



**SANDUSKY CITY COMMISSION  
REGULAR SESSION AGENDA  
September 14, 2020 AT 5 P.M.  
CITY HALL, 240 COLUMBUS AVENUE**

<b>INVOCATION</b>	Naomi Twine
<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>	August 24, 2020
<b>AUDIENCE PARTICIPATION</b>	
<b>PUBLIC HEARING</b>	<b>Application for Planned Unit Development</b>
<b>COMMUNICATIONS</b>	Motion to accept all communications submitted below
<b>CURRENT BUSINESS</b>	

**CONSENT AGENDA ITEMS**

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

**MAINTENANCE OF STATE ROUTE 2, IN SANDUSKY CITY LIMITS**

**Budgetary Information:** The total cost for the State Route 2 maintenance services for dates 7/1/19 through 6/30/20 (FY20), is \$24,638.20 and will be paid from the City of Sandusky State Highway Fund.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing payment to the Treasurer of state, Ohio Department of Transportation for the maintenance of State Route 2 in the City of Sandusky by the Ohio Department of Transportation for the period of July 1, 2019, through June 30, 2020; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**ITEM B – Submitted by Josh Snyder, Assistant City Engineer**

**APPLICATION TO OHIO PUBLIC WORKS COMMISSION FOR WARREN ST. RECONSTRUCTION PROJECT**

**Budgetary Information:** There is no cost to submit the application. Notification of award would be in December 2020. If awarded, the project would be constructed during the second half of 2021, since funds would not become available until July. If awarded, any matching funds required would be incorporated into the 2021 budget. The cost of this project is estimated to be \$2,178,613.66 and we are requesting a combination of loan and grant in the total amount of \$487,500, of which \$325,000 would be OPWC grant funds and \$162,500 would be a 0% OPWC loan. The City's total portion of the project, \$1,691,114.66 would be funded with Sewer Funds, Water Funds, Stormwater Funds, Capital Projects Funds (Issue 8) and 2021 CDBG funds. The application will be written to maximize the amount of points received, increasing the possibility of being awarded funding based on the combination of grant/loan money requested.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed authorizing the submission of an application by the city manager for financial assistance and to enter into a project agreement with the Ohio Public Works Commission in order to participate in the Ohio Public Works Commission's state capital improvement and/or local transportation improvement programs authorized by Chapter 164 (aid to local government improvements) of the Ohio Revised Code for the Warren Street Reconstruction Project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**ITEM C – Submitted by Josh Snyder, Assistant City Engineer**

**APPLICATION TO HIGHWAY SAFETY IMPROVEMENT PROGRAM FOR MEIGS ST. RECONSTRUCTION & MULTI-USE PATH PROJECT**

**Budgetary Information:** There is no cost to submit the application. Notification of award would be in Fall of 2020. If awarded or not, the project will be constructed during the spring of 2022. If awarded, any matching funds required would be incorporated into the 2022 budget. The cost of this project is currently estimated to be \$1,852,000 and we are requesting grant for the amount of \$314,207.10, in addition to the existing \$755,418.07 allocation from ODOT. Receiving this grant would reduce the City's share from \$1,096,581.93 to \$782,374.83, with the City paying \$432,374.83 in General Funds and \$350,000 in Water Funds.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed authorizing the filing of an abbreviated grant application with the Ohio Department of Transportation for financial assistance through the Highway Safety Improvement Program (HSIP) for a portion of the Sandusky Bay Pathway included in the Meigs Street Reconstruction & Multi-Use Path Project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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**ITEM D – Submitted by Matt Lasko, Chief Development Officer**

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**GRANT APPLICATION TO OHIO DEVELOPMENT SERVICES AGENCY FOR ABANDONED GAS STATION CLEANUP FUNDS**

**Budgetary Information:** There is no impact on the City's General Fund. It is anticipated that all projects undertaken as part of the grant will be paid for through grant funds.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed authorizing the filing of an application with the Ohio Development Services Agency for the Abandoned Gas Station Cleanup Grant Program for city owned property located at 430 E. Market Street; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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**ITEM E – Submitted by Matt Lasko, Chief Development Officer**

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**GRANT APPLICATION TO U.S. EPA FOR BROWNFIELDS ASSESSMENT**

**Budgetary Information:** There is no budgetary impact with this legislation as the grant funds require no local match.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed authorizing the filing of an application with the United States Environmental Protection Agency for FY2021 Brownfields Assessment Grant Funding; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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**ITEM F – Submitted by Michelle Reeder, Director of Finance**

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**ACCEPTANCE OF ERIE COUNTY TAX LEVIES**

**Budgetary Information:** The City is required to accept the tax rates as determined by the Erie County Budget Commission before October 1, 2020. This approval establishes funding for 2021.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed accepting the amounts and rates as determined by the Erie County Budget Commission for Fiscal Year commencing on January 1, 2021; authorizing the necessary tax levies and certifying them to the County Auditor; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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**ITEM G – Submitted by Michelle Reeder, Director of Finance**

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**ANNUAL SUBMERGED LANDS LEASE PAYMENT FOR SANDUSKY SAILING CLUB**

**Budgetary Information:** This submerged land lease is payable by the City of Sandusky as the lease holder. The Sandusky Sailing Club will reimburse the City for the cost of the lease pursuant to their Lease agreement with the City. ODNR does not allow a sub-lease holder to make a Submerged Land 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 (ODNR), Office of Coastal management for the rental payment on submerged lands lease File No. SUB-0530-ER for the period of September 1, 2020, through August 31, 2021; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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**REGULAR AGENDA ITEMS**

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**ITEM #1 – Submitted by Greg Voltz, Planner**

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**APPROVING A PLANNED UNIT DEVELOPMENT ON FIRST STREET**

**Budgetary Information:** There is no budgetary impact to the general fund with this proposed legislation.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed amending the official zone map of the city of Sandusky to rezone Parcel Nos. 57-01424.000 and 57.04125.000, located at 1643 First Street, for a residential Planned Unit Development and approving the preliminary plans for the proposed planned unit development.

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**ITEM #2 – Submitted by Stuart Hamilton, IT Manager**

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**TECHNOLOGY SECURITY SUBSCRIPTION FOR 3 YEARS**

**Budgetary Information:** The cost for this subscription for a 36-month period is \$35,620 and the hardware purchases and installation is \$4,166 for a total of \$39,786.00. These costs will be paid by the IT's operating budgeting the amount of \$19,893.00, by the Water Fund in the amount of \$9,946.50, and by the Sewer Fund in the amount of \$9,946.50.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the city manager to expend funds for the subscription licensing for Sophos Fullguard Plus for firewall security and Intercept-X with EDR for endpoint protection from Selectus Consulting, LLC, of Marysville, Ohio, through the State of Ohio Department of Administrative Services cooperative purchasing program; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #3 – Submitted by Josh Snyder, Assistant City Engineer

CONTRACT WITH D.L SMITH CONCRETE FOR SHORELINE PARK EROSION CONTROL PROJECT

**Budgetary Information:** The estimated cost of the project based on the lowest and best bid, including all 3 alternates, legal advertisement, and recording fee is \$90,859.80, and will be paid with Community Development Block Grant (CDBG) funds.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the city manager to enter into a contract with D.L. Smith Concrete, LLC, of Norwalk, Ohio, for the Shoreline Park erosion control project; 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” 



## 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: September 1, 2020

**Subject: Commission Agenda Item – Maintenance of State Route 2 in Sandusky City Limits**

**ITEM FOR CONSIDERATION:** Legislation to authorize the payment to the Treasurer of State, C/O Ohio Department of Transportation (ODOT) for maintenance of State Route 2, located within the city limits, in the amount of \$24,638.20.

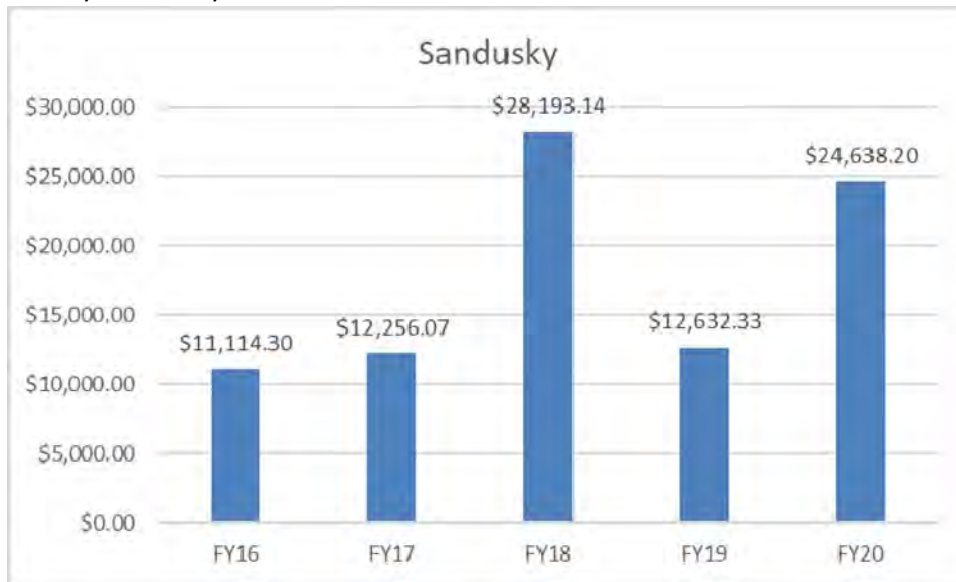
**BACKGROUND INFORMATION:** Per state law, maintenance of state routes and US routes are the responsibility of the municipality where they cross through the corporation limit. Ordinance 8203-C, passed March 27, 1978, required the City of Sandusky to annually pay ODOT for maintenance that includes but is not limited to snow plowing, drainage repair, guardrail repair, pavement patching and crack sealing.

Beginning in the late 1990s an informal arrangement was made with ODOT agreeing that the City would plow Cleveland Road from the City limits to Camp Road in Huron Township for ODOT and in return ODOT had “forgiven” the actual charges for snow and ice control costs on S.R. 2 within the City limits. In 2010, City staff worked out a new agreement with ODOT to include language that provided for this past practice of swapping of services, and in 2012 approved a similar agreement which renews annually unless either party terminates the agreement. In October 2018, Ordinance 18-191 passed containing a new modification, effective July 1, 2018, whereby the City will perform snow and ice control on 5.312 lane miles of S.R. 101 from approximately 0.2 miles south of S.R. 2 to the southern City limit, including two (2) and four (4) lane sections, instead of the previous location on Cleveland Road. ODOT will continue to brine the overhead bridge on S.R. 101 as a pre-treatment and will assist the removal of the snow along the walls. The City is to plow and salt the bridge as normal within the limits of the swap being to the south of the bridge over S.R. 2.

The fee for 7/1/19 through 6/30/20 (FY20) was \$24,638.20. Costs were higher along State Route 2 during fiscal year FY20 mainly because ODOT increased pavement patching, spot paving, partial depth repairs and reconditioning of shoulders during that timeframe. In FY19, the total cost for this work was \$17,300, but increased to \$317,000 in FY20. These variations are often the result of when the work is scheduled during the summer.



The 5-year history:



**BUDGETARY INFORMATION:** The total cost for the State Route 2 maintenance services for dates 7/1/19 through 6/30/20 (FY20), is \$24,638.20 and will be paid from the City of Sandusky State Highway Fund.

**ACTION REQUESTED:** It is recommended that proper legislation be prepared and approved to make the payment in the amount of \$24,638.20 to the Treasurer of State, C/O Department of Transportation (ODOT), for work performed 7/1/19 to 6/30/20, and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to make payment as soon as possible for services already provided and consistent with the invoice received August 17, 2020, which was due by September 4, 2020.

I concur with this recommendation:

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Eric Wobser  
City Manager

cc: M. Spriggs, Commission Clerk; M. Reeder, Finance Director; J. Harris, Interim-Law Director



# INVOICE

## THE OHIO DEPARTMENT OF TRANSPORTATION

**IN ACCOUNT WITH:**

SANDUSKY CITY  
  
222 MEIGS STREET  
SANDUSKY, OH 44870

**ADDRESS QUESTIONS CONCERNING  
THIS INVOICE TO:**

OHIO DEPARTMENT OF TRANSPORTATION  
906 NORTH CLARK AVE

ASHLAND  
(419)207-7031 Ext.  
(419)207-7031 Ext.

District - 3

COUNTY	INVOICE NO.	INVOICE DATE	PATROL REPORT	DUE DATE
	030036	8/5/2020		9/4/2020

DESCRIPTION OF WORK DONE:	UNIT	QUANTITY	UNIT PRICE	TOTAL
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Annual Maintenance Agreement for SR2, in Erie County. Period covers 07/01/19 through 06/30/2020.

DESCRIPTION OF WORK DONE:	UNIT	QUANTITY	UNIT PRICE	TOTAL
ANNUAL MAINTENANCE AGREEMENT	YEAR	1	\$24,638.20	\$24,638.20

ENGINEERING

AUG 17 2020

CITY OF SANDUSKY

SUBMISSION OF THIS INVOICE TO YOUR INSURANCE COMPANY OR EMPLOYER IS YOUR RESPONSIBILITY  
FOR VISA/MASTERCARD PAYMENT PLEASE CALL THE ABOVE DISTRICT OFFICE FOR DETAILS

<b>TOTAL AMOUNT DUE</b>	<b>\$ 24,638.20</b>
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PLEASE RETURN BOTTOM PORTION OF INVOICE WITH PAYMENT


**MAKE CHECKS PAYABLE TO:**

TREASURER OF STATE  
C/O DEPARTMENT OF TRANSPORTATION

**INVOICE NUMBER:**

030036

**REMIT TO:**

OFFICE OF BUDGET AND FORECASTING  
1980 WEST BROAD STREET, 4th FLOOR  
COLUMBUS, OH 43223  
ATTN: ACCOUNTS RECEIVABLE 2130

**TOTAL DUE:**

\$ 24,638.20

**DUE DATE:**

9/4/2020

# Annual Lane Mile Reimbursement

## For the City of Sandusky

### State Route 2 in Erie County

### FY20 - From 7/1/19 to 6/30/2020

	Center				
	To	From	line Miles		
City corporation Limits - ERI SR2	3.706	4.761	1.055	4	Lanes
City corporation Limits - ERI US6 west jct - RAMPS				1	ramps
					city lane miles
					6.62
					4.22
					2.4
					Lane miles
					Lane miles

Erie County ODOT Responsibility for Route 2	0.00	30.56	30.56	4	Lanes	122.24	Lane miles
RAMPS					ramps	19.92	Lane miles
Erie County ODOT Responsibility, Total Lane Miles SR2						142.16	Lane miles
Erie County ODOT Responsibility, Total snow and ice Lane Miles						386.21	Lane miles

Direct Snow and Ice cost for Erie County ODOT						\$799,641.41	
Erie County ODOT Responsibility, Total Lane Miles						386.21	
<b>Total Snow and Ice Cost Per Lane Mile for Erie County ODOT</b>						<b>\$2,070.48</b>	TRADED

Direct Maintenance Cost for Route 2 in Erie County						\$529,088.55	
Erie County ODOT Responsibility for State Route 2						142.16	
<b>Total Maintenance Cost Per Lane Mile for Route 2 in Erie County</b>						<b>\$3,721.78</b>	

Direct Snow and Ice Cost Per Lane Mile for Erie County ODOT						\$2,070.48	
City of Sandusky Lane Miles on Route 2						6.62	
<b>City of Sandusky cost for Snow and Ice</b>						<b>\$13,706.60</b>	TRADED

Direct Maintenance Cost Per Lane Mile for Route 2 in Erie County						\$3,721.78	
City of Sandusky Lane Miles on State Route 2						6.62	
<b>City of Sandusky cost for Maintenance</b>						<b>\$24,638.20</b>	

<b>Total Reimbursement for FY20</b>						<b>\$24,638.20</b>	
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## CERTIFICATE OF FUNDS

In the Matter of: ODOT- State Route 2 Maintenance fee

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.

Account # 217-6220-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 9/8/2020

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

**AN ORDINANCE AUTHORIZING AND DIRECTING PAYMENT TO THE TREASURER OF STATE, OHIO DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF STATE ROUTE 2 IN THE CITY OF SANDUSKY BY THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PERIOD OF JULY 1, 2019, THROUGH JUNE 30, 2020; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky consented to the maintenance of State Route 2 within the corporate limits of the City that may include but is not limited to snow plowing, drainage repair, guardrail and pavement patching and crack sealing by the Ohio Department of Transportation by Ordinance 8203-C, passed on March 27, 1978, and further agreed to annually pay the Ohio Department of Transportation for said services; and

**WHEREAS**, since the late 1990's the City has plowed Cleveland Road from the City Limits to Camp Road in Huron Township for the Ohio Department of Transportation and in return ODOT had "forgiven" the actual charges for snow and ice control costs on S.R. 2 within the City limits for which ODOT provides service in addition to the routine maintenance; and

**WHEREAS**, in 2010 the City and the Ohio Department of Transportation approved a new agreement that included language to reflect the current arrangement and changed the term of the agreement to coincide with ODOT's fiscal year which ends on June 30<sup>th</sup> and subsequently a similar agreement was approved by the City Commission in 2012; and

**WHEREAS**, in September of 2018, ODOT proposed a new modification to the agreement whereby the City will perform snow and ice control on a section of S.R. 101 instead of the previous section located on Cleveland Road and this City Commission approved this amendment by Ordinance No. 18-180, passed on September 10, 2018, and this agreement renews annually unless either party determines to terminate the agreement; and

**WHEREAS**, the cost for maintenance services for the period of July 1, 2019, through June 30, 2020, is \$24,638.20 and will be paid with the City's State Highway Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow payment to be made to the Treasurer of State, Ohio Department of Transportation as soon as possible for services already provided and consistent with the invoice received on August 17, 2020, which was due on September 4, 2020; and

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

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

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

Section 1. This City Commission hereby authorizes and directs the City Manager and/or Finance Director to make payment to the Treasurer of State, Department of Transportation for the maintenance of State Route 2 for the period of July 1, 2019, through June 30, 2020, in an amount **not to exceed** Twenty Four Thousand Six Hundred Thirty Eight and 20/100 Dollars (\$24,638.20), consistent with the invoice received by 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: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: September 14, 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: Joshua R. Snyder, P.E.

Date: August 31, 2020

**Subject: Commission Agenda Item –OPWC Application, Round 35  
Warren St. Reconstruction Project**

**ITEM FOR CONSIDERATION:** A Resolution approving the submission of one application to participate in the Ohio Public Works Commission (OPWC) Round 35 State Capital Improvement Program (SCIP) and/or Local Transportation Improvement Program (LTIP) and to execute contracts as required. The application is for Warren Street reconstruction work from Water St. to Monroe Street.

**BACKGROUND INFORMATION:** The 2015 TransMap Pavement Condition Study rated sections of Warren Street roadway from Washington to Jefferson a low PCI rating of 0 (very poor) to a high PCI rating of 47 (Poor) between E. Monroe St. and E. Madison St. Extrapolating those numbers into 2020 numbers based on normal pavement deterioration yields PCI's of 12 (very poor, but improved due to segments of patch-paving) up to 27 (poor) along the same segments.

Work included in this project is full depth reconstruction of the pavement, the addition of a separate storm sewer, a new water line, curbs, signal upgrades at the Monroe/Huron/Warren intersection, a shared-use path and sidewalk repairs. On-street parking along each block will be included also. In efforts to fund this project for a north-south collector street, the Public works Department is continuing pursuit of additional funding opportunities, including CDBG. ODOT funding for this route is not available.

