



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
September 28, 2020 AT 5 P.M.
CITY HALL, 240 COLUMBUS AVENUE**

INVOCATION	Mike Meinzer
PLEDGE OF ALLEGIANCE	
CALL TO ORDER	
ROLL CALL	W. Poole, B. Harris, D. Murray, D. Brady, N. Twine, M. Meinzer & D. Waddington
APPROVAL OF MINUTES	September 14, 2020
PRESENTATION	Auditor of State's office
AUDIENCE PARTICIPATION	
COMMUNICATIONS	Motion to accept all communications submitted below
CURRENT BUSINESS	

CONSENT AGENDA ITEMS

ITEM A – Submitted by Greg Voltz, Planner

APPROVING A PLANNED UNIT DEVELOPMENT ON FIRST STREET (SECOND READING)

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.

ITEM B – Submitted by Michelle Reeder, Director of Finance

BUDGET AMENDMENT #2

Budgetary Information: Appropriation amendments are required to update the 2020 budget. Examples include, but are not limited to: General Fund, Corona Virus Relief Funds, Brownfield Grant, Capital Project Funds, Water Funds, Sewer Funds

ORDINANCE NO. _____: It is requested an ordinance be passed adopting Amendment No. 2 to Ordinance No. 20-058 passed by this city commission on March 23, 2020, making general appropriations for the fiscal year 2020; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM C – Submitted by Tom Horsman, Assistant Planner

CONTRACT WITH SERVING OUR SENIORS FOR TRANSPORTATION SERVICES WITH SANDUSKY TRANSIT SYSTEM

Budgetary Information: STS will bill at a per-mile rate, as established in the Contract, from ECJFS for the length of the proposed contract. The revenue from this agreement will be used as matching grant funds for the Ohio Department of Transportation (ODOT) Program Grant.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into an agreement for transportation services between the City of Sandusky and Serving Our Seniors (SOS) for the period of October 1, 2020, through September 30, 2021; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM D – Submitted by Tom Horsman, Assistant Planner

LEASE AGREEMENT WITH SERVING OUR SENIORS FOR VEHICLES FOR SANDUSKY TRANSIT SYSTEM

Budgetary Information: There is no additional cost associated with this. It is intended to cooperatively plan for the future of transit services in Sandusky, Erie County political subdivisions and Local Agencies.

RESOLUTION NO. _____: It is requested a resolution be passed authorizing and directing the city manager to enter into a lease agreement with Serving Our Seniors (SOS) for the purpose of leasing five (5) transit vehicles for use by the Sandusky Transit System for the period of October 1, 2020, through September 30, 2021; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM E – Submitted by Tom Horsman, Assistant Planner

CONTRACT WITH ERIE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES FOR TRANSPORTATION SERVICES WITH SANDUSKY TRANSIT SYSTEM

Budgetary Information: STS will bill at 2.85 per passenger mile rate, as established in the Contract, from ECJFS for the length of the proposed contract. The revenue from this agreement will be used as matching grant funds for the Ohio Department of Transportation (ODOT) Program Grant.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into a contract for transportation services between the city of Sandusky and the Board of County Commissioners of Erie County for the Department of Job and Family Services for the period of October 1, 2020, through September 30, 2021; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM F – Submitted by Debi Eversole, Housing Development Specialist

ACCEPTANCE OF NINE (9) PARCELS INTO LAND REUTILIZATION PROGRAM

Budgetary Information: The cost of these acquisitions will be \$1,360.00 to pay for the title exams and transfer fees. This expense will be paid out of the Land Bank expense account and will be recouped upon sale of the properties. The City will not collect the approximately \$5,712.00 owed to the City in special assessments, nor will the taxing districts collect the approximately \$39,732.00 owed in delinquent taxes. However, all or part of these delinquencies may be recouped and reimbursed upon the sale of the parcels. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately \$9,334.00.

RESOLUTION NO. _____: It is requested a resolution be passed accepting certain real property for acquisition into the Land Reutilization Program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM G – Submitted by Troy Vacarro, Fleet Maintenance Chief Foreman

PERMISSION TO DISPOSE OF VEHICLES AND MISCELLANEOUS ITEMS

Budgetary Information: Proceeds from the sale of the items will be placed into the City's Issue 8 Fund and the General Fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to dispose of vehicles and miscellaneous items as having become unnecessary and unfit for city use pursuant to Section 25 of the city charter; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM H – Submitted by Troy Vacarro, Fleet Maintenance Chief Foreman

PERMISSION TO DISPOSE OF PERSONAL PROPERTY AND EQUIPMENT

Budgetary Information: Proceeds from the sale of the items will be placed into the City's General Fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to dispose of personal property and equipment as having become unnecessary and unfit for city use pursuant to Section 25 of the city charter; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM I – Submitted by McKenzie Spriggs, Commission Clerk

LIQUOR PERMIT MEMBERSHIP CHANGE

The city has received a Notice of Legislative Authority for a D5J (community entertainment district) and a D6 (sale of intoxicating liquor on Sunday between the hours 10:00am or 11:00am and midnight) liquor permit change for Crush Winebar LLC at 139-145 Columbus Avenue. It is requested the Commission Clerk be authorized to notify the Ohio Division of Liquor Control the city has no objection to this transfer.

REGULAR AGENDA ITEMS

ITEM #1 – Matt Lasko, Chief Development Officer

PURCHASE AND SALE AGREEMENT FOR THE PROPERTY LOCATED AT 1501 SOUTH FOREST DRIVE

Budgetary Information: The City will be responsible for paying \$25,000 (plus closing costs) for the purchase of the property located at 1501 South Forest Drive. The source of funding is the Real Estate Development Fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into a purchase and sale agreement for the purchase of real property located at 1501 South Forest Drive, Sandusky, and identified as Parcel No. 58-01925.000 for the purpose of blight elimination and demolition; and declaring that this ordinance shall take immediate effect in accordance with section 14 of the city charter.

ITEM #2 – Submitted by Jane Cullen, Project Engineer

CONTRACT WITH ED BURDUE & CO. LLC FOR JAYCEE PARK CONNECTOR TRAIL PROJECT

Budgetary Information: The cost of the construction contract is \$143,326.03 will be funded with the Capital Fund (Sandusky Neighborhood Initiative).

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into a contract with Ed Burdue & Co. LLC, of Sandusky, Ohio, for the Jaycee Park Connector Trail Project; 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 ED BURDUE & CO. LLC FOR 2020 SHARED DRIVEWAY CONSTRUCTION PROJECT

Budgetary Information: The estimated cost of the project including engineering, inspection, advertising, construction and miscellaneous costs, is \$33,295.69. The full project will be paid from the Real Estate Development Fund. The Real Estate Development Fund will be reimbursed with proceeds from the sale of the five (5) parcels abutting the easement/shared driveway.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into a contract with Ed Burdue & Co. LLC, of Sandusky, Ohio, for the 2020 Shared Driveway Construction 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 – Click “Play” 



PLANNING DEPARTMENT

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5715
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 22nd 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.

Greg Voltz

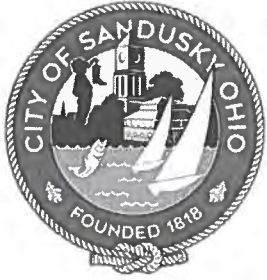
Planner

I concur with this recommendation:

Eric Wobser
City Manager

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

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

BACKGROUND INFORMATION

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

SITE DESCRIPTION

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

DIVISION OF PLANNING COMMENTS

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.

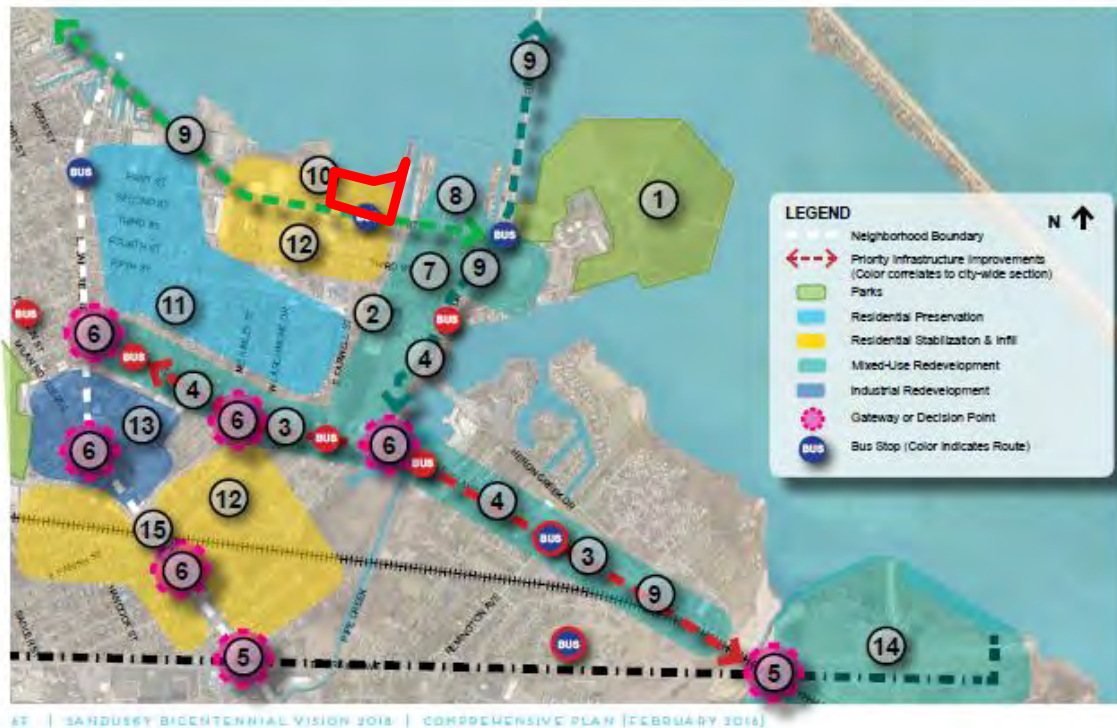
Per Chapter 1155 of the City of Sandusky Planning and Zoning Code a Planned Unit Development District is established to promote progressive development of land and construction thereon by encouraging planned unit developments to achieve:

- (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.

ENGINEERING STAFF COMMENTS

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.

BUILDING STAFF COMMENTS

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

Preliminary/Conceptual Plan – Not for Construction

POLICE DEPARTMENT COMMENTS

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

FIRE DEPARTMENT COMMENTS

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

CONCLUSION/RECOMMENDATION

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 24th, 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 9th, 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.

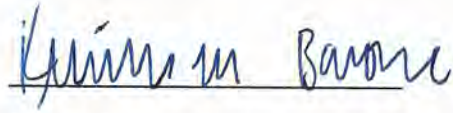
Mr. Zuilhof made a motion to table the application until next month's meeting and Ms. Castile seconded the motion. All voting members were in favor of the motion.

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).

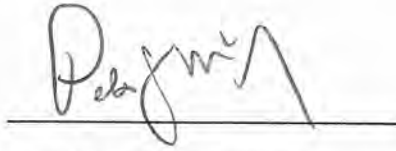
Mr. Zuilhof made a motion to table the application until next month's meeting and Mr. Miller seconded the motion. All voting members were in favor of the motion.

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

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, which appears to be "J. Hoty", is written over the typed name "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

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.

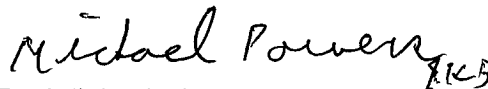
Since the Applicant’s request pertains to the entire site and includes many single family residential homes, this Commission should table the application pending a resolution of both: the property dispute, and a final determination from the Ohio EPA as to what uses will actually be permitted, given the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

August 26, 2020

At the July 22nd, 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

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
6-13-19
 Date
[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 13th 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;

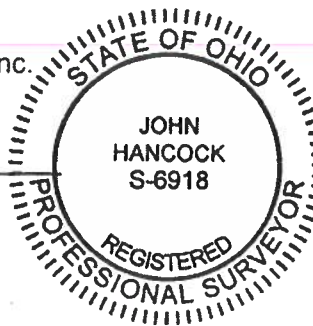
13. thence, S 9°51'55" W with Parcels 2 & 3 of 1643 Limited, RN 201711019, a distance of 675.63 feet to a point, passing at 30.00 feet a 5/8" iron rod set;
14. thence, N 80°12'05" W with lands of the City of Sandusky, a distance of 213.84 feet to a point;
15. thence, N 9°51'55" E with lands of the New 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;

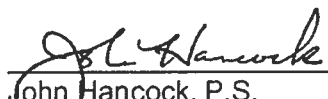
Page 2 of 2
Legal Description
1643 Limited, Parcels 2 & 3

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.

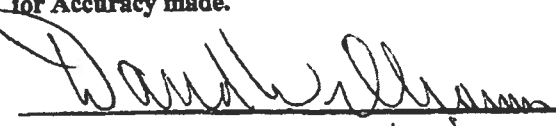

John Hancock, P.S.
Registered Surveyor No. 6918



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:

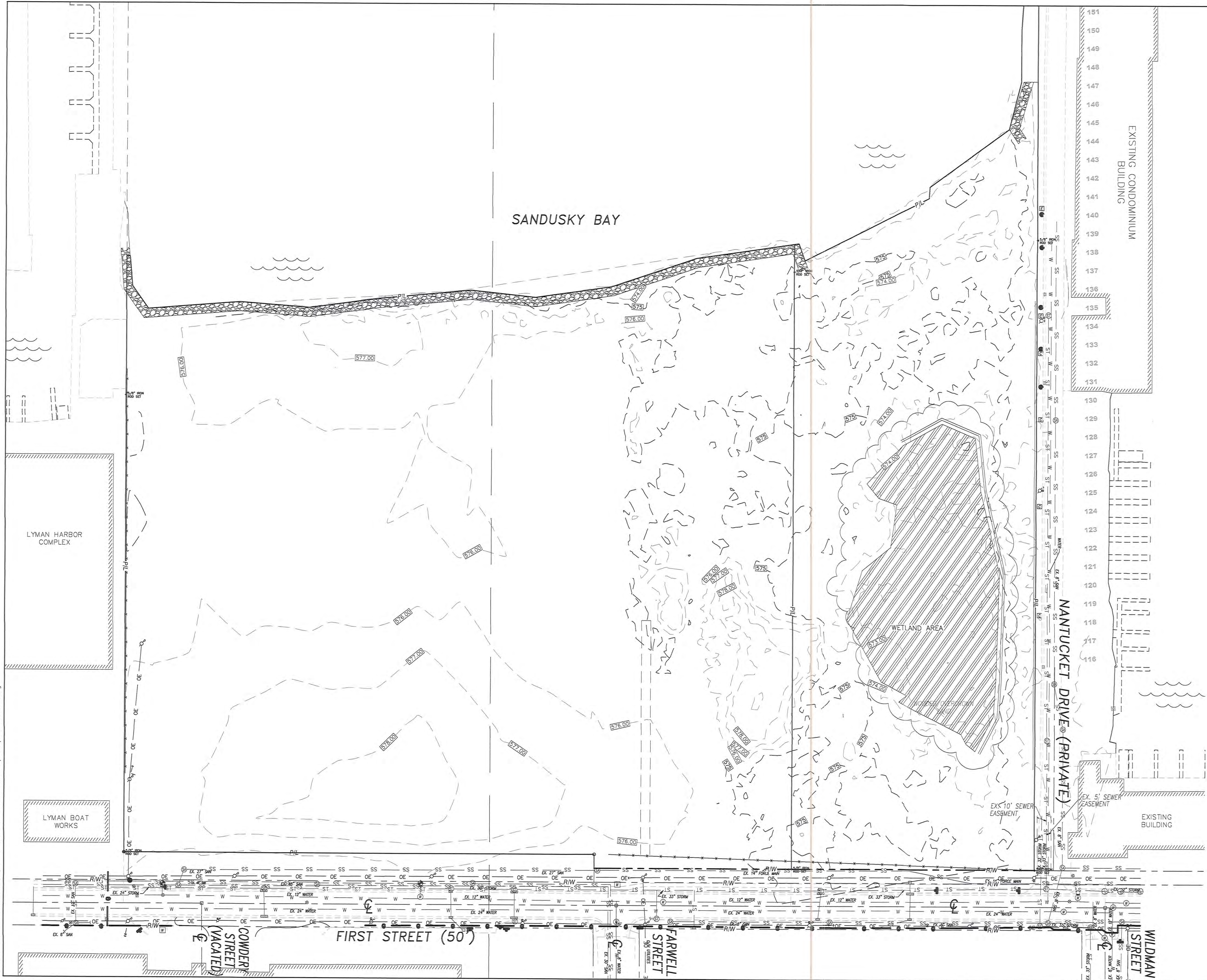
COVER SHEET.....	1
EXISTING CONDITIONS SURVEY.....	2
PLAT MAP.....	3
PRELIMINARY GRADING AND UTILITY PLAN.....	4

1643 LIMITED
PROPOSED DEVELOPMENT
COVER SHEET

WARD 1, CITY OF SANDUSKY, ERIE COUNTY, OHIO

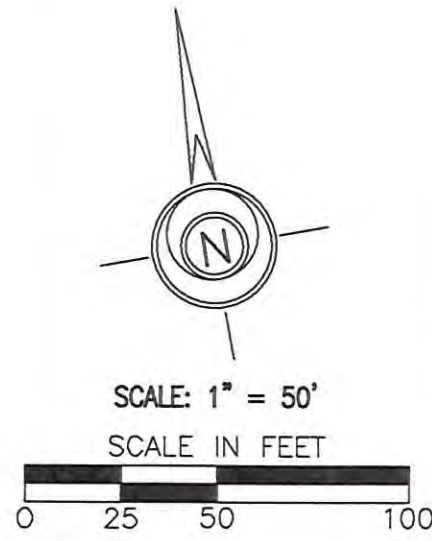
John Hancock & Associates, Inc.
ENGINEERS • SURVEYORS
326 E. Market St. • Sandusky, Ohio 44870 • (419) 625-7838

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



LEGEND:
EXISTING

---	575	MAJOR CONTOUR LINE AND LABEL
---	576.00	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:	
1643 LIMITED			
PROPOSED DEVELOPMENT			
EXISTING CONDITIONS SURVEY			
WARD 1, CITY OF SANDUSKY, ERIE COUNTY, OHIO			
JOB NO.:	192711	DRN BY:	KMB
FILE NO.:	192711	DATE:	5/27/2020
SHEET NO.:	2		

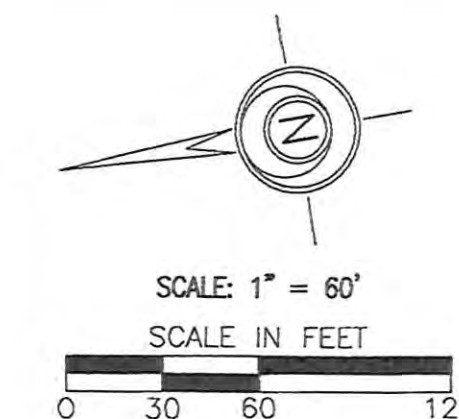
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326 E. Market St. • Sandusky, Ohio 44870 • (419) 625-7838

REVISED:

John Hancock & Associates, Inc.
ENGINEERS • SURVEYORS

BOUNDARY SURVEY
FOR 1643 LIMITED

JOB NO.:
DRN BY:
FILE NO.: 1927-
DATE: 5/16/2019
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

