:** The current fee schedule will not negatively impact the general fund. It is the desire of the Recreation Department to continue to increase the overall usage of the course through memberships, punch cards and daily paid rounds. The city strives to be the area's lowest-priced golf course while still providing a quality experience to our golfers attracting both locals and visitors.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed approving the fee schedule for the Mills Creek Golf Course established by the City Manager pursuant to Section 973.02 of the codified ordinances of the City of Sandusky; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

### **ITEM #4 – Submitted by Jason Werling, Recreation Director**

#### **RATIFICATION OF GRANT APPLICATION WITH OHIO DEPARTMENT OF NATURAL RESOURCES FOR RECREATION DEPARTMENT**

**Budgetary Information:** ODNR will provide grant funding from \$1,000 to \$30,000 with a two-year cycle. A requirement of the grant is that the city provide at least a 25% match. The Recreation Department will provide the match with a combination of in-kind services (staff services and training) and funds from the Recreation Department's operating budget.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed approving the submission of a grant application to the Ohio Department of Natural Resources, Division of Parks & Watercraft, for financial assistance through the 2020 boating safety education grant program for the purchase of kayaks, a trailer and related equipment for the Recreation Department; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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

#### **LEASE AGREEMENT WITH LUKE KROMER FOR CITY PROPERTY LOCATED AT 3807 WEST BOGART ROAD**

**Budgetary Information:** The money received will be placed into the general fund.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a five-year lease agreement with Luke A. Kromer, of Sandusky, Ohio, for Parcel #33-00230.000 located at 3807 West Bogart Road for agricultural and related purposes; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

### **ITEM #6 – Submitted by Todd Gibson, Sr., Facilities & Properties Supervisor**

#### **PAYMENT TO GUNDLACH SHEET METAL FOR EMERGENCY REPAIR TO BOILERS AT 222 MEIGS STREET**

**Budgetary Information:** The cost of boiler #1 repair work is \$15,943 and the cost of boiler #2 repair work with asbestos abatement is \$14,899 totaling \$30,842 for labor and materials. The first \$25,000 will be paid with capital funds and the remaining balance of \$5,842 will be paid with funds from the Building Maintenance Division's operating budget.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed approving and ratifying the emergency boiler repair work performed at the former City Hall building, 222 Meigs Street; authorizing and directing the City Manager and/or the Finance Director to expend funds for the emergency repair work to Gundlach Sheet Metal Works, Inc. of Sandusky, Ohio, in the amount of \$30,842; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #7 – Submitted by Jane Cullen, Assistant City Engineer

NECESSITY TO PROCEED WITH WEST SIDE UTILITY & CONNECTIVITY PROJECT

**Budgetary Information:** The estimated cost of \$6,250,000 will be broken down as described below:

Sewer fund, storm water	\$2,234,889.00
Water fund	3,408,453.00
Sewer fund, sanitary	132,500.00
Issue 8 (2020 pathway)	210,169.00
Capital (2020 pathway)	200,000.00
Issue 8 (Street)	<u>63,989.00</u>
<b>TOTAL</b>	<b>\$6,250,000.00</b>

After construction estimates are complete, the city will seek loan opportunities through the Ohio Water Development Authority for all funds related to sewer and water.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed west side utility and connectivity improvements 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.

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, October 28 at 8:30 p.m.

Tuesday, October 29 at 5 p.m.

Monday, November 4 at 8:30 p.m.

Online:

[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us) – Click “Play” 



## CITY OF SANDUSKY POLICE DEPARTMENT

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5863  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: Eric Wobser, City Manager

From: John Orzech, Police Chief  
Rick Wilcox, Fire Chief

Date: October 16, 2019

Subject: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Requesting legislation authorizing the payment of 9-1-1 equipment replacement and maintenance billing for 2020 to Erie County.

**BACKGROUND INFORMATION:** This is an agreement between the Erie County Commissioners and the City of Sandusky to pay annual charges for the 9-1-1 equipment beginning in 1999. We have now been invoiced the 9-1-1 equipment replacement and maintenance charges for 2020.

**BUDGETARY INFORMATION:** The total amount of this expenditure is \$16,961.47. The replacement cost is \$9,342.22 and the maintenance cost is \$7,619.25. The cost will be paid with funds from the Police Department's 2019 Operating budget in the amount of \$8,480.74 and from the EMS Fund in the amount of \$8,480.73.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to allow for the payment of the 9-1-1 equipment replacement and maintenance billing in the amount not to exceed **\$16,961.47**. It is further requested that this be passed in accordance with Section 14 of the City Charter in order for payment to be made to the County as the payment is due by November 11, 2019.

**Approved:**

**I concur with this recommendation:**

\_\_\_\_\_  
John Orzech, Police Chief

\_\_\_\_\_  
Eric Wobser, City Manager

\_\_\_\_\_  
Rick Wilcox, Fire Chief

cc: Sally Martin, Acting Finance Director  
Trevor Hayberger, Law Director

**ERIE COUNTY FINANCE DEPARTMENT**

**2900 Columbus Avenue  
Sandusky, OH 44870  
(419) 627-7619**



**To:** City of Sandusky  
240 Columbus Avenue  
Sandusky, OH 44870

**Invoice:** EMA-911 CITY-SAND  
**Date:** 10/11/19

***INVOICE***

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Erie County 911  
for year 2020

Subdivision  
24861-3600-434200  
911

Census

25793

\$16,961.47

\$16,961.47

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**MAKE CHECKS PAYABLE TO ERIE COUNTY COMMISSIONERS**  
*Terms - Net 30 Days*

## CERTIFICATE OF FUNDS

In the Matter of: 2020 Replacement & Maintenance Costs per All Agreement Fire Co

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract 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 compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: 10/23/19

By:   
Sally Martin  
Acting Finance Director

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

**AN ORDINANCE AUTHORIZING PAYMENT FOR REPLACEMENT AND MAINTENANCE COSTS FOR CALENDAR YEAR 2020 PURSUANT TO THE 9-1-1 AGREEMENT BETWEEN THE CITY OF SANDUSKY AND ERIE COUNTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky entered into an agreement with Erie County to provide funding for an enhanced 911 system as authorized by Ordinance No. 99-244, passed by the City Commission on August 23, 1999; and

**WHEREAS**, authorization for payment of the City's share for replacement and maintenance for the calendar year 2020 is being requested; and

**WHEREAS**, the total cost for the 9-1-1 equipment replacement and maintenance charges for the calendar year 2020 as reflected on the current unpaid invoice is \$16,961.47 (\$9,342.22 for replacement and \$7,619.25 for maintenance) and is to be paid with funds from the Police Department's 2019 operating budget in the amount of \$8,480.74 and from EMS Funds in the amount of \$8,480.73; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules and in accordance with Section 14 of the City Charter in order for payment to be made to the County for CY 2020 as the payment is due by November 11, 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 Fire and Police Departments, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager and/or the Finance Director are authorized and directed to make payment to the Erie County Commissioners for the City's share of the 9-1-1 replacement and maintenance costs for CY 2020 in an amount **not to exceed** Sixteen Thousand Nine Hundred Sixty One and 47/100 Dollars (\$16,961.47) consistent with the invoice received by the City from the Erie County Finance Department.

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: October 28, 2019





## CITY OF SANDUSKY POLICE DEPARTMENT

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222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5863  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: Eric Wobser, City Manager

From: John Orzech, Police Chief

Date: October 15, 2019

Subject: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Legislation requesting approval for the City Manager to enter into a contract for bulky and solid waste vehicle inspection services with the Erie County General Health District Board of Health for the period of 12/1/19 through 11/30/20.

**BACKGROUND INFORMATION:** Starting in 2010, the City of Sandusky has entered into contracts with the Erie County General Health District Board of Health for inspection services of all commercial haulers of solid and/or bulky waste who operate within the City of Sandusky. This is in compliance with Section 955.05 of the City of Sandusky Ordinances. Under this Section, all commercial haulers are required to apply for a registration certificate with the City annually and provide proof that all vehicles used for the collection and transportation of solid waste and/or bulky waste within the City have been inspected annually by the Erie County Health Department. The Sandusky Police Department works in conjunction with the Erie County Health Department to register, inspect, and enforce the ordinance. The current contract expires November 30, 2019.

**BUDGET IMPACT:** The City will collect an annual registration fee of fifty dollars (\$50.00) per vehicle, for the purpose of inspection, administration, and enforcement of Chapter 955. One half of the permit fees collected will be paid by the City to the Board of Health for providing bulky and solid waste vehicle inspection services.

**ACTION REQUESTED:** It is requested legislation be adopted allowing the City Manager to enter into a contract for inspection services for the period of 12/1/19 through 11/30/20 with the Erie County General Health District Board of Health. It is requested that this legislation be approved in accordance with Section 14 of the City Charter in order to execute the contract prior to the current contract's expiration date of November 30, 2019, and continue to be in compliance with the City's Ordinance and the Solid Waste Management District Plan.