**BUDGETARY INFORMATION:** There is no cost to submit the application. Notification of award would be in December 2020. If awarded, the project would be constructed during the second half of 2021, since funds would not become available until July. If awarded, any matching funds required would be incorporated into the 2021 budget. The cost of this project is estimated to be \$2,178,613.66 and we are requesting a combination of loan and grant in the total amount of \$487,500, of which \$325,000 would be OPWC grant funds and \$162,500 would be a 0% OPWC loan. The City's total portion of the project, \$1,691,114.66 would be funded with Sewer Funds, Water Funds, Stormwater Funds, Capital Projects Funds (Issue 8) and 2021 CDBG funds. The application will be written to maximize the amount of points received, increasing the possibility of being awarded funding based on the combination of grant/loan money requested.

**ACTION REQUESTED:** It is recommended that the authorization for preparation and submittal for OPWC Round 35 applications be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to submit this application package to an OPWC representative as soon as possible as the deadline of September 11, 2020, was extended upon request by the City.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Aaron M. Klein, P.E.  
Director

cc: M. Spriggs, Commission Clerk; M. Reeder, Finance Director; J. Harris, Interim Law Director

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

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER FOR FINANCIAL ASSISTANCE AND TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN ORDER TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AUTHORIZED BY CHAPTER 164 (AID TO LOCAL GOVERNMENT IMPROVEMENTS) OF THE OHIO REVISED CODE FOR THE WARREN STREET RECONSTRUCTION PROJECT; AND DECLARING THAT THIS RESOLUTION TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the 2015 TransMap Pavement Condition Study rated sections of Warren Street roadway from Washington Street to Jefferson Street a low PCI rating of 0 (very poor) to a high PCI rating of 47 (Poor) between E. Monroe Street and E. Madison Street and the 2020 numbers based on normal pavement deterioration yields PCI's of 12 (very poor, but improved due to segments of patch-paving) up to 27 (poor) along the same segments; and

**WHEREAS**, the proposed Warren Street Reconstruction Project involves full depth reconstruction of the pavement, the addition of a separate storm sewer, a new water line, curbs, signal upgrades at the Monroe/Huron/Warren intersection, a shared-use path and sidewalk repairs as well as on-street parking along each block; and

**WHEREAS**, the estimated cost for the Warren Street Reconstruction Project is \$2,178,613.66 and the City is requesting a combination of loan and grant funds in the amount of \$487,500.00 and if awarded, the City's portion of the project will be \$1,691,114.66 and will paid with Sewer Funds, Water Funds, Stormwater Funds, Capital Funds (Issue 8) and FY2021 Community Development Block Grant (CDBG) Funds; and

**WHEREAS**, a certified copy of the legislation approving the project is required by the governing body of the applicant; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to submit the grant application and Resolution as soon as possible to the Ohio Public Works Committee as the deadline of September 11, 2020, was extended upon request by the City; and

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

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

Section 1. This City Commission hereby approves the submission of an

application for financial assistance with the Ohio Public Work's Commission's State Capital Improvement and/or Local Transportation Improvement Programs as provided in Chapter 164 of the Ohio Revised Code for the Warren Street Reconstruction Project, authorizes and directs the City Manager to file the application for assistance and authorizes and directs the City Manager and/or Finance Director to provide any necessary information and assurances and to execute appropriate project agreements if assistance is awarded by the Ohio Public Works Commission.

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

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

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

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

ATTEST: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: September 14, 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: Joshua R. Snyder, P.E.

Date: August 26, 2020

**Subject: Commission Agenda Item – Abbreviated ODOT Safety Funding Application  
Meigs Street Reconstruction & Multi-Use Path Project**

**ITEM FOR CONSIDERATION:** A Resolution approving the submission of one application to participate in the ODOT Abbreviated Safety Funding Program and to execute contracts as required. The application is for a portion of the Sandusky Bay Pathway included in the Meigs Street Reconstruction & Multi-Use Path project on Meigs Street from Water Street to First Street.

**BACKGROUND INFORMATION:** The City has secured \$755,418.07 as a share of an originally-estimated \$1,177,467.60 project for SFY2022 from Federal (4TA7) Funds through ODOT and the Erie County MPO. As design has developed on this project, the overall project estimate has grown to almost \$1,852,000, including the water line installation.

According to crash statistics compiled by the Ohio Department of Public Safety, this corridor may be eligible for this additional funding source.

In efforts to further reduce the City's financial participation, staff is requesting application for Safety funds in the amount of \$314,207.10 as 90% of \$349,119 in safety-eligible items, specifically sidewalk repairs and an extension of US Bike Route 130 (Sandusky Bay Pathway).

**BUDGETARY INFORMATION:** There is no cost to submit the application. Notification of award would be in Fall of 2020. If awarded or not, the project will be constructed during the spring of 2022. If awarded, any matching funds required would be incorporated into the 2022 budget. The cost of this project is currently estimated to be \$1,852,000 and we are requesting grant for the amount of \$314,207.10, in addition to the existing \$755,418.07 allocation from ODOT. Receiving this grant would reduce the City's share from \$1,096,581.93 to \$782,374.83, with the City paying \$432,374.83 in General Funds and \$350,000 in Water Funds.

**ACTION REQUESTED:** It is recommended that the authorization for preparation and submittal for a ODOT Abbreviated Safety Funding application 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 immediately submit this application package to our ODOT representative and continue with budgetary planning for the project.

I concur with this recommendation:

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Eric Wobser, City Manager

---

Aaron M. Klein, P.E., Director

cc: M. Spriggs, Commission Clerk; M. Reeder, Finance Director; J. Harris, Interim Law Director

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

**A RESOLUTION AUTHORIZING THE FILING OF AN ABBREVIATED GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR FINANCIAL ASSISTANCE THROUGH THE HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) FOR A PORTION OF THE SANDUSKY BAY PATHWAY INCLUDED IN THE MEIGS STREET RECONSTRUCTION & MULTI-USE PATH PROJECT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City Commission approved an agreement for professional design services with The Mannik & Smith Group, Inc., of Maumee, Ohio, for the Meigs Street Reconstruction & Multi-Use Path Project by Ordinance No. 19-149, passed on August 26, 2019; and

**WHEREAS**, the proposed Meigs Street Reconstruction & Multi-Use Path Project will provide for improvements between Water Street and Sycamore Line, including roadway reconstruction and associated drainage north of Washington Street, pavement mill and overlay from Washington Street to Sycamore Line, pavement marking and signing, a multi-use path, sidewalk and curb ramp repairs or replacement as needed, drive repairs, tree removals and replanting, along with landscaping, hardscaping, and benches at two (2) bus stops; and

**WHEREAS**, the Sandusky Bay Pathway is a coastal trail that stretches along the waterfront from the east corporation limit to the west corporation limit with several other on-street and off-street trails networking City roads and the City-wide park system; and

**WHEREAS**, the Ohio Department of Transportation (ODOT) dedicates funds annually through the Highway Safety Improvement Program to provide for highway safety treatments or corrective activity designed to alleviate safety problems or potentially hazardous situations and accepts abbreviated applications any time of year for projects \$500,000.00 or less; and

**WHEREAS**, the City desires to submit an abbreviation application to the Ohio Department of Transportation for financial funding through the Highway Safety Improvement Program (HSIP) for the portion of the Sandusky Bay Pathway included in the Meigs Street Reconstruction Project & Multi-Use Project for safety-eligible items, specifically sidewalk repairs and an extension of the U.S. Bike Route 130 (Sandusky Bay Pathway), on Meigs Street from Water Street to First Street; and

**WHEREAS**, the total cost of the Meigs Street Reconstruction & Multi-Use Path Project is currently estimated at \$1,852,000.00 and the City is requesting grant funds in the amount of \$314,207.10, which is in addition to the existing \$755,418.07 allocated from the Ohio Department of Transportation through the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) and thus, if awarded, will reduce the City's share to \$782,374.83 of which \$432,374.83 will be paid with General Funds and \$350,000.00 will be paid with Water Funds; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately submit the abbreviated application to the Ohio Department of Transportation and continue with budgetary planning for the project; and



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

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

Section 1. The City Manager is hereby authorized to execute and file an abbreviated grant application on behalf of the City of Sandusky with the Ohio Department of Transportation for financial assistance through the Highway Safety Improvement Program (HSIP) for a portion of the Sandusky Bay Pathway included in the Meigs Street Reconstruction & Multi-Use Path Project 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. 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: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: September 14, 2020



## COMMUNITY DEVELOPMENT

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5707  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

**To:** Eric L. Wobser, City Manager  
**From:** Matthew D. Lasko, Chief Development Officer  
**Date:** September 2, 2020  
**Subject:** Commission Agenda Item – Abandoned Gas Station Cleanup Grant Application

**Items for Consideration:** A resolution approving the filing of an application for financial assistance from the Abandoned Gas Station Cleanup Grant with the Ohio Development Services Agency (ODSA) and, if awarded, allowance for the City Manager to execute the grant and all agreements and to authorize program expenditures.

**Background Information:** ODSA, in partnership with Ohio EPA and the Department of Commerce, Bureau of Underground Storage Tank Regulations (BUSTR), has a resource to help clean up abandoned gas and service stations throughout Ohio. The Abandoned Gas Station Cleanup Grant will provide funding to assess and clean up BUSTR Class C sites (underground storage tanks with documented petroleum releases). Property with a documented petroleum release that has been classified by BUSTR as “Class C”, meaning the responsible party is not able to pay for cleanup costs. Property must be vacant or contain an abandoned structure. Funding will be prioritized for former gas and/or service stations with the greatest potential for environmental, community, and economic impact.

Applicants can apply for either \$500,000 for cleanup activities through competitive rounds, including assessment and cleanup of hazardous substances, demolition, property clearance activities, seeding and grading. Additionally, a \$100,000 non-competitive Fast Track is available for projects where the only likely contamination is associated with the UST location(s), asbestos, lead-paint, or universal waste, as demonstrated by a VAP Phase I Environmental Assessment.

The City intends to apply for funding to remove a modest amount of contaminated soil on the City owned property located at 430 E. Market Street – more specifically, a portion of soil located in the northeastern corner of the site. The plan calls for the removal of approximately 125 cubic yards of soil (could be less depending on depth of bedrock) and replaced with clean fill per a Remedial Action Plan developed by The Mannik & Smith Group. The site is critical for allowing new investment – as the City is in process of developing a plan to permit residential construction on the site, along with the two parcels to the west along East Market Street.

**Budgetary Information:** There is no impact on the City's General Fund. It is anticipated that all projects undertaken as part of the grant will be paid for through grant funds.

**Action Requested:** It is requested that proper legislation be prepared for the filing of an application for the 2020 Abandoned Gas Station Cleanup Grant with ODSA and, if awarded, allowance for the City Manager to execute the grant and all 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 begin immediate preparation of the grant in order to more quickly redevelop the site for future residential construction.

I concur with this recommendation:

---

Eric L. Wobser  
City Manager

---

Matthew D. Lasko, MUPDD, MSSA  
Chief Development Officer

cc: McKenzie Spriggs, Clerk of the City Commission  
Justin Harris, Interim Law Director  
Michelle Reeder, Finance Director

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

**A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEVELOPMENT SERVICES AGENCY FOR THE ABANDONED GAS STATION CLEANUP GRANT PROGRAM FOR CITY OWNED PROPERTY LOCATED AT 430 E. MARKET STREET; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Ohio Development Services Agency, in partnership with Ohio EPA and the Department of Commerce, Bureau of Underground Storage Tank Regulation (BUSTR), has a resource to help clean up abandoned gas and service stations throughout Ohio; and

**WHEREAS**, the Abandoned Gas Station Cleanup Grant will provide funding to assess and clean up BUSTR Class C sites (underground storage tanks with documented petroleum release) and local government entities who own the eligible property or who have an agreement with the landowner may apply; and

**WHEREAS**, applicants can apply for up to \$500,000 for cleanup activities through competitive rounds, including assessment and cleanup of hazardous substances, demolition, property clearance activities, seeding and grading and additionally, a \$100,000 non-competitive Fast Track is available for projects where the only likely contamination is associated with the UST location(s), asbestos, lead-paint, or universal waste, as demonstrated by a VAP Phase I Environmental Assessment; and

**WHEREAS**, this City Commission approved the purchase property located at 208 Franklin Street and 410 E. Market Street, Parcel Nos. 56-003480.000 and 56-00349.00 by Ordinance No. 20-106, passed on July 27, 2020, for the purpose of redeveloping along with the City's adjoining properties, located at 430 E. Market Street and 216 Franklin Street, to accommodate new residential structures; and

**WHEREAS**, the City will be applying for funds to remove a modest amount of contaminated soil on the City owned property located at 430 E. Market Street, more specifically, a portion of soil located in the northeastern corner of the site, which is critical to permit residential construction on the site; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately begin preparation of the grant application and continue to redevelop the site as quickly as possible for future residential construction; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of 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. The City Manager hereby is authorized and directed to file an application with the Ohio Development Services Agency for the Abandoned Gas Station Cleanup Grant Program for City owned property located at 430 E. Market Street on behalf of the citizens of the City of Sandusky, Ohio, and 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: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: September 14, 2020



## COMMUNITY DEVELOPMENT

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To: Eric Wobser, City Manager

From: Matthew D. Lasko, Chief Development Officer

Date: September 2, 2020

Subject: **Commission Agenda Item – FY2021 Brownfields Assessment Grant Application**

**ITEM FOR CONSIDERATION:** Requesting legislation authorizing the City Manager to apply for, and accept if awarded, a Community-Wide Brownfields Assessment Grant from the United States Environmental Protection Agency (US EPA).

**BACKGROUND INFORMATION:** The US EPA provides grants for assessment of hazardous and petroleum contaminated properties and sites. The City of Sandusky has previously received these grants but has not applied in several years. Most recently, the City of Sandusky was awarded \$400,000.00 through this program in 2016. The intent is to apply for the maximum amount of \$300,000.00 for hazardous and petroleum assessment projects. Funds will be utilized for Quality Assurance Plans, Phase I Environmental Site Assessments, Phase II Environmental Site Assessments, Remedial Action Plans, Asbestos Surveys training, inventory, and city-wide eligibility assessments. Approval of expenditures would be approved by the Bureau of Underground Storage Tank Regulations (BUSTR) or US EPA depending on the project.

One advantage is that the grants would provide an alternate funding source for environmental assessment of blighted properties. Monies currently being used for these analyses could be reserved for remediation and demolition activities instead. These may not be huge sums, but they do add up. Second, the City of Sandusky would continue its Brownfields program that has been very effective as it was responsible for demolition and/or redevelopment of Apex, Sandusky Cabinets, Paper District area, City Ice, Jackson Street Parking Lot, Deep Water, American Crayon, G & C Foundry, Wisteria Hills, O.P. Craft and many other sites. Third, as an economic development benefit, the City of Sandusky could aid local businesses who wish to perform the Phase I and Phase II assessments on properties they target or wish to develop.

Proposals are due October 28, 2020 per US EPA. Funds are typically made available in the fall of the following year (in this case 2021), which corresponds to the next federal fiscal year.



**BUDGETARY INFORMATION:** There is no budgetary impact with this legislation as the grant funds require no local match.

**ACTION REQUESTED:** It is requested that City Commission approve the necessary legislation to allow for the City of Sandusky to submit a Community-Wide Brownfields Assessment Grant application to the US EPA for hazardous and petroleum sites. It is requested that the legislation be passed, in accordance with Section 14 of the City Charter, to submit the application prior to the deadline of October 28, 2020.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Matthew D. Lasko  
Chief Development Officer

cc: McKenzie Spriggs, City Commission Clerk  
Michelle Reeder, Finance Director  
Justin Harris, Interim Law Director

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY  
THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY AUDITOR**

(City Commission)

Revised Code Secs. 5705.34, 5705.35

The City Commission of **Sandusky**, Erie County, Ohio met in \_\_\_\_\_  
session on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 at the office of \_\_\_\_\_  
with the following members present:

M \_\_\_\_\_

M \_\_\_\_\_

M \_\_\_\_\_

M \_\_\_\_\_

M \_\_\_\_\_

M \_\_\_\_\_

M \_\_\_\_\_

M \_\_\_\_\_ moved the adoption of the following resolution:

**RESOLVED**, by the City Commission of **Sandusky**, Erie County, Ohio,  
in accordance with the provisions of law has previously adopted a tax budget for the next  
succeeding fiscal year commencing on January 1st, 2021; and

**WHEREAS**, The Budget Commission of Erie County, Ohio has certified its action thereon  
to this Board together with an estimate by the County Auditor of the rate of each tax necessary  
to be levied by this Board, and what part thereof is without, and what part within the ten-mill tax  
limitation; therefore be it

**RESOLVED**, by the City Commission of **Sandusky**, Erie County, Ohio that the  
amounts and rates as determined by the Budget Commission in its certification,  
be and the same are hereby accepted; and be it further

**RESOLVED**, That there be and is hereby levied on the tax duplicate of said City the rate of  
each tax necessary to be levied within and without the ten mill limitation as follows:

### SCHEDULE A

#### SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY THE BUDGET COMMISSION, AND THE COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be derived from levies outside 10 mill limit	Approved by Budget Commission inside 10 mill limit	County Auditor's Estimate of Tax rate to be levied		
			Inside 10 mill limit	Outside 10 mill limit	
	Column II	Column IV	V	VI	
General Fund		1,716,447	3.65		
Police Pension		141,078	0.30		
Fire Pension		141,078	0.30		
Library - Bond	437,341			0.93	
Fund					
Fund					
Fund					
Fund					
<b>TOTAL</b>	437,341	1,998,603	4.25	0.93	

### SCHEDULE B

#### LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate	County Auditor's Estimate of yield of levy (Carry to schedule A, Column II)
GENERAL FUND:		
Current expense levy authorized by voters on _____ 19 for not to exceed _____ years.		
Current expense levy authorized by voters on _____ 19 for not to exceed _____ years.		
Current expense levy authorized by voters on _____ 19 for not to exceed _____ years.		
Current expense levy authorized by voters on _____ 19 for not to exceed _____ years.		
Current expense levy authorized by voters on _____ 19 for not to exceed _____ years.		
Total General Fund outside 10 mill limitation:		

## SCHEDULE B (continued)

### LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate	County Auditor's Estimate of yield of levy (Carry to schedule A, Column II)
Library bond issue authorized by voters on __ November 3, 1998. and continuing through tax year 2022.	0.93	437,341
Current expense levy authorized by voters on __ November 2, 1999. for not to exceed _____ years.		
Current expense levy authorized by voters on May 8, 2001. for not to exceed _____ years.		
Current expense levy authorized by voters on _____ 19 for not to exceed _____ years.		
Current expense levy authorized by voters on _____ 19 for not to exceed _____ years.		

and be it further

**RESOLVED**, That the Clerk of this Commission be, and is hereby directed to certify a copy of this resolution to the County Auditor of said County.