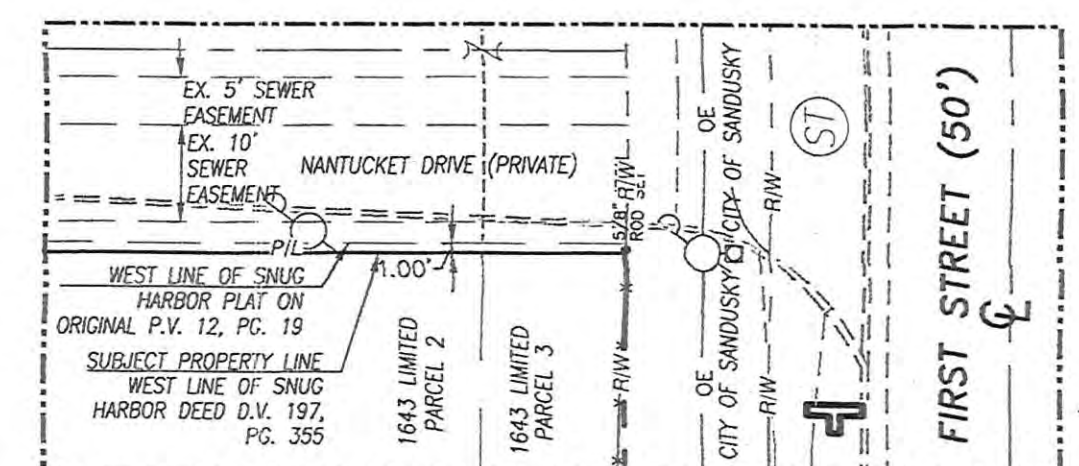
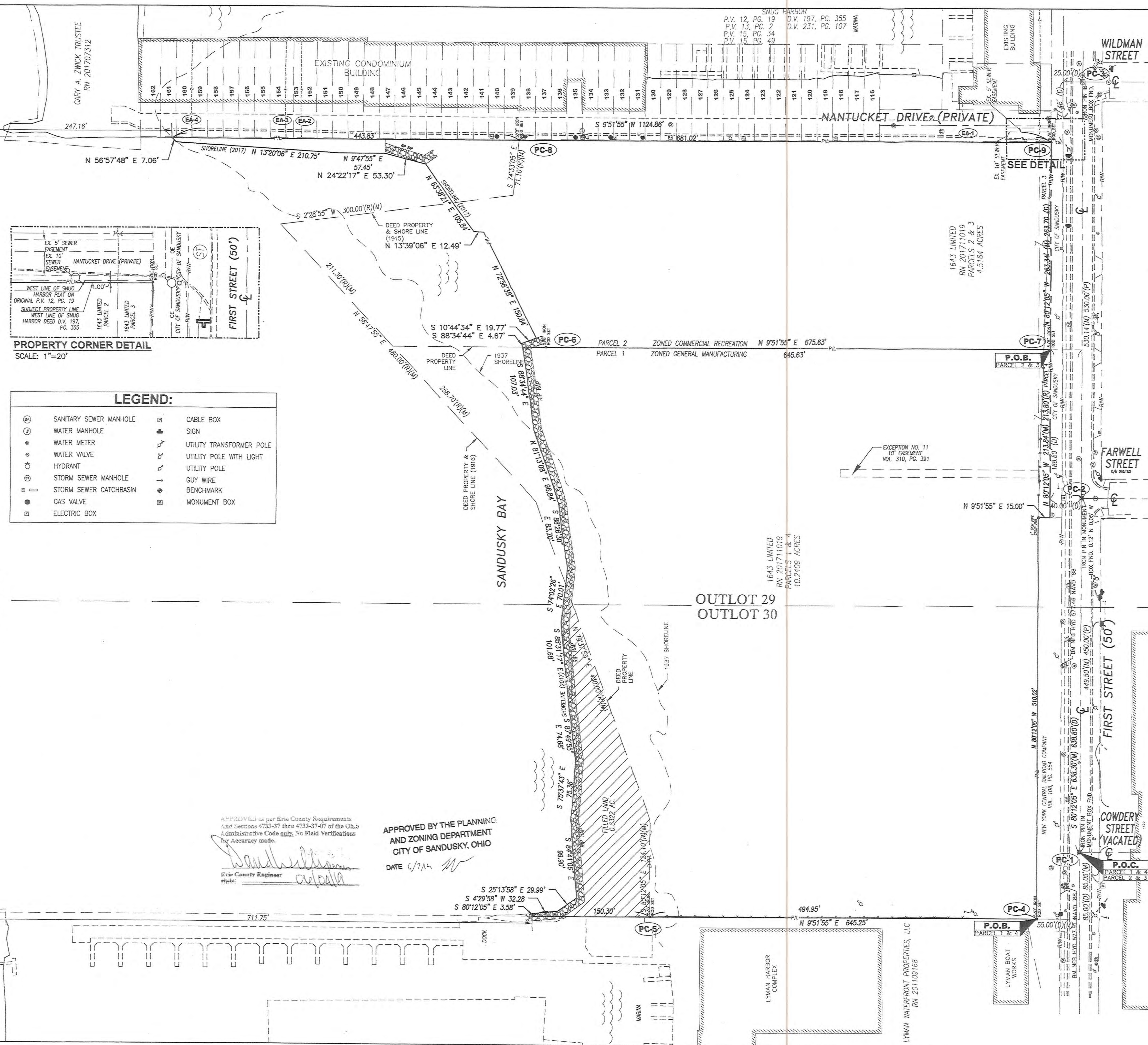
* FOUND IN ORIGINAL SURVEY, NOT FOUND IN 2019

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.

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

DATE: 5/16/2019



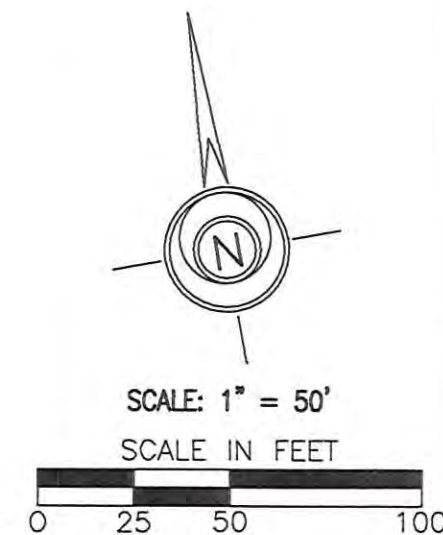
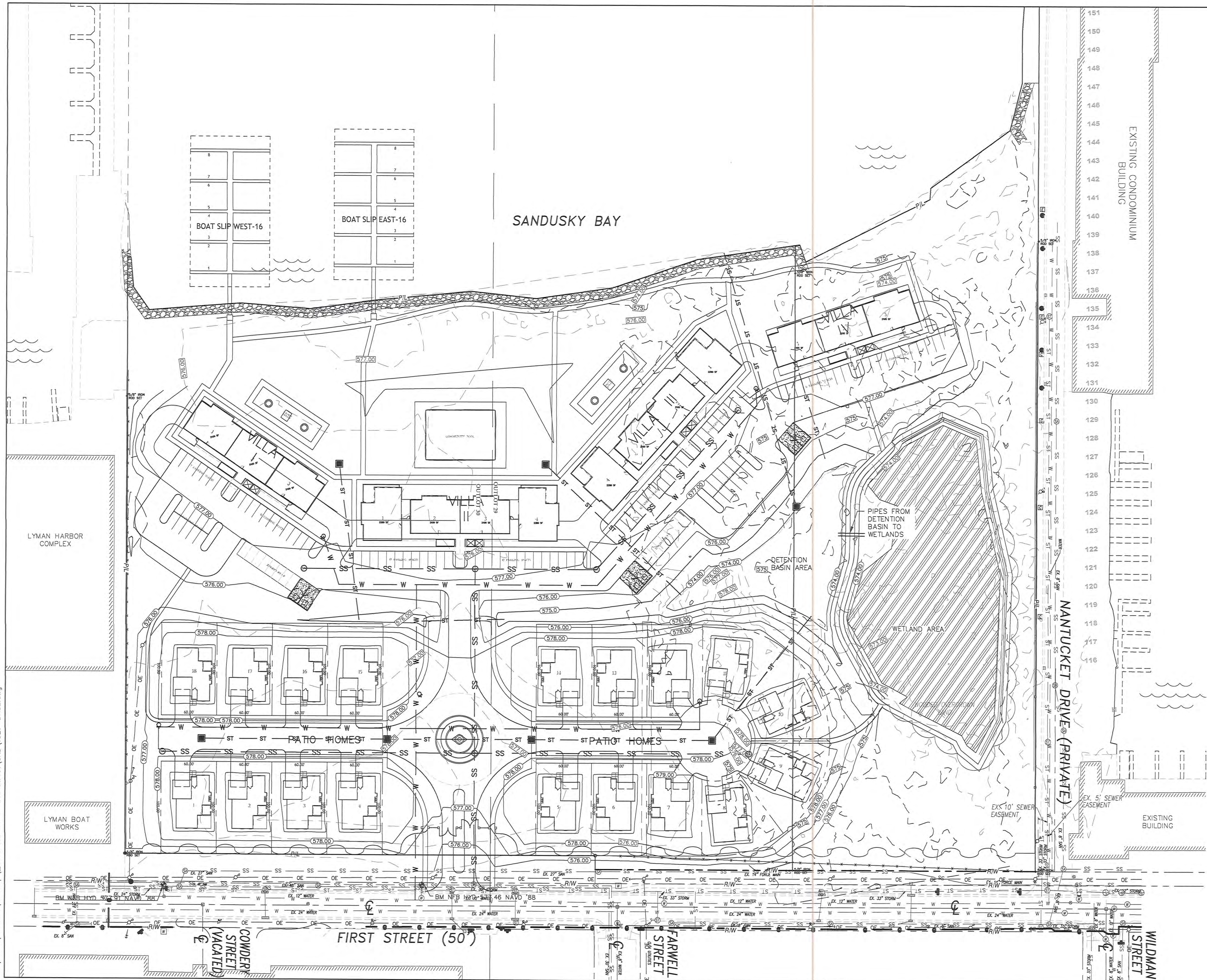
PROPERTY CORNER DETAIL
SCALE: 1"=20'

LEGEND:	
⊕	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

APPROVED BY THE PLANNING
AND ZONING DEPARTMENT
CITY OF SANDUSKY, OHIO
DATE 5/16/2019

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

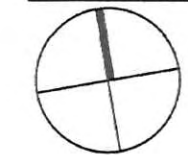
John Hancock & Associates, Inc.
ENGINEERS • SURVEYORS
326 E. Market St. • Sandusky, Ohio 44870 • (419) 625-7838

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

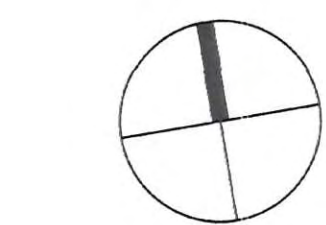
TYPE A VILLA = 2280 SF
TYPE B VILLA = 2100 SF
1 PARKING SPACE/BED
42 VILLAS X 3 BEDROOMS/VILLA = 126 PARKING SPACES REQUIRED

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

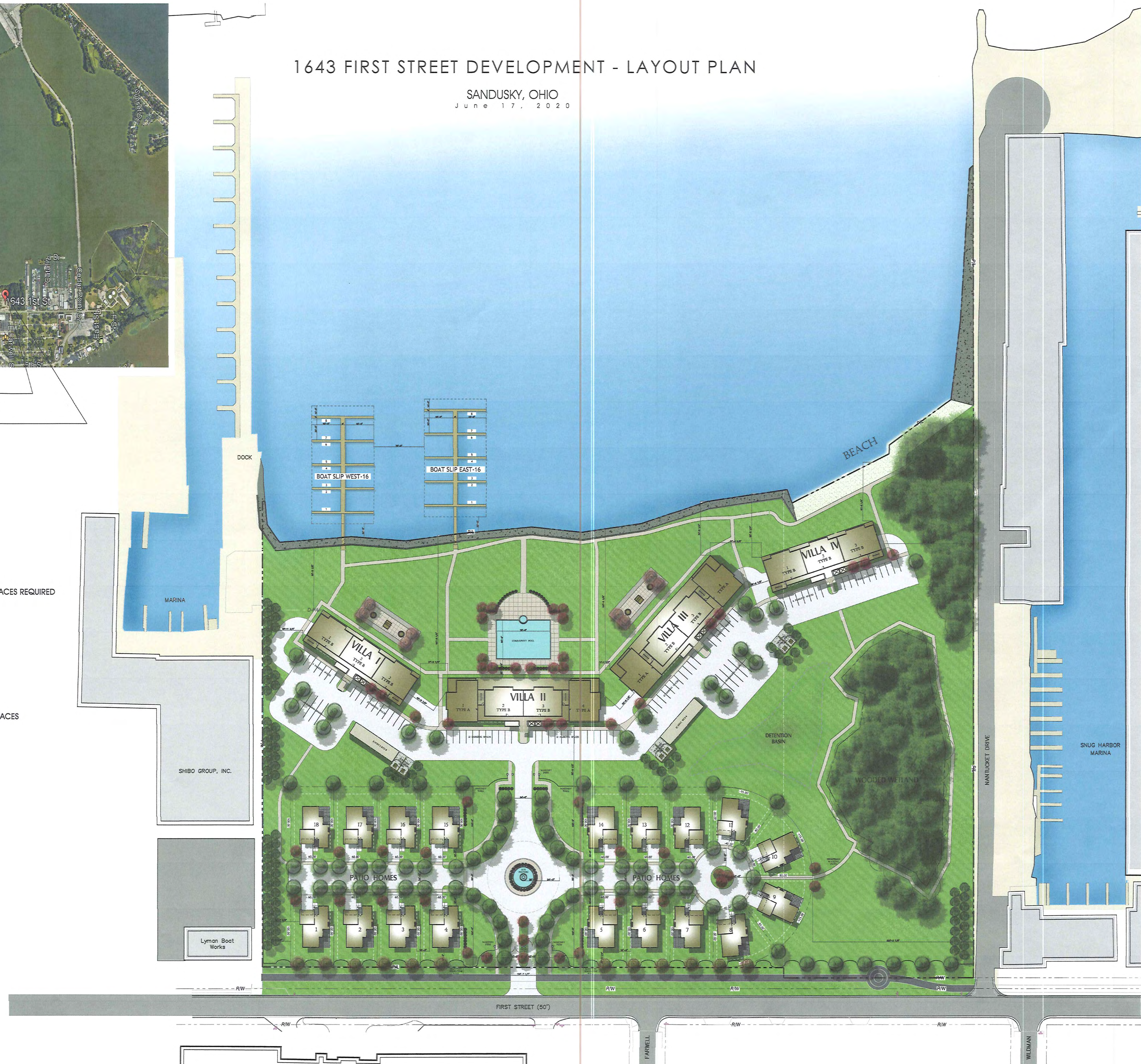
PATIO HOMES

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

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 1st Street Sandusky Ohio.

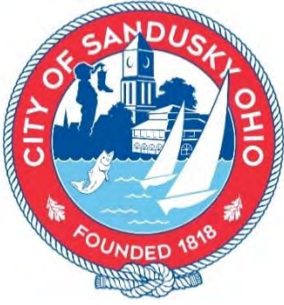
1. Footprints of the buildings;
 - a. Villas I & IV are ~ 8,350 SF
 - b. Villas II & III are ~13,053 SF
 - c. Patio Homes ~ 1,942 SF
2. Approximate Total First Floor Building Area; 80,722 SF
3. Approximate Total Area of all proposed construction; ~ 216,980 SF
4. Distance between Villa buildings and Patio 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.



FINANCE DEPARTMENT

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5776
www.cityofsandusky.com

TO: Eric L. Wobser, City Manager
FROM: Michelle Reeder, Finance Director
DATE: September 22, 2020
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

Ohio Rev. Code Section 5705.40 states that any appropriation ordinance or measure may be amended or supplemented, provided that such amendment or supplement shall comply with all provisions of law governing the taxing authority in making an original appropriation and that no appropriation for any purpose shall be reduced below an amount sufficient to cover all unliquidated and outstanding contracts or obligations certified from or against the appropriation. I am submitting amendment #2 to the 2020 General Appropriations.

BUDGETARY INFORMATION:

Appropriation amendments are required to update the 2020 budget. Examples include, but are not limited to:

- General Fund
- Corona Virus Relief funds
- Brownfield Grant
- Capital Project funds
- Water funds
- Sewer funds

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, so that the budget amendments can be entered into the financial system and purchases can be made to continue the flow of city operations.

I concur with this recommendation:

Eric Wobser
City Manager

Michelle Reeder
Finance Director

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AMENDMENT NO. 2 TO ORDINANCE NO. 20-058 PASSED BY THIS CITY COMMISSION ON MARCH 23, 2020, MAKING GENERAL APPROPRIATIONS FOR THE FISCAL YEAR 2020; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission made general appropriations for the Fiscal Year 2020 Operating Budget by Ordinance No. 20-058, passed on March 23, 2020; and

WHEREAS, this City Commission adopted Amendment No. 1 to Ordinance No. 20-092 to cover deficiencies or needs which existed in the General, Sewer, General Trust, Federal Grant, Capital Projects, and Special Assessment Funds by Ordinance No. 20-092, passed on June 22, 2020; and

WHEREAS, this City Commission amended Ordinance No. 20-058, passed on March 23, 2020, to correct a Scrivener's error in which the total for the Bond Retirement Fund, General Trust Fund and the total of all funds were incorrectly listed on the general appropriations for fiscal year 2020, by Ordinance No. 20-096, passed on July 13, 2020; and

WHEREAS, this Ordinance has been prepared to cover deficiencies or needs which exist in the General, Transit, State, Corona Virus Relief, Federal Grants, Capital Projects, Court Probation, Payroll Stabilization, Special Assessment, Urban Renewal, Water, Sewer, General Trust, and Park Endowment Funds; and

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

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

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

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

Section 1. Ordinance No. 20-058 passed by this City Commission on the 23rd day of March, 2020, be amended as hereinafter set forth:

PERSONAL

PAGE 2 - ORDINANCE NO. _____

DEPARTMENT	SERVICES	OTHER	TOTAL
POLICE PATROL	(370,000)	(15,000)	(385,000)
POLICE RESERVES	(45,000)	-	(45,000)
FIRE	(184,000)	(42,500)	(226,500)
OAKLAND CEMETERY	(30,000)	(12,000)	(42,000)
PLANNING DEPT	(68,000)	(10,500)	(78,500)
COMMUNITY DEVELOPMENT	(59,000)	(5,000)	(64,000)
BUILDING DIVISION	(46,000)	(2,500)	(48,500)
HORTICULTURAL SERVICES	(168,000)	(32,000)	(200,000)
CITY MANAGER	(30,000)	(2,500)	(32,500)
ADMINISTRATIVE SERVICES	(7,000)	(8,000)	(15,000)
FINANCE	(10,000)	(1,500)	(11,500)
INCOME TAX	-	(25,000)	(25,000)
INFORMATION TECHNOLOGY	-	(177,500)	(177,500)
LAW DEPT	(35,000)	(3,000)	(38,000)
MUNICIPAL COURT	(124,000)	-	(124,000)
BUILDING MAINTENANCE	(45,000)	(20,000)	(65,000)
ENGINEERING	(17,000)	(2,000)	(19,000)
FLEET MAINTENANCE	(44,000)	(8,000)	(52,000)
ADMINISTRATIVE SUPPORT TRANSFERS:			-
PARKS & RECREATION FUND	-	(270,000)	(270,000)
CAPITAL - PUBLIC WORKS	-	(340,000)	(340,000)
CAPITAL- STREET RESURFACING	-	(720,000)	(720,000)
GENERAL FUND	(1,282,000)	(1,697,000)	(2,979,000)
2019 PUBLIC TRANSIT FUND	20	-	20
TRANSIT FUNDS	20	-	20
LANDBANK	-	14,000	14,000
STATE GRANTS	-	14,000	14,000
CORONA VIRUS RELIEF FUNDS	757,229.45	-	757,229.45
BROWNFIELD GRANT- ASSESSMENT	-	16,965	16,965
BROWNFIELD GRANT- REMEDIATION	-	(26,799)	(26,799)
FEDERAL GRANTS	-	(9,834)	(9,834)
EMS	(55,000)	195,000	140,000
SANDUSKY BAY PATHWAY	-	450,100	450,100
PLANNING	-	36,000	36,000
COMMUNITY DEVELOPMENT	-	(300,000)	(300,000)
STREETS	-	76,500	76,500
URBAN PAVING	-	(1,291,301)	(1,291,301)
MCCARTNEY RD	-	1,214,801	1,214,801
SHORELINE DRIVE	-	1,585,325	1,585,325
JACKSON ST PIER	-	298,600	298,600
CAPITAL PROJECTS	(55,000)	2,265,025	2,210,025
COURT PROBATION FUND	280,000	-	280,000

PAYROLL STAB FUND	420,000	-	420,000
NUISANCE REMOVAL	-	6,000	6,000
INSPECTION FEE	10,000	-	10,000
SPECIAL ASSESSMENT FUND	10,000	6,000	16,000
URBAN RENEWAL FUND	-	1,400,000	1,400,000
EQUIPMENT REPLACEMENT	-	221,500	221,500
WARREN STREET	-	106,500	106,500
ADMIN SUPPORT	(75,000)	-	(75,000)
MEIGS ST	-	20,000	20,000
WATER FUNDS	(75,000)	348,000	273,000
PLANT EXPANSION		190,900	190,900
CAPITAL PLAN		3,077,475	3,077,475
EQUIPMENT REPLACEMENT		520,000	520,000
GENERAL PLAN & WEST SIDE CONNECTIVITY		2,180,800	2,180,800
VENICE RD		119,950	119,950
STORM WATER		390,000	390,000
ADMIN SUPPORT	(80,000)		(80,000)
SEWER FUNDS	(80,000)	6,479,125	6,399,125
FED FORFEITURE	-	12,000	12,000
GENERAL TRUST	-	12,000	12,000
WASHINGTON PARK & GREENHOUSE	-	800	800
GARDEN MAUSOLEUM	-	1,600	1,600
PARK ENDOWMENT	-	2,400	2,400
TOTAL ALL FUNDS	(24,750.55)	8,819,716.00	8,794,965.45

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

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

Section 4. This City Commission finds and determines that all formal

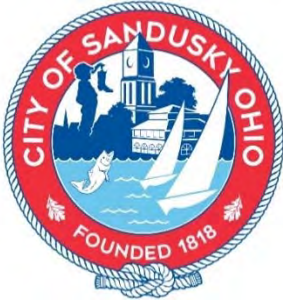
actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: September 28, 2020



PLANNING DEPARTMENT

Division of Transit

240 Columbus Ave.
Sandusky, Ohio 44870
419.621.8462

TO: Eric Wobser, City Manager

FROM: Thomas Horsman, Assistant Planner

DATE: September 16, 2020

SUBJECT: **Serving our Seniors Contract for Transportation Services**

ITEM FOR CONSIDERATION: Legislation requesting approval for the City Manager to enter into a one (1) year contract for transportation services between the City of Sandusky / Sandusky Transit System and Serving Our Seniors.