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

**Approved:**

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John Orzech, Police Chief

**I concur with this recommendation:**

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Eric Wobser, City Manager

cc: Sally Martin, Acting Finance Director  
Trevor Hayberger, Law Director

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SERVICES WITH THE ERIE COUNTY GENERAL HEALTH DISTRICT BOARD OF HEALTH FOR BULKY AND SOLID WASTE VEHICLE INSPECTION SERVICES FOR THE PERIOD OF DECEMBER 1, 2019, THROUGH NOVEMBER 30, 2020; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City Commission approved the Erie County Solid Waste Management District Plan by Resolution No. 018-10R, and the Amendment of Chapter 955 (Solid Waste Disposal) of the Codified Ordinances, both passed on June 28, 2010; and

**WHEREAS**, starting in 2010, the City has entered into contracts with the Erie County General Health District Board of Health for inspection services of all commercial haulers of solid and/or bulky waste who operate within the City; and

**WHEREAS**, pursuant to Section 955.05 of the Codified Ordinances, all commercial haulers of solid and/or bulky waste intending to operate within the City Sandusky are required to apply for a registration certificate with the City annually and provide proof that all vehicles used for the collection and transportation of solid waste and/or bulky waste within the City have been inspected annually by the Erie County Health Department; and

**WHEREAS**, the City will collect an annual registration fee of \$50.00 per vehicle for the purpose of inspection, administration and enforcement of Chapter 955 and one-half of the fees collected will be paid by the City to the Erie County Board of Health; 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 execute the agreement prior to the current contract's expiration date of November 30, 2019, and continue to be in compliance with the City's Ordinance and the updated Solid Waste Management District Plan; and

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

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

Section 1. This City Commission approves the Contract for Services with the Erie County General Health District Board of Health for bulky and solid waste vehicle inspection services for the period of December 1, 2019, through November 30, 2020, a copy of which is marked Exhibit "1", and attached to this Resolution 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 Resolution, and authorizes and directs the City Manager to sign the Contract for Services on behalf of the City.

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: October 28, 2019

## **CONTRACT FOR SERVICES**

This Contract entered into at Sandusky, Ohio, between the Erie County General Health District Board of Health [Inspector] and the City of Sandusky [City].

WHEREAS, the City is in need of the services of the Inspector to provide solid and bulky waste hauler inspection services; and,

WHEREAS, the Inspector is qualified and willing to provide such services as may be needed by the City, NOW, THEREFORE, it is hereby mutually understood and agreed as follows:

### **A. DUTIES OF INSPECTOR**

1. The Inspector will provide a scheduled inspection of bulky and solid waste hauler trucks that collect waste in enforcement of Chapter 955 of the City codified ordinances for the City during regular hours of operation between 8AM and 5PM Monday through Friday prior to initial registration, or renewal of annual vehicle registration, with the City; and
2. The Inspector will provide scheduled re-inspections of bulky and solid waste hauler vehicles to confirm resolution of documented violations; and
3. The Inspector will provide violation inspection records to the City for consideration prior to registration by the City; and
4. The Inspector will make its authorized representatives available for consultation upon prior request of the City or its authorized representatives; and
5. The Inspector will invoice the City on a monthly basis for all inspections done in that month.

### **B. DUTIES OF THE CITY**

1. The City will provide a list of applicants for solid waste haulers to the Inspector who shall utilize the list for the purposes of inspections; and

2. Any changes or alterations in the City's administrative or regulatory requirements, in regard to bulky or solid waste inspection services, may be done after consultation and approval by the Inspector; and
3. The City agrees to reimburse the Inspector from any collected fees, Twenty-five Dollars (\$25.00) per inspection of any initial or renewal of a registered bulky or solid waste vehicle; payable within 30 days of invoice and vehicle registration as agreed in this Contract.

**C. TERM OF CONTRACT AND TERMINATION OF THIS CONTRACT**

1. This Contract shall become effective on December 1, 2019, and shall remain in effect until November 30, 2020, unless terminated in accordance with this section.
2. Either party may terminate this Contract at any time without cause after giving thirty (30) days notice to the other by simultaneous U.S. Regular and Certified Mail to the addresses listed below.
3. Either Party may terminate this Contract immediately upon notice as given above if:
  - a. The Inspector is no longer able to provide inspections;
  - b. The City no longer has solid waste haulers.
  - c. The City does not provide the required list of applicants for hauling solid waste.

**D. MISCELLANEOUS**

1. Neither agreement or any duties or obligations imposed hereunder shall be assignable by the City or Inspector without the prior written consent of the other party.
2. No modification of this Contract shall be effective unless it is in writing and signed by both Parties.

3. This Contract contains the entire agreement between the Parties and all of the terms and conditions to which the Parties have agreed and supersedes all prior oral or written agreements or understandings concerning the subject matter hereof and shall be interpreted in accordance with the laws of the State of Ohio.

4. Notice: Any notice under this Contract shall be by simultaneous U.S. Regular and Certified Mail, return receipt requested, addressed to the following:

For the City

City of Sandusky  
ATTN: City Manager  
240 Columbus Avenue  
Sandusky, OH 44870

For the Inspector

Erie County Health Department  
ATTN: Health Commissioner  
420 Superior Street  
Sandusky, OH 44870

5. The City and Inspector will provide a resolution and/or approved meeting minutes, herein attached as Exhibit A and Exhibit B, respectively, which authorizes its designated representative to enter into this Contract.
6. If any section, sentence, clause or phrase of this Contract is for any reason held to be illegal, invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remainder of this contract and it shall remain in full force and effect.

**SIGNATURES TO FOLLOW**

FOR THE CITY OF SANDUSKY

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Trevor M. Hayberger, Law Director  
City of Sandusky

\_\_\_\_\_  
Date

FOR THE ERIE COUNTY GENERAL HEALTH DISTRICT BOARD OF HEALTH

\_\_\_\_\_  
Peter T. Schade, M.P.H., R.S.  
Health Commissioner  
Erie County General Health District

\_\_\_\_\_  
Date





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Department of Finance

240 Columbus Avenue  
Sandusky, Ohio 44870  
Phone: 419-627-5849  
smartin@ci.sandusky.oh.us

To: Eric Wobser, City Manager

From: Sally Martin, Acting Finance Director

Date: October 16, 2019

Subject: **Commission Agenda Item – Amendment #3 to the 2019 General Appropriations**

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

I am submitting amendment #3 to the 2019 General Appropriations.

**BUDGETARY INFORMATION:**

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

- Boiler replacement at the old City Hall
- New City Hall relocation costs
- Demolition of the Cedar Point Chaussee water tower
- Vehicle purchases
- Administrative support services
- QCI/Pier Track - services
- Fire department services and overtime
- Additional transit line and service
- Recreation expenses

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

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Sally Martin  
Acting Finance Director

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Eric Wobser  
City Manager

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

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

**AN ORDINANCE ADOPTING AMENDMENT NO. 3 TO ORDINANCE NO. 19-054 PASSED BY THIS CITY COMMISSION ON MARCH 25, 2019, MAKING GENERAL APPROPRIATIONS FOR THE FISCAL YEAR 2019; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission made general appropriations for the Fiscal Year 2019 Operating Budget by Ordinance No. 19-054, passed on March 25, 2019; and

**WHEREAS**, this City Commission adopted Amendment No. 1 to Ordinance No. 19-054 to cover deficiencies or needs which existed in the General, Transit, Parks & Recreation, Indigent Telephone, Capital Projects, Special Assessment, Bond Retirement, Special Assessment Bond Retirement, Water, Sewer, General Trust, and Cemetery Endowment Funds by Ordinance No. 19-092, passed on May 28, 2019; and

**WHEREAS**, this City Commission adopted Amendment No. 2 to Ordinance No. 19-054 to cover deficiencies or needs which existed in the General, Federal Grants, Court Computer, Capital Projects, Special Assessment, Water, and Sewer Funds by Ordinance No. 19-142, passed on August 26, 2019; and

**WHEREAS**, this Ordinance has been prepared to cover deficiencies or needs which exist in the General, Transit, Parks & Recreation, Capital Projects, Special Assessment, Special Assessment Bond Retirement, Water, and Sewer Funds; and

**WHEREAS**, amendments are required to adjust the budget for previous actions of the City; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to prevent delays in the use of the funds for an extended period of time and not restrict the operation of City departments; and

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

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

Section 1. Ordinance No. 19-054 passed by this City Commission on the 25<sup>th</sup> day of March, 2019, be amended as hereinafter set forth:

DEPARTMENT	PERSONAL SERVICES	OTHER	TOTAL
FIRE	35,000	35,000	70,000
ADMINISTRATIVE SERVICES		273,998	273,998
<b>GENERAL FUND</b>	<b>35,000</b>	<b>308,998</b>	<b>343,998</b>
2019 PUBLIC TRANSIT FUND	-	209,998	209,998
TRANSIT FUND	<b>0</b>	<b>209,998</b>	<b>209,998</b>
MILLS CREEK GOLF COURSE	11,550	12,950	24,500
RECREATION DEPARTMENT	-	39,500	39,500
<b>PARKS &amp; RECREATION FUND</b>	<b>11550</b>	<b>52,450</b>	<b>64,000</b>
CITY HALL RELOCATION	-	45,500	45,500
CITY BLDG	-	25,000	25,000
<b>CAPITAL PROJECTS FUND</b>	<b>0</b>	<b>70,500</b>	<b>70,500</b>
NUISANCE REMOVAL	-	3,030	3,030
<b>SPECIAL ASSESSMENT FUND</b>	<b>0</b>	<b>3,030</b>	<b>3,030</b>
<b>SPECIAL ASMNT BOND RETIREMENT FUND</b>	<b>0</b>	<b>3,710</b>	<b>3,710</b>
WD CAP PLAN & PROJ	-	83,480	83,480
EQUIPMENT REPLACEMENT	-	116,000	116,000
WEST SIDE CONNECTIVITY	-	3,510	3,510
ADMINISTRATIVE SUPPORT	-	25,000	25,000
<b>WATER FUND</b>	<b>0</b>	<b>227,990</b>	<b>227,990</b>
WPC BUILDING IMPROVEMENTS	-	66,348	66,348
LIFT & PUMP STATIONS	-	40,000	40,000
EQUIPMENT REPLACEMENT	-	313,229	313,229
ADMINISTRATIVE SUPPORT	-	53,500	53,500
<b>SEWER FUND</b>	<b>0</b>	<b>473,077</b>	<b>473,077</b>
<b>TOTAL ALL FUNDS</b>	<b>46,550</b>	<b>1,349,753</b>	<b>1,396,303</b>

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

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

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

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

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

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

Passed: October 28, 2019



## COMMUNITY DEVELOPMENT

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5715  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

**To:** Eric L. Wobser, City Manager  
**From:** John Storey, Economic Development Specialist  
**Date:** October 16, 2019  
**Subject:** Commission Agenda Item – Grant Agreement between City of Sandusky and MAGROUP, LLC

**Items for Consideration:** Legislation approving a Grant Agreement to be entered into between the City of Sandusky (“the City”) and MAGROUP, LLC (the “Company”), an Ohio limited liability company, for the purposes of furthering economic development efforts in the City.