M \_\_\_\_\_ seconded the Resolution and the roll  
being called upon its adoption of the vote resulted as follows:

M \_\_\_\_\_ , \_\_\_\_\_

M \_\_\_\_\_ , \_\_\_\_\_

M \_\_\_\_\_ , \_\_\_\_\_

M \_\_\_\_\_ , \_\_\_\_\_

M \_\_\_\_\_ , \_\_\_\_\_

M \_\_\_\_\_ , \_\_\_\_\_

M \_\_\_\_\_ , \_\_\_\_\_

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

ATTEST:

\_\_\_\_\_  
Clerk of the Commission of  
City of Sandusky  
Erie County, OHIO



## CERTIFICATE TO COPY

ORIGINAL ON FILE

**The State of Ohio, Erie County, ss**

I, \_\_\_\_\_, Clerk of the City Commission of  
**Sandusky**, in said County, and in whose custody the files and records of said Board  
are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing  
is taken and copied from the original \_\_\_\_\_

now on file, that the foregoing has been compared by me with said original document, and that  
the same is a true and correct copy thereof.

Witness my signature, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Clerk of the City Commission of

**Sandusky**  
Erie County, Ohio

A copy of this resolution must be certified to the County Auditor before the first day of October in each year,  
or at such later date as may be approved by the Board of Tax Appeals.

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO FILE AN APPLICATION WITH THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR FY 2021 BROWNFIELDS ASSESSMENT GRANT FUNDING; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the EPA's Brownfields Program provides direct funding for brownfields assessment, cleanup, revolving loans, and environmental job training technical assistance, training, and research and collaborates with other EPA programs, other federal partners, and state agencies to identify and make available resources that can be used for brownfields activities and the Assessment grants provides funding for brownfield inventories, planning, environmental assessments, and community outreach; and

**WHEREAS**, the City will be applying for FY 2021 Brownfields Assessment Grant funding in the amount of \$300,000 for hazardous and petroleum assessment projects under the Community-Wide Assessment Grant program; and

**WHEREAS**, the City would utilize the Community-Wide Assessment Grant funds for Quality Assurance Plans, Phase I Environmental Site Assessments, Phase II Environmental Site Assessments, Remedial Action Plans, Asbestos Surveys, training, inventory, and city-wide eligibility assessments; 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 United States Environmental Protection Agency by the submission deadline of October 28, 2020; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Community 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. The City Manager is hereby authorized and directed to file an application on behalf of the City of Sandusky with the United States Environmental Protection Agency for FY 2021 Brownfields Assessment Grant funding under the Community-Wide Assessment Grant and authorizes and directs the City Manager to execute any grant agreements and lawfully expend funds consistent with the application and agreement should they be awarded.

Section 2. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and



such holding shall not affect the validity of the remaining portions thereof.

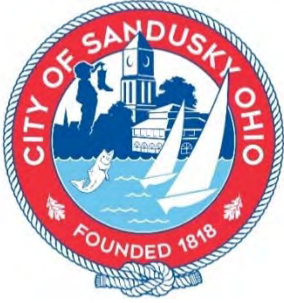
Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted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

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

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

ATTEST: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: September 14, 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: August 27, 2020  
RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

Ohio Rev. Code Section 5705.34 requires each taxing authority to pass an ordinance or resolution to authorize the necessary tax levies. Each such authority is to certify the levies to the county auditor before October 1st.

I am requesting a resolution accepting the amounts and rates as determined by the Erie County Budget Commission, authorizing the necessary tax levies and certifying them to the Erie County Auditor.

### **BUDGETARY INFORMATION:**

The City is required to accept the tax rates as determined by the Erie County Budget Commission before October 1, 2020. This approval establishes funding for 2021.

### **ACTION REQUESTED:**

It is recommended that the resolution be approved in accordance with Section 14 of the City Charter under suspension of the rules. The need for immediate action is due to the the deadline of October 1, 2020.

I concur with this recommendation:

---

Eric Wobser  
City Manager

---

Michelle Reeder  
Finance Director

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

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE ERIE COUNTY BUDGET COMMISSION FOR FISCAL YEAR COMMENCING ON JANUARY 1, 2021; AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Erie County Budget Commission has certified its action regarding the amounts and rates and necessary tax levies to this Commission together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Commission and what part thereof is in excess of, and what part within, the ten-mill tax limitation; 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 meet the statutory deadline of October 1, 2020, for approval as required by O.R.C. §5705.34; and

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

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

Section 1. This City Commission approves the amounts and rates as determined by the Budget Commission in its certification to this Commission.

Section 2. There be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied in excess of, and within, the ten-mill limitation as set forth below:

**SCHEDULE A**

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX  
APPROVED BY THE ERIE COUNTY BUDGET COMMISSION, AND THE ERIE COUNTY  
AUDITOR’S ESTIMATED TAX RATES**

AMOUNTS APPROVED BY THE BUDGET COMMISSION  
INSIDE 10-MILL LIMITATION

		INSIDE 10-MILL
General Fund	\$1,716,447.00	3.65
Police Pension Fund	\$ 141,078.00	.30
Fire Pension Fund	\$ 141,078.00	.30
TOTAL	\$1,998,603.00	4.25

AMOUNTS TO BE DERIVED FROM LEVIES  
OUTSIDE 10-MILL LIMITATION

		OUTSIDE 10-MILL
Library - Bond Fund	\$437,341.00	1.00
TOTAL	\$437,341.00	1.00

Section 3. The Clerk of the City Commission be and is hereby directed to certify a copy of this Resolution to the Erie County Auditor.

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 hereof, 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: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: September 14, 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: August 26, 2020  
RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

City Commission approval of an ordinance authorizing payment in the amount of \$18,104.36 to the Ohio Department of Natural Resources (ODNR) for submerged land lease SUB-0530-ER, the Sandusky Sailing Club, for the period of September 1, 2020 to August 31, 2021.

### **BACKGROUND INFORMATION:**

As part of the Lease agreement approved by City Commission in October, 2007, the Sandusky Sailing Club agreed to become a sub-lessee to the City's Submerged Land Lease with respect to their Club grounds and marina basin. ODNR has approved the new metes and bounds description of the property and prepared new Submerged Land Lease and Consent to Sub-Lease documents in 2008.

### **BUDGETARY INFORMATION:**

This submerged land lease is payable by the City of Sandusky as the lease holder. The Sandusky Sailing Club will reimburse the City for the cost of the lease pursuant to their Lease agreement with the City. 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, to make timely payment to the Ohio Department of Natural Resources for the invoice received on August 18, 2020, and due on September 2, 2020.

I concur with this recommendation:

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Eric Wobser, City Manager

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Michelle Reeder, Finance Director



# Ohio Department of Natural Resources

MIKE DEWINE, GOVERNOR

MARY MERTZ, DIRECTOR

*Battery Park  
Sandusky Sailing Club*

August 13, 2020

City of Sandusky  
Attn: Megan Stookey, Dept of Public Works  
240 Columbus Avenue  
Sandusky, Ohio 44870

ENGINEERING

AUG 18 2020

CITY OF SANDUSKY

RE: Lake Erie Submerged Lands Lease File Number SUB-0530-ER

Dear Megan Stookey:

As requested, enclosed is invoice DNRSL21015 for the annual rent due for Submerged Lands Lease File Number SUB-0530-ER. The invoice is for Lease year 09/01/2020 through 08/31/2021 with a total amount due of \$18,104.36.

Please return page 2 of the enclosed invoice along with payment payable to Ohio Treasurer of State to: The Ohio Department of Natural Resources, Office of Coastal Management, 105 West Shoreline Drive, Sandusky, Ohio 44870-2501.

If you have any questions or need further assistance, please contact me at (419) 609-4112.

Sincerely,

*Deborah L. Beck*

Deborah L. Beck, P.E.  
Assistant Chief

Attachment

ec: Scudder D. Mackey, Ph.D., Chief, Office of Coastal Management  
cc: File

*Vendor: 063535  
110-7900-53000*

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: DNRSL21015  
Consolidated Invoice No:  
Invoice Date: 08/03/2020  
Customer Number: SUB-0530-ER001  
Payment Terms: NET 30  
Due Date: 09/02/2020

Bill To:  
City of Sandusky  
Megan Stookey, Director of Public Works  
240 Columbus Ave  
Sandusky OH 44870

AMOUNT DUE: 18,104.36 USD

Make Checks Payable To: Ohio Treasurer of State

Billing Service Period: From 01-SEP-2020 To 31-AUG-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	18,104.3600	18,104.36
				09/01/20	08/31/21		
SUBTOTAL:						18,104.36	
TOTAL AMOUNT DUE :						18,104.36	

Lease Periods: 09/01/2020 to 08/31/2021.

Rent for one (1) billing period at \$18,104.36.

Please remit 2nd copy of invoice with your payment.

STANDARD

Original

## CERTIFICATE OF FUNDS

In the Matter of: Sandusky Sailing Club- Submerged Land Lease

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.

Account # 110-7900-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 8/26/2020



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-0530-ER FOR THE PERIOD OF SEPTEMBER 1, 2020, THROUGH AUGUST 31, 2021; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City Commission authorized a replacement Submerged Lands Lease with the Ohio Department of Natural Resources, a Sublease Agreement with the Sandusky Sailing Club, Inc., a Consent to Sublease with the Ohio Department of Natural Resources and the Sandusky Sailing Club, Inc, and an Agreement to provide scholarships for sailing programs and related activities for low income children and families by Ordinance Nos. 08-079, 08-080 and 08-081, passed on August 25, 2008; and

**WHEREAS**, the City of Sandusky is the Lessee of Submerged Lands Lease, File No. SUB-0530-ER, for the submerged land which is part of the Sandusky Sailing Club 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 Sublease Agreement with the Sandusky Sailing Club, the cost for the annual Submerged Lands Lease rental payment is to be reimbursed by the Sandusky Sailing Club to the City; and

**WHEREAS**, the total cost for Submerged Lands Lease File No. SUB-0530-ER, as reflected on the current unpaid invoices is \$18,104.36 and will initially be paid by the City and then reimbursed by the Sandusky Sailing Club in accordance with their 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 for the invoice received on August 18, 2020, and due on September 2, 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 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 Treasurer of the State of Ohio 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-0530-ER, for the period September 1, 2020, through August 31, 2021, in an amount **not to exceed** Eighteen Thousand One Hundred Four and 36/100 Dollars (\$18,104.36), 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: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: September 14, 2020



## PLANNING DEPARTMENT

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

**To:** Eric Wobser, City Manager

**From:** Greg Voltz, Planner

**Date:** August 25, 2020

**Subject:** Commission Agenda Item –Application for zone map change

**Item for Consideration:** Approval of an application for zone map change for a Planned Unit Development District at 1643 First Street.

**Purpose:** The proposed zone map change for a Planned Unit Development grants preliminary approval of the plan for a residential development, and associated amenities, to be located at 1643 First Street.

**Background Information:** Bob Waldock, on behalf of 1643 Limited, has submitted an application for an amendment to the zone map to create a Planned Unit Development (PUD) at 1643 First Street. To create a PUD, a preliminary plan must first be approved, which creates the new special zoning district. Once approved, the applicant has eighteen (18) months to obtain final PUD approval from the Planning Commission. If the final development plan has not been submitted to the Planning Commission within eighteen (18) months, notice shall be given to the applicant that the Planning Commission will recommend to the City Commission rezoning the property to the former zoning district which existed prior to the PUD rezoning. The Planning Commission may grant an extension to the eighteen (18) month time limit if the applicant can show cause why an extension should be granted.

At the July 22<sup>nd</sup> 2020 Planning Commission meeting the preliminary plan was approved and recommended the zone change to City Commission. The preliminary plan proposes 42 three-bedroom villas comprised in 4 separate buildings and 18 two-bedroom detached patio homes. The preliminary plan also proposes various site amenities that include, but are not limited to boat dockage, walking trails and a pool. The proposed PUD would encompass 15 acres with 216,980 SF of new construction. The tallest proposed building would be 50' tall at the parapet of a four story villa building. When combining both the buildings and streets/sidewalks, the total development coverage is 34.53% of the 15 acres.

Chapter 1155 of the City of Sandusky Planning and Zoning Code states that a Planned Unit Development District is established to promote progressive development of land and construction thereon by encouraging planned unit developments to achieve:

- (a) A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and reductions in lot dimensions, yards, building setbacks, and area requirements;
- (b) A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;

(c) A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns;

(d) A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets;

(e) A development pattern in harmony with the land use, transportation, and other objectives of the City of Sandusky Comprehensive Plan;

(f) The City is prepared to accept a greater population density in undeveloped areas than that reflected by conventional zoning, provided the developer can demonstrate that any increment of public cost attributable to increased densities will be compensated for by the private amenities and public benefits to be achieved by the plan of development.

The site falls within a focus area of the Sandusky Bicentennial Vision 2018 Comprehensive Plan adopted in February 2016. The plan states for this portion of First Street, an initiative should be to “develop waterfront residential on former industrial sites while maintaining and/or creating public access.”

The Planning Commission did make note that this is a sensitive area in regards to potential wetlands impacts and the shoreline and all necessary permits and processes through applicable agencies must be adhered too.

Planning Commission has made this recommendation with the following conditions:

1. All permits and approvals are obtained through the EPA, Army Corps of Engineers, ODNR, Various Departments and any other applicable agency. Copies of permits and approvals should be put on file with the City of Sandusky Planning Department, either with final plan submission or prior to occupancy of first building.
2. The applicant continues discussion with the City of Sandusky regarding the Sandusky Bay Pathway and the creation of a ‘node’ space at the southeast corner of the property.
3. The applicant continues discussion regarding the serpentine wall fronting First Street. These discussions may include whether or not a five foot wall is in the best interest of the area, or whether alternate materials should be used, or possibly other ideas not yet discussed.
4. The applicant provides names of proposed streets.

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

Staff believes that this request is in line with the Zoning Code as well as the Bicentennial Vision and Strategic Plan. The Zoning Code allows for the creation of a PUD to achieve the greater flexibility of land usage and density. The Bicentennial Vision calls for residential stabilization and infill in this geographic area and the Strategic Vision calls out support of the development and rehabilitation of a variety of housing types. The applicant is also working with the City to make sure that the Sandusky Bay Pathway is a great public space and amenity along First Street and the southern portion of the development.

#### **Budgetary Impact:**

There is no budgetary impact to the general fund with this proposed legislation.

**Action Requested:** It is requested that City Commission approve the proposed amendment to the zoning map to create a Planned Unit Development District at 1643 First Street.

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Greg Voltz

Planner

I concur with this recommendation:

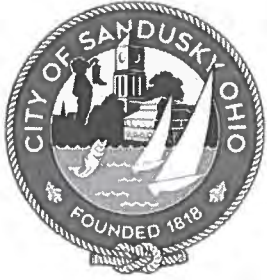
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Eric Wobser  
City Manager

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Matt Lasko  
Development Director

cc: McKenzie Spriggs, Clerk of City Commission  
Michelle Reeder, Finance Director  
Justin Harris, Interim Law Director



## PLANNING COMMISSION

### Application for Major Subdivision

Department of Planning  
240 Columbus Ave  
Sandusky, Ohio 44870  
419.627.5891  
www.cityofsandusky.com

Type of Application (Please Check All That Apply):

☐ Major Subdivision (Preliminary Plat) ☐ Major Subdivision (Final Plat)  
☒ Planned Unit Development (PUD) ☐ Other \_\_\_\_\_

#### Property Owner

Name: 1643 Limited

Address: PO Box 1489  
Sandusky, OH 44871-1489

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

#### Authorized Agent (If Different than Owner)

Name: Bob Waldock

Address: PO Box 1489  
Sandusky, OH 44870

Telephone: 419-626-1979

Email: M.Waldock@CW+REalty.com

#### Application Authorization:

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

[Signature]  
Signature of Owner or Agent

06/24/2020  
Date

#### Permission to Act as an Authorized Agent:

As owner of 1643 First Street, I hereby authorize  
(Municipal street address(es) or legal description of property)

Bob Waldock to act on my behalf during the application process.  
(Authorized Agent Name)

[Signature] member  
Signature of Property Owner

06/24/2020  
Date

Date Application Accepted: \_\_\_\_\_ Permit No. \_\_\_\_\_

Date of Planning Commission Meeting: \_\_\_\_\_ PC File #: \_\_\_\_\_

## Written Statement for Need for a PUD

1643 First Street has been vacant for several years after being on the market for sale. The eastern 10 acres of the property are currently zoned general manufacturing while the eastern 5 acres are zoned commercial recreation. In my opinion, the site is not conducive for a new manufacturing facility. Changing the zoning to commercial recreation will increase the First Street traffic flow and provide more space for boat storage buildings NORTH of First Street. In my opinion this is not a good use for the space. It is my belief that a residential property is a better choice for the land. Should the Ohio EPA allow the property use to change to restricted residential, a condominium project is appropriate and suggested. This development would give Sandusky a new residential neighborhood and provide a new housing option that is not downtown.

This project has the potential to achieve a number of the objectives described in the Comprehensive Plan:

1. It will embrace the water front on a site that has been stagnant for years
2. The land is located between a bustling downtown with new opportunities and the Sports Force Complex. The new bike path will allow easy and convenient access to both venues for residents of 1643 First Street.
3. The property has the potential (as a residential development) to stimulate more housing in the area.
4. As presented, the project absolutely provides a new vision for housing in Sandusky.

CITY OF SANDUSKY, OHIO  
DEPARTMENT OF  
PLANNING

# PLANNING COMMISSION REPORT

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APPLICATION FOR  
A PLANNED UNIT DEVELOPMENT AT  
1643 FIRST STREET (PARCEL#'S 57-1424.000,  
57-01425.000)

Reference Number: PPPP20-0001

Date of Report: July 13, 2020

Report Author: Greg Voltz, Planner



# City of Sandusky, Ohio

## Planning Commission Report

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### BACKGROUND INFORMATION

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Bob Waldock, on behalf of 1643 Limited, has submitted an application for a Planned Unit Development at 1643 First Street. The properties located at this location are currently zoned as “CR – Commercial Recreation and “GM” - General Manufacturing. The applicant is proposing to create a Planned Unit Development encompassing the entire site. The following information is relevant to this application:

Applicant: 1643 Limited  
PO Box 1489  
Sandusky, Ohio 44871-1489

Authorized Agent: Bob Waldock  
PO Box 1489  
Sandusky, Ohio 44870

Site Location: 1643 First Street (Parcel #'s 57-1424.000, 57-01425.000)

Zoning: “GM” General Manufacturing, “CR” Commercial Recreation

Adjacent Zoning  
& Uses: North: Sandusky Bay  
East: “CR” Commercial Recreation/Residential Boathouses  
South: “CS” Commercial Service/Manufacturing  
“GM” General Manufacturing/Manufacturing  
“R1-40” Single Family Residential/Vacant Land  
“CS” Commercial Service/Private Storage (under construction)  
West: “GM” General Manufacturing/Place of Assembly and Restaurant

Proposed  
Development: Planned Unit Development – Single family detached condominiums and multi-family condominiums

Existing Uses: Vacant Land

Applicable Plans & Regulations: City of Sandusky Comprehensive Plan  
Sandusky Zoning Code Chapter  
Chapter 1113 Amendments to the Zone Map & Zoning Code  
Chapter 1155 Planned Unit Development

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#### SITE DESCRIPTION

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The subject property is located along First Street between Nantucket Drive and Lyman Harbour. The property has been vacant for a few years after the demolition of the former Apex Manufacturing Company. The property was cleaned in 2014-2015 and has sat vacant since.

The subject property is surrounded by boathouses, Lyman Harbour, Manufacturing and vacant parcels. The surrounding zoning currently ranges from General Manufacturing to Single Family Residential.