BACKGROUND INFORMATION: The Sandusky Transit System (STS) will provide safe, reliable, transportation services to Erie County older adults, to support their independent functioning while living independently for clients of Serving Our Seniors (SOS). These clients are transported on a daily schedule coordinated between STS and SOS. SOS is under the direction of Executive Director Sue Daugherty. In consideration for discounted transportation service, as provided within the contract, SOS shall lease to the City five (5) vehicles.

This contract will be in effect from October 1, 2020 until September 30, 2021. The contract will not exceed a total amount of \$211,440. The agreement also provides free trips for approved SOS clients on STS fixed route system in exchange for the leased vehicles.

STS will provide SOS with reports, training and information that were agreed upon in said proposed contract. SOS will be invoiced and billed on a monthly basis and be expected to pay in a timely manner. The money received from this contract will help meet the local match for all Ohio Department of Transportation (ODOT) Transit grants.

BUDGET IMPACT: STS will receive a monthly flat rate of \$17,620 from SOS for the length of the proposed contract to provide transportation services to existing Serving Our Seniors clients. This

money collected will be used to offset the capital planning and operating expenses through the Ohio Department of Transportation (ODOT).

ACTION REQUESTED: It is requested legislation be adopted allowing the City Manager to enter into a one (1) year contract for transportation services with Serving Our Seniors. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter to approve the terms of the agreement which commenced on October 1, 2020 and immediately execute the agreement.

Thomas Horsman, Assistant Planner

I concur with this recommendation:

Eric Wobser, City Manager

Matt Lasko, Chief Development Officer

cc: McKenzie Spriggs, Clerk of the City Commission

Michelle Reeder, Finance Director

Justin Harris, Acting Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR TRANSPORTATION SERVICES BETWEEN THE CITY OF SANDUSKY AND SERVING OUR SENIORS (SOS) FOR THE PERIOD OF OCTOBER 1, 2020, THROUGH SEPTEMBER 30, 2021; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Serving Our Seniors (SOS) is a private non-profit corporation that sponsors transportation services for the benefit of senior citizens, who are living independently in Erie County, age sixty (60) and older, using public transportation services provided by the Sandusky Transit System; and

WHEREAS, the City through its public transit system, agrees to provide weekday Demand Response transportation services to Erie County residents aged sixty (60) and over who have been verified by SOS as not being a resident of an assisted living facility, nursing home, skilled nursing facility, or a consumer of an adult day care center for a monthly flat fee; and

WHEREAS, SOS owns five (5) vehicles that it desires to continue to lease to the City, at a cost of \$0.00/month per vehicle, in consideration for the provision of free public transportation services on Fixed Routes for Erie County residents aged sixty-five (65) and over; and

WHEREAS, approval to enter into another Lease Agreement for these vehicles is being requested in companion legislation; and

WHEREAS, the City through its public transit system, agrees to provide transportation services on Fixed Routes at no cost to Erie County residents aged sixty-five (65) and over, registered with SOS and possess a valid pass issued by SOS in consideration of the lease for the five (5) vehicles from SOS; and

WHEREAS, the Sandusky Transit System will receive from SOS a monthly flat fee of \$17,620.00 for Demand Response transportation services for a total annual amount of \$211,440.00 for the period of October 1, 2020, through September 30, 2021; 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 approve the terms of the agreement which commences on October 1, 2020, and immediately execute the agreement; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Sandusky Transit System, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **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 be and hereby is authorized to execute an Agreement with Serving Our Seniors for transportation services for the period from October 1, 2020, through September 30, 2021, substantially in the same form as reflected in Exhibit "1" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and being consistent with the objectives and requirements of this Ordinance and with carrying out the City's public purposes.

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 28, 2020

**Agreement: Transportation Services
Serving Our Seniors
And the City of Sandusky**

This Agreement is made and entered into this ____ day of _____, 2020 by and between the City of Sandusky (City) / Sandusky Transit System (STS), 240 Columbus Avenue, Sandusky, Erie County, Ohio 44870, [City] and Serving Our Seniors, Inc., 310 E. Boalt Street, Sandusky, Erie County, Ohio 44870, [SOS], collectively the Parties, under the conditions agreed upon as enumerated below, for the provision of transportation services to Erie County residents aged sixty (60) and over:

WHEREAS, SOS is a private non-profit corporation that sponsors transportation services for the benefit of senior citizens, who are living independently in Erie County, age sixty (60) and older, using public transportation services provided by the Sandusky Transit System;

WHEREAS, "Demand Response System" is defined by the Federal Transit Administration as any non-fixed route system of transporting individuals that requires advanced scheduling including services provided by public entities, non-profits, and private providers. An advance request for service is a key characteristic of demand response service;

WHEREAS, the City operates the Sandusky Transit System (STS) which provides public transportation within certain areas of Erie County, Ohio;

WHEREAS, the City through its public transit system, agrees to provide weekday Demand Response transportation services to Erie County residents aged sixty (60) and over who have been verified by SOS as *not* being a resident of an assisted living facility, nursing home, skilled nursing facility, or a consumer of an adult day care center (Eligible Seniors) for a monthly flat fee;

WHEREAS, the City through its public transit system, agrees to provide weekday Demand Response transportation services to Erie County residents aged sixty (60) and over who have been registered and verified by SOS, as being unable to afford the \$1.50 rate for a one-way trip; and possess a valid pass (SOS **Reduced Rate** Pass Holders) permitting the Eligible Senior to pay the rate of .50 cents per one-way trip.

WHEREAS, SOS owns five (5) vehicles that it desires to lease to the City, at a lease cost of \$0.00/month per vehicle, in consideration of the City providing free public transportation services on Fixed Routes to eligible Erie County residents aged sixty-five (65) and over;

WHEREAS, in consideration of the leasing of five (5) vehicles from SOS, the City through its public transit system, agrees to provide transportation services on Fixed Routes at no cost to Erie County residents age sixty-five (65) and over, registered with SOS and possess a valid pass issued by SOS (SOS **Fixed Route** Pass Holders), except for those days and times on which services are not provided, as enumerated below.

NOW, THEREFORE, the parties agree as follows:

The City through its public transit system (STS), shall provide weekday Demand Response transportation services to Erie County residents aged sixty (60) and over who have been verified as being eligible by SOS (Eligible Seniors). SOS agrees to pay a monthly flat fee of Seventeen Thousand Six Hundred Twenty and 00/100 Dollars (\$17,620.00), for a total annual amount not to exceed Two Hundred Eleven Thousand Four Hundred Forty and 00/100 Dollars (\$211,440.00).

In consideration for the provision of discounted demand response transportation services to Eligible Seniors and free transportation services on the Fixed Routes to those eligible residents as defined above, and for no other consideration whatsoever, the parties hereby agree that SOS shall lease to the City five (5) vehicles at a lease cost of \$0.00/month per vehicle.

1. The City responsibilities:
 - a) The City shall operate and provide the highest quality transportation service possible and shall stress safety, respect for consumers, service quality, on-time performance, and comfort and convenience for all individuals transported by the City on the Sandusky Transit System.
 - b) The City shall operate and provide escorted service to Eligible Seniors who have such a need, from the door of the building where the trip originates to the door of the building upon arriving at the destination of the one-way trip.
 - c) The City shall provide Demand Response transportation services for Eligible Seniors within the Erie County service area and up to ten (10) miles in the Lorain County portion of Vermilion and Brownhelm Township, Ohio,

during its regular public transit service hours Monday thru Friday, excluding Martin Luther King Day, Presidents' Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas Day, and New Year's Day. The City shall provide door-to-door service upon request. The Demand Response Service Area Map is attached hereto and incorporated herein as Exhibit "A".

- d) The City shall provide transportation services on Fixed Routes at no cost to SOS Pass Holders during its regular public transit service hours or 6:00 AM to 10:00 PM Monday thru Saturday, excluding Martin Luther King Day, Presidents' Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas Day, and New Year's Day. The Fixed Routes Service Area Map is attached hereto and incorporated herein as Exhibit "A".
- e) The City shall operate as usual during inclement weather unless the Erie County Sheriff has declared a level 2 or 3 snow emergency.
- f) The City shall provide and maintain a telephone number for Eligible Seniors to make or cancel reservations for Demand Response transportation services.
- g) When scheduling rides for Demand Response transportation services, the City shall notify Eligible Seniors that they may be picked up fifteen (15) minutes prior to or after the scheduled pick up time.
- h) Eligible Seniors shall be able to schedule regularly occurring trips for Demand Response transportation services up to six (6) months in advance.
- i) Demand Response transportation services scheduled by Eligible Seniors up to forty-eight (48) hours in advance shall be guaranteed by the City, subject to acts of God, labor stoppages, and other unforeseen events that are outside the control of the City.
- j) The City shall submit a monthly invoice to SOS for Demand Response transportation services rendered to Eligible Seniors on or before the 10th day of each month in the amount of \$17,620.00. Each Eligible Senior is responsible to pay directly to the City/STS the discounted Eligible Senior Rate of \$1.50 per one-way trip, with the exception of those who are a pass holder of an SOS **Reduced Rate** Pass). Invoices shall include an alphabetical listing of each Eligible Senior, the origin and destination of each trip, and the total number of trips taken by each Eligible Senior for the month. SOS shall submit payment to the City within fifteen (15) days after receipt of the invoice.
- k) The City shall ensure that all Federal and State transportation laws and regulations applicable to public transportation are followed.

- l) The City shall provide SOS detailed reports and data on ridership from the records maintained by the City within 72 business hours of request by SOS.
- m) The City Transit Administrator shall act as the liaison for the Sandusky Transit System with SOS and shall attend scheduled meetings regarding behavior incidents, safety training and other topics as deemed appropriate by SOS.
- n) The City shall report incidents that involve the health and safety of one or more Eligible Seniors or SOS Pass Holders within twenty-four (24) hours of occurrence to SOS.

2. SOS Responsibilities:

- a) SOS shall supply the City with the name, date of birth, address, telephone number, and any special accommodations that may be necessary for each Eligible Senior and SOS Pass Holder permitted to utilize discounted transportation services provided by the Sandusky Transit System pursuant to the terms of this Agreement.
- b) SOS shall notify the Sandusky Transit Administrator within twenty-four (24) hours after an Eligible Senior or a SOS Pass Holder becomes ineligible to receive discounted transportation services provided by the Sandusky Transit System pursuant to the terms of this Agreement.
- c) The City has developed a Code of Conduct that all individuals shall follow while riding Sandusky Transit System vehicles. The Code of Conduct references unacceptable behavior while on the City's vehicles and the consequences of the unacceptable behaviors. The City shall make periodic updates to the Code of Conduct and inform SOS as to when the updates are complete and ready to be sent out to riders. Upon notification from the City, SOS shall notify Eligible Seniors and SOS Pass Holders regarding the Sandusky Transit System's Code of Conduct.
- d) The Executive Director of SOS shall be the liaison with the City and shall attend scheduled meetings regarding behavior incidents, safety training and other topics as deemed appropriate by the City.

3. Miscellaneous Provisions

- a) SOS shall be notified by the City as soon as practicable in the event of any accident or collision involving any of the vehicles. The driver of the vehicle involved in the collision shall make a detailed report as required by FTA regulations. A copy of the report shall be submitted to SOS upon completion.

- b) The City and SOS shall monitor the administration and execution of this Agreement and evaluate its effectiveness and shall work together to facilitate positive and open communication and trust between the Parties. It is acknowledged and agreed by the Parties that not all events and incidents can be anticipated or procedurally accounted for in this document. Issues shall be resolved on an individual basis via written communication between the City and SOS until mutual agreement is reached.
 - c) It is agreed that this Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Ohio and shall be interpreted in a manner consistent with the City Charter, Codified Ordinances of the City of Sandusky, SOS By-Laws and operational procedures of both SOS and the City.
 - d) This Agreement may be modified from time to time for any reason. Any modification of this Agreement shall be binding only if evidenced in writing, signed by the authorized representative of each party
4. The Americans with Disabilities Act does not require an entity to provide services to an individual who engages in violent, seriously disruptive, or illegal conduct. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees, the entity, or other persons. If both Parties do not agree on a course of action regarding an incident, then the Parties shall seek the services of an impartial third party to mediate an agreed upon resolution (see Section 9).
5. Eligible Seniors shall be afforded the opportunity of a hearing in accordance with STS policies and procedures within thirty (30) days of any permanent or temporary suspension to show cause why the suspension should not be imposed. The individual shall be afforded a notice of the show cause hearing, including the type of suspension to be imposed and the events leading to such a suspension.
6. Term. This Agreement shall be in effect from October 1, 2020 until September 30, 2021.

7. Termination. This Agreement may be terminated by either party by giving sixty (60) days written notice of termination to the other party's authorized representative:

For the City:
City of Sandusky
c/o City Manager
240 Columbus Avenue
Sandusky, OH 44870

For SOS:
Serving Our Seniors
c/o Executive Director
310 E. Boalt Street
Sandusky, OH 44870

In the event that funding for the services provided in this Agreement is eliminated or decreased, each Party shall have a right to terminate or negotiate a modification of this Agreement, including but not limited to compensation. The City shall continue to provide transportation services until the effective date of termination, and SOS shall make payment in accordance with the payment provisions of this Agreement for the transportation services provided by the City prior to the effective date of termination.

8. Force Majeure. In the event the City is unable to provide transportation services because of acts of God, any acts of war, terrorism, unavoidable accident, labor strike or other labor dispute, fire, riot or civil commotion, government action or decree, and/or any other cause beyond the reasonable control of the party whose performance is affected, shall not be deemed a breach of this Agreement.
9. Arbitration. Any disagreement regarding stated provisions or required negotiations, or other provisions not specifically covered by this Agreement, and for which no mutual agreement can be reached, shall be settled by arbitration as follows:
- (a) The City shall select and appoint one (1) arbitrator and SOS shall select and appoint one (1) arbitrator.
 - (b) The two (2) appointed arbitrators shall select and appoint a third.
 - (c) All three (3) arbitrators shall be residents of Erie County, Ohio.
 - (d) The City and SOS shall agree to the settlement of differences as reached by a majority of the appointed arbitrators.
10. Neither party hereto is agent, employee or servant of the other, and this Agreement is made for the sole purpose of establishing the division of responsibilities between the City and SOS in connection with the provision of

transportation services and does not in any manner create a partnership between the parties hereto.

11. Entire Agreement. This Agreement supersedes all other oral and written agreements between the parties with respect to the services that are the subject of this Agreement and contains all of the covenants and agreements between the parties.
12. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.
13. Severability. If any of the terms of this Agreement is found to be void or invalid, such invalidity shall not affect the remaining terms of this Agreement, which shall continue in full force and effect.
14. Amendment. This Agreement may be modified, changed, or amended with the written consent of both Parties.
15. This Agreement shall be passed by ordinance or resolution by both Parties and such ordinance or resolution or action of the respective City Commission of the City of Sandusky and Serving Our Seniors shall be herein attached and incorporated by reference as Exhibits "B" and "C".

Signature Pages to Follow

IN WITNESS WHEREOF, the Parties have duly executed this Agreement on the day and year above first written.

In the presence of:

LESSOR: SERVING OUR SENIORS, INC.

Witness

Sharon Turini-Kent, President of
the Board of Trustees

Witness

Dave Brink, Treasure of the Board
of Trustees

LESSEE: CITY OF SANDUSKY

Witness

Eric L. Wobser, City Manager

Approved as to Form:

Justin D. Harris #0078252
Interim Law Director
City of Sandusky

Mission Statement

To provide safe public transportation service to all service area residents in a timely, courteous and cost-effective manner in order to contribute to their quality of life.

Sandusky Transit complies with Title VI of the Civil Rights Act and with all Americans with Disabilities Act (ADA) standards.

This brochure is available in alternative formats. This can include, but is not limited to: braille, other languages, audio tapes, etc.

STS is funded in part by the City of Sandusky, City of Vermilion, ODOT and the Federal Transit Administration.

Rules of the Ride

- **Put on your seat belt** as soon as you are seated in the vehicle.
- **Smoking, eating, or drinking** is not permitted on any STS vehicle.
- **You may use an audio player** as long as playback is through headphones.
- **If you plan to transport an animal**, please notify dispatch when you make your reservation. All animals must be on a leash or in a pet carrier.
- **Tobacco, alcohol, drugs & unlawful weapons** are prohibited on all STS property (unless allowed by state law).
- **STS buses are community spaces.** Treat everyone around you with kindness and respect.

Complaints

Complaints (including Title VI and ADA) should be directed to the Transit Administrator at 419.621.8462. Questions and complaints will be responded to verbally and/or by written communication within seven (7) days of receipt.

Contacts & Comments

For comments, complaints (including Title VI & ADA complaints) or suggestions, please contact:

Transit Administrator
Sandusky Transit System
240 Columbus Avenue
Sandusky, OH 44870

Email: info@SanduskyTransit.com
Phone: 419.621.8462
Fax: 419.626.0482



SANDUSKY TRANSIT SYSTEM

RIDER GUIDE & MAP



419.627.0740

Toll Free 1.855.612.5176
Ohio Relay Service 1.800.750.0750

Route information available
on Google Maps and the Transit App



1230 N. Depot Street
Sandusky, OH 44870

sanduskytransit.com
f t @sanduskytransit



DIAL-A-RIDE & ADA PARATRANSIT SERVICE

The Sandusky Transit System (STS) Dial-A-Ride is a demand responsive, curb-to-curb, advance reservation, shared ride transportation service that is provided within Erie County. STS is open to the general public and vehicles are wheelchair accessible.

There are no restrictions on the purpose or the number of trips which may be taken. Riders are required to share the vehicle with other riders who are traveling at the same time in the same direction. The number of carry-on items is limited to what the rider can comfortably carry.

STS vehicles are handicapped accessible and designed to accommodate wheelchairs, walkers, crutches, canes, service animals or other mobility aids. Lifts and tie-downs accommodate most commonly used wheelchair models. Please contact STS dispatch to see if your wheelchair can be transported safely.

If you have a disability that prevents you from using STS fixed-route service, paratransit service will travel up to 3/4 mile one-way distance from an STS line.

Paratransit service is available to qualified individuals who apply, following an assessment made by STS staff and healthcare professionals. The application for paratransit services can be found online at sanduskytransit.com.