**Background Information:** Led by its sole member, Mr. Patrick Graley, the Company will be tenaning the approximately 5,000 square foot, first floor commercial space which formerly served as a bank lobby and converted church space, which is located at 256 Columbus Avenue. Mr. Graley has nearly 40 years in the food service and restaurant industry. Like previous project completed by Mr. Graley, this space will become a marketplace with a particular focus on fresh, healthy grab and go food options, a coffee shop with breakfast choices, and a Sandusky bistro offering lunch and dinner solutions.

In addition to this space undergoing a complete renovation, it is important to note the modern upgrades also being built-out and installed. Upon completion, this renovation results in a new fire suppression system, which was beautifully designed and installed along the cornice to remain inconspicuous, a modern prep-kitchen area, freezer, refrigeration and food storage facilities. Additionally, the space will contain new restrooms for patrons and a small event space to host meetings or events.

This Grant Agreement is in the amount of twenty one thousand four hundred and fifty four dollars (\$21,454.00) with fifteen thousand dollars (\$15,000.00) allocated from the City’s Small Business Assistance program and six thousand four hundred fifty four dollars (\$6,454.00) allocated from the City’s Signage and Façade program. The Company’s overall total project cost for this renovation is approximately \$188,605, meaning the City’s grant equates to 11.3% of the overall cost.

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 Signage design has already been approved by Landmarks Commission. The project is expected to be completed by March 31, 2020.

The application and grant amount was approved at the October 15, 2019 Economic Development Incentive Committee meeting, in accordance with the Sandusky City Economic Development Programs.

**Budgetary Information:** The City will be responsible for providing a total of \$21,454.00 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 the Company. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter in order to immediately execute the grant agreement to allow the Company move forward with budgetary planning and facilitate rehabilitation.

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John Storey  
Economic Development Specialist

I concur with this recommendation:

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Eric L. Wobser  
City Manager

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Matthew D. Lasko  
Chief Development Officer


cc: Kelly Kresser, Clerk of the City Commission  
Trevor Hayberger, Law Director  
Sally Martin, Acting Finance Director

## CERTIFICATE OF FUNDS

In the Matter of: Mageaux LLC - Small Business Asst. : Signage Grant

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract 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 compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: 10/23/19

By:   
Sally Martin  
Acting Finance Director

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

**AN ORDINANCE AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$21,454.00 THROUGH THE SMALL BUSINESS ASSISTANCE AND SIGNAGE & FAÇADE GRANT PROGRAMS TO MAGROUP, LLC, IN RELATION TO THE PROPERTY LOCATED AT 256 COLUMBUS AVENUE; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, MAGROUP, LLC, was founded in 2017 by Patrick Graley, its sole member, to run and operate a food market and bistro business and will be occupying the approximately 5,000 square foot, first floor commercial space, located at 256 Columbus Avenue, which formerly served as a bank lobby and converted church space; and

**WHEREAS**, Patrick Graley has nearly forty (40) years' experience in the food service and restaurant industry and is planning to open a marketplace at the property located at 256 Columbus Avenue with a particular focus on fresh, healthy, grab-and-go food options, a coffee shop with breakfast choices, and a bistro offering lunch and dinner selections; and

**WHEREAS**, the property located at 256 Columbus Avenue is undergoing a complete renovation which includes modern upgrades, a new fire suppression system, modern prep-kitchen area, freezer, refrigeration and food storage facilities and new restrooms for patrons, and small event space to host meetings or events; and

**WHEREAS**, it has been 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; and

**WHEREAS**, the Economic Development Review Committee met on October 15, 2019, and is recommending to approve a grant to MAGROUP, LLC, in the amount of \$21,454.00 to assist with project costs for the purpose of furthering economic development efforts in the City; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute the Grant Agreement and allow the project 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 MAGROUP, LLC, for financial assistance through the Small Business Assistance and Signage & Façade Grant Programs 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 MAGROUP, LLC, in an amount **not to exceed** Twenty One Thousand Four Hundred Fifty Four and 00/100 (\$21,454.00) 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: October 28, 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 MAGROUP, LLC, ("the Company"), an Ohio limited liability company.

### WITNESSETH:

WHEREAS, the Company was founded in 2017 by Patrick Graley, its sole member, to run and operate a food market and bistro (the "Business");

WHEREAS, the Company has entered into a lease to tenant the 5,000 square feet, first-floor space located at 256 Columbus Avenue, which was formerly an ornate bank lobby and converted church (the "Property");

WHEREAS, the Company has significant buildout and installation costs associated with tenancing the Property and shall be completing this extensive renovation concurrent with the execution of this Agreement to operate a market with a particular focus on fresh, healthy grab and go food options, a coffee shop with breakfast choices, and a Sandusky bistro offering lunch and dinner solutions (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 **\$21,454.00** to the Company toward the costs of the Project, with fifteen thousand dollars (\$15,000.00) allocated from the Small Business Assistance grant program and six thousand four hundred and fifty four dollars (\$6,454.00) allocated from the Signage and Façade grant program (the "City Grants"), only payable upon Project 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 March 31, 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 Hall Building, 4<sup>th</sup> floor  
240 Columbus Avenue  
Sandusky, OH 44870
- (ii) TO THE COMPANY: MAGROUP, LLC  
c/o: Mr. Patrick Graley, Sole Member  
3032 West Boulevard  
Cleveland, Ohio 44111

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.

**MAGROUP, LLC**  
an Ohio limited liability company

By: \_\_\_\_\_  
TITLE: MEMBER

**CITY OF SANDUSKY, OHIO**

By: \_\_\_\_\_  
City Manager

The legal form of the within instrument  
Is hereby approved.

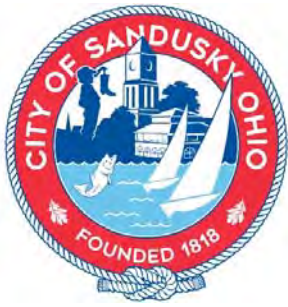
\_\_\_\_\_  
Director of Law  
City of Sandusky

## **CERTIFICATE OF DIRECTOR OF FINANCE**

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

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Director of Finance



## COMMUNITY DEVELOPMENT DEPARTMENT

240 Columbus Avenue  
Sandusky, Ohio 44870  
(419) 627-5847  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Matt Lasko, Chief Development Officer

Date: October 17, 2019

SUBJECT: Commission Agenda Item – CDBG FY19 Demolition Package #1

**ITEM FOR CONSIDERATION:** Ordinance authorizing and directing the City Manager to enter into a contract for the CDBG FY 19 Demolition Project #1.

**BACKGROUND INFORMATION:** City Commission previously approved soliciting bids for the asbestos abatement and demolition of seven (7) properties. Two (2) of the properties, located at 526 and 602 Lockwood Street, were voluntarily demolished by the owners. The remaining properties to be abated for asbestos and demolished are 420-422 Camp Street, 530 Clinton Street, 807 F Street, 1017 Shelby Street and 1511 Camp Street. All properties are vacant, blighted.

The following bids were received on October 17, 2019:

Garza Dirt Works	\$69,580.00	100% Bond
Ed Burdue & Co., LLC	\$67,342.50	100% Bond
B & B Wrecking	\$99,900.00	100% Bond
Pro Supply Inc.	\$87,391.00	100% Bond

Ed Burdue & Co., LLC of Sandusky, Ohio was determined to be the lowest and best bid.

**BUDGETARY INFORMATION:** The project cost based on the bid, including advertisement and miscellaneous costs is \$67,542.50. This project will be paid for with FY2019 Community Development Block Grant (CDBG) Funds. Liens will be placed on all privately owned properties for the cost of asbestos abatement and demolition.