**A picture of the property along with a location map are found below.**



























**1643 First Street**



Zone Map – Parcels Indicated



Zoning		
Zone Map Setbacks	 AG - Agriculture	 PF - Public Facilities
	 CA - Commercial Amusement	 R1-40 - Single Family Residential
PUD - Planned Unit Development	 CR - Commercial Recreation	 R1-50 - Single Family Residential
	 CS - Commercial Service	 R1-60 - Single Family Residential
Parcels	 DBD - Downtown Business	 R1-75 - Single Family Residential
	 GB - General Business	 R2F Two-Family Residential
TRO - Transient Rental Overlay	 GM - General MAnufacturing	 RB - Roadside Business
	 LB - Local Business	 RMF - Multi-Family Residential
	 LM - Local Manufacturing	 RRB - Residential/Business
	 P - Auto Parking	 RS - Residential Suburban

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#### DIVISION OF PLANNING COMMENTS

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The applicant is proposing a Planned Unit Development at the above mentioned site to construct 42 three bedroom villas and 18 two bedroom detached patio homes as well as various site amenities that include boat dockage, walking trails, a pool, and more.

Per Chapter 1155 of the City of Sandusky Planning and Zoning Code a Planned Unit Development District is established to promote progressive development of land and construction thereon by encouraging planned unit developments to achieve:

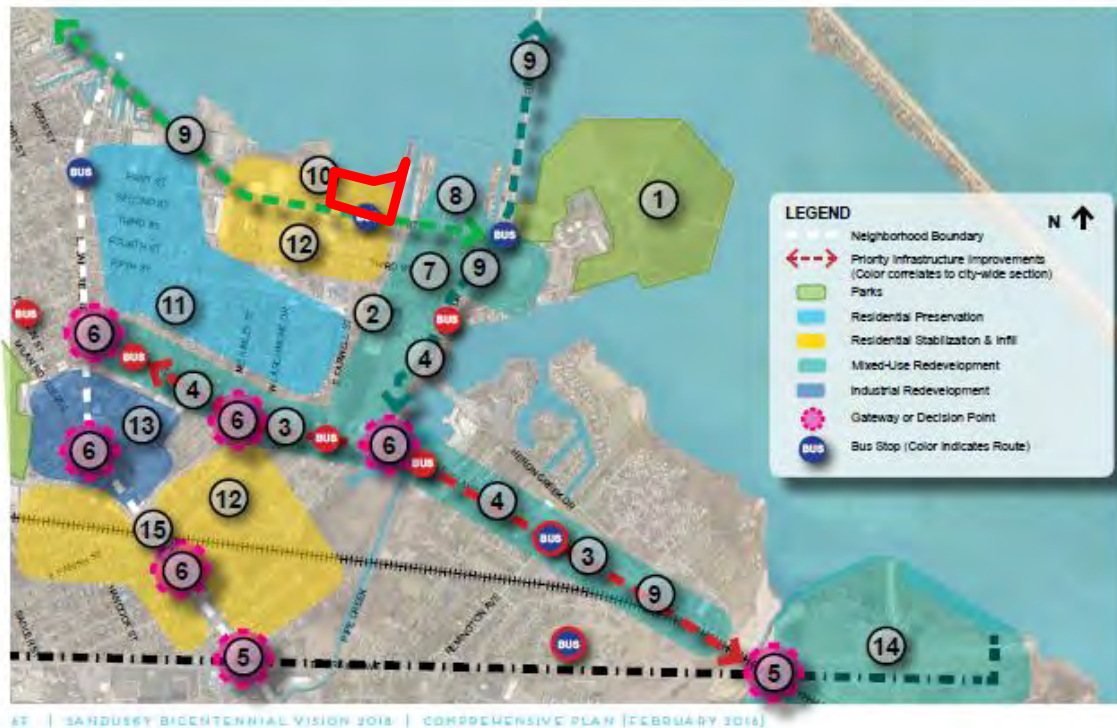
- (a) A maximum choice of living environments by allowing a variety of housing and building types and permitting an increased density per acre and reductions in lot dimensions, yards, building setbacks, and area requirements;
- (b) A more useful pattern of open space and recreation areas and, if permitted as part of the project, more convenience in the location of accessory commercial uses and services;
- (c) A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation, and prevents the disruption of natural drainage patterns;
- (d) A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets;
- (e) A development pattern in harmony with the land use, transportation, and other objectives of the City of Sandusky Comprehensive Plan;
- (f) The City is prepared to accept a greater population density in undeveloped areas than that reflected by conventional zoning, provided the developer can demonstrate that any increment of public cost attributable to increased densities will be compensated for by the private amenities and public benefits to be achieved by the plan of development.

The applicant has supplied a written statement as to why, in their opinion, the planned unit development would be in the public interest and consistent with the City's statement of objects set forth above.



As stated the applicant is proposing 42 villa units in four separate multi-family condominium buildings. They are three stories of living areas above ground level covered parking. When density is calculated for the villa units it does not exceed the 16 units permitted per residential acre due to the open space provided. This is also the case with the 18 detached patio homes. This is due to the fact that the proposal includes preserving the wooded wetlands, creating a detention basin and keeping other naturally wooded areas as well as the parking areas.

This site falls within a focus area of the Sandusky Bicentennial Vision 2018 Comprehensive Plan adopted in February 2016. The plan states for this portion of First Street, an initiative should be to “develop waterfront residential on former industrial sites while maintain and/or creating public access.”



The applicant, throughout discussions regarding this site, has been supportive of the Sandusky Bay Pathway project and shows it on the PUD preliminary plans. The Sandusky Bay Pathway is a priority initiative called out in the Comprehensive Plan and we are glad the applicant is proposing to work with the City on the pathway along First Street.

The section of the Sandusky Bay Pathway along First Street is relatively long, and it was determined that a pathway “node” should occur somewhere between Cedar Point Drive and the Pier Track. This site just happens to be a great location for this “node” as it offers the flexibility to develop shade and seating for users of the pathway. While this preliminary plan does not exactly call out the treatment surrounding this “node”, we are hopeful that the applicant will work with Planning Staff, Engineering Staff and the Engineering design firm of the Sandusky Bay Pathway to create a “node” that is inviting and a great public amenity. Not only for residents of the development but all users of the pathway and community.

Staff does have general concerns regarding the five foot serpentine wall being proposed along the southern side of the development site adjacent to First Street and the proposed Sandusky Bay Pathway. However, the wall will not prohibit most adults as they walk along the pathway from

looking into the development site and through to the Sandusky Bay at certain locations. Also, compared to other developments along First Street this site will create a much more appealing walking environment. However, staff does believe that during final plan development special attention should be paid to ensure some site lines from the right-of-way are preserved.

The proposed development includes more than the required parking for the amount of residential units on the property. However, after preliminary approval for this PUD the applicant should specify stall widths, depths, aisle dimensions, etc. for parking areas to be in conformance with section 1149 of the City of Sandusky Planning and Zoning Code during the Final Development Plan.

The applicant did have a preliminary meeting with the Public Works Department and Planning Department where we did discuss easements for utility lines as well as discussions ensure traffic to, from, and through the site. During the design of the Final Development Plan the applicant will need to provide, amongst other items; engineering feasibility studies showing as necessary, water, sewer drainage, electricity, telecommunications, natural gas lines, waste disposal, street widths and dimensions and the extent of earthwork required for site preparation and development. This application will also have to include preliminary building plans including interior floor plans and exterior elevations.

With this being a condominium development the site would likely have an HOA to handle community space needs as well as deed restrictions, protective covenants and other legal statements or devices to ensure the Final Plan is adhered to by the owners purchasing property within the development. These documents will have to be provided when the application is made for Final Development Plan approval.

With approval of the preliminary plan, through both the Planning Commission and the City Commission, the applicant will begin development of the final development plan as long as it is in 'general conformance with the preliminary plan'. The applicant has 18 months to submit the final plan which will include everything listed in 1155.17 of the City of Sandusky Planning and Zoning Code.

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#### **ENGINEERING STAFF COMMENTS**

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The City Engineer has reviewed the application for a Planned Unit Development and has stated:

Look forward to civil site plan submission. Flood plain may need addressed at that time.

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#### **BUILDING STAFF COMMENTS**

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The City Building Official has reviewed the application for a Planned Unit Development and has stated:

Preliminary/Conceptual Plan – Not for Construction

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**POLICE DEPARTMENT COMMENTS**

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The City Police Chief has reviewed the proposed Planned Unit Development and has no objections.

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**FIRE DEPARTMENT COMMENTS**

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The City Fire Chief has reviewed the proposed Planned Unit Development and has no objections

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**CONCLUSION/RECOMMENDATION**

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In conclusion, Planning Staff recommends approval of the application for the Planned Unit Development to be located at 1643 First Street with the below conditions. The Bicentennial Vision supports reclamation of blighted properties for residential development along First Street, and creation of the Sandusky Bay Pathway.

Conditions:

1. All permits and approvals are obtained through the EPA, Army Corps of Engineers, ODNR, Various Departments and any other applicable agency. Copies of permits and approvals should be put on file with the City of Sandusky Planning Department, either with final plan submission or prior to occupancy of first building.
2. The applicant continues discussion with the City of Sandusky regarding the Sandusky Bay Pathway and the creation of a 'node' space at the southeast corner of the property.
3. The applicant continues discussion regarding the serpentine wall fronting First Street. These discussions may include whether or not a five foot wall is in the best interest of the area, or whether alternate materials should be used, or possibly other ideas not yet discussed.
4. The applicant provides names of proposed streets.

**Planning Commission  
July 22nd, 2020  
Meeting Minutes**

**Meeting called to order:**

Chairman Pete McGory called the meeting to order at 4:33pm. The meeting took place virtually. The following members were present: Peter McGory, David Miller, Mike Zuilhof, and Jade Castile. Commissioner Mike Meinzer, Jim Jackson, and Conor Whelan were not present. Greg Voltz and Tom Horsman represented the Planning Department. Trevor Hayberger represented the Law Department. Administrative Assistant for the Planning Department Kristen Barone, was also present.

**Appointment of Planning Commission Member to CRA Housing Board:**

Mr. McGory explained that Joe Galea recently resigned from his position on the Planning Commission due to moving out of the City and no longer being eligible to serve on the board. He was also the Planning Commission's representative on the CRA Housing Board. Therefore the Planning Commission needs to appoint a new representative.

Mr. Zuilhof offered to be the Planning Commission representative, unless there was another member that wanted to do so.

With no further discussion, Mr. McGory made a motion to approve Mr. Zuilhof as the Planning Commission representative on the CRA Housing Council. Mr. Miller seconded the motion. All voting members present were in favor of the motion.

**Approval of minutes from the June 24<sup>th</sup>, 2020 meeting:**

Mr. Miller made a motion to approve the minutes as submitted and Mr. Zuilhof seconded the motion. All voting members present were in favor of the motion.

**Approval of minutes from the July 9<sup>th</sup>, 2020 special meeting:**

Mr. Miller made a motion to approve the minutes as submitted and Mr. Zuilhof seconded the motion. All voting members present were in favor of the motion.

**Adjudication Hearings:**

Mr. McGory explained that the first application on the agenda is an application submitted by Brady Signs, on behalf of the Erie County Board of Commissioners, for an electronic message board sign at the Department of Job and Family Services, located at 222 West Parish St.

Mr. Hayberger then swore in Mr. Voltz and Mr. Horsman, whom would be presenting on the applications.

Mr. Horsman briefly went over the application and then stated that staff recommends approval of the Conditional Use permit for the digital message board sign located at 221 W. Parish St. with the following conditions: 1. The minimum display time shall be 10 seconds, 2. Brightness shall not impose hazard to pedestrian or vehicular traffic, nor a nuisance to surrounding properties, 3. No animations, videos, or illumination with flashing lights.

Mr. Hayberger then swore in the applicant Ryan Brady.

Mr. Brady stated that the main purpose of the sign is to get information to the people the Department of Jobs and Family Services serve and to those who are in need of services. He also stated that the Board of Commissioners think that the staff conditions are reasonable.

Mr. McGory asked if this sign would be replacing an existing sign or if this is a new addition.

Mr. Brady stated that this would be a new addition.

Mr. Miller stated that he would be abstaining from this discussion and vote as the Board of Commissioners are his employer.

Mr. Zuilhof made a motion to approve the application with the conditions recommended by staff and Mr. McGory seconded the motion. Mr. Miller abstained from the vote and all other members were in favor of the motion.



Mr. McGory stated that next on the agenda is an application also submitted by Brady Signs, on behalf of Resort Schools, LC, for an exterior marquee sign to be located above the first floor at the Falcon Point Lofts at 250 East Market St. Mr. Horsman briefly went over the application and then stated that staff recommends the granting of the Conditional Use Permit for the signage. Staff believes the location on the upper floors of the building is appropriate due to the size and scale of the building. Mr. Horsman said that there was one public comment submitted by John Hoty, manager of Sandusky GSA Properties, Ltd, owner of the property at 221 E. Washington Street, an abutting property owner. Mr. Hoty stated in his letter that he has no objection to the request and offers his full support of the same. Mr. Zuilhof made a motion to approve the application and Mr. Miller seconded the motion. All voting members present were in favor of the motion.

Mr. McGory stated that the third application on the agenda is has been submitted by Bob Waldock, on behalf of Waldock Properties II, for a zone change for a Planned Unit Development District at 1643 First Street (parcels 57-04125.000 and 57-01424.00).

Mr. Voltz stated Planning Staff recommends approval of the application for the Planned Unit Development to be located at 1643 First Street with the below conditions. The Bicentennial Vision supports reclamation of blighted properties for residential development along First Street, and creation of the Sandusky Bay Pathway. Conditions: 1. All permits and approvals are obtained through the EPA, Army Corps of Engineers, ODNR, Various Departments and any other applicable agency. Copies of permits and approvals should be put on file with the City of Sandusky Planning Department, either with final plan submission or prior to occupancy of first building, 2. The applicant continues discussion with the City of Sandusky regarding the Sandusky Bay Pathway and the creation of a 'node' space at the southeast corner of the property, 3. The applicant continues discussion regarding the serpentine wall fronting First Street. These discussions may include whether or not a five foot wall is in the best interest of the area, or whether alternate materials should be used, or possibly other ideas not yet discussed, 4. The applicant provides names of proposed streets. Mr. Voltz then stated that he has received four public comments regarding this application. The first comment is from Vimal S. Kumar, who stated "I applaud the vision of Mr. Waldock and I am very happy to see our eastern neighbor utilize the natural beauty of the area for more people to enjoy. At Lyman Harbor we have been able to share the natural beauty and the fantastic view of the bay and Cedar Point with thousands of guests over the past 20 years. I am looking for clarification with regard to the utility easement to the eastern side of Lyman, adjacent to Mr. Waldock's property. There is currently a gate in place that delineates the pathway for the utility easement and fire department utilization. I would appreciate it if you could address how the easement will be maintained at the upcoming meeting. In looking at his proposed plans, they failed to note this easement. I believe it extends in a northerly direction from First Street to the Sandusky Bay. The next comment comes from John M. Hoty who stated "I am the President of Hoty Enterprises, Inc., general Partner of Lake Ridge Investments, Ltd., owner of the property at 1535 First St. I have no objection to this request and offer my full support of the same. I do have one request. Would you please provide a copy of the plan for these properties and let me know the cost and when we can pick them up. Mr. Voltz explained that the next comment comes from Ron Goldstein, President of the Shades of Nantucket HOA. Mr. Goldstein stated "We would like it written into the record that the Shades of Nantucket Homeowners Association does not oppose the Planned Unit Development application for 1643 First Street. However, we would like to note that we are in property dispute of the original beach property and northern strip of land along Nantucket Drive. This property has been utilized by the residents of Nantucket for over 21 years. We plan to continue ongoing discussions with 1643 Limited, and hope we can come to a resolution. Mr. Voltz then explained that there was a fourth comment received, however, the letter (see attached), and attached documents are pretty lengthy and too long to read allowed at the meeting. The Planning Commission did get a copy of this packet via email after it was received by staff. After reviewing the letter and attached documents, it seems they are in regards to a civil dispute and that the applicant obtain proper environmental clearances.

Mr. Hayberger then swore in Mr. Waldock and Mr. Hancock.

Mr. Waldock then explained that they have been working with the EPA for about two years now, and also more recently with DERR, to figure out what they need to do in order to get rezoned as Restricted Residential on the property. He stated that they have noted on the application that they cannot do anything on the property until that has been approved by the EPA.

Mr. McGory moved to approve the application with staff's conditions and Mr. Zuilhof seconded the motion. All voting members were in favor of the motion.

Mr. McGory stated that the next application on the agenda has been submitted by Bob Waldock, on behalf of Waldock Properties II, for an amendment to the zoning map for the following parcels located along First Street: 57- 00925.000, 57-00926.000, 57-00923.000, 57-04024.000, 57-04022.000, 57-0924.000, 57- 03694.000, 57-03695.000 (lot numbers 408, 409, 410, 411, 412, 413, 414, 415).

Mr. Voltz stated that in understanding the goals set for this area by the city's Comprehensive Plan and the reasons stated in the report staff believes the rezoning could satisfy many conditions in the Zoning Map Code. However, staff believes there will need to be precautions put in place to limit the type of uses permitted in this area so as to ensure that future development in this area does continue to be a contribution to the area and not a detriment. Types of development that staff believes would not be ideal would include developments such as gas stations, automotive repair shops, drive through fast food, etc. Staff recommends the approval of the proposed amendment to the Zone Map for the referenced parcels from "R1-40" Single Family Residential to "CR" Commercial Recreation. Mr. Voltz stated that he received two public comments regarding this application and the following application. The first comment comes from Dorothy Lewis Page at 1842 Third Street who stated "I am concerned with this rezoning as this could create further flooding issues. How can future projects ensure that it doesn't add to the flooding already occurring? How can current properties owners make sure that their properties are kept safe if more buildings are put up adding more strain to the existing storm sewer and sanitary sewer? There has already been flooding issues. We have concerns about creating problems if apartments are being built, due to problems flowing out of the apartments." The second comment comes from Vanessa Jordan at 1017 Clinton Street speaking on behalf of her mother who lives at 1829 Third Street. She stated "Curious as to what the long term plans are for these parcels. Want to make sure that commission knows that this is a historically black neighborhood and that we want to be respected. Most of the people don't have ability to come to a meeting or be heard digitally. We don't want to live next to McDonalds. Would rather see houses, a habitat house, something. Not doctors storage buildings."

Mr. McGory asked if there is a deadline the last two applicants have in order to get their applications approved at this meeting, or can they wait in order to give staff more time to create an overlay district as mentioned.

Mr. Hayberger then swore in Mr. Rengel.

Mr. Rengel stated that they have no immediate plans for his property that is on the agenda.

Mr. Waldock then stated that they have no immediate plans for his property either but would like to tie in some construction with what they are doing across the street.

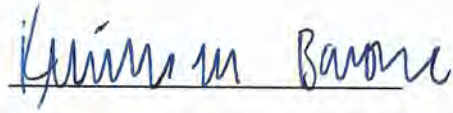
Mr. Zuilhof made a motion to table the application until next month's meeting and Ms. Castile seconded the motion. All voting members were in favor of the motion.

Mr. McGory stated that the next application on the agenda has been submitted by D. Jeffery Rengel, on behalf of RLR Properties, LTD., has submitted an application for an amendment to the zoning map for the following parcels located along Second Street: 57- 03859.000, 57-03861.000, 57-03863.000, 57-03864.000, 57-03865.000, 57-03866.000, 57-03867.000, 57-03868.000, 57-03869.000, 57-03853.000, 57-03854.000, 57-03855.000 (lots 433, 434, 439, 438, 437, 436, 441, 442, 446, 447, 448, 451, 380, 381, 382) and the following parcels located along Third Street: 57-03875.000, 57-03876.000 (lot numbers 461, 462, 463).