Car seats are not provided. If your child requires a car seat, you must provide one.

Accessing Dial-A-Ride & Paratransit Service

- Call 419.627.0740 to schedule your ride up to two weeks in advance.
- Advance reservations are required.
- Inform dispatch of any special needs such as a wheelchair, personal attendant, or a service animal.
- Be ready 15 minutes before and after your scheduled ride. This is a pick-up "window" of time. The driver will wait up to 5 minutes.
- Cancellations must be received no later than two (2) hours before the scheduled pick-up time to avoid a late cancellation charge.
- Riders who do not take a scheduled ride when the vehicle has arrived or is more than 5 minutes late will be charged for a no-show.
- Three or more late cancellations or no-shows in a 30-day period will prompt a review that may result in a suspension of service for up to 30 days.

Assistance

Assistance will be provided by the driver when boarding and alighting from the vehicle. The driver will tie down wheelchairs, secure packages, and assist with seat belts. If passengers require a mobility-assistance attendant or a service animal, please notify the STS dispatcher at time of reservation. The attendant may ride free.

Tickets

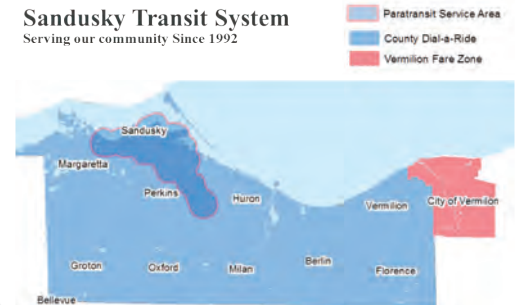
Tickets for Dial-A-Ride/Paratransit may be purchased at:
City of Sandusky
Customer Accounting Office
240 Columbus Avenue
Sandusky, OH 44870

Dial-A-Ride Hours

Monday - Saturday 6:00 a.m. - 10:00 p.m. (No Sunday Service)
Scheduling Trips: Monday - Friday 8:00 a.m. - 4:00 p.m.

ADA Paratransit Service Hours

7 days a week - 5:00 a.m. - 12:00 a.m.
Scheduling Trips: 419.627.0740; Monday - Friday 8:00 a.m. - 4:00 p.m.



STS (FIXED ROUTE)

STS offers a fixed-route bus service. Drivers will only stop at marked bus stops. Please wait for the bus at a sign or a shelter.

During Your STS Trip

Have your exact fare ready as you board the bus. Insert payment into the top of the glass fare box. Drivers do not carry change. After paying please move promptly to a seat or grab a rail behind the white floor stripe.

Leaving The Bus

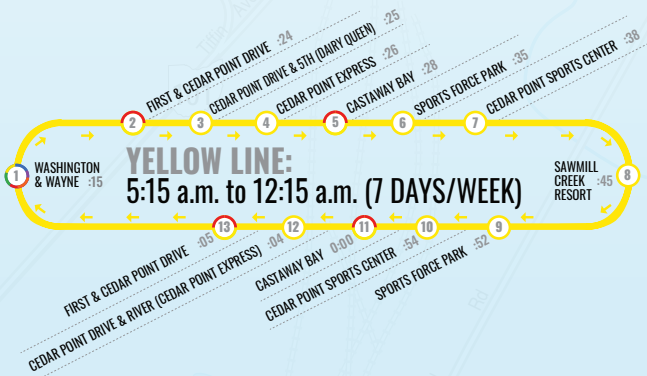
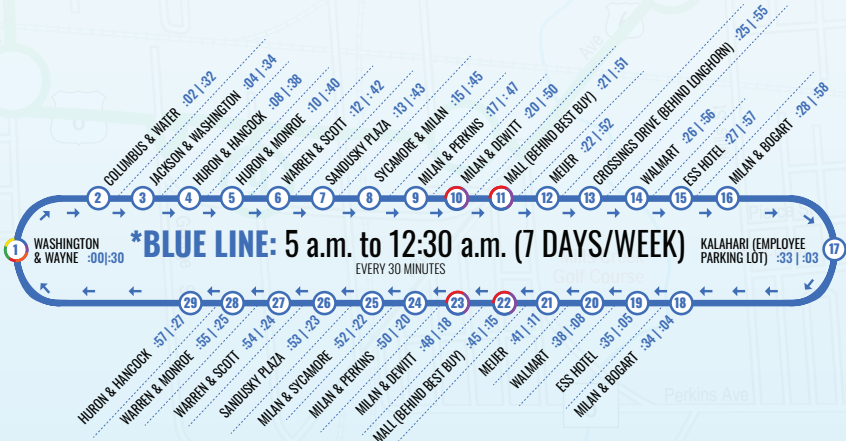
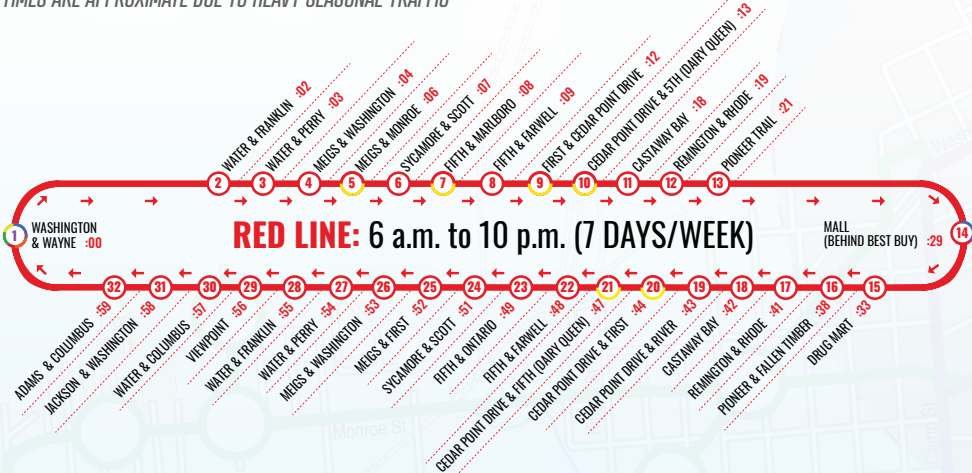
Signal that your stop is near by telling the driver or by pulling the cord by the window. The "stop requested" sign will light. Wait until the bus is fully stopped to exit.

Inclement Weather

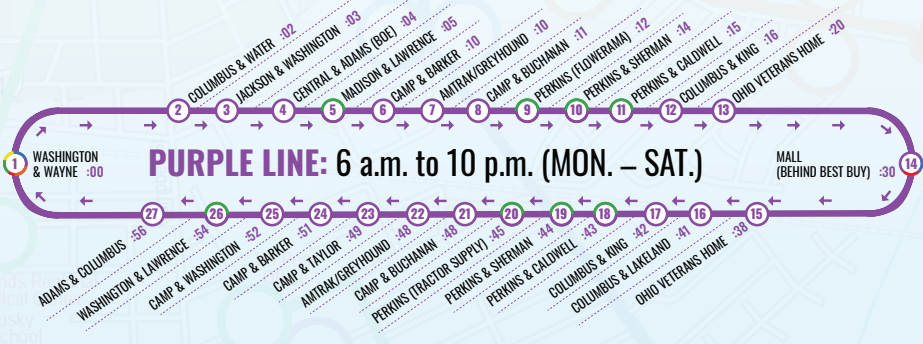
STS will make every attempt to contact a rider about a cancelled ride due to inclement weather. Listen to WCPZ (102.7 FM), WLEC (1450 AM), follow us on Facebook or Twitter, or call STS dispatch if in doubt.

BUSES RUN EVERY HOUR OR HALF-HOUR* ON THE FOLLOWING LINES:

TIMES ARE APPROXIMATE DUE TO HEAVY SEASONAL TRAFFIC



ROUTE INFORMATION
ON GOOGLE MAPS
AND THE TRANSIT APP



FARE PRICES

Dial-A-Ride (One-Way Trip)

- \$5.00 all of Erie County
- \$3.00 to/from/within City of Vermilion and 10-mile radius of Vermilion.
- Children 5 years and under ride free.
- **Exact fare is required. Drivers do not carry change.**
- Reduced fares for Dial-A-Ride service is available for those 65+ or with a qualifying disability.
- Applications are available at 240 Columbus Ave., Sandusky, OH 44870 or by visiting our website at sanduskytransit.com.

Fixed Route

- Adult - \$1.50 per trip
- Children 5 & under ride free with an accompanying adult.
- **Exact fare is required. Drivers do not carry change.**
- Paratransit eligible persons ride STS for \$3 with a valid pass.
- Transfers between STS buses are free with a valid transfer pass.

FOLLOW US ON
FACEBOOK AND TWITTER
@SANDUSKYTRANSIT



GOOGLE TRANSIT ONLINE

Go to google.com/transit or download the Google Maps App. Enter your "From" and "To" for bus routes, travel time and cost. It's that easy!



TRANSIT MOBILE APP

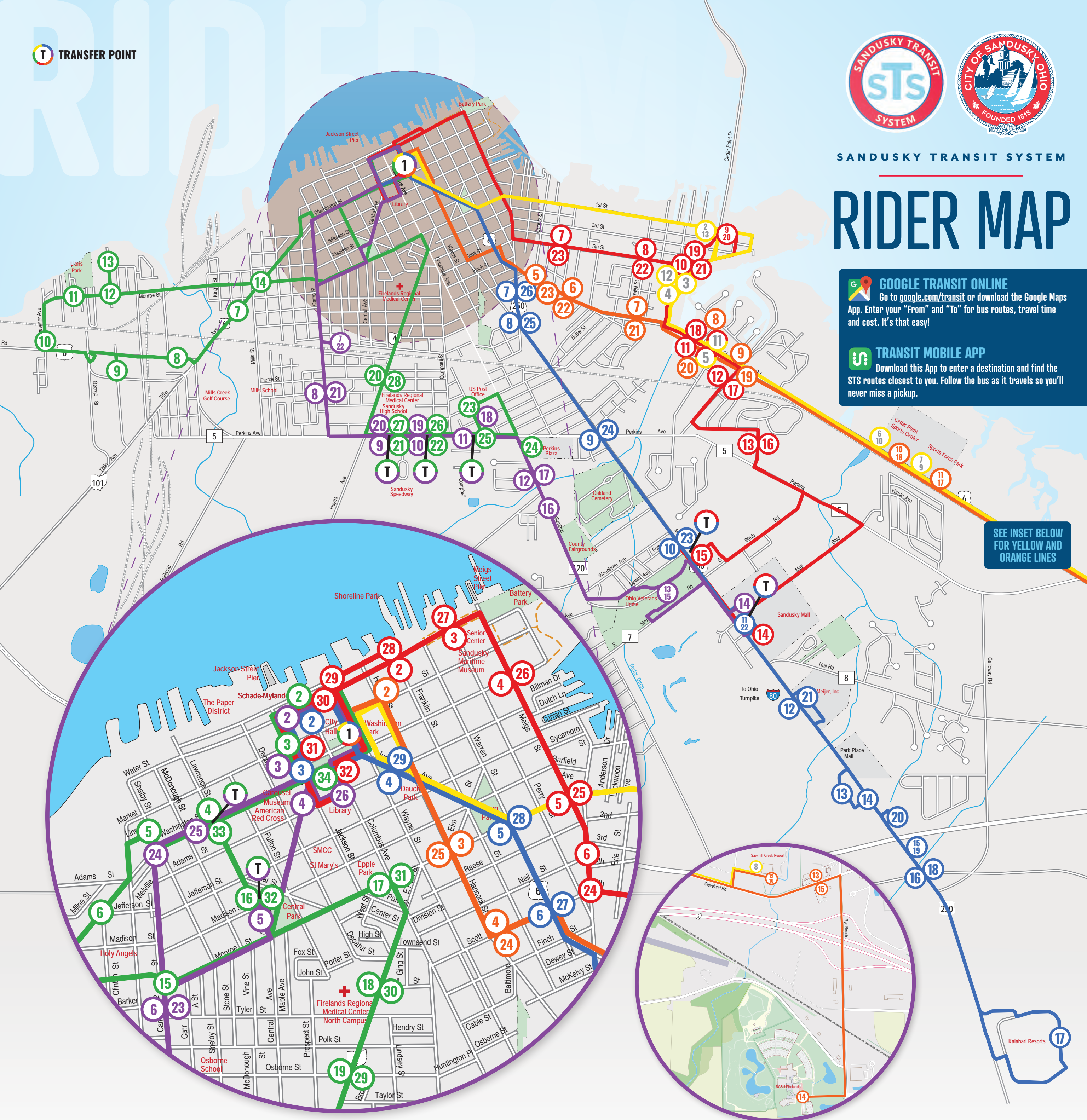
Download this App to enter a destination and find the STS routes closest to you. Follow the bus as it travels so you'll never miss a pickup.

RIDER MAP

GOOGLE TRANSIT ONLINE
Go to google.com/transit or download the Google Maps App. Enter your "From" and "To" for bus routes, travel time and cost. It's that easy!

TRANSIT MOBILE APP
Download this App to enter a destination and find the STS routes closest to you. Follow the bus as it travels so you'll never miss a pickup.

SEE INSET BELOW
FOR YELLOW AND
ORANGE LINES





PLANNING DEPARTMENT

Division of Transit

240 Columbus Ave.
Sandusky, Ohio 44870
419.621.8462
www.cityofsandusky.com

TO: Eric Wobser, City Manager

FROM: Thomas Horsman, Assistant Planner

DATE: September 16, 2020

RE: City Commission Agenda Item

ITEM FOR CONSIDERATION: The purpose of this communication is to request approval of legislation to authorize the City Manager to enter into a Lease Agreement with Serving Our Seniors (SOS) for five (5) wheelchair accessible vehicles.

BACKGROUND INFORMATION: The City currently leases five (5) vehicles from SOS and these leases expire on September 30, 2020. The City and SOS desire to continue the lease agreements for the following vehicles:

- 2014 Ford E-350 1FDEE3FL0EDA72080
- 2017 Ford E-350 1FDEE3FS8HDC57411
- 2017 Ford E-350 1FDEE3FS3HDC57414
- 2017 Ford E-350 StarCraft 1FDEE3FS3HDC70874
- 2017 Ford E-350 StarCraft 1FDEE3FS2HDC70896

STS would be leasing five (5) vehicles for fixed route, demand response and door-to-door service offered within the STS service area for the period of October 1, 2020 through September 30, 2021.

First Transit has agreed to provide normal PM services and repair to the vehicles.

BUDGET IMPACT: There is no additional cost associated with this Resolution. It is intended to cooperatively plan for the future of transit services in Sandusky, Erie County political subdivisions and Local Agencies.

ACTION REQUESTED: It is requested legislation be adopted by the City Commission to allow the City Manager to execute the lease agreement. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order for the Lease Agreement to be fully executed prior to the expiration date of September 30, 2020 and allow the City to continue to utilize the vehicles for public transportation services.

Thomas Horsman,
Assistant Planner

I concur with this recommendation:

Eric Wobser,
City Manager

Matt Lasko,
Chief Development Officer

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH SERVING OUR SENIORS (SOS) FOR THE PURPOSE OF LEASING FIVE (5) TRANSIT VEHICLES FOR USE BY THE SANDUSKY TRANSIT SYSTEM FOR THE PERIOD OF OCTOBER 1, 2020, THROUGH SEPTEMBER 30, 2021; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City currently leases five (5) transit vehicles from SOS for the purpose of providing public transportation services in Erie County, Ohio, and these leases expire on September 30, 2020; and

WHEREAS, the City and SOS desire to continue the leases for the period of October 1, 2020, through September 30, 2021, which termination date will coincide with the proposed Transportation Services Agreement requested for approval in companion legislation; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the Lease Agreement to be fully executed prior to the expiration date of September 30, 2020, and allow the City to continue to utilize the vehicles for public transportation services; and

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

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

Section 1. The City Manager is authorized and directed to enter into a Lease Agreement with Serving Our Seniors (SOS) for the purpose of leasing five (5) transit vehicles for the period of October 1, 2020, through September 30, 2021, for use by the Sandusky Transit System, substantially in the same form as Exhibit "1", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: September 28, 2020

LEASE AGREEMENT

This Agreement is made this _____ day of _____, 2020, by and between Serving Our Seniors, Inc., a private non-profit corporation located at 310 E. Boalt Street, Sandusky, Ohio 44870 (hereinafter referred to as Lessor) and the City of Sandusky (Sandusky Transit System), an Ohio Charter Municipal Corporation with offices at 240 Columbus Avenue, Sandusky, Erie County, Ohio 44870, (hereinafter referred to as Lessee) for complimentary public transportation services to Lessor.

WHEREAS, Lessor owns transit vehicles and desires to lease the vehicles to Lessee for the purpose of providing demand response (door to door), elderly and disabled transportation, and public transportation services in Erie County, Ohio;

WHEREAS, Lessee desires to lease the transit vehicles from Lessor for the purposes of providing demand response (door to door), elderly and disabled transportation, and public transportation services in Erie County, Ohio;

NOW THEREFORE, in consideration of the mutual covenants and considerations herein recited and contained, Lessor and Lessee for the purposes of providing demand response (door to door), elderly and disabled transportation, and public transportation services in Erie County, Ohio, agree as follows:

1. **Lease.**

Lessor hereby leases to the Lessee, and the Lessee hereby leases from the Lessor, subject to all the terms and conditions contained in this Lease, the following motor vehicle(s) (the "Equipment"):

Year	Make	Model	VIN	Agency ID
2014	Ford	E-350	1FDEE3FL0EDA72080	1401
2017	Ford	E-350	1FDEE3FS8HDC57411	1711
2017	Ford	E-350	1FDEE3FS3HDC57414	1712
2017	Ford	E-350 Starcraft	1FDEE3FS3HDC70874	1713
2017	Ford	E-350 Starcraft	1FDEE3FS2HDC70896	1714

2. Title.

This Lease creates a lease only of the Equipment, and shall not be deemed to affect a sale of the Equipment or the creation of a security interest in favor of the Lessee in the Equipment. The Lessor shall remain at all times the sole owner of the Equipment, and nothing contained in this Lease, or the payment of rent or other amounts pursuant to this Lease, shall enable the Lessee to acquire and right, title, or other interest in the Equipment other than the leasehold interest described in this Lease.

Lien holders:

- A. The State of Ohio, who is the first lien holder up to the disposition of the vehicle.
- B. The Lessor.

3. Use of Equipment.

The purpose of the lease is to provide demand response (door to door), elderly and disabled transportation, and public transportation services in Erie County, Ohio and the services provided will not be duplicative of Lessor's general public transportation service. Lessee agrees to promote service as connecting to Lessor routes. Additionally, Lessee agrees to publish material (i.e. brochures) which promote connections to the Lessor.

4. Taxes; Other Charges, Permits.

Lessee shall pay all use taxes, personal property and other direct taxes (federal, state, and local charges and fees) related the public transportation services. Lessee will observe safety rules and other requirements of regulatory bodies and pay all fines due to overload, lack of plates, permits, speeding, etc. Lessor has the option to pay outstanding taxes, licensing, registrations, approvals, permit fees, fines or other charges. Lessee has thirty (30) days to pay Lessor after receipt of invoice related to any payments made by Lessor on behalf of Lessee. Any failure shall be deemed default under section 11. Default.

5. Maintenance and Repair.

Lessee shall pay all expenses (i.e. wages, fuel, oil, tires etc.) and to keep Equipment in a state of good repair. Lessee will provide appropriate facilities for Equipment including maintaining, cleaning, inspecting and storing Equipment and shall return the vehicle in operating order and same condition and state of good repair as date of delivery excluding normal wear and tear.

6. Insurances.

Lessee agrees to carry automobile insurance on the Equipment that is compliant with the Ohio Department of Transportation insurance requirements with a responsible insurance underwriter and as set forth below during the term of this Agreement:

General Liability:

\$500,000 per occurrence

\$300,000 bodily injury

\$50,000 property damage

Certificates:

The Lessee will provide Lessor with a certificate of insurance evidencing the required coverages and amounts. The policy of insurance cannot be modified without thirty (30) days' prior written notice to the Lessor.

7. Operators.

Lessee will provide sole control, supervision and responsibility for and over the operator or operators of the Equipment with competent licensed drivers, trained to Ohio Department of Transportation requirements.

