



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
APRIL 26, 2021 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	April 12, 2021
AUDIENCE PARTICIPATION	
PUBLIC HEARING	CDBG Budget - <i>Debi Eversole, Community Development Programs Administrator</i>
COMMUNICATIONS	Motion to accept all communications submitted below
CURRENT BUSINESS	

CONSENT AGENDA ITEMS

ITEM A – Submitted by Jane Cullen, Project Engineer

AMENDING ORDINANCE 21-034 FOR SCRIVENER'S ERROR

Budgetary Information: There is no change to the breakdown of costs as described in the previous communication as they totaled the base bid, plus alternates one and two.

The construction cost of the project is \$372,537.35 of which OPWC will provide funding up to 58% of the project cost which is \$216,071.66 (\$41,071.66 OPWC (0% loan) and \$175,000 OPWC(grant). The City's 42% share in the projects costs is \$156,465.69 and will be funded with \$86,188.00 CDBG and \$70,277.69 Issue 8 (Street).

ORDINANCE NO. _____: It is requested an ordinance be passed amending Ordinance No. 21-034, passed on March 22, 2021, to correct a Scrivener's Error; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM B – Submitted by Tom, Horsman, Transit Administrator

PERMISSION TO APPLY FOR OHIO DEPARTMENT OF TRANSPORTATION GRANTS FOR SANDUSKY TRANSIT

Budgetary Information: The 5311 Rural Transit Program funds comprise approximately 50% of STS's budget and without this funding the system would not be able to operate. The required local matching funds will be generated from multiple local sources; STS anticipates receiving \$90,000 in Fare Revenue, \$600,000 in contract revenue, \$100,000 in Capital Replacement Fund revenue, \$65,000 from Advertising, \$60,000 from fares paid by organizations; \$12,000 in Elderly & Disabled Funds, and approximately \$260,000 in City General Revenue Funds.

(1) RESOLUTION NO. _____: It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation through the US DOT Federal Transit Administration (FTA) for the CY 2022 Rural Transit Program Grant for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

(2) RESOLUTION NO. _____: It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation through the US DOT Federal Transit Administration (FTA) for the CY 2022 Bus and Bus Facilities Program Grant for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

(3) RESOLUTION NO. _____: It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation for State FY2022 Ohio Transit Partnership Program Grant Funds for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM C – Submitted by Tom Horsman, Transit Administrator

PERMISSION TO APPLY FOR OHIO DEPARTMENT OF TRANSPORTATION RIDES TO COMMUNITY IMMUNITY GRANT PROGRAM FOR SANDUSKY TRANSIT

Budgetary Information: The RCI program is funded 100% by State of Ohio General Revenue Funds and does not require any local match.

RESOLUTION NO. _____: It is requested a resolution be passed approving and ratifying the filing of a grant application with the Ohio Department of Transportation for the Rides to Community Immunity (RCI) Grant Program for the Sandusky Transit System; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

REGULAR AGENDA ITEMS

ITEM #1 – Submitted by Jonathan Holody, Community Development Director

RESOLUTION TO BECOME A CLEAN FUTURE OHIO COMMUNITY

Budgetary Information: There is no cost to become a PCFO community.

RESOLUTION NO. _____: It is requested a resolution be passed authorizing the City of Sandusky to become a Clean Future Ohio Community and to adopt a goal to reduce greenhouse gas emissions in the city; and declaring that this resolution shall take effect under suspension of the rules as contained in and in accordance with Section 13 of the City Charter.

ITEM #2 – Submitted by Tom Horsman, Transit Administrator

RESOLUTION TO SUPPORT AMTRAK EXPANSION SERVICES IN OHIO

Budgetary Information: There is no budget impact.

RESOLUTION NO. _____: It is requested a resolution be passed in support of Amtrak’s proposed expansion of passenger rail services in Ohio and for the congressional actions needed to authorize and appropriate funds to the expansion; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #3 – Submitted by Jonathan Holody, Community Development Director

EXCLUSIVE RIGHT TO SELL AGREEMENT WITH HOTY ENTERPRISES FOR COLD CREEK CROSSING

Budgetary Information: At closing, each assessment lien will be satisfied from a portion of the sales proceeds. Broker fees of up to 6.5% will also be paid from the sales proceeds. The balance of funds will be used by the City to recoup expenses related to the property in accordance with O.R.C. §5722.08.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an exclusive right to sell agreement with HOTY Enterprises, Inc. of Sandusky, Ohio, for the marketing and sale of forty-four (44) vacant parcels of land in the Cold Creek Crossing Subdivision in Sandusky; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #4 – Submitted by Jonathan Holody, Community Development Director

ACQUISITION OF 2111 PARKVIEW BOULEVARD

Budgetary Information: The City will be responsible for paying \$48,000 (plus closing costs) for the purchase of the property located at 2111 Parkview Blvd. The source of funding is the Community Development Block Grant 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 acquisition of real property located at 2111 Parkview Boulevard, Sandusky, and identified as Parcel No. 58-00976.000 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 #5 – Submitted by Aaron Klein, Public Works Director

PERMISSION TO APPLY FOR ERIE COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) ASSISTANCE FOR MEADOWOOD SUBDIVISION AND HANCOCK ELEMENTARY SCHOOL SIDEWALKS

Budgetary Information: If awarded, the respected matches would be allocated in the 5-year capital budget from an account with funds available for infrastructure such as CDBG, Issue 8, Street or General Funds.

(A) RESOLUTION NO. _____: It is requested a resolution be passed approving the submission of an application to the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) for financial assistance for the Meadowood Subdivision Sidewalk Project and, if awarded, authorizing and directing the City Manager to enter into the LPA Federal Local-LET Project Agreement with the Ohio Department of Transportation; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

(B) It is requested a resolution be passed approving the submission of an application to the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) for financial assistance for the Hancock Elementary School Sidewalk Project and, if awarded, authorizing and directing the City Manager to enter into the LPA Federal Local-LET Project Agreement with the Ohio Department of Transportation; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #6 – Submitted by Josh Snyder, Assistant City Engineer

CHANGE ORDER FIRST & FINAL FOR FERROUS CHLORIDE SYSTEM REHABILITATION PROJECT AT THE WWTP

Budgetary Information: The original contract amount was \$659,582.93, which included a contingency allowance, and with the addition of this first & final change order, the contingency will be depleted and the contract will be increased by \$17,550.42. The final contract will be \$677,133.35, paid entirely out of Sewer Funds.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to approve the first and final change order for work performed by Mosser Construction Inc. of Fremont, Ohio, for the Wastewater Treatment Plant (WWTP) Ferrous Chloride System Rehabilitation Project in the amount of \$17,550.42; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #7 – Submitted by Jared Oliver, Police Chief

RETIREMENT & SALE OF K9 OFFICER ONUR

Budgetary Information: The city will receive one (1) dollar for the sale of K9 Onur to his handler, Sergeant Edward Ohlemacher

ORDINANCE NO. _____: It is requested an ordinance be passed allowing for the sale of Sandusky Police Department K9 Officer Onur pursuant to Section 25 of the City Charter; approving the retirement of K9 Officer Onur and authorizing the sale of K9 Officer Onur to his handler, Sergeant Edward Ohlemacher; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #8 – Submitted by Brendan Heil, Law Director

AMENDING CHAPTER 531 – NOXIOUS WEED AND GRASS ORDINANCE (FIRST READING)

Budgetary Information: There is no direct cost to the City to approve this Ordinance.

ORDINANCE NO. _____: It is requested an ordinance be passed amending Part Five (General Offenses Code), Chapter 531 (Nuisances Generally), Sections 531.09 (Notice to Cut; Duty of Housing Code Compliance Officer), 531.10 (Failure to Comply), 531.11 (Procedure When Owner Fails to Comply with Notice), and 531.12 (Payment of Costs; Unpaid Costs a Lien), of the Codified Ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

ITEM #9 – Submitted by Brendan Heil, Law Director

OBJECTING THE LIQUOR RENEWAL OF PERMITS ISSUED TO DOGHOUSE BAR LLC

Budgetary Information: There is no direct cost to the City to approve this Ordinance.

RESOLUTION NO. _____: It is requested a resolution be passed objecting to the renewal of permits issued under Sections 4303.11 through 4303.183 of the Ohio Revised Code to Doghouse Bar LLC, DBA Doghouse, for reasons including those stated herein; requesting a hearing, and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

CITY MANAGER’S REPORT

OLD BUSINESS

NEW BUSINESS

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

EXECUTIVE SESSION(S)

ADJOURNMENT

Online: www.ci.sandusky.oh.us – Click “Play” 



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Jane E. Cullen, P.E.

Date: April 13, 2021

Subject: **Commission Agenda Item – Amending Ordinance 21-034**

ITEM FOR CONSIDERATION: Requesting legislation amending Ordinance 21-034, passed on March 22, 2021, to correct a Scrivener's Error in the total cost of the contract awarded to Erie Blacktop, Inc., of Sandusky, Ohio for the Camp Street Resurfacing and Reconstruction Project.

BACKGROUND INFORMATION: The City received the following three (3) bids for the Camp Street Resurfacing and Reconstruction Project; and

Contractor	A.J. Riley, Inc. Norwalk, OH	Ed Burdue & Co., LLC Sandusky, OH	Erie Blacktop, Inc. Sandusky, OH
Bid Bond	100%	100%	100%
Base Bid	\$373,762.63	\$325,726.29	\$310,490.25
Alternate 1 (4" sidewalk)	\$107,904.50	\$57,876.05	\$56,404.63
Alternate 2 (6" sidewalk)	\$9,263.76	\$6,526.74	\$5,642.47
Alternate 3 (Drive approaches/drop curb)	\$53,481.75	\$39,640.56	\$39,901.83
Total Base Bid, Alternates 1 and 2=			\$372,537.35

The City of Sandusky's Local Preference Policy was not used to evaluate the bids due to federal funding used in the project. The engineer's estimate for the base bid was \$416,536.00, and Erie Blacktop, Inc. was determined to be the lowest and best bidder. It was also determined to award Alternates 1 and 2 which would allow the sidewalks to be replaced on Camp Street within the project limits.

At the City Commission meeting on March 22, 2021, ordinance No. 21-034 was approved to award a contract with Erie Blacktop Inc., of Sandusky, Ohio, for the Camp Street Resurfacing and Reconstruction Project for the base bid amount of \$310,490.25. The desire and recommendation from staff, and we believe also the desire of the City Commission, was to award Alternate bids 1 and 2 as discussed in the commission meeting. However, the ordinance was mistakenly written not to include the costs for Alternate bids 1 and 2, which will improve sidewalks along the stretch of roadway, for a total project cost of \$372,537.35.

BUDGETARY INFORMATION: There is no change to the breakdown of costs as described in the previous communication as they totaled the base bid, plus alternates one and two.

The construction cost of the project is \$372,537.35 of which OPWC will provide funding up to 58% of the project cost which is \$216,071.66 (\$41,071.66 OPWC (0% loan) and \$175,000 OPWC(grant). The City's 42% share in the projects costs is \$156,465.69 and will be funded with \$86,188.00 CDBG and \$70,277.69 Issue 8 (Street).

ACTION REQUESTED: It is requested that proper legislation amending Ordinance 21-034 be passed awarding a contract to Erie Blacktop, Inc., of Sandusky, Ohio, for the Camp Street Resurfacing and Reconstruction Project in the correct amount not to exceed **\$372,537.35**. It is further requested that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to immediately amend Ordinance No. 21-034 to reflect the actual cost of the contract.