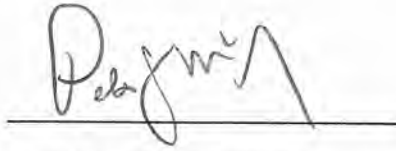
Mr. Zuilhof made a motion to table the application until next month's meeting and Mr. Miller seconded the motion. All voting members were in favor of the motion.

**Meeting Adjourned:** Mr. Zuilhof made a motion to adjourn and Ms. Castile seconded the motion. The meeting was adjourned at 6:07pm.

**Approved:**

A handwritten signature in blue ink, appearing to read "Kristen Barone", written over a horizontal line.

Kristen Barone, Clerk

A handwritten signature in blue ink, appearing to read "Pete McGory", written over a horizontal line.

Pete McGory, Chairman





**ENTERPRISES, INC.**  
**BROKERAGE SERVICES**



5003 Milan Rd.  
Sandusky, OH 44870  
419-609-7000  
419-609-7263 (Fax)  
[www.hoty.com](http://www.hoty.com)

July 14, 2020

Sandusky Board of Zoning Appeals  
c/o Greg Voltz, Planner  
Dept. of Planning, Engineering & Development  
240 Columbus Avenue  
Sandusky, OH 44870

Re: Notice of Hearing – 1643 First Street

Dear Mr. Voltz:

I am in receipt of your Notice of Hearing for Wednesday, July 22, 2020, on the application of Bob Waldock on behalf of 1643 Limited for a zoning change at 1643 First Street.

I am the President of Hoty Enterprises, Inc., General Partner of Lake Ridge Investments, Ltd., owner of the property at 1535 First Street. I have no objection to this request and offer my full support of same.

I do have one request. Would you please provide a copy of the plan for these properties and let me know the cost and when we can pick them up. Thank you.

Sincerely yours,

A handwritten signature in blue ink, appearing to be "John M. Hoty".

John M. Hoty  
President

JMH/ljs



Casual Dining  
Live Entertainment  
Banquet Facilities  
Weddings  
Trade Shows  
Conferences  
Reunions  
Transient Marina / Jet Ski Rental

Greg Voltz  
Department of Planning  
240 Columbus Ave  
Sandusky, Ohio 44870

Dear Mr. Voltz,

This letter is in regard to the meeting to be held on Wednesday, July 22, 2020, specifically the proposed planned unit development of Mr. Waldock.

I applaud the vision of Mr. Waldock and I am very happy to see our eastern neighbor utilize the natural beauty of the area for more people to enjoy. At Lyman Harbor we have been able to share the natural beauty and the fantastic view of the bay and Cedar Point with thousands of guests over the past 20 years.

I am looking for clarification with regard to the utility easement to the eastern side of Lyman, adjacent to Mr. Waldock's property. There is currently a gate in place that delineates the pathway for the utility easement and fire department utilization. I would appreciate it if you could address how the easement will be maintained at the upcoming meeting. In looking at his proposed plans, they failed to note this easement. I believe it extends in a northerly direction from First Street to the Sandusky Bay.  
Thank you.

Best Regards,

A handwritten signature in blue ink, appearing to read "Vimal S. Kumar", with a long horizontal line extending to the right.

Vimal S. Kumar, MD

## Greg Voltz

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**From:** michelle iehle <michelle\_iehle@yahoo.com>  
**Sent:** Tuesday, July 21, 2020 9:54 PM  
**To:** Greg Voltz  
**Cc:** liquidgold39@sbcglobal.net; shades\_of\_nantucket@aol.com; captainron115@aol.com  
**Subject:** Planning Commission Agenda Item concerning 1643 First Street

***THIS EMAIL IS FROM AN EXTERNAL SOURCE. PLEASE DO NOT CLICK ON ANY LINKS OR ATTACHMENTS IF YOU ARE NOT EXPECTING THEM OR UNLESS YOU KNOW THEM TO BE SAFE***

Good Evening-

We would like it written into the record that the Shades of Nantucket Homeowners Association does not oppose the Planned Unit Development application for 1643 First Street. However, we would like to note that we are in property dispute of the original beach property and northern strip of land along Nantucket Drive. This property has been utilized by the residents of Nantucket for over 21 years. We plan to continue ongoing discussions with 1643 Limited, and hope we can come to a resolution.

Respectfully,

Ron Goldstein  
President  
Shades of Nantucket HOA

July 22, 2020

Chairman McGory  
City of Sandusky Planning Commission  
c/o Greg Voltz, Planner – email: gvoltz@ci.sandusky.oh.us

Re: Application of 1643 Limited for a zoning change to PUD at 1643 First Street

We are neighbors having our respective personal residences within the Snug Harbor subdivision which is located just east of 1643 First Street. The issues presented in this letter reflect common viewpoints and opinions held by us, and many other owners and residents within the Snug Harbor development. A property dispute has recently arisen with respect to long established uses by the owners of property in the Snug Harbor subdivision, with respect to certain portions of the real property that has been included in the Applicant's application for rezoning of 1643 First Street. Although recent discussions have taken place to outline and explore potential resolutions of that property dispute; at this juncture no resolution has been agreed to which would protect the owners of Snug Harbor with respect to their existing recreational areas, decks, drainage, and/or erosion barriers protecting the western peninsula of Snug Harbor. As explained below, although existing, parts of the disputed property remained unmapped for decades upon the tax maps of Erie County. Areas of the unmapped property, which include the disputed property were recently mapped by the Applicant and included as part of the Applicant's pending request for rezoning and development of 1643 First Street.

Additionally, the property at 1643 First Street, may be subject to certain recorded environmental use restrictions and covenants which may limit the potential uses that may be made of all or part of property at 1643 First Street. In the interest of avoiding any further environmental action against the property and/or the City of Sandusky, (the latter of which was also a party to the action which gave rise to the Ohio EPA Director's Final Findings and Order), due consideration by the Planning Commission should also be made with respect to any applicable environmental covenants or restrictions that may impact uses of the property as authorized by the City of Sandusky through its Planning Commission.

The remainder of this submission will address the property dispute first, followed by references to documents evidencing environmental covenants and use restrictions.

The neighboring Snug Harbor development was originally platted in 1948 with the approval of the City of Sandusky, Erie County Officials, and the consent of the United States War Department. See, Exhibit 1, attached. The original plat was amended on a couple of occasions, and now exists as having three parallel peninsulas that extend into Lake Erie; both the west and east peninsulas have a northerly breakwater which runs perpendicular to each peninsula at its most northern point. The 1955 revised plat for Snug Harbor shows the west channel lots of Snug Harbor. See, Exhibit 2, attached. The west channel lots are closest to 1643 First Street.

Located north of the easterly wetlands located at 1643 First Street, was a beach along the shoreline of Lake Erie. The shoreline of the beach was located approximately 460 feet south of



the northerly point of Snug Harbor's westerly breakwater. North of said beach shoreline, are the waters of Lake Erie, and along the westerly shoreline of the west channel of Snug Harbor are fortifications of large rock for erosion control, to protect the integrity of Snug Harbor's westerly peninsula, as well as supporting several dock structures built along the westerly shoreline by residential owners of Snug Harbor or their predecessors in interest.

At the time that most owners in the Snug Harbor development acquired their properties located within Snug Harbor there was no recorded claim of ownership of the beach which was located west of Snug Harbor's westerly peninsula, and north of Snug Harbor lot number 138. Additionally at the time of those purchases, no owner of 1643 West First Street claimed to own any property north of Snug Harbor lot 138, between the waters of Lake Erie and Snug Harbor's western peninsula. At the beginning of 2019, the above referenced beach area, and all property located north of Snug Harbor lot 138, which was located between the westerly Lake Erie shoreline, and western peninsula of Snug Harbor were not included or delineated upon the Erie County Tax Map or Erie County Auditor's parcel map; that property is collectively referred to as the "Unmapped Property." See Exhibit 3 – 1987 to 2017 Tax Map Indicating "Piece Created by Mapper Does Not Exist."

It is our understanding that for more 21 years prior to 2019, the owners of property at Snug Harbor, have maintained the Unmapped Property, for their own benefit and that of their residents, and/or guests at Snug Harbor, through uses of the Unmapped Property in a manner consistent with the exclusive possession of private property, that was open, notorious, continuous (based on the nature of the uses from time to time), and adverse to the interests of any legal title owner, if any, of said Unmapped Property. As such the owners and residents of Snug Harbor have acquired certain vested legal property rights in the Unmapped Property. Any claim of right of any person or entity to dispossess the owners of Snug Harbor of such vested legal rights or uses in the Unmapped Property is now barred by the statute of limitations period of 21 years for the recovery of real estate, as set forth in Ohio Revised Code § 2305.04.

On December 8, 2017, 1643 Limited, the applicant herein acquired 1643 First Street, pursuant to a "limited warranty" deed from Famous Realty of Cleveland, Inc. See, Exhibit 4. That deed did not include any metes and bounds specifically describing the Unmapped Property. The metes and bounds description in that conveyance conforms to the outline of the property west of Snug Harbor shown on Exhibit 3 – the 1987-2017 Tax Map (without reference to the area identified on the map as "Piece Created by Mapper Does Not Exist").

The applicant's property at 1643 First Street is also subject to certain terms and conditions of environmental orders issued in connection with an action before the Ohio Environmental Protection Agency. The Ohio EPA Director's Final Findings and Orders issued on May 26, 2015, included an environmental covenant that the subject property's use be limited to commercial or industrial land use, as those terms are defined in OAC 3745-300-08(C)(2). See, Exhibit 5, at p. 4; also appearing of record in the Erie County Recorder's Office at Official Record Number 201506918, recorded on August 6, 2015 at 2:53 P.M.

The December 6, 2017, deed to 1643 Limited by its predecessor in title included the environmental restrictive covenant describing activity and use limitations for the property as “a. Limitation for Commercial and/or Industrial Land Uses.” See, Exhibit 4, p. 1.

On or about July 9, 2019, the Ohio EPA, addressed certain requested revisions to the Environmental Covenants impacting the property at 1643 First Street. The proposed draft revisions which apparently have not yet been approved or finalized state in part: “**Fee simple single-family homes or duplexes are prohibited.** Permissible residential land use included without limitation condominiums, apartments, daycare centers, long term care facilities . . .” Exhibit 6, at p. 17 (emphasis added). The revisions appear to clarify that the intent of the restrictions is to comply with Ohio Administrative Code § 3745-300-08(C)(2)(a), to reduce environmental contamination risk associated with “land use with a high frequency of potential exposure of adults and children to dermal contact with soil, inhalation of vapors and particles from soil, incidental ingestion of soil, and inhalation of volatile compounds due to vapor intrusion from environmental media to indoor air.” Id. Given the express prohibition of uses at the property related to a single family home, (albeit held in fee simple title); it seems incongruent that prohibited uses which are designed to avoid physical contamination from soils, would be consistent with a single family home whose paper title was simply held in another form – other than fee-simple ownership.

Is it appropriate, sound, or a matter of good conscience for this Planning Commission to look past the intent of O.A.C. § 3745-300-08(C)(2)(a) which is written with an intent to avoid likely contacts created by uses of a single family dwelling in an effort to protect children and/or adults who are more likely to play in or work in the surrounding yard of a single family home or duplex; compared to a multi-unit residential high-rise, in what was an significant toxic site in this community, which remains and may continue to be subject to EPA conditions require continuing monitoring and engineering controls to protect users and occupants at the property.

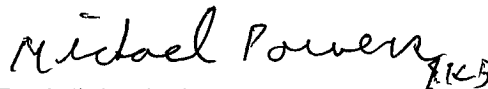
Since the Applicant’s request pertains to the entire site and includes many single family residential homes, this Commission should table the application pending a resolution of both: the property dispute, and a final determination from the Ohio EPA as to what uses will actually be permitted, given the existing restrictions that appear to restrict use of the property to commercial and industrial uses.

Thank you for your review and inclusion of these comments as part of your consideration with respect to the pending application of the rezoning of 1643 First Street.

Respectfully submitted,



Jack K. Beatley, Trustee  
Owner of 532 and 534 Nantucket Drive  
(Lots 147, and 148)



Dr. Michael Thomas Powers  
Resident of 530 Nantucket Drive  
(Lot 149)



## PLANNING DEPARTMENT

240 Columbus Ave  
Sandusky, Ohio 44870  
419.627.5973  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

August 26, 2020

At the July 22<sup>nd</sup>, 2020 meeting, Planning Commission recommended approval of a zone map amendment to create Planned Unit Development at 1643 First Street (Parcels: 57-01425.000, 57-01424.000). Planning Commission has made this Recommendation based on the preliminary plan with the following conditions:

1. All permits and approvals are obtained through the EPA, Army Corps of Engineers, ODNR, Various Departments and any other applicable agency. Copies of permits and approvals should be put on file with the City of Sandusky Planning Department, either with final plan submission or prior to occupancy of first building.
2. The applicant continues discussion with the City of Sandusky regarding the Sandusky Bay Pathway and the creation of a 'node' space at the southeast corner of the property.
3. The applicant continues discussion regarding the serpentine wall fronting First Street. These discussions may include whether or not a five foot wall is in the best interest of the area, or whether alternate materials should be used, or possibly other ideas not yet discussed.
4. The applicant provides names of proposed streets.

Peter McGory  
Planning Commission Chair

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

**AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF SANDUSKY TO REZONE PARCEL NOS. 57-01424.000 AND 57-04125.000, LOCATED AT 1643 FIRST STREET, FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT AND APPROVING THE PRELIMINARY PLANS FOR THE PROPOSED PLANNED UNIT DEVELOPMENT.**

**WHEREAS**, a request is being made on behalf of 1643 Limited for an amendment to the Zone Map No. 96-01 as codified in Section 1121.03 of the Codified Ordinances of the City to rezone Parcel Nos. 57-01424.000 and 57-04125, located at 1643 First Street and formerly known as the Apex Manufacturing Company, for Planned Unit Development, and as more fully described in Exhibit "A" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein; and

**WHEREAS**, Robert Waldock, on behalf of 1643 Limited, has applied for a zoning amendment for a residential Planned Unit Development for single family detached condominiums and multi-family condominiums at 1643 First Street which includes forty two (42) three-bedroom villas in comprised in four (4) separate buildings and eighteen (18) two-bedroom detached patio homes along with boat dockage, walking trails and a pool; and

**WHEREAS**, this request was heard by the Planning Commission at their July 22, 2020, meeting resulting in the Planning Commission's recommendation to **approve** the requested Zone Map Amendment for the rezoning of Parcel Nos. 57-01424.000 and 57-01425.000, located at 1643 First Street, for a Planned Unit Development (PUD) subject to the following conditions:

1. All permits and approvals are obtained through the EPA, Army Corps of Engineers, ODNR, Various Departments and any other applicable agency. Copies of permits and approvals should be put on file with the City of Sandusky Planning Department, either with final plan submission or prior to occupancy of first building.
2. The applicant continues discussion with the City of Sandusky regarding the Sandusky Bay Pathway and the creation of a 'node' space at the southeast corner of the property.
3. The applicant continues discussion regarding the serpentine wall fronting First Street. These discussions may include whether or not a five foot wall is in the best interest of the area, or whether alternate materials should be used, or possibly other ideas not yet discussed.
4. The applicant provides names of proposed streets.

**WHEREAS**, a public hearing on the applicant's request was held by this City Commission at their September 14, 2020, regularly scheduled meeting and after due consideration accepts the recommendation of the Planning Commission; and

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

City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of Municipal Departments, including the Department of Community Development, of the City of Sandusky, Ohio and, NOW, THEREFORE,

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

Section 1. This City Commission **approves** the proposed Planned Unit Development (PUD), subject to the foregoing conditions, and the Zone Map 96-01, as codified in Section 1121.03 of the Codified Ordinances of the City, is hereby amended to effect the rezoning of Parcel Nos. 57-01424.000 and 57-01425.000, located at 1643 First Street, from “CR” Commercial Recreation District and “GM” General Manufacturing District, respectively, to a Planned Unit Development (PUD) District, as more fully described in Exhibits “A” and “B” which are attached to this Ordinance and specifically incorporated herein.

Section 2. This City Commission **approves** the Preliminary Plan as presented for the proposed Planned Unit Development to be located at 1643 First Street, Sandusky, currently on file in the Office of the Department of Planning.

Section 3. The City's Chief Planner is directed to make the change on the original Zoning Map on file in the Office of Planning and Zoning.

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

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

Section 6. That for the reasons set forth in the preamble hereto, this Ordinance shall take effect at the earliest time allowed by Law.

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

ATTEST: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed:

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

FEE \$ \_\_\_\_\_

Exempt: ☒

R.E. TRANSFER

\$ \_\_\_\_\_

Richard H. Jeffrey  
 Erie County Auditor

Trans. Fees: \$ \_\_\_\_\_

Date: 6-13-19 By: [Signature]

Per O.R.C. 319.203

Erie County Auditor \ Engineer

Date

6-13-19

[Signature]

Barbara A. Sessler  
 County Recorder, Erie County OH

201904599 Total Pages: 5  
 06/13/2019 12:30:57 PM Fees: \$52.00

## LIMITED LIABILITY COMPANY GENERAL WARRANTY DEED

1643 LIMITED, AN OHIO LIMITED LIABILITY COMPANY, for valuable consideration paid, grants to 1643 LIMITED, AN OHIO LIMITED LIABILITY COMPANY, whose tax mailing address is 1643 First Street, Sandusky, Ohio 44870, the following real property:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

Prior Deed Reference: RN201711019  
 Erie County, Ohio Official Records

These premises are transferred with general warranty covenants, excepting taxes and assessments, both general and special, from the date of the recordation of this deed and thereafter, which Grantee assumes and agrees to pay, easements, restrictions and reservations of record and zoning ordinances, if any.

IN WITNESS WHEREOF, said Limited Liability Company has caused its name to be subscribed by **ROBERT L. WALDOCK, SOLE MEMBER**, under authorization granted to such Member under the Limited Liability Company documents, this 13<sup>th</sup> day of June, 2019.

1643 LIMITED

By: [Signature], Member  
 Robert L. Waldock, Member

STATE OF OHIO, COUNTY OF ERIE: ss

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **ROBERT L. WALDOCK, MEMBER, ON BEHALF OF 1643 LIMITED, AN OHIO LIMITED LIABILITY COMPANY**, who acknowledged that he did sign the foregoing instrument with full power and authority and the same is his free act and

**LEGAL DESCRIPTION**  
**1643 Limited**  
**Parcels 1 & 4**

Situate in the State of Ohio, County of Erie, City of Sandusky, Ward 2, parts of Outlots 29 and 30 in Darlings Survey East of Sycamore Line, and being parcels number 1 and 4 of lands of 1643 Limited, RN 201711019, all references herein to the records of the Erie County Recorder and more particularly bounded and described as follows:

Commencing at an iron pin found in a monument box at the intersection of the centerline of First Street and the centerline of Cowdery Street (now vacated), thence with the centerline of First Street, N 80°12'05" W, a distance of 85.05 feet, previously recorded as 85.00 feet, to a point; thence N 9°51'55" W, a distance of 55.00 feet through the right of way of First Street and through lands of New York Central Railroad Company, D.V. 108, Pg. 554 to a 5/8" iron rod set and the **TRUE POINT OF BEGINNING** for this description;

1. thence, N 9°51'55" E with lands of Lyman Waterfront Properties LLC, RN 201109168 a distance of 645.25 feet to the shoreline of Sandusky Bay, passing at 494.95 feet a 5/8" iron rod set;
2. thence, S 80°12'05" E with the meanderings of the shoreline of Sandusky Bay, a distance of 3.58 feet to a point;
3. thence, S 4°29'58" W with said shoreline, a distance of 32.28 feet to a point;
4. thence, S 25°13'58" E with said shoreline, a distance of 29.99 feet to a point;
5. thence, S 84°41'06" E with said shoreline, a distance of 99.90 feet to a point;
6. thence, S 75°37'43" E with said shoreline, a distance of 75.36 feet to a point;
7. thence, S 87°49'55" E with said shoreline, a distance of 74.68 feet to a point;
8. thence, S 85°31'17" E with said shoreline, a distance of 101.68 feet to a point;
9. thence, S 74°02'26" E with said shoreline, a distance of 70.01 feet to a point;
10. thence, S 88°26'30" E with said shoreline, a distance of 83.70 feet to a point;
11. thence, N 81°13'08" E with said shoreline, a distance of 96.84 feet to a point;
12. thence, S 88°34'44" E with said shoreline, a distance of 107.03 feet to a point;




Page 2 of 2  
Legal Description  
1643 Limited, Parcels 1 & 4

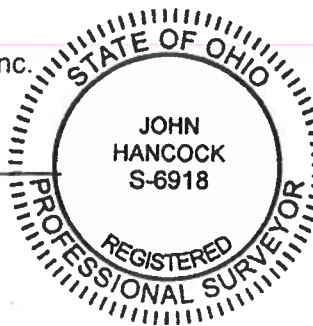
13. thence, S 9°51'55" W with Parcels 2 & 3 of 1643 Limited, RN 201711019, a distance of 675.63 feet to a point, passing at 30.00 feet a 5/8" iron rod set;
14. thence, N 80°12'05" W with lands of the City of Sandusky, a distance of 213.84 feet to a point;
15. thence, N 9°51'55" E with lands of the New York Central Railroad Company, D.V. 108, Pg. 554, a distance of 15.00 feet to a 1" iron pipe found;
16. thence, N 80°12'05" W with lands of the New York Central Railroad Company, D.V. 108, Pg. 554, a distance of 510.02 feet to the point of beginning, containing 10.2409 acres of land, more or less, 0.6322 acres of which are filled lands, subject to any legal highways, easements, and restrictions of record.

Together with all littoral rights and interest in those lands and waters of the State of Ohio, lying between the lakeward projections of the easterly and westerly property lines of the described lands northerly to the City Dock Line, but subject to all interests of the State of Ohio in those same lands and waters.

This description was prepared by John Hancock, P.S. No. 6918 from a field survey conducted in October, 2011 and October, 2018. Bearings herein are based on Ohio State Plane Coordinate System, NAD '83 (2011) Ohio North.

John Hancock and Associates, Inc.

  
John Hancock, P.S.  
Registered Surveyor No. 6918




Date: 5/16/2019

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

  
Erie County Engineer  
Date: 06/04/19

File: server/projects/192711/\_2018 Job-1643 First Street/1927-parcel 1 & 4.docx

APPROVED BY THE PLANNING  
AND ZONING DEPARTMENT  
CITY OF SANDUSKY, OHIO  
DATE 6/7/19 



**LEGAL DESCRIPTION**  
**1643 Limited**  
**Parcels 2 & 3**

Situate in the State of Ohio, County of Erie, City of Sandusky, Ward 2, part of Outlot 29 in Darlings Survey East of Sycamore Line, and being parcels number 2 and 3 of lands of 1643 Limited, RN 201711019, all references herein to the records of the Erie County Recorder and more particularly bounded and described as follows:

Commencing at an iron pin found in a monument box at the intersection of the centerline of First Street and the centerline of Cowdery Street (now vacated), thence with the centerline of First Street S 80°12'05" E, a distance of 638.30 feet, previously recorded as 638.80 feet, to a point; thence N 9°51'55" E, a distance of 40.00 feet through the right of way of First Street and through lands of the City of Sandusky to a 5/8" iron rod set and the **TRUE POINT OF BEGINNING** for this description;

1. thence, N 9°51'55" E with parcels 1 & 4 of 1643 Limited, RN 201711019, a distance of 675.63 feet to a point on the shoreline of the Sandusky Bay, passing at 645.63 feet a 5/8" iron rod set;
2. thence with the meanderings of the shoreline of Sandusky Bay, S 88°34'44" E, a distance of 4.67 feet to a point;
3. thence, S 10°44'34" E with said shoreline, a distance of 19.77 feet to a point;
4. thence, N 72°58'38" E with said shoreline, a distance of 150.64 feet to a point;
5. thence, N 13°39'06" E with said shoreline, a distance of 12.49 feet to a point;
6. thence, N 63°38'21" E with said shoreline, a distance of 105.84 feet to a point;
7. thence, N 24°22'17" E with said shoreline, a distance of 53.30 feet to a point;
8. thence, N 9°47'55" E with said shoreline, a distance of 57.45 feet to a point;
9. thence, N 13°20'06" E with said shoreline, a distance of 210.75 feet to a point;
10. thence, N 56°57'48" E with said shoreline, a distance of 7.06 feet to a point;
11. thence, S 9°51'55" W with lands of Snug Harbor, Inc. as described in D.V. 231, Pg. 107 and shown in the original plat of Snug Harbor, P.V. 12, Pg. 19, a distance of 1124.86 feet to a 5/8" iron rod set, passing at 443.81 feet a 5/8" iron rod set;

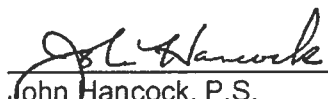
Page 2 of 2  
Legal Description  
1643 Limited, Parcels 2 & 3

12. thence, N 80°12'05" W with lands of the City of Sandusky, a distance of 263.34 feet, previously recorded as 263.70 feet, to the point of beginning, containing 4.5164 acres, more or less, subject to any legal highways, easements, and restrictions of record.

Together with all littoral rights and interest in those lands and waters of the State of Ohio lying between the lakeward projections of the easterly and westerly property lines of the described lands northerly to the City Dock Line, but subject to all interests of the State of Ohio in those same lands and waters.

This description was prepared by John Hancock, P.S. No. 6918 from a field survey conducted in October, 2011 and October, 2018. Bearings herein are based on Ohio State Plane Coordinate System, NAD '83 (2011) Ohio North.

John Hancock and Associates, Inc.

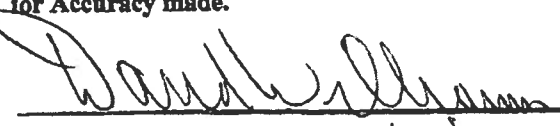
  
John Hancock, P.S.  
Registered Surveyor No. 6918



Date: 5/14/2019

File: server/projects/192711/ 2018 Job-1643 First Street/1927-PARCEL 2 & 3.docx

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

  
Erie County Engineer  
Date: 06/01/19

**APPROVED BY THE PLANNING  
AND ZONING DEPARTMENT  
CITY OF SANDUSKY, OHIO**  
DATE 6/7/19 AK



1643 LIMITED  
PROPOSED DEVELOPMENT  
CITY OF SANDUSKY, ERIE COUNTY, OHIO

GENERAL NOTES

All work and materials, unless otherwise noted, shall be in accordance with the current State of Ohio Department of Transportation Construction and Material Specifications including all supplements thereto, and the current Construction and Materials Specifications of the City of Sandusky Engineering Department. Zoning and site plan shall conform to the standards and recommendations of the zoning ordinance of City of Sandusky, latest issuance and revision.

All traffic control devices, signs and markings shall conform to the current Ohio Manual of Uniform Traffic Control Devices and City of Sandusky Engineering Department standards and specifications.

MODIFICATIONS:

Any modifications or changes to the work as shown on the drawings must have prior written approval of the owner and the City of Sandusky Engineer's office, as applicable.

1.0 UTILITIES ADJUSTMENT:

Any and all work required for the adjustment of public and private utilities shall be done at the expense of the Contractor, including City utilities which shall be adjusted by contractor with the project.

1.2 CALCULATION OF QUANTITIES:

Payment for all work under this contract shall be on a lump sum price basis for work shown on the plans and described in the plans and specifications.

1.4 CLEARING AND GRUBBING:

Any clearing and grubbing shall be incidental to excavation and embankment for the project and included in the cost thereof.

1.5 REMOVALS:

Any removals of existing pipe, tile, structures, or pavement shall be included in the various items and included in the cost thereof.

1.6 UNDERGROUND UTILITIES:

The location of the utilities shown on the plans was established from records and from field survey of above ground facilities. Contractor shall investigate and locate all existing utilities within his work area, whether or not said utilities are shown or indicated on this plan, and take all necessary precautions to protect said utilities. Contractor acknowledges and further agrees by contracting for the work shown on these plans to indemnify Owner, and Engineer in his capacity to provide design, surveying and construction layout, against any and all claims arising from damage to existing utilities, above or below ground, caused by himself or his subcontractors.

1.7 UTILITIES NOTIFICATION:

At least two working days prior to commencing construction operations, the Contractor shall notify the Engineer, the registered utility protection service, and the owners of each underground and overhead utility facility shown on the plan or existing on the property.

The owners of underground utility facilities shall, within 48 hours, excluding Saturdays, Sundays and legal holidays, after notice is received, stake, mark, or otherwise designate the location of the underground utility facilities in the construction area in such a manner as to indicate their course together with the approximate depth at which they were installed. The marking or locating shall be coordinated to stay approximately two days ahead of the planned construction.

Agencies and utility companies to be notified include but are not limited to the following:

Sanitary Sewer and Water: City of Sandusky Engineering Department  
222 Meigs Street  
Sandusky, Ohio 44870  
(419) 627-5829

Telephone: AT&T  
Room 207  
121 North Huron  
Toledo, Ohio 43624  
(419) 245-5004

Electric: First Energy (Ohio Edison)  
2508 West Perkins Avenue  
Sandusky, Ohio 44870  
(419) 627-6881

Natural Gas: Columbia Gas of Ohio, Inc.  
1800 Broad Avenue  
Findlay, Ohio 45840  
(419) 427-3230

Cable TV: Buckeye Cablesystem  
409 East Market Street  
Sandusky, Ohio 44870  
(419) 627-0800



LOCATION MAP  
NOT TO SCALE



**UNDERGROUND UTILITIES**

CONTACT BOTH SERVICES  
CALL TWO WORKING DAYS  
BEFORE YOU DIG

CALL  
1-800-362-2764  
(TOLL FREE)

OHIO UTILITIES PROTECTIVE SERVICE  
NON-MEMBERS  
MUST BE CALLED DIRECTLY

ZONING INFORMATION

**ZONING**  
CURRENTLY ZONED:  
PARCEL 2 & 3: COMMERCIAL RECREATION (CR)  
PARCEL 1 & 4: GENERAL MANUFACTURING (GM)

FEMA FLOOD ZONE:

**FLOOD ZONE:** ZONE AE (596)  
ZONE X

**PANEL NUMBER:** 39043C0083E

**EFFECTIVE DATE:** OCTOBER, 11 2019  
REVISED PRELIMINARY DATE

**ZONE X IS AN AREA DETERMINED TO BE OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOODPLAIN.**  
**ZONE AE IS A SPECIAL FLOOD HAZARD AREA SUBJECT TO THE INUNDATION BY THE 1% ANNUAL FLOOD CHANCE.**

INDEX OF SHEETS:

COVER SHEET.....1  
EXISTING CONDITIONS SURVEY.....2  
PLAT MAP.....3  
PRELIMINARY GRADING AND UTILITY PLAN.....4

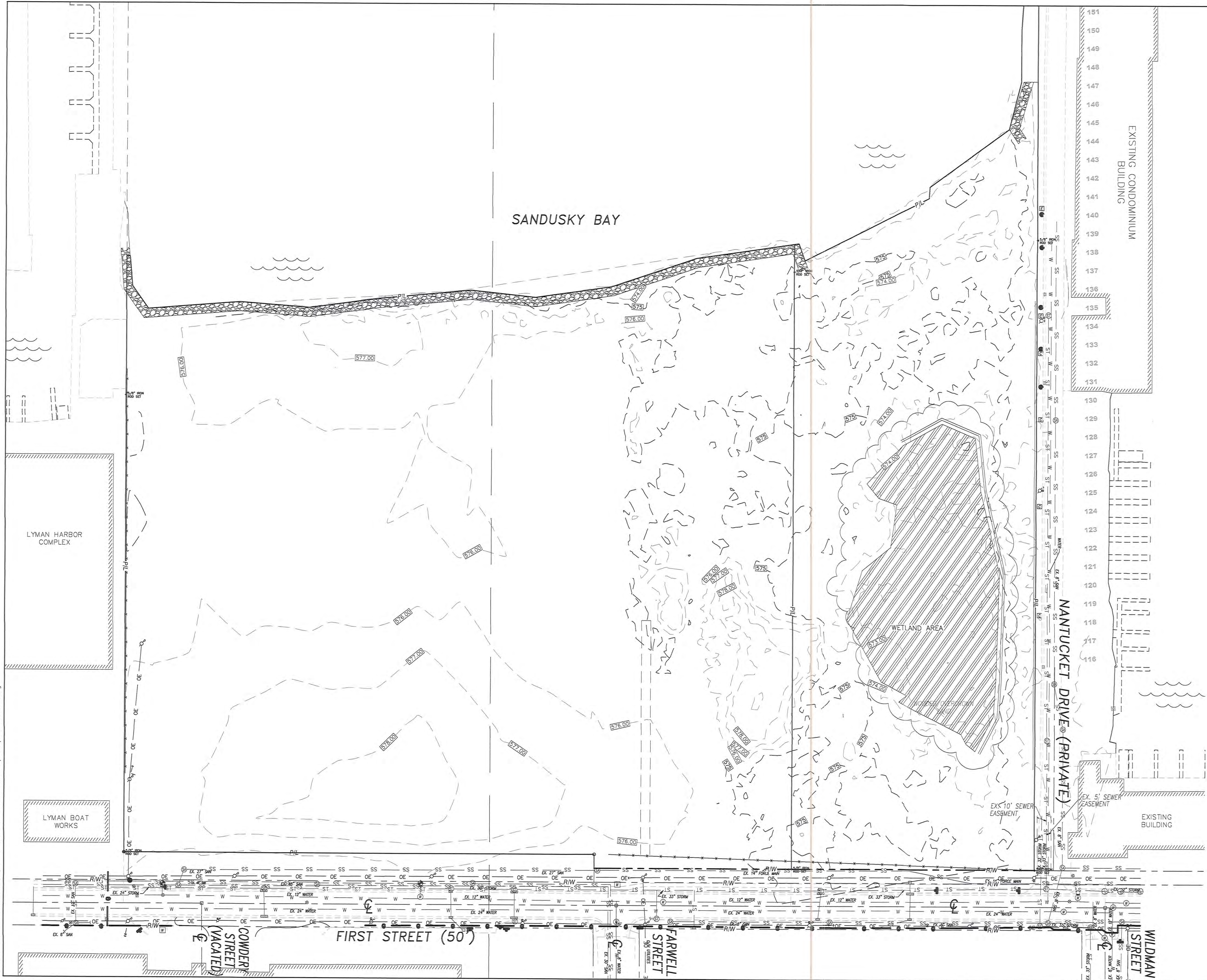
1643 LIMITED  
PROPOSED DEVELOPMENT  
COVER SHEET

WARD 1, CITY OF SANDUSKY, ERIE COUNTY, OHIO

John Hancock & Associates, Inc.  
ENGINEERS • SURVEYORS  
326 E. Market St. • Sandusky, Ohio 44870 • (419) 625-7038

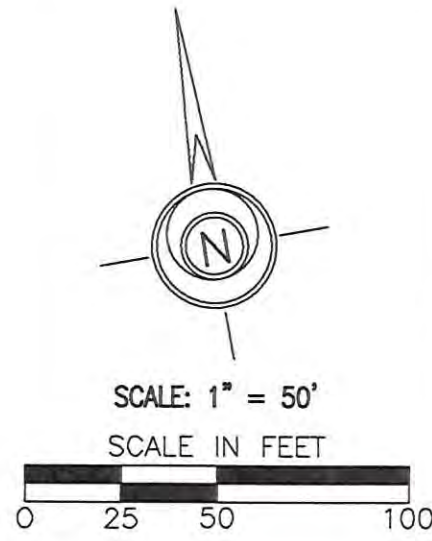
JOB NO.:	192711
DRN BY:	KMB
FILE NO.:	192711
DATE:	5/27/2020
SHEET NO.:	1





**LEGEND:**  
**EXISTING**

---	MAJOR CONTOUR LINE AND LABEL
- - -	MINOR CONTOUR LINE AND LABEL
OE	OVERHEAD ELECTRIC LINE
ST	STORM SEWER
W	WATER LINE
SS	SANITARY SEWER
---	GAS LINE
[Hatched Box]	WETLAND AREA
⊕	SANITARY SEWER MANHOLE
⊕	WATER MANHOLE
⊕	WATER METER
⊕	WATER VALVE
⊕	HYDRANT
⊕	STORM SEWER MANHOLE
⊕	STORM SEWER CATCHBASIN
⊕	GAS VALVE
⊕	ELECTRIC BOX
⊕	CABLE BOX
⊕	SIGN
⊕	UTILITY TRANSFORMER POLE
⊕	UTILITY POLE WITH LIGHT
⊕	UTILITY POLE
⊕	GUY WIRE
⊕	BENCHMARK
⊕	MONUMENT BOX



DATE:		DISCUSSION:	
<b>1643 LIMITED</b>			
<b>PROPOSED DEVELOPMENT</b>			
<b>EXISTING CONDITIONS SURVEY</b>			
<b>WARD 1, CITY OF SANDUSKY, ERIE COUNTY, OHIO</b>			
JOB NO.:	192711		
DRN BY:	KMB		
FILE NO.:	192711		
DATE:	5/27/2020		
SHEET NO.:	2		

*John Hancock & Associates, inc.*  
ENGINEERS • SURVEYORS  
326 E. Market St. • Sandusky, Ohio 44870 • (419) 625-7838

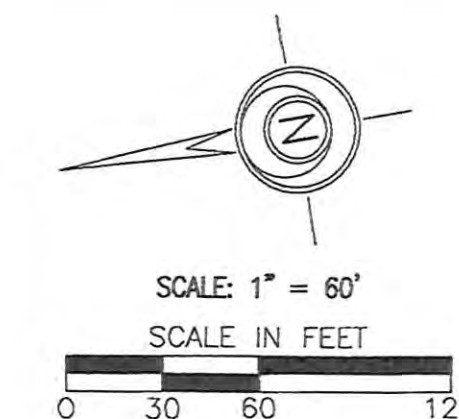


REVISED:

John Hancock & Associates, Inc.  
ENGINEERS • SURVEYORS

BOUNDARY SURVEY  
FOR 1643 LIMITED

JOB NO.:  
DRN BY:  
FILE NO.: 1927-  
DATE:  
SHEET NO.:



**REFERENCES:**  
FOR SNUG HARBOR AREA AS FOLLOWS:  
USACE FILL & CONSTRUCTION PERMIT AS ACCEPTED AND RECORDED  
WITH THE ERIE COUNTY RECORDER OCTOBER 7TH, 1948 IN THE ERIE  
COUNTY MISC. RECORDS VOL. 9 PG. 63-68. ALSO, IN REFERENCE TO  
THE ORIGINAL PLAT OF SNUG HARBOR P.V. 12 PG. 19 RECORDED ON  
JULY 15TH, 1948, ORD. NO. 4477-C AND THE REVISED PLATS OF SNUG  
HARBOR P.V. 13, PG. 2, P.V. 15, PG. 34, & P.V. 15, PG. 49.