8. Maintenance Records.

Lessee will maintain copies of all maintenance records including preventative maintenance (PM) checklists and work orders. Upon request from Lessor, the Lessee will provide records for required reporting to the Ohio Department of Transportation.

9. Monthly Ridership Reporting.

Lessee shall provide ridership records upon request throughout the terms of the Lease.

10. Return of Vehicles.

On expiration of the Lease term, or earlier termination of the Lease, the Lessee will return Equipment to the Lessor in same condition with reasonable wear and tear accepted and return the Equipment to Lessor to a mutually agreed upon location.

11. Default.

In the event the Lessee fails to perform any of the terms, obligations, conditions and covenants contained in this Lease and required by the Lessee, including any acts set forth in the Maintenance and Repair section above (Section 5), are cause for default and the Lessor may retake and retain the Equipment without due legal process. Including the right to enter property to repossess Equipment and all rights of lease will terminate immediately. Lessor has the right to hold personal property obtained in repossession and hold things of value in public storage at the expense of the Lessee.

Additionally, should the Lessee make any attempt to sell the property or otherwise create encumbrances or levies on the property, this will be deemed an immediate default and the Lessor shall have all rights of repossession as stated above.

12. Waiver.

Failure of Lessor to punctually exercise Lessor's rights in relation to breach of terms shall not be deemed a waiver if:

- such right or remedy;
- the requirement of punctual performance, or any subsequent breach or default on the part of the Lessee.

13. Term/Termination.

The term of this Lease shall commence on October 1, 2020, and terminate on September 30, 2021. This Lease may also be extended on a monthly basis upon the written approval of both parties.

Should the Lessee discontinue its specialized elderly and disabled services (or use public transportation services) or no longer have a desire to use the Equipment during the Lease period, the Lessee shall return the Equipment to the Lessor at address above set forth, in good operating order and in the same condition and state of good repair as at the date of the original delivery, ordinary wear and tear excepted.

Upon full compliance with terms of the Lease, the lease is terminated and neither party shall have any further right or obligations under this Lease. If Lessee is not in full compliance, the Lessor shall have the right to require full compliance with this Agreement notwithstanding the return of the Equipment. As to any partial return of Equipment the lease is still in full effect as to any unreturned property.

14. Accelerated Termination.

If at any time during the terms of this Lease, the Lessor is required to terminate this Lease by ODOT, the FTA, or any other federal agency having jurisdiction over the Lessor or the equipment, or any agency which provided funds or assistance in the Lessor's acquisition of the Equipment, then the Lessor shall have the right to terminate this Lease upon reasonable notice, and the Lessee shall have and bring no claim of any nature whatsoever against the Lessor as a result of such termination.

15. Warranties.

Lessor makes no warranties of any nature, whether expressed or implied, concerning the equipment, or any concerning the equipment and/or its use by Lessee. Lessee accepts the equipment in "as is" condition. The Lessor specifically disclaims any implied warranty of merchantability or fitness for a particular purpose.

16. Prohibited Interest.

No officer, member or employee of Lessor shall participate in any decision relating to this Lease which affects his/her personal interests or the interest of any other business in which the Lessor has any personal or pecuniary interest, direct or indirect, in this lease or the proceeds thereof.

17. Equal Employment Opportunity / Civil Rights Requirements.

In connection with the execution of this contract, Lessee shall not discriminate against any employee or applicant for employment or use of the transportation service provided because of race, religion, color, sex, age, or national origin. Lessee shall take affirmative action to ensure the applicants are employed and that employees are treated during their employment, without regard to their race, religion, color, sex, age, or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment, or advertising, layoff or termination, and selection for training including apprenticeship.

(1) Nondiscrimination - In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, Lessee agrees that it will not discriminate against any employee or applicant for employment

because of race, color, creed, national origin, sex, age, or disability. In addition, Lessee agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

(2) Equal Employment Opportunity - The following equal employment opportunity requirements apply to the underlying contract:

(a) Race, Color, Creed, National Origin, Sex - In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the Service Provider agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. Lessee agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, Lessee agrees to comply with any implementing requirements FTA may issue.

(b) Age - In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § § 623 and Federal transit law at 49 U.S.C. § 5332, Lessee agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, Lessee agrees to comply with any implementing requirements FTA may issue.

(c) Disabilities - In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, Lessee agrees that it will comply with the requirements of U.S. Equal Employment Opportunity

Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, Lessee agrees to comply with any implementing requirements FTA may issue.

(3) Lessee also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

(4) Lessee shall document such affirmative action efforts by providing the Lessor with data relating to the sex, race, age, and classification of each employee of Lessee's organization.

18. Civil Rights Requirements.

Lessee will comply with all requirements imposed by Title VI and Title VII of the Civil Rights Act of 1964 (78 Stat. 252), the Regulation of DOT issued thereunder (CFR Title 49, Subtitle A, Part 21).

19. Compliance with the Americans with Disabilities Act (ADA) Requirements.

Lessee must comply with the Americans with Disabilities Act. Lessee agrees that as a condition to this Agreement that no otherwise qualified disabled person shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under this program or activity that receives or benefits from Federal financial assistance administered by the Lessee through funding by ODOT and FTA.

Lessee shall not be responsible for any violations of the complimentary paratransit provision of the Americans with Disabilities Act or its regulations for service denials in the event Lessee does not authorize the number of vehicle hours required to meet all the trip demand. Lessee shall not be required to provide service without compensation. Lessee shall be solely responsible for adopting operating policies which are in compliance with the ADA.

Lessee agrees to ensure that its equipment is ADA accessible at all times. Lessee further agrees to provide proper preventative maintenance procedures for wheelchair lifts and prompt repair to maintain accessibility. Lessee agrees to have clear and accurate records on lift preventative maintenance and repairs. Furthermore, Lessee agrees to

provide operators that are properly trained on providing safe access to persons with disabilities and persons using the wheelchair lift.

20. Minority and Disadvantaged Business Enterprise (DBE).

Policy. It is the policy of US DOT that disadvantaged business enterprises as defined in 49 CFR Part 26 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds. Consequently, the DBE requirements of 49 CFR Part 26 apply to this Agreement.

DBE Obligation. The Lessor and Lessee agree to ensure that disadvantaged business enterprises as defined in 49 CFR Part 26 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under this contract. In this regard the Lessor and Lessee shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 and the DBE Policy as established by the City of Sandusky to ensure that disadvantaged business enterprises have the maximum opportunity to compete for and perform contracts.

Lessee shall not exclude DBEs from participation in business opportunities by entering into long-term, exclusive agreements with non-DBEs for operation of major transportation related activities or for the provision of goods and services for the Project.

21. Indemnification.

Only to the extent permitted by law, the Lessee covenants and agrees to indemnify, defend, and hold harmless the Lessor, the Lessor's Board of Commissioners and its employees, individually and collectively, from all fines, suits, claims, demands, actions, costs, expenses, or liabilities of any kind or nature, including legal expenses and attorney's fees, arising from the sue, maintenance, and operations of the equipment.

22. Entire Agreement and Signature.

This instrument contains the entire agreement between the parties, and shall be binding on their respective heirs, executors, administrators, legal representatives, successors and assigns. The Agreement may not be amended or altered except by a written agreement signed by both parties.

SIGNATURE PAGE TO FOLLOW

IN WITNESS THEREOF, the parties have executed this Agreement on the day and year first written above.

In the presence of:

LESSOR: SERVING OUR SENIORS, INC.

Witness

Sharon Turini-Kent, President of the
Board of Trustees

Witness

Dave Brink, Treasure of the Board of
Trustees

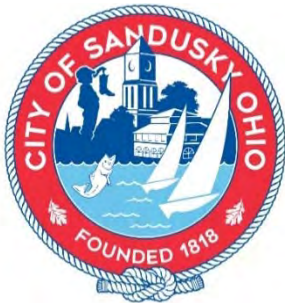
LESSEE: CITY OF SANDUSKY

Witness

Eric L. Wobser, City Manager

Approved as to Form:

Justin D. Harris #0078252
Interim Law Director
City of Sandusky



PLANNING DEPARTMENT

Division of Transit

240 Columbus Ave.

Sandusky, Ohio 44870

419.621.8462

www.cityofsandusky.com

TO: Eric Wobser, City Manager

FROM: Thomas Horsman, Assistant Planner

DATE: September 16, 2020

SUBJECT: **Erie County Department of Job and Family Services Transportation Services Contract Agreement**

ITEM FOR CONSIDERATION: Legislation requesting approval for the City Manager to enter into a contract for transportation services between the City of Sandusky and the County Commissioners of Erie County, Ohio starting October 1, 2020 through September 30, 2021.

BACKGROUND INFORMATION: The City, through the Sandusky Transit System, has provided transportation services for the Department of Job and Family Services since May of 2016. The Sandusky Transit System (STS) will continue to provide safe and reliable transportation services in Erie County, and into surrounding counties, to Erie County Job and Family Services (ECJFS) clients. The clients will be transported on a daily schedule coordinated between STS and ECJFS.

In July 2020, the Board of Erie County Commissioners sent out a Request for Bids for transportation services for Erie County Job and Family Services clients, to which the City of Sandusky submitted a bid on August 19, 2020. On September 16, 2020, ECJFS notified the City of Sandusky that STS's bid was accepted. The contract is for an initial term of one (1) year with the option to extend for two (2) additional one (1) year terms. The contract stipulates that STS will be paid at a rate of \$2.85 per passenger mile for the sum not to exceed \$294,973.00. This proposed contract will expire September 30, 2021.

BUDGET IMPACT: STS will bill at a per-mile rate, as established in the Contract, from ECJFS for the length of the proposed contract. The revenue from this agreement will be used as matching grant funds for the Ohio Department of Transportation (ODOT) Program Grant.

ACTION REQUESTED: It is requested that the Erie County Department of Job and Family Services Transportation Services Contract 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 execute the contract prior to the commencement date of October 1, 2020, and to continue uninterrupted services to ECJFS clients.

I concur with this recommendation:

Eric Wobser
City Manager

Matt Lasko
Chief Development Officer

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

NOTICE OF AWARD

To: **CITY OF SANDUSKY**
240 COLUMBUS AVE.
SANDUSKY, OH 44870

Project Description: **ERIE COUNTY DEPARTMENT OF JOB AND FAMILY SERVICES
TRANSPORTATION SERVICES**

The Contracting Authority has considered the bid submitted by you on the bid date of August 19, 2020 for the above-described work in response to its advertisement for bids and Instructions to Bidders. You are hereby notified that your bid has been accepted in the total estimated amount of **\$294,973.00**, subject to fluctuations up or down at any time during the contract period.

You are required by the Instructions to Bidders to execute the agreement and furnish the required Contract Bond, if applicable, and Certificates of Insurance within ten calendar days from the date of this notice.

If you fail to execute said agreement and to furnish said bond and Certificates of Insurance within ten days from the date of this notice, Contracting Authority will be entitled to consider all your rights arising out of the acceptance of your bid as abandoned and as a forfeiture of your bid guaranty, subject to the liability as set forth in O.R.C. 153.54. The Contracting Authority will be entitled to such other rights as may be granted by law. You are required to return an acknowledged copy of this Notice of Award to the Contracting Authority.

Dated this 16 day of September, 2020.

Signature: 
Patrick J. Shenigo

Title: President, Erie County Commissioners

ACCEPTANCE OF NOTICE

Receipt of the above Notice of Award is hereby acknowledged by **CITY OF SANDUSKY** on this _____ day of September, 2020.

Signature: _____

Name and Title: _____

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR TRANSPORTATION SERVICES BETWEEN THE CITY OF SANDUSKY AND THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY FOR THE DEPARTMENT OF JOB AND FAMILY SERVICES FOR THE PERIOD OF OCTOBER 1, 2020, THROUGH SEPTEMBER 30, 2021; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City of Sandusky through the Sandusky Transit System has provided transportation services for the Department of Job and Family Services since May of 2016; and

WHEREAS, in July of 2020, Erie County issued a Request for Bids to provide these same transportation services in which the City submitted a bid on August 19, 2020, and was subsequently awarded the bid on September 16, 2020; and

WHEREAS, the Sandusky Transit System will provide safe, reliable, transportation services to approved Erie County Department of Job and Family Services (ECDJFS) clients throughout Erie County on a daily schedule coordinated between the Sandusky Transit System and ECDJFS; and

WHEREAS, the contract will be effective for an initial term of one (1) year beginning on October 1, 2020, through September 30, 2021, with an option to extend for two (2) additional one (1) year terms; and

WHEREAS, the Sandusky Transit System will receive \$2.85 per passenger mile from Erie County and these funds received will be used as matching grant funds for the Ohio Department of Transportation Program grant; 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 approve the terms and execute the contract prior to the commencement date of October 1, 2020, to continue uninterrupted service to the Erie County Department of Job & Family Services; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Sandusky Transit System, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **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 be and hereby is authorized to execute a Contract with the Board of County Commissioners of Erie County for transportation services, substantially in the same form as reflected in Exhibit "1" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and being consistent with the objectives and requirements of this Ordinance and with carrying out the City's public purposes.

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 28, 2020

CONTRACT

This Contract made this _____ day of _____, 2020, by and between City of Sandusky, 240 Columbus Avenue, Sandusky, Ohio 44870, hereafter called the "Contractor" and the Board of Commissioners, Erie County, Ohio hereinafter called "Contracting Authority".

Witnesseth, that the Contractor and Contracting Authority, for the considerations stated herein, mutually agree as follows:

CONTRACTOR SERVICE REQUIREMENTS

The Contractor shall furnish all supervision, technical personnel, labor, materials, equipment and service to perform and complete all work required for the project; namely, DEPARTMENT OF JOB AND FAMILY SERVICES TRANSPORTATION SERVICES, all in strict accordance with the contract documents as prepared by the Erie County Finance Department.

CONTRACTOR RESPONSIBILITIES

For completing the aforesaid work, the Contracting Authority will pay the Contractor, upon the Contractor submitting a detailed invoice for the work performed in accordance with the provisions in the original specifications. The Contractor shall invoice the Contracting Authority only for "loaded" miles (miles for which there is an approved client in the vehicle). The Contractor shall not invoice the Contracting Authority for any unoccupied vehicle time including wait periods and no shows. Contractor shall submit invoices for services by the 15th day of each month for services provided in the prior month (ex. Services for month of May submitted no later than June 15th). Invoices will be monitored to determine that services were provided and appropriate fees were charged to the Contracting Authority.

COSTS

The Contracting Authority will pay the Contractor for the total quantities of work performed at the Standard Unit Rate per Passenger Mile of \$2.85 for the respective items of work completed for the sum not to exceed \$294,973.00 (Two Hundred Ninety-Four Thousand Nine Hundred Seventy-Three Dollars) per year, subject to additions and deductions. Contracted number of miles are estimates only and are subject to fluctuate up or down at any time during the contract period.

TERM

This contract shall remain in effect for an initial term of one (1) year. The contract period will run from October 1, 2020 through September 30, 2021. By mutual agreement of the Parties, the contract may be extended for two (2) additional one (1) year periods with all other terms of the contract remaining the same, unless amended by a written amendment signed by all Parties.

TERMINATION

This contract shall terminate automatically if the Vendor fails to meet all licensing requirements imposed by law. This contract may also be terminated on the basis of adverse findings in the audit required by previous Articles, or at any time, upon thirty (30) days written notice by either party.

AMENDMENT OF CONTRACT

This contract may be amended at any time by a written amendment signed by both parties, and submitted to the Ohio Department of Job and Family Services, in the manner required by state regulations. Rates shall be re-examined at the end of each contract term to identify if amendments are needed to correspond with actual cost of delivery of service.

INSURANCE REQUIREMENTS

The Contractor agrees to meet all insurance requirements, and workers' compensation requirements in accordance with the provisions in the original specifications and as required by the Ohio Revised Code.

MODIFICATION

If the materials or services provided herewith do not satisfactorily meet the needs of the Contracting Authority, the contract may be terminated upon thirty days written notice.

NON-DISCRIMINATION

The Contractor nor any person acting on behalf of the Contractor shall, in the hiring of employees for the performance of work under the contract or any subcontract, no contractor, subcontractor, or any person acting on a contractor's or subcontractor's behalf, by reason of race, creed, sex, disability as defined in O.R.C. 4112.01, or color, shall discriminate against any citizen of the state in the employment of labor or workers who is qualified and available to perform the work to which the employment relates and also no contractor, subcontractor, or any person on a contractor's or subcontractor's behalf, in any matter, shall discriminate against or intimidate any employee hired for the performance of work under the contract on account of race, creed, sex, disability as defined in O.R.C. 4112.01, or color.

FINDINGS FOR RECOVERY

The Contractor affirmatively represents and warrants to the State that it is not subject to a finding for recovery under R.C. 9.24, or that it has taken appropriate remedial steps required under R.C. 9.24 or otherwise qualifies under that section. The Contractor agrees that if this representation or warranty is deemed to be false, the Agreement shall be void *ab initio* as between the parties to this Agreement, and any funds paid by the State hereunder immediately shall be repaid to the State, or an action for recovery immediately may be commenced by the State for recovery of said funds.

COUNTERPARTS

This contract may be executed in two or more counterparts, each of which shall be considered an original and can be executed and delivered by facsimile or electronically in Microsoft Word or PDF format.

COMPONENT PARTS OF THIS CONTRACT

The executed contract documents shall consist of the following:

- a. This Contract
- b. Bid Specifications
- c. Signed copy of Bid
- d. Addendum #1
- e. Contract Limitation Certificate

These documents constitute the entire contract between the parties and its provisions shall be construed in accordance with the laws of the State of Ohio. This contract, together with other documents listed above, forms the contract between the parties hereto. In the event that any provision in any component part of this contract conflicts with any provision of any other component part, the provision of the component part first listed above shall govern, except as otherwise specifically stated.

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

CONTRACTOR: CITY OF SANDUSKY

CONTRACTING AUTHORITY
BOARD OF COMMISSIONERS
OF ERIE COUNTY, OHIO

Signature

Patrick J. Shenigo

Title

Mathew R. Old

Taxpayer I.D. #

Stephen L. Shoffner

Approved as to Form:

Asst. Prosecuting Attorney

Approved as to Content:

Elected or Appointed Official

CONTRACT LIMITATION CERTIFICATE

I, _____, on behalf of **CITY OF SANDUSKY**

(Name of representative of vendor)

do hereby acknowledge that the maximum amount of monetary obligation of Erie County, Ohio, i.e., Board of County Commissioners of Erie County, Ohio, under the hereinbefore attached contract or agreement is **\$294,973.00** per year UNLESS the Board of Erie County Commissioners gives **PRIOR APPROVAL** for additional expenditures of money under the contract or agreement and the County Auditor certifies to the availability of such additional funds. Erie County, Ohio, i.e., the Board of County Commissioners of Erie County, Ohio **SHALL NOT BE HELD LIABLE** by **CITY OF SANDUSKY** for any monetary obligations under this contract or agreement above the maximum amount of **\$294,973.00** per year, UNLESS expenditures are approved by the Board.

Representative of Vendor

Sworn to before me and subscribed in my presence this _____ day of _____,
_____.

(Notary Public)

APPROVED AS TO CONTENT

(Appointed or Elected Official)



ERIE COUNTY FINANCE DEPARTMENT

2900 Columbus Avenue, Sandusky, Ohio 44870

Ed Widman, Director of Finance

Phone: 419-627-7642

Fax 419-624-6935

Leah Trumpower

Purchasing Coordinator

LTrumpower@eriecounty.oh.gov

(419) 627-7618

Alyssa Heater

Budget Analyst

AHeater@eriecounty.oh.gov

(419) 627-7619

Melissa Tomaro

Assistant Finance Director

MTomaro@eriecounty.oh.gov

(419) 627-7648

August 13, 2020

ADDENDUM #1

REQUEST FOR BIDS

FOR

DEPARTMENT OF JOB & FAMILY SERVICES TRANSPORTATION SERVICES 2020

CONTRACTING AUTHORITY BOARD OF COUNTY COMMISSIONERS OF

ERIE COUNTY, OHIO

TO ALL BIDDERS:

THIS DOCUMENT SUPPLEMENTS AND AMENDS THE ORIGINAL SPECIFICATIONS AND SHALL BE TAKEN INTO ACCOUNT IN PREPARING PROPOSALS AND SHALL BECOME A PART OF THE CONTRACT DOCUMENTS.

This will be known as Addendum No. 1.

Indicate receipt on the appropriate "Bid Form" within the Project Specifications.

Questions Submitted:

1. Will the Agency accept invoices from the vendor twice a month instead of only one time per month? **Monthly invoicing is preferred, but we will accept a bimonthly billing as follows: one invoice for the 1st thru the 15th, and one invoice for the 16th thru the last day of the month.**
2. Will the vendor be able to charge a cancellation fee if a ride is cancelled without notice? **NO.**
3. If a ride request is under one mile distance, can a minimum be charged? **The Agency will allow the vendor to bill a minimum of 1 (one) mile if the ride distance is less than one mile.**
4. Will the vendor be paid for additional passengers that are going to the same destination? **NO.**
5. Is the vendor required to have the client's signature for verification of each ride? **YES, each driver should maintain a log sheet with the date and time of pick up. The client needs to sign the log.**

6. Due to the current COVID-19 pandemic, can the vendors require the clients to wear face mask while in their vehicles, or have the right to refuse service if mask will not be worn? **We are depending on each vendor to require each passenger to wear a mask while in the vehicle.**
7. Will the Agency accept bids that are submitted using a tiered mileage rate? **NO, we will only accept one per mile rate for all miles that are driven.**
8. When vendors provide transportation to JFS clients, are they able to have other cash paying clients in the vehicle at the same time? **We are not concerned with having a cash paying client in the vehicle at the same time as our client.**
9. Is the vendor able to subcontract the work? **Yes, but written consent of The Board of County Commissioners of Erie County, OH is required. Taxi providers and rideshare partners would be considered.**
10. Regarding background checks, they are required for any driver that will transport the JFS clients and they are also required for all owners and management. Can JFS obtain this information through the police department or City of Sandusky since it is already on file with those agencies? **The vendor will be responsible for providing all background check documentation directly to the Agency, JFS. The vendor may submit their most current background checks when the contract begins. When a new background check is completed and submitted in January, those can then be provided to JFS.**
11. Who is currently operating the contract? **The current contracts for these services are with Majestic Transportation, City of Sandusky, D&D Rides, and Cruisin' City Taxi.**
12. How many in town transports were scheduled last year and what was the average mileage? **That number is not available, only the average mileage for all transports combined, which is 26 miles.**
13. How many out of town transports were scheduled last year and what was the average mileage? **That number is not available, only the average mileage for all transports combined, which is 26 miles.**
14. What are the service areas by city or zip code? **Sandusky, Toledo, Cleveland, Columbus, Norwalk, Vermilion, Huron, Castalia, Fremont, Avon, Lorain, Elyria, Clyde, Bellevue, Westlake.**
15. What are the annual number of sedan and wheelchair trips? **Numbers not available.**
16. Do any local Living Wage Ordinances affect the contract? **Unknown.**
17. What are the annual historical call center statistics? **Information not available.**
18. What is the current process for scheduling trips?
The agency does a determination to see if the client is eligible for the program.
The NET staff worker and the client communicate on the medical appointments that are needed (time and location).
The staff sets up the transportation on the schedule for a vendor.
The staff worker emails the vendor two days in advance of the necessary rides.
19. How can the vendors handle issues that may arise outside of normal business hours? **The Agency is attempting to work with the facility that requires early morning bottle checks with clients. The NET transportation cannot be available those hours since our Agency is not open.**

20. Are the vendors required to carry workers' compensation coverage and unemployment insurance if they have less than 5 employees? [See the full response below directly from our legal counsel.](#)

The short answer is yes to both, for any company with employees. The possible exceptions are unlikely to apply, but anyone with questions should contact the two state bureaus. These are not "insurance" in the ordinary sense, they are state programs that almost all employers must participate in. Here is some general information, which they should check into:

Ohio Worker Compensation Requirements

All employers with one or more employees must carry workers' compensation insurance.

Details/Exceptions:

Coverage is optional for sole proprietors, partners, family farm corporate officers, LLCs acting as partnerships, an LLC acting as sole proprietor, and individuals incorporated as a corporation (with no employees).

Options:

The only workers' compensation insurance option in Ohio is through the state-administered fund. Self-insurance and private insurance are not permitted.

[Visit: Ohio Bureau of Workers' Compensation](#)

Ohio Unemployment Insurance Requirements

In most situations, you are considered a liable employer under the Ohio unemployment law if you meet either of the following requirements:

- You have at least one employee in covered employment for some portion of a day in each of 20 different weeks within either the current or the preceding calendar year; or
- You paid wages of \$1500 or more to employees in covered employment in any calendar quarter within either the current or the preceding calendar year.

There are somewhat different requirements for [domestic](#) employment, [agricultural](#) employment, [non-profit organizations](#) exempt from federal income tax under Section 501c3, [public entities](#), employers subject to the Federal Unemployment Tax Act, and employers who have acquired a business from an employer who was subject to Ohio law at the time the change occurred.

Employer Obligations

Under Ohio law, as an employer, you are responsible to contact the agency as soon as you employ one or more individuals in covered employment. If you think you may be liable, or if you have questions about whether you are required to pay unemployment taxes, please contact the Contribution Section at 614-466-2319, or write to us at ODJFS, Contribution Section, PO Box 182404, Columbus, Ohio 43218-2404.



COMMUNITY DEVELOPMENT

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

TO: Eric Wobser, City Manager

FROM: Debi Eversole, Housing Development Specialist

DATE: September 21, 2020

RE: City Commission Agenda Item

ITEMS FOR CONSIDERATION: Legislation requesting approval to accept nine (9) parcels of nonproductive land situated within the City of Sandusky through the City of Sandusky's Land Reutilization Program for the purpose of facilitating reutilization of the nonproductive land.

BACKGROUND INFORMATION: Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code to acquire vacant and abandoned tax delinquent property with the future goal of productive reuse of the land. The City's ability to assemble land for reuse and redevelopment is critical to stabilizing and rebuilding Sandusky's neighborhoods and is necessary for neighborhood revitalization. The goal of the City of Sandusky's Land Reutilization Program is to return vacant and abandoned tax delinquent property to productive use that benefits the community. If a property is not producing tax revenues, less money is collected and available for enhancements back into the community. Also because the property is abandoned, it is not maintained and often becomes an illegal dumping ground. The City spends thousands of dollars per year maintaining weeds and nuisance conditions on abandoned properties. By returning the property back to a long-term tax producing status, more revenue is generated and available for community improvements and the City will not have to expend funds to maintain it. All nine (9) parcels requested for acquisition are tax delinquent and have been deemed to be necessary and/or beneficial to the Land Reutilization Program efforts and were approved by the Land Bank Committee on September 21, 2020. Seven (7) parcels have vacant structures on them and two (2) parcels are vacant land.

- The structure located at **1218 Cleveland Rd, Erie County Parcel #57-04182.000** is a vacant commercial building that formerly housed medical offices. The property is zoned General Business and sits on 1.2693 acres. There is a secondary vacant parcel identified as **Erie County Parcel #57-04182.002** that is listed in the foreclosure case. This lot is zoned General Manufacturing and sits on .3984 acre. Both properties are in current foreclosure status and if it is not sold at Sheriff's sale, the City would acquire the property for future development.
- The structure located at **1604 Camp Street, Erie County Parcel #58-00044.000** is a vacant one (1) story, single family residential structure with a lot size of 31' x 71'. The property is zoned Residential Business and has 1,090 sq. ft. of living space with three (3) bedrooms and one (1) bathroom. The property is in current foreclosure status and if it is not sold at Sheriff's sale, the City would acquire the property and evaluate for rehabilitation.
- The structure located at **406 Perry Street, Erie County Parcel #56-00580.000** is a vacant two (2) story, single-family residential structure with a lot size of 33' x 94'. The property is zoned Two-Family Residential

and has 1,630 sq. ft. of living space with three (3) bedrooms and one (1) bathroom. The property is condemned and is in current foreclosure status and if it is not sold at Sheriff's sale, the City would acquire the property and evaluate for demolition.

- The structure located at **1014 Seavers Way, Erie County Parcel #57-02769.000** is a vacant one (1) story, single family residential structure with a lot size of 40' x 78'. The property is zoned Single Family Residential and has 851 sq. ft. of living space with two (2) bedrooms and one (1) bathroom. There is a secondary vacant parcel identified as **Erie County Parcel #58-02770.000** that is listed in the foreclosure case. This lot is zoned Single Family Residential with lot dimensions of 40' x 77'. Both properties are in current foreclosure status and if it is not sold at Sheriff's sale, the City would acquire both properties for and evaluate for rehabilitation.
- The structures located at **412 & 414 Columbus Ave, Erie County Parcel #56-00164.000 and #56-00163.000** are condemned two (2) story, multi family structures that sit on .1325 acre. The properties are zoned General Business and also listed on the Ohio National Registry. Both properties are in current foreclosure status and if it is not sold at Sheriff's sale, the City would acquire both properties for and evaluate for rehabilitation.
- The structure located at **421 Fulton Street, Erie County Parcel #59-01165.000** is a vacant two (2) story, single family residential structure with a lot size of 33' x 113'. The property is zoned Two 1904 sq. ft. of living space with four (4) bedrooms and two (2) bathrooms. The property owner has requested to gift the property to the City of Sandusky in lieu of tax foreclosure. If acquired, the City would evaluate for rehabilitation.

The Land Bank Committee has determined that the acquisition of the nine (9) parcels is necessary to protect, improve and preserve the stability of the neighborhoods that they are located in.

BUDGET IMPACT: The cost of these acquisitions will be approximately one thousand three hundred and sixty dollars (\$1,360.00) to pay for the title exams and transfer fees. This expense will be paid out of the Land Bank expense account and will be recouped upon sale of the properties. The City will not collect the approximately five thousand seven hundred twelve dollars (\$5,712.00) owed to the City in special assessments, nor will the taxing districts collect the approximately thirty nine thousand seven hundred thirty two dollars (\$39,732.00) owed in delinquent taxes. However, all or part of these delinquencies may be recouped and reimbursed upon the sale of the parcels. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately nine thousand three hundred thirty four dollars (\$9,334.00).

ACTION REQUESTED: It is requested legislation be adopted allowing the City Manager to acquire nine (9) parcels of land through the City of Sandusky's Land Reutilization Program. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to allow the Erie County prosecutor's Office to proceed with the Sheriff's sales and judicial foreclosure process in a timely manner.

Debi Eversole, Housing Development Specialist

I concur with this recommendation:

Matt Lasko, Chief Development Officer

Eric L. Wobser, City Manager

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

CERTIFICATE OF FUNDS

In the Matter of: Landbank Property Acquisition

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 #: 239-4357-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 9/24/2020

RESOLUTION NO. _____

A RESOLUTION APPROVING AND ACCEPTING CERTAIN REAL PROPERTY FOR ACQUISITION INTO THE LAND REUTILIZATION PROGRAM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

WHEREAS, it is requested that the City accept nine (9) parcels of nonproductive land situated within the City of Sandusky as further described in attached Exhibit "A", for placement in the Land Reutilization Program Inventory; and

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

WHEREAS, the nine (9) parcels requested for acquisition are tax delinquent and have been deemed to be necessary and/or beneficial to the Land Reutilization Program efforts and was approved by the Land Bank Committee on September 21, 2020; and

WHEREAS, upon City Commission approval and if acquired, the commercial building located at 1218 Cleveland Road, along with an adjoining vacant lot, will be marketed for future development and the residential structure located at 406 Perry Street will be evaluated for demolition; and

WHEREAS, upon City Commission approval and if acquired, the residential structures located at 1604 Camp Street, 412 & 414 Columbus Avenue, and 1014 Seavers Way, which has an adjoining vacant lot, will be evaluated for rehabilitation; and

WHEREAS, upon City Commission approval and if acquired, the property located at 421 Fulton Street will be gifted to the City and evaluated for rehabilitation; and

WHEREAS, any future sales of the parcels requested for acquisition will be presented to the City Commission by Ordinance for approval of disposition and sale; and

WHEREAS, the cost of these acquisitions will be approximately \$1,360.00 for the cost of title exams and transfer fees and these costs may be recouped by the City upon sale of the properties; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City in order to allow the Erie County Prosecutor's Office to proceed with the Sheriff's sales and judicial foreclosure process in a timely manner; and

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

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

Section 1. This City Commission hereby approves and accepts for acquisition into the Land Reutilization Program nine (9) parcels of nonproductive land situated within the City of Sandusky, as further described in Exhibit "A", a copy of which is attached to this Resolution and specifically incorporated herein.

Section 2. This City Commission authorizes and directs the City Manager to acquire the nonproductive land in accordance with the City of Sandusky's Land Reutilization Program in order to facilitate reutilization of the nonproductive land to support neighborhood revitalization and development within the City.

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

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

PAGE 3 - RESOLUTION NO. _____

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: September 28, 2020

9/21/20

EXHIBIT "A"

[illegible]



DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5829
www.cityofsandusky.com

To: Eric Wobser, City Manager

From: Troy Vaccaro, Fleet Maintenance Chief Foreman

Date: September 21, 2020

Subject: Commission Agenda Item – Permission to dispose of unneeded items

ITEM FOR CONSIDERATION: It is requested that the City Commission authorize legislation to dispose of unneeded items and Six (6) vehicles, pursuant to Section 25 of the City Charter.

BACKGROUND INFORMATION: It has been determined by the Fleet Maintenance Chief Foreman that the items and vehicles listed below are beyond their useful life or of no use to the City and that the items should be declared obsolete, unnecessary and unfit for City use. It is requested that the items be sold on GovDeals, an internet auction site for government entities.

2005 Chevrolet Impala: 2G1WF55K859165302 – 156,945 miles: This vehicle was last used by Fleet Maintenance. This vehicle was originally purchased new for the Police Department and was used as a marked patrol car. Car is beyond its useful lifespan. Proceeds of this sale will be deposited into the Issue 8 revenue account (431-6202-48000).

2002 Chevrolet S-10: 1GCCS19W428563522 – 86,296 miles: This vehicle was last used by Fleet Maintenance. This vehicle was originally purchased new for the Nuisance Control Officer. It was transferred to Fleet Maintenance in 2009 to be used as a small service truck. Truck has exceeded its useful lifespan. Proceeds of this sale will be deposited into the Issue 8 revenue account (431-6202-48000).

2003 Ford Crown Victoria: 2FAFP71W43X216608 – 179,358 miles: This vehicle was last used by The Planning Department. This vehicle was originally purchased new for the Police Department and was used as a marked patrol car. It was transferred to Fleet Maintenance in 2009 to be used as a pool car, and transferred again in 2018 to Planning for use as an inspector car. The car has exceeded its useful lifespan. Proceeds of this sale will be deposited into the Issue 8 revenue account (431-6202-48000).

2003 Ford Crown Victoria: 2FAFP71W63X216609 – 163,654 miles: This vehicle was last used by BIWW Plant as a pool car. This vehicle was originally purchased new for the Police Department and was used as a marked patrol car. It was transferred to Fleet Maintenance in 2007 to be used as a pool car, and transferred again in 2011 to BIWW for use as a pool car. The car has exceeded its useful lifespan. Proceeds of this sale will be deposited into the Issue 8 revenue account (431-6202-48000).

1996 F800: 1FDYF80E7TVA15089 – 108,053 miles: 10,093 Hours – Street truck #3 was purchased new for the Street Dept. with snow and salting equipment. The truck was recently replaced and has exceeded its useful lifespan. Proceeds of this sale will be deposited into the Issue 8 revenue account (431-6202-48000).

1997 F800: 1FDYF80E1VVA28911 – 128,845 miles: 10,681 Hours – Street truck #39 was purchased new for the Street Dept. with snow and salting equipment. The truck was recently replaced and has exceeded its useful lifespan. Proceeds of this sale will be deposited into the Issue 8 revenue account (431-6202-48000).

Toro Proline 37" Walk Behind Mower: 5,256 Hours – Unit has a bad engine and has exceeded its useful lifespan. Proceeds of this sale will be deposited into the Issue 8 revenue account (431-6202-48000).

Miscellaneous new and used service parts: These are automotive, truck, construction, and lawn & garden parts that are surplus and are no longer valuable to support the City's current assets. Proceeds from this sale will be deposited into the general fund.

Miscellaneous used electronic equipment: This equipment will include two-way radios, light bars and sirens. Proceeds from this sale will be deposited into the general fund.

BUDGETARY INFORMATION: Proceeds from the sale of the items will be placed into the City's Issue 8 revenue account and the General Fund.

ACTION REQUESTED: It is requested the attached legislation be approved authorizing the disposal of the vehicles and equipment listed above. It is further requested this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to allow for the depreciating items to be placed on the internet and sold at the earliest opportunity to continue with good housekeeping practices.

I concur with this recommendation:

Eric Wobser, City Manager

John Orzech, Assistant City Manager

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO DISPOSE OF VEHICLES AND MISCELLANEOUS ITEMS AS HAVING BECOME UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

WHEREAS, the following vehicles and miscellaneous items have been determined by the Fleet Maintenance Chief Foreman to be beyond their useful life and/or of no use to the City and is recommending the vehicles be declared obsolete, unnecessary and unfit for City use and it is requested the items be disposed of via www.Govdeals.com, which is an internet auction site for governmental entities:

<u>Year / Make / Model</u>	<u>Vehicle ID Number</u>	<u>Mileage</u>
2005 Chevrolet Impala	2G1WF55K859165302	156,945
2002 Chevrolet S-10	1GCCS19W428563522	86,296
2003 Ford Crown Victoria	2FAFP71W43X216608	179,358
2003 Ford Crown Victoria	2FAFP71W63X216609	163,654
1996 F800	1FDYF80E7TVA15089	108,053
1997 F800	1FDYF80E1VVA28911	128,845
<u>Miscellaneous Items</u>		
Toro Proline 37" Walk Behind Mower (5,256 hours)		
New and used service parts (automotive, truck, construction, and lawn & garden)		
Electronic Equipment including two-way radios, light bars and sirens		

WHEREAS, the proceeds from the sale of the vehicles and Toro Mower will be placed into the Issue 8 Fund (431-6202-48000) and the proceeds from the sale of the service parts and electronic equipment will be placed into the General Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the depreciating vehicles and items to be placed on the internet for auction at the earliest opportunity to continue with good housekeeping practices; and

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

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

Section 1. This City Commission finds and determines that the vehicles and miscellaneous items described in the preamble above have become obsolete and are unnecessary and unfit for City use pursuant to Section 25 of the City Charter and the City Manager is authorized and directed to dispose of the vehicles and miscellaneous items no longer needed for City purposes through internet auction with the proceeds from the sale of the vehicles and Toro Mower to be placed into the Issue 8 Fund (431-6202-48000) and the proceeds from the sale of the service parts and electronic equipment to be placed into the General Fund.

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 28, 2020



DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5829
www.cityofsandusky.com

To: Eric Wobser, City Manager

From: Troy Vaccaro, Fleet Maintenance Chief Foreman

Date: September 21, 2020

Subject: Commission Agenda Item – Permission to dispose of unneeded items

ITEM FOR CONSIDERATION: It is requested that the City Commission authorize legislation to dispose of unneeded items, pursuant to Section 25 of the City Charter.

BACKGROUND INFORMATION: It has been determined by the Fleet Maintenance Chief Foreman that the items listed below are beyond their useful life or of no use to the City and that the items should be declared obsolete, unnecessary and unfit for City use. It is requested that the items be sold on GovDeals, an internet auction site for government entities.

Eight (8): Used light bars – Removed from Sandusky Police Department service. Proceeds of this sale will be deposited into the General Fund.