I concur with this recommendation:

Eric L. Wobser
City Manager

Aaron M. Klein, P.E.
Director of Public Works

cc: M. Spriggs, Commission Clerk; M. Reeder, Finance Director; B. Heil, Law Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 21-034, PASSED ON MARCH 22, 2021, TO CORRECT A SCRIVENER'S ERROR; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission approved a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the Camp Street Resurfacing and Reconstruction Project by Ordinance No. 21-034, passed on March 22, 2021, in the amount of \$310,490.25; and

WHEREAS, it was recently discovered that a scrivener's error was made on Ordinance No. 21-034 and the total cost of the contract in Section 1 of the Ordinance did not include the costs for Alternate bids 1 and 2 and the contract should have been approved in an amount not to exceed **\$372,537.35**; and

WHEREAS, there is no change to the budgetary information and the total construction costs remains \$372,537.35 of which \$41,071.66 will be paid with a 0% OPWC loan, \$175,000.00 with OPWC grant funds, \$86,188.00 with Community Development Block Grant (CDBG) Funds, and \$70,277.69 with Issue 8 Street 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 immediately amend Ordinance No. 21-034 to reflect the actual cost of the contract; and

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

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

Section 1. This City Commission hereby amends Ordinance No. 21-034, passed on March 22, 2021, to correct a scrivener's error and authorizes and directs the City Manager to enter into a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the Camp Street Resurfacing and Reconstruction Project in an amount not to exceed **Three Hundred Seventy Two Thousand Five Hundred Thirty Seven and 35/100 Dollars (\$372,537.35)** consistent with the bid submitted

by Erie Blacktop, Inc., of Sandusky, Ohio, currently on file in the office of the Director of Public Works.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021



DEPARTMENT of COMMUNITY DEVELOPMENT

Division of Transit

240 Columbus Ave
Sandusky, Ohio 44870
419.621.8462
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Thomas Horsman, Transit Administrator

DATE: April 13, 2021

SUBJECT: **CY 2022 Sandusky Transit System 5311 Rural Transit Program Grant, 5339 Bus and Bus Facilities and Ohio Transit Partnership Program Grant Applications**

ITEM FOR CONSIDERATION: Request for Resolution of Authorization to file applications with the Ohio Department of Transportation (ODOT) for the CY 2022 5311 Rural Transit Program Grant, 5339 Bus and Bus Facilities and Ohio Transit Partnership Program (OTP2) and upon approval for the City Manager to execute all grant or agreement as awarded.

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

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

5311 Rural Transit Program Grant - The City will apply for Federal 5311 Rural Transit Grant operating funds of approximately \$1,400,000 along with State General Revenue Funds of approximately \$350,000 and Capitalized Maintenance funds of approximately \$300,000. These funds will be used for daily operation of the Sandusky Transit System. The 5311 Operating funds require a 50% match and the Capitalized Maintenance funds have a match requirement of 80/20.

5339 Bus and Bus Facilities Grant - The City is applying for Federal 5339 Buses and Bus Facilities funds of approximately \$150,000 for replacement vehicles. The 5339: Bus and Bus Facilities grant will require local match funding, all of which will be Capital Replacement Fund revenue.

Ohio Transit Partnership program (OPT2) – The City is applying for State OPT2 funds of approximately \$300,000 for operating assistance. This grant does not require a local match.

BUDGET IMPACT: The 5311 Rural Transit Program funds comprise approximately 50% of STS's budget and without this funding the system would not be able to operate. The required local matching funds will be generated from multiple local sources; STS anticipates receiving \$90,000 in Fare Revenue, \$600,000 in contract revenue, \$100,000 in Capital Replacement Fund revenue, \$65,000 from

Advertising, \$60,000 from fares paid by organizations; \$12,000 in Elderly & Disabled Funds, and approximately \$260,000 in City General Revenue Funds.

ACTION REQUESTED: A resolution authorizing the filing of an application with the Ohio Department of Transportation for the CY 2022 Rural Transit Program Grant, Section 5339: Bus and Bus Facilities, and Ohio Transit Partnership Program, and upon approval, for the City Manager to execute any grant or agreement as awarded. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter since applications are due to the Ohio Department of Transportation by April 30, 2021.

Thomas Horsman, Transit Administrator

I concur with this recommendation:

Eric Wobser, City Manager

Jonathan Holody,
Director of Community Development

cc: McKenzie Spriggs, Clerk of the City Commission
Michelle Reeder, Finance Director
Brendan Heil, Law Director

CERTIFICATE OF FUNDS

In the Matter of: 2022 Rural Transit Grant

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Account # 218-6822-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 4/21/2021

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CY 2022 RURAL TRANSIT PROGRAM GRANT FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

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

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

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

WHEREAS, the City will be applying for financial assistance approximately in the amounts of \$1,400,000.00 for Operating Funds, \$350,000.00 in State General Revenue Funds, and \$300,000.00 for Capitalized Maintenance Funds; and

WHEREAS, the Rural Transit Program Grant requires a 50% local match and the Capitalized Maintenance Funds requires a 20% local match which will be generated from multiple local sources including fare revenue, contract revenue, Capital Replacement Funds, advertising revenue, fares paid by organizations, Elderly & Disabled Transit Fare Assistance Program Funds, and General Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to file a grant application with the Ohio Department of Transportation for CY 2022 Rural Transit Program funds by the submission deadline of April 30, 2021; and

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

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

PAGE 2 - RESOLUTION NO. _____

Section 1. The City Manager is hereby authorized to execute and file a grant application on behalf of the City of Sandusky with the Ohio Department of Transportation for the CY 2022 Rural Transit Program to aid in the financing of operating projects pursuant to 49 USC Section 5311 and the Ohio Public Transportation Grant Program for the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds consistent with the application should they be awarded.

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

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

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

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

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

Commission of the City of Sandusky, Ohio.

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION THROUGH THE US DOT FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CY 2022 BUS AND BUS FACILITIES PROGRAM GRANT FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

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

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

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

WHEREAS, the City will be applying for financial assistance in the approximate amount of \$150,000.00 for replacement vehicles; and

WHEREAS, if awarded, the required local matching funding will be paid with Capital Replacement Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to file a grant application with the Ohio Department of Transportation for CY 2022 Bus and Bus Facilities Program Grant funds by the submission deadline of April 30, 2021; and

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

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

Section 1. The City Manager is hereby authorized to execute and file a grant

application on behalf of the City of Sandusky with the Ohio Department of Transportation for the Bus and Bus Facilities Program to aid in the financing of transit vehicles pursuant to 49 USC. Section 5339 and the Ohio Public Transportation Grant Program for the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds consistent with the application should they be awarded.

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

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

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR STATE FY2022 OHIO TRANSIT PARTNERSHIP PROGRAM GRANT FUNDS FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

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

WHEREAS, the City will be applying for financial assistance in the approximate amount of \$300,000.00 for operating assistance and there is no local match required for this grant; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to file the application with the Ohio Department of Transportation for the Ohio Transit Partnership Program by the submission deadline of April 30, 2021; and

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

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

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

Section 2. The City Manager is authorized to execute and file with the City's

applications any assurances or any other documentation required by the Ohio Department of Transportation and to furnish such additional information as the Ohio Department of Transportation may require in connection with the City's applications.

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

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

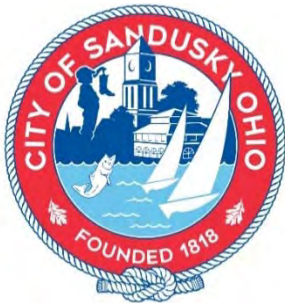
Section 5. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021



DEPARTMENT of COMMUNITY DEVELOPMENT

Division of Transit

240 Columbus Ave
Sandusky, Ohio 44870
419.621.8462
www.ci.sandusky.oh.us

TO: Eric Wobser, City Manager

FROM: Thomas Horsman, Transit Administrator

DATE: April 13, 2021

SUBJECT: Sandusky Transit System Rides to Community Immunity Program Grant Application

ITEM FOR CONSIDERATION: Request Resolution for the approval and ratification of the submission of an application to the Ohio Department of Transportation (ODOT) for the Rides to Community Immunity (RCI) program and upon approval for the City Manager to execute all grant or agreement as awarded.

BACKGROUND INFORMATION: ODOT has allocated \$7 million dollars for the Rides to Community Immunity Program, which will be distributed across Ohio's 88 counties. The RCI program is intended to help local transit agencies and health departments get Ohio's most vulnerable populations transportation to vaccine locations. ODOT allocated \$46,531 to the City of Sandusky / Sandusky Transit System. This funding will allow Sandusky Transit to provide fare free rides on fixed route lines and dial-a-ride service for riders who need transportation to vaccine administration locations.

BUDGET IMPACT: The RCI program is funded 100% by State of Ohio General Revenue Funds and does not require any local match.

ACTION REQUESTED: A resolution approving and ratifying the filing of an application with the Ohio Department of Transportation for the Rides to Community Immunity program, and upon approval, for the City Manager to execute any grant or agreement as awarded. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to ratify the submission of the grant application to ODOT for the RCI grant program that was submitted on the deadline of April 9, 2021.

Thomas Horsman, Transit Administrator

I concur with this recommendation:

Eric Wobser, City Manager

Jonathan Holody, Director of Community
Development

cc: McKenzie Spriggs, Clerk of the City Commission
Michelle Reeder, Finance Director
Brendan Heil, Law Director

RESOLUTION NO. _____

A RESOLUTION APPROVING AND RATIFYING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RIDES TO COMMUNITY IMMUNITY (RCI) GRANT PROGRAM FOR THE SANDUSKY TRANSIT SYSTEM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Ohio Department of Transportation (ODOT) has allocated \$7 million through the Rides to Community Immunity (RCI) program to all 88 counties in Ohio to assist Ohio's most vulnerable populations with transportation to vaccine locations; and

WHEREAS, the City of Sandusky / Sandusky Transit System has been allocated \$46,531.00 in funds that will be used to provide fare free rides on fixed route lines and dial-a-ride service for riders in need of transportation to vaccine administration locations; and

WHEREAS, there is no local match required for this grant which provides funding on a reimbursement basis for the expenses incurred through the program; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to ratify the submission of a grant application to ODOT for the Rides to Community Immunity Grant Program that was submitted on the deadline of April 9, 2021; and

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

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

Section 1. This City Commission hereby approves and ratifies the submission of a grant application on behalf of the City of Sandusky to the Ohio Department of Transportation for the Rides to Community Immunity Program Grant funding to assist Ohio's most vulnerable populations with transportation to vaccine locations and the Sandusky Transit System and to execute any contracts or agreements on behalf of the City and lawfully expend funds.

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

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

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021



DEPARTMENT OF COMMUNITY DEVELOPMENT

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5707
www.cityofsandusky.com

To: Eric Wobser, City Manager
From: Jonathan Holody, Community Development Director
Date: April 14, 2021
Subject: Commission Agenda Item – Power a Clean Future Ohio

Items for Consideration: Legislation authorizing the City to become a Power A Clean Future Ohio community.

Background Information: Carbon emissions from human activities are a primary cause of climate change, which has been linked to more frequent and intense hot weather events, widespread crop failures, and shifts in animal and plant ranges. These changes impact everyone, but tend to have the largest impact on the world's most vulnerable people.

Power A Clean Ohio Future (PCFO) is a coalition engaging with cities across Ohio to improve residents' quality of life by lowering carbon emissions. PCFO communities commit to a 30% reduction in greenhouse gas emissions from 2010 levels by 2030. This is achieved by developing a plan, appointing a PCFO coordinator and potentially identifying a committee to help lead the efforts. I am happy to serve as the PCFO Coordinator and will work with the City Manager to create the City's coordination team as necessary. PCFO communities also commit to facilitating community involvement and providing feedback on their progress each year.

PCFO assists communities in achieving their carbon reduction goals by providing resources, tool kits, accountability and support.

Budgetary Information: There is no cost to become a PCFO community.

Action Requested: It is requested that the proper legislation be prepared to authorize the City to become a Power A Clean Ohio community. It is recommended that an Ordinance be approved and passed in accordance with Section 13 of the City Charter.

I concur with this recommendation:

Eric Wobser
City Manager

Jonathan Holody
Community Development Director

cc: Brendan Heil, Law Director
Michelle Reeder, Finance Director
McKenzie Spriggs, City Commission Clerk

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY OF SANDUSKY TO BECOME A POWER A CLEAN FUTURE OHIO COMMUNITY AND TO ADOPT A GOAL TO REDUCE GREENHOUSE GAS EMISSIONS IN THE CITY; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT UNDER SUSPENSION OF THE RULES AS CONTAINED IN AND IN ACCORDANCE WITH SECTION 13 OF THE CITY CHARTER.

WHEREAS, Power a Clean Future Ohio (PCFO) aims to provide Ohio communities support on the pathway to carbon emission reduction based upon implementing practical policies specific to Ohio communities of different sizes and capabilities and due to the multiple environmental, economic and social dimensions of the policies, leadership is needed to oversee implementation and integration with other city and community activities as appropriate; and

WHEREAS, Power a Clean Future Ohio is an expansive, diverse coalition engaging with cities and local governments across the state of Ohio to build a clean future for our communities, and empowers local leaders with tools and resources to create carbon reduction plans and implement them in ways that are achievable, measurable, equitable, and economical; and

WHEREAS, steps taken toward carbon emissions also aim to improve community quality of life, building community capital and increasing government efficiency, accountability and transparency; and

WHEREAS, local governments have the unique opportunity to achieve both energy use and carbon emission reductions and cost savings through building and facilities management; land use and transportation planning; and through economic and community development; and

WHEREAS, efforts to address energy and climate issues provide an opportunity to move toward energy self-reliance and greater community resiliency and quality of life; provide environmentally healthy and cheaper-to-operate public buildings; encourage new economic development and local jobs; and support local renewable energy production; and

WHEREAS, uncertainty in energy prices and the transition away from fossil fuel energy sources present new challenges and opportunities to both the City of Sandusky and to the economic health of its citizens and businesses; and

WHEREAS, climate changes have been observed in Ohio and have the potential to negatively impact local, regional and state economies; infrastructure development; habitat; ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose flooding, drought and health threats to our citizens; and

WHEREAS, the Power a Clean Future Ohio provides cost-effective sustainable development policies in the following four categories: (1) Renewable

Energy; (2) Energy Efficiency; (3) Transportation Electrification; and (4) Land Use; and

WHEREAS, the City desires to join Power a Clean Future Ohio (PCFO) by passage of this Resolution and commits to a goal of reducing greenhouse gas emissions in the City of Sandusky by 30% by 2030 below 2010 levels; and

WHEREAS, the City will select a PCFO Coordinator to develop a plan during FY 2021 that lays out a roadmap for the City to achieve this goal and to proactively seek input from the community in developing this plan and prioritize the lowest cost measures identified in the plan to meet energy needs to be mindful of the use of taxpayer dollars and any impact of consumers' personal expenses; and

WHEREAS, the PCFO Coordinator will facilitate the involvement of community members in an equitable way and other units of government as appropriate in the planning, promoting and/or implementing of PCFO policies and to provide feedback once a year on how well PCFO is serving the City and on City needs from the program; and

WHEREAS, the City will will work at its own pace toward implementing any policies from two (2) of the PCFO policy categories that will result in carbon emission reductions, cost savings, and quality of life improvement; 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission hereby approves the City's participate in Power a Clean Future Ohio that offers a free, voluntary continuous improvement framework and allows the City of Sandusky to be recognized as a Power a Clean Future Community.

Section 2. This City Commission appoints **the Director of Community & Economic Development** to serve as the City's PCFO coordinator for implementation and appoints the **Planning Commission** as the City's PCFO coordination team.

Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent

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

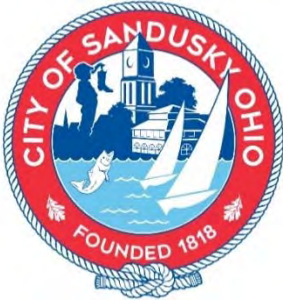
Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted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

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 of the City Charter after its adoption and due authentication by the President and the Clerk of The City Commission.

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021 (effective after 30 days)



COMMUNITY DEVELOPMENT DEPARTMENT

Division of Transit

240 Columbus Ave.
Sandusky, Ohio 44870
419.621.8462

TO: Eric Wobser, City Manager

FROM: Thomas Horsman, Transit Administrator

DATE: April 13, 2021

SUBJECT: Resolution in Support of the Amtrak Corridor Network Expansion Plan

ITEM FOR CONSIDERATION: A Resolution supporting the funding for the Amtrak Connects US expansion plan that includes the addition of new passenger rail service to Sandusky on a multi-frequency Cleveland-Detroit route.

BACKGROUND INFORMATION: Amtrak is developing a network expansion plan that includes additional passenger rail service on new routes, to new communities, and on existing routes to communities that do not now have passenger rail service. Today's travelers are opting for passenger trains when the services provided are frequent, competitive in time with driving and flying, and offer a high level of reliability. Amtrak carries more than three-quarters of its annual ridership on such multi-frequency routes connecting communities less than 400 miles apart.

The Fixing America's Surface Transportation Act will expire at the end of Fiscal Year 2021, and must be reauthorized. Amtrak will submit to Congress a proposal to fund the Amtrak Connects US expansion plan for new routes and new service to Sandusky, and other places. The plan calls for three new daytime train routes passing through Sandusky that will connect to Cleveland and Detroit, with possible extensions to Buffalo, Pittsburgh, and Chicago. The plan also calls for a new train corridor that will run between Cleveland and Cincinnati. The Amtrak Connects US expansion plan will require \$25 million over 5 years to begin developing 36 new routes and service improvements on 23 existing routes and new service to more than 150 places not now served.

BUDGET IMPACT: There is no budget impact.

ACTION REQUESTED: It is requested that City Commission adopt the legislation to support funding for the Amtrak Connects US expansion plan that includes additional passenger rail service to Sandusky on a multi-frequency Cleveland-Detroit and route. Increased passenger rail opportunities in Sandusky will improve the ease of access to Sandusky for business, tourism and resident travel, enhancing Sandusky's attractiveness and facilitating residential growth and job retention in the City. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter so that the resolution of support can be sent to elected officials, Amtrak, and advocacy organizations in a timely manner.

Thomas Horsman, Transit Administrator

I concur with this recommendation:

Eric Wobser, City Manager

Jonathan Holody,

Director of Community Development

cc: McKenzie Spriggs, Clerk of the City Commission

Michelle Reeder, Finance Director

Brendan Heil, Law Director

RESOLUTION NO. _____

A RESOLUTION IN SUPPORT OF AMTRAK’S PROPOSED EXPANSION OF PASSENGER RAIL SERVICES IN OHIO AND FOR THE CONGRESSIONAL ACTIONS NEEDED TO AUTHORIZE AND APPROPRIATE FUNDS TO THE EXPANSION; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Amtrak will be submitting to Congress a proposal to fund the Amtrak Connects US expansion plan which consists of new routes and service to Sandusky and includes three (3) new daytime train routes passing through Sandusky that will connect to Cleveland and Detroit, with possible extensions to Buffalo, Pittsburgh, and Chicago, and a train corridor that will run between Cleveland and Cincinnati; and

WHEREAS, Ohio, because it has only three Amtrak routes -- two confined mostly to the northern edge of the state -- has only 32 passenger trains crossing the state per week; it has far fewer intercity or regional passenger rail services than any of its neighboring states, except Kentucky; and

WHEREAS, Ohio is the nation’s seventh-most populous state, but is only the 27th highest Amtrak ridership state and has the lowest ratio of Amtrak riders per resident of the top-10 most populous states, according to Amtrak; and

WHEREAS, among the top-10 most populous states near Ohio, Amtrak riders per 1,000 residents are 42 in Michigan, 186 in Illinois, 258 in Pennsylvania and 322 in New York compared to just 6 Amtrak riders per 1,000 residents in Ohio; and

WHEREAS, Ohio is the most populous state in the nation without any ongoing passenger rail development or operating program because it does not have funds budgeted for passenger rail development in the currently proposed Ohio Department of Transportation biennial budget; and

WHEREAS, according to the Ohio Department of Transportation, because of its legacy industrial status, has the fifth-most railroad industrial supplier employment in the nation; and

WHEREAS, in 2019, Amtrak reports that it spent \$40 million on goods and services purchased from Ohio railroad industry suppliers, mostly for the provision and improvement of passenger rail services outside of Ohio; meanwhile Amtrak in 2019 spent \$667 million on goods and services from suppliers in Illinois, Indiana, Kentucky, New York, Pennsylvania and West Virginia for an average of \$111 million for each of those six states; and

WHEREAS, at the end of 2019 Amtrak employed 32 people in Kentucky and West Virginia, 196 people in Michigan, 747 in Indiana, 1,284 in Illinois, 1,578 in New York and 2,700 in Pennsylvania but only 52 people earning wages of \$5.4 million in Ohio; and

WHEREAS, the employment multiplier for transportation sector jobs is 3.76 according to the Economic Policy Institute, meaning that for every Amtrak job added another 2.76 jobs are created among suppliers and in communities where employees live and work; and

WHEREAS, Amtrak proposes to increase the number of passenger trains in Ohio by 572 percent from 32 trains per week to 215 trains per week and the number of stations by 214 percent from seven existing to potentially 22 stations by 2035 suggests an approximate corollary increase in employment in Ohio from 52 to 300 permanent Amtrak jobs and 828 induced permanent jobs; and

WHEREAS, in Michigan, a Grand Valley University study found that the 22 Michigan communities with Amtrak stations enjoyed \$62 million annually in traveler cost savings and local business benefits in 2009 – and that was before Amtrak ridership grew 60 percent in Michigan as a result of \$800 million worth of state-backed improvements to infrastructure and trains producing 110 mph speeds and better on-time performance; and

WHEREAS, Amtrak proposes to increase the number of weekly train arrivals and departures at Cincinnati from six to 104 trains per week, at Cleveland from 28 to 154 weekly, at Columbus and Dayton from zero to 42 per week, , and at Sandusky from 28 to 70 weekly; and

WHEREAS, safe, fast, modern, convenient passenger rail service offers time-savings and productivity benefits as business travelers can work and meet en route and all travelers can eat, drink or relax aboard an all-weather transportation mode, making Ohio a more attractive place to live and work, and to visit for business or pleasure; and

WHEREAS, according to the 2019 U.S. Department of Energy Data Book, travel by Amtrak train is 47 percent more energy efficient than traveling by car and 33 percent more energy efficient than domestic air travel. And pollution emissions have a directly correlation to energy efficiency, thus the more energy-efficient a travel mode is, the less pollution it emits; and

WHEREAS, it is incumbent on the Ohio Congressional delegation to support a renewal of the five-year federal Surface Transportation Reauthorization in 2021 that includes Amtrak's proposed Corridors Development Program authorized at \$25 billion for capital improvements and \$300 million for operations over five years; and

WHEREAS, it is essential that the Ohio Congressional delegation provide in the upcoming Transportation and Housing Urban Development appropriations bill \$5 billion for capital improvements and \$60 million for operations to fund Amtrak's Corridor Development Program; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the Resolution of Support to be sent to elected officials, Amtrak, and advocacy organizations 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 of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE

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

Section 1. This City Commission supports Amtrak's proposed expansion of passenger rail services in Ohio.

Section 2. This City Commission urges the Congressional delegation from Ohio to support a renewal of the five-year federal Surface Transportation Reauthorization and otherwise authorize and appropriate funds to support the Amtrak expansion in Ohio.

Section 3. The City Commission Clerk is directed to transmit copies of this Resolution to Senators Sherrod Brown and Rob Portman, Representative Marcy Kaptur, Derrick James, Amtrak Senior Government Affairs Officer, and Stu Nicholson, Executive Director, All Aboard Ohio.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021



DEPARTMENT OF COMMUNITY DEVELOPMENT

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

To: Eric Wobser, City Manager
From: Jonathan Holody, Director of Community Development
Date: April 13, 2021
Subject: Commission Agenda Item – Exclusive Right to Sell Agreement – Cold Creek Crossing Properties

ITEM FOR CONSIDERATION: The legislation will authorize the City Manager to execute an Exclusive Right to Sell Agreement with Hoty Enterprises for the marketing and sale of 44 vacant parcels of land in the Cold Creek Crossing Subdivision (the “Properties”).

BACKGROUND INFORMATION: The City of Sandusky owns 40 single-family and four (4) multi-family vacant parcels in the Cold Creek Crossing Subdivision as part of the Land Reutilization Program. The Properties are encumbered by assessment liens and deed restrictions related to the construction of the subdivision.

City staff issued a Request for Qualifications due October 13, 2020 to identify a firm to market the Cold Creek Crossing properties for development through an Exclusive Right to Sell Agreement in which 8 submittals were received and evaluated by a selection committee. Hoty Enterprises was selected as the most qualified firm based on their experience, professional expertise, past performance, marketing strategy, and location.

The sales price of the properties will be the fair market value which has been determined by Hoty Enterprises and City staff to be 90% of the Auditor’s market value for the single family lots, and \$8,000 per unit to be constructed due to the current market conditions and the redevelopment restrictions imposed as a condition of sale. Buyers will be required to begin construction of a new residential structure on the property within four years of the sale. Buyers will also qualify for the City’s residential tax abatement at the rate of 75% for ten years.

BUDGETARY INFORMATION: At closing, each assessment lien will be satisfied from a portion of the sales proceeds. Broker fees of up to 6.5% will also be paid from the sales proceeds. The balance of funds will be used by the City to recoup expenses related to the property in accordance with O.R.C. §5722.08.

ACTION REQUESTED: It is recommended that City Commission authorize the execution of the Exclusive Right to Sell Agreement with Hoty Enterprises. It is further requested that this legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to immediately commence the listing and marketing of these parcels in order to secure eventual buyers to develop the property.

I concur with this recommendation:

Eric Wobser
City Manager

Jonathan Holody
Community Development Director

cc: McKenzie Spriggs, Clerk of City Commission, Michelle Reeder, Finance Director, Brendan Heil, Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN EXCLUSIVE RIGHT TO SELL AGREEMENT WITH HOTY ENTERPRISES, INC. OF SANDUSKY, OHIO, FOR THE MARKETING AND SALE OF FORTY-FOUR (44) VACANT PARCELS OF LAND IN THE COLD CREEK SUBDIVISION IN SANDUSKY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City owns forty (40) single-family and four (4) multi-family vacant parcels in the Cold Creek Crossing Subdivision which are encumbered by assessment liens and deed restrictions related to the construction of the subdivision; and

WHEREAS, the properties were subjected to foreclosure proceedings and conveyed to the City for placement in the Land Reutilization Program; and

WHEREAS, a Request for Qualifications (RFQ) was issued for the marketing and sale of the Cold Creek Crossing parcels in which eight (8) submittals were received, evaluated, and based upon the firm's experience, professional expertise, past performance, marketing strategy, and location, it was determined Hoty Enterprises, Inc. of Sandusky, Ohio was the most qualified; and

WHEREAS, upon any sale of the parcels, the assessment lien along with the broker fee of up to 6.5% will be satisfied from a portion of the sale proceeds and the remaining net proceeds will be used to recoup expenses related to the property in accordance with Ohio Revised Code §5722.08; and

WHEREAS, it is requested in companion legislation to declare the forty-four (44) vacant parcels in the Cold Creek Crossing Subdivision no longer needed for any municipal purpose and approve a form of agreement for the sale of said 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 to immediately execute the agreement to list and market the property for the purpose to secure eventual buyers to develop the property; and

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

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

Section 1. The City Manager is authorized and directed to enter into an Exclusive Right to Sell Agreement with Hoty Enterprises, Inc. of Sandusky, Ohio, for the marketing and sale of the forty-four (44) parcels of land in the Cold Creek

Crossing Subdivision, substantially in the same form as attached to this Ordinance, marked Exhibit "1", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the 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 L. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: April 26, 2021



Listing Agreement



Exclusive Right to Sell

The undersigned Owner hereby grants to Hoty Enterprises, Inc. ("Broker") the exclusive right to sell the property known as **Cold Creek Crossing – see Exhibit A** at the price of **see Exhibit A** for a **12-month** period. The property, price and selling incentives may change from time to time as directed by Owner in writing.

Owner hereby agrees to pay Broker a fee of **six and one-half percent (6.50%)** of the selling price of any property. Buyer-brokers will be offered a share of the Broker fee in the amount of three percent (3.00%) of the selling price. Owner authorizes Broker to compensate other brokers through sub-agency.

This agreement is an exclusive right to sell agreement. Except as provided on the attached **Exhibit B**, if an agreement for sale has been executed by Owner prior to the expiration of this listing agreement (or any extension thereof) to anyone, even if Broker has had no contact with such buyer, the real estate commission as stated herein is owed to Broker. Owner agrees to refer to Broker all real estate licensees, customers, or prospects who may come to Owner directly during the exclusive period or any extension thereof.

The commission herein shall be paid if said property is sold within thirty (30) days after the expiration of this listing agreement (or any extension thereof) to anyone with whom Broker has had negotiations prior to expiration, provided Owner has received notice in writing, including the names of the prospective purchasers, before or upon expiration of this listing agreement (or any extension thereof). The commission shall be deemed earned when a binding contract for sale has been executed and/or when Broker has produced a purchaser, ready, willing and able to buy the property pursuant to the terms of this agreement. However, Owner shall not be obligated to pay Broker such fee if Owner enters into a valid listing agreement during the term of said protection period with another licensed real estate broker. The commission due pursuant to a sale shall be paid at the closing of a transaction.

Broker is hereby authorized to place a "FOR SALE" signs on said property to actively market the property, which may include the internet and commercial sites such as CoStar, Loopnet and NEOHREX as applicable. The undersigned Owner directs Broker to immediately submit this listing to the Multiple Listing Service of the Firelands Association of Realtors to be published and disseminated to participants therein.

The undersigned acknowledges receipt of a copy of this agreement and certifies that the undersigned is the Owner of said property or duly authorized agent of Owner, and controls said property. Property will be made available for showing at all reasonable times to Broker, Broker's associates and cooperating brokers upon appointment arranged by Broker's office. By providing an email address, you grant Hoty Enterprises permission to email you; permission can be revoked at any time by using the SafeUnsubscribe® link.

OWNER ACKNOWLEDGES RECEIPT OF HOTY ENTERPRISES CONSUMER GUIDE TO AGENCY.

Date Signed _____

Expiration Date _____

Owner:

Email address

Address / phone

Address / phone

The undersigned hereby accepts the agency for the exclusive right to sell said property on the terms stated above and notifies the Owner that at some time during the term of this agreement, he/she may act as a **disclosed dual agent**.

Broker _____

Salesperson _____

Exhibit A
LOTS, PRICES, INCENTIVES

<u>Parcel</u>	<u>Property Address</u>	<u>Acres</u>	<u>List Price</u>	<u>Assessment Removal</u>	<u>10-yr 75% tax abatement</u>
60-00043.001	COLD CREEK	0.5202	\$ 31,230	\$ 9,286	Yes
60-00043.002	COLD CREEK	0.4671	\$ 29,660	\$ 11,497	Yes
60-00043.003	COLD CREEK	0.3651	\$ 26,330	\$ 8,697	Yes
60-00043.004	COLD CREEK	0.4231	\$ 28,140	\$ 11,497	Yes
60-00043.005	COLD CREEK	0.2946	\$ 23,490	\$ 8,697	Yes
60-00043.006	COLD CREEK	0.3673	\$ 26,000	\$ 11,497	Yes
60-00043.007	COLD CREEK	0.2755	\$ 22,460	\$ 8,697	Yes
60-00043.008	COLD CREEK	0.3673	\$ 26,000	\$ 11,497	Yes
60-00043.009	COLD CREEK	0.2755	\$ 22,460	\$ 8,697	Yes
60-00043.010	COLD CREEK	0.3630	\$ 26,190	\$ 11,497	Yes
60-00043.015	COLD CREEK	0.3930	\$ 27,330	\$ 11,497	Yes
60-00043.020	CREEKSIDE	0.4824	\$ 30,190	\$ 11,497	Yes
60-00043.021	COLD CREEK	0.3330	\$ 25,180	\$ 11,497	Yes
60-00043.028	COLD CREEK	0.3857	\$ 26,780	\$ 10,580	Yes
60-00043.046	WALNUT RIDGE	0.4107	\$ 27,630	\$ 10,580	Yes
60-00043.049	WALNUT RIDGE	0.4368	\$ 28,630	\$ 10,580	Yes
60-00043.053	WALNUT RIDGE	0.4333	\$ 28,430	\$ 11,497	Yes
60-00043.054	OLD MILL	0.4500	\$ 28,960	\$ 11,497	Yes
60-00043.056	OLD MILL	0.3600	\$ 26,120	\$ 8,697	Yes
60-00043.060	OLD MILL	0.4913	\$ 30,330	\$ 11,497	Yes
60-00043.061	OLD MILL	0.5593	\$ 32,120	\$ 11,497	Yes
60-00043.063	OLD MILL	0.3576	\$ 25,760	\$ 9,728	Yes
60-00043.065	OLD MILL	0.3597	\$ 25,900	\$ 8,697	Yes
60-00043.067	OLD MILL	0.4498	\$ 28,900	\$ 11,497	Yes
60-00043.068	SOUTH MEADOW	0.4019	\$ 27,610	\$ 11,497	Yes
60-00043.071	SOUTH MEADOW	0.3673	\$ 26,000	\$ 11,497	Yes
60-00043.073	SOUTH MEADOW	0.3673	\$ 26,000	\$ 11,497	Yes
60-00043.076	SOUTH MEADOW	0.4184	\$ 27,810	\$ 11,497	Yes
60-00043.077	COLD CREEK	0.3016	\$ 23,670	\$ 9,286	Yes
60-00043.078	COLD CREEK	0.3087	\$ 23,810	\$ 9,728	Yes
60-00043.079	COLD CREEK	0.3087	\$ 23,810	\$ 9,728	Yes
60-00043.080	COLD CREEK	0.3087	\$ 23,810	\$ 9,728	Yes
60-00043.081	COLD CREEK	0.3081	\$ 23,810	\$ 9,728	Yes
60-00043.082	COLD CREEK	0.3087	\$ 23,810	\$ 9,728	Yes
60-00043.083	COLD CREEK	0.3087	\$ 23,810	\$ 9,728	Yes
60-00043.084	SOUTH MEADOW	0.4628	\$ 29,730	\$ 11,497	Yes
60-00043.085	SOUTH MEADOW	0.4247	\$ 28,210	\$ 11,497	Yes
60-00043.087	SOUTH MEADOW	0.4247	\$ 28,210	\$ 11,497	Yes
60-00043.089	SOUTH MEADOW	0.4247	\$ 28,210	\$ 11,497	Yes
60-00043.095	SOUTH MEADOW	0.3490	\$ 25,490	\$ 10,318	Yes
60-00043.096	COLD CREEK	1.8885	* \$ 8,000	\$ 36,408	Yes
60-00043.097	WESTWOOD	4.6785	* \$ 8,000	\$ 115,001	Yes
60-00043.098	COLD CREEK	3.0348	* \$ 8,000	\$ 97,579	Yes
60-00043.099	COLD CREEK	7.3400	* \$ 8,000	\$ 215,056	Yes

* Per approved unit (Multi-Family Lot)

Exhibit B
EXCLUSIONS

In the event a bona fide purchase agreement is entered into by and between Owner and a party listed on the attached schedule B-1 within 45 days of this Listing Agreement (the "Exclusion Period"), no commission or fee shall be due to Broker upon the consummation of such sale. Should Owner enter into an agreement with a listed party after the expiration of the Exclusion Period, Broker shall be owed a reduced commission equal to four percent (4%).

Schedule B-1

<u>Last Name</u>	<u>First Name</u>
Hall	Jeff
Hayberger	Joe
Milkie	Duff
Haer	Anthony
Harris	Alonzo & Deanna
Mazza	Lee & Kimberly
Tallman-Townsend	Jami
Smith	Jack
Burdine	Eric
Appell	Kevin
Lombardo	David
Haas	John
Newell	Dana
Jackson	Jim
McKitrick	Katie
McCourt	Michael
Newton	Tara



DEPARTMENT OF COMMUNITY DEVELOPMENT

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5707
www.cityofsandusky.com

To: Eric Wobser, City Manager
From: Jonathan Holody, Community Development Director
Date: April 14, 2021
Subject: Commission Agenda Item – Purchase of Property – 2111 Parkview Blvd.

Items for Consideration: Legislation allowing the City of Sandusky to enter into a Purchase and Sale Agreement (the "Agreement") to acquire the property at 2111 Parkview Blvd.

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 has been in ongoing conversations with the owner of the above-mentioned property, Joshua R. Losey, about possibly acquiring the 4-unit property located at 2111 Parkview Blvd. Based upon the property's deteriorated condition and the City's strong interest in redeveloping and re-envisioning the neighborhood, the City seeks to move forward with the purchase of the aforementioned property.

The Agreement calls for the City to purchase the property for \$48,000. 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.

Later this year, the Department of Community Development plans to initiate a Southside Master Plan to engage area residents and stakeholders to refine the vision for this important community neighborhood. This plan will guide the future reuse of this and other city-owned properties in the area.

Budgetary Information: The City will be responsible for paying \$48,000 (plus closing costs) for the purchase of the property located at 2111 Parkview Blvd. The source of funding is the Community Development Block Grant 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 2111 Parkview Blvd. 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

Jonathan Holody, Community Development Director

cc: Brendan Heil, Law Director, Michelle Reeder, Finance Director, McKenzie Spriggs, City Commission Clerk

CERTIFICATE OF FUNDS

In the Matter of: Property Purchase- 2111 Parkview Blvd.

IT IS HEREBY CERTIFIED that the moneys required to meet the obligations of the City of Sandusky under the foregoing Contract have been lawfully appropriated for such purposes and are in the treasury of the City of Sandusky or are in the process of collection to an appropriate fund, free from any previous encumbrances. This certificate is given compliance with Sections 5705.41 and 5705.44, Ohio Revised Code.

Account # 241-4441-53000

By: 

Michelle Reeder

Finance Director

Dated: 4/21/2021

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALE AGREEMENT FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 2111 PARKVIEW BOULEVARD, SANDUSKY, AND IDENTIFIED AS PARCEL NO. 58-00976.000 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 4-unit property located at 2111 Parkview Boulevard based on the City's interest in redeveloping and re-envisioning the neighborhood; and

WHEREAS, the total cost for the purchase of the property located at 2111 Parkview Boulevard is \$48,000.00 plus all closing costs associated with the transaction and these costs will be paid with Community Development Block Grant (CDBG) 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 acquisition of real property with Joshua R. Losey, 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. 58-00976.000, located at 2111 Parkview Boulevard 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. 58-00976.000, located at 2111 Parkview Boulevard 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: April 26, 2021

PURCHASE AND SALE AGREEMENT

This Agreement is made and entered into this _____ day of _____, 2021, 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 Joshua R. Losey, whose tax mailing address is 3905 Harris Rd, Sandusky, Ohio, 44870, 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 2111 Parkview Blvd, Sandusky, Ohio, PPN# 58-00976.000, 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 \$48,000.00 (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 May 31, 2021 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 May 31, 2021 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:

Joshua R. Losey

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 _____, 2021.

Notary Public

Purchaser(s):

By: _____

Eric Wobser
City Manager, Sandusky, Ohio

STATE OF OHIO)
) SS.
COUNTY OF ERIE)

Before me, a Notary Public in and for said County and State, personally appeared Eric Wobser, City Manager for the Purchaser, who acknowledges that he signed the foregoing instrument and the same is his free act and deed. IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at _____, Ohio, this ____ day of _____, 2021.

Notary Public

APPROVED AS TO FORM:

Brendan Heil (#0091991)
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 2021 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

Exhibit 'A'

Situated in the State of Ohio, County of Erie, City of Sandusky:
Being Lot Number Sixteen (16) in MacArthur Park Subdivision as per plat Recorded in Volume
15 of Plats, Pages 6 and 7, Erie County, Ohio Records.

[Handwritten mark]

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.

[Signature]
Erie County Engineer

2/29/08

Transferred	
In Compliance with sections 571.02 and 322-62 of the Local Code.	
Fee:	27.00
Est.:	
Fee Paid:	81.00
Taxable Fee Paid	
Erie County Auditor	
Trans. Fee:	50
Date:	2/29/08



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Aaron M. Klein, P.E.

Date: April 13, 2021

Subject: Commission Agenda Item – 2021 Erie County Metropolitan Planning Organization (MPO) Application for Transportation Alternative Program (TA) State Fiscal Year 2025

ITEM FOR CONSIDERATION: Legislation approving the submission of two applications to the Erie County Metropolitan Planning Organizations (MPO) and authorizing the City Manager to execute an LPA Federal Project Agreement with the Ohio Department of Transportation (ODOT) as required for potential future funding of these projects.

BACKGROUND INFORMATION: The National Transportation Act has made Federal funds available for use by Local Planning Authorities (LPA's like the City of Sandusky) through the Federal Highway Administration (FHWA) which has designated ODOT as the agency to administer FHWA's Federal Funding Programs in the state. The Ohio Revised Code allows ODOT the opportunity to enter into contracts with LPA's to administer the design, qualification of bidders, competitive bid letting, construction, inspection and acceptance of any projects administered by ODOT provided the administration is performed in accordance with federal and state laws and regulations.

The MPO is accepting applications to fund transportation alternative projects for State Fiscal Year 2025. The two projects that staff is requesting approval to apply for are listed below.

Project	City's Portion	MPO Portion	Total Engineer's Estimate
Meadowood Subdivision Sidewalk Project	\$96,626.50	\$96,626.50	\$193,253.00
Hancock Elementary School Sidewalk Project	\$87,400.50	\$87,400.50	\$174,801.00

The Meadowood Subdivision Sidewalk Project involves extending concrete sidewalk along East Oldgate Road, Heritage Drive, Fox Run Trail, Fallen Timber Drive, Pioneer Trail and Foxborough Circle. Along these streets there are lots that have not been developed and do not have sidewalks installed that connect to existing sidewalks. Staff is proposing to fill-in all of the voids and bring curb ramps into compliance with American Disability Act (ADA) standards. If lots are purchased and housing constructed, future property owners would be responsible for repair of all sidewalks as needed.

The Hancock Elementary School Sidewalk Project involves adjacent streets and addresses the immediate crossing from the opposite side of Hancock Street directly to the school's "front" doors. The adjacent streets affected include Milan Rd., Hancock St, 42nd St., 44th St., 46th St., 48th St. and E. Parish St. This project replaces sidewalk areas that are trip hazards in this area and opens up accessibility for disabled persons at the intersections involved. The intersection of 44th and Hancock St. is the most detailed with a multi-way stop and pedestrian activated crosswalk signs (RRFB's) planned for the lone crosswalk here in front of the building.

The MPO now requires the legislative body of communities to supply legislation in support of an application at the time of submittal.

BUDGETARY INFORMATION: The construction estimate for each project is shown above. If awarded, the respected matches would be allocated in the 5-year capital budget from an account with funds available for infrastructure such as CDBG, Issue 8, Street or General Funds.

ACTION REQUESTED: It is recommended that the necessary legislation be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to submit applications by the April 30th due date.

I concur with this recommendation:

Eric Wobser
City Manager

cc: M. Spriggs, Commission Clerk; M. Reeder, Finance Director; B. Heil, Law Director

RESOLUTION NO. _____

A RESOLUTION APPROVING THE SUBMISSION OF AN APPLICATION TO THE ERIE REGIONAL PLANNING COMMISSION METROPOLITAN PLANNING ORGANIZATION (MPO) FOR FINANCIAL ASSISTANCE FOR THE MEADOWOOD SUBDIVISION SIDEWALK PROJECT AND, IF AWARDED, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the National Transportation Act has made available certain Federal funding for use by Local Public Authorities (LPA's like the City of Sandusky) through the Federal Highway Administration (FHWA) which has designated the Ohio Department of Transportation (ODOT) as the agency to administer FHWA's Federal funding programs; and

WHEREAS, the Ohio Revised Code provides that ODOT may coordinate its activities and enter into contracts with appropriate public authorities like the City of Sandusky to administer the design, qualification of bidders, competitive bid letting, construction, inspection, and acceptance of any projects administered by ODOT provided such administration is performed in accordance with all applicable Federal and State laws and regulations; and

WHEREAS, if approved this grant funding will provide for the extension of concrete sidewalks along East Oldgate Road, Heritage Drive, Fox Run Trail, Fallen Timber Drive, Pioneer Trail and Foxborough Circle, including lots that have not been developed and do not have sidewalks installed that connect to existing sidewalks, and includes improvements to curb ramps to be in compliance with American Disability Act (ADA) standards; and

WHEREAS, the total estimated construction cost of the project is \$193,253.00 and, if awarded, \$96,626.50 will be paid with FHWA funds received through ODOT and the Erie County Metropolitan Planning Organization and the remaining balance of \$96,626.50 will be allocated in the 5-year Capital Budget from an account with funds available for infrastructure such as Community Development Block Grant (CDBG), Issue 8, Street, or General Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to submit the application to the Erie County Metropolitan Planning Organization (MPO) by the deadline of April 30, 2021; and

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

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

Section 1. This City Commission hereby approves the submission of an application for financial assistance to the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) for the Meadowood Subdivision Sidewalk Project, and authorizes and directs the City Manager to sign and enter into a **LPA Federal Local-Let Project Agreement** with the Ohio Department of Transportation and lawfully expend funds consistent with the application and agreement should they be awarded.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021

RESOLUTION NO. _____

A RESOLUTION APPROVING THE SUBMISSION OF AN APPLICATION TO THE ERIE REGIONAL PLANNING COMMISSION METROPOLITAN PLANNING ORGANIZATION (MPO) FOR FINANCIAL ASSISTANCE FOR THE HANCOCK ELEMENTARY SCHOOL SIDEWALK PROJECT AND, IF AWARDED, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO THE LPA FEDERAL LOCAL-LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the National Transportation Act has made available certain Federal funding for use by Local Public Authorities (LPA's like the City of Sandusky) through the Federal Highway Administration (FHWA) which has designated the Ohio Department of Transportation (ODOT) as the agency to administer FHWA's Federal funding programs; and

WHEREAS, the Ohio Revised Code provides that ODOT may coordinate its activities and enter into contracts with appropriate public authorities like the City of Sandusky to administer the design, qualification of bidders, competitive bid letting, construction, inspection, and acceptance of any projects administered by ODOT provided such administration is performed in accordance with all applicable Federal and State laws and regulations; and

WHEREAS, if approved this grant funding will provide for the replacement of sidewalk areas that are trip hazards beginning at the immediate crossing from the opposite side of Hancock Street directly to the school's "front" doors and includes adjacent streets on Milan Road, Hancock Street, 42nd Street, 44th Street, 46th Street, 48th Street and E. Parish Street which will open up accessibility for disabled persons at these intersections and includes a multi-way stop and pedestrian activated crosswalk signs (RRFB's) at the intersection of 44th Street and Hancock Street in front of the Hancock Elementary School; and

WHEREAS, the total estimated construction cost of the project is \$174,801.00 and, if awarded, \$87,400.50 will be paid with FHWA funds received through ODOT and the Erie County Metropolitan Planning Organization and the remaining balance of \$87,400.50 will be allocated in the 5-year Capital Budget from an account with funds available for infrastructure such as Community Development Block Grant (CDBG), Issue 8, Street, or General Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to submit the application to the Erie County Metropolitan Planning Organization (MPO) by the deadline of April 30, 2021; and

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

THEREFORE,

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

Section 1. This City Commission hereby approves the submission of an application for financial assistance to the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) for the Hancock Elementary School Sidewalk Project, and authorizes and directs the City Manager to sign and enter into a **LPA Federal Local-Let Project Agreement** with the Ohio Department of Transportation and lawfully expend funds consistent with the application and agreement should they be awarded.

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

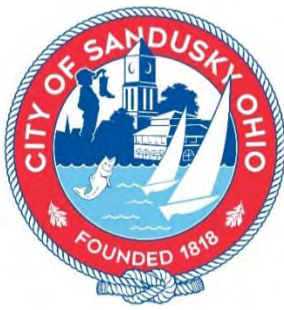
Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Joshua R. Snyder, P.E.

Date: April 13, 2021

Subject: Commission Agenda Item- Waste Water Treatment Plant Ferrous Chloride Improvement Project 1st and Final Change Order

ITEM FOR CONSIDERATION: Requesting legislation for approval of Change Order No. 1 and Final for the Waste Water Treatment Plant Ferrous Chloride Improvement Project

BACKGROUND INFORMATION: This project was awarded to Mosser Construction, at the July 13, 2020 city commission meeting per ordinance 20-101 in the amount of \$659,582.93.

This project provided for the replacement of two (2) 8700 gallon Ferrous Chloride storage tanks, piping and controls for feeding said chemical into the treatment process of waste water.

Specific increases to the contract included:

- Adding provisions for a recirculation line for tempered (warm) water supplied at the outdoor safety shower.
– Omitted in plans
- Burying a cold water supply line for the hot water tank – Omitted in plans
- Adding floor drains in the scum building – Omitted in plans
- Additional sidewalk needing replaced beyond estimated bid quantity – More than plan quantity
- Haul away spoils – More than plan quantity
- Asphalt Demolition – More than plan quantity
- Sidewalk Demolition – More than plan quantity
- Containment Wall construction – More than plan quantity
- Excavation – More than plan quantity
- Backfill – More than plan quantity
- 1" Chemical Hose – More than plan quantity
- 2" schedule 80 PVC drain line – More than plan quantity
- 2x4 PVC double containment pipe – More than plan quantity

Change Order No. 1 and Final, an increase in the amount of \$17,550.42 represents the addition of items and final quantities installed in the field by the contractor. See attached summary sheet of all quantities completed with this project. This amount represents a 2.6% increase over the awarded amount.

BUDGETARY INFORMATION:

The original contract amount was \$659,582.93, which included a contingency allowance, and with the addition of this first & final change order, the contingency will be depleted and the contract will be increased by \$17,550.42. The final contract will be \$677,133.35, paid entirely out of Sewer Funds.

ACTION REQUESTED: It is requested that legislation be prepared to allow for the approval of Change Order No. 1 and Final for an increase in work quantities for the Ferrous Tank Replacement Project at the Waste Water Treatment Plant. It is further requested that this be passed in accordance with Section 14 of the City Charter so that the contractor can be paid for items already installed in the field and to close out the completed project.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron Klein, P.E.
Director

cc: M. Spriggs, Commission Clerk; M. Reeder, Finance Director; B. Heil, Law Director


CERTIFICATE OF FUNDS

In the Matter of: Ferrous Chloride Improvement Project- Final Change Order

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 # 613-5430-55300

By: _____



Michelle Reeder

Finance Director

Dated: 4/21/2021

Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project
Bids Due Monday, September 9, 2019 at 1:00pm
City of Sandusky, 240 Columbus Ave

Wastewater Treatment Plant Ferrous Chloride Rehabilitation Project

CHANGE ORDER #1 & FINAL

Mossor Construction Fremont, Ohio														CHANGE ORDER #1 & FINAL			
Work Breakdown DIV-ITEM	Description	BID QTY	BID Units	LABOR	EQUIPMENT RENTED / LEASED	MATERIALS		ENGINEERED EQUIPMENT		TOTAL COST	TO-DATE QTY COMPLETE	Units	TO-DATE VALUE \$ COMPLETE	TO-DATE % COMPLETE (\$)			
				Cost	Cost	Unit \$	Cost	Unit \$	Cost								
Ferrous Chloride System Rehabilitation				A	B	C		D		SUM (A,B,C,D)							
2	Division 2 - Site Work and Demolition																
2-1	Remove piping at existing pump	1	LS	\$ 750.00	\$ 200.00	\$ 50.00	\$ 50.00	\$ -	\$ -	1,000.00	1	LS	\$ 1,000.00	100%			
2-2	Demo Asphalt pavement (assume 6" asphalt over 6")	30	SY	\$ 5,000.00	\$ 2,200.00	\$ 150.00	\$ 4,500.00	\$ -	\$ -	11,700.00	85.56	SY	\$ 33,368.40	284%			
2-3	Demo Existing Ferrous Chloride Storage tank	1	EA	\$ 5,000.00	\$ 2,000.00	\$ -	\$ -	\$ -	\$ -	7,000.00	1	EA	\$ 7,000.00	100%			
2-4	Demo Sidewalk	50	SY	\$ 95.00						4,750.00	50.54	SY	\$ 4,800.25	101%			
3	Division 3 - Concrete																
3-1	Tank foundation 14'x28' w/frost beams	53	CY	\$ 22,595.00	\$ 10,000.00	\$ 200.00	\$ 10,600.00	\$ -	\$ -	43,195.00	53	CY	\$ 43,195.00	100%			
	Containment wall 3.5-ft high, 8-in thick	19	CY	\$ 12,200.00	\$ 10,600.00	\$ 200.00	\$ 3,800.00	\$ -	\$ -	26,600.00	20.34	CY	\$ 28,476.00	107%			
	Concrete Coating	1	LS	\$ 2,000.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ -	\$ -	3,000.00	1	LS	\$ 3,000.00	100%			
	Sidewalk - Bid	13	5F	\$ 210.00	\$ 50.00	\$ 20.00	\$ 260.00	\$ -	\$ -	520.00	0	5F	\$ -	0%			
	Sidewalk - > 13 sf (Bid Qty)	1	5F				\$ 15.00				1017.42	5F	\$ 15,261.30	2015%			
	Curb & Gutter, Type 8	16	LF	\$ 500.00	\$ 140.00	\$ 20.00	\$ 320.00	\$ -	\$ -	960.00	0	LF	\$ -	0%			
	Full Depth Pavement Removal & Rigid Replacement	9	SY	\$ 2,000.00	\$ 970.00	\$ 70.00	\$ 630.00	\$ -	\$ -	3,600.00	0	SY	\$ -	0%			
6	Division 6 - Wood, Plastics and Composites																
6-1	FRP Framing Members, Stairs, Ladders, Grating	1	LS	\$ 6,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 15,000.00	\$ 15,000.00	25,000.00	1	LS	\$ 25,000.00	100%			
9	Division 9 - Finishes																
9-1	Painting	1	LS	\$ 3,500.00	\$ 500.00	\$ 2,500.00	\$ 2,500.00	\$ -	\$ -	6,500.00	1	LS	\$ 6,500.00	100%			
22	Division 22 - Plumbing Systems																
22-1	1" PVC PW piping	40	LF	\$ 3,000.00	\$ 600.00	\$ 10.00	\$ 400.00	\$ -	\$ -	4,000.00	40	LF	\$ 4,000.00	100%			
22-3	Misc. fittings & valves	1	ALLOW				\$ -	\$ -	\$ -	550.00	1	ALLOW	\$ 550.00	100%			
22-4	Eyewash/shower Station	2	EA	\$ 3,176.00	\$ 1,000.00	\$ 4,000.00	\$ 8,000.00	\$ -	\$ -	12,176.00	2	EA	\$ 12,176.00	100%			
	Eyewash	1	EA	\$ 1,000.00	\$ 500.00	\$ 549.00	\$ 549.00	\$ -	\$ -	2,049.00	1	EA	\$ 2,049.00	100%			
	Mixing valve	1	LS	\$ 1,000.00	\$ 200.00	\$ 1,259.00	\$ 1,259.00	\$ -	\$ -	2,459.00	1	LS	\$ 2,459.00	100%			
	Hot Water Piping 1-1/2" Type L copper	105	LF	\$ 1,943.35	\$ 500.00	\$ 20.00	\$ 2,100.00	\$ -	\$ -	4,543.35	105	LF	\$ 4,543.35	100%			
	Cold Water Piping 1-1/2" Type L copper	15	LF	\$ 1,576.00	\$ 200.00	\$ 20.00	\$ 300.00	\$ -	\$ -	2,076.00	15	LF	\$ 2,076.00	100%			
	Tempered Water Piping 1-1/2" Type L copper	62	LF	\$ 4,487.28	\$ 500.00	\$ 20.00	\$ 1,240.00	\$ -	\$ -	6,227.28	62	LF	\$ 6,227.28	100%			
	Hot Water 1-1/2" Insulation 1" thick + 30 ml PVC	105	LF	\$ 2,000.30	\$ 400.00	\$ 10.00	\$ 1,050.00	\$ -	\$ -	3,450.30	105	LF	\$ 3,450.30	100%			
	Misc. piping allowance for eyewash station	1	ALLOW				\$ -	\$ -	\$ -	1,100.00	1	ALLOW	\$ 1,100.00	100%			
26	Division 26 - Electrical Systems																
26-1	Metering Pump Skid, Pump 1 Feeder	70	LF	\$ 1,000.00	\$ 190.00	\$ 17.00	\$ 1,190.00	\$ 10.00	\$ 700.00	3,080.00	70	LF	\$ 3,080.00	100%			
26-2	Metering Pump Skid, Pump 2 Feeder	70	LF	\$ 1,000.00	\$ 190.00	\$ 17.00	\$ 1,190.00	\$ 10.00	\$ 700.00	3,080.00	70	LF	\$ 3,080.00	100%			
26-3	Metering Pump Skid, Pump 3 Feeder	70	LF	\$ 160.00	\$ 50.00	\$ 2.00	\$ 140.00	\$ 10.00	\$ 700.00	1,050.00	70	LF	\$ 1,050.00	100%			
26-4	Heat Tracing						\$ -	\$ -	\$ -								
26-5	Nema 4X Ambient Thermostat	1	EA	\$ 2,000.00	\$ 500.00	\$ 562.00	\$ 562.00	\$ -	\$ -	3,062.00	1	EA	\$ 3,062.00	100%			
26-6	Nema 4X Power Connection Kit	1	EA	\$ 500.00	\$ 100.00	\$ 272.00	\$ 272.00	\$ -	\$ -	872.00	1	EA	\$ 872.00	100%			
26-7	5W /ft Heat Trace Cable	50	LF	\$ 1,446.00	\$ 200.00	\$ 10.00	\$ 500.00	\$ -	\$ -	2,146.00	50	LF	\$ 2,146.00	100%			
26-8	Misc Electrical @ 15% process	1	LS			\$ 2,850.00	\$ 2,850.00	\$ -	\$ -	2,850.00	1	LS	\$ 2,850.00	100%			
31	Division 31 - Earthwork																
31-1	Excavation	200	CY	\$ 4,000.00	\$ 3,000.00		\$ -	\$ -	\$ -	7,000.00	215.71	CY	\$ 7,549.85	108%			
31-2	Backfill	100	CY	\$ 5,000.00	\$ 2,000.00	\$ 30.00	\$ 3,000.00	\$ -	\$ -	10,000.00	170.28	CY	\$ 17,528.00	178%			
31-3	Haul away spoils	50	CY	\$ 800.00	\$ 700.00		\$ -	\$ -	\$ -	1,500.00	210	CY	\$ 6,300.00	420%			
33	Division 33 - Utilities																
33-1	48" Manhole, 6' Deep, for ferrous chloride piping	1	EA	\$ 7,000.00	\$ 2,000.00	\$ 8,000.00	\$ 8,000.00	\$ -	\$ -	17,000.00	1	EA	\$ 17,000.00	100%			
40	Division 40 - Process Integration																
40-1	1" schedule 80 PVC	1,340	LF	\$ 10,220.00	\$ 500.00	\$ 5.00	\$ 6,700.00	\$ -	\$ -	17,420.00	1239	LF	\$ 16,107.00	92%			
40-2	(4) 1" chemical hose	993	LF	\$ 13,402.00	\$ 500.00	\$ 5.00	\$ 4,965.00	\$ -	\$ -	18,867.00	1000	LF	\$ 19,000.00	101%			
40-3	6" HDPE carrier pipe	248	LF	\$ 16,860.00	\$ 500.00	\$ 30.00	\$ 7,440.00	\$ -	\$ -	24,800.00	244	LF	\$ 24,400.00	98%			
40-4	2" schedule 80 PVC (drain line)	70	LF	\$ 4,050.00	\$ 500.00	\$ 10.00	\$ 700.00	\$ -	\$ -	5,250.00	89	LF	\$ 6,675.00	127%			
40-5	3" schedule 80 PVC (fill)	65	LF	\$ 3,725.00	\$ 500.00	\$ 15.00	\$ 975.00	\$ -	\$ -	5,200.00	63	LF	\$ 5,040.00	97%			
40-6	2x4 PVC double containment Pipe	10	LF	\$ 1,000.00	\$ 500.00	\$ 150.00	\$ 1,500.00	\$ -	\$ -	3,000.00	22	LF	\$ 6,600.00	220%			
40-7	Misc. fittings	1	ALLOW				\$ -	\$ -	\$ -	5,500.00	1	ALLOW	\$ 5,500.00	100%			
40-8	Ferrous Chloride Tank #1 Local Instrumentation	1	LS	\$ 2,000.00	\$ 1,000.00	\$ 3,000.00	\$ 3,000.00	\$ -	\$ -	6,000.00	1	LS	\$ 6,000.00	100%			

Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project
Bids Due Monday, September 9, 2019 at 1:00pm
City of Sandusky, 240 Columbus Ave

40-9	Ferrous Chloride Tank #2 Local Instrumentation	1	LS	\$ 2,000.00	\$ 1,000.00	\$ 3,000.00	\$ 3,000.00		\$ -	\$ 6,000.00	1	LS	\$ 6,000.00	100%
40-10	Process Integration	1	LS	\$ 10,000.00	\$ 1,000.00	\$ 8,000.00	\$ 8,000.00		\$ -	\$ 19,000.00	1	LS	\$ 19,000.00	100%
43	Division 43 - Process Gas and Liquid Handling													
43-1	Ferrous Chloride Storage Tank (8700-gal each)	2	EA	\$ 15,000.00	\$ 12,000.00	\$ 41,000.00	\$ 82,000.00		\$ -	\$ 109,000.00	2	EA	\$ 109,000.00	100%
	2" FECL PVC Strainer	2	EA	\$ 600.00	\$ 200.00	\$ 300.00	\$ 600.00		\$ -	\$ 1,400.00	2	EA	\$ 1,400.00	100%
46	Division 46 - Water and Wastewater Equipment													
46-1	Ferrous Chloride Feed Pump, (1) pump Skid	1	SKID	\$ 15,000.00	\$ 3,000.00	\$ 7,000.00	\$ 7,000.00	\$ 35,000.00	\$ 35,000.00	\$ 60,000.00	1	SKID	\$ 60,000.00	100%
46-2	Ferrous Chloride Feed Pump, (2) pumps Skid	1	SKID	\$ 20,000.00	\$ 3,000.00	\$ 7,000.00	\$ 7,000.00	\$ 35,000.00	\$ 35,000.00	\$ 65,000.00	1	SKID	\$ 65,000.00	100%
SPEC.	General Conditions													
	Contractor supervision	1	LS	\$ 20,000.00			\$ -		\$ -	\$ 20,000.00	1	LS	\$ 20,000.00	100%
	Temporary facilities for trailers	1	LS	\$ 1,000.00	\$ 4,000.00	\$ 1,000.00	\$ 1,000.00		\$ -	\$ 6,000.00	1	LS	\$ 6,000.00	100%
	Computer systems and job support items	1	LS		\$ 500.00		\$ -		\$ -	\$ 500.00	1	LS	\$ 500.00	100%
	Project cleanup, dumpsters, etc.	1	LS		\$ 1,000.00		\$ -		\$ -	\$ 1,000.00	1	LS	\$ 1,000.00	100%
	Temporary toilets	1	LS		\$ 300.00		\$ -		\$ -	\$ 300.00	1	LS	\$ 300.00	100%
	Hauling	1	LS	\$ 2,000.00	\$ 3,000.00		\$ -		\$ -	\$ 5,000.00	1	LS	\$ 5,000.00	100%
	Project safety systems and items	1	LS		\$ 500.00	\$ 500.00	\$ 500.00		\$ -	\$ 1,000.00	1	LS	\$ 1,000.00	100%
	Insurance	1	LS		\$ 1,000.00	\$ 1,000.00	\$ 1,000.00		\$ -	\$ 1,000.00	1	LS	\$ 1,000.00	100%
	Bonding	1	LS		\$ 1,000.00	\$ 1,000.00	\$ 1,000.00		\$ -	\$ 1,000.00	1	LS	\$ 1,000.00	100%
	Contingency (As Directed by Engineer ONLY)	1	LS				\$ -		\$ -	\$ 58,000.00	1	LS	\$ -	0%
C-1	Hot Water recirculation	1	LS				\$ -		\$ -	\$ 13,370.07	1	LS	\$ 13,370.07	
C-2	Cold Water Supply	1	LS				\$ -		\$ -	\$ 4,091.55	1	LS	\$ 4,091.55	
C-3	Floor Drain	1	LS				\$ -		\$ -	\$ 3,100.00	1	LS	\$ 3,100.00	
C-4		1	LS				\$ -		\$ -		0	LS	\$ -	
C-5		1	LS				\$ -		\$ -		0	LS	\$ -	
										\$ 659,582.93				
											\$ 677,133.35	103%		

I CONCUR WITH THESE AMOUNTS:

MOSSER CONSTRUCTION

4/7/2021

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY MOSSER CONSTRUCTION INC. OF FREMONT, OHIO, FOR THE WASTEWATER TREATMENT PLANT FERROUS CHLORIDE SYSTEM REHABILITATION PROJECT IN THE AMOUNT OF \$17,550.42; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project involved the replacement of two (2) 8700 gallon Ferrous Chloride storage tanks, construction of outside secondary containment for the tanks, replacement of piping, stairway supports, handrailings and controls, which have been exposed to Ferrous Chloride for years, with stainless steel, fiberglass, PVC and plastic materials, where practical, to bring up to the current safety standards; and

WHEREAS, this City Commission declared the necessity to proceed with the Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project by Resolution No. 015-20R, passed on April 27, 2020; and

WHEREAS, this City Commission approved the awarding of the contract to Mosser Construction, Inc. of Fremont, Ohio, for work to be performed for the Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project by Ordinance No. 20-101, passed on July 13, 2020; and

WHEREAS, this First & Final Change Order reflects the addition of items and the actual work performed in the field by the contractor and the actual quantities used and are summarized as follows:

- Adding provisions for a recirculation line for tempered (warm) water supplied at the outdoor safety shower – Omitted in plans
- Burying a cold water supply line for the hot water tank – Omitted in plans
- Adding floor drains in the scum building – Omitted in plans
- Additional sidewalk needing replaced beyond estimated bid quantity – More than plan quantity
- Haul away spoils – More than plan quantity
- Asphalt Demolition – More than plan quantity
- Sidewalk Demolition – More than plan quantity
- Containment Wall construction – More than plan quantity
- Excavation – More than plan quantity
- Backfill – More than plan quantity
- 1" Chemical Hose – More than plan quantity
- 2" schedule 80 PVC drain line – More than plan quantity
- 2x4 PVC double containment pipe – More than plan quantity

WHEREAS, the original contract with Mosser Construction, Inc. was \$659,582.93, which included a contingency allowance, and with the addition of this First & Final Change Order, the contingency will be depleted and the contract

will be increased by \$17,550.42, resulting in a final contract cost of \$677,133.35 which will be paid with Sewer Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to make payment to contractor in a timely manner for work already performed and to close out the completed project; and

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

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

Section 1. The City Manager is hereby authorized and directed to approve this First & Final Change Order for work performed for Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project in an amount **not to exceed** Seventeen Thousand Five Hundred Fifty and 42/100 Dollars (\$17,550.42) resulting in the final contract cost of Six Hundred Seventy Seven Thousand One Hundred Thirty Three and 35/100 Dollars (\$677,133.35) with Mosser Construction, Inc. of Fremont, Ohio.

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

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

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take

immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: April 26, 2021



CITY OF SANDUSKY POLICE DEPARTMENT

222 Meigs Street
Sandusky, Ohio 44870
419.627.5863
www.cityofsandusky.com

To: Eric Wobser, City Manager
From: Jared Oliver, Police Chief
Date: April 15, 2021
Re: Commission Agenda Item

ITEM FOR CONSIDERATION: It is requested that the City Commission approve the retirement of Sandusky Police Department K9 Program dog, Officer Onur (#2163) and authorize the sale of K9 Officer Onur to handler, Sergeant Edward Ohlemacher, pursuant to Section 25 of the City Charter

BACKGROUND INFORMATION: K9 Onur joined the Sandusky Police Department in 2016 and his name was picked by students in the community. K9 Onur has been an integral member of the police department and has been steady throughout his career in narcotics detection, suspect apprehension, and tracking. His skills have been superior. Onur was by far one of the best K9's in the area and had a sense of purpose every day and was completely driven to being a working K9. K9 Onur turned eight (8) years old this month. Due to his age and the job duties of his handler, it has been determined that K9 Onur is no longer necessary, practical, or for the best interest of the City to retain ownership.

BUDGETARY INFORMATION: The city will receive one (1) dollar for the sale of K9 Onur to his handler, Sergeant Edward Ohlemacher

ACTION REQUESTED: It is requested that the proper legislation be prepared approving the retirement of K9 Officer Onur and authorizing the sale of K9 Onur to his handler, Sergeant Edward Ohlemacher. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter in order to allow the retirement of K9 Onur to be effective immediately.

Approved:

I concur with this recommendation:

Jared Oliver, Police Chief

Eric Wobser, City Manager

CC: Michelle Reeder, Finance Director
Brendan Heil, Law Director

ORDINANCE NO. _____

AN ORDINANCE ALLOWING FOR THE SALE OF SANDUSKY POLICE DEPARTMENT K9 OFFICER ONUR PURSUANT TO SECTION 25 OF THE CITY CHARTER; APPROVING THE RETIREMENT OF K9 OFFICER ONUR AND AUTHORIZING THE SALE OF K9 OFFICER ONUR TO HIS HANDLER, SERGEANT EDWARD OHLEMACHER; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, K9 Officer Onur (#2163) joined the Sandusky Police Department in 2016 and has been an integral member of the Police Department and steady throughout his career in narcotics detection, suspect apprehension, and tracking; and

WHEREAS, Onur's skills have been superior and was by far one of the best K9's in the area and had a sense of purpose every day and was completely driven to being a working K9; and

WHEREAS, K9 Officer Onur turned eight (8) years old this month and due to his age and job duties of his handler, it has been determined that K9 Officer Onur is no longer necessary, practical, or for the best interest of the City to retain ownership and therefore it is recommended that K9 Officer Onur be retired and sold to his handler, Sergeant Edward Ohlemacher for one dollar (\$1.00); and

WHEREAS, Section 25 of the City Charter authorizes the City Manager to sell personal property that the City Commission may authorize to be sold as having become unnecessary and unfit for City use; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow for the retirement of K9 Officer Onur to be effective immediately; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Police Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **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 Sandusky Police Department K9 Officer Onur, is no longer necessary and unfit for City use pursuant to Section 25 of the City Charter, approves of the retirement of K9 Officer Onur, and authorizes the sale of K9 Officer Onur to his handler, Sergeant Edward Ohlemacher.

Section 2. The City Manager is hereby authorized and directed to execute the Contract for Sale of Personal Property for K9 Officer Onur, 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

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: April 26, 2021

CONTRACT FOR SALE OF PERSONAL PROPERTY

This Agreement made on and entered into this ____ day of _____, 2021, ("Effective Date"), by and between the City of Sandusky, Ohio, a Chartered Municipality of the State of Ohio, 240 Columbus Avenue, Sandusky, Ohio 44870, ("City") and Edward Ohlemacher, Handler for the Sandusky Police Department ("Handler").

WHEREAS, K9 "Onur" has been with the Sandusky Police Department since 2016 and has been an integral member of the Police Department and steady throughout his career in narcotics detection, suspect apprehension, and tracking; and

WHEREAS, K9 "Onur" turned eight (8) years old this month and due to his age and job duties of his Handler, is no longer necessary and not needed for any municipal purpose and should be retired and sold to his Handler as found and determined by the City Commission of Sandusky and contained in Ordinance No. _____, passed on April 26, 2021; and

WHEREAS, pursuant to Section 25 of the Charter of the City of Sandusky and the laws of the State of Ohio, the City Manager is authorized to sell personal property that the City Commission authorizes to be sold as having become unnecessary and unfit for City use; and

WHEREAS, it is the desire of the Handler to assume and maintain ownership and take possession of retired City of Sandusky Police K9 "Onur" and the City desires to divest itself of both ownership and vicarious or direct liability for the K9 "Onur"; and

WHEREAS, the City and Handler desire to transfer all right, title and ownership interest in "O" from the City to Handler, on the terms and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements set forth herein, the City and Handler agree as follows:

1. City hereby agrees to relinquish all right, title and ownership interest in the Sandusky police K9 named "Onur" (hereafter "Onur") to Edward Ohlemacher, as his sole and personal property, as of the Effective Date of this Agreement.

2. Prior to the Effective Date of this Agreement, Handler agrees to pay City the sum of One and 00/100 Dollars (\$1.00) for all right, title and ownership interest in "Onur." Handler agrees to accept ownership and all control of "Onur" "as is", and to assume any and all risks, dangers and liabilities related to or associated with "Onur", including, but not limited to, risk of injury or death to third persons, and to indemnify and hold City, its police department, and its officers, employees, agents and volunteers harmless from any and all liability, legal actions, lawsuits, claims, demands, administrative proceedings or other responsibility whatsoever arising from any injuries or damages that may occur on or after the Effective Date of to this Agreement, including but not limited to any injury or damage as a consequence of or arising out of any event, act or disturbance involving "Onur" on or after the date ownership is transferred. These hold harmless provisions shall extend to any direct or vicarious liability arising from any and all losses, liabilities, charges (including reasonable attorney fees and court costs), and any other expenses whatsoever which may arise in any manner after Handler assumes ownership of "Onur".

3. Handler agrees to assume sole responsibility for all costs associated with the care and feeding of "Onur", including but not limited to all costs for food, shelter, licensing, and veterinary care, as of the Effective Date of this Agreement. Handler shall ensure that his home includes safe and secure containment area(s) for "Onur" and shall take any precautions that Handler deems necessary to ensure that "Onur" is not placed in situations or conditions where he may be a threat or risk to others. Handler shall maintain any such containment areas in good condition and repair.

4. Handler shall not transfer ownership or control of "Onur" at any time to any other person or legal entity, whether by gift, sale, or any other means.

5. Handler acknowledges that he has read the foregoing Agreement and understands that it is contractual in nature and understands each of its provisions.

CITY: CITY OF SANDUSKY

Witness:

Eric L. Wobser
City Manager

Witness:

Date

HANDLER: EDWARD OHLEMACHER

Witness:

Witness:

Date

Approved as to Form:

Brendan L. Heil (#0091991)
Law Director for the City of Sandusky



LAW DEPARTMENT

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5852

www.cityofsandusky.com

MEMORANDUM

TO: Eric Wobser, City Manager

FROM: Brendan Heil, Law Director

DATE: April 14, 2021

RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

An Ordinance amending Chapter 531 (Nuisances Generally), Sections 531.09 (Notice to Cut; Duty of Housing Code Compliance Officer), 531.10 (Failure to Comply), 531.11 (Procedure when Owner fails to Comply with Notice), and 531.12 (Payment of Costs; Unpaid Costs a Lien) of the Codified Ordinances of the City of Sandusky.

BACKGROUND INFORMATION:

In 2015, the City amended its Codified Ordinances to no longer provide the owners of vacant properties written notice that their property was in violation of the prohibition on noxious weeds or grass in excess of 8 inches. The result was that owners of vacant properties only received the notification published annually in the newspaper regarding the City's noxious weed and grass regulations.

It is proposed that Chapter 531 be amended to require that all properties (vacant and non-vacant) receive a one-time written notice that their property is in violation of the City's noxious weed and grass ordinance and that they must remediate the issue within five (5) days. Further, the proposed amendment will clarify that the property owner must comply with the notice within 5 days from the date the notice is posted on the property and/or mailed. Lastly, the proposed amendment fixes some internal references to other sections of the Codified Ordinances.

These proposed amendments are consistent with Ohio law and the local ordinances of numerous other Ohio municipalities. Additionally, the amendment will clarify the manner in which the City provides notices and provide a clear timeline for compliance before the City remediates any remaining issues. Finally, the proposed changes have been discussed internally with the building department staff and the amended ordinance will still allow the City to effectively remediate issues of grass and weed overgrowth in a timely manner.

BUDGETARY INFORMATION:

There is no direct cost to the City to approve this Ordinance.

ACTION REQUESTED:

It is requested that legislation be approved amending Chapter 531 (Nuisances Generally), Sections 531.09 (Notice to Cut; Duty of Housing Code Compliance Officer), 531.10 (Failure to Comply), 531.11 (Procedure when Owner fails to Comply with Notice), and 531.12 (Payment of Costs; Unpaid Costs a Lien) of the Codified Ordinances of the City of Sandusky.

I concur with this recommendation:

Eric Wobser, City Manager

cc: Michelle Reeder, Finance Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART FIVE (GENERAL OFFENSES CODE), CHAPTER 531 (NUISANCES GENERALLY), SECTIONS 531.09 (NOTICE TO CUT; DUTY OF HOUSING CODE COMPLIANCE OFFICER,) 531.10 (FAILURE TO COMPLY), 531.11 (PROCEDURE WHEN OWNER FAILS TO COMPLY WITH NOTICE), AND 531.12 (PAYMENT OF COSTS; UNPAID COSTS A LIEN), OF THE CODIFIED ORDINANCES OF THE CITY OF SANDUSKY, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW.

WHEREAS, the proposed amendment to the Sandusky Codified Ordinances will update the provisions of Chapter 531 to provide written notice to all properties owners, clarify the timeline by which property owners must remediate noxious weed and grass, and update the internal references to other sections of the Codified Ordinances; 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 and the Division of Building and Code, of the City of Sandusky, Ohio; and NOW, THEREFORE,

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

**NEW LANGUAGE APPEARS IN BOLD PRINT
LANGUAGE TO BE STRICKEN APPEARS WITH A STRIKE THROUGH IT
LANGUAGE TO REMAIN UNCHANGED APPEARS IN REGULAR PRINT**

Section 1. Part Five (General Offenses Code), Chapter 531 (Nuisances Generally), Sections 531.09 (Notice to Cut; Duty of Housing Code Compliance Officer,) 531.10 (Failure to Comply), 531.11 (Procedure When Owner Fails to Comply With Notice), and 531.12 (Payment of Costs; Unpaid Costs a Lien) of the Codified Ordinances of the City be amended as follows:

**CHAPTER 531
Nuisances Generally**

531.08 CUTTING OF NOXIOUS WEEDS AND GRASS.

(a) No person, whether as owner or occupant, or any other person, firm, or corporation, whether lessee, agent or tenant, having the charge or care of any lot or land within the City of Sandusky shall permit noxious weeds or grass that are about to spread or mature seeds to grow thereon to a height of 8 inches or more and shall cut down and remove from the lot or land all noxious weeds and grass of a height of 8 inches or more which constitute an immediate threat to the public health, safety, and welfare.

(b) It is a prima-facie violation of this section if noxious weeds or grass 8 inches or more in height exist on any lot or land within the City of Sandusky at any time during any growing season defined as March 1 through October 31 of each calendar year.

(c) The City Manager shall cause an annual notice to be published in a newspaper of general circulation in the City of Sandusky notifying the residents of the requirements of this section.

(Ord. 03-072. Passed 3-10-03; Ord. 19-208. Passed 12-9-19.)

531.09 NOTICE TO CUT; DUTY OF HOUSING CODE COMPLIANCE OFFICER.

(a) The Housing Code Compliance Officer shall determine when any lots and lands in the City of Sandusky contain noxious weeds or grass, as described in Section 531.087(a) on any of the days set forth in Section 531.087(b).

(b) The Housing Code Compliance Officer shall ~~cause~~ **serve** a one-time written notice ~~to be served~~ upon the owner or occupant, or any other person, firm, or corporation whether lessee, agent, or tenant having charge or care of the lot or land ordering the cutting and removal of such noxious weeds or grass within five (5) days after service of such notice and thereafter during the growing season with sufficient frequency to prevent such noxious weeds or grass from exceeding 8 inches or maturing seeds thereon.

(c) Service of the notice, described in subsection (b) hereof, may be by certified **or ordinary** mail to the mailing address listed by the Erie County Auditor's tax lists; ~~by ordinary mail if the certified mail is refused or unclaimed;~~ **and/or** by personal service by posting at the subject lot or parcel of land. ; ~~or by publishing such notice once in a newspaper of general circulation in the City of Sandusky.~~

~~(d) Notice to owners of vacant parcels of land (land which contains no buildings) and/or owners of vacant properties (properties which contain buildings or structures, however the buildings or structures are unoccupied) shall be by the annual publication only, said owners shall not be given the additional one-time written notice as stated in subsection (b) hereof.~~

~~(ed)~~ Only one notice per calendar year as described in subsections (b) and (c) hereof is required for a lot or parcel of land. If, after a notice has been served in accordance with this Section (531.098), the Housing Code Compliance Officer determines that a subsequent violation has occurred, the City of Sandusky may proceed with the remedy set forth in Section 531.110.

~~(Ord. 15-135. Passed 9-28-15; Ord. 19-208. Passed 12-9-19.)~~

531.10 FAILURE TO COMPLY.

No owner, occupant or any other person, firm, or corporation whether lessee, agent, or tenant, having the care of any real property or land within the City of Sandusky, shall fail to comply with the notice provided for in Section 531.098 within five (5) days from ~~the receipt thereof~~ **the date the written notice is placed on the property or the date of the mailing of the written notice.**

~~(Ord. 03-072. Passed 3-10-03; Ord. 19-208. Passed 12-9-19.)~~

531.11 PROCEDURE WHEN OWNER FAILS TO COMPLY WITH NOTICE.

If the owner, occupant or any other person, firm, or corporation whether lessee, agent, or tenant, having the care of any of the lands mentioned in Section 531.087(a), fails to comply with the notice provided for in Section 531.098 **within five (5) days**, the City of Sandusky shall cause such noxious weeds and grass to be cut and removed by the City's Division of Horticultural Services.

The property owner of record as indicated by the current tax list of the Erie County Auditor shall pay all costs associated with the cutting and removal of the noxious weeds and grass together with an administrative fee of one hundred dollars (\$100.00).

Upon completion of the cutting and removal of the noxious weeds and grass and receipt of an itemized statement from the Division of Horticultural Services, the Director of Finance shall determine the total cost including the administrative fee and shall cause a statement of the total cost to be mailed to the record owner of the lot or land.

~~(Ord. 03-072. Passed 3-10-03; Ord. 19-208. Passed 12-9-19.)~~

531.12 PAYMENT OF COSTS; UNPAID COSTS A LIEN.

The property owner of record may pay the total cost as charged in Section 531.110 to the City of Sandusky's Director of Finance within thirty (30) days after the statement of costs is issued without penalty. If the total costs are not paid within thirty (30) days after the statement has been mailed to the property owner of record, the City's Director of Finance shall certify the costs as provided in Sections ~~531.09 and 531.110~~ to the Erie County Auditor together with a proper description of the property.

Such amounts shall be entered upon the tax duplicate and shall be a lien upon the property from the date of entry and shall be collected as other taxes and returned to the City's General Fund as provided by O.R.C. Section 731.54.

The recovery of the costs by the City of Sandusky pursuant to this section is a remedy in addition to the penalty provided in Section 531.99.

~~(Ord. 03-072. Passed 3-10-03; Ord. 19-208. Passed 12-9-19.)~~

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

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of

this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance shall take effect at the earliest time allowed by Law.

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed:



LAW DEPARTMENT

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5852

www.cityofsandusky.com

MEMORANDUM

TO: Eric Wobser, City Manager
FROM: Brendan Heil, Law Director
DATE: April 21, 2021
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

A Resolution objecting to the renewal of the Dog House Bar LLC's liquor permits for 1002 W. Jefferson, Sandusky, Ohio 44870.

BACKGROUND INFORMATION:

In 2018, the Dog House Bar, LLC was issued D1, D2, D3, and D3A liquor permits for 1002 W. Jefferson in the City. These permits allow the owner to operate an establishment and that sells beer and liquor. The permits are set to automatically renew on July 1, 2021 absent an objection and hearing on the matter.

Ohio Revised Code section 4303.271 provides that the legislative authority of the municipality where the permitted premises is located may object to a renewal of a permit for any of the reasons listed in 4303.292. Permissible reasons for objecting include that the applicant is operating a business in a manner that demonstrates a disregard for the laws of the State of Ohio and the City of Sandusky and/or is disturbing the peace or good order of the neighborhood where it is located.

Since 2018, the Amirah's Turn or the Dog House has been operated by Dog House Bar, LLC and its owners at this location. There are numerous complaints from residents of the neighborhood regarding loud noise, disorderly conduct, and fights. The owners have received numerous nuisance citations under the City's local ordinances and patrons have received citations for disorderly conduct and other criminal violations. In June 2020, there was a shooting nearby. Ohio Liquor Control has cited them for COVID violations and order the bar closed for a short time as a result of these COVID violations, but under their rules the suspension is limited. In short, the establishment is being operated in a manner that demonstrates a disregard for the laws of the State of Ohio and local ordinances, causes issues with the good order of the neighborhood, and has become a nuisance. Accordingly, it is recommended that the City object to the renewal of the liquor permits.

It is proposed that a resolution be passed objecting to the renewal of the liquor permits, asking for a hearing to be held in Sandusky, and transmitting this resolution to the Department of Commerce, Division of Liquor Control along with a letter from the Law Department stating there are legal grounds supporting the resolution.

BUDGETARY INFORMATION:

There is no direct cost to the City to approve this Resolution.

ACTION REQUESTED:

It is requested that the City Commission pass the Resolution objecting to the renewal of Dog House Bar, LLC's liquor permits in order to help abate an ongoing nuisance. 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 immediately send a copy of the Resolution to the Ohio Department of Commerce, Division of Liquor Control and to promptly schedule a hearing on the matter.

I concur with this recommendation:

Eric Wobser, City Manager

cc: Michelle Reeder, Finance Director

RESOLUTION NO. _____

A RESOLUTION OBJECTING TO THE RENEWAL OF PERMITS ISSUED UNDER SECTIONS 4303.11 THROUGH 4303.183 OF THE OHIO REVISED CODE TO DOGHOUSE BAR LLC, DBA DOGHOUSE, FOR REASONS INCLUDING THOSE STATED HEREIN; REQUESTING A HEARING; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City of Sandusky has been informed by the Ohio Department of Commerce, Division of Liquor Control, that Section 4303.271(B) provides the legislative authority with the right to object to the renewal of a permit and to request a hearing which will be held in the county seat (City of Sandusky), Erie County, Ohio; and

WHEREAS, it is the desire of this City Commission to object to the renewal of permits issued to Doghouse Bar LLC, d.b.a. Dog House, for the reasons including those stated herein and request that the hearing be held in Sandusky; and NOW THEREFORE,

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately send a certified copy of this Resolution to the Ohio Department of Commerce, Division of Liquor Control in order to promptly schedule a hearing on the matter; 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 of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE

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

Section 1. That the Division of Liquor Control is hereby notified that the City Commission of the City of Sandusky, Ohio, objects to the renewal of permits D1, D2, D3, and D3A issued to Dog House Bar, LLC, d.b.a. Dog House, Permit No. 2228585, for reasons including those stated herein, the substantiation of which shall be presented at the hearing as follows:

- a. The applicant has operated the liquor permit business in a manner that demonstrates a disregard for the laws, regulations, and local ordinances of the State of Ohio and City of Sandusky; and
- b. Is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order will

result from the renewal of the permit and operation at 1002 W. Jefferson Street, Sandusky, Ohio, by the applicant.

Section 2. That the Division of Liquor Control is hereby notified that the Sandusky City Commission requests that the hearing or hearings in this matter be held in Sandusky, the county seat of Erie County, Ohio, pursuant to Ohio Revised Code Section 4303.271(B).

Section 3. That the Clerk of the City Commission is directed to forward a certified copy of this Resolution pursuant to the Ohio Revised Code, Section 4303.292 to: Ohio Department of Commerce, Division of Liquor Control Licensing Office, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005, by certified mail, return receipt requested.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

PAGE 3 - RESOLUTION NO._____

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

Passed: April 26, 2021