**ACTION REQUESTED:** It is requested that the Ordinance awarding a contract to Ed Burdue & Co., LLC of Sandusky, Ohio for the demolition of 420-422 Camp Street, 530 Clinton Street, 807 F Street, 1017 Shelby Street and 1511 Camp Street in the amount of \$67,342.50 be approved. It is requested that the legislation be passed under suspension of the rules in accordance with Section 14 of the City Charter in order to move forward with the project and eliminate potential hazards from our neighborhoods. These properties have been an issue for many neighbors over the years.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Matt Lasko  
Chief Development Officer

cc: Kelly Kresser, Clerk of City Commission  
Sally Martin, Acting Finance Director  
Trevor Hayberger, Law Director



## CERTIFICATE OF FUNDS

In the Matter of: Ed Burdick & Co. LLC - FY19 Demolition Project #1

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract 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 compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: 10/23/19

By:   
Sally Martin  
Acting Finance Director

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & CO., LLC, OF SANDUSKY, OHIO, FOR THE CDBG FY19 DEMOLITION PROJECT #1; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the proposed CDBG FY19 Demolition Project #1 by Resolution No. 019-19R, passed on May 13, 2019, which involved the asbestos abatement and demolition of seven (7) residential structures; and

**WHEREAS**, two (2) of the residential properties, located at 526 Lockwood Street and 602 Lockwood Street, were voluntarily demolished by owner; and

**WHEREAS**, the remaining five (5) residential structures that are privately owned and condemned and ordered for demolition by the City or the Housing Appeals Board and are located at 420-422 Camp Street, 530 Clinton Street, 807 F Street, 1017 Shelby Street, and 1511 Camp Street; and

**WHEREAS**, upon competitive bidding as required by law four (4) appropriate bids were received and the bid from Ed Burdue & Co., LLC of Sandusky, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the total cost for the project, based on bids and including advertising and miscellaneous costs, is \$67,542.50 and will be paid with FY19 Community Development Block Grant (CDBG) funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to move forward with the project and to continue to implement the City's efforts towards blight elimination in the interest of the health and safety and general welfare of the citizens 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. The City Manager is authorized and directed to enter into a contract with Ed Burdue & Co, LLC, of Sandusky, Ohio, for the CDBG FY19 Demolition Project #1, in an amount **not to exceed** Sixty Seven Thousand Three Hundred Forty Two and 50/100 Dollars (\$67,342.50) consistent with the bid submitted by Ed Burdue & Co., LLC, 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: October 28, 2019



## RECREATION

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5886  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

Date: October 17, 2019  
To: Eric Wobser, City Manager  
From: Jason Werling, Recreation Superintendent  
Subject: Commission Agenda Item- 2020 Mills Creek Golf Course Fees

**ITEM FOR CONSIDERATION:** City Commission approval of the current fee schedule with changes for the 2020 operating season at Mills Creek Golf Course

**BACKGROUND INFORMATION:** The 2020 golf season will run April 1 - November 15<sup>th</sup> at Mills Creek Golf Course. The proposed changes for the 2020 season have been reviewed and approved by the Recreation Board at their meeting on September 11th, 2019. After review of the 2019 season, and the upcoming 80<sup>th</sup> anniversary celebration of the opening of the course, the proposed rates are being recommended for 2020. (See attached document of proposed rates.) The proposed rates are for the 2020 season only and will be adjusted again for the 2021 season following a review of 2020. A combo pass has been proposed and includes unlimited golf rounds and cart passes for regular and senior/employee members in 2020.

**BUDGET IMPACT:** The current fee schedule will not negatively impact the General Fund. It is the desire of the Recreation Department to continue to increase the overall usage of the course through memberships, punch cards, and daily paid rounds. The City strives to be the area's lowest priced golf course while still providing a quality experience to our golfers attracting both locals and visitors.

**ACTION REQUESTED:** It is requested that the City Commission approve the proposed current golf fees at Mills Creek Golf Course. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order for the proposed fee schedule, effective January 1, 2020, to be immediately approved to allow for advertising and pre-sale of season passes. The opening of the golf season is April 1, 2020 with a celebration weekend tentatively scheduled for Memorial Day weekend.

I concur with this recommendation.

Approved

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Jason Werling  
Recreation Superintendent

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Eric Wobser  
City Manager

**CITY OF SANDUSKY  
MILLS CREEK GOLF COURSE  
2019 to 2020  
PROPOSED RATE CHANGES**



**GREENS FEES**

DESCRIPTION	2019 RATE	PROPOSED 2020 RATE
9 holes Weekdays Regular	\$11.00	No Change
9 Holes- Senior/Employee/Military	\$10.00	No Change
2nd 9 holes weekday	\$6.00	No Change
<b>Jr. Golf</b> Round (ages 17 and under)	\$8.00	No Change
18 Holes Reg.	\$17.00	No Change
18 Holes Sr/Emp/Mil Reg.	\$16.00	No Change
9 Holes Regular Sat/Sun/Hol	\$12.00	\$13.00
9 Holes Sr/Emp/Mil Sat/Sun/Hol	\$11.00	\$12.00
2nd 9 holes weekend	\$6.50	\$7.00
18 Holes Sat/Sun/Hol	\$18.50	\$20.00
18 Holes Sr/Emp/Mil Sat/Sun/Hol	\$17.50	\$19.00
Lunch Time Special	\$15.00	No Change
Spectacular 6	\$14.00	No Change
Family Fun Days	\$30.00	No Change
Mom/Dad Day Special	\$6.00	No Change
<b>Off Season</b> 9H & 1C	\$13.00	No Change
<b>Off Season</b> 9 Holes	\$9.00	No Change
<b>Off Season</b> 18 Holes	\$14.00	No Change
Sr./Mil./Emp. Pass	\$260.00	\$280.00
Regular Pass	\$360.00	\$380.00
Youth Pass	\$160.00	\$180.00
Family Pass	\$620.00	\$640.00
Additional Youth (Family Pass)	\$100.00	No Change
Regular Combo Pass (New for 2020)		\$680.00
Senior Combo Pass (New for 2020)		\$480.00
<b>PUNCH CARD</b> - Green Fees - 12 punches	\$120.00	No Change
Golf Scramble	\$13.00	No Change



**CITY OF SANDUSKY  
MILLS CREEK GOLF COURSE  
2019 to 2020  
PROPOSED RATE CHANGES  
CONTINUED**

**RENTALS/TRAIL FEES**

<b>Description</b>	<b>Rate</b>	
Pass Gas Cart	\$425.00	No Change
Gas Cart– 9 holes 1 rider (Single 9)	\$7.00	No Change
Gas Cart- 9 holes 2 riders	\$14.00	No Change
Gas Cart 1 Rider 2nd Round	\$7.00	No Change
Gas Cart 18 Holes 1 Rider	\$14.00	No Change
Gas Cart 18 Holes 2 Riders	\$28.00	No Change
<b>PUNCH CARD</b> 24 Cart Single Rider	\$125.00	No Change
Pull Cart	\$3.00	No Change
Club Rental	\$5.00	No Change
Big Locker Rental	\$25.00	No Change
Small Locker Rental	\$15.00	N/A (removed)

Seasonal Cart Trail Fee	\$100.00	No Change
Personal Cart Storage wo/electric	\$250.00	No Change
Personal Cart Storage w/electric	\$300.00	No Change
9 Hole Cart Trail Fee	\$3.00	No Change
18 Holes Cart Trail Fee	\$6.00	No Change

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

**AN ORDINANCE APPROVING THE FEE SCHEDULE FOR THE MILLS CREEK GOLF COURSE ESTABLISHED BY THE CITY MANAGER PURSUANT TO SECTION 973.02 OF THE CODIFIED ORDINANCES OF THE CITY OF SANDUSKY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, pursuant to Section 973.02 of the Codified Ordinances of the City of Sandusky the City Manager has authority to establish fees charged at the Municipal Golf Course which are subject to approval by the City Commission; and

**WHEREAS**, after reviewing the Golf Course Analysis for 2019 and the upcoming 80<sup>th</sup> anniversary celebration of the opening of the Mills Creek Golf Course, the Recreation Superintendent is recommending to the City Manager to increase fees to the Weekend & Holiday rates, Season Passes, and establish new Season Combos Passes which include unlimited golf rounds and cart passes; and

**WHEREAS**, the proposed fee schedule for the 2020 operating season was approved by the Recreation Board at their meeting on September 11, 2019; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter approving the proposed fee schedule, effective January 1, 2020, to allow for advertising and pre-sale of season passes; 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. Pursuant to Section 973.02 of the Codified Ordinances this City Commission approves the proposed fee schedule for the Mills Creek Golf Course as recommended by the City Manager to become effective on January 1, 2020, a copy of which is marked Exhibit "A" attached to this Ordinance and is specifically incorporated as if fully rewritten herein, and that these fees shall be published in the Index of Fees maintained by the Division of Recreation.

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: October 28, 2019



**CITY OF SANDUSKY  
MILLS CREEK GOLF COURSE  
2019 to 2020  
PROPOSED RATE CHANGES**



**GREENS FEES**

DESCRIPTION	2019 RATE	PROPOSED 2020 RATE
9 holes Weekdays Regular	\$11.00	No Change
9 Holes- Senior/Employee/Military	\$10.00	No Change
2nd 9 holes weekday	\$6.00	No Change
<b>Jr. Golf</b> Round (ages 17 and under)	\$8.00	No Change
18 Holes Reg.	\$17.00	No Change
18 Holes Sr/Emp/Mil Reg.	\$16.00	No Change
9 Holes Regular Sat/Sun/Hol	\$12.00	\$13.00
9 Holes Sr/Emp/Mil Sat/Sun/Hol	\$11.00	\$12.00
2nd 9 holes weekend	\$6.50	\$7.00
18 Holes Sat/Sun/Hol	\$18.50	\$20.00
18 Holes Sr/Emp/Mil Sat/Sun/Hol	\$17.50	\$19.00
Lunch Time Special	\$15.00	No Change
Spectacular 6	\$14.00	No Change
Family Fun Days	\$30.00	No Change
Mom/Dad Day Special	\$6.00	No Change
<b>Off Season</b> 9H & 1C	\$13.00	No Change
<b>Off Season</b> 9 Holes	\$9.00	No Change
<b>Off Season</b> 18 Holes	\$14.00	No Change
Sr./Mil./Emp. Pass	\$260.00	\$280.00
Regular Pass	\$360.00	\$380.00
Youth Pass	\$160.00	\$180.00
Family Pass	\$620.00	\$640.00
Additional Youth (Family Pass)	\$100.00	No Change
Regular Combo Pass (New for 2020)		\$680.00
Senior Combo Pass (New for 2020)		\$480.00
<b>PUNCH CARD</b> - Green Fees - 12 punches	\$120.00	No Change
Golf Scramble	\$13.00	No Change



**CITY OF SANDUSKY  
MILLS CREEK GOLF COURSE  
2019 to 2020  
PROPOSED RATE CHANGES  
CONTINUED**

**RENTALS/TRAIL FEES**

Description	Rate	
Pass Gas Cart	\$425.00	No Change
Gas Cart– 9 holes 1 rider (Single 9)	\$7.00	No Change
Gas Cart- 9 holes 2 riders	\$14.00	No Change
Gas Cart 1 Rider 2nd Round	\$7.00	No Change
Gas Cart 18 Holes 1 Rider	\$14.00	No Change
Gas Cart 18 Holes 2 Riders	\$28.00	No Change
<b>PUNCH CARD</b> 24 Cart Single Rider	\$125.00	No Change
Pull Cart	\$3.00	No Change
Club Rental	\$5.00	No Change
Big Locker Rental	\$25.00	No Change
Small Locker Rental	\$15.00	N/A (removed)

Seasonal Cart Trail Fee	\$100.00	No Change
Personal Cart Storage wo/electric	\$250.00	No Change
Personal Cart Storage w/electric	\$300.00	No Change
9 Hole Cart Trail Fee	\$3.00	No Change
18 Holes Cart Trail Fee	\$6.00	No Change



## RECREATION

222 Meigs Street  
Sandusky, Ohio 44870  
419.627.5886  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

Date: October 17, 2019  
To: Eric Wobser, City Manager  
From: Jason Werling, Recreation Superintendent  
Subject: Commission Agenda Item

**ITEMS FOR CONSIDERATION:** Requesting legislation ratifying the submission of a grant application to the Ohio Department of Natural Resources (ODNR) – Division of Parks and Watercraft for the purchase of kayaks, a trailer for transport of kayaks and necessary equipment and training for kayak instruction and programming.

**BACKGROUND INFORMATION:**

- ODNR- Division of Parks and Watercraft – Application for 25% (\$10,000) matching funds for a maximum \$30,000 request for the 2020 Boating Safety Education Grant.
- The City of Sandusky Recreation Department has collaborated with Erie MetroParks for the use of their kayaks for our Wildlife at Pipe Creek camp with much success. Grant funding would provide the city with the opportunity to purchase kayaks for use at the Pipe Creek Wildlife Area, Kiwanis Park, Sadler Sailing Basin, Lions Park, Shoreline Park and Shelby Street Boat Launch. The recreation department would provide safety and operating classes to youth and adults as well as on-water instruction.

**BUDGETARY INFORMATION:** ODNR will provide grant funding from \$1,000 to \$30,000 with a two-year cycle. A requirement of the grant is that the City provide at least a 25% match. The Recreation Department will provide the match with a combination of in-kinds services (Staff services and training), and funds from the Recreation Department's operating budget.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to allow for the approval of the application to be submitted to ODNR: Parks and Watercraft. It is further requested that this be passed to take immediate effect in accordance with Section 14 of the City Charter in order to immediately ratify the submission of the grant application which will be submitted to ODNR by the deadline of November 1, 2019.

I concur with this recommendation.

Approved:

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Jason Werling, Recreation Superintendent

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Eric Wobser, City Manager

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF PARKS AND WATERCRAFT, FOR FINANCIAL ASSISTANCE THROUGH THE 2020 BOATING SAFETY EDUCATION GRANT PROGRAM FOR THE PURCHASE OF KAYAKS, A TRAILER, AND RELATED EQUIPMENT FOR THE RECREATION DEPARTMENT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, one of the goals of the Ohio Department of Natural Resources is to reduce boating accidents, mishaps, and fatalities within the state of Ohio through boater education; and

**WHEREAS**, grants ranging from \$1,000 to \$30,000 are awarded on a "cost share" basis with the applicant matching at least 25% of the total program cost and these boating safety education grants are available to eligible applicants for use to establish, develop, expand, maintain and promote boating safety programs and the grant money is appropriated through the Ohio Department of Natural Resources Waterways Safety Fund; and

**WHEREAS**, the purpose of the Boating Safety Education Grant program is to support the establishment, development, expansion, promotion, and maintenance of safe boating programs benefiting the general public and to address boater expectations for courses meeting Ohio's mandatory boating education law; and

**WHEREAS**, the City will be applying for funds up to a maximum of \$30,000 and, if awarded, the grant funds would be used to purchase kayaks, a trailer, and related equipment to be used at the Pipe Creek Wildlife Area, Kiwanis Park, Sadler Sailing Basin, Lions Park, Shoreline Park, and the Shelby Street Boat Launch Ramp, and the Recreation Department and Staff would provide safety and operating classes as well as provide on-water instruction; and

**WHEREAS**, the grant requires a cost share match of at least 25% of the total cost of the project and this cost share match will be provided with a combination of in-kind services (Staff services and training), and funds from the Recreation Department's operating budget; 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 submit the grant application to the Ohio Department of Natural Resources, Division of Parks and Watercraft, by the deadline of November 1, 2019; and

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

**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 a grant application to the Ohio Department of Natural Resources, Division of Parks and Watercraft, for financial assistance through the 2020 Boating Safety Education Grant Program for the purchase of kayaks, a trailer, and related equipment for the Recreation Department and authorizes and directs the City Manager to provide all information and documentation required to become eligible for possible funding assistance and to execute any grant agreements and lawfully expend funds consistent with the application and agreement should they be awarded.

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: October 28, 2019



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: October 14, 2019

Subject: **Commission Agenda Item – 2020 – 2024 Lease of Farmland Agreement**

**ITEM FOR CONSIDERATION:** Legislation requesting approval to enter into a five (5) year lease agreement with Luke A. Kromer of 1909 Wade Blvd, Sandusky, Ohio for land located at 3807 West Bogart Road, for the purpose of producing crops. This lease agreement will begin January 1, 2020 and continue through December 31, 2024.

**BACKGROUND INFORMATION:** The City of Sandusky owns approximately five (5) acres of tillable farmland located at and around the entrance to the firing range, north of Bogart Road and fronting on Old Railroad. All land is located on parcel 33-00230.000. Luke Kromer has farmed the land for the past six years via a similar competitive bidding and leasing program.

The request for proposals (RFP) was advertised in the Sandusky Register and letters of interest were sent out to past bidders and farmland owners near the property. Sealed proposals were opened on Monday, October 14, 2019 at 1:00pm, with only one proposal being received from Luke A. Kromer at \$805.00 per year. The proposal from Luke A. Kromer was determined to best serve the interest of the City.

**BUDGETARY INFORMATION:** The money received will be placed in the general fund.

**ACTION REQUESTED:** It is recommended that proper legislation be prepared allowing the City Manager to enter into a five (5) year lease agreement with Luke A. Kromer for the land located at 3807 West Bogart Road, Sandusky, Ohio for the purpose of producing crops 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 lease agreement to be fully executed as soon as possible so the lessor can begin preparing the land for the upcoming planting season.

I concur with this recommendation:

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Eric Wobser  
City Manager

cc: K. Kresser, Commission Clerk; S. Martin, Acting Finance Director; T. Hayberger, Law Director

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A FIVE (5) YEAR LEASE AGREEMENT WITH LUKE A. KROMER, OF SANDUSKY, OHIO, FOR PARCEL NO. 33-00230.000, LOCATED AT 3807 WEST BOGART ROAD FOR AGRICULTURAL AND RELATED PURPOSES; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City is the owner of certain real property located at and near the entrance to the Police Department's firing range, north of Bogart Road and fronting on Old Railroad; and

**WHEREAS**, subsequent to Request for Proposals (RFP) processes in 2014 and 2016, the City Commission approved consecutive three (3) year leases for the property located at 3807 West Bogart Road with Luke A. Kromer by Ordinance No. 14-032, passed on March 24, 2014, and Ordinance No. 16-226, passed on December 27, 2016; and

**WHEREAS**, the City recently issued a RFP for the lease of the farmland for calendar years 2020-2024 and received one (1) proposal and it was determined the proposal from Luke A. Kromer best serves the interest of the City; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the Lease Agreement to be immediately executed and allow the Lessor to begin preparing the land for the upcoming planting season; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **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 five (5) year Lease Agreement with Luke A. Kromer of Sandusky, Ohio, for the property located at 3807 West Bogart Road for agricultural and related purposes, substantially in the same form as Exhibit "1", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being

adverse to the City and as being consistent with carrying out the terms of this Ordinance.

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

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

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

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

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

Passed: October 28, 2019



## **FARM LEASE**

This Lease Agreement is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2019, between the City of Sandusky, a Chartered Municipality of the State of Ohio, 240 Columbus Avenue, Sandusky, Erie County, Ohio, hereinafter referred to as "Lessor" and Luke A. Kromer, 1909 Wade Blvd., Sandusky, Erie County, Ohio, hereinafter referred to as "Lessee". In consideration of the mutual covenants contained in this lease agreement, the Lessor and Lessee agree as follows:

### **SECTION ONE** **DESCRIPTION OF PREMISES**

On the terms and conditions specified in this lease agreement, Lessor leases to Lessee and Lessee hires from Lessor, to be used for agricultural and related purposes, a parcel of real property located at 3807 West Bogart Road (near the entrance to the Police Department's firing range, north of Bogart Road and fronting on Old Railroad) and identified as Erie County Parcel Number 59-00230.000, Sandusky, Ohio, as set forth in the Erie County Auditor's GIS AccuGlobe Maps attached to this Lease, marked Exhibit "A" and incorporated herein.

### **SECTION TWO** **TERM**

The term of this Lease Agreement shall be for three (3) years, beginning on January 1, 2020, and ending on December 31, 2024, and from year to year thereafter unless written notice to terminate is given by either party to the other, at least three (3) months prior to the beginning of the succeeding lease year.

### **SECTION THREE** **RENT**

Lessee agrees to pay Lessor, as annual cash rent for the above-described premises a total amount of \$805.00, and shall be paid by March 1<sup>st</sup> of each year, except that Lessee shall pay the first year's rent within one (1) week upon execution of this Lease.

Payment shall be made to Lessor in care of the Finance Director, 240 Columbus Avenue, Sandusky, Erie County, Ohio.

**SECTION FOUR**  
**PERMISSIBLE USES**

- A. The premises are leased to Lessee for the purpose of producing crops.
- B. All operations in furtherance of the use or uses and purpose or purposes for which the premises are leased shall be carried on and conducted in an efficient manner and in accordance with the best practices, generally employed and practiced in the area.
- C. Lessee shall not use, or permit to be used, the demised premises, or any part of the demised premises, for any purpose or use other than those for which the premises have been leased, and in the manner provided in this Lease Agreement, unless otherwise mutually agreed upon by Lessor and Lessee.

**SECTION FIVE**  
**WASTE**

Lessee shall not commit waste on, or damage to, the demised premises, and will use due care to prevent others from doing so. Lessee shall not commit a nuisance on the demised premises, or permit others to do so; nor shall Lessee use the demised premises for any unlawful purpose, or allow any other person to do so.

**SECTION SIX**  
**DUTIES OF LESSEE TO REPAIR**

Lessee shall keep the demised premises, including fences, and other improvements, and the approaches to and appurtenances of the demised premises in as good repair and condition as when received, and in as good repair and condition as they may be put during the term of this Lease Agreement; ordinary wear and tear excepted.

**SECTION SEVEN**  
**ALTERATIONS OR ADDITIONS**

- A. Lessee shall not (on penalty of immediate forfeiture of the leasehold conveyed by this lease agreement) without the written consent of Lessor,

make, or permit to be made, any additions to or alterations of the demised premises, or any part of the demised premises. All additions to and alterations of the demised premises (except trade fixtures so intended by lessor and lessee at the time of their annexation to the demised premises, and then only if they can be removed without injury to the realty) shall immediately become a part of the realty, and the property of Lessor.

- B. Should Lessor, from time to time, agree in writing to any addition to or alteration of the demised premises, Lessor and Lessee may at such time or times agree on the terms and conditions on which the additions and/or alterations shall be made, and the agreement shall determine the rights of the parties in and to the specific addition and/or alteration made under each such agreement.

#### **SECTION EIGHT**

#### **WATER RIGHTS**

- A. Water for farm operations and family use obtained by Lessee under Lessor's water rights (however acquired by Lessor) shall be used only on the demised premises and in the pursuit and performance of Lessee's operations and obligations under this Lease Agreement.
- B. No water shall be used on or be exported to other lands without the prior, express, and written consent of Lessor.
- C. Lessor assumes no responsibility to Lessee for any water shortage from the source or sources of water under Lessor's water rights, or from any source whatever; nor does Lessor warrant the quality or quantity of water obtained from any source or sources.
- D. Lessee shall pay all acquisition, operation, and maintenance, repair, diversion, and dispersion costs and charges and/or water tolls connected with the use of water used on the farm for whatever purpose or purposes; provided, however, Lessor shall pay all taxes and assessments properly levied on the demised premises.

**SECTION NINE**  
**LESSOR'S RIGHT OF ENTRY**

- A. Lessor reserves the right during the term of this Lease Agreement to enter on the demised premises, and all parts of the demised premises, at any reasonable time or times for the purpose of inspection, consultation with Lessee, making repairs or improvements, developing mineral resources and carrying away minerals, posting notices, and for all other lawful purposes.
- B. Lessor shall have, after notice of termination of this Lease Agreement or any extension of this Agreement, the right to enter on the demised premises for the purpose of plowing, seeding, and fertilizing, and for the performance of customary seasonal work; provided, however, such entry by Lessor shall not interfere with Lessee in carrying out regular farm operations that Lessee shall, at the time, have the right to carry out and perform under the terms of this Lease Agreement.

**SECTION TEN**  
**LIABILITY OF LESSOR TO THIRD PERSONS**

Lessee agrees to hold Lessor harmless and keep Lessor free, during the term of this Lease Agreement and all extensions of this Lease Agreement, from any and all liability and claim for damages arising out of injury to persons and property while in or on the demised premises, or the approaches to the demised premises, or resulting from livestock or other animals straying from the demised premises, or resulting from water or flood damage caused by improper, inadequate, or defective canals and ditches, or works of whatever kind, or the negligent operation, maintenance, use, or handling by whomever, such water damage occurring on or off the demised premises.

**SECTION ELEVEN**  
**ASSIGNMENT OR SUBLETTING**

- A. Lessee shall not assign this Lease Agreement, or any interest in this Lease Agreement, nor sublet the demised premises, or any part of the demised premises, without Lessor's prior, express, and written consent. Lessee

shall also not permit, without the prior written consent of Lessor, the demised premises, or any part of the demised premises, to be occupied or possessed by any other person or persons other than Lessee's agents and employees.

- B. It is expressly provided that no right or interest of Lessee in and to this Lease Agreement shall be assignable by operation of law without the approval and consent of the Lessor first obtained in writing. Lessor shall have the right to terminate this Lease Agreement on any unauthorized assignment or sublease, and declare this Lease Agreement void and of no further force or effect.

#### **SECTION TWELVE** **WAIVER BY LESSOR OF BREACH BY LESSEE**

The waiver by Lessor of a breach of any covenant or condition in this Lease Agreement shall not constitute a waiver of such covenant or condition, nor a waiver of a future breach of the same or any other covenant or condition of this Lease Agreement. The acceptance of rent by Lessor, with or without knowledge of a previous breach, shall not be deemed a waiver of a previous breach or breaches, by Lessee of any covenant or condition contained in this Lease Agreement, other than the one for which payment is accepted.

#### **SECTION THIRTEEN** **LESSOR'S REMEDIES ON DEFAULT BY LESSEE**

- A. Lessee agrees that in the event they should be in default of the performance of any of the terms covenants, or conditions of this Lease Agreement, or have otherwise breached this Lease Agreement, Lessor may in addition to every remedy now or hereafter available at law or in equity have the rights and remedies set forth in this Lease Agreement.
- B. Lessor shall have the right to reenter the demised premises without effecting thereby the termination of this Lease Agreement, by giving Lessee lawful notice of such intention. Lessor, either before or after reentry, may notify Lessee, if Lessee can be located, that Lessor elects to

terminate this Lease Agreement, or, that Lessor elects to re-let the demised premises on Lessee's account under terms and conditions provided below. If Lessee cannot with reasonable diligence be located within 30 days after abandonment of the demised premises, Lessor may make the election without notice to Lessee, or by such substituted notice as the law shall provide or allow.

- C. Lessor shall have right to own and possess at Lessor's election all crops both harvested and unharvested; the right to remove all property and persons from the demised premises; and the right to store in a public warehouse at Lessee's expense all property so removed. At Lessor's election, Lessor may terminate this Lease Agreement, or, without terminating it, re-let the demised premises or any part of the demised premises, on such terms and conditions, and at such rental as to Lessor may seem advisable, and from time to time. The term of the reletting may be for a term beyond the term of this Lease Agreement.
- D. Lessor shall have the right to, at Lessee's expense, alter the demised premises, or any part of the demised premises, and put the demised premises in good condition and repair.
- E. On such reletting, Lessor may elect; (1) to hold Lessee immediately liable for (a) the expenses of reletting, altering, and repairing the demised premises; (b) the amount by which the rent reserved in this Lease Agreement for the period of reletting (not exceeding the term of this Lease Agreement, however) exceeds the amount agreed to by the new Lessee, or Lessees, to be paid as rent for the re-let premises; and (c) all indebtedness due under this Lease Agreement; or, (2) to apply the periodic rents received by Lessor; first, to any indebtedness (other than rent) due from Lessee to Lessor; second, the payment of expenses incurred by Lessor in repairing and altering the demised premises, and in reletting the demised premises; and third, to the payment of rent due under this Lease Agreement as it shall become due and payable.
- F. If the rent payments due from the reletting of the demised premises are not paid at the time they become due and payable by the tenant holding under the reletting, or are, for any reason, insufficient to pay the rent due

under this Lease Agreement, Lessee shall immediately pay to Lessor the total deficiency ascertained to be due under the provisions of (2) above.

**SECTION FOURTEEN**  
**BINDING EFFECT**

The terms, covenants, and conditions contained in this Lease Agreement shall (subject to the provisions with respect to assignment and subletting) apply to and bind the heirs, successors, executors, administrators, and assigns of the parties. All such parties, including Lessor and Lessee, shall be jointly and severally liable under the Lease Agreement's terms, covenants, and conditions.

**SECTION FIFTEEN**  
**TIME OF ESSENCE**

It is specifically declared that time is of the essence of this Lease Agreement.

**SECTION SIXTEEN**  
**GOVERNING LAW**

It is agreed that this Lease Agreement shall be governed by construed, and enforced in accordance with the laws of Ohio.

**SECTION SEVENTEEN**  
**ATTORNEY FEES**

In the event that any action is filed in relation to this Lease Agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorney fees.

**SECTION EIGHTEEN**  
**ENTIRE AGREEMENT**

This Lease Agreement shall constitute the entire agreement between the parties. Any prior understanding or representation of any kind preceding the date of this Lease

Agreement shall not be binding on either party except to the extent incorporated in this Lease Agreement.

**SECTION NINETEEN**  
**MODIFICATION OF AGREEMENT**

Any modification of this Lease Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if evidenced in a writing signed by each party or an authorized representative of each party.

**SECTION TWENTY**  
**COUNTERPARTS**

This Lease Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute but one and the same instrument.

**SECTION TWENTY-ONE**  
**PARAGRAPH HEADINGS**

The titles to the paragraphs of this Lease Agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this Lease Agreement.

**SIGNATURE PAGE TO FOLLOW**



SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

LESSOR:  
CITY OF SANDUSKY

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

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

Sworn to and subscribed in my presence, this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

LESSEE:

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

\_\_\_\_\_  
Luke A. Kromer

Sworn to and subscribed in my presence, this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

Instrument prepared by:

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







## DEPARTMENT OF PUBLIC WORKS

### *Division of Facilities & Properties*

1024 Cement Avenue

Sandusky, Ohio 44870

419.627.5884

[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Todd Gibson, Sr., Facilities & Properties Supervisor

Date: October 16, 2019

Subject: **Commission Agenda Item – Emergency Boiler Repairs & Asbestos Abatement at 222 Meigs Street**

**ITEM FOR CONSIDERATION:** Legislation approving payment for emergency boiler repairs and asbestos abatement work at 222 Meigs Street to Gundlach Sheet Metal Works, Inc. of Sandusky, OH.

**BACKGROUND INFORMATION:** During the State of Ohio annual boiler inspection, both boilers did not meet minimum requirements for start-up. It was discovered that boiler #1 had leaking heat exchanger tubes and needed complete retubing. In order to perform the retubing, asbestos abatement had to be performed as well. Boiler #2 had a burner controller failure. Because of the age of the boiler, the controller is obsolete so this boiler needed both burner and burner control replacement. The Meigs Street location services the Police Department, the Municipal Court and the Recreation Department. Neither of the boilers were to be turned on for the fall season until the repairs were completed which left these departments with no working heat and with the possibility of pipes freezing.

Two (2) local companies were contacted for quotes but due to Gundlach Sheet Metal Works, Inc. being the only commercial company able to perform these repairs, no other quotes were received. Permission to proceed with this work was granted via motion at Sandusky City Commission meeting on October 14, 2019.

**BUDGETARY INFORMATION:** The cost of boiler #1 repair work is \$15,943.00 and the cost of boiler #2 repair work with asbestos abatement is \$14,899.00, totaling \$30,842.00 for labor and materials. The first \$25,000 will be paid with Capital funds and the remaining balance of \$5,842.00 will be paid with funds from the Building Maintenance Division's operating budget.

**ACTION REQUESTED:** It is recommended that legislation be approved for payment of emergency boiler repairs and asbestos abatement work performed at 222 Meigs Street to Gundlach Sheet Metal Works, Inc. of Sandusky, OH, under suspension of the rules and in full accordance with Section 14 of the City Charter in order to allow for timely payment of the parts and services once the work is completed and invoice is received.

I concur with this recommendation:

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Eric Wobser  
City Manager

---

Aaron Klein, PE  
Director

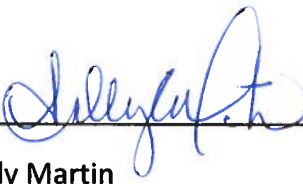
cc: K. Kresser, Commission Clerk; S. Martin, Acting Finance Director; T. Hayberger, Law Director

## CERTIFICATE OF FUNDS

In the Matter of: Gunnlach Street Metal - Emergency Boiler Repair

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract 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 compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Dated: 10/23/19

By:   
Sally Martin  
Acting Finance Director



Heating · Air Conditioning  
Commercial Refrigeration  
Industrial Ventilation  
Established 1889



SHEET METAL WORKS INC.

910 Columbus Avenue · Sandusky, Ohio 44870 · Phone: 419-626-4525 · Fax: 419-626-9365

Ottawa County Branch

4125 E. Kirk Rd. STE 10 · Port Clinton, OH 43452 · Phone: 419-734-7351 · Fax: 419-734-9230

October 3, 2019

City of Sandusky  
222 Meigs Street  
Sandusky, Ohio 44870

**SUBJECT: City Building – Boiler #1 Retubing  
Quotation: 109053**

For the sum of **\$14,899.00** (Not Including Ohio Sales Tax), we will provide material and labor for a complete re-tubing of Boiler #1.

Upon state boiler inspection, the inspector required that the boiler tubes be replaced before putting the boiler into operation this fall. This boiler cannot be used until the tubes are replaced.

**This Proposal Includes:**

- Open front and rear doors
- Remove old tubes
- Install new tubes
- Hydrostatically test boiler
- Visually inspect boiler for leaks
- Replace door gaskets
- Close front and rear doors
- Replace leaking pressure safety valve

**This Proposal Also Includes:**

- Asbestos abatement, by a certified asbestos abatement company, to remove a section of insulation covering the breach so that tubes can be accessed from the rear of the boiler

**This Base Proposal Does Not Include:**

- Holiday or overtime labor
- Ohio Sales Tax
- Any previous service calls
- Draining and filling system if isolation valves do not hold
- New isolation valves

**Proposal Notes:**

- This proposal is contingent upon our acceptance of terms and conditions of any purchase order, contract, or subcontract agreement required by the contracting party

(Continued Next Page)

**Proposal Notes:**

- Mold is a natural byproduct of the fungi family that thrives when primarily organic substances and water are found in the right conditions. The heating and air conditioning systems described in this proposal are designed to control temperature and humidity with the guidelines established by the Ohio Mechanical Code and ASHRAE standards. Nothing in this proposal should be construed as a system capable of preventing or suppressing the occurrence of mold. In addition, without proper maintenance and cleaning, HVAC systems have the potential to support these growths. Gundlach Sheet Metal Works does not offer mold remediation or mitigation services. Should the Owner become concerned with these issues, we can recommend a specialist trained and certified in this type of work.
- All work is assumed to be performed during our standard working hours. Any work performed otherwise shall incur added costs above and beyond the quoted price.
- Changes, additions or deviations from accepted above quoted work which incur extra costs or deductions will be executed only upon written and accepted change order by owner.
- This proposal is valid for thirty (30) days.
- We assume your facility is tax exempt. Therefore, this proposal does not include taxes. Upon acceptance of proposal, please provide certification of tax exemption status. If this assumption is not true, final invoicing must include any applicable taxes.

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**Acceptance of Proposal** – In accordance with the price quoted, specifications and conditions are hereby accepted. You are authorized to do the work specified. Payment will be made as indicated below.

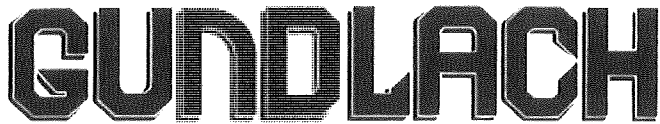
**Authorized Owner's Signature**\_\_\_\_\_ **Date**\_\_\_\_\_

Thank you for the trust and confidence you have placed in Gundlach Sheet Metal. We value your business and consider it an honor to be your service provider.

Respectfully;



Andrew M. Gundlach  
HVAC Service & Controls Manager



Heating · Air Conditioning  
Commercial Refrigeration  
Industrial Ventilation  
Established 1889



SHEET METAL WORKS INC.

910 Columbus Avenue · Sandusky, Ohio 44870 · Phone: 419-626-4525 · Fax: 419-626-9365

Ottawa County Branch

4125 E. Kirk Rd. STE 10 · Port Clinton, OH 43452 · Phone: 419-734-7351 · Fax: 419-734-9230

October 3, 2019

City of Sandusky  
222 Meigs Street  
Sandusky, Ohio 44870

**SUBJECT: City Building – Boiler #2 Burner Replacement  
Quotation: 109052**

For the sum of **\$15,943.00** (Not Including Ohio Sales Tax), we will provide material and labor to replace the boiler burner & burner control.

Replacing the 240V burner is not possible due to safety concerns. Therefore, we propose to replace the existing non-functioning 240V burner assembly with a used burner consisting of a 120V control system. This used burner is in working condition and is a more economical solution than using a new burner. It is also a safer solution than using 240V controls or trying to convert the existing burner controls to 120V.

**This Proposal Includes:**

- Removal and disposal of existing non-functioning 240V burner assembly
- Fit and weld new mounting plate
- Mount replacement burner
- Install refractory around burner and inside firebox
- Pipe in gas line to gas train
- Leak test new connections to ensure no leaks
- Electrical connections and control wiring
- Install a new regulator
- Start-up and set combustion on burner
- Check safeties to ensure proper operation

**This Base Proposal Does Not Include:**

- Holiday or overtime labor
- Ohio Sales Tax
- Any previous service calls
- Draining and filling system if isolation valves do not hold
- New isolation valves

**Proposal Notes:**

- This proposal is contingent upon our acceptance of terms and conditions of any purchase order, contract, or subcontract agreement required by the contracting party

(Continued Next Page)

**Proposal Notes:**

- Mold is a natural byproduct of the fungi family that thrives when primarily organic substances and water are found in the right conditions. The heating and air conditioning systems described in this proposal are designed to control temperature and humidity with the guidelines established by the Ohio Mechanical Code and ASHRAE standards. Nothing in this proposal should be construed as a system capable of preventing or suppressing the occurrence of mold. In addition, without proper maintenance and cleaning, HVAC systems have the potential to support these growths. Gundlach Sheet Metal Works does not offer mold remediation or mitigation services. Should the Owner become concerned with these issues, we can recommend a specialist trained and certified in this type of work.
- All work is assumed to be performed during our standard working hours. Any work performed otherwise shall incur added costs above and beyond the quoted price.
- Changes, additions or deviations from accepted above quoted work which incur extra costs or deductions will be executed only upon written and accepted change order by owner.
- This proposal is valid for thirty (30) days.
- We assume your facility is tax exempt. Therefore, this proposal does not include taxes. Upon acceptance of proposal, please provide certification of tax exemption status. If this assumption is not true, final invoicing must include any applicable taxes.

---

**Acceptance of Proposal** – In accordance with the price quoted, specifications and conditions are hereby accepted. You are authorized to do the work specified. Payment will be made as indicated below.

**Authorized Owner's Signature**\_\_\_\_\_ **Date**\_\_\_\_\_

Thank you for the trust and confidence you have placed in Gundlach Sheet Metal. We value your business and consider it an honor to be your service provider.

Respectfully;



Andrew M. Gundlach  
HVAC Service & Controls Manager



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

**AN ORDINANCE APPROVING AND RATIFYING THE EMERGENCY BOILER REPAIR WORK PERFORMED AT THE FORMER CITY HALL BUILDING, 222 MEIGS STREET; AUTHORIZING AND DIRECTING THE CITY MANAGER AND/OR THE FINANCE DIRECTOR TO EXPEND FUNDS FOR THE EMERGENCY REPAIR WORK TO GUNDLACH SHEET METAL WORKS, INC. OF SANDUSKY, OHIO, IN THE AMOUNT OF \$30,842.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, during an annual boiler inspection by the State of Ohio at the former City Hall Building on Meigs Street, it was discovered that Boiler #1 needed complete retubing, which required asbestos abatement, and Boiler #2 needed both burner and burner control replacement and subsequently, neither boiler could be turned on until the necessary repairs were completed; and

**WHEREAS**, the City Manager notified this City Commission at their October 14, 2019, regularly scheduled meeting of the emergency nature of the situation and a motion was passed approving the emergency repair work; and

**WHEREAS**, quotes were requested from two (2) local companies in which one (1) quote was received and the quote from Gundlach Sheet Metal Works, Inc. of Sandusky, Ohio, was determined to be the lowest and best quote; and

**WHEREAS**, pursuant to Section 24 of the City Charter the emergency nature of the work obviates the necessity to comply with formal competitive bidding and advertising; and

**WHEREAS**, the total cost of labor and materials for the repair work and asbestos abatement is \$30,842.00 of which \$25,000.00 will be paid with Capital Funds and the remaining balance of \$5,842.00 will be paid with funds from the Building Maintenance Division's operating budget; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow for timely payment of the repair services and materials once the emergency work is completed and invoice is received; 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 confirms the finding of a real and present emergency regarding the emergency services obviating the necessity to comply with formal competitive bidding as authorized by the Ohio Revised Code and ratifies the emergency repair services performed on the boilers at the former City Hall Building located at 222 Meigs Street, Sandusky.

Section 2. The City Manager and/or Finance Director is authorized and directed to expend funds for the emergency repair work and asbestos abatement at the former City Hall Building to Gundlach Sheet Metal Works, Inc. of Sandusky, Ohio, at an amount **not to exceed** Thirty Thousand Eight Hundred Forty Two and 00/100 Dollars (\$30,842.00).

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

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

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

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

ATTEST:

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

Passed: October 28, 2019



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: October 15, 2019

Subject: Commission Agenda Item- West Side Utility and Connectivity Improvements Project

**ITEM FOR CONSIDERATION:** Requesting legislation authorizing the City to accept bids for the West Side Utility and Connectivity Improvements Project.

**BACKGROUND INFORMATION:** This project consists of four components consisting of the water distribution system, storm sewers, resurfacing and walkability/connectivity on the west end of town. The following is a description of each item.

**WATER:**

There are two existing water mains on Venice Road between Edgewater Drive and Fremont Avenue. The 8-inch water main is used as the supply line, and the 16-inch main used almost exclusively for transmission. The 8-inch water main will be replaced with a new 10-inch water main because the frequency of main breaks has increased over the past several years on the 8-inch water main. The City has also experienced several water main breaks in the Sagamore and Linden areas. The 6-inch water mains will be completely replaced in this neighborhood.

**STORM SEWER:**

There has been extensive surface water flooding in the west end area of the City. This project will install storm sewers in the Edgewater, Sagamore, Linden, Elwood and Wuertz neighborhoods. Venice Road will have storm sewers installed in various locations on both the north and south sides of the road. Storm sewer work will include several new manholes and catch basin structures.

**RESURFACING:**

Edgewater Avenue south of Venice Road and the Sagamore, Linden, Elwood and Wuertz area will be resurfaced with this project. Venice Road is being resurfaced with the ODOT Urban paving project that will start in late spring of 2022

**WALKABILITY/CONNECTIVITY:**

The 2018 Bicentennial Vision, which was adopted in 2016, was an 18-month process incorporating extensive public involvement throughout neighborhoods in the City. Subsequently, the City's planning department conducted a Neighborhood Initiative in 2017 which included the west end of the city. Through both of these processes, residents revealed that they felt disconnected from the rest of the City. This project will provide for a new 10-foot asphalt multi-use path on the north side of Venice Road from Edgewater Avenue to just east of the Cold Creek bridge. There is a new 4-foot concrete sidewalk to be installed from the eastern intersection of Mill Pond Drive to the eastern intersection of Cold Creek Boulevard where there will be a crosswalk across Venice Road with a solar powered rapid flashing beacon (RRFB) sign assembly

**BUDGETARY INFORMATION:** The estimated cost of \$6,250,000 will be broken down as described below.

Sewer Fund, Storm Water	\$2,234,889
Water Fund	\$3,408,453
Sewer Fund, Sanitary	\$ 132,500
Issue 8 ( 2020 Pathway)	\$ 210,169
Capital (2020 Pathway)	\$ 200,000
<u>Issue 8 (Street)</u>	<u>\$ 63,989</u>
Total	\$6,250,000

After construction estimates are complete, the City will seek loan opportunities through Ohio Water Development Authority (OWDA) for all funds related to sewer and water.

**ACTION REQUESTED:** It is recommended that proposed West Side Utility and Connectivity Improvements Project be approve 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 in order to bid the project, receive competitive prices and begin the underground utilities this winter so that this project can be finished prior to ODOT's urban paving program that is estimated to begin in late spring of 2022. ODOT's urban paving program will resurface Venice Road (State Route 6) between Tiffin Avenue and Fremont Avenue. It is estimated for the West side Utility and Connectivity Improvements Project to take approximately one year for construction once the Notice to Proceed has been issued to the contractor.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Aaron Klein, P.E.  
Director

cc: K. Kresser, Commission Clerk; S. Martin, Acting Finance Director; T. Hayberger, Law Director

RESOLUTION NO. \_\_\_\_\_

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

**WHEREAS**, the proposed West Side Utility & Connectivity Improvements Project consists of four (4) components involving the water distribution system, storm sewers, resurfacing, and walkability/connectivity on the west end of the City and provides for improvements along Edgewater Avenue, the Sagamore Street and Linden Street neighborhoods, and Venice Road from Edgewater Avenue to just east of Cold Creek Bridge and includes the replacement of water mains, new storm sewers, multi-use paths and new sidewalks; and

**WHEREAS**, this City Commission previously approved an agreement with DLZ Ohio, Inc., of Cleveland, Ohio, for professional design services for the West Side Utility & Connectivity Improvements Project by Ordinance No. 17-226, passed on December 11, 2017; and

**WHEREAS**, this City Commission previously approved an agreement with O.R. Colan Associates of Fairview Park, Ohio, for professional property and easement acquisition services for the West Side Utility & Connectivity Improvements Project by Ordinance No. 19-101, passed on May 28, 2019; and

**WHEREAS**, the total estimated cost of this project, including engineering, inspection, advertising, and miscellaneous expenses is \$6,250,500.00 and will be paid as follows:

Sewer Funds (Storm Water)	\$ 2,234,889.00
Water Funds	\$ 3,408,453.00
Sewer Funds (Sanitary)	\$ 132,500.00
Issue 8 Funds (2020 Sandusky Bay Pathway)	\$ 210,169.00
Capital Funds (2020 Sandusky Bay Pathway)	\$ 200,000.00
Issue 8 Funds (Street)	\$ 63,989.00
Total	\$ 6,250,000.00

**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 allow the project to be bid, receive competitive prices and the underground utilities can begin this winter so the project can be completed prior to the Ohio Department of Transportation's Urban Paving Program, which consists of resurfacing Venice Road (State Route 6) between Edgewater Avenue and Fremont Avenue and estimated to begin in late spring of 2022; and

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

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

Section 1. The specifications and estimates of cost as prepared by the Director of Public Works and submitted to this City Commission, and which are now on file in the offices of the Director of Public Works and the Clerk of the City Commission, for the proposed West Side Utility & Connectivity Improvements Project, be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with the proposed West Side Utility & Connectivity Improvements Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the proposed West Side Utility & Connectivity Improvements 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: October 28, 2019