Miscellaneous new and used service parts: These are automotive, truck, construction, and lawn & garden parts that are no longer valuable to support the City's current assets. Proceeds from this sale will be deposited into the General Fund. Below is a list of parts to be sold:

MOTORCRAFT:

One (1) – BRCLS-203-RM / 6C2Z-ZV563-CRM Brake Caliper Kit
One (1) – BRCL-203-RM / 6C2Z-ZV563-BRM Brake Caliper Kit
One (1) – BRCLS-6-RM / F7TZ-ZV140-AARM Brake Caliper Kit
One (1) – BRCL-202-RM / 6C2Z-ZV562-BRM Brake Caliper Kit
One (1) – BRCLS-202-RM / 6C2Z-ZV562-CRM Brake Caliper Kit
One (1) – BRCLS-7-RM / F7TZ-ZV141-AARM Brake Caliper Kit
One (1) – MEOE-15 / ILZZ-32802-DY Tie Rod
Two (2) – MD51289 / FZUZ-3V130-B Tie Rod
One (1) – BR87B / ZU2Z-ZV200-FARM Brake Shoe's
One (1) – MEOE-118 / 6C2Z-3A131-C Tie Rod End
Two (2) – BRSD-802 / ZU2Z-2V200-HB Brake Pads
Four (4) – BRSD-655 / ZU2Z-2V001-AG Brake Pads
Two (2) – BRSD-411 / ZU2Z-2V001-AH Brake Pads
One (1) – STG-287-RM / 8C2Z-3504-ARM Steering Gear
One (1) – WC-95644 / YC2Z-14300-CA Battery Cable
Two (2) – BRR71 / YC2Z-1V125-BA Rotor
Six (6) – BRCF-154 / 8C2Z-2B121-CC Caliper
One (1) – BRCF-153 / 8C2Z-2B120-CR Caliper
Four (4) – BRCF-205 / BC2Z-2553-A Housing
Four (4) – BRCF-204 / BC2Z-2552-A Housing
Two (2) – BRRF-54 / XC2Z-2C026-BB Rotor
One (1) – BRRF-33 / F8UZ-1102-AB Hub
Two (2) – BRCLS-138-RM / 5C2Z-2V562-BARM Caliper
Two (2) – BRCLS-139-RM / 5C2Z-2V563-BARM Caliper
Two (2) – BRR6 / YC2Z-1V125-AA Rotor

One (1) – KM-4506 / XC2Z-8286-CA Hose Assembly
One (1) – KM-4539 / XC2Z-8260-CB Hose
One (1) – KT-114 / BC2Z-18472-C Hose
One (1) – KT-115 / BC2Z-18472-D Hose
One (1) – KM-4506 / XC2Z-8286-CA Hose
Three (3) – RG-571 / FIVY-8255-A Gasket
One (1) – RG-609 / YFIZ-8255-CA Gasket
Two (2) – RG-581 / F4TZ-8255-A Gasket
Three (3) – RT-1195 / 7C3Z-8575-B Thermostat
Three (3) – RT-1201 / F6TZ-8575-EA Thermostat
Two (2) – RT-1197 / F6TZ-8575-BA Thermostat
Two (2) – RT-1152 / YF1Z-8575-BA Thermostat
One (1) – EC756 / IFIZ-6766-AA Oil Fill Cap
Two (2) – YH-1515 / XC2Z-19C733-AA Potentiometer
One (1) – RT-1196 / 7L3Z-8575-B Thermostat
One (1) – DY-1250 / 8C3Z-7H103-C Sensor
One (1) – BKCOE-4 / 6C2Z-2C150-A Bolt
Nine (9) – BKCF-6 / BC2Z-2C150-B Caliper Kit
Eight (8) – BKCF-5 / BC2Z-2C150-A Caliper Kit
Two (2) – BKAOE-2 / 8C2Z-2041-A Adjuster Kit
Seven (7) – BKCOE-9 / 8C2Z-2C150-B Pin Kit
Five (5) – BKCOE-10 / 8C2Z-2C15-C Attachment
One (1) – PW-423 / 3L3Z-8501-CA Water Pump
One (1) – STP-122RM / 2C2Z-3A674-EARM Power Steering Pump
One (1) – YC-234 / ZC2Z-19V703-BC Compressor
One (1) – CL-8726-RM / F6PZ-10346-EARM2 Alternator
One (1) – CL-633-RM / 6C2Z-10346-BARM Alternator
Two (2) – SA-817-RM / F4TZ-11002-ARM Starter
One (1) – C2204 / 9C2Z-9C915-E Valve
Four (4) – AD-947 / F6UZ-18198-CA Insulator
One (1) – MEOE-54 / E7TZ-3281-C Link
One (1) – MEOE-51 / E7TZ-3281-A Link

FORD:

Two (2) – F8UZ-14N089-AA Relay
Two (2) – E5TZ-14677-A Relay
One (1) – 945Z-9F945-C Solenoid
Two (2) – F58Z-16828-A Retainer
One (1) – 1C2Z-4676-AA Seal
Six (6) – 8C2Z-ZA637-4 Cover Kit
One (1) – F2DZ-3Z719-4 Solenoid
Four (4) – 5C2Z-2A637-AA Lever
Five (5) – XC2Z-2069-AA Pin
Five (5) – F812-2041-AA Screw
Three (3) – BKAOE-2 / 8C2Z-2041-A Adjuster
One (1) – E8TZ-ZL607-A Seal
One (1) – E8TZ-ZL606-A Seal
One (1) – F8UZ-18472-DA Hose
One (1) – 6C2Z-15434A20-AA Handle
Three (3) – YF4Z-1130-BA Cover
One (1) – 7C2Z-1504371-AA Cover
Three (3) – F2UZ-15222A01-A Window Track
One (1) – F8UZ-9F763-AA Resonator
One (1) – 8C2Z-17A385-AA Bracket
One (1) – 4C2Z-10A687-AA Cover
One (1) – 2C2Z-37611809-AAB Retractor

One (1) – 9C2Z-1504105-AA Visor
One (1) – F5TZ-8A616-KB Fan Clutch Assembly
One (1) – F4T2-8600-B Fan Blade
One (1) – F6UZ-2853-AA Cable
One (1) – YC2Z-7E395-AC Cable
One (1) – 6C2Z-2A793-B Extension Cable
One (1) – 6C2Z-19D850-AB Hose Assembly
One (1) – 4C2Z-3A719-CA Hose
One (1) – 9C24-9L291-SJ Hose
One (1) – F7UZ-3A717-AC Line
One (1) – F8UZ-18472-AA Hose
One (1) – F8UZ-18472-CA Hose Assembly
Two (2) – BC2Z-2A635-A Cable
Two (2) – 9C2Z-2A635-A Cable

BUDGETARY INFORMATION: Proceeds from the sale of the items will be placed into the City's General Fund.

ACTION REQUESTED: It is requested the attached legislation be approved authorizing the disposal of the vehicles and equipment listed above. It is further requested this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to allow for the depreciating items to be placed on the internet and sold at the earliest opportunity to continue with good housekeeping practices.

I concur with this recommendation:

Eric Wobser, City Manager

John Orzech, Assistant City Manager

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO DISPOSE OF PERSONAL PROPERTY AND EQUIPMENT AS HAVING BECOME UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

WHEREAS, the Fleet Maintenance Chief Foreman has determined that the following miscellaneous items are beyond their useful life and of no use to the City and is recommending that these items be declared obsolete, unnecessary and unfit for City use and it is requested the following items be disposed of via www.Govdeals.com, which is an internet auction site for governmental entities:

Police Department

Eight (8) - Used Light Bars

Miscellaneous New and Used Service Parts

Motorcraft

- One (1) – BRCLS-203-RM / 6C2Z-ZV563-CRM Brake Caliper Kit
- One (1) – BRCL-203-RM / 6C2Z-ZV563-BRM Brake Caliper Kit
- One (1) – BRCLS-6-RM / F7TZ-ZV140-AARM Brake Caliper Kit
- One (1) – BRCL-202-RM / 6C2Z-ZV562-BRM Brake Caliper Kit
- One (1) – BRCLS-202-RM / 6C2Z-ZV562-CRM Brake Caliper Kit
- One (1) – BRCLS-7-RM / F7TZ-ZV141-AARM Brake Caliper Kit
- One (1) – MEOE-15 / ILZZ-32802-DY Tie Rod
- Two (2) – MD51289 / FZUZ-3V130-B Tie Rod
- One (1) – BR87B / ZU2Z-ZV200-FARM Brake Shoe's
- One (1) – MEOE-118 / 6C2Z-3A131-C Tie Rod End
- Two (2) – BRSD-802 / ZU2Z-2V200-HB Brake Pads
- Four (4) – BRSD-655 / ZU2Z-2V001-AG Brake Pads
- Two (2) – BRSD-411 / ZU2Z-2V001-AH Brake Pads
- One (1) – STG-287-RM / 8C2Z-3504-ARM Steering Gear
- One (1) – WC-95644 / YC2Z-14300-CA Battery Cable
- Two (2) – BRR71 / YC2Z-1V125-BA Roto

Motorcraft

- Six (6) – BRCF-154 / 8C2Z-2B121-CC Caliper
- One (1) – BRCF-153 / 8C2Z-2B120-CR Caliper
- Four (4) – BRCF-205 / BC2Z-2553-A Housing
- Four (4) – BRCF-204 / BC2Z-2552-A Housing
- Two (2) – BRRF-54 / XC2Z-2C026-BB Rotor
- One (1) – BRRF-33 / F8UZ-1102-AB Hub
- Two (2) – BRCLS-138-RM / 5C2Z-2V562-BARM Caliper
- Two (2) – BRCLS-139-RM / 5C2Z-2V563-BARM Caliper
- Two (2) – BRR6 / YC2Z-1V125-AA Rotor
- One (1) – KM-4506 / XC2Z-8286-CA Hose Assembly
- One (1) – KM-4539 / XC2Z-8260-CB Hose
- One (1) – KT-114 / BC2Z-18472-C Hose
- One (1) – KT-115 / BC2Z-18472-D Hose
- One (1) – KM-4506 / XC2Z-8286-CA Hose
- Three (3) – RG-571 / FIVY-8255-A Gasket
- One (1) – RG-609 / YFIZ-8255-CA Gasket
- Two (2) – RG-581 / F4TZ-8255-A Gasket
- Three (3) – RT-1195 / 7C3Z-8575-B Thermostat
- Three (3) – RT-1201 / F6TZ-8575-EA Thermostat
- Two (2) – RT-1197 / F6TZ-8575-BA Thermostat
- Two (2) – RT-1152 / YF1Z-8575-BA Thermostat

PAGE 2 - ORDINANCE NO. _____

Motorcraft

One (1) – EC756 / IFIZ-6766-AA Oil Fill Cap

Two (2) – YH-1515 / XC2Z-19C733-AA Potentiometer

One (1) – RT-1196 / 7L3Z-8575-B Thermostat

One (1) – DY-1250 / 8C3Z-7H103-C Sensor

One (1) – BKCOE-4 / 6C2Z-2C150-A Bolt

Nine (9) – BKCF-6 / BC2Z-2C150-B Caliper Kit

Eight (8) – BKCF-5 / BC2Z-2C150-A Caliper Kit

Two (2) – BKAOE-2 / 8C2Z-2041-A Adjuster Kit

Seven (7) – BKCOE-9 / 8C2Z-2C150-B Pin Kit

Five (5) – BKCOE-10 / 8C2Z-2C15-C Attachment

One (1) – PW-423 / 3L3Z-8501-CA Water Pump

One (1) – STP-122RM / 2C2Z-3A674-EARM Power Steering Pump

One (1) – YC-234 / ZC2Z-19V703-BC Compressor

One (1) – CL-8726-RM / F6PZ-10346-EARM2 Alternator

One (1) – CL-633-RM / 6C2Z-10346-BARM Alternator

Two (2) – SA-817-RM / F4TZ-11002-ARM Starter

One (1) – C2204 / 9C2Z-9C915-E Valve

Four (4) – AD-947 / F6UZ-18198-CA Insulator

One (1) – MEOE-54 / E7TZ-3281-C Link

One (1) – MEOE-51 / E7TZ-3281-A Link

Ford

Two (2) – F8UZ-14N089-AA Relay

Two (2) – E5TZ-14677-A Relay

One (1) – 945Z-9F945-C Solenoid

Two (2) – F58Z-16828-A Retainer

One (1) – 1C2Z-4676-AA Seal

Six (6) – 8C2Z-ZA637-4 Cover Kit

One (1) – F2DZ-3Z719-4 Solenoid

Four (4) – 5C2Z-2A637-AA Lever

Five (5) – XC2Z-2069-AA Pin

Five (5) – F812-2041-AA Screw

Three (3) – BKAOE-2 / 8C2Z-2041-A Adjuster

One (1) – E8TZ-ZL607-A Seal

One (1) – E8TZ-ZL606-A Seal

One (1) – F8UZ-18472-DA Hose

One (1) – 6C2Z-15434A20-AA Handle

Three (3) – YF4Z-1130-BA Cover

One (1) – 7C2Z-1504371-AA Cover

Three (3) – F2UZ-15222A01-A Window Track

One (1) – F8UZ-9F763-AA Resonator

One (1) – 8C2Z-17A385-AA Bracket

One (1) – 4C2Z-10A687-AA Cover

One (1) – 2C2Z-37611809-AAB Retractor

One (1) – 9C2Z-1504105-AA Visor

One (1) – F5TZ-8A616-KB Fan Clutch Assembly

One (1) – F4T2-8600-B Fan Blade

One (1) – F6UZ-2853-AA Cable

One (1) – YC2Z-7E395-AC Cable

One (1) – 6C2Z-2A793-B Extension Cable

One (1) – 6C2Z-19D850-AB Hose Assembly

One (1) – 4C2Z-3A719-CA Hose

One (1) – 9C24-9L291-SJ Hose

One (1) – F7UZ-3A717-AC Line

One (1) – F8UZ-18472-AA Hose

One (1) – F8UZ-18472-CA Hose Assembly

Two (2) – BC2Z-2A635-A Cable

Two (2) – 9C2Z-2A635-A Cable

WHEREAS, all of the proceeds from the sale of the items will be placed into the General Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the depreciating vehicles and items to be placed on the internet for auction at the earliest opportunity to continue with good housekeeping practices; and

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

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

Section 1. This City Commission finds and determines that the personal property described in the preamble above has become obsolete and is unnecessary and unfit for City use pursuant to Section 25 of the City Charter and the City Manager is authorized and directed to dispose of the miscellaneous items no longer needed for City purposes through internet auction with the proceeds to be placed into the General Fund.

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 28, 2020

Office Hours:
8:00 a.m. - 5:00 p.m.
For Questions call
(614) 644-3156

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liqr>
APPLICATION FOR CHANGE OF LLC MEMBERSHIP INTERESTS
PROCESSING FEE \$100.00
CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING



PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING:

Permit Holder Name:

Permit Premises Address:

Crush Winebar LLC

139145 Columbus Ave.

Liquor Permit Number(s):

1839325

Federal Tax ID Number:

Sandusky OH 44870

Email:

Address:

Attorney's Name, Address and Telephone Number (If represented):

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

PLEASE COMPLETE ALL AREAS OF SECTION A & B BELOW

Section A - PREVIOUS List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) Andrea Avallone		CEO	<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input checked="" type="checkbox"/> Membership interest <u>50</u> %	
2) Cesare Avallone		CFO	<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input checked="" type="checkbox"/> Membership interest <u>50</u> %	
3)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
4)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	

Section B - REVISED List of managing members and all persons with a 5% or greater membership or voting interest in the LLC

NAME	SOCIAL SECURITY # OR FEDERAL TAX ID #	OFFICE HELD	INTEREST	BIRTHDATE
1) Andrea Crawford FKA. Andrea Avallone		CEO	<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
2)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
3)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	
4)			<input type="checkbox"/> Managing Member <input type="checkbox"/> Voting interest _____ % <input type="checkbox"/> Membership interest _____ %	

NOTICE TO LEGISLATIVE
AUTHORITY

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

TO

1839325		STCK		CRUSH WINE BAR LLC & PATIO & WALK IN COOLER 139-145 COLUMBUS AVE SANDUSKY OH 44870
PERMIT NUMBER		TYPE		
ISSUE DATE				
01 17 2020				
FILING DATE				
D5J D6		PERMIT CLASSES		
22	077	B	F23995	
TAX DISTRICT		RECEIPT NO.		

FROM 09/04/2020

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT		RECEIPT NO.	



MAILED 09/04/2020

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/05/2020

IMPORTANT NOTICE

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

REFER TO THIS NUMBER IN ALL INQUIRIES

B STCK 1839325

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

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

WE DO NOT REQUEST A HEARING. ☐

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

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

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

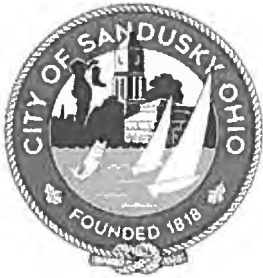
**CLERK OF SANDUSKY CITY COUNCIL
240 COLUMBUS AVE
SANDUSKY OHIO 44870**

McKenzie Spriggs

From: Greg Voltz
Sent: Thursday, September 24, 2020 1:37 PM
To: John Orzech; McKenzie Spriggs; Jim Green
Cc: Stephen Rucker
Subject: RE: liquor license

Thank you,

This site is zoned "DBD" – Downtown Business. This is a permitted use.



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



From: John Orzech <JOrzech@ci.sandusky.oh.us>
Sent: Thursday, September 24, 2020 1:34 PM
To: McKenzie Spriggs <mspriggs@ci.sandusky.oh.us>; Greg Voltz <gvoltz@ci.sandusky.oh.us>; Jim Green <jgreen@ci.sandusky.oh.us>
Cc: Stephen Rucker <srucker@ci.sandusky.oh.us>
Subject: RE: liquor license

No issues from police.



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



From: McKenzie Spriggs
Sent: Thursday, September 24, 2020 1:32 PM
To: Greg Voltz <gvoltz@ci.sandusky.oh.us>; John Orzech <JOrzech@ci.sandusky.oh.us>; Jim Green <jgreen@ci.sandusky.oh.us>

McKenzie Spriggs

From: Stephen Rucker
Sent: Thursday, September 24, 2020 1:38 PM
To: McKenzie Spriggs; Greg Voltz; John Orzech; Jim Green
Subject: RE: liquor license

No issues, thanks



Steve Rucker | *Fire Marshal*
SANDUSKY FIRE DEPARTMENT
600 W. Market Street | Sandusky, OH 44870
T: 419.627.5823 | F: 419.627.5820
srucker@ci.sandusky.oh.us
www.ci.sandusky.oh.us

From: McKenzie Spriggs <mspriggs@ci.sandusky.oh.us>
Sent: Thursday, September 24, 2020 1:32 PM
To: Greg Voltz <gvoltz@ci.sandusky.oh.us>; John Orzech <JOrzech@ci.sandusky.oh.us>; Jim Green <jgreen@ci.sandusky.oh.us>
Cc: Stephen Rucker <srucker@ci.sandusky.oh.us>
Subject: liquor license

Everyone, we received a liquor license transfer for Crush Wine Bar 139-145 Columbus Ave. There are no physical changes to the license just editing of names on the license. Please send me written confirmation that you have no objections, or any issues if you do.



McKenzie Spriggs | Commission Clerk
CITY COMMISSION
240 Columbus Avenue | Sandusky, OH 44870
T: 419.627.5850
www.ci.sandusky.oh.us





COMMUNITY DEVELOPMENT

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5707

www.cityofsandusky.com

To: Eric Wobser, City Manager
From: Matthew D. Lasko, Chief Development Officer
Date: September 16, 2020
Subject: Commission Agenda Item – Purchase of Property

Items for Consideration: Legislation allowing the City of Sandusky to enter into a Purchase and Sale Agreement (the “Agreement”) for the property located at 1501 South Forest Drive.

Background Information: As part of the Neighborhood Initiative, each of the six (6) selected neighborhoods were reviewed for housing conditions and related housing redevelopment strategies. For the Southside neighborhood, it was suggested that near term blight elimination, particularly in the area surrounding Churchwell Park, was needed. The City and Erie County Land Reutilization Corporation have been aggressive in purchasing and demolishing real estate in that area.

The City has been in ongoing conversations with the ownership group of the above-mentioned property, A & M Williams Properties, LLC, about possibly acquiring the 2-unit property located at 1501 South Forest Drive. Based upon the City’s strong interest in redeveloping and re-envisioning the neighborhood, coupled with the fact that the negotiated purchase price is near what the City has been purchasing properties for over the last eighteen (18) months, the City has a strong desire to move forward with the purchase of the aforementioned property. Additionally, this purchase price and terms are identical to the 2-unit property at 2106 Parkview Boulevard acquired by the City in July of 2020.

The Agreement calls for the City to purchase the property for \$25,000. The City will also be responsible for covering all closing costs associated with the transaction.

Upon acquisition, the City will couple this property with several others to be bid out for asbestos abatement and demolition utilizing Community Development Block Grant funding.

Budgetary Information: The City will be responsible for paying \$25,000 (plus closing costs) for the purchase of the property located at 1501 South Forest Drive. The source of funding is the Real Estate Development Fund.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into the Agreement for the purchase of the property located at 1501 South Forest Drive. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter to allow the City to acquire and immediately move forward with asbestos abatement and demolition.

I concur with this recommendation:

Eric Wobser

City Manager

Matthew D. Lasko, MUPDD, MSSA

Chief Development Officer

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

CERTIFICATE OF FUNDS

In the Matter of: Purchase of 1501 South Forest Drive

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 #: 248-0000-53000

By: 

Michelle Reeder

Finance Director

Dated: 9/24/2020

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALE AGREEMENT FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 1501 SOUTH FOREST DRIVE, SANDUSKY, AND IDENTIFIED AS PARCEL NO. 58-01925.000 FOR THE PURPOSE OF BLIGHT ELIMINATION AND DEMOLITION; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, as part of the Sandusky Neighborhood Initiative, the Southside neighborhood was reviewed for housing conditions and related housing redevelopment strategies and it was determined that blight elimination was needed, particularly in the area surrounding the Churchwell Park area; and

WHEREAS, the City desires to purchase the 2-unit property located at 1501 South Forest Drive based on the City's interest in redeveloping and re-envisioning the neighborhood and that the negotiated purchase price is comparable with properties the City has been purchasing over the last eighteen (18) months; and

WHEREAS, the total cost for the purchase of the property located at 1501 South Forest Drive is \$25,000.00 plus all closing costs associated with the transaction and these costs will be paid with Real Estate Development Funds; and

WHEREAS, upon City Commission approval and acquisition, the property will be bid out for asbestos abatement and demolition utilizing 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 acquire the property and immediately move forward with asbestos abatement and demolition; and

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

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

Section 1. The City Manager is hereby authorized and directed to execute the Purchase and Sale Agreement on behalf of the City for the sale and purchase of real property with A & M Williams Properties, LLC, substantially in the same form as contained in Exhibit "1", which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being

consistent with carrying out the terms of this Ordinance to purchase the property identified as Parcel No. 58-01925.000, located at 1501 South Forest Drive in Sandusky for the purpose of blight elimination and demolition.

Section 2. The City Manager, Finance Director, and Law Director are authorized and directed to take such other actions and measures as are incident to and reasonably necessary to effect the purchase of Parcel No. 58-01925.000, located at 1501 South Forest Drive in Sandusky.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: September 28, 2020

PURCHASE AND SALE AGREEMENT

This Agreement is made and entered into this _____ day of _____, 2020, by and between City of Sandusky, of Erie County, Ohio, a municipal chartered city whose address is 240 Columbus Avenue, Sandusky, Ohio 44870 hereinafter referred to as the "Purchaser" and A & M Williams Properties, LLC, an Ohio limited liability company whose address is P.O. Box 923, Sandusky, Ohio, 44871, hereinafter referred to as "Seller."

WITNESSETH:

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

1. The Seller agrees to sell to the Purchaser and the Purchaser agrees to purchase from the Seller, the premises located at 1501 South Forest Drive, Sandusky, Ohio, PPN# 58-01925.000, and more fully described in the legal description marked Exhibit "A" attached to this Agreement and specifically incorporated as if fully rewritten herein, the legal description of which will be set forth in the deed transferring ownership of said premises.

2. The total purchase price for the premises is \$25,000.00 (US Dollars)
- a. Which shall be paid by cashier's check or by certified check, or other negotiable instrument, which sum shall be deposited with the escrow agent on or before the closing date of this transaction and is subject to the pro-rations (if any) and adjustments set forth in this Agreement.
 - b. There is no earnest money for this agreement.

3. Before closing, Seller(s) may remove the following items: ANY items they own.
Said items may be removed any time prior to closing.

4. The Seller shall furnish a Quit Claim Deed to Purchaser in fee simple, with dower rights released (if any), free and clear of all liens rights to take liens, assessments and encumbrances whatsoever, except the following permitted encumbrances:

- a. Real estate taxes and assessments not due and payable;

The Permitted Encumbrances also shall include any matters waived or deemed waived by Purchaser pursuant to Paragraph 5.

5. Within ten (10) days after acceptance of this Agreement, the Purchaser shall obtain a title examination or commitment for an owner's policy of title insurance insuring Purchaser's title to the Property. The Purchaser shall furnish a copy of the examination report or commitment to the Seller. If the examination report or commitment shows that title to all or part of the Property is unmarketable, as determined by Ohio law, or is subject to any defect, lien or encumbrance that is not a Permitted Encumbrance, the Purchaser shall notify the Seller of its objections within the ten (10) day period or the same will have been deemed waived by the Purchaser. To the extent the Purchaser's objections involve monetary liens, Seller shall, upon receipt of the Purchaser's objections, promptly undertake and complete prior to or simultaneously to the closing all actions necessary to satisfy and eliminate the liens. If Seller elects not to remedy or remove the defect or encumbrance or is unable to do so, the Purchaser's sole remedy shall be to elect either to: (i) waive the defect or encumbrance and accept such title to the Property as Seller is able to convey or (ii) terminate this Agreement. The Purchaser shall so elect by delivering written notice to Seller on or before the date of the closing, and if the Purchaser fails to give such notice, it shall be deemed to have exercised election (i). If the Purchaser terminates the Agreement as provided in clause (ii), both the Purchaser and the Seller shall be released from all obligations under this Agreement, and the Deposit, if one was provided, shall be returned to the Purchaser. All costs of the title examination or title insurance commitment and policy shall be paid for by the Purchaser.

6. Should the buildings or any other improvements upon the aforesaid property be damaged or destroyed prior to closing, then the Purchaser, may, at Purchaser's option: (1) elect to continue this in full force and effect, in which case the Seller shall forthwith assign the Purchaser all rights of the Purchaser to the insurance recovery due by reason of said damages, or (2) elect to rescind and void this Agreement, and thereupon there shall be returned to the Purchaser all money, papers or documents deposited by Purchaser, and there shall be returned to Seller all papers or documents deposited by Seller. After the closing, the risk of loss shall be and is assumed by the Purchaser. There shall be no proration of insurance, it being the obligation of the Purchaser to procure Purchaser's own policies of insurance to be effective from and after the date of closing

7. The closing date of this transaction shall be no later than October 15th, 2020 or at such other time as may be mutually agreed upon, in writing, by the parties. The escrow agent herein shall be Hartung Title, 327 East Washington Street, Sandusky, Ohio 44870. All funds and documents required to close this transaction shall be deposited with said escrow agent on or before closing date. An executed counterpart of this Agreement shall be deposited with the escrow agent by the Purchaser and this Agreement shall serve as the escrow instructions. The escrow agent may attach its standard conditions of acceptance thereto; provided, however, that in the event such standard conditions are inconsistent or in conflict with the terms of this Agreement, this Agreement shall control.

8. Purchaser is not represented by a real estate broker or agent, therefore any fee paid to a broker shall not be paid in whole or in part by the Purchaser.

9. On the closing date, the escrow agent shall file or record the deed, and any other

instruments, if any, required to be recorded pursuant to this Agreement and shall thereupon deliver to each of the parties, the funds and documents to which they shall be respectively entitled, together with its escrow statement.

In closing this transaction, the escrow agent shall charge the Purchaser with all closing costs and real estate taxes are not to be prorated as of the date of closing.

10. Purchaser shall be entitled to possession of the premises upon the closing of this transaction or at such later date as may be agreed to by the Purchaser but in no event shall possession by the Purchaser take place later than October 30th, 2020 unless otherwise agreed to in writing.

11. Seller makes the following representations and covenants to the Purchaser as of the date of this Agreement and the date of the closing:

- (a) The Property is not subject to any purchase contract or option.
- (b) That the property is vacant or will be vacant and that there are not leases at the time of closing, tenancy rights, or other contracts or arrangements with respect to the Property. Additionally, Purchaser has the right to inspect the property 72 hours prior to closing to ensure vacancy. Seller shall complete a Notice of Voluntary Acquisition, URA forms, and any other similar documents as requested by the Purchaser for determination of vacancy for Community Development Block Grant (CDBG) purposes.
- (c) No work has been performed or labor, materials, equipment or fuel furnished to the Property within the last ninety (90) days (or, if any of the same have been performed or furnished, all persons who may have the right to assert a mechanic's lien have been fully paid).
- (d) To the best of Seller's knowledge, no toxic, explosive or otherwise dangerous material or hazardous substances have been concealed within, buried beneath, or released on or from the Property.

Sellers' representations and warranties shall survive the closing.

12. This Agreement sets forth the entire and understanding between the parties with respect to the subject matter hereof, and no agreements or understandings nor any representations concerning the same shall be binding upon the parties unless specifically set forth herein.

13. The Agreement may be executed in multiple counterparts each of, which shall be deemed an original, but all of which together shall constitute one and the same instrument.

14. This Agreement shall be binding upon and inure to the benefit of Seller and Purchaser and their respective heirs, legal representatives, and assigns.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, THIS SALE AND PURCHASE AGREEMENT has been executed by Seller as of the day and year first above written.

Sellers:

A & M Williams Properties, LLC

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO

)

) SS.

COUNTY OF ERIE

)

Before me, a Notary Public in and for said County and State, personally appeared _____, the Seller, who acknowledged that he or she signed the foregoing instrument and the same is his or her free act and deed. IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at _____, Ohio, this ____ day of _____, 2020.

Notary Public

Justin Harris
Interim Law Director
City of Sandusky

CERTIFICATE OF DIRECTOR OF FINANCE

The undersigned, fiscal officer of the City of Sandusky, Ohio, hereby certifies that the money required to meet the obligations of the City during the year 2020 under the foregoing Agreement has been lawfully appropriated by the Council of the City for such purposes and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Director of Finance

Transferred	
In Compliance with sections 319-202 and 322-02 of the Ohio Revised Code.	
FEES	20.00
Exempt	
R.E. TRANSFER	
\$	60.00
Richard H. Jeffrey Erie County Auditor	
Trans. Fees: \$	50
Date:	6-7-17

For 319.203
Erie County Auditor/Engineer
Date
Richard H. Jeffrey

GENERAL WARRANTY DEED

THOMAS P. HAMILTON, SR., MARRIED, for valuable consideration paid, grants to **A & M WILLIAMS PROPERTIES, LLC**, whose tax mailing address is P.O. Box 923, Sandusky, OH 44871, the following real property:

Situated in the City of Sandusky, County of Erie and State of Ohio: Being Lot Number **1** in MacArthur Park Subdivision, as per plat recorded in Volume 15 of Plats, Pages 6 and 7, Erie County, Ohio Records.

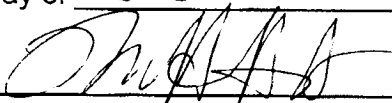
Permanent Parcel No.: ~~58-01913-000~~ 58-01925-000


Prior Deed Reference: RN201601604
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.

Rasheedah Hamilton, Wife of Grantor, releases all rights of dower herein.

EXECUTED this 5th day of June, 2017.



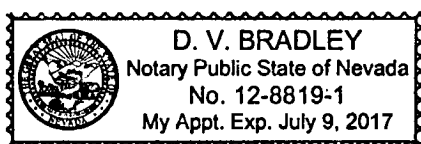
Thomas P. Hamilton, Sr.


Rasheedah Hamilton

STATE OF Nevada, COUNTY OF CLARK: ss

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **THOMAS P. HAMILTON, SR. AND RASHEEDAH HAMILTON, HUSBAND AND WIFE**, who represented to me to be said persons and who signed the foregoing Instrument and acknowledged the same as their voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Las Vegas, Nevada, this 5th day of June, 2017.





Notary Public



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: September 16, 2020

Subject: **Commission Agenda Item- Award Jaycee Park Connector Trail**

ITEM FOR CONSIDERATION: Legislation awarding a contract to Ed Burdue & Co., LLC of Sandusky, Ohio for the Jaycee Park Connector Trail Project.

BACKGROUND INFORMATION: This project consists of installing a 10' (ten) wide asphalt multi-use path in Jaycee Park along the west edge of the park from Milan Road south to Lane Street. The path will also connect into the Osborn Street and McKelvey Street entrances. Alternate bid item no.1 is for resurfacing Osborne Street from the park entrance to Wayne Street and alternate bid item no. 2 is for resurfacing McKelvey Street from the park entrance to Milan Road.

The following two bids were received on September 15, 2020 at a formal public bid opening:

Ed Burdue & Co. LLC	Base Bid: \$107,311.75
Sandusky, OH	Alternate Item No. 1 \$13,991.94
100% Bid Bond	<u>Alternate Item No. 2 \$22,022.34</u>
	Total Bid with Alternates: \$143,326.03
 The Kreimes Co.	 Base Bid: \$149,863.95
Sandusky, OH	Alternate Item No. 1 \$14,033.82
Letter of Credit	<u>Alternate Item No. 2 \$27,936.31</u>
	Total Bid with Alternates: \$191,834.07

The engineer's estimate for the base bid was \$140,000.00

The contractual schedule for completion of construction is December 1, 2020.

The Local Preference Policy (Chapter 149 Sandusky's Codified Ordinances) did not impact the bid evaluations since both companies have their principal place of business located within the city limits.

BUDGETARY INFORMATION: The cost of the construction contract is \$143,326.03 will be funded with the Capital Fund (Sandusky Neighborhood Initiative).

ACTION REQUESTED: It is recommended that proper legislation be prepared to award a contract to Ed Burdue & Co., LLC of Sandusky, Ohio for the Jaycee Park Connector Trail Project in amount not to exceed \$143,326.03 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 for the contractor to complete the project by the completion date of December 1, 2020.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron Klein, P.E.
Director

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

CERTIFICATE OF FUNDS

In the Matter of: Jaycee Park Connector Trail

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 #: 431-4351-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 9/24/2020

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & CO. LLC, OF SANDUSKY, OHIO, FOR THE JAYCEE PARK CONNECTOR TRAIL PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Jaycee Park Connector Trail Project involves the installation of a 10 (ten) foot wide asphalt multi-use path in Jaycee Park along the west edge of the park from Milan Road south to Lane Street which will connect into the Osborn Street and McKelvey Street entrances; and

WHEREAS, alternate bid items for resurfacing Osborne Street from the park entrance to Wayne Street and McKelvey Street from the park entrance to Milan Road are included in the project; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed Jaycee Park Connector Trail Project by Resolution No. 031-20R, passed on August 24, 2020; and

WHEREAS, upon public competitive bidding as required by law two (2) appropriate bids were received and the bid from Ed Burdue & Co. LLC, of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total construction cost of this project is \$143,326.03 and will be paid with Capital Funds through the Sandusky Neighborhood Initiative Fund; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the contractor to complete the project by the project completion deadline of December 1, 2020; and

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with Ed Burdue & Co. LLC, of Sandusky, Ohio, for the Jaycee Park Connector Trail Project in an amount **not to exceed** One Hundred Forty Three Thousand Three Hundred Twenty Six and 03/100 Dollars (\$143,326.03) consistent with the bid submitted by Ed Burdue & Co. LLC, of Sandusky, Ohio, currently on

file in the office of the Director of Public Works.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: September 28, 2020



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Joshua R. Snyder, P.E.

Date: September 15, 2020

Subject: Commission Agenda Item – Award the 2020 Shared Driveway Construction Project

ITEM FOR CONSIDERATION: Legislation awarding a contract to Ed Burdue & Co., LLC of Sandusky, Ohio for the 2020 E. Market Street Shared Driveway Construction Project.

BACKGROUND INFORMATION: The City has recently been approached by several individuals/families that are looking to construct residential housing in and around the downtown area. There is not many vacant parcels that exist around the downtown area. Therefore, this has naturally led folks to look at the large, current City owned land/parcels near the intersection of E. Market Street and Warren Street as options – which also aligns with our Strategic/Master Plan which calls for residential infill in this area. More specifically, there has been interest regarding the City owned parcels at 430 E. Market Street - which will yield 5 residential parcels, once subdivided.

As the City explored the idea of new residential housing in this area, and talked in detail with the Planning Department and Public Works Department, it was critical to both be responsive to the desires of individuals/families looking to invest and live/stay downtown but also design the area in a way that is founded on sound urban design principles and pays attention to addressing pedestrian and bicycle safety. It was through this conversation the City began to explore the idea of constructing a rear shared driveway off Franklin Street to accommodate new residential structures fronting on E. Market Street between Franklin Street and Warren Street. The goal of this project is to accomplish the creation of similarly sized, new residential lots through the re-platting process, and to provide a new shared private driveway, which the City is constructing and then marketing and selling the five (5) lots.

The project involves excavation of existing earthen material, placement and leveling of stone aggregate sub-base and multiple layers of asphalt pavement courses as a surface. The resultant pavement will become the shared driveway for all adjacent parcels to use. The existing driveway approach will also be replaced with concrete, as needed. The pavement is designed as a “modified” AASHTO (American Association of State Highway and Transportation Officials) asphalt pavement, with a life expectancy of 20 years.

The following bid was received on Tuesday, September 15, 2020 at a formal bid opening:

Ed Burdue & Co., LLC	Bid	\$33,077.09
Sandusky, OH		
100% Bid Bond		

The contractual schedule for completion of construction is Tuesday, December 1, 2020.

BUDGETARY INFORMATION: The estimated cost of the project including engineering, inspection, advertising, construction and miscellaneous costs, is \$33,295.69. The full project will be paid from the Real Estate Development Fund. The Real Estate Development Fund will be reimbursed with sales proceeds from the sale of the five (5) parcels abutting the easement/shared driveway.

ACTION REQUESTED: It is recommended that proper legislation be prepared to award a contract to Ed Burdue & Co., LLC of Sandusky, Ohio for the 2020 E. Market Street Shared Driveway Construction Project in an amount not to exceed \$33,077.09 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 December 1, 2020.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron 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: 430 E. Market Street Shared Driveway Project

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 #: 248-0000-53000

By: _____



Michelle Reeder

Finance Director

Dated: 9/24/2020

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & CO. LLC, OF SANDUSKY, OHIO, FOR THE 2020 SHARED DRIVEWAY CONSTRUCTION PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City was approached by several individuals interested in constructing residential housing in and around the downtown area and more specifically, interested in the City owned property at 430 E. Market Street, formerly part of the Sandusky Cabinets property, which can easily accommodate several residential structures, if subdivided, and subsequently the City began to explore the idea of constructing a rear alleyway off Franklin Street to accommodate new residential structures on E. Market Street between Franklin Street and Warren Street; and

WHEREAS, it was decided that in order to create similarly sized, new residential lots through the re-platting process and to install a new shared private alleyway, memorialized through easements, it would be exponentially easier with common ownership of all the real estate; and

WHEREAS, this City Commission approved the purchase of the 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, and this property, along with the City's adjoining properties located at 430 E. Market Street and 216 Franklin Street, are in the process of being re-platted to create five (5) lots; and

WHEREAS, the 2020 Shared Driveway Construction Project involves excavation of existing earthen material, placement and leveling of stone aggregate sub-base, and multiple layers of asphalt pavement designed as a "modified" AASHTO (American Association of State Highway and Transportation Officials) asphalt pavement with a life expectancy of 20 years, creating a surface that will become the shared driveway for all adjacent parcels to use and the project also includes replacing the existing driveway approach as needed with concrete; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed 2020 Shared Driveway Construction Project by Resolution No. 032-20R, passed on August 24, 2020; and

WHEREAS, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid from Ed Burdue & Co. LLC, of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost of this project based on bid and including engineering, inspection, advertising, construction and miscellaneous costs, is \$33,295.69 and will initially be paid with Real Estate Development Funds and then reimbursed back into the fund upon sale of the five (5) parcels; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the contractor to complete the project by the construction completion deadline of December 1, 2020; and

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with Ed Burdue & Co. LLC, of Sandusky, Ohio, for the 2020 Shared Driveway Construction Project in an amount **not to exceed** Thirty Three Thousand Seventy Seven and 09/100 Dollars (\$33,077.09) consistent with the bid submitted by Ed Burdue & Co. LLC, of Sandusky, Ohio, currently on file in the office of the Director of Public Works.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION