



**SANDUSKY CITY COMMISSION  
REGULAR SESSION AGENDA  
MAY 26, 2020 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>	W. Poole, B. Harris, D. Murray, D. Brady, N. Twine, M. Meinzer & D. Waddington
<b>APPROVAL OF MINUTES</b>	May 11, 2020 and May 18, 2020 (Work Session)
<b>PUBLIC HEARING</b>	<b>CDBG FY 2020 Annual Action Plan and Amendments Associated with COVID-19</b> Angela Byington, Director of Planning
<b>AUDIENCE PARTICIPATION</b>	
<b>COMMUNICATIONS</b>	Motion to accept all communications submitted below
<b>CURRENT BUSINESS</b>	

**CONSENT AGENDA ITEMS**

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

**GRANT APPLICATIONS TO OHIO DEPARTMENT OF TRANSPORTATION AND THE OHIO TRANSIT PARTNERSHIP PROGRAM FOR THE SANDUSKY TRANSIT SYSTEM**

**Budgetary Information:** The 5311 Rural Transit program funds comprise approximately fifty percent of the Sandusky Transit System's budget and without this funding, the system would not be able to operate. The required local matching funds will be generated from multiple local sources; STS anticipates receiving \$90,000 in fare revenue, \$600,000 in contract revenue, \$100,000 in transit reserve fund revenue, \$65,000 from advertising, \$60,000 from fares paid by organizations, \$12,000 in elderly and disabled funds and the \$850,000 operating funds anticipated from the OTP2 grant.

**1. RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation through the U.S. Department of Transportation Federal Transit Administration for the CY 2021 Rural Transit program grant for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**2. RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation for State FY 2021 Ohio Transit Partnership program grant funds for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**B. Submitted by Aaron Klein Director of Public Works**

**AMENDMENT TO CONTRACT WITH ODOT FOR URBAN PAVING PROJECT**

**Budgetary Information:** The city's portion increased from \$1,074,955 to \$1,093,147 which is \$18,192. This additional amount would increase the contribution from Issue 8 from \$29,353 to \$47,545. All other funding sources would stay the same.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed amending Ordinance No. 20-068 passed on April 13, 2020, authorizing and directing the City Manager to enter into a contract with the Director of the Ohio Department of Transportation for the ODOT resurfacing – urban paving City of Sandusky project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**C. Submitted by Michelle Reeder, Finance Director**

**ANNUAL SUBMERGED LANDS LEASE PAYMENT FOR THE CHESAPEAKE LOFTS CONDOMINIUM ASSOCIATION**

**Budgetary Information:** This submerged lands lease is payable by the City of Sandusky as the leaseholder. The Chesapeake Lofts Condominium Association will reimburse the city for the cost of the lease payment on the city's behalf.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to make payment to the Ohio Department of Natural Resources, Office of Coastal Management for rental payment on submerged lands lease File No. SUB-2119B-ER for the period of April 1, 2020, through March 31, 2021; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**D. Submitted by Michelle Reeder, Finance Director**

**ANNUAL SUBMERGED LANDS LEASE PAYMENT FOR BATTERY PARK MARINA**

**Budgetary Information:** The submerged lands lease is payable by the City of Sandusky as the leaseholder. Sandusky Bay Investment reimburses the city for the cost of the lease pursuant to their agreement with the city. Since the amount is over \$10,000, it must be approved by the City Commission.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to make payment to the Ohio Department of Natural Resources, Office of Coastal Management, for rental payment on submerged lands lease File No. SUB-0385-ER for the period of March 1, 2020, through February 28, 2021; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

**ACCEPTING TWO PARCELS BY GIFT OF DEED THROUGH LAND BANK PROGRAM**

**Budgetary Information:** There will be no cost to acquire the two parcels. The city will not collect the approximately \$22,749 owed to the city in special assessments. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately \$458 per year.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed approving and accepting certain real property, identified as Parcel No's. 57-00419.000 and 59-01204.000 located at 1404 Third Street and 527 McDonough Street, respectively, as gift of deeds for acquisition into the land reutilization program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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

**PURCHASE AND SALE AGREEMENT FOR ONE PARCEL THROUGH LAND BANK PROGRAM**

**Budgetary Information:** The city will recoup the cost of the expenses from the sale and any remaining balance shall be refunded and distributed to the taxing districts in accordance with Ohio Revised Code Section 5722.08. The taxing districts will begin collecting real estate taxes of approximately \$334 per year for the vacant land.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed declaring that certain real property owned by the city as part of the land reutilization program identified as Parcel No. 57-00419.000 and located at 1404 Third Street, Sandusky is no longer needed for any municipal purpose and authorizing the execution of a purchase agreement with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**G. Submitted by Rick Wilcox, Fire Chief**

**RATIFICATION OF GRANT SUBMISSION TO U.S. DEPARTMENT OF HOMELAND SECURITY FOR 2020 ASSISTANCE TO FIRE FIGHTERS GRANT PROGRAM – COVID-19 SUPPLEMENTAL**

**Budgetary Information:** The total amount of the grant funds applied for is \$19,645.34. The matching funds required for this grant are ten percent or \$1,964.53 which will be paid from the EMS account. The fee for Gatchell Grant Resources, LLC from Canton, Ohio, will be \$650 if the grant is awarded which will then be paid for from the EMS account.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed approving and ratifying a grant application submitted to the U.S. Department of Homeland Security, Federal Emergency Management Agency, Grant Programs Directorate, for the FY 2020 Assistance to Fire Fighters Grant program – COVID-19 Supplemental; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**H. Submitted by Kim Piotrowski, Municipal Court Clerk**

**RATIFICATION OF GRANT SUBMISSION TO OFFICE OF CRIMINAL JUSTICE SERVICES FOR CORONA VIRUS EMERGENCY SUPPLEMENTAL FUNDING FOR SANDUSKY MUNICIPAL COURT**

**Budgetary Information:** The total cost of this project is approximately \$88,679. Any amount of the \$88,679 that would not be awarded through the grant would be paid through the Sandusky Municipal Court's capital fund and/or computer improvement fund.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed approving and ratifying the submission of a grant application to the U.S. Department of Justice, Office of Justice Programs for financial assistance through the Coronavirus Emergency Supplemental funding program for the Sandusky Municipal Court; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**I. Submitted by John Orzech, Chief of Police**

**RATIFICATION OF GRANT SUBMISSION TO OFFICE OF CRIMINAL JUSTICE SERVICES FOR 2020 CORONA VIRUS EMERGENCY SUPPLEMENTAL FUNDING FOR SANDUSKY POLICE DEPARTMENT**

**Budgetary Information:** The total amount being requested is \$15,901 which will allow for web cameras, a conferencing television and computer, and A1 phones for the Police Department.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed approving and ratifying the submission of a grant application to the U.S. Department of Justice, Office of Justice Programs for financial assistance through the 2020 Coronavirus Emergency Supplemental funding program for the Sandusky Police Department; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**REGULAR AGENDA**

**ITEM #1 - Submitted by Angela Byington, Director of Planning**

**AMENDMENT TO CITIZEN PARTICIPATION PLAN FOR CDBG**

**Budgetary Information:** There is no budgetary impact.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed approving and adopting an amended Citizen Participation Plan for the Community Development Block Grant program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**ITEM #2 - Submitted by Angela Byington, Director of Planning**

**AMENDMENT OF 2019/2020 – 2023/2024 FIVE-YEAR CONSOLIDATED PLAN FOR CDBG**

**Budgetary Information:** There is no budgetary impact.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed approving an amendment to the city’s five-year Consolidated Plan for the Community Development Block Grant program from July 1, 2019, through June 30, 2024, and authorizing and directing the City Manager to submit the amended five-year Action Plan to the United States Department of Housing & Urban Development; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**ITEM #3 – Submitted by Angela Byington, Director of Planning**

**CONSIDERATION OF FY 2020 CDBG ONE-YEAR ACTION PLAN**

**Budgetary Information:** There is no budgetary impact.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to accept an entitlement grant in the amount of \$1,180,724 total Community Development Block Grant funds for the program year of July 1, 2020, through June 30, 2021, and to submit to the United States Department of Housing & Urban Development a FY 2020 One-Year Action Plan; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**CITY MANAGER’S REPORT**

**OLD BUSINESS**

**NEW BUSINESS**

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

**EXECUTIVE SESSION(S)**

**ADJOURNMENT**

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

**NOTICE OF PUBLIC HEARING AND AVAILABILITY OF THE REVISED  
DRAFT FY20 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM  
(INCLUDING CDBG-CV FUNDS), 5-YEAR CONSOLIDATED PLAN  
AMENDMENT AND AMENDMENT OF THE PUBLIC PARTICIPATION PLAN  
FOR THE CITY OF SANDUSKY**

Notice is hereby given that a Public Hearing will be held on **Tuesday, May 26, 2020 in the City of Sandusky Municipal Building – Commission Chambers, 240 Columbus Avenue, Sandusky, Ohio at 5:00 p.m.**, concerning the City’s FY2020 Community Development Block Grant (CDBG) program (including CDBG-CV Funds), 5-Year Consolidated Plan Amendment and Public Participation Plan Amendment. In the event that the public will not be permitted to physically join the meeting due to COVID-19, the hearing can be viewed at [www.youtube.com/CityofSanduskyOH](http://www.youtube.com/CityofSanduskyOH) and questions and comments e-mailed to [abyington@ci.sandusky.oh.us](mailto:abyington@ci.sandusky.oh.us) by noon of May 26<sup>th</sup>, will be read into the hearing by staff.

In compliance with HUD Memos, dated March 31, 2020 and April 9, 2020, the following amendments are proposed for the City of Sandusky’s Citizen Participation Plan, and 2019/2020-2023/2024 Consolidated Plan. The Draft 2020 Annual Action Plan will also be considered.

These proposed amendments are in response to COVID-19 and will allow for expedited disaster response and emergency preparedness.

**Citizen Participation Plan**

- Removal of the public and Consolidated Plan Advisory Committee (CPAC) participation, including notice and the review period during times of Declaration of Emergency and/or when it is necessary to expedite a response to a disaster.
- As it relates to amendment of the Consolidated Plan and/or Annual Action Plan,
  - Reduction of the public notice requirement from 10 day to 7 days,
  - Reduction of the public comment period from 30 days to 5 days.
  - Removal of the normally required CPAC meeting, notice, review time and recommendation.
- Option of utilizing virtual meeting platforms, when emergency/disaster situations do not allow for public gathering.

**2019/2020-2023/2024 Five Year Consolidated Plan**

- Needs Assessment and Priority Needs narratives to include persons, organizations and businesses impacted by COVID-19.
- Anticipated Resources to include CDBG-CV funds in the amount of \$437,328 to be used in response to the COVID-19 Pandemic.
- Goal and Goal Description to provide the number of persons and businesses assisted.
- Various Goal references throughout document, in regard to assistance to persons, organizations and businesses.

### FY20 Draft Annual Action Plan

- Citizen Participation section was amended to reflect the emergency hearing and reduction of notice and review time, and elimination of second CPAC meeting and recommendation, consistent with the modified Citizen Participation Plan.
- Anticipated Resources addition of CDBG-CV funds in the amount of \$437,328.
- Goal description addition referencing “response to the COVID-19 Pandemic” to assist persons, organizations and businesses.

The City anticipates approximately \$743,396 for FY2020 and approximately \$437,328 of new CDBG-CV Funds. The new CDBG-CV funds must be used to prevent the spread COVID-19 and/or to assist individuals, organizations and businesses negatively impacted due to COVID-19. Information concerning the activities that are proposed to be undertaken will be discussed at this hearing.

The Draft Annual Action Plan for FY 2020 will be available for public review and comment from May 12, 2020 through May 18, 2020 on the City of Sandusky website <http://www.ci.sandusky.oh.us>

Any comments, should be submitted to [abyington@ci.sandusky.oh.us](mailto:abyington@ci.sandusky.oh.us).

The City of Sandusky City Commission does not discriminate upon the basis of any individual’s disability status. Anyone requiring reasonable accommodation for this meeting, as provided for in the Americans with Disabilities Act, should contact the Commission Clerk at 419-627-5850.

Sandusky Register  
May 12, 2020



## PLANNING DEPARTMENT

### *Division of Transit*

240 Columbus Ave  
Sandusky, Ohio 44870  
419.621.8462  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

**TO:** Eric Wobser, City Manager

**FROM:** Nicole DeFreitas, Transit Administrator

**DATE:** May 13, 2020

**SUBJECT:** **CY 2021 Sandusky Transit System 5311 Rural Transit Program Grant and Ohio Transit Partnership Program Grant Applications**

**ITEM FOR CONSIDERATION:** Request for Resolution of Authorization to file applications with the Ohio Department of Transportation (ODOT) for the CY 2021 5311 Rural Transit Program Grant and Ohio Transit Partnership Program (OTP2) and upon approval for the City Manager to execute all grant or agreement as awarded.

**BACKGROUND INFORMATION:** The Rural Transit Program, as authorized by the Federal Transit Administration and Ohio Transit Partnership Program, provides funds to assist with operating and capital expenses in the provision of general public transportation services in rural areas.

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

The City will apply for Federal 5311 Rural Transit Grant operating funds of \$1,650,000 along with Capitalized Maintenance funds of \$300,000. The 5311 Operating funds require a 50% match and the Capitalized Maintenance funds have a match requirement of 80/20.

OTP2 Operating funds in the amount of \$850,000 are being requested, along with \$50,000 in Capitalized Maintenance funds. These funds will be used for daily operation of the Sandusky Transit System, while also allowing STS to make the Orange Line which services Bowling Green State University – Firelands campus, a permanent line. Currently, the Orange Line is funded for one-year as a pilot project. The OTP2 funding is 100% with no local match requirement. The OTP2 funds come from the revenue generated by the State of Ohio's Gas Tax.

**BUDGET IMPACT:**

The 5311 Rural Transit Program funds comprise approximately 50% of STS's budget and without this funding the system would not be able to operate. The required local matching funds will be generated from multiple local sources; STS anticipates receiving \$90,000 in Fare Revenue, \$600,000 in contract revenue, \$100,000 in Transit Reserve Fund revenue, \$65,000 from Advertising, \$60,000 from fares paid by organizations, \$12,000 in Elderly & Disabled Funds and the \$850,000 Operating Funds anticipated award from the OTP2 grant.

**ACTION REQUESTED:** A resolution authorizing the filing of an application with the Ohio Department of Transportation for the CY 2021 5311 Rural Transit Program Grant and Ohio Transit Partnership Program (OTP2), and upon approval, for the City Manager to execute any grant or agreement as awarded. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter since applications are due to the Ohio Department of Transportation by May 27th, 2020.

Nicole DeFreitas, Transit Administrator

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I concur with this recommendation:

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Eric Wobser

City Manager

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Angela Byington

Director of Planning



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

**A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CY 2021 RURAL TRANSIT PROGRAM GRANT FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

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

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

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

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

**WHEREAS**, the City will be applying for financial assistance in the amount of \$1,650,000.00 for Operating Funds, along with \$300,000.00 for Capitalized Maintenance Funds; and

**WHEREAS**, the Rural Transit Program Grant requires a 50% local match and the Capitalized Maintenance Funds requires a 20% local match which will be generated from multiple local sources including fare revenue, contract revenue, Capital Replacement Funds, advertising revenue, fares paid by organizations, Elderly & Disabled Transit Fare Assistance Program Funds, and funds anticipated to be received through the Ohio Transit Partnership program (OTP2); and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to file a grant application with the Ohio Department of Transportation for CY 2021 Rural Transit Program funds by the submission deadline of May 27, 2020; and

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

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



**PAGE 2 - RESOLUTION NO. \_\_\_\_\_**

Section 1. The City Manager is hereby authorized to execute and file a grant application on behalf of the City of Sandusky with the Ohio Department of Transportation for the CY 2021 Rural Transit Program to aid in the financing of operating projects pursuant to 49 USC Section 5311 and the Ohio Public Transportation Grant Program for the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds consistent with the application should they be awarded.

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

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

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

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

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

Commission of the City of Sandusky, Ohio.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020

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

**A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR STATE FY2021 OHIO TRANSIT PARTNERSHIP PROGRAM GRANT FUNDS FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, since State FY 2012, the Ohio Department of Transportation (ODOT) has provided financial assistance to urban public transit systems in Ohio through the Ohio Transit Preservation Partnership Program for vehicle replacements, rail track rehabilitation, preventive maintenance, software, equipment, and capital cost of contracting; and

**WHEREAS**, beginning with State FY 2020, the renamed Ohio Transit Partnership Program (OTP2) was instituted to provide State funds to the rural and urban transit systems in Ohio and the OTP2 is a discretionary program in which projects are selected on a competitive basis with an emphasis on preservation in the process of working to maintain, sustain, or keep in a good sound state the transit systems in Ohio and with projects focusing on regionalization, coordination, technology, service expansion, workforce initiatives, and healthcare initiatives; and

**WHEREAS**, the City will be applying for financial assistance in the amount of \$850,000.00 for Operating Funds, along with \$50,000.00 in Capitalized Maintenance Funds that will be used for the daily operation of the Sandusky Transit System and for permanent services of the Orange Line which services the Bowling Green State University - Firelands campus; and

**WHEREAS**, there is no local match required for this grant and the OTP2 funds are generated by revenue from the State of Ohio's Gas Tax; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to file the application with the Ohio Department of Transportation for the Ohio Transit Partnership Program by the submission deadline of May 27, 2020; and

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

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

Section 1. The City Manager is hereby authorized to execute and file an application on behalf of the City of Sandusky with the Ohio Department of Transportation for the Ohio Transit Partnership Program for funding to assist with projects and the daily operation of the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds should

they be awarded.

Section 2. The City Manager is authorized to execute and file with the City's applications any assurances or any other documentation required by the Ohio Department of Transportation and to furnish such additional information as the Ohio Department of Transportation may require in connection with the City's applications.

Section 3. The Clerk of the City Commission is hereby directed to furnish a certified copy of this Resolution to be utilized for the filing of any applications for financial assistance from the Ohio Department of Transportation.

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.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020



## 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: May 13, 2020

**Subject: Commission Agenda Item – Amending Ordinance 20-068  
Payment to ODOT for Urban Paving Project (PID 92889)**

**ITEM FOR CONSIDERATION:** Requesting legislation amending Ordinance 20-068 that authorized the City to enter into a contract with the Ohio Department of Transportation (ODOT) to complete the Resurfacing-Urban Paving City of Sandusky Project - ERI-006-06.41 from (Venice Rd) to 11.34 (Sandusky ECL) ERI-250-0.00 (Concrete Repairs) (Sycamore Line/Cleveland Rd) to 0.49 (Butler St) and to expend the necessary funds for the City's share of the project. Preliminary legislation was passed by the City Commission on March 11, 2019, Resolution 011-19R, and Ordinance 20-068 was passed on April 13, 2020. This project has been assigned PID 92889 by ODOT.

**BACKGROUND INFORMATION:** Ordinance 20-068 allowed the City Manager to enter into an agreement with the Ohio Department of Transportation to resurface and reconstruct portions of State Route 6 within city limits. Per ODOT's pre-bid request, City's contribution was designated at \$1,074,955.00 based on the engineer's estimate of \$2,145,792.42. Erie Blacktop, Inc, who was the lowest and best bidder, submitted a bid of \$2,352,699.00. The only other bidder, Gerken Paving, submitted a bid of \$2,702,976.74. Hence ODOT awarded the contract to Erie Blacktop and requested an additional \$18,192.00 from the City to cover the increased costs, which were mostly associated with curb repairs and typical unit price variations.

When a more detailed schedule is created by Erie Blacktop, staff will make sure to notify the commission and residents via press releases, City Manager's reports and other media as per usual.

**BUDGETARY INFORMATION:** The City's portion increased from \$1,074,955.00 to \$1,093,147.00, which is \$18,192.00. This additional amount would increase the contribution from Issue 8 from \$29,353.00 to \$47,545.00. All other funding sources would stay the same.

**ACTION REQUESTED:** It is recommended that an ordinance authorizing the City to amend Ordinance 20-068, increase the city's contribution to ODOT's 2020 Urban Paving Project, also known as PID 92889, be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to provide payment to ODOT so the project can be awarded.

I concur with this recommendation:

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Eric Wobser  
City Manager

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

## CERTIFICATE OF FUNDS

In the Matter of: ODOT Resurfacing – State Route 6 Project- additional funds

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: 5/20/2020

By:



Michelle Reeder

Finance Director

Account #: 431-6200

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

**AN ORDINANCE AMENDING ORDINANCE NO. 20-068, PASSED ON APRIL 13, 2020, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE ODOT RESURFACING – URBAN PAVING CITY OF SANDUSKY PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, pursuant to State law, maintenance of State routes and U.S. routes within municipal corporation limits are the responsibility of the municipality, however, the Ohio Department of Transportation (ODOT) began a State-wide Urban Paving program several years ago that allocates funds towards resurfacing of dedicated State routes and to prioritize these projects, ODOT completes a pavement analysis on all State routes on a routine basis and all of State Route 6 within the corporation limits is scheduled for reconstruction between 2020 and 2023; and

**WHEREAS**, the ODOT Resurfacing - Urban Paving City of Sandusky Project consists of resurfacing U.S. 6 between the pavement joint just west of Venice Road / Sanford Street and the Sandusky southern corporation limit and U.S. 250 between Cleveland Road and 500 feet north of Butler Street, including pavement repair, concrete repair, structure maintenance, and pavement markings, lying within the City of Sandusky; and

**WHEREAS**, the City Commission previously adopted the preliminary legislation submitted by the Director of the Ohio Department of Transportation for the ODOT Resurfacing - Urban Paving City of Sandusky Project, PID No. 92889, by Resolution No. 011-19R, passed on March 11, 2019; and

**WHEREAS**, pursuant to the preliminary legislation, ODOT agreed to pay 80% with the City agreeing to pay 20% of the roadway resurfacing and construction inspection costs, which include pavement planning, asphalt overlay, shoulder treatments on Cleveland Road, height adjustments to existing guardrail, pavement markings, temporary and fast dry concrete, adjustments to utility castings, mailbox supports and approaches, and work zone signs; and

**WHEREAS**, all other items, such as curbs, gutters, curb ramps, base repairs or any alterations for roadway improvements will be completed at 100% cost to the City including the replacement of some of the concrete on side streets (within the Cleveland Road right-of-way) and additional curb repairs along the concrete portion of Sycamore Line and along Washington Park as requested by the City; and

**WHEREAS**, additional requests by the City previously agreed to by ODOT include concrete repairs on Milan Road between Sycamore Line and the Butler Street overpass and will be completed at a 50% cost to the City; and

**WHEREAS**, Ordinance No. 20-068 stated the final estimated project cost was \$2,145,792.42 of which the City's portion would be \$1,074,955.00; and

**WHEREAS**, subsequent to public competitive bidding by the State, the lowest and best bid was from Erie Blacktop, Inc. in the amount of \$2,352,699.00,



which exceeded the engineer’s estimate, and therefore it is necessary to amend Ordinance No. 20-068 and approve an additional cost of \$18,192.00 which will be paid with Issue 8 Funds; and

**WHEREAS**, the revised project cost is \$2,352,699.00, which increases the City’s portion to \$1,093,147.00 and will be paid as follows:

Capital Funds (Street)	\$ 830,602.00
Street Funds (new gas tax)	\$ 110,000.00
Sewer Funds (Storm Sewer - catch basins)	\$ 40,000.00
Sewer Funds (Sanitary - manholes)	\$ 35,000.00
Water Funds (valve boxes)	\$ 30,000.00
<u>Issue 8 Funds (Street)</u>	<u>\$ 47,545.00</u>
Total	\$ 1,093,147.00

**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 amend Ordinance No. 20-068, passed on April 13, 2020, and allow payment to be made to ODOT so the project can be awarded ; 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 requests the Director of Transportation to proceed with the Highway Improvement Project (P.I.D. No. 92889) and authorizes and directs the City Manager to cooperate with the Director of Transportation and to enter into the contract with the Ohio Department of Transportation for the ODOT Resurfacing - Urban Paving City of Sandusky Project.

Section 2. This City Commission hereby amends Ordinance No. 20-068, passed on April 13, 2020, and authorizes and directs the Finance Director to expend funds to the Treasurer of State for the ODOT Resurfacing - Urban Paving City of Sandusky Project in a revised amount **not to exceed** One Million Ninety Three Thousand One Hundred Forty Seven and 00/100 Dollars (\$1,093,147.00), consistent with carrying out the requirements of this Ordinance and the terms of the Contract.

Section 3. The Director of Public Works is authorized and directed to

deliver a certified copy of this Ordinance together with all necessary documents to the Director of the Ohio Department of Transportation.

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

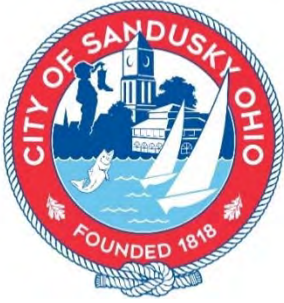
Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted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

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

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020



## FINANCE DEPARTMENT

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5776

[www.cityofsandusky.com](http://www.cityofsandusky.com)

TO: Eric L. Wobser, City Manager  
FROM: Michelle Reeder, Finance Director  
DATE: May 13, 2020  
RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

City Commission approval of an ordinance authorizing payment in the amount of \$13,764.34 to the Ohio Department of Natural Resources (ODNR) for submerged land lease SUB-2119B-ER, the Chesapeake Lofts, for the period of April 1, 2020 to March 31, 2021.

### **BACKGROUND INFORMATION:**

This Submerged Lands Lease is payable by the City of Sandusky as the leaseholder. The Chesapeake Lofts Condominium Association, Mid-States Development Corporation's assigned sub-lessee, will reimburse the City for the cost of the lease payment pursuant to Submerged Lands Lease Agreement SUB-2119B-ER.

### **BUDGETARY INFORMATION:**

This submerged land lease is payable by the City of Sandusky as the lease holder. The Chesapeake Lofts Condo Association will reimburse the City for the cost of the lease. ODNR does not allow a sub-lease holder to make a Submerged Land Lease payment on the City's behalf.

### **ACTION REQUIRED:**

It is requested that the City Commission enact the ordinance and have it take immediate effect under Section 14 of the City Charter in order to make timely payment to the Ohio Department of Natural Resources.

I concur with this recommendation:

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Eric Wobser  
City Manager

---

Michelle Reeder  
Finance Director

cc: Trevor Hayberger, Law Director

**State of Ohio - Ohio Dept of Natural Resources  
Submerged Lands Lease Invoice**

**Please Remit To:**  
105 West Shoreline Dr.  
Sandusky OH 44870

Page: 1  
Invoice No: DNRSL200094  
Consolidated Invoice No:  
Invoice Date: 04/23/2020  
Customer Number: SUB-2119B-ER001  
Payment Terms: NET 30  
Due Date: 05/23/2020

**Bill To:**  
City of Sandusky  
Attn: Megan E. Stookey, Dept of Public Works  
240 Columbus Ave  
Sandusky OH 44870

**AMOUNT DUE: 13,764.34 USD**

**Make Checks Payable To:** Ohio Treasurer of State  
Billing Service Period: From 01-APR-2020 To 31-MAR-2021  
For billing questions, please call or email (419) 626-7980  
To ensure proper payment processing, please be sure the invoice number is on all payments.

Line	Adj	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
Purchase Order		Contract Number		From Date		To Date	
1		SLL LEASE		1.00	EA	13,764.3400	13,764.34
				04/01/20		03/31/21	
<b>SUBTOTAL:</b>							13,764.34
<b>TOTAL AMOUNT DUE :</b>							13,764.34

Lease Periods: 04/01/2020 - 03/31/2021

Rent for one (1) billing period at \$13,764.34 each.

Please remit 2nd copy of invoice with your payment.

STANDARD

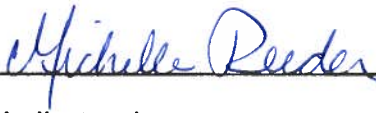
Original

## CERTIFICATE OF FUNDS

In the Matter of: Submerged Land Lease Mid-States Development

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: 5/20/2020

By:   
Michelle Reeder  
Finance Director

Account #: 110-7900

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO MAKE PAYMENT TO THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR), OFFICE OF COASTAL MANAGEMENT FOR RENTAL PAYMENT ON SUBMERGED LANDS LEASE FILE NO. SUB-2119B-ER FOR THE PERIOD OF APRIL 1, 2020, THROUGH MARCH 31, 2021; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky is the Lessee of a Submerged Lands Lease, File No. SUB-2119B-ER, for the submerged land which is part of the Chesapeake Lofts and as the Lessee, is responsible for all terms and conditions contained in the Submerged Lands Lease, including any annual rent; and

**WHEREAS**, as part of the agreement with Mid-States Development Corporation, the cost for the annual Submerged Lands Lease rental payment is to be reimbursed by Mid-States to the City; and

**WHEREAS**, the total cost for Submerged Lands Lease File No. SUB-2119B-ER, as reflected on the current unpaid invoice, is \$13,764.34 and will initially be paid by the City and then reimbursed by the Chesapeake Lofts Condominium Association, Mid-States Development Corporation's assigned sub-lessee, in accordance with the Agreement; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to make payment in a timely manner to the Ohio Department of Natural Resources; 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. The City Manager and/or Finance Director is authorized and directed to make payment to the Ohio Treasurer of State as requested by the Ohio Department of Natural Resources (ODNR), Office of Coastal Management, Sandusky, Ohio, for rental payment for Submerged Lands Lease File No. SUB-2119B-ER, for the period April 1, 2020, through March 31, 2021, in an amount **not**

**to exceed** Thirteen Thousand Seven Hundred Sixty Four and 34/100 Dollars (\$13,764.34), consistent with the invoice submitted to the City.

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.

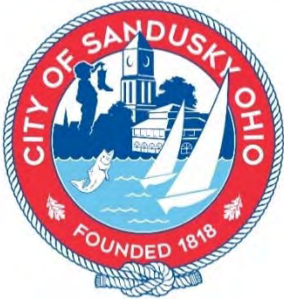
Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission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

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020





## FINANCE DEPARTMENT

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5776

[www.cityofsandusky.com](http://www.cityofsandusky.com)

TO: Eric L. Wobser, City Manager  
FROM: Michelle Reeder, Finance Director  
DATE: May 13, 2020  
RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

City Commission approval of an ordinance authorizing payment in the amount of \$18,976.01 to the Ohio Department of Natural Resources (ODNR) for submerged land lease SUB-0385-ER, the Sandusky Bay Investment, for the period of March 1, 2020 to February 28, 2021.

### **BACKGROUND INFORMATION:**

This Submerged Lands Lease is payable by the City of Sandusky as the leaseholder. Sandusky Bay Investment assigned sub-lessee, will reimburse the City for the cost of the lease payment pursuant to Submerged Lands Lease Agreement SUB-0385-ER.

### **BUDGETARY INFORMATION:**

The submerged land lease is payable by the City of Sandusky as the lease holder. Sandusky Bay Investment reimburses the city for the cost of the lease pursuant to their agreement with the city. Since the amount is over \$10,000 it must be approved by the City Commission.

### **ACTION REQUIRED:**

It is requested that the City Commission enact the ordinance, and have it take immediate effect under Section 14 of the City Charter, to make timely payment to the Ohio Department of Natural Resources.

I concur with this recommendation:

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Eric Wobser  
City Manager

---

Michelle Reeder  
Finance Director

cc: Trevor Hayberger, Law Director

**State of Ohio - Ohio Dept of Natural Resources  
Submerged Lands Lease Invoice**

**Please Remit To:**  
105 West Shoreline Dr.  
Sandusky OH 44870

Page: 1  
Invoice No: DNRSL200065  
Consolidated Invoice No:  
Invoice Date: 04/22/2020  
Customer Number: SUB-0385-ER001  
Payment Terms: NET 30  
Due Date: 05/22/2020

**Bill To:**  
City of Sandusky  
Attn: Eric Wobser  
240 Columbus Ave  
Sandusky OH 44870

**AMOUNT DUE: 18,976.01 USD**

**Make Checks Payable To:** Ohio Treasurer of State

Billing Service Period: From 01-MAR-2020 To 28-FEB-2021

For billing questions, please call or email (419) 626-7980

To ensure proper payment processing, please be sure the invoice number is on all payments.

Line	Adj	Identifier	Description	Quantity	UOM	Unit Amt	Net Amount
Purchase Order			Contract Number	From Date	To Date		
1		SLL LEASE		1.00	EA	18,976.0100	18,976.01
				03/01/20	02/28/21		
<b>SUBTOTAL:</b>						18,976.01	
<b>TOTAL AMOUNT DUE :</b>						18,976.01	

Lease Periods: 03/01/2020 - 02/28/2021.

Rent for one (1) billing period at \$18,976.01 each.

Please remit 2nd copy of invoice with your payment.

STANDARD


Original

## **CERTIFICATE OF FUNDS**

**In the Matter of: Submerged Land Lease Sandusky Bay Investment**

**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: 5/20/2020**

By:   
\_\_\_\_\_  
**Michelle Reeder**  
**Finance Director**

**Account #: 110-7900**

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO MAKE PAYMENT TO THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR), OFFICE OF COASTAL MANAGEMENT FOR RENTAL PAYMENT ON SUBMERGED LANDS LEASE FILE NO. SUB-0385-ER FOR THE PERIOD OF MARCH 1, 2020, THROUGH FEBRUARY 28, 2021; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky is the Lessee of a Submerged Lands Lease, File No. SUB-0385-ER, for the submerged land which is part of the Battery Park Marina and as the Lessee, is responsible for all terms and conditions contained in the Submerged Lands Lease, including any annual rent; and

**WHEREAS**, as part of the agreement with Sandusky Bay Investment (SBI), the cost for the annual Submerged Lands Lease rental payment is to be reimbursed by Sandusky Bay Investment to the City; and

**WHEREAS**, the total cost for Submerged Lands Lease File No. SUB-0385-ER, as reflected on the current unpaid invoice is \$18,976.01 and will initially be paid by the City and then reimbursed by Sandusky Bay Investment in accordance with their Lease Agreement with 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 make payment in a timely manner to the Ohio Department of Natural Resources; 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. The City Manager and/or Finance Director is authorized and directed to make payment to the Ohio Treasurer of State as requested by the Ohio Department of Natural Resources (ODNR), Office of Coastal Management, Sandusky, Ohio, for rental payment for Submerged Lands Lease File No. SUB-0385-ER, for the period of March 1, 2020, through February 28, 2021, in an amount **not to exceed** Eighteen Thousand Nine Hundred Seventy Six and 01/100 Dollars (\$18,976.01), consistent with the invoice submitted to the City.

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.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020



## COMMUNITY DEVELOPMENT

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5832  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

TO: Eric Wobser, City Manager

FROM: Debi Eversole, Housing Development Specialist

DATE: May 12, 2020

RE: City Commission Agenda Item

**ITEMS FOR CONSIDERATION:** Legislation requesting approval to accept two (2) parcels of nonproductive land situated within the City of Sandusky through the City of Sandusky's Land Reutilization Program for the purpose of facilitating reutilization of the nonproductive land.

**BACKGROUND INFORMATION:** Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code to acquire vacant and abandoned tax delinquent property with the future goal of productive reuse of the land. The City's ability to assemble land for reuse and redevelopment is critical to stabilizing and rebuilding Sandusky's neighborhoods and is necessary for neighborhood revitalization. The goal of the City of Sandusky's Land Reutilization Program is to return vacant and abandoned tax delinquent property to productive use that benefits the community. If a property is not producing tax revenues, less money is collected and available for enhancements back into the community. Also because the property is abandoned, it is not maintained and often becomes an illegal dumping ground. The City spends thousands of dollars per year maintaining weeds and nuisance conditions on abandoned properties. By returning the property back to a long-term tax producing status, more revenue is generated and available for community improvements and the City will not have to expend funds to maintain it.

The two (2) parcels requested for acquisition are vacant lots that have future special assessments from demolition that the property owner is unable to pay. The property owner has agreed to forfeit the two (2) vacant lots to the City of Sandusky Land Reutilization Program through quit claim deed. The two (2) parcels have been deemed to be necessary and/or beneficial to the Land Reutilization Program efforts and were approved for acquisition by a quorum of the Land Bank Committee on March 16, 2020, conditioned on the titles being free and clear of any liens.

- **1404 Third Street** is a vacant lot parcel of land with a lot size of .215 acre with dimensions of 71' x 132'. The property to the east is owned by Proactive Home Buyers, LLC out of Cleveland, OH and the property to the south is owned by BSL Holdings, LLC, Sandusky, OH. Annual taxes on the property is \$ 334.20. There will be no expense to the city to accept this lot. A title search was performed to show a clean title except for the future special assessment attached by the City. If acquisition is approved, the property will be sold to an interested party for no less than fair market value plus any expenses the City of Sandusky has incurred.

- **527 McDonough Street** is a vacant parcel of land with a lot size of .1 acre with dimensions of 33' x 132'. The property to the north is owned by Marcha & Jerome (Jr.) Kieffer and the property to the south is owned by Mark Ortolani. The annual taxes on the property is \$124.18. There will be no expense to the city to accept this lot. A title search was performed to show a clean title except for the future special assessment attached by the City. If acquisition is approved, the property will be offered to the adjoining property owners that qualify pursuant to the Mow to Own Side Lot Disposition Program Policy and Procedures. Any expenses incurred will be recouped through a Purchase and Sale Agreement.

The Land Bank Committee has determined that the acquisition of the two (2) parcels is necessary to protect, improve and preserve the stability of the neighborhoods that they are located in.

**BUDGET IMPACT:** There will be no cost to acquire the two (2) parcels. The City will not collect the approximately twenty two thousand seven hundred forty nine (\$22,749.00) dollars owed to the City in special assessments. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately four hundred fifty eight (\$458.00) dollars per year.

**ACTION REQUESTED:** It is requested that legislation be adopted allowing the City Manager to acquire two (2) parcels of land through the City of Sandusky's Land Reutilization Program. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to proceed with the title transfers and ultimate sale of the parcels to improve and preserve the stability of the neighborhoods.

---

Debi Eversole, Housing Development Specialist

I concur with this recommendation:

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Matt Lasko, Chief Development Officer

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Eric L. Wobser, City Manager

cc: Trevor Hayberger, Law Director  
Michelle Reeder, Finance Director  
Kelly Kresser, Commission Clerk



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

**A RESOLUTION APPROVING AND ACCEPTING CERTAIN REAL PROPERTY, IDENTIFIED AS PARCEL NOS. 57-00419.000 AND 59-01204.000, LOCATED AT 1404 THIRD STREET AND 527 MCDONOUGH STREET, RESPECTIVELY, AS A GIFT OF DEEDS FOR ACQUISITION INTO THE LAND REUTILIZATION PROGRAM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

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

**WHEREAS**, it is necessary to acquire the nonproductive land parcels in accordance with the City of Sandusky's Land Reutilization Program in order to facilitate reutilization of the nonproductive land to support neighborhood revitalization and development within the City; and

**WHEREAS**, it is requested that the City accept two (2) parcels of nonproductive land situated within the City of Sandusky as further described in attached Exhibit "A", for placement in the Land Reutilization Program Inventory; and

**WHEREAS**, the two (2) parcels, located at 1404 Third Street and 527 McDonough Street, are vacant lots with future special assessments from demolition that the current owners are unable to pay and are being offered to the Lank Bank through gift of deeds; and

**WHEREAS**, the two (2) parcels have been deemed to be necessary and/or beneficial to the Land Reutilization Program efforts and were approved for acquisition by the Land Bank Committee on March 16, 2020; and

**WHEREAS**, upon City Commission approval, the parcel located at 1404 Third Street will be sold to an interested party and the parcel located at 527 McDonough Street will be offered to the adjoining property owners through the Mow to Own Side Lot Program; and

**WHEREAS**, approval to execute a Purchase & Sale Agreement for the sale of the property located at 1404 Third Street to BSL Holdings, Ltd. is being requested in companion legislation; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City in order to proceed with the title transfers and ultimate sale of the parcels to improve and preserve the stability of the neighborhoods; and

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

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

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

Section 1. This City Commission hereby approves and accepts certain real property, identified as Parcel Nos. 57-00419.000 and 59-01204.000, located at 1404 Third Street and 527 McDonough Street, respectively, situated within the City of Sandusky, as a gift of deeds for acquisition into the Land Reutilization Program, and as further described in Exhibit "A", a copy of which is attached to this Resolution and specifically incorporated herein.

Section 2. This City Commission authorizes and directs the City Manager to acquire Parcel Nos. 57-00419.000 and 59-01204.000, located at 1404 Third Street and 527 McDonough Street, respectively, in accordance with the City of Sandusky's Land Reutilization Program in order to facilitate reutilization of the nonproductive land to support neighborhood revitalization and development within the City.

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

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

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

**PAGE 3 - RESOLUTION NO. \_\_\_\_\_**

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

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020

**5/18/20**

## Exhibit A

## 2 Parcels

<b>Parcel</b>	<b>Address</b>	<b>Owner(s)</b>	<b>Del. Taxes</b>	<b>Assessments</b>	<b>P&amp;I*</b>	<b>Total Owed</b>	<b>Yearly Taxes and Assessments</b>
57-00419.000 <b>Proposed Use:</b>	1404 Third Street This vacant lot is being forfeited due to future special assessments from demolition that the property owner is unable to pay. The lot is .215 acre with dimensions of 71' x 132'. Upon acquisition, a purchase and sale agreement will be executed.	Elisabeth Emery	0.00	20,455.00		20,455.00	334.20
59-01204.000	527 McDonough St This vacant lot is being forfeited due to future special assessments from demolition that the property owner is unable to pay. The lot is .1 acre with dimensions of 33' x 132'. Upon acquisition, qualified applicants can purchase through the MTO program	Elisabeth Emery		2,294.20		2,294.20	124.18



## COMMUNITY DEVELOPMENT

240 Columbus Avenue, 4<sup>th</sup> Floor  
Sandusky, Ohio 44870  
419.627.5832  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

TO: Eric Wobser, City Manager

FROM: Debi Eversole, Housing Development Specialist

DATE: May 18, 2020

RE: City Commission Agenda Item

**ITEM FOR CONSIDERATION:** The purpose of this communication is to request approval of legislation allowing the City Manager to execute a 'Purchase & Sale Agreement' for one (1) parcel of land being acquired into the City of Sandusky's Land Reutilization Program, that will no longer be needed for any municipal purpose located at 1404 Third Street and further identified by the Erie County Auditor as Permanent Parcel No. 57-00419.000.

**BACKGROUND INFORMATION:** Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. Assuming approval for acquisition of the parcel is granted by City Commission on May 26, 2020, a Quit Claim Deed is prepared to be transferred to the City of Sandusky. Robert Waldock, on behalf of BSL Holdings, Ltd, has requested acquisition of this vacant nonproductive land and the Land Bank Committee recommended the acquisition and sale on May 18, 2020.

The vacant lot is located on the corner of Third Street and Arthur Street (a platted but unimproved street). BSL Holdings, Ltd. owns several parcels in this area, but specifically owns two (2) parcels to the south which they would like to develop. At this time, the only access to the parcels to the south are by way of Arthur Street. The purchase of the Third Street property would allow BSL Holdings, Ltd to petition for vacation of two (2) alleys and a portion of Fourth Street East of Arthur Street in order to gain access to the parcels to the south. It is proposed that the parcels will be developed into commercial warehouse space, although this is not a condition of the sale. New development will be subject to approval from all necessary departments, including but not limited to Building Division, Zoning and Planning.

The purchase price for the property will be two thousand nine hundred dollars (\$2,900.00), which is based on the fair market opinion of RE/MAX Quality Realty. The Purchaser will also be responsible for three hundred dollars (\$300.00) in expenses incurred by the Seller to obtain a title search and a fair market opinion – each totaling one hundred fifty dollars (\$150.00). These expenses will be paid by the Purchaser at the close of sale.

The sale of this vacant non-productive parcel will place it back into tax producing status.

**BUDGET IMPACT:** The City will recoup the cost of the expenses from the sale and any remaining balance shall be refunded and distributed to the Taxing Districts in accordance with Ohio Revised Code Section 5722.08. The taxing districts will begin collecting real estate taxes of approximately three hundred thirty four dollars (\$334.00) per year for the vacant land.

**ACTION REQUESTED:** It is requested legislation be adopted allowing the City Manager to enter into a purchase & sale agreement with BSL Holdings, Ltd. to sell the property no longer needed for any municipal purpose located at 1404 Third Street, and further identified by the Erie County Auditor as Permanent Parcel No. 57-00419.000 for a purchase price of two thousand nine hundred dollars (\$2,900.00) plus costs incurred totaling three hundred dollars (\$300.00). It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to promptly execute the closing within thirty (30) days as usual and customary in the sale of real estate.

---

Debi Eversole  
Housing Development Specialist

I concur with this recommendation:

---

Matthew D. Lasko  
Chief Development Officer

---

Eric L. Wobser  
City Manager

cc: Kelly Kresser, Clerk of the City Commission  
Trevor Hayberger, Law Director  
Michelle Reeder, Finance Director

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

**AN ORDINANCE DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY AS PART OF THE LAND REUTILIZATION PROGRAM IDENTIFIED AS PARCEL NO. 57-00419.000, AND LOCATED AT 1404 THIRD STREET, SANDUSKY, IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT WITH RESPECT TO THAT REAL PROPERTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

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

**WHEREAS**, the property located at 1404 Third Street, and identified as Parcel No. 57-00419.000, is being requested for acquisition through gift of deed in companion legislation and upon City Commission approval, will be transferred into the City's Land Reutilization Program; and

**WHEREAS**, this vacant parcel is located on the corner of Third Street and Arthur Street (a platted but unimproved street) and BSL Holdings, Ltd. owns several parcels in the surrounding area and desires to purchase this property and petition for the vacation of two (2) alleys and a portion of Fourth Street, east of Arthur Street, to gain access to their parcels to the south for potential development into commercial warehouse space; and

**WHEREAS**, the purchase price of the property is \$2,900.00, which is no less than fair market value determined by a market analysis; and

**WHEREAS**, the Land Bank Committee met on May 18, 2020, and approved the acquisition and sale of this property to BSL Holdings, Ltd.; and

**WHEREAS**, any customary fees that may be due and payable in the ordinary course of the sale and purchase transaction will be recouped by the City upon sale and the balance remaining, if any, shall be refunded and distributed to the Taxing Districts in accordance with Ohio Revised Code Section 5722.08; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to promptly execute the closing within (30) days as usual and customary in the sale of real estate; and

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

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



Section 1. This City Commission finds, determines and declares that the Property, Parcel No. 57-00419.000, located at 1404 Third Street, Sandusky, more specifically described in Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, is no longer needed for any municipal purpose and that the execution of the Purchase Agreement providing for the sale, pursuant to Section 25 of the Charter of this City, to the Purchaser of the Property at the purchase price set forth in the Purchase Agreement, is in the economic interest of the City and in furtherance of the City's Land Reutilization Program referenced in those preambles in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City Manager is hereby authorized and directed to execute the Purchase Agreement on behalf of the City, substantially in the same form as attached to this Ordinance, marked Exhibit "1", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose. Upon the exercise by the Purchaser to purchase the Property pursuant to that Purchase Agreement, the City Manager is also hereby authorized and directed on behalf of the City to execute a quit claim deed conveying the Property to the Purchaser, which quit claim deed shall be in a form satisfactory to the Law Director. The City Manager, Law Director, Finance Director, and other City officials, as appropriate, are each hereby authorized to execute and deliver such instruments, certificates and other documents and take such actions as are necessary and in the best interests of the City in order to carry out and consummate the foregoing actions authorized by this Ordinance.

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

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

Section 4. That for the reasons set forth in the preamble hereto, this

**PAGE 3 - ORDINANCE NO. \_\_\_\_\_**

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.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020

### **PURCHASE AND SALE AGREEMENT**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2020, by and between the City of Sandusky, Erie County, Ohio, a Municipal Corporation, 240 Columbus Avenue, Sandusky, Ohio 44870, hereinafter referred to as the "Seller" and BSL Holdings, Ltd, P.O. Box 1489 Sandusky Ohio 44870, hereinafter referred to as the "Purchaser(s)".

#### **WITNESSETH:**

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

- 1) The Seller agrees to sell to the Purchaser and the Purchaser agrees to purchase from the Seller, the unimproved parcel of real property located at 1404 Third Street, Sandusky, Ohio and identified as Erie County Parcel Number 57-00419.000, and more fully described in the survey and legal description marked Exhibit "A" and attached hereto, and hereinafter referred to as the "Property."
- 2) The total purchase price for the Property is two thousand nine hundred dollars (\$2,900.00), which is not less than the fair market value as determined by the market opinion given by RE/MAX Quality Realty. The Purchaser will also be responsible for expenses incurred by the City of Sandusky totaling three hundred dollars (\$300.00) which will be due at the close of sale.
- 3) Seller shall furnish to Purchaser a quit claim deed conveying to Purchaser all of the Seller's interest in the Property. The Property shall be free and clear of the liens, taxes, assessments, penalties and interest prior to the date of closing. Purchaser shall pay all of the taxes and assessments due and payable after the date of closing.
- 4) Purchaser shall request alley vacation of two alleys and a portion of Fourth Street between Third and Fifth Streets in order to gain access to the additional parcels to the south, owned by the Purchaser. These parcels are slated for future commercial warehouse development, which is not as a condition of this agreement.
- 5) The closing date of this transaction shall be no later than July 31, 2020, or at such other time as may be mutually agreed upon, in writing, by the parties. The escrow agent herein shall be Fidelity National Title Insurance Company of Sandusky, Ohio, 402 Columbus Avenue, Sandusky, Ohio 44870. All funds and documents required to close this transaction shall be deposited with said escrow agent on or before the closing date. An executed counterpart of this Agreement shall be deposited with the escrow agent by the Seller and this Agreement shall serve as the escrow instructions. The escrow agent may attach its standard conditions of acceptance thereto; provided, however, that in the event such standard conditions are inconsistent or in conflict with the terms of this Agreement, this Agreement shall control.

- 6) The Seller and the Purchaser represent that no real estate broker or agent was involved in this transaction and that no brokerage fees, commissions, or other compensation is due any real estate broker or agent because of this transaction.
- 7) On the closing date, the escrow agent shall file for record the deeds, and other instruments, if any, required to be recorded pursuant to this Agreement and thereupon deliver to each of the parties, the funds and documents to which they shall be respectively entitled, together with its escrow statement.
- 8) The expenses of closing shall be paid in the following manner:
  - a) The cost of securing a title insurance commitment and policy of insurance shall be paid by Purchaser.
  - b) The cost of preparing, executing, and acknowledging any deeds or other instruments required to convey title to Purchaser in the manner described in this Agreement shall be paid by Seller.
  - c) Each party hereto shall be responsible for their own attorney fees relating to this Agreement and its implementation.
  - d) The cost of transfer and recording of the deed shall be paid by Purchaser.
  - e) Any tax imposed on the conveyance of title to the property to Purchaser shall be paid by Purchaser.
  - f) Any fee charged by the escrow agent shall be equally shared between the Seller and the Purchaser.
- 9) Purchaser shall be entitled to possession of the Property upon the closing of this transaction.
- 10) The Purchaser has examined the Property, has had the opportunity to fully inspect and ask questions about conditions of the same, and acknowledges that they are accepting the Property "AS IS" subject to no warranties as of the date of the execution of this Agreement and that there have been no representations by the Seller as to the condition of this property.
- 11) In the event that the Purchaser breaches this Agreement by not closing this transaction on or before July 31, 2020, earnest money deposited, if any, shall be immediately paid to the Seller, which payment may be treated as liquidated damages (the precise amount of damages being difficult or impossible to ascertain).
- 12) This Agreement sets forth the entire understanding between the parties with respect to the subject matter hereof, and no agreements or understandings nor any representations concerning the same shall be binding upon the parties unless specifically set forth herein.

- 13) This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instruments.
- 14) This Agreement shall be binding upon and inure to the benefit of Seller and Purchasers and their respective heirs, legal representatives, and assigns.
- 15) This Agreement shall be conditioned upon the Seller acquiring said property prior to the closing date agreed upon by both parties.

**SIGNATURE PAGES TO FOLLOW**

DRAFT

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

**PURCHASER(S):**

\_\_\_\_\_  
BSL Holdings, Ltd. - Robert Waldock

\_\_\_\_\_  
Title

State of Ohio )

) ss:

County of Erie )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me, a Notary Public in and for said County and State, personally appeared Robert Waldock, on behalf of BSL Holdings, Ltd., and acknowledged the execution of the foregoing instrument and that the same is their voluntary act and deed.

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

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

MY COMMISSION EXPIRES \_\_\_\_\_

**SELLER:**

CITY OF SANDUSKY

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

STATE OF OHIO )

) ss:

ERIE COUNTY )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me, a Notary Public in and for said County and State, personally appeared Eric L. Wobser, City Manager of the City of Sandusky, Ohio, and acknowledged his execution of the foregoing instrument as said officer of said City on behalf of said City and by its authority and that the same is his voluntary act and deed as said officer on behalf of said City and the voluntary act and deed of said City.

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

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

MY COMMISSION EXPIRES \_\_\_\_\_

Approved as to Form:

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

**EXHIBIT A**

**Situated in the City of Sandusky, County of Erie and State of Ohio: The west one-half (1/2) of Lot Number Seven (7) on Third Street in Frederick Klein's Subdivision in the City of Sandusky. Erie County Ohio as per plat recorded in Volume 3 of Plats, Page 27, Erie County Ohio Records.**

**Property Address: 1404 Third Street, Sandusky, Ohio 44870**

**Prior Deed Reference: Erie County Recording Number 201209412**

**Tax ID No: 57-00419.000**

DRAFT



May 13, 2020

MEMORANDUM

TO: Eric Wobser, City Manager

FROM: Rick Wilcox, Fire Chief

RE: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Requesting legislation for the approval and ratification of the submission of a grant application to the U.S. Department of Homeland Security 2020 Assistance to Firefighters Grant Program – COVID-19 Supplemental (AFG-S) which was submitted on May 15, 2020. The City Manager notified the City Commission in the manager's report on May 11, 2020, of the grant submission.

**BACKGROUND INFORMATION:** The purpose of this grant is to purchase additional eye protection, isolation gowns and surgical Face Masks for COVID-19. This grant will also cover items previously purchased for COVID-19 such as isolation gowns, protective coveralls, gloves, surgical type face masks, decontamination supplies and antiseptic hand wash.

Gatchell Grant Resources, LLC from Canton, Ohio has been contracted for the preparation of this grant application.

**BUDGETARY INFORMATION:** The total amount of the grant funds applied for is **\$19,645.34**. The matching funds required for this grant is (10%) or \$1,964.53 which will be paid for from the EMS account. The fee for Gatchell Grant Resources, LLC from Canton, Ohio will be \$650.00 if the grant is awarded which will then be paid for from the EMS account.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to allow for the approval and ratification of the submission of the grant application to the U.S. Department of Homeland Security 2020 Assistance to Firefighters Grant Program – COVID-19 Supplemental (AFG-S) in the amount of **\$19,645.34**. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter as the deadline for submission of this grant was May 15, 2020.

Approved:

I concur with this recommendation:

---

Rick Wilcox, Fire Chief

---

Eric Wobser, City Manager

Cc: John Orzech, Assistant City Manager  
Trevor Hayberger, Law Director  
Michelle Reeder, Finance Director  
Kelly Kresser, Commission Clerk

## CERTIFICATE OF FUNDS

In the Matter of: Assistance to Firefighters 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: 5/20/2020

By: \_\_\_\_\_



Michelle Reeder

Finance Director

Account #: 431-1330

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

**A RESOLUTION APPROVING AND RATIFYING A GRANT APPLICATION SUBMITTED TO THE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS), FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), GRANT PROGRAMS DIRECTORATE (GPD) FOR THE FY 2020 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM - COVID-19 SUPPLEMENTAL (AFG-S); AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Fiscal Year (FY) 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) is a supplemental funding opportunity under the Assistance to Firefighters Grant Program (AFG) and provides financial assistance directly to eligible fire departments, nonaffiliated emergency medical service (NAEMS) organizations, and State Fire Training Academies (SFTA) for critical Personal Protective Equipment and supplies needed to prevent, prepare for, and respond to the COVID-19 public health emergency; and

**WHEREAS**, the Sandusky Fire Department submitted an application for financial assistance through the FY 2020 Assistance to Firefighters Grant Program - COVID-19 Supplemental (AFG-S) for the purchase of additional eye protection, isolation gowns, and surgical face masks for COVID-19 and to cover the cost for supplies previously purchased for COVID-19, such as isolation gowns, protective coveralls, gloves, surgical type face masks, decontamination supplies and antiseptic hand wash; and

**WHEREAS**, the total cost of the supplies is \$21,609.87 and if awarded, the grant will provide \$19,645.34 with the City providing the required local cost share of \$1,964.53 (10% of the grant award) which will be paid with EMS Funds; and

**WHEREAS**, the Fire Department entered into an agreement with Gatchell Grant Resources, LLC, of Canton, Ohio, to prepare the grant application and pursuant to the agreement, if funds are awarded, the Fire Department will be required to pay a \$650.00 fee to Gatchell Grant Resources, LLC, and this cost will also be paid with EMS Funds; and

**WHEREAS**, the submission of the grant application was approved by this City Commission at their regularly scheduled meeting on May 11, 2020; 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 ratify the submission of the grant application to the U.S. Department of Homeland Security, Federal Emergency Management Agency, Grant Programs Directorate (GPD) for the FY 2020 Assistance to Firefighters Grant (AFG) Program - COVID-19 Supplemental (AFG-S) which was submitted on the deadline of May 15, 2020; and

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

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

Section 1. This City Commission hereby approves and ratifies the submission of a grant application to the U.S. Department of Homeland Security, Federal Emergency Management Agency, Grant Programs Directorate (GPD) for the FY 2020 Assistance to Firefighters Grant (AFG) Program - COVID-19 Supplemental (AFG-S) and authorizes and directs the City Manager to execute any grant agreements and lawfully expend funds 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.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020

# SANDUSKY MUNICIPAL COURT

222 MEIGS STREET  
SANDUSKY, OHIO 44870  
PHONE 419-627-5915 • FAX 419-627-5941  
[www.sanduskymunicipalcourt.org](http://www.sanduskymunicipalcourt.org)

ERICH J. O'BRIEN, JUDGE

KIM PIOTROWSKI, CLERK  
Email: [Kim.Piotrowski@ci.sandusky.oh.us](mailto:Kim.Piotrowski@ci.sandusky.oh.us)

To: Eric Wobser, City Manager

From: Kim Piotrowski, Clerk

Date: 05/12/2020

Subject: Commission Agenda Item – 2020 Coronavirus Emergency Supplemental Funding Grant

**ITEM FOR CONSIDERATION:** Requesting legislation ratifying the submission of a grant application to the Office of Justice Programs for financial assistance through the 2020 Coronavirus Emergency Supplemental Funding Program and approval to execute a grant agreement if awarded for the proposed upgrades to be completed by Henschen and Associates, our software provider, The Glass Guys, BIS Digital, Inc., Biometric Information Management, and Sound Communications.

**BACKGROUND INFORMATION:** The total cost of this project is approximately \$88,679.00.

The Sandusky Municipal Court would anticipate the start of its project immediately after the award of any grant funds. It is anticipated that this project would be completed before the end of the 2020 calendar year.

The Sandusky Municipal Court has a proposed project for the court involving sneeze shields; audio, video and recording equipment; a new server and software including a web server software system to upgrade our current case management system with upgrade to the current version of the court's information system and data conversion; and fingerprinting equipment and software.

The upgrades being requested will make it possible to continue with the courts daily operations as normal, while being able to continue to comply with State regulations and social distancing guidelines and keep all parties safe due to a Pandemic. The sneeze shields have been put in place at desks and counters to protect all parties, in addition to wearing facial masks for anyone that would be entering the court. The audio, video and recording equipment which would be used to limit the foot traffic throughout the court, to do video conferencing which could be utilized by all departments in the court, video jail arraignments, and any video communication conferencing with has as many as 25

people; new application server including the software and case management system is needed to upgrade the older version to handle further support and enhance the public experience; and an upgrade to the current version of the court's information system and data conversions whole optimizing the programs to run faster and smoother; and being able to telecommute remotely. Lastly, the fingerprinting equipment would be essential, for as during the pandemic the jail is limiting the number of individuals being taken to jail and many are being released on their own personal recognizance with no fingerprints ever being reported. With the court having this fingerprint equipment and software we can make sure that all prints are being processed and no prints being missed, for the jail will only fingerprint if in custody at the time of arrest.

There are multiple upgrades to this proposed project. However, each upgrade is necessary and works conjointly together to bring our courts into this new age of technology, easy public access, and improve the efficiency of the work during a pandemic. Our court would be great candidate for funding under this grant program.

**BUDGETARY INFORMATION:** The total cost of this project is approximately \$88,679.00. Any amount of the \$88,679.00 that would not be awarded through the OJP Grant would be paid through the Sandusky Municipal Court's Capital Fund and/or Computer Improvement Fund.

**ACTION REQUESTED:** It is requested that the legislation be prepared ratifying the submission of a grant application to the 2020 Coronavirus Emergency Supplemental Funding Program from the Office of Justice Programs and approval to execute any grant agreements if awarded. It is further required 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 was submitted to the Office of Justice Programs for 2020 Coronavirus Emergency Supplemental Funding Program Grant.

I concur with this recommendation:

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Eric Wobser  
City Manager

Cc: K. Kresser, Commission Clerk;  
M. Reeder, Finance Director;  
T. Hayberger, Law Director

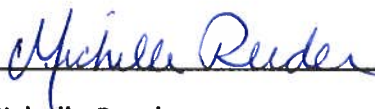
## CERTIFICATE OF FUNDS

In the Matter of: Department of Justice Technology Grant- Muni Court

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: 5/20/2020

By: \_\_\_\_\_



Michelle Reeder

Finance Director

Account #: 241-1106

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

**A RESOLUTION APPROVING AND RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE (DOJ), OFFICE OF JUSTICE PROGRAMS (OJP) FOR FINANCIAL ASSISTANCE THROUGH THE 2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FOR THE SANDUSKY MUNICIPAL COURT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Coronavirus Emergency Supplemental Funding (CESF) Program is authorized by Division B of H.R. 748, Pub. L. No. 116-136 (Emergency Appropriations for Coronavirus Health Response and Agency Operations); 28 U.S.C. 530C and provides funding to assist eligible states, local units of government, and tribes in preventing, preparing for, and responding to the coronavirus; and

**WHEREAS**, Sandusky Municipal Court has submitted an application for financial assistance through the 2020 Coronavirus Emergency Supplemental Funding Program to the Office of Justice Services for upgrades to the Court's current system including new server and software and web server system, audio, video, and recording equipment, fingerprinting equipment and software, and sneeze shields; and

**WHEREAS**, each upgrade is necessary and works conjointly together which will bring the Court into the new age of technology, provide easy public access, and will improve the efficiency of the operation of the Court while complying with State regulations and social distancing guidelines during the Coronavirus Pandemic; and

**WHEREAS**, the estimated cost of the upgrades is \$88,679.00 and will be paid with funds from the Coronavirus Emergency Supplemental Funding Program, if awarded, and Sandusky Municipal Court Capital Funds and/or Computer Improvement Funds; and

**WHEREAS**, the submission of the grant application was approved by this City Commission at their regularly scheduled meeting on May 11, 2020; 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 ratify the submission of the grant application that has already been submitted to the Office of Justice Programs; and

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



**Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter; and NOW, THEREFORE

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

Section 1. This City Commission hereby approves and ratifies the submission of a grant application to the Office of Criminal Justice Services for financial assistance through the 2020 Coronavirus Emergency Supplemental Funding Program for upgrades to the Sandusky Municipal Court and authorizes and directs the City Manager to execute any grant agreements, if awarded, and lawfully expend funds consistent with the application and agreement.

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.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST:

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

Passed: May 26, 2020



## CITY OF SANDUSKY POLICE DEPARTMENT

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

To: Eric Wobser, City Manager

From: John Orzech, Police Chief

Date: May 13, 2020

Subject: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

Legislation for the ratification of the submission of a grant application to The Office of Justice Programs for the 2020 Coronavirus Emergency Supplemental Funding Grant for fifteen thousand nine hundred one dollars (\$15,901) for the deployment of technology advancements in the Sandusky Police Department in response to the COVID-19 Pandemic and authorizing the City Manager to enter into any grant agreements and accept funds if awarded.

### **BACKGROUND INFORMATION:**

The City of Sandusky Police Department (S.P.D.) in conjunction with the city I.T. department has determined that using web cameras, and a conference room with a new computer and television would benefit S.P.D. in responding to the COVID-19 pandemic. The technological advances would allow officers and staff to interact with community member and other staff while complying with State regulations and social distancing guidelines during the Coronavirus Pandemic.

### **BUDGETARY INFORMATION:**

The total amount being requested is fifteen thousand nine hundred one dollars (\$15,901.00) which will allow for web cameras, a conferencing television, computer, and AI phones for the police department.

### **ACTION REQUESTED:**

It is requested that legislation be prepared for the approval and ratification of the submission of the grant application to The Office of Justice Programs for fifteen thousand nine hundred one dollars (\$15,901.00) for the advancement of technology within the Sandusky Police Department and if awarded, to execute any required agreements and expend funds consistent to the

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agreements. It is further requested that this be passed in accordance with Section 14 of the City Charter in order to ratify the submission of the grant application that has already been submitted.

---

John Orzech  
Chief of Police

I concur with this recommendation:

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Eric Wobser, City Manager

## CERTIFICATE OF FUNDS

In the Matter of: Department of Justice Technology Grant- Police

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: 5/20/2020

By: \_\_\_\_\_



Michelle Reeder

Finance Director

Account #: 241-1106

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

**A RESOLUTION APPROVING AND RATIFYING THE SUBMISSION OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE (DOJ), OFFICE OF JUSTICE PROGRAMS (OJP) FOR FINANCIAL ASSISTANCE THROUGH THE 2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROGRAM FOR THE SANDUSKY POLICE DEPARTMENT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Coronavirus Emergency Supplemental Funding (CESF) Program is authorized by Division B of H.R. 748, Pub. L. No. 116-136 Emergency Appropriations for Coronavirus Health Response and Agency Operations); 28 U.S.C. 530C and provides funding to assist eligible states, local units of government, and tribes in preventing, preparing for, and responding to the coronavirus; and

**WHEREAS**, the Sandusky Police Department submitted an application for financial assistance through the 2020 Coronavirus Emergency Supplemental Funding Program to the Office of Justice Services for the deployment of technology advancements in the Police Department in response to the COVID-19 Pandemic; and

**WHEREAS**, the technological advancements include a web camera, conferencing television, computer, and AI phones which would allow the officers and staff to interact with community members and other staff while complying with State regulations and social distancing guidelines during the Coronavirus Pandemic; and

**WHEREAS**, the total cost of the technical equipment is \$15,901.00 and will be paid with funds from the Coronavirus Emergency Supplemental Funding Program, if awarded; and

**WHEREAS**, the submission of the grant application was approved by this City Commission at their regularly scheduled meeting on May 11, 2020; 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 ratify the submission of the grant application that has already been submitted to the Office of Justice Programs; 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 hereby approves and ratifies the submission of a grant application to the Office of Criminal Justice Services for financial assistance through the 2020 Coronavirus Emergency Supplemental Funding Program for the Sandusky Police Department and authorizes and directs the City Manager to execute any grant agreements, if awarded, and lawfully expend funds consistent with the application and agreement.

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.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020



## PLANNING DEPARTMENT

240 Columbus Avenue  
Sandusky, Ohio 44870  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

**To:** Eric Wobser, City Manager

**From:** Angela Byington, Planning Director

**Date:** May 12, 2020

**Subject:** **Amendment of the Citizen Participation Plan – Community Development Block Grant (CDBG)**

**Item for Consideration:** Amendment of the Citizen Participation Plan as it relates to CDBG. The Citizen Participation Plan is a document that HUD requires as part of the City's annual CDBG Allocation. It outlines the process and citizen involvement for adoption and amendments to the City's Annual Action Plan and 5-Year Consolidated Plan.

HUD is awarding various grants to their grantees. Sandusky has been awarded the first round of Community Development Block Grant – Coronavirus (CDBG-CV) funds. HUD has reached out regarding the process that needs to be followed to receive the funds in a timely manner to expedite a response to COVID-19 in communities. One of the items that HUD has requested is amendment of cities Citizen Participation Plans to reference COVID-19 and the HUD waived notification and comment periods for adoption and amendments of the Annual Action Plan and 5-Year Consolidated Plan.

Sandusky's existing Citizen Participation Plan does provide an exemption already for "Alleviating Emergency Conditions, which threaten public health and safety". This exemption waives citizen participation.

Below outlines the proposed amendment, **only** in regard to "**Other Emergency Projects**":

1. Reduces the public notice requirement from 10 days to 7days,
2. Reduces the public comment period from 30 days to 5 days,
3. Removes CPAC meetings, notice, review time and recommendation,
4. Provides the option of utilizing a virtual meeting platform, when emergency/disaster situations do not allow for public gathering.

It should be noted that HUD's Memo regarding availability of waivers specifically reduces the public comment period from 30 days to 5 days and only requires reasonable notice and comment period so long as the Citizen Participation Plan is amended accordingly to reflect this.

**Budgetary Information:** There is no budgetary impact.

**Action Requested:** It is requested that the proper legislation be prepared authorizing amendment of the Citizen Participation Plan, in accordance with Section 14 of the City Charter, in order to expedite the use of the CDBG-CV during the Coronavirus Pandemic.

I concur with this recommendation:

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Eric Wobser  
City Manager

cc: Kelly Kresser, Clerk of City Commission  
Michelle Reeder, Finance Director  
Trevor Hayberger, Law Director  
File



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

**A RESOLUTION APPROVING AND ADOPTING AN AMENDED CITIZEN PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City Commission approved and adopted a Citizen Participation Plan for the Community Development Block Grant Program by Resolution No. 029-14R, passed on July 14, 2014; and

**WHEREAS**, the City of Sandusky, as a Community Development Block Grant (CDBG) entitlement community, is required by the U.S. Department of Housing and Urban Development (HUD) regulations (24 CFR § 91.105) to adopt a Citizen Participation Plan (CPP) which sets forth in the City's policies and procedures for citizen participation in the Consolidated Plan process; and

**WHEREAS**, the Citizen Participation Plan's (CPP) purpose is to provide for and encourage citizens to participate in the development of the Consolidated Plan and Annual Action Plan, substantial amendments, and the Consolidated Annual Performance and Evaluation Report (CAPER) for the use of Community Development Block Grant (CDBG) funds; and

**WHEREAS**, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) has made supplemental CDBG funding available for grants to prevent, prepare for, and respond to the coronavirus and provides CDBG grantees with flexibilities that make it easier to use the Community Development Block Grant - Coronavirus (CDBG-CV) grant and FY 2019 and FY 2020 CDBG grants for coronavirus response and authorizes HUD to grant waivers and alternative requirements; and

**WHEREAS**, the proposed changes are in accordance with HUD memorandums in response to the COVID-19 Pandemic and provides waivers that apply to the adoption of the Annual Plan and amendment to the Five-Year Consolidated Plan and Citizen Participation Plan when there is a Declaration of Emergency and/or to provide expedited Disaster Response; and

**WHEREAS**, approval to submit an amended Five-Year Consolidated Plan and to accept CDBG funds for FY 2020 and to submit the annual One-Year Action Plan to HUD for the City's Community Development Block Grant Program is being requested in companion legislation; 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 expedite the use of the CDBG-CV funds during the Coronavirus Pandemic; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio, 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 hereby approves and adopts an amended Citizen Participation Plan (CPP) for the Community Development Block Grant Program, a copy of which is attached to this Resolution and marked Exhibit "A".

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.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020



## **City of Sandusky Citizen Participation Plan**

This Citizen Participation Plan (CPP) sets forth the City of Sandusky's policies and procedures for citizen participation for the use of Community Development Block Grant (CDBG) funds. The Citizen Participation Plan provides an opportunity for the community to work in partnership with the City to identify needs and to allocate CDBG funds.

The City of Sandusky holds the following standards regarding citizen involvement:

1. All citizen participation is to be done openly.
2. Involvement of low- and moderate-income persons, project area residents, elderly, and others is to be evident.
3. Reasonable efforts to ensure continuity of involvement of citizens throughout all stages of the CDBG program are to be evident.
4. Timely and adequate information is to be given to citizens.
5. Citizens are encouraged to submit their comments regarding the Consolidated Plan and use of CDBG funds.

While the Citizen Participation Plan will aim to ensure the participation of all residents, special assurances will be made to ensure the participation of the following groups:

- extremely low-, low-, and moderate-income persons;
- persons living in areas where CDBG funds are proposed to be used;
- residents of publicly assisted housing;
- low-income residents of target neighborhoods;
- minorities;
- non-English speaking persons; and
- persons with disabilities.
- Elderly/Frail Elderly

### **Definitions**

For purposes of the CDBG program, the following definitions will apply:

**Community Development Block Grant (CDBG):** A grant program administered by the U.S. Department of Housing and Urban Development (HUD). This grant allots money to cities and counties for housing rehabilitation, affordable housing assistance, community services, and community development activities (including community facilities and economic development).

**Consolidated Plan (CP):** The Consolidated Plan is a three- to five-year planning document for the CDBG program. The CP must contain a housing and community development needs assessment, a three- to five-year strategic plan to address the needs identified, a one-year action plan to identify specify activities and planned use of CDBG funds. The CP is due at HUD no later than 45 days before the beginning of a program year. The City of Sandusky CDBG program begins annually on July 1st, making the CP due at HUD no later than May 15th each year.

**Annual Action Plan:** Each year, grantees must submit an update to HUD, referred to as an Annual Action Plan. The Annual Action Plan describes the specific planned uses for the CDBG program, as well as certain other program requirements. The Annual Action Plan is due annually at HUD no later than 45 days before the beginning of a program year.

**Consolidated Annual Performance Evaluation Report (CAPER):** The CAPER is an annual report summarizing the City's progress in implementing Consolidated Plan. The CAPER is due at HUD 90 days after the close of a program year. For the City of Sandusky, each program year ends on June 30th, making the CAPER due at HUD no later than September 30th of each year.

**Median Family Income (MFI):** HUD surveys major metropolitan area annually to develop an index of median family income by household size.

**Low- and Moderate-Income Households-** Pursuant to HUD regulations, the primary beneficiaries of the CDBG program should be low- and moderate-income households, defined by HUD as follows:

<b><i>Extremely Low-Income:</i></b>	0-30% County Median family income (MIF) adjusted for household size.
<b><i>Low-Income:</i></b>	31-50% County MFI adjusted for household size.
<b><i>Moderate-Income:</i></b>	51-80% County MFI adjusted for household size.

**Low- and Moderate-Income Neighborhood-** Generally defined as a census tract(s) of block group(s) in which a minimum of 51 percent of the residents have an income not exceeding 80 percent of the area median family income as defined by HUD.

**Slum and Blighted Area-** An area that meets the definition of a slum, blighted, deteriorated or deteriorating area under State or local law, typically identified as Redevelopment Project Areas,

of where a substantial number of deteriorating or dilapidated buildings or improvements are present throughout the area.

**Publicly Assisted Housing Developments-** Housing projects (either rental or ownership housing) developed with the assistance of public funds such as CDBG and redevelopment set-aside funds.

## **A. Citizen Involvement**

### **1. Citizen Participation Plan (CPP)**

The City of Sandusky recognizes that CDBG funds are tax money returned to the City to be used primarily to benefit extremely low-, low-, and moderate-income persons. City staff and officials are stewards of these public monies and will openly discuss all records, except those confidential records protecting a household's privacy. The City presents the following Citizen Participation Plan (CPP), in accordance with 24 CFR Parts 91, et al.

The Citizen Participation Plan seeks to involve the participation of citizens of Sandusky and social service agencies in the development and adoption of the Consolidated Plan, the Annual Action Plan, any substantial amendments, and the Consolidated Annual Performance Evaluation Report (CAPER). In addition, efforts will be made to focus on the involvement of low- and moderate-income persons, those persons living in slum and blighted areas, persons living in low- and moderate-income areas and persons living in areas where CDBG funds are proposed to be used. The Citizen Participation Plan consists of a number of elements designed to foster community involvement as specified in each section of the Plan.

Pursuant to HUD regulations, the City will conduct a minimum of two hearings annually at different stages in the CDBG program year (July 1 through June 30). The City will conduct public hearings at locations and at times that are convenient to the public, especially for those persons affected by program resources, and the locations will be equipped to accommodate persons with physical disabilities. As such, all public hearings and meetings will be conducted at City Hall, 240 Columbus Avenue and at The Sandusky Fire Station, 600 West Market St, Sandusky. These City Buildings are accessible facilities. If a participant will need auxiliary aids (interpreter, Braille or taped material, listening device, other) due to a disability, please contact the City a minimum of (3) days prior to the meeting.

The schedule for review and adoption of the Consolidated Plan, Annual Action Plan and Consolidated Annual Performance and Evaluation Report is as follows:

- January/February – Public Hearing to review programs and projects currently offered and funded with Community Development Block Grant funds.

- March – September
  - Public Meeting with the Consolidated Plan Advisory Committee (CPAC) to review the draft Consolidated and/or Annual Action Plan and beginning of the 30-day Public Review period.
  - Public Hearing and Adoption of the Consolidated and/or Annual Action Plan by the City Commission.
  - Submittal of the Consolidated and/or Annual Action Plan to the Department of Housing and Urban Development in Columbus, Ohio.
  - Public's and City Commission's review of the Consolidated Annual Performance and Evaluation Report and 15-day Public Review period.

### **Adoption of the Citizen Participation Plan**

Prior to the adoption of the Citizen Participation Plan, implementation of the following public comment, review, and adoption procedures will ensure that all citizens have a chance to participate in the development of the Plan.

- i. The City will provide a notice of the 30-day public review period and public hearing on the Citizen Participation Plan in the *Sandusky Register* or another widely circulated publication. The notice will be printed in the *Sandusky Register* or another widely circulated publication a minimum of ten days prior to the public hearing date.
- ii. The proposed Citizen Participation Plan will be available for public review at the following locations:
  - Sandusky City Hall (240 Columbus Avenue )
  - Sandusky Library (W. Adams Street and Columbus Avenue)
  - City of Sandusky's website at <http://www.ci.sandusky.oh.us/>

Upon request, the Plan will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Citizen Participation Plan to citizens and groups that request copies.

- iii. Comments of views of citizens received in writing during the public review period or orally at the public hearing will be solicited by the Sandusky City Commission.

- iv. The Draft Plan will be adopted upon a majority vote of the Sandusky City Commission at a designated and publicly noticed City Commission meeting. After adoption of the Plan, a Final Plan will be prepared. The Final Plan will include a summary of public comments and a summary of any comments not accepted and the reasons therefore, all of which will be attached to the final Citizen Participation Plan.

### **Amendment of the Citizen Participation Plan**

The City will amend its approved Citizen Participation Plan whenever a change in the public participation process, as outlined in this plan, is proposed. An amendment to the approved Citizen Participation Plan will be reviewed and approved by the CPAC Committee to allow the public the opportunity to review and comment on the amendment. Appeals concerning the amendment should follow the appeal procedures outlined in this document. The City will provide a notice of the 30-day public review period for all proposed amendments to the approved Citizen Participation Plan.

## **2. Consolidated Plan (Five-Year Strategy and Annual Action Plan)**

In developing the Consolidated Plan and the Annual Action Plan, the City of Sandusky is guided by two leading principals:

1. **Customer Service:** focus program efforts on the most critical needs.
2. **Comprehensive Approach:** achieve empowerment of individuals and families while ensuring long economic independence.

Inherent in these principals is extensive, relevant, and ongoing citizen participation. The City of Sandusky believes it is essential to have widespread meaningful participation throughout the planning process to ensure genuine community “ownership” of the plan.

The Consolidated Plan consists of three parts: the needs assessment, housing and community development strategic plan, and an action plan. Commonly known as the Consolidated Plan, the needs assessment and housing and community development strategic plan are updated every five years. The action plan is updated annually, reflecting annual CDBG funding allocations.

The Consolidated Plan identifies the housing and community development needs in the City, prioritizes the needs for funding, and prescribes a comprehensive strategy for addressing the needs. To maintain relevance, an Annual Action Plan is developed which includes the following elements:

- Dollar amounts proposed for each activity
- A description and location of each activity
- The entity responsible for implementation for each activity
- Time frame for each activity

In all cases, the Consolidated Plan and Annual Action Plan seek to minimize the displacement of residents from their homes or places of business.

Three groups involved in the process of Consolidated Plan and Action Plan development include:

- Consolidated Plan Advisory Committee (CPAC)
- Staff Working Group, Public Hearings – General Public
- City Commission

**CPAC** - the CPAC Committee is a group of Sandusky citizens appointed by the Division of Planning and City Commission, and based upon the needs of the community, to make recommendations to the Commission regarding the expenditure of HUD funds and the administration of the CDBG Program. Meetings of the CPAC are open to the public and the citizens of Sandusky are invited to attend and participate in the discussion of policy. The date, time and location of CPAC public meetings shall be advertised in the legal section of the *Sandusky Register* or another widely circulated publication, along with notices at City Hall.

The City will affirmatively publicize its activities and meetings in the local newspaper, the *Sandusky Register* or another widely circulated publication. Information may also be obtained by calling the City Planning and Development Department or the City Manager's Office.

**Staff Working Group** – Coordinated through the Division of Planning's Office, the working group will be comprised of representatives from the various City departments and divisions responsible for HUD-funded programs/projects, including General Services, Engineering, Recreation, Police Department, Fire Department and the City Manager's Office. The group will perform in an advisory manner to the City Commission concerning planning, implementing and assessing CDBG programs/activities through the following:

- Collecting citizen input concerning neighborhood/community needs;
- Preparing a prioritized list of neighborhood/community needs for review by the CPAC and City Commission;
- Preparing project recommendations for review by the CPAC and City Commission and for the Commission's final approval; and
- Reviewing project/program progress.



**City Commission** – The City Commission will fulfill its role by holding public hearings and carrying out the procedures established in this Citizen Participation Plan. The City Commission makes the final determination about the priority of various community needs that will guide the Commission when annually allocating CDBG funds in the Action Plan.

### **Development of the Consolidated Plan (Five-Year Strategy) and Annual Action Plan**

The City of Sandusky will implement the following strategies to solicit meaningful community input in preparation of the Consolidated Plan and Annual Action Plan. Specifically, the City will:

- i. Review past year performance with the CPAC Committee and discuss priority needs for upcoming year(s).
- ii. Consult public agencies including City staff, adjacent local governments, economic development interests, and state and local health agencies.
- iii. Consult private agencies that provide health services, social services for children, elderly, disabled, homeless, persons with AIDS, victims of domestic violence, and persons with alcohol/drug abuses, etc.
- iv. Conduct at least one public meeting during the development of the housing and community development needs assessment.

Citizen participation during the development of the Consolidated Plan and Annual Action Plan will take place at the CPAC meetings, which are open to the public. The citizens of Sandusky are invited to take an advisory role in policy formation regarding program implementation by attending the CPAC meetings and making their views known. This will be made clear in all public announcements of the CPAC meetings.

### **Adoption of the Consolidated Plan (Five-Year Strategy) and Annual Action Plan**

The following procedures will ensure that all citizens will have a chance to influence the final Plan. Specifically, the City will:

- i. Publish a notice announcing the 30–day public comment period and public hearing on the Draft Consolidated Plan and Draft Annual Action Plan. The notice will be published in the *Sandusky Register* or another widely circulated publication and will include a list of the locations where copies of the Draft Plan may be examined. The notice will be published at least ten days prior to the public hearing.

- ii. At a minimum, the Draft Consolidated Plan and Draft Annual Action Plan will be available for public review at the following locations:

- Sandusky City Hall (222 Meigs Street)
- Sandusky Library (W. Adams Street and Columbus Avenue)
- Sandusky City website at <http://www.ci.sandusky.oh.us>

Upon request, the Draft Consolidated Plan and Draft Annual Action Plan will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Draft Consolidated Plan and Action Plan to citizens and groups that request copies.

- iii. The City Commission will conduct a public hearing on the Draft Consolidated Plan and Draft Annual Action Plan.
- iv. At the end of the 30-day review period, the City Commission will consider adoption of the Draft Consolidated Plan and Action Plan. The Draft Consolidated Plan and Draft Annual Action Plan will be adopted upon a majority vote of the Sandusky City Commission. After adoption of the Plan, the Final Consolidated Plan and Final Annual Action Plan will be submitted to HUD. The Final Plan will include a summary of public comments and a summary of any comments not accepted and the reasons therefore, all of which will be attached to the Final Plan.

### **Substantial Amendments**

The City may amend the adopted Consolidated Plan and/or Annual Action Plan. The following outlines the criteria and procedures to be used when amending the Consolidated Plan and/or Annual Action Plan.

#### ***Substantial Amendment Criteria***

The following actions necessitate a substantial amendment to the Consolidated Plan and/or Annual Action Plan:

- A change in the use of CDBG or other HUD funds from one activity to another.
- The elimination or addition of an activity originally described in the Annual Action Plan and/or Consolidated Plan.
- A change in the purpose of an activity originally described in the Annual Action Plan and/or Consolidated Plan, such as a change in the type of activity or its ultimate objective (i.e., a change in a construction project from housing to commercial).
- A meaningful change in the location of an activity originally described in the Annual Action Plan and/or Consolidated Plan.

- A change that increases or decreases funding or the cost of an activity, project or program by more than 25% of the funds that were originally allocated for that activity, project or program as originally described in the Annual Action Plan. (This does not include activities, projects or programs that are completed under budget by more than 25%. In such cases, the unspent balance may go to existing previously approved activities.)
- A change required by Federal law or regulation.

Changes not listed above will not be considered a substantial change to the Consolidated Plan or Annual Action Plan; no formal amendment to the Consolidated Plan or Annual Action Plan requiring public review and comment will be warranted. (For example, an amendment to the Consolidated Plan is needed if the Five-Year Strategy identifies only a low priority need for historic preservation, but during the Five-Year timeframe the City decides to establish a CDBG-funded historic preservation program that amounts to more than 25% of the City's annual allocation.)

### ***Amendment Process***

The following procedures will ensure that all citizens will have a chance to comment on the proposed substantial amendment to the Consolidated Plan and/or Annual Action Plan.

- i. When necessary, a request for written concurrence is sent to the Project Manager at the Columbus Field Office for the U.S. Department of Housing and Urban Development.
- ii. Proposed amendments are reviewed by the CPAC Committee at a regular or special meeting for its recommendation to the City Commission. Publish a notice of the 30-day public comment period and public hearing on the proposed substantial amendment to the adopted Consolidated Plan and/or Annual Action Plan. The notice will be published in the *Sandusky Register* or another widely circulated publication and shall include a summary of the amendment and where copies of the proposed amendment may be examined. The notice will be published at least ten days prior to the public hearing.
- iii. The proposed amendment will be available for public review at the following locations:
  - Sandusky City Hall (240 Columbus Avenue)
  - Sandusky Library (W. Adams Street and Columbus Avenue)
  - Sandusky City website at <http://www.ci.sandusky.oh.us/>

Upon request, the amendment will be made accessible to any person with disabilities.

- iv. At the end of the 30-day review period, the City Commission will consider adoption of the amendment upon a majority vote of the Sandusky City Commission.
- v. A copy of the approved amendment will be sent to the Columbus Field Office of the U.S. Department of Housing and Urban Development.

### ***Back-up Projects***

The Annual Action Plan contains a list of projects to be funded for the program year with funding anticipated. During each program year, however, additional funding may become available as a result of program income, projects completed below budget, or projects canceled or delayed due to a variety of reasons. A list of exterior residential and commercial façade, public facility and infrastructure improvement projects will, therefore, be included in the Annual Action Plan and approved by the City Commission for funding as back-up projects. The City may activate these back-up projects at any time when funding becomes available. The City receives HUD approval for these back-up projects along with the approved and funded projects as a part of its approval for the Annual Action Plan. Initiation and funding of these projects would not constitute a “substantial amendment” defined above.

### ***Interim Assistance Activities***

Interim Assistance Activities are those immediate activities typically involving a quick repair or temporary alleviation of a sudden emergency by performing work that would otherwise be considered ineligible. There are two types of interim assistance activities.

1. Immediate Interim repairs – These activities are to prevent further deterioration of public improvements and facilities. Permanent improvements must be made as soon as practicable. Examples are: repairing streets, sidewalks, parks, playgrounds, utilities and public buildings and neighborhood cleanup programs.
2. Alleviating Emergency Conditions which threaten public health and safety – These activities require a determination by the City Manager that an emergency condition exists and requires immediate resolution. Examples include those listed above, except parks and playgrounds, and are limited to the extent necessary to alleviate the emergency.

Due to their emergent nature, interim assistance activities are exempt from the citizen participation, public hearing and legal noticing processes. The City Commission is required to document the emergency nature of these activities at the time it is asked to approve the

activity for funding. However, these projects are not exempt from Davis-Bacon wage rates. All interim assistance activities must still meet at least one of the national objectives of the CDBG Program to be eligible.

### **Other Emergency Projects**

In accordance with HUD Memos in response to the COVID-19 Pandemic, the following waivers shall apply to adoption of the Annual Plan and amendment to the 5-Year Consolidated Plan and Citizen Participation Plan when there is a Declaration of Emergency and/or to provide expedited Disaster Response.

- i. Public Notice Period: shall be a minimum of 7 days.
- ii. Public Comment Period: shall be a minimum of 5 days.
- iii. CPAC Committee: will be provided notice of drafts of the plan and/or amendments but will not be required to meet, nor hold a public comment period, nor provide a recommendation to City Commission.
- iv. The City may utilize virtual meeting platforms, when emergency/disaster situations do not allow for public gathering.

### **3. Consolidated Annual Performance and Evaluation Report (CAPER)**

The Consolidated Annual Performance and Evaluation Report (CAPER) details the accomplishments of the Consolidated Plan and the Annual Action Plan. The following procedures will ensure that all citizens will have a chance to comment on the CAPER.

- i. The draft CAPER will be reviewed by the CPAC Committee at one of the committee's meetings.
- ii. Publish a notice of the 15-day public comment period and public meeting on the draft CAPER. The notice will be published in the *Sandusky Register* or another widely circulated publication. The notice will include a list of locations at which the draft CAPER can be reviewed. The notice will be published at least ten days prior to the public hearing.
- iii. The draft CAPER will be available for public review at the following locations:
  - Sandusky City Hall (222 Meigs Street)
  - Sandusky Library (W. Adams Street and Columbus Avenue)
  - Sandusky City Website at <http://www.ci.sandusky.oh.us/>

Upon request, the CAPER will be made accessible to any person with disabilities.

## **B. Public Notification of Public Hearing**

Staff will ensure adequate notice of all public hearings. Adequate noticing will include:

- Printing notices in the *Sandusky Register* at least ten days prior to the public hearings or other public meetings.
- Posting notices at City Hall (222 Meigs St.)
- Posting notices on the Sandusky City website at <http://www.ci.sandusky.oh.us>.

## **C. Access to Records**

The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan documents and the use of assistance during the preceding five years.

At all times during the City Hall operating hours, all information regarding the HUD programs will be made available upon request, including the Federal Regulations governing the CDBG programs, a year-by-year breakdown of the program expenditures, the minutes of the most recent CPAC meeting, the most recent report of the program activities, records of CPAC meetings, mailings and promotional materials, prior years' applications, letters of approval from HUD, grant agreements, this Citizen Participation Plan, reports required by HUD, the current proposed application, and any other documents regarding important program requirements by HUD.

During the period of planning for the next year, information to be made available to the public will include such items as the amount of funds available to Sandusky, the range of activities that may be undertaken with these funds, the kind of activities previously funded in Sandusky, the processes involved in drawing up and approving Sandusky's application, the role of Sandusky's citizens in the CDBG programs and any other information necessary for Sandusky's citizens to participate in the process fully. Requests for information and records must be made to the City of Sandusky in writing. Staff will respond to such requests within fifteen days or as soon as possible thereafter.

## **D. Technical Assistance**

Upon request, staff will provide technical assistance to groups representing extremely-low, low- and moderate-income persons to develop funding requests for CDBG eligible activities. Technical assistance will be provided as follows:

- i. Answer, in writing or verbally, all inquiries received from citizens or representative groups relating to funding requests.
- ii. Meet with groups or individuals as appropriate, to assist in identifying specific needs and to assist in preparing request/application for assistance.
- iii. Provide translation on an as needed basis.

## **E. Comments and Complaints**

### **1. Comments**

Citizens or the City government, as well as agencies providing services to the community, are encouraged to state or submit their comments in the development of the Consolidated Plan documents and any amendments to these documents. Written and verbal comments received at public hearings or during the comment period, will be considered and summarized, and included as an attachment to the final Consolidated Plan documents. Written comments should be addressed to:

City of Sandusky  
City Manager's Office  
240 Columbus Avenue  
Sandusky, OH 44870  
Attn: CDBG

A written response will be made to all written comments within fifteen working days, acknowledging the letter and identifying a plan of action, if necessary. Every effort will be made to send a complete response within fifteen working days to those who submit written comments.

### **2. Complaints**

Citizens with complaints concerning the Consolidated Plan, the Annual Action Plan, substantial amendments and the CAPER should contact the City of Sandusky personnel by phone or in writing thirty days from the date the document is published for comment. Complaints concerning any CDBG-funded program in which the person believes access has been limited or denied, must be made within thirty days from the date of the occurrence. Staff will review each complaint based on the information provided within the complaint and provide a complete written response to citizen's complaints within fifteen working days from the date of their complaint when practicable.

The City will accept written complaints provided they specify the following:

- (1) The description of the objection, and supporting facts and data
- (2) Provide name, address, telephone number, and a date of complaint

City of Sandusky  
City Manager's Office  
240 Columbus Avenue  
Sandusky, OH 44870  
Attn: CDBG Complaint

A record will be maintained of all complaints received that will include the nature of the complaint, City investigation of facts and evidences, referrals made, and the final disposition.

Citizens may contact HUD directly if they wish to object to any part of the Consolidated Plan, Annual Action Plan or Consolidated Annual Performance or Evaluation Report, or if they feel that they have been aggrieved by any program, activity or procedure funded through the CDBG funds. Such objections should be made to: CPD Office; Department of Housing and Urban Development, Columbus Field Office, 200 N. High Street, Columbus, Ohio 43215-2463.

## **F. Bilingual Opportunities**

Translation services will be provided upon advance request to the extent feasible. Translation services at public hearings and meetings will be provided if translation services are requested at least seven days prior to the meeting date.

## **G. Appeals**

Appeals concerning the Consolidated Plan documents or decisions, statements, recommendations of the staff, or disposition of complaints should be made first to the Chief Planner, then to the City Manager, the City Commission, and finally to the Columbus Field Office of HUD if concerns are not answered.

## **H. Anti-displacement/Relocation**

In the event that any residential displacement and relocation must take place in order to carry out a program activity, the City of Sandusky ensures that it will develop an Anti-displacement and Relocation Plan in connection with that project as applicable per Federal regulations.

In the event that any acquisitions and relocation must take place in order to carry out a program activity, Sandusky will also comply with the acquisition and relocation requirements of



the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and implementing regulations of 49 CFR Part 24.

## **K. Assurances**

The City of Sandusky assures that the most diligent effort will be made to comply with the process and procedures outlined in the Citizen Participation Plan.



## PLANNING DEPARTMENT

240 Columbus Avenue  
Sandusky, Ohio 44870  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

**To:** Eric Wobser, City Manager

**From:** Angela Byington, Planning Director

**Date:** May 12, 2020

**Subject:** **Amendment of the 2019/2020-2023/2024 Five-Year Consolidated Plan – Community Development Block Grant (CDBG)**

**Item for Consideration:** Amendment of the 2019/2020-2023/2024 Five-Year Consolidated Plan to reflect the Community Development Block Grant – Coronavirus (CDBG-CV) funds as well as the associated needs and goals for use of the funds. The general purpose of a Five-Year Consolidated Plan is to identify goals, objectives and strategies for addressing housing and community development needs, including those of the homeless and special needs populations.

Below summarizes the proposed amendment:

1. Inclusion of persons, organizations and businesses impacted by COVID-19 in the Needs Assessment and Priority Needs narratives.
2. Includes the CDBG-CV funds in the amount of \$437,328 as additional resources to be used in response to the COVID-19 pandemic.
3. Inclusion of goal and goal descriptions to provide the number of persons and businesses to be assisted with CDBG-CV funds.
4. Inclusion of goal references throughout the document for the use of CDBG-CV funds.

It should be noted that HUD's has stated that amendment to the Five-Year Consolidated Plan is required to utilize CDBG-CV funds.

**Budgetary Information:** There is no budgetary impact.

**Action Requested:** It is requested that the proper legislation be prepared authorizing amendment of the Five-Year Consolidated Plan, in accordance with Section 14 of the City Charter, in order to expedite the use of the CDBG-CV during the Coronavirus Pandemic.

I concur with this recommendation:

---

Eric Wobser  
City Manager

cc: Kelly Kresser, Clerk of City Commission  
Michelle Reeder, Finance Director  
Trevor Hayberger, Law Director  
File

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

**AN ORDINANCE APPROVING AN AMENDMENT TO THE CITY'S FIVE-YEAR CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FROM JULY 1, 2019, THROUGH JUNE 30, 2024, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO SUBMIT THE AMENDED FIVE-YEAR ACTION PLAN TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City Commission authorized the City Manager to accept an Entitlement Grant for Community Development Block Grant (CDBG) funds for the program year of July 1, 2019, through June 30, 2020, and to submit to U.S. Department of Housing and Urban Development (HUD) a Five-Year Consolidated Plan containing a One-Year Action Plan by Ordinance No. 19-097, passed on May 28, 2019; and

**WHEREAS**, the general purpose of the Five-Year Consolidated Plan is to identify goals, objectives and strategies for addressing housing and community development needs, including those of the homeless and special needs population; and

**WHEREAS**, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) has made supplemental CDBG funding available for grants to prevent, prepare for, and respond to the coronavirus and provides CDBG grantees with flexibilities that make it easier to use the Community Development Block Grant - Coronavirus (CDBG-CV) grant and FY 2019 and FY 2020 CDBG grants for coronavirus response and authorizes HUD to grant waivers and alternative requirements; and

**WHEREAS**, the proposed changes are in accordance with HUD memorandums in response to the COVID-19 Pandemic and reflects the additional CDBG-CV funds as well as the associated needs and goals for use of the funds; and

**WHEREAS**, approval to adopt an amended Citizen Participation Plan and to accept CDBG funds for FY 2020 and submit the annual One-Year Action Plan to HUD for the City's Community Development Block Grant Program is being requested in companion legislation; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to expedite the use of the CDBG-CV funds during the Coronavirus Pandemic; 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 submit to the U.S. Department of Housing and Urban Development an amended Five-Year Consolidated Plan for the Community Development Block Grant Program from July 1, 2019, through June 30, 2024, and to execute any required certifications and agreements and to administer program expenditures consistent with the amended Five-Year Consolidated Plan.

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

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

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

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020



## PLANNING DEPARTMENT

240 Columbus Avenue  
Sandusky, Ohio 44870  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

**To:** Eric Wobser, City Manager

**From:** Angela Byington, Planning Director

**Date:** May 12, 2020

**Subject:** **Consideration of the FY20 Community Development Block Grant (CDBG) One-Year Action Plan**

**Item for Consideration:** Authorizing and directing the City Manager to accept a CDBG Entitlement Grant, including Community Development Block Grant – Coronavirus (CDBG-CV) funds in the total amount of \$1,180,724 and to execute all certifications and agreements; and to authorize program expenditures. The City's FY20 Block Grant Year runs from July 1, 2020 through June 30, 2021.

**Background Information:** The City of Sandusky is an Entitlement Community, and as such, Sandusky receives a direct allocation from HUD annually. The City is required to submit a One-Year Action Plan each year. This year, due to COVID-19, the annual allocation includes CDBG-CV funds for a total allocation of \$1,180,724. CDBG-CV funds must be used to prevent the spread of COVID-19 and/or to assist individuals, organizations and businesses impacted by COVID-19. The budgetary portion of the plan is attached, which outlines the activities and associated budgets. The total allocation is comprised of \$743,396 of CDBG funds and \$437,328 of CDBG-CV funds. HUD has stated that a second round of CDBG-CV funds should be awarded in the next 60 days. The City deviated from the normal public participation process, with HUD's approval, due to COVID-19 and the need to expedite the infusion of CDBG-CV funds into the community. The public process is listed below:

2/14/20	Notice for First Public Hearing
2/13/20	Consolidated Plan Advisory Committee (CPAC) Meeting
2/24/20	First Public Hearing
5/12/20	Notice of Second Public Hearing and Availability of Draft
5/12/20-5/18/20	Draft Availability for Public Comment
5/26/20	Second Public Hearing and Consideration for Approval

**Budgetary Information:** There is no budgetary impact.

**Action Requested:** It is requested that the City Commission approve legislation authorizing and directing the City Manager to accept an Entitlement Grant, which includes CDBG-CV, in the amount of \$1,180,724 for the program year of July 1, 2020 through June 30, 2021 and to submit to HUD a One-Year Action Plan and to execute all certifications and agreements and to authorize program expenditures. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to submit the One-year Action Plan to HUD to expedite the use of the CDBG-CV during the Coronavirus Pandemic.

I concur with this recommendation:

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Eric Wobser  
City Manager

cc: Kelly Kresser, Clerk of City Commission  
Michelle Reeder, Finance Director  
Trevor Hayberger, Law Director  
File



2020



# DRAFT Annual Action Plan for CDBG Program Year 2020/2021

FOR SUBMISSION TO THE U.S. DEPARTMENT OF HOUSING &  
URBAN DEVELOPMENT  
CITY OF SANDUSKY, OHIO



City of  
**SANDUSKY, Ohio**



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# Executive Summary



## AP-05 Executive Summary

### INTRODUCTION

The City of Sandusky, Ohio, has completed the planning process for the 2020-2021 Annual Action Plan as required by the U.S. Department of Housing and Urban Development (HUD).

Each year the City of Sandusky is required to submit an Annual Action Plan to HUD. The intent of the Plan is to identify how federal grant funds received by the City will be utilized during that program year to address the priority needs acknowledged in the City's 2019/2020-2023/2024 Five-Year Consolidated Plan (Consolidated Plan). Program Year (PY) 2020/2021 Annual Action Plan (July 1, 2020 through June 30, 2021) represents the second program year in which to address the needs identified in the City of Sandusky's 2019 - 2023 Consolidated Plan, approved by the City of Sandusky City Commission on May 28, 2019.

The Action Plan constitutes the City's application to HUD for its Community Development Block Grant (CDBG) Program which is the primary resource for addressing Sandusky's housing and community development needs. **The City anticipates receiving \$743,396.00 in PY2020 funding through the CDBG Program and \$437,328.00 in CDBG-CV Funds for a total of \$1,180,724.00.**

The City of Sandusky will also report, to the extent possible, on other resources expected to be used in ways consistent with the Consolidated Plan. This includes both funds and resources of other organizations and agencies, local nonprofits and for-profits which address the housing and community development needs of the City and its residents.

Decisions about the annual allocation of federal resources are based upon the 2019 – 2023 Consolidated Plan, which was developed after a thorough public participation process conducted both informally with community partners, stakeholders, neighborhood organizations and residents and formally via public hearings. The priorities, goals and objectives outlined in the Consolidated Plan were developed based on



the feedback received during this public process, as well as the evaluation of housing, homeless, special needs population and other relevant community development data.

## **SUMMARY OF THE OBJECTIVES AND OUTCOMES IDENTIFIED IN THE PLAN NEEDS ASSESSMENT OVERVIEW**

The PY 2020 Annual Action Plan will work to meet the goals and objectives set forth by the 2019-2023 Consolidated Plan. These goals and objectives are broken into four major categories: Housing Needs, Homeless Needs, Neighborhood Stabilization and Special Needs Assistance:

### ***Housing Needs***

The Housing topic is focused on the physical state of housing in the City of Sandusky and ways that federal and local resources can be used to address housing issues. Based on input and data received through an extensive public involvement process, the highest priorities identified by the public are:

- Quality affordable housing in locations near essential amenities
- Support and encourage homeownership
- Housing rehabilitation for homeowners that cannot afford maintenance on their homes
- Emergency home repair
- Housing programs such as credit counseling and foreclosure prevention
- Demolition and clearance of blighted structures

Considering these priorities, the following goals and objectives have been recommended:

### **Goal: Housing**

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**Improve the quality and accessibility of affordable housing within the City of Sandusky.**

### **Objective 1:**

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Preserve, maintain and improve existing affordable housing stock for low- and moderate-income and special needs households.

### **Objective 2:**

---

Provide housing services for low- and moderate-income and special needs households.

### ***Homeless Needs***

Meeting homelessness challenges in the City of Sandusky is a collaborative effort comprising numerous individuals, agencies and organizations. The lead agency for collecting homeless data, conducting homeless needs assessments and developing community supported homelessness strategies is the Volunteers of America of Greater Ohio (VOAGO). VOAGO supports Erie County, the City of Sandusky, and Homeless Planning Region #3. The VOAGO acts as the Sandusky area Continuum of Care (CoC). In developing priority homeless needs, the City of Sandusky coordinated with the VOAGO, as well as the general public through stakeholder and neighborhood meetings.

Based on input and the data received through the citizen participation process, the highest priorities identified for homeless services are:

- Food pantries and services
- Educational programming and addressing social barriers for youth
- Affordable housing for lower income to prevent homelessness

Considering these priorities, the following draft goals and objectives are recommended:

#### **Goal: Reduced Homelessness**

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**Prevent and reduce homelessness within the City of Sandusky.**

#### **Objective 1:**

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Provide services that promote self-sufficiency for the homeless or those at-risk of becoming homeless.

#### **Objective 2:**

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Support programs that offer meals, shelter facilities and/or shelter beds to the homeless.

### ***Non-Housing Community Development Needs***

Non-Housing Community Development is a broad category of spending that covers many types of public facilities and improvements such as roads, sewer improvements, water improvements, wastewater improvements, lighting, drainage, community centers, parks and virtually any other public project that benefits low- and moderate-income neighborhoods.



Based on input and the data received through an extensive public involvement process, the highest priorities identified by the public are:

- Fairly distributed public facility and infrastructure improvements (streets, neighborhoods)
- Street repaving/resurfacing
- Athletic or sport-focused youth programs
- Afterschool programs (e.g. Boys & Girls Club)
- Code enforcement and blight elimination
- Neighborhood beautification program

Considering these priorities, the following draft goals and objectives are recommended:

### **Goal: Neighborhood Stabilization**

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**Enhance the quality of life for people living in low- and moderate-income neighborhoods through public investment in facilities, improvements, and services, as well as the elimination of blight.**

#### **Objective 1:**

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Improve physical conditions within residential neighborhoods through blight removal and property contamination remediation.

#### **Objective 2:**

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Invest in public improvements within low- and moderate-income areas.

#### **Objective 3:**

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Invest in public facilities that benefit low- and moderate-income persons, or special needs populations.

#### **Objective 4:**

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Support public services for low- and moderate-income persons.

### ***Non-Homeless Special Needs***

Non-Homeless Special Needs is a broad category that applies to any population that is presumed to be low- and moderate-income and in need of public services. The category covers a large population, including the mentally ill, developmentally disabled, elderly, and other groups. These specific services are often provided by non-profit agencies, usually in coordination with the City of Sandusky or Erie County.

Based on input and the data received through an extensive public involvement process, the highest priorities identified by the public are:

- Programs to reduce physical and social barriers for persons with special needs
- Health and wellness programs for seniors
- Food pantries and food assistance (e.g. Meals-On-Wheels program)

Considering these priorities, the following draft goals and objectives are recommended:

#### **GOAL: SPECIAL NEEDS ASSISTANCE**

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**Promote access to public services for special needs populations generally assumed to be low- and moderate-income, including, but not limited to, programs addressing youth and children, seniors/elderly and frail elderly, veterans and persons with mental, physical or developmental disabilities, alcohol or drug addiction, HIV/AIDS or other special needs.**

##### **Objective 1:**

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Support programs that assist special needs populations with housing or accessibility improvements.

##### **Objective 2:**

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Support programs that provide basic needs assistance (e.g. meals, healthcare, transportation, etc.) to persons with special needs.

### Objective 3:

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Provide funding to agencies that offer case management, counseling, or self-sufficiency training to persons with special needs.

### Objective 4:

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Encourage health and wellness among persons with special needs.

## GOAL: RESPONSE TO COVID-19

Provide funds to help prevent, prepare and respond to the COVID-19 Pandemic.

### Objective 1:

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Support programs that provide access to food to COVID-19 impacted populations.

### Objective 2:

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Provide funds for public facility safety upgrades to prevent the spread of COVID-19 and to prepare for additional outbreaks as well as Personal Protective Equipment for the Police and Fire Departments.

### Objective 3:

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Support youth programming, practicing social distancing guidelines, due to limited access to youth program availability due to COVID-19.

### Objective 4:

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Provide direct financial assistance to businesses that have been impacted due to COVID-19.

## EVALUATION OF PAST PERFORMANCE

Previous program years have shown significant progress in the City of Sandusky's efforts to implement HUD entitlement programs. The City is in compliance with HUD regulations and continues to deliver housing and community development services in an efficient manner.



The City of Sandusky works to improve the quality of life for City residents and to revitalize neighborhoods by providing decent and safe affordable housing and infrastructure. City staff are in charge of implementing the CDBG program.

The City offers an array of housing programs and services providing the foundation needed to aid in promoting homeownership and/or sustainable neighborhoods.

Additionally, the City may fund Public Works activities through the CDBG program, as follows:

### ***Public Works***

Funds may be used to implement programs to improve public facilities and infrastructure, ensure access for the mobility-impaired by addressing physical access barriers to public facilities, and support efforts to ensure that adequate access is provided for public transportation that serve a majority low-income population and those with special needs. This initiative is part of the City's Strategic Plan, Infrastructure and Transportation to invest in community infrastructure and continue to enhance the transportation network and systems.

The City has been successful in implementing these programs in the past and anticipates the continuation of such programs in the future. The City will use CDBG to make these programs successful and to meet the goals and objectives identified in the Consolidated Plan.

## **SUMMARY OF CITIZEN PARTICIPATION PROCESS AND CONSULTATION PROCESS**

The normal Citizen Participation Process was interrupted due to COVID-19. Comments and concerns raised during the citizen participation process were taken into consideration when developing the 2020-2021 Annual Action Plan. In addition the Consolidated Plan's goals, objectives and strategies were considered. The Action Plan process is a collaborative process that involves meetings with the public and the Consolidated Plan Advisory Committee to determine areas of need. As part of this process, the City sought to identify the priority needs and strategies to address those needs. Priority needs were identified based on available housing data, public input, stakeholder interviews and public meetings and past program performance.

In addition, the City consulted with the Consolidated Plan Advisory Committee, multiple City departments, and the City Commission to identify priority needs and develop corresponding strategies.

In relation to the PY2020 Annual Action Plan the City of Sandusky held two public hearings with the City Commission and one meeting with the Consolidated Plan Advisory Committee. Each time comments and input were collected related to the use of CDBG funds for PY2020.

The following represents the Public Participation Process:

CPAC Meeting	2/13/20
1 <sup>st</sup> Public Hearing Notice	2/14/20
1 <sup>st</sup> Public Hearing	2/24/20
2 <sup>nd</sup> Public Hearing Notice and Availability of Draft	5/12/20
Public Comment	5/12 through 5/18/20
2 <sup>nd</sup> Public Hearing	5/26/20

\*\* 2<sup>nd</sup> Public Hearing aired live on [www.youtube.com/CityofSanduskyOH](http://www.youtube.com/CityofSanduskyOH) and comments taken through 5/18/20 by e-mail and read allowed during the Public Hearing.

The Draft FY 20 Annual Action Plan was made available for public review at the City of Sandusky Municipal Building, 240 Columbus Avenue and and made available through the City of Sandusky's website at [www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us). A copy was not placed at the Sandusky Public Library due to COVID-19.

## SUMMARY OF PUBLIC COMMENTS

Based on input and data received through an extensive citizen participation process, the following summarizes the public comments:

### *Comments Regarding Non-Homeless Community Development Needs*

- Street reconstruction projects
- Park Improvement Projects
- Clearance and Demolition projects

### *Comments Regarding Non-Homeless Special Needs*

- ADA Improvements

**SUMMARY OF COMMENTS OR VIEWS NOT ACCEPTED AND THE REASONS FOR NOT ACCEPTING THEM**

None submitted.

1	Project Name	Program Administration
	Target Area	Citywide
	Goals Supported	Program Administration
	Needs Addressed	Program Administration [Indirect Need]
	Funding	CDBG: \$148,000
	Description	City of Sandusky CDBG Administration (2020); CDBG - \$148,000
	Planned Activities	Administration expenses.
2	Project Name	Fair Housing
	Target Area	Citywide
	Goals Supported	Program Administration
	Needs Addressed	Program Administration
	Funding	CDBG: \$10,000
	Description	Advertising, outreach, education, and informational pamphlets related to fair housing. (2020); CDBG - \$10,000
	Planned Activities	Provide financial support for information related to fair housing.
3	Project Name	Public Facilities
	Target Area	Citywide
	Goals Supported	Quality of Life
	Needs Addressed	Public Improvements - General
	Funding	CDBG: \$270,000
	Description	Public Facilities Improvements (2020); CDBG - \$270,000
	Planned Activities	Public Facility projects, as costs allow for Hayes Avenue Safety Improvements, reconstruction of two Public Parking Lots and Shoreline Park Erosion Control project.
4	Project Name	Clearance and Demolition (Residential)
	Target Area	Citywide
	Goals Supported	Quality of Life
	Needs Addressed	Blight elimination
	Funding	CDBG: \$110,396
	Description	City clearance and demolition (2020); CDBG - \$110,396
	Planned Activities	Clearance and demolition of blighted residential homes; 10 residential structures
5	Project Name	Acquisition
	Target Area	Citywide
	Goals Supported	Quality of Life
	Needs Addressed	Blight elimination
	Funding	CDBG: \$50,000
	Description	Acquisition of Property (2020); CDBG - \$50,000
	Planned Activities	Funds will be utilized to acquire blighted structures for purposes of demolition or sale to individuals with the financial capacity and experience to substantially rehabilitate and re-occupy properties.
6	Project Name	Code Enforcement
	Target Area	LMI Census Tracts
	Goals Supported	Neighborhood Stabilization
	Needs Addressed	Blight Elimination
	Funding	CDBG: \$150,000



	Description	Code Enforcement salaries, supplies, etc. (2020); CDBG - \$150,000
	Planned Activities	Code Enforcement: 500 Household Housing Units
7	<b>Project Name</b>	<b>Youth Programming</b>
	Target Area	Eligible Low and Moderate income areas
	Goals Supported	Special Needs Assistance
	Needs Addressed	Non-Homeless Special Needs
	Funding	CDBG: \$5,000
	Description	City of Sandusky Recreation Department, Summer Parks Program & Spring and Winter Break Camp (2020); CDBG - \$5,000
	Planned Activities	Implement the Summer Park Program and the Spring and Winter Break Camps for children residing within the City of Sandusky; 365 persons to be assisted.
8	<b>Project Name</b>	<b>Program Admin - CV</b>
	Target Area	Citywide
	Goals Supported	Response to COVID-19.
	Needs Addressed	City of Sandusky CDBG-CV Administration.
	Funding	CDBG-CV: \$87,465
	Description	City of Sandusky CDBG-CV Administration (2020); CDBG - \$87,465
	Planned Activities	Administration expenses.
9	<b>Project Name</b>	<b>Public Facility Upgrades - CV</b>
	Target Area	Citywide
	Goals Supported	Response to COVID-19.
	Needs Addressed	Provide funds for public facility safety upgrades to prevent the spread of COVID-19 and to prepare for future outbreaks as well as purchase of Personal Protective Equipment.
	Funding	CDBG-CV: \$54,863
	Description	Public Facility safety upgrades, supplies and Police and Fire Personal Protective Equipment, to prevent the spread of COVID19; CDBG - \$54,863
	Planned Activities	Purchase of personal protective equipment, shields and other protective and preventative measures to prevent the spread of COVID19.
10	<b>Project Name</b>	<b>Erie County Senior Center - CV</b>
	Target Area	Citywide
	Goals Supported	Response to COVID-19.
	Needs Addressed	Support programs that provide access to food to COVID-19 impacted populations.
	Funding	CDBG-CV: \$30,000
	Description	Erie County Senior Center, Meals on Wheels Program (2020); CDBG - \$30,000
	Planned Activities	Purchasing of food for the Meals on Wheels Program, which delivers hot meals to senior citizens residing in Sandusky;175 persons assisted.

11	<b>Project Name</b>	<b>OHgo – Mobile Food Pantry - CV</b>
	Target Area	Eligible Low and Moderate income areas
	Goals Supported	COVID-19 Response
	Needs Addressed	Support programs that provide access to food to COVID-19 impacted populations.
	Funding	CDBG-CV: \$15,000
	Description	OHgo, OHgo Mobile Food Pantry (2020); CDBG - \$15,000
	Planned Activities	Continue the OHgo Mobile Food Pantry to help fight food insecurity within the City of Sandusky; 1,500 persons assisted.
12	<b>Project Name</b>	<b>Food Pantry (General) - CV</b>
	Target Area	Eligible Low and Moderate income areas
	Goals Supported	Response to COVID-19
	Needs Addressed	Non-Homeless Special Needs
	Funding	CDBG-CV: \$50,000
	Description	Funds to assist with a Food Pantry Program (2020); CDBG - \$50,000
	Planned Activities	Provide assistance for a Food Pantry program to help residents impacted by COVID-19; 3,000 persons assisted. Subrecipient Organization TBD.
13	<b>Project Name</b>	<b>Youth Programming - CV</b>
	Target Area	Citywide
	Goals Supported	Response to COVID-19
	Needs Addressed	Support youth programming, practicing social distancing guidelines, due to limited access to youth program availability due to COVID-19.
	Funding	CDBG-CV: \$50,000
	Description	Provide funding for salaries and supplies necessary for youth programming as there are limited options due to COVID-19; CDBG - \$50,000
	Planned Activities	Various recreational, cultural and educational youth programs practicing social distancing and methods to prevent the spread of COVID-19.
14	<b>Project Name</b>	<b>Economic Development – CV: Direct Financial Assistance</b>
	Target Area	Citywide: Eligible Low and Moderate income areas or LMI business.
	Goals Supported	Response to COVID-19
	Needs Addressed	Provide Financial Assistance to businesses impacted due to COVID-19.
	Funding	CDBG-CV: \$150,000
	Description	OHgo, OHgo Mobile Food Pantry (2020); CDBG - \$150,000
	Planned Activities	Continue the OHgo Mobile Food Pantry to help fight food insecurity within the City of Sandusky; 1,500 persons assisted

**Table 9: Project Summary Information**

\* If there is any carryover, from 2019, in any of the activities those funds will remain within those activities for program year 2020. Any carryover in Administration or a Public Service Activity will be placed in the Acquisition activity.

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT AN ENTITLEMENT GRANT IN THE AMOUNT OF \$1,180,724.00 TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE PROGRAM YEAR OF JULY 1, 2020, THROUGH JUNE 30, 2021, AND TO SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT A FY 2020 ONE-YEAR ACTION PLAN; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Community Development Block Grant (CDBG) Entitlement Program provides annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons and the program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended, 42 U.S.C.-5301 et seq.; and

**WHEREAS**, the U. S. Department of Housing and Urban Development (HUD) awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services; and

**WHEREAS**, the City of Sandusky is an Entitlement Community eligible to receive Community Development Block Grant (CDBG) funds directly from the U.S. Department of Housing and Urban Development (HUD) annually and is required to submit a One-Year Action Plan; and

**WHEREAS**, the Coronavirus Aid, Relief and Economic Security Act (CARES Act) has made supplemental CDBG funding available for grants to prevent, prepare for, and respond to the coronavirus and the City's annual allocation includes Community Development Block Grant - Coronavirus (CDBG-CV) funds that must be used to prevent the spread of COVID-19 and/or to assist individuals, organizations, and businesses impacted by the Coronavirus Pandemic; and

**WHEREAS**, Seven Hundred Forty Three Thousand Three Hundred Ninety Six and 00/100 dollars (\$743,396.00) of CDBG funds and Four Hundred Thirty Seven Thousand Three Hundred Twenty Eight and 00/100 dollars (\$437,328.00) of CDBG-CV funds, for a total of One Million One Hundred Eighty Thousand Seven Hundred Twenty Four and 00/100 dollars (\$1,180,724.00), have been allocated from HUD to fund the City of Sandusky's Community Development Block Grant eligible activities for the Program Year of July 1, 2020, through June 30, 2021; and

**WHEREAS**, a One-Year Action Plan must be prepared on an annual basis incorporating other comments deemed appropriate by the City, and for the Program Year of July 1, 2020, through June 30, 2020, and with HUD's approval, the City deviated from the normal public participation process due to COVID-19 and the need to expedite the infusion of CDBG-CV funds into the community; and

**WHEREAS**, approval to adopt an amended Citizen Participation Plan and to submit an amended Five-Year Consolidated Plan to HUD for the City's Community Development Block Grant Program is being requested in companion legislation; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the submission of the One-Year Action Plan to the United States Department of Housing and Urban Development in order to expedite the use of the CDBG-CV funds during the Coronavirus Pandemic; 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 accept an Entitlement Grant in the amount of One Million One Hundred Eighty Thousand Seven Hundred Twenty Four and 00/100 Dollars (\$1,180,724.00) for the program year of July 1, 2020, through June 30, 2021, from the U.S. Department of Housing and Urban Development.

Section 2. This City Commission authorizes and directs the City Manager to submit to the U.S. Department of Housing and Urban Development a One-Year Action Plan for \$1,180,724.00 and to execute any required certifications and agreements in relation to the acceptance of the grant and to administer program expenditures consistent with the One-Year Action Plan.

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 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.

\_\_\_\_\_  
RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 26, 2020