### EAST ADJOINER PROPERTY OWNERS

LOT NUMBERS AND DIMENSIONS ARE BASED ON  
REVISED PLAT OF SNUG HARBOR P.V. 15, PG. 49;  
ORIGINAL PLAT OF SNUG HARBOR P.V. 12 PG. 19

LOT # REFERENCE #	OWNER	
EA-1	SHADES OF NANTUCKET PROPERTY OWNERS ASSOC.	RN: 200513146
116-123	HOME PORT DEVELOPERS, INC.	O.R. 213, PG. 83
124-130	HOME PORT DEVELOPERS, INC.	O.R. 213, PG. 83
131	LAWRENCE J. HOLKENBURG, TR.	RN: 200711017
132	RICHARD P. & MICHELLE A. REEDER	RN: 201107724
133	POINT VIEW CONDO, LLC.	RN: 201409008
134	KAREEN R. DOLCE	RN: 201106122
135	DOMINIC J. & LOIS F. ESPOSITO	RN: 201707108
136	BRAD D. & JENNETTE L. POWERS	RN: 201901597
137	LEE ANN ALEXAKOS	RN: 201809446
138	HOME PORT DEVELOPERS, INC.	O.R. 213, PG. 111
139	THOMAS A. & JOYCE BYINGTON	O.R. 175, PG. 276
140	SHIRLEY A. ADKINS	RN: 200219042
141	JAMES E. JR. & SHARON ANN SHIMANDLE	RN: 201708607
142	FRANCES GAUKOWSKI	RN: 201109154
143	JOHN STAVASH	O.R. 33, PG. 708
144	DENNIS R. & THERESA A. GOLD	RN: 200001584
145	RUDOLPH M. & PHYLLIS J. WEISS	RN: 200604864
146	CHRISTINA L. MCDERMOTT, TR.	RN: 201701259
147	JACK K. BEATLEY, TR.	RN: 201404574
148	JACK K. BEATLEY	RN: 201006154
149	MONICA L. POWERS, TR.	RN: 200808994
150	DAN L. & ELIZABETH E. POGGIALI	RN: 201705024
151	DAN L. & ELIZABETH E. POGGIALI	RN: 201705024
EA-2	FREDERICK J. CERNY JR. UNIT 1	RN: 201701901
EA-3	RICHARD J. & JOANN E. GODDALE UNIT 2	RN: 200804335
EA-3	ROBERT E. & JANET M. RUNNER	RN: 9917379
155	ELIZABETH MARINIK, TR.	RN: 200705949
156	KATHRYN ANN MYERS, TR.	RN: 200004536
157	DOWELL M. SWAYNGIM	RN: 200511300
158	RONALD J. GOLDSTEIN, TR.	RN: 200711361
EA-4	MARK S. & LISA M. KOWALSKI UNIT 1	RN: 201608512
161	ROBERT A. JUDGE UNIT 2	RN: 201503639
162	GARY A. ZWICK, TR.	RN: 201707312
162	GARY A. ZWICK, TR.	RN: 200219042

### PROPERTY CORNERS (PC)

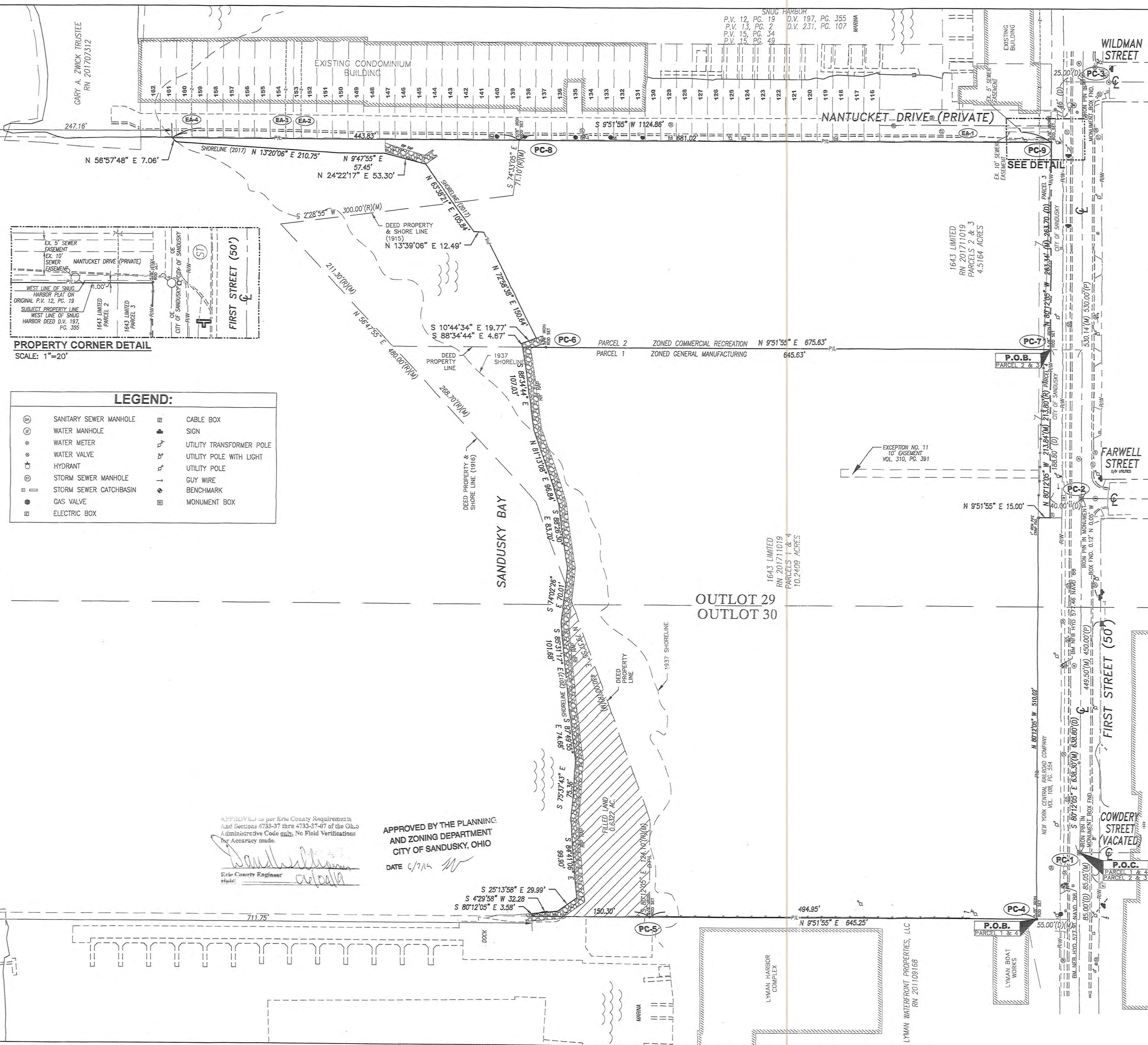
NORTHING & EASTINGS IN NAD '83 STATE PLANE COORDINATES			
PC #	NORTHING	EASTING	DESCRIPTION
1	650268.3392	1918139.1914	IRON PIN IN MONUMENT BOX FIRST & COWDERY ST.
2	650191.9579	1918582.0782	*IRON PIN IN MONUMENT BOX FIRST & FARWELL ST.
3	650101.6205	1919104.5336	IRON PIN IN MONUMENT BOX FIRST & WILDMAN ST.
4	650337.0024	1918064.8037	SW CORNER PARCEL 1 & 4 5/8" IRON ROD SET
5	650824.6361	1918149.6049	PREVIOUS PARCEL NW CORNER PARCEL 1 & 4 5/8" IRON ROD SET
6	650835.1163	1918996.1468	30FT SOUTH NE CORNER PARCEL 1 & 4 AND NW CORNER PARCEL 2 & 3 5/8" IRON ROD SET
7	650199.0331	1918775.5297	SE CORNER PARCEL 1 & 4 AND SW CORNER PARCEL 2 & 3 5/8" IRON ROD SET
8	650825.1803	1919151.7106	PREVIOUS PARCEL NE CORNER PARCEL 2 & 3 5/8" IRON ROD SET
9	650154.2165	1919035.0282	SE CORNER PARCEL 2 & 3 5/8" IRON ROD SET

\* FOUND IN ORIGINAL SURVEY, NOT FOUND IN 2019  
BEARINGS HEREON ARE BASED UPON OHIO STATE PLANE COORDINATE SYSTEM, NAD '83 (2011) OHIO NORTH.

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL FIELD SURVEY OF THE PREMISES CONDUCTED BY ME PURSUANT TO CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODES, PURSUANT TO CHAPTER

JOHN HANCOCK, P.S.  
OHIO R.L.S. 6918

DATE: 5/16/2019



**PROPERTY CORNER DETAIL**  
SCALE: 1"=20'

### LEGEND:

- |   |                        |   |                          |
|---|------------------------|---|--------------------------|
| ⊕ | SANITARY SEWER MANHOLE | ⊕ | CABLE BOX                |
| ⊙ | WATER MANHOLE          | ⊕ | SIGN                     |
| ⊙ | WATER METER            | ⊕ | UTILITY TRANSFORMER POLE |
| ⊙ | WATER VALVE            | ⊕ | UTILITY POLE WITH LIGHT  |
| ⊕ | HYDRANT                | ⊕ | UTILITY POLE             |
| ⊕ | STORM SEWER MANHOLE    | ⊕ | GUY WIRE                 |
| ⊕ | STORM SEWER CATCHBASIN | ⊕ | BENCHMARK                |
| ⊕ | GAS VALVE              | ⊕ | MONUMENT BOX             |
| ⊕ | ELECTRIC BOX           |   |                          |

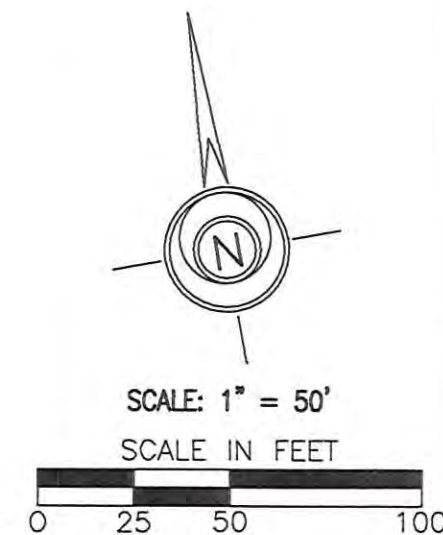
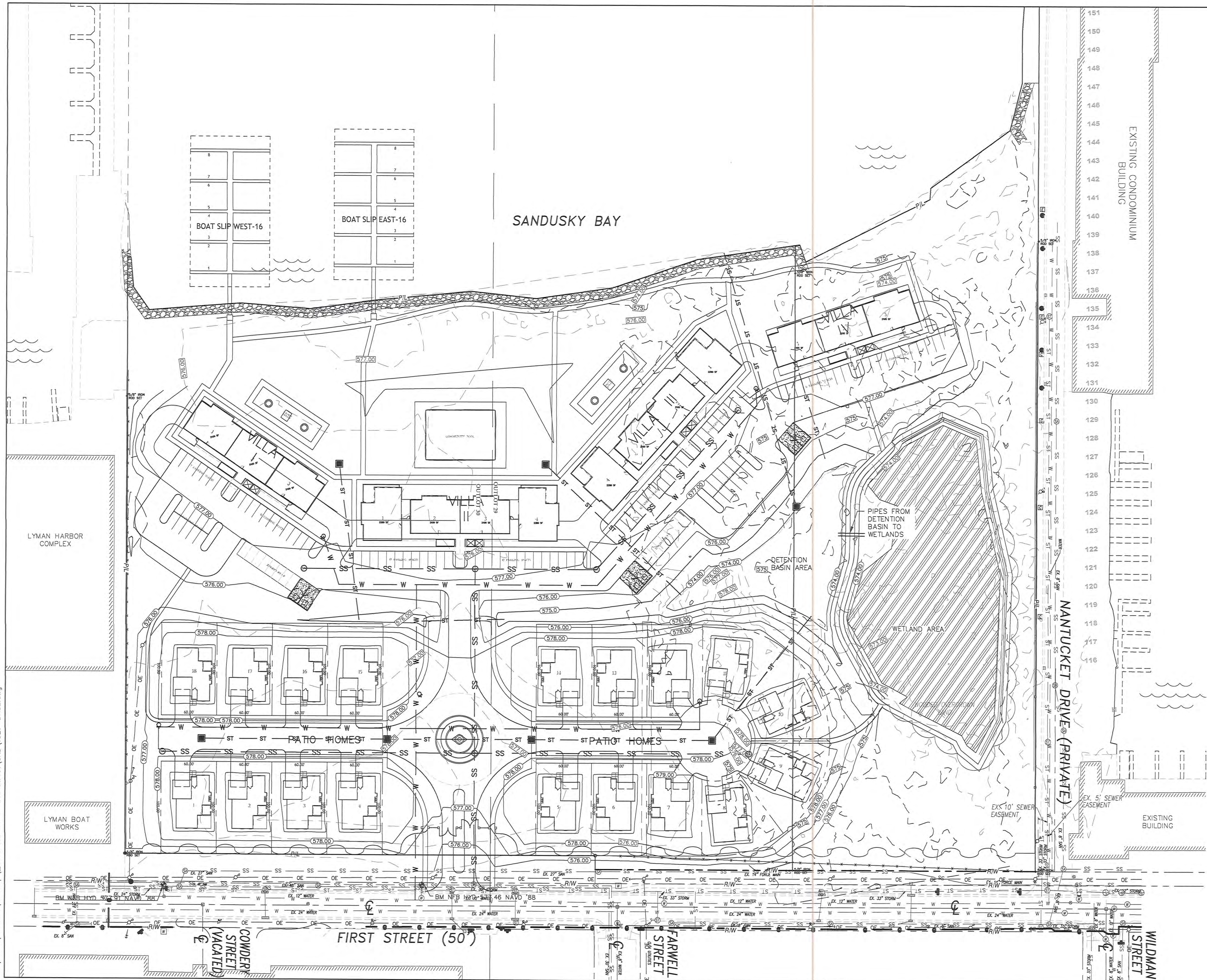
APPROVED BY THE PLANNING  
AND ZONING DEPARTMENT  
CITY OF SANDUSKY, OHIO  
DATE 5/16/19

APPROVED as per Erie County Requirements  
(And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.)  
Erie County Engineer  
Signature: [Signature]  
Date: 5/16/19

X:\192711\2018 Job-1643 First Street\1927-pdp2\_18.dwg



C:\Users\kboehler\Desktop\2018 Job-1643 First Street\CAD\1927-BASE.dwg



LEGEND:	
EXISTING	
	MAJOR CONTOUR LINE AND LABEL
	MINOR CONTOUR LINE AND LABEL
PROPOSED	
	MAJOR CONTOUR LINE AND LABEL
	MINOR CONTOUR LINE AND LABEL
	STORM STRUCTURE
	FIRE HYDRANT
	SANITARY STRUCTURE
	STORM LINE
	WATER LINE
	SANITARY LINE
	SPOT ELEVATION
	SLOPE DIRECTION
	DETENTION BOUNDARY

DISCUSSION:	
DATE:	
<b>1643 LIMITED</b>	
<b>PROPOSED DEVELOPMENT</b>	
<b>PRELIMINARY GRADING AND UTILITY PLAN</b>	
<b>WARD 1, CITY OF SANDUSKY, ERIE COUNTY, OHIO</b>	
JOB NO.:	192711
DRN BY:	KMB
FILE NO.:	192711
DATE:	5/27/2020
SHEET NO.:	4

*John Hancock & Associates, Inc.*  
ENGINEERS • SURVEYORS  
326 E. Market St. • Sandusky, Ohio 44870 • (419) 625-7838

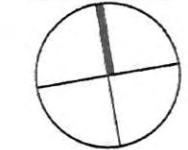


# 1643 FIRST STREET DEVELOPMENT - LAYOUT PLAN

SANDUSKY, OHIO  
JUNE 17, 2020



VICINITY MAP



1643 1st Street  
Sandusky, Ohio

## THE VILLAS

4 - 3 STORY BUILDINGS  
OVER 1 STORY PARKING

2 BLDG'S @ 12 VILLAS PER BUILDING = 24 VILLAS  
2 BLDG'S @ 9 VILLAS PER BUILDING = 18 VILLAS  
TOTAL VILLAS = 42

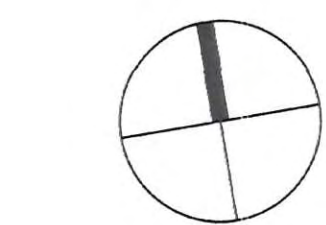
TYPE A VILLA = 2280 SF  
TYPE B VILLA = 2100 SF  
1 PARKING SPACE/BED  
42 VILLAS X 3 BEDROOMS/VILLA = 126 PARKING SPACES REQUIRED

102 OPEN PARKING SPACES  
68 SPACES UNDER THE BUILDINGS  
16 SPACES IN TWO GARAGES  
(each villa has 2 covered spaces)  
TOTAL PARKING SPACES = 176

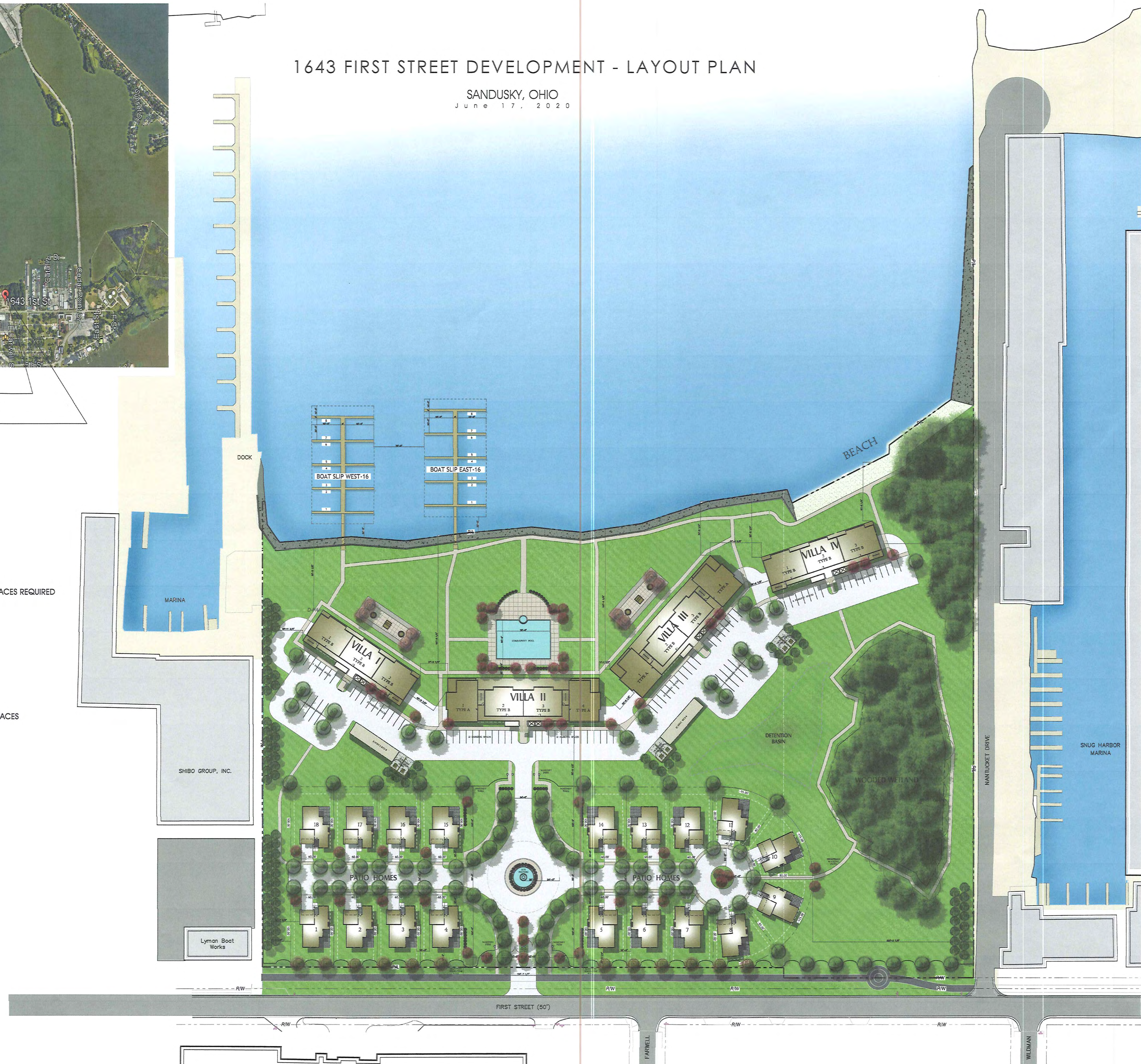
## PATIO HOMES

2 BEDROOM HOMES WITH  
WITH 2 CAR ATTACHED GARAGES + 2 PARKING SPACES  
ON THE DRIVE PER HOME  
+/- 1360 SF LIVING SPACE EACH  
TOTAL PATIO HOMES = 18

TYPICAL LOT SIZE: 60' X 100'  
TYPICAL FRONT YARD SETBACK: 15'  
TYPICAL REAR YARD SETBACK: 10'-15'  
TYPICAL SIDE YARD SETBACK: 5'



0 64 128





# 1643 FIRST STREET DEVELOPMENT - ILLUSTRATIONS

SANDUSKY, OHIO  
June 17, 2020



PROPOSED VILLA BUILDING



PROPOSED PATIO HOMES



FEHER Architecture, LLC  
4041 North High Street, Suite 203a  
Columbus, Ohio 43214  
614.581.0069 Phone  
[edfeher@feherarchitecture.com](mailto:edfeher@feherarchitecture.com)

July 6, 2020

Robert Waldock  
W-T Realty  
1414 First Street  
Sandusky, Ohio 44870  
(419) 626-1979 Ext 141

Re: 1643 1st Street Sandusky, Ohio  
Proposed Development Plan - June 17, 2020  
**Development Calculations/Statistics**

Fehér Architecture, llc has prepared the following Development statistics for the proposed ~ 15 acre PUD at 1643 1<sup>st</sup> Street Sandusky Ohio.

1. Footprints of the buildings;
  - a. Villas I & IV are ~ 8,350 SF
  - b. Villas II & III are ~13,053 SF
  - c. Patio Homes ~ 1,942 SF
2. Approximate Total First Floor Building Area; 80,722 SF
3. Approximate Total Area of all proposed construction; ~ 216,980 SF
4. Distance between Villa buildings and Patio homes are ~ 90' plus.
5. Proposed heights of buildings;
  - a. Villa buildings are approximately 50'-0" to top of parapets (58' to top of Penthouse).
  - b. Patio Homes are ~ 32'-0".
6. Approximate Development Coverages
  - a. Building Lot Coverage; 12.35%
  - b. Streets/Sidewalk Lot Coverage; 22.18%
  - c. Total Development Coverage; 34.53%
7. Proposed size of finished garage
  - a. Patio Home = ~21' x 21' = 441 SF
  - b. Villas (within buildings on Ground Level) = ~ 20' x 20' = 400 SF
  - c. Villas (free standing 8 Car Garages(2)) = ~ 20' x 74' = 1,480 SF each
8. Proposed Density; 60 homes/15 acres = 4 units/acre.

**J. EDWARD FEHER**  
Architect  
FEHER Architecture, LLC

## Schedule of Development

Property will be built in stages. Infrastructure for one half of the single family homes and Villas would be completed first. Single family houses would be built 3 at a time. The Villas will be built one or possibly two buildings at a time. I don't have a completion date as it will tie into a number of factors: Sandusky TIF agreement or other, builder selection, bank financing, presales, and weather to name a few.

I am waiting for the approval from the Ohio EPA to change the use restriction from industrial/commercial to restricted residential. The application was submitted but they have 90 days to respond. After the decision has been made to accept or deny the application there can be an appeal period if they don't agree with the No Further Action letter provided by the environmental consultant. That being said, once the approval of the EPA is received and should the property receive the PUD approval from the City, I would hope that construction should begin in the second quarter of 2021.



## ADMINISTRATIVE SERVICES

240 Columbus Ave.  
Sandusky, Ohio 44870

To: Eric Wobser, City Manager

From: Stuart Hamilton

Date: August 25<sup>th</sup>, 2020

Subject: **Commission Agenda Item – Sophos Security Subscription, 3 Year**

**ITEM FOR CONSIDERATION:** Requesting legislation authorizing the City Manager to purchase subscription licensing for Sophos FullGuard Plus for Firewalls, Intercept-X with EDR for Endpoints for calendar year 2020 through calendar year 2023, and Firewall hardware from Selectus Consulting of Marysville, Ohio. These purchases are listed on the State of Ohio Department of Administrative Services Cooperative Purchasing Program, schedule (534378)

**BACKGROUND INFORMATION:** Our current security stance is constructed with various security offerings which, while they have protected us to this point are not cohesive and do not provide a comprehensive view of what is happening across our very distributed and complex environment. The fast evolving threatscape against Government entities and critical infrastructure means that the old “patchwork” of solutions no longer provides enough insight or intelligence to protect our assets

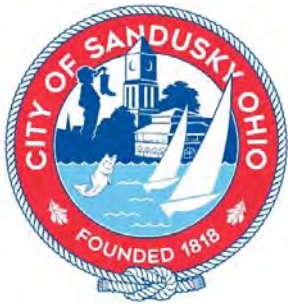
**Proposed Solution:**

After spending the last quarter analyzing our requirements and trialing multiple solution offerings out there that match these requirements it was decided that the Sophos offerings were the best fit for our security posture going forward. We will have a “single pane of glass” across all of our endpoints and firewalls that can learn behaviorally trends and more importantly react when something happens that is not a known threat, but is outside of our normal baseline. This intelligence allows us to catch zero-day threats and bad actors who seeks to cause harm to our I.T and control structure.

After working with Selectus Consulting on pricing we managed to obtain pricing that allowed us to replace our physical firewalls and all of our end point protection, all while saving money. Our current yearly cost for our security solutions is \$18,200. Going forward we will be able to replace our aging fleet of physical firewalls, upgrade all our end point protection and all with a cloud-based management system. The cost savings on top of these obvious benefits over the next three years would be ~\$14,800.

**BUDGETARY INFORMATION:** The cost for this subscription for a 36-month period is \$35,620 and the hardware purchases and installation is \$4,166 for a total of \$39,786.00. These costs will be paid by the IT's operating budgeting the amount of \$19,893.00, by the Water Fund in the amount of \$9,946.50, and by the Sewer Fund in the amount of \$9,946.50.

**ACTION REQUESTED:** It is recommended that the proper legislation be prepared for the purchase subscription licensing for Sophos FullGuard Plus for Firewalls, Intercept-X with EDR for Endpoints for calendar year 2020 through calendar year 2023, and Firewall hardware from Selectus Consulting of Marysville, Ohio. It is requested that this legislation take effect in full accordance with Section 14 of the City Charter in order expedite the purchasing process so the security measures can be in place at the earliest opportunity as well as utilize the special pricing which is only valid until September 21, 2020.



## ADMINISTRATIVE SERVICES

240 Columbus Ave.  
Sandusky, Ohio 44870

I concur with this recommendation:

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Eric Wobser, City Manager

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Stuart Hamilton, I.T Manager

cc: M. Spriggs, Commission Clerk; M. Reeder, Finance Director; J. Harris, Interim Law Director



Quote for City of Sandusky

08/24/2020

Stu Below is your Sophos quote that you requested. Products are available on our GSA schedule GS-35F0278N or our State Term Schedule 534378. The subscription for the firewalls is the only item that gets renewed. Please let us know how you would like to proceed.

**36 Month subscription: XG135 FullGuard Plus solution**

Qty: 1 XG135 appliance 1-time cost	\$841.00Ea	\$841.00
Qty 1 XG135 FullGuard Plus with Enhanced support 24x7 support Receive 2 <sup>nd</sup> appliance at No Charge with 36 mo. subscription (offer ends end of September 2020)	\$2089.00Ea	\$2089.00

**36 Month subscription: XG310 FullGuard Plus solution**

Qty: 1 XG310 appliance 1-time cost	\$2546.00	\$2546.00
Qty 2 XG310 FullGuard Plus with Enhanced support 24x7 support Receive 2 <sup>nd</sup> appliance at No Charge with 36 mo. subscription (offer ends end of September 2020)	\$8395.00Ea	\$16,790.00
Qty 2 8 port GbE copper Flexi Port module	\$590.00	\$1180.00
	Total	\$23,446.00

Installation setup and configuration of the Sophos products not to exceed 20 hours	\$110.00 hour
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Special Pricing is valid for 28 days

Thank You

Todd Brown  
Selectus Consulting



Quote for City of Sandusky

08/24/2020

Stu Below is your Sophos quote that you requested. Pricing is available on our GSA Schedule GS35F0278N or on our Ohio STS schedule 534378. Please let us know how you would like to proceed

**36 Month subscription: Intercept-X Advanced with EDR**

Qty 30 Intercept-X Advanced for Server 36 Month subscription	\$139.00Ea	\$4170.00
Qty 230 Intercept-X Advanced 36 Month subscription Competitive Upgrade	\$51.00Ea	\$11,730.00
	Total	\$15,900.00

4 hours Installation setup and configuration of the Intercept-X Advanced profile and group policy object  
(this could be as low as 2 hours)

\$110.00 hour      \$440.00

Special Pricing is valid for 28 days

Thank You

Todd Brown  
Selectus Consulting

## CERTIFICATE OF FUNDS

In the Matter of: SOPHOS Firewalls

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.

Account # 110-7080-53001, 612-5900-53001, 613-5900-53001

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 9/8/2020



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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS FOR THE SUBSCRIPTION LICENSING FOR SOPHOS FULLGUARD PLUS FOR FIREWALL SECURITY AND INTERCEPT-X WITH EDR FOR ENDPOINT PROTECTION FROM SELECTUS CONSULTING, LLC, OF MARYSVILLE, OHIO, THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City's current network security is constructed with various offerings which have protected the system to this point but are not cohesive and do not provide a comprehensive view of what is occurring across the network and these past solutions no longer provide enough insight or intelligence to protect our assets; and

**WHEREAS**, after analyzing the City's needs and trialing multiple solution offerings, it was decided that the Sophos cloud-based solution was the best fit for the City going forward and this solution will provide a secure network and endpoints against today's most advanced cyber threats, automated and active-adversary breaches, ransomware, malware, exploits, data exfiltration and phishing attacks and more importantly respond when abnormal activity is detected; and

**WHEREAS**, the Sophos cloud-based solution is available from Selectus Consulting, LLC, of Marysville, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, thereby, allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

**WHEREAS**, Selectus Consulting, LLC, has offered special pricing for the license subscriptions that will allow for the replacement of all physical firewalls and endpoint protection at an additional cost savings to the City; and

**WHEREAS**, the cost for the subscription licensing for thirty six (36) months is \$35,620.00 plus the cost of the firewall hardware and installation of \$4,166.00 is a total cost of \$39,786.00 of which \$19,893.00 will be paid with the Information Technology Department's operating funds, \$9,946.50 will be paid with Water Fund and \$9,946.50 will be paid with Sewer Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to expedite the purchasing process so the security measures can be in place at the earliest opportunity as well as utilize the special pricing which is only valid until September 21, 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 Information Technology Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in

accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to expend funds for the subscription licensing for Sophos Fullguard Plus for Firewalls and Intercept-X With EDR for Endpoints and firewall hardware from Selectus Consulting, LLC, of Marysville, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, Contract #534378, at an amount **not to exceed** Thirty Nine Thousand Seven Hundred Eighty Six and 00/100 Dollars (\$39,786.00).

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

Section 3. This 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: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: September 14, 2020



## DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Joshua Snyder, P.E.

Date: August 26, 2020

Subject: **Commission Agenda Item – Award the Shoreline Park Erosion Control Project to D.L. Smith Concrete, LLC**

**ITEM FOR CONSIDERATION:** Legislation awarding a contract to D.L. Smith Concrete, LLC, of Norwalk, Ohio for the Shoreline Park Erosion Control Project.

**BACKGROUND INFORMATION:** Shoreline Park is in need of shoreline protection due to years of erosion and wave-action from the bay in this area. This wave action combined with high bay and lake levels had caused the “scouring” of stone and earthen material from the edges of the West “finger” of Shoreline Park. Protecting this shoreline to prevent further erosion is a necessity along the edge of this park to safeguard this iconic public park, known for its views accessibility and fishing. Property values in this area hinge on the existence of this public park and the amenities it provides.

Specifically, the work will consist of “capping” the outer 15’ of the pier with a concrete surface, backing it with a drainage system designed to carry any wave action or wave “run up” that may breach the proposed paved surface. Said concrete surface will have an ADA accessible area, tying together the existing bench areas. Overall with the drainage improvement, paved area, native plantings and installation of boulders, this park will be even more accessible, usable and scenic than it is now.

Highlights of the project’s base bid items includes concrete pavement, aggregate base, underdrain pipe and limestone boulders. Alternate bid item 1 included a pipe material upgrade for the underdrain system, Alternate bid item 2 included a catch basin, larger piping for drainage and native plantings. Paving of the asphalt turnaround area is also included in the alternate bid item 3.

The following bids were received on Thursday, August 6, 2020 at a formal public bid opening:

Smith Paving and Excavating, Inc.	Bid	\$64,447.50
Norwalk, OH	Alternate #1	\$ 7,700.00
100% Bid Bond	Alternate #2	\$17,260.00
	Alternate #3	\$ 8,000.00
 Telamon Construction, Inc.	 Bid	 \$92,550.15
Norwalk, OH	Alternate #1	\$12,892.00
100% Bid Bond	Alternate #2	\$ 7,851.00
	Alternate #3	\$ 7,560.00

D.L. Smith Concrete, LLC  
Norwalk, OH  
100% Bid Bond

Bid	\$71,935.00
Alternate #1	\$ 5,590.00
Alternate #2	\$ 6,100.00
Alternate #3	\$ 7,000.00

JD Williamson Construction Co., Inc  
Tallmadge, OH  
100% Bid Bond

Bid	\$88,450.00
Alternate #1	\$10,390.00
Alternate #2	\$11,550.00
Alternate #3	\$ 7,600.00

Kelstin, Inc.  
Shelby, OH  
100% Bid Bond

Bid	\$90,455.00
Alternate #1	\$ 8,500.00
Alternate #2	\$ 8,200.00
Alternate #3	\$ 7,500.00

Kelstin, Inc.  
Shelby, OH  
100% Bid Bond

Bid	\$90,455.00
Alternate #1	\$ 8,500.00
Alternate #2	\$ 8,200.00
Alternate #3	\$ 7,500.00

Great Lakes Demolition Co.  
Vickery, OH  
100% Bid Bond

Bid	\$93,730.00
Alternate #1	\$10,075.00
Alternate #2	\$ 7,850.00
Alternate #3	\$ 6,200.00

RMH Concrete & Foundations, Inc.  
Collins, OH  
100% Bid Bond

Bid	\$74,863.75
Alternate #1	\$11,662.50
Alternate #2	\$ 9,464.00
Alternate #3	\$ 7,700.00

The engineer's estimate for the base bid was \$98,710 and the alternate bid 1 was \$7,125, alternate bid 2 was \$8,200 and alternate bid 3 was for \$3,600.

The contractual schedule for completion of construction is Friday, May 1, 2021.

**BUDGETARY INFORMATION:** The estimated cost of the project based on the lowest and best bid, including all 3 alternates, legal advertisement, and recording fee is \$90,859.80, all coming from Community Development Block Grant (CDBG) funds.

**ACTION REQUESTED:** With the pricing for both the base and alternate bid items coming in aggressively and below the estimated amount, we are selecting all 3 alternate bid items at a cost less than the base bid estimate alone. Therefore, it is recommended that proper legislation be prepared to award a contract to D.L. Smith Concrete, LLC of Norwalk, Ohio for the Shoreline Park Erosion Control Project in an amount not to exceed \$90,625.00 be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow the contractor the opportunity to begin work as soon as possible in order to complete the project prior to the construction completion deadline of May 1, 2021.

I concur with this recommendation:

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Eric Wobser  
City Manager

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Aaron M. Klein, P.E.  
Director

cc: M. Spriggs, Commission Clerk; M. Reeder, Finance Director; J. Harris, Interim Law Director

## CERTIFICATE OF FUNDS

In the Matter of: Shoreline Park Erosion Control

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.

Account # 241-4447-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 9/10/2020

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH D.L. SMITH CONCRETE, LLC, OF NORWALK, OHIO, FOR THE SHORELINE PARK EROSION CONTROL PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, Shoreline Park, particularly the westernmost “finger”, is in need of shoreline protection due to years of erosion and wave-action from the bay which has damaged the material behind the steel sheet piling causing erosion and a loss of backfill in many areas preventing accessibility along the water’s edge to most pedestrians; and

**WHEREAS**, the Shoreline Park Erosion Control Project involves safeguarding and improvements to Shoreline Park consisting of backfilling the existing sheet piling with stone material and capping it off with a durable concrete surface with an underdrain piping system to carry away any water that would breach the top of newly paved surface and will provide greater access to the benches and fishing areas and additionally the concrete pavement will be sloped and capped with large boulders to dissipate the waves that crash over land and an ADA accessible walkway onto the concrete perimeter; and

**WHEREAS**, three (3) alternate items were included in the bid package and are summarized as follows:

1. Pipe material upgrade for underdrain system;
2. Catch basin, larger piping for drainage and native plantings;
3. Paving asphalt for turnaround area.

**WHEREAS**, the City Commission declared the necessity for the City to proceed with the proposed Shoreline Park Erosion Control Project by Resolution No. 029-20R, passed on July 13, 2020; and

**WHEREAS**, upon public competitive bidding as required by law eight (8) appropriate bids were received and the bid from D.L. Smith Concrete, LLC, of Norwalk, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the total cost of this project based on bids and including all three (3) alternates, advertisement and miscellaneous costs is \$90,859.80 and will be paid with Community Development Block Grant (CDBG) Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the contractor to begin the project as soon as possible so the project can be completed by the construction completion deadline of May 1, 2021; and

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

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with D.L. Smith Concrete, LLC, of Norwalk, Ohio, for the Shoreline Park Erosion Control Project in an amount **not to exceed** Ninety Thousand Six Hundred Twenty Five and 00/100 Dollars (\$90,625.00) consistent with the bid submitted by D.L. Smith Concrete, LLC, of Norwalk, Ohio, currently on file in the office of the Director of Public Works.

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

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

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

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

ATTEST: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION