



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
JUNE 27, 2022 AT 5 P.M.
CITY HALL, 240 COLUMBUS AVENUE**

INVOCATION	Dick Brady
PLEDGE OF ALLEGIANCE	
CALL TO ORDER	
ROLL CALL	B. Harris, M. Meinzer, W. Poole, D. Murray, D. Brady, S. Poggiali, D. Waddington
APPROVAL OF MINUTES	June 13, 2022
AUDIENCE PARTICIPATION	
PUBLIC HEARING	Tax Budget CY2023, Michelle Reeder, Finance Director
COMMUNICATIONS	Motion to accept all communications submitted below
CURRENT BUSINESS	

CONSENT AGENDA ITEMS

ITEM A – Submitted by Nicole Grohe, CDBG Administrator

(SECOND READING) MOU ERIE COUNTY HEALTH DEPARTMENT OHIO HEALTHY HOME PRODUCTION GRANT

Budgetary Information: The City will receive \$350 per environmental review report from the Erie County Health Department not exceeding \$23,800. The funds will go into the General Fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a Memorandum of Understanding (MOU) with the Erie County Board of Health for Environmental Services to be provided by City employees and reimbursed utilizing Healthy Home Production Grant Funds.

ITEM B – Submitted by Michelle Reeder, Finance Director

TAX BUDGET FOR CY2023

Budgetary Information: The tax budget has been approved annually since 2011. The first resolution passed was on July 11, 2011.

RESOLUTION NO. _____: It is requested a resolution be passed adopting the tax budget for the City of Sandusky for the calendar year 2023: authorizing the submission of the tax budget to the Erie County Auditor; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM C – Submitted by Jarod Oliver, Police Chief

ACCEPT DONATION OF POLICE BOAT, MOTORS & TRAILER FROM VILLAGE OF KELLEYS ISLAND

Budgetary Information: There is no budgetary impact to accept this donation. Grant funding will be applied for future operation of the watercraft.

ORDINANCE NO. _____: It is requested an ordinance be passed accepting the donation of a police boat, motors and trailer from the Village of Kelleys Island, Ohio, for the Sandusky Police Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM D – Submitted by Aaron Klein, Public Works Director

APPROVING TEMPORARY EASEMENT AGREEMENT WITH MHD CORPORATION FOR THE LANDING PROJECT

Budgetary Information: The cost of this easement was \$100 plus recording fees.

ORDINANCE NO. _____: It is requested an ordinance be passed approving a temporary easement granted to the City by MHD Corporation for the Sandusky Bay Pathway as part of the Landing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM E – Submitted by Aaron Klein, Public Works Director

APPROVING TEMPORARY EASEMENT AGREEMENT WITH KASPER FOR THE LANDING PROJECT

Budgetary Information: The cost of this easement was \$100 plus recording fees.

ORDINANCE NO. _____: It is requested an ordinance be passed approving a temporary easement granted to the City by Kasper Family Limited Partnership for the Sandusky Bay Pathway as part of the Landing Project; and declaring this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM F – Submitted by Aaron Klein, Public Works Director

APPROVING EASEMENT AGREEMENTS WITH HARTNETT TRUST FOR THE LANDING PROJECT

Budgetary Information: The cost of these easements are \$1.00 each, totaling \$2.00, plus recording fees.

1. **ORDINANCE NO. _____:** It is requested an ordinance be passed approving a temporary easement granted to the City by Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust for the Sandusky Bay Pathway as part of the Landing Project; and declaring this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

2. **ORDINANCE NO. _____:** It is requested an ordinance be passed approving an easement granted to the City by Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust for the Sandusky Bay Pathway as part of the Landing Project; and declaring this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM G – Submitted by Aaron Klein, Public Works Director

APPROVING EASEMENT AGREEMENTS WITH ERIE COUNTY HEALTH DEPARTMENT

Budgetary Information: Although there is no cost implication for these easements, they could be considered a net savings to the City’s budget since the easements are given rather than purchased for the Sandusky Bay Pathway. No monies were expended on acquisition or appraisal services.

- 1. **ORDINANCE NO. _____:** It is requested an ordinance be passed approving an agreement granting a perpetual permanent easement to the Erie County Combined General Health District Board of Health for the purpose of maintaining a parking area; and declaring this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.
- 2. **ORDINANCE NO. _____:** It is requested an ordinance be passed approving an agreement granting a perpetual permanent easement and a temporary easement to the City by the Erie County Combined General Health District Board of Health for the Sandusky Bay Pathway; and declaring this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

REGULAR AGENDA ITEM

ITEM 1 – Submitted by Megan Stookey, Project Coordinator

AWARD THE 2022 SIDEWALK REPAIR & REPLACEMENT PROJECT TO KREIMES

Budgetary Information: The total construction cost of the project based on the lowest and best bid shall not exceed \$121,116.33, with \$114,298.75 paid out of Capital Projects Funds (Issue 8 Infrastructure) and \$6,817.58 out of Capital Funds.

ORDINANCE NO. _____: It is requested an ordinance authorizing and directing the City Manager to enter into a contract with the Kreimes Co. Inc. of Sandusky, Ohio, for the 2022 Sidewalk Repair & Replacement Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

CITY MANAGER’S REPORT

OLD BUSINESS

NEW BUSINESS

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

EXECUTIVE SESSION(S)

ADJOURNMENT

Online: www.CityofSandusky.com/Live – Click “Play” 



Community Development

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

TO: Eric Wobser

FROM: Nicole Grohe, CDBG Administrator

DATE: May 24th, 2022

RE: MOU Erie County Health Department Ohio Healthy Homes Production Grant

ITEM FOR CONSIDERATION: The purpose of this communication is to request approval of legislation allowing the City Manager to enter into a Memorandum of Understanding with the Erie County Board of Health dated May 5th, 2022. The intent of the MOU is to accept reimbursement for environmental review work that city staff is conducting for the Ohio Healthy Homes Production Grant on behalf of the health department.

BACKGROUND INFORMATION: The Erie County Health Department was awarded \$1,000,800 through the Ohio Healthy Homes Production Grant. The funds are to be used to remove healthy homes hazards from 66 residential structures within the Health Department District. The Erie County Health Department has determined through the grant that they can provide reimbursement for environmental review work being conducted by city staff.

BUDGET IMPACT: The city will receive \$350 per environmental review report from the Erie County Health Department not exceeding \$23,800. The funds will go into the general fund.

ACTION REQUESTED: It is requested that City Commission authorize the Memorandum of Understanding with the Erie County Board of Health to allow staff to conduct environmental reviews for the Erie County Health Department on a reimbursement basis of \$350 per report, not to exceed \$23,800.

Nicole Grohe, CDBG Administrator

I concur with this recommendation:

Jonathan Holody, Community Development Director

Eric L Wobser, City Manager

cc: Brendan Heil, Law Director
Michelle Reeder, Finance Director
Cathy Myers, Commission Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE ERIE COUNTY BOARD OF HEALTH FOR ENVIRONMENTAL SERVICES TO BE PROVIDED BY CITY EMPLOYEES AND REIMBURSED UTILIZING HEALTHY HOMES PRODUCTION GRANT FUNDS.

WHEREAS, the Erie County Board of Health has been awarded \$1,000,800.00 through the Healthy Homes Production Grant to remove healthy homes hazards from 66 residential units within the Erie County General Health District; and

WHEREAS, the City has employees knowledgeable in Tier 1 and 2 Environmental Assessments and private property Historical Assessments and the County desires to utilize the City's qualified employees to perform Tier 1 and 2 Environmental Assessments and private property Historical Assessments; and

WHEREAS, the City will be reimbursed by the Erie County Board of Health for services performed at the cost of \$350.00 per unit for a total amount not to exceed \$23,800.00 utilizing Healthy Homes Production Grant funds; and

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

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

Section 1. The City Manager is authorized and directed to enter into a Memorandum of Understanding with the Erie County Board of Health for environmental services to be provided by City's employees and reimbursed utilizing Healthy Homes Production Grant Funds, a copy of which is marked Exhibit "A" and is attached to this Ordinance and is specifically incorporated as if fully rewritten herein.

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: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

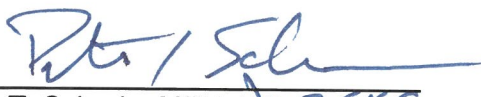
Passed: June 27, 2022 (effective after 30 days)

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE ERIE COUNTY GENERAL HEALTH DISTRICT AND
THE CITY OF SANDUSKY**

1. This memorandum of understanding is between the Erie County Board of Health (ECBOH) and the City of Sandusky (City).
2. The ECBOH has been awarded a \$1,000,800.00 Healthy Homes Production Grant to remove healthy homes hazards from 66 residential units within the Erie County General Health Districts.
3. The City has employed a professional staff that include Public Planners knowledgeable in Tier 1 and 2 Environmental Assessments, and private property Historical Assessments.
4. The City will work to maintain current credentials and licensing for all employees engaged in work under the umbrella of this Memorandum of Understanding.

Service	Quantity (Not to exceed during FY 19 grant cycle.)	Unit Cost
Environmental and Historical Reviews	\$23,800	\$350.00

5. On or before the 3rd Monday of each month, the City must submit an invoice to ECBOH for all services performed in the bi-monthly period preceding the invoice date.
6. Approved invoice submissions will be submitted by ECBOH for Board of Health payment approval at the regularly scheduled Board of Health meeting. Checks will be cut and released for payment within 14 days of Board approval.
7. Either party may cancel this agreement by giving the other party written notice, after such notice is given this memorandum will become null and void on a mutually agreed upon date or 60 days from date of original notice which ever come first.
8. This understanding will expire on December 31, 2025.


Peter T. Schade, MPH, RS
Health Commissioner,
Erie County Health Department

05.05.2022
Date

Eric Wobser
City Manager

Date

**Exhibit
"A"**



FINANCE DEPARTMENT

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

TO: Eric Wobser, City Manager
FROM: Michelle Reeder, Finance Director
DATE: June 15, 2022
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

The Erie County Budget Commission has determined that a full Tax Budget be submitted for calendar year 2023 by July 20, 2022. Prior to 2011, the Erie County Budget Commission had waived this requirement to submit a full Tax Budget.

BACKGROUND INFORMATION:

The tax budget has been approved annually since 2011. The first resolutions passed was on July 11, 2011.

BUDGETARY INFORMATION: The tax budget will establish initial funding for 2023.

ACTION REQUESTED:

It is recommended that this resolution be approved as soon as possible. The resolution is needed so that the City of Sandusky can comply with the request of the Erie County Budget Commission, in accordance with Ohio Revised Code Sections 5705.28, 5705.29, and 5705.30, by filing the Tax Budget with the County Auditor by July 20, 2022. It is recommended that the City Commission adopt the necessary legislation as an emergency measure and in accordance with Section 14 of the City Charter.

I concur with this recommendation:

Eric Wobser
City Manager

Michelle Reeder
Finance Director

CC: Brendan Heil, Law Director

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE TAX BUDGET FOR THE CITY OF SANDUSKY FOR THE CALENDAR YEAR 2023; AUTHORIZING THE SUBMISSION OF THE TAX BUDGET TO THE ERIE COUNTY AUDITOR; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Erie County Budget Commission has determined that for the CY 2023 Budget, a full Tax Budget is to be submitted to the Erie County Auditor and pursuant to O.R.C. § 5705.30 must be submitted on or before the 20th day of July; and

WHEREAS, prior to 2011, the Erie County Budget Commission had waived the requirements for entities to submit a full tax budget and had only required revenues per fund to be submitted; 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 City's Tax Budget for CY 2023 to the Erie County Auditor by the required deadline of July 20, 2022; and

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

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

Section 1. This City Commission approves and adopts the City's Tax Budget for CY 2023, a copy of which is marked Exhibit "A" and attached to this Resolution and specifically incorporated as if fully rewritten herein.

Section 2. This City Commission authorizes and directs the Finance Director to deliver a certified copy of this Resolution to the Erie County Auditor.

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

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

those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its 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: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022

CITY OF SANDUSKY TAX BUDGET - 2023													
		Estimated Unencumbered Balance at 12/31/2022	Estimated 2023 Real Estate Property Taxes	Estimated 2023 Local Govt (County)	Estimated 2023 Local Govt (State Direct)	Estimated 2023 Other Revenue	Total Resources For Expenditures	2023 Estimated Expenditures		Estimated Unencumbered Balance at 12/31/2023			
Fund								Personnel Services	Other	Total Estimated Expenditures			
110 General		4,869,697.29	1,730,000.00	460,000.00	110,000.00	26,493,365.00	33,665,082.29	15,136,891.20	14,614,425.37	29,751,316.57		3,913,766.72	
216 Street		479,303.27	-	-	-	1,812,600.00	2,291,903.27	1,028,874.00	988,963.64	2,017,837.64		274,066.63	
217 State Highway		195,442.00	-	-	-	109,242.00	304,684.00	52,500.00	47,040.00	99,540.00		205,144.00	
218 Public Transit		40,006.98	-	-	-	2,149,006.98	2,149,006.98	1,418,555.00	1,972,570.88	34,581.10		5,390.08	
227 Parks & Recreation		63,510.63	-	-	-	859,905.80	1,024,622.80	339,308.78	394,663.77	733,972.55		40,827.60	
236 Fire Pension		10,717.00	154,000.00	-	-	585,140.00	790,588.00	694,020.00	41,512.80	735,532.80		55,055.20	
237 Police Pension		51,448.00	154,000.00	-	-	31,620.00	72,545.00	-	45,000.00	70,000.00		2,545.00	
239 State Grants		40,925.00	-	-	-	-	6,453,905.10	500,000.00	5,000,000.00	5,500,000.00		963,905.10	
240 Coronavirus Relief		6,453,905.10	-	-	-	771,120.00	922,265.30	212,730.00	693,234.86	905,964.86		16,300.44	
241 Federal Grants		151,145.30	-	-	-	24,735.00	212,120.00	-	5,600.00	5,600.00		206,520.00	
242 Indigent Driver Alcohol		187,385.00	-	-	-	3,468.00	12,944.55	-	8,500.00	8,500.00		4,444.55	
243 Enforcement & Education		9,476.55	-	-	-	22,440.00	190,764.00	10,972.50	40,320.00	51,292.50		139,471.50	
244 Court Computer		168,324.00	-	-	-	10,200.00	47,980.00	-	8,960.00	8,960.00		39,020.00	
245 Indigent Telephone		37,780.00	-	-	-	250,000.00	362,660.00	95,000.00	7,840.00	95,000.00		183,326.00	
246 Probation Service		212,581.00	-	-	-	25,000.00	45,089.00	-	40,000.00	40,000.00		267,660.00	
247 Payroll Stabilization		112,660.00	-	-	-	650,000.00	667,640.00	155,452.50	15,000,000.00	15,155,452.50		17,640.00	
248 Real Estate Development		20,089.00	-	-	-	-	16,385,722.91	-	-	-		1,230,270.41	
430 Capital Improvement		17,640.00	-	-	-	-	-	-	-	-		-	
431 Capital Projects		985,722.91	-	-	-	-	-	-	-	-		-	
432 Tax Increment Dist		-	-	-	-	362,100.00	801,252.54	394,222.50	65,640.36	459,862.86		341,389.68	
433 Special Assessments		439,152.54	-	-	-	1,242,615.00	1,744,816.00	-	1,325,408.00	1,325,408.00		419,408.00	
434 Bond Retirement Fund		77,201.00	425,000.00	-	-	556,002.00	823,193.00	-	679,560.00	679,560.00		143,633.00	
435 Urban Renewal Debt Serv		267,191.00	-	-	-	125,800.00	205,769.00	-	89,600.00	89,600.00		116,169.00	
436 Central Public Utility Fund		79,969.00	-	-	-	678,300.00	962,395.00	-	755,720.00	755,720.00		206,675.00	
437 Cleveland Rd Improv		284,095.00	-	-	-	25,000.00	25,000.00	-	-	-		25,000.00	
438 Cooke Building Improv TIF		-	-	-	-	307,020.00	600,579.00	-	241,598.56	241,598.56		358,980.44	
535 Spec Asmnt Bond Retirement		293,559.00	-	-	-	7,959,162.00	10,485,359.30	3,904,855.50	4,500,000.00	8,404,855.50		2,080,503.80	
612 Water Revenue Fund		2,526,197.30	-	-	-	12,078,126.00	15,856,159.62	4,148,203.50	9,100,000.00	13,248,203.50		2,607,956.12	
613 Sewer Revenue Fund		3,778,033.62	-	-	-	3,733,200.00	5,357,631.00	-	4,200,000.00	4,200,000.00		1,157,631.00	
701 Internal Service Fund		1,624,431.00	-	-	-	55,386.00	644,417.30	-	139,527.02	139,527.02		504,890.28	
863 Trust-Expendable		589,031.30	-	-	-	5,100.00	265,289.00	-	22,960.00	22,960.00		242,329.00	
873 Trust-Nonexpendable		260,189.00	-	-	-	46,461.00	767,906.00	-	39,200.00	39,200.00		728,706.00	
876 Cemetery Endowment		721,445.00	-	-	-	28,560.00	67,902.00	-	33,600.00	33,600.00		34,302.00	
990-881 Agency-Treasury		39,342.00	-	-	-	30,600.00	38,585.00	-	38,585.00	38,585.00		-	
888 Special Assessments Non-City		7,985.00	-	-	-	1,836,000.00	3,114,726.58	-	1,447,407.83	1,447,407.83		1,667,318.75	
990-898 Agency-Non Treasury		1,278,726.58	-	-	-	-	-	-	-	-		-	
Total		28,374,307.37	2,463,000.00	460,000.00	110,000.00	78,964,299.80	108,371,607.17	27,824,140.48	62,292,553.30	90,141,693.78		18,229,913.39	
Certified: Michelle Reeder													
Finance Director													
City of Sandusky, Erie County, Ohio													
Dated: 6/17/2021													

EXHIBIT

"A"

	2022 Estimated Expenditures			2021 Actual Expenditures			2020 Actual Expenditures		
	Personnel Services	Other	Total	Personnel Services	Other	Total	Personnel Services	Other	Total
110 General	14,015,640	11,241,866	25,257,506	11,937,044	10,484,976	22,422,020	10,755,938.10	8,299,622.39	19,055,560.49
216 Street	979,880	1,648,273	2,628,153	781,613	1,003,529	1,785,141	844,061.69	616,522.96	1,460,584.65
217 State Highway	50,000	42,000	92,000	42,450	18,022	60,472	48,215.57	34,539.41	82,754.98
218 Public Transit	135,100	1,933,893	2,068,993	97,622	2,965,545	3,063,167	106,703.08	3,039,352.72	3,146,055.80
227 Parks & Recreation	329,426	352,378	681,804	141,915	265,855	407,770	213,245.67	248,810.86	462,056.53
236 Fire Pension	852,000	49,210	901,210	838,318	46,641	884,959	851,834.69	47,222.61	899,057.30
237 Police Pension	645,600	37,065	682,665	621,340	35,270	656,610	643,227.88	35,703.23	678,931.11
239 State Grants	-	102,500	102,500	-	209,328	209,328	-	9,012.25	9,012.25
240 Coronavirus Relief	530,700	8,841,065	9,371,765	294,065	1,971,362	2,265,427	1,657,021.53	-	1,657,021.53
241 Federal Grants	202,600	618,960	821,560	138,322	509,459	647,781	153,947.50	725,515.89	879,463.39
242 Indigent Driver Alcohol	-	5,000	5,000	-	7,115	7,115	-	875.00	875.00
243 Enforcement & Education	-	19,500	19,500	-	-	-	-	-	-
244 Court Computer	10,450	36,000	46,450	5,173	34,264	39,437	5,064.50	12,125.20	17,189.70
245 Indigent Telephone	-	8,000	8,000	-	350	350	-	101.00	101.00
246 Probation Service	146,500	7,000	153,500	155,517	-	155,517	105,330.20	811.13	106,141.33
247 Payroll Stabilization	382,000	-	382,000	316,117	-	316,117	873,751.91	-	873,751.91
248 Real Estate Development	-	263,700	263,700	-	56,522	56,522	-	311,603.18	311,603.18
430 Capital Improvement	-	665,000	665,000	-	585,000	585,000	-	550,000.00	550,000.00
431 Capital Projects	148,050	18,587,777	18,735,827	210,093	12,133,389	12,343,482	84,129.13	22,301,985.65	22,386,114.78
432 Tax Increment Dist	-	-	-	-	45,632	45,632	-	-	-
433 Special Assessments	375,450	58,607	434,057	304,813	62,048	366,861	350,992.18	40,914.98	391,907.16
434 Bond Retirement Fund	-	1,183,400	1,183,400	-	1,196,698	1,196,698	-	1,675,102.58	1,675,102.58
435 Urban Renewal Debt Serv	-	606,750	606,750	-	527,838	527,838	-	6,220,167.35	6,220,167.35
436 Central Public Utility Fund	-	80,000	80,000	-	7,588	7,588	-	3,680.12	3,680.12
437 Cleveland Rd Improv	-	674,750	674,750	-	371,327	371,327	-	2,250,000.00	2,250,000.00
438 Cooke Building Improv TIF	-	-	-	-	-	-	-	-	-
535 Spec Asmnt Bond Retirement	-	215,713	215,713	-	232,509	232,509	-	228,109.58	228,109.58
612 Water Revenue Fund	3,718,910	6,912,551	10,631,461	3,147,204	4,706,949	7,854,153	3,038,376.47	6,552,326.56	9,590,703.03
613 Sewer Revenue Fund	3,950,670	11,670,880	15,621,550	3,276,651	8,985,202	12,261,853	3,130,760.25	11,742,288.96	14,873,049.21
701 Internal Service Fund	-	4,300,000	4,300,000	-	4,039,003	4,039,003	-	3,463,317.57	3,463,317.57
863 Trust-Expendable	-	124,578	124,578	-	83,830	83,830	-	93,874.23	93,874.23
873 Trust-Nonexpendable	-	20,500	20,500	-	8,959	8,959	-	3,236.93	3,236.93
876 Cemetery Endowment	-	35,000	35,000	-	17,889	17,889	849.73	9,888.78	10,738.51
880-881 Agency-Treasury	-	30,000	30,000	-	28,498	28,498	-	74,430.67	74,430.67
888 Special Assessments Non-Cit	-	38,238	38,238	-	34,785	34,785	-	23,765.49	23,765.49
890-898 Agency-Non Treasury	-	1,292,328	1,292,328	-	3,506,430	3,506,430	-	3,434,314	3,434,314
	26,472,976	71,702,482	98,175,458	22,308,256	54,181,814	76,490,069	22,863,450.08	72,049,221.67	94,912,671.75

	2022 Year Estimated Revenue					2021 Year Actual Revenue					2020 Year Actual Revenue				
	Real Estate Property Taxes	Local Govt (County)	Local Govt (State Direct)	Estimated Other	Total	Real Estate Property Taxes	Local Govt (County)	Local Govt (State Direct)	Estimated Other	Total	Real Estate Property Taxes	Local Govt (County)	Local Govt (State Direct)	Estimated Other	Total
110 General	1,727,700.00	460,000.00	110,000.00	22,936,000.00	25,233,700.00	1,572,775.57	502,511.77	117,392.46	20,730,523.17	22,923,202.97	1,553,940.04	397,788.27	-	16,509,448.62	18,461,176.93
216 Street				3,107,456.00	3,107,456.00				1,968,861.45	1,968,861.45				1,757,694.37	1,757,694.37
217 State Highway				1,07,100.00	1,07,100.00				105,464.97	105,464.97				106,941.17	106,941.17
218 Public Transit				2,109,000.00	2,109,000.00				3,485,124.77	3,485,124.77				3,029,641.99	3,029,641.99
227 Parks & Recreation				662,600.00	662,600.00				470,272.60	470,272.60				478,122.69	478,122.69
228 Fire Pension	153,400.00			751,764.00	905,164.00	143,322.61			748,400.00	891,722.61	127,725.09			761,331.95	889,057.04
237 Police Pension	153,400.00			535,000.00	688,400.00	143,322.60			559,000.00	702,322.60	127,725.21			541,205.17	668,930.38
239 State Grants				31,000.00	31,000.00				89,565.30	89,565.30				25,857.23	25,857.23
240 Coronavirus Relief				9,045,549.00	9,045,549.00				9,045,549.00	9,045,549.00				1,657,021.53	1,657,021.53
241 Federal Grants				756,000.00	756,000.00				654,131.10	654,131.10				833,363.84	833,363.84
242 Indigent Driver Alcohol				24,250.00	24,250.00				32,250.77	32,250.77				26,685.26	26,685.26
243 Enforcement & Education				3,400.00	3,400.00				3,100.35	3,100.35				3,535.40	3,535.40
244 Court Computer				22,000.00	22,000.00				23,251.95	23,251.95				20,447.91	20,447.91
245 Indigent Telephone				10,000.00	10,000.00				14,101.55	14,101.55				11,481.13	11,481.13
246 Probation Services				58,000.00	58,000.00				49,941.59	49,941.59				123,366.93	123,366.93
247 Payroll Stabilization				95,000.00	95,000.00				556,000.00	556,000.00					
248 Real Estate Development				20,000.00	20,000.00				48,155.00	48,155.00					
430 Capital Improvement				625,000.00	625,000.00				634,940.79	634,940.79				130,984.00	130,984.00
431 Capital Projects				12,727,000.00	12,727,000.00				15,839,138.10	15,839,138.10				551,179.14	551,179.14
432 Tax Increment Dist				-	0.00									19,934,897.17	19,934,897.17
433 Special Assessments				355,000.00	355,000.00				421,642.53	421,642.53				393,037.65	393,037.65
434 Bond Retirement Fund	437,000.00			781,250.00	1,218,250.00	444,282.50			793,393.46	1,237,675.96	420,917.00			1,199,372.12	1,620,289.12
435 Urban Renewal Debt Serv				545,100.00	545,100.00				543,939.15	543,939.15				5,365,497.45	5,365,497.45
436 Central Public Utility Fund				74,000.00	74,000.00				62,818.60	62,818.60					34,419.12
437 Cleveland Rtd Improv				665,000.00	665,000.00				665,171.94	665,171.94					2,250,000.00
438 Cooke Building Improv TIF				0.00	0.00										
535 Spec Asmnt Bond Retirement				301,000.00	301,000.00				385,170.33	385,170.33				240,551.61	240,551.61
612 Water Revenue Fund				7,803,100.00	7,803,100.00				7,921,139.72	7,921,139.72				10,204,062.25	10,204,062.25
613 Sewer Revenue Fund				11,841,300.00	11,841,300.00				12,454,735.72	12,454,735.72				16,658,447.78	16,658,447.78
701 Internal Service Fund				3,660,000.00	3,660,000.00				3,265,555.53	3,265,555.53				2,769,642.93	2,769,642.93
863 Trust-Expendable				54,300.00	54,300.00				239,810.58	239,810.58				87,873.57	87,873.57
873 Trust-Nonexpendable				5,000.00	5,000.00				29,556.56	29,556.56					
880/881 Agency-Treasury				45,550.00	45,550.00				54,132.88	54,132.88				56,371.30	56,371.30
888 Special Assessments Non-City				28,000.00	28,000.00				27,085.41	27,085.41				29,893.50	29,893.50
890-999 Agency-Non Treasury				1,800,000.00	1,800,000.00				3,350,278.36	3,350,278.36					3,548,756.66
	2,471,500.00	460,000.00	110,000.00	81,614,719.00	84,656,219.00	2,393,703.28	602,611.77	117,392.46	85,474,203.23	88,248,618.94	2,230,307.34	397,788.27	-	83,607,956.66	91,977,988.21



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: June 15, 2022

Re: Commission Agenda Item

ITEM FOR CONSIDERATION: Legislation to accept the donation of a twenty-four (24) foot Boston Whaler Justice watercraft equipped with two (2) hundred horsepower Evinrude motors and trailer.

BACKGROUND INFORMATION: The above listed watercraft was donated to the Village of Kelleys Island in 2009 by the Homeland Security Task Force through the Northern Border Initiative. The Village of Kelleys Island no longer intended to use the watercraft for police purposes. I expressed an interest in acquiring the watercraft through donation to be used by our department.

On May 12th, 2022, the village council authorized the Mayor of Kelleys Island to donate the watercraft and equipment to our department. Pursuant to Village of Kelleys Island Ordinance No. 2022-O-12 the twenty-four foot (24) foot Boston Whaler VIN# BWCLA158D797, 200 horsepower Evinrude Motors VIN#'s 0516006 and 05171732 and Boat Master trailer VIN# 42XBB2427UF007071 were donated to the city of Sandusky Police Department

BUDGETARY INFORMATION: There is no budgetary impact to accept this donation. I will apply for grant funding in the future to operate the watercraft.

ACTION REQUESTED: It is requested that the proper legislation be prepared to accept the donation of the watercraft and equipment. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter in order to transfer title of the donated watercraft and allow the Police Department to use the vessel if necessary and pursue grant funding in the future for operation of the watercraft.

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 ACCEPTING THE DONATION OF A POLICE BOAT, MOTORS AND TRAILER FROM THE VILLAGE OF KELLEYS ISLAND, OHIO, FOR THE SANDUSKY POLICE DEPARTMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, a twenty-four (24) foot Boston Whaler Justice watercraft was donated to the Village of Kelleys Island in 2009 by the Homeland Security Task Force through the Northern Border Initiative; and

WHEREAS, the Village of Kelleys Island no longer intends to use the watercraft for police purposes and the Sandusky Police Department expressed an interest in acquiring the watercraft; and

WHEREAS, it is requested that the City Commission accept the donated twenty four (24) foot Boston Whaler ID #BWCLA158D797, 200 horsepower Evinrude Motors ID #0516006 and #0571732 and a Boat Master Trailer ID #42XBB2427UF007071 from the Village of Kelleys Island, Ohio; 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 transfer the title of the watercraft to the City and allow the Police Department to use the vessel if necessary and pursue grant funding in the future for operation of the watercraft; 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 hereby accepts the donation of a twenty four (24) foot Boston Whaler ID #BWCLA158D797, 200 horsepower Evinrude Motors ID #0516006 and #0571732 and a Boat Master Trailer ID #42XBB2427UF007071 from the Village of Kelleys Island, Ohio, for the Sandusky Police Department.

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

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

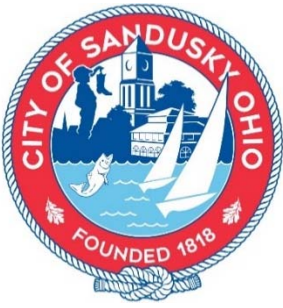
Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager
From: Aaron Klein, Director of Public Works
Date: June 15, 2022
Subject: Commission Agenda Item – Easements with MHD Corporation

Items for Consideration: Legislation approving a Temporary Easement Agreement with MHD Corporation (“MHD”) for construction of portions of the Sandusky Bay Pathway as part of The Landing project.

Background Information: Per ordinance 18-127, the City contracted with Environmental Design Group (EDG) to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of The Landing project, which included sections of the Sandusky Bay Pathway. After preferred alignment alternatives were approved, EDG and their subconsultant OR Colan & Associates (ORC) have worked with landowners on acquisition services. The first request has been for donations of temporary and/or permanent easements. Many like MHD Corporation are very supportive of the pathway and have agreed to grant the necessary easement.

Since the portion of the Sandusky Bay Pathway along this property will be constructed in the Cleveland Road right of way, the City only needs a temporary easement for construction activities.

Budgetary Information: The cost of this easement was \$1.00 plus recording fees.

Action Requested: It is requested that the proper legislation be prepared approving a Temporary Easement Agreement with MHD Corporation, and that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to approve the Temporary Easement granted for the Sandusky Bay Pathway and The Landing Project, which was recorded on April 27, 2022.

I concur with this recommendation:

Eric L. Wobser
City Manager

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

CERTIFICATE OF FUNDS

In the Matter of: Landing Easement

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

Account #110-7600-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 6/22/2022

ORDINANCE NO. _____

AN ORDINANCE APPROVING A TEMPORARY EASEMENT GRANTED TO THE CITY BY MHD CORPORATION FOR THE SANDUSKY BAY PATHWAY AS PART OF THE LANDING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission declared their support for The Landing Park Project by Resolution No. 005-18R, passed on January 22, 2018; and

WHEREAS, the City Commission authorized and directed the City Manager to enter into an agreement for professional design services with Environmental Design Group, LLC, of Akron, Ohio, to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of The Landing Project, which included sections of the Sandusky Bay Pathway, by Ordinance No. 18-127, passed on June 25, 2018; and

WHEREAS, MHD Corporation is the owner of property located on Cleveland Road, Parcel No. 57-02922.000, and has granted the City a Temporary Easement necessary for the construction of portions of the Sandusky Bay Pathway as part of The Landing Project; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to approve the Temporary Easement granted to the City for the Sandusky Bay Pathway and The Landing Project, which was recorded on April, 27, 2022; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **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 approves a Temporary Easement granted to the City by MHD Corporation for the purpose of utilizing for the construction of portions of the Sandusky Bay Pathway as part of The Landing Project, a copy of which is attached and marked Exhibit "1" and is specifically incorporated as if fully rewritten herein.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022

TRANSFER NOT NECESSARY

TRANSFERRED

in Compliance with sections
319-202 and 322-02 of the
Ohio Revised Code

Fee: \$0.00

Exempt: X

R.E.Transfer Fee: \$0.00

Richard H. Jeffrey

Erie County Auditor

Trans. Fees: : \$0.00

Date: Apr 27, 2022 by LJ

eFile#: 20926239

LPA RE 807-D
Rev. 10/2017

TED
LPA

TEMPORARY EASEMENT

MHD Corporation AKA M.H.D. Corp, an Ohio corporation, the Grantor(s), as a
GIFT/DONATION, does grant to City of Sandusky, an Ohio municipal corporation, the Grantee, the
temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the
following described real estate:

PARCEL(S): 57-02922.000 - T

City of Sandusky -Landing Park Project

SEE EXHIBIT A ATTACHED

Erie County Current Tax Parcel No. 57-02922.000

Prior Instrument Reference: Deed Volume 389, Page 847, Erie County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated
period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 18 months immediately
following the date on which the work described above is first commenced by the Grantee, or its duly
authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose,
namely the establishment and construction of a public pathway.

In Witness Whereof MHD Corporation AKA M.H.D. Corp. an Ohio corporation has caused its name to be subscribed by Jeffrey A. Hoffman, its President, and its duly authorized agent on the 26th day of April, 2022.

MHD Corporation AKA M.H.D. Corp, an Ohio corporation

By: Jeffrey A. Hoffman

Title: President

State of Ohio, County Of Erie ss:

Be It Remembered, that on the 26th day of April, 2022, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Jeffrey A. Hoffman who acknowledged being the President and duly authorized agent of MHD Corporation AKA M.H.D. Corp. an Ohio corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to Jeffrey A. Hoffman, President, and duly authorized agent of MHD Corporation AKA M.H.D. Corp. an Ohio corporation, with regard to the notarial act.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



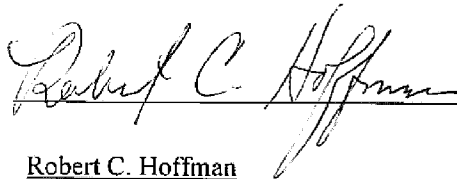
JOSEPH E ALMADY
Notary Public
In and for the State of Ohio
My Commission Expires
August 22, 2023

Notary Public

My Commission expires: 8/22/2023

In Witness Whereof MHD Corporation AKA M.H.D. Corp, an Ohio corporation has caused its name to be subscribed by Robert C. Hoffman, its Vice President, and its duly authorized agent on the 26th day of April, 2022.

MHD Corporation AKA M.H.D. Corp, an Ohio corporation



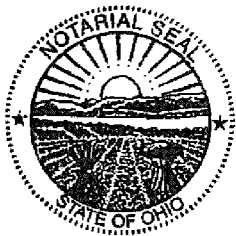
By: Robert C. Hoffman

Title: Vice President

State of Ohio, County Of Erie ss:

Be It Remembered, that on the 26th day of April, 2022, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Robert C. Hoffman who acknowledged being the Vice President and duly authorized agent of MHD Corporation AKA M.H.D. Corp, an Ohio corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to Robert C. Hoffman, Vice President, and duly authorized agent of MHD Corporation AKA M.H.D. Corp, an Ohio corporation, with regard to the notarial act.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



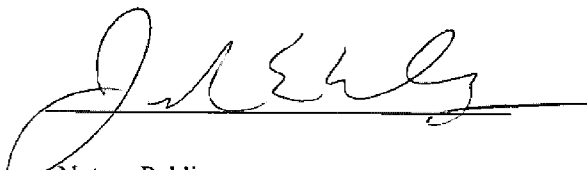
JOSEPH E ALMADY

Notary Public

In and for the State of Ohio Notary Public

My Commission Expires

August 22, 2023



My Commission expires:

8/22/2023

This document was prepared by or for the City of Sandusky on forms approved by the Office of the Attorney General State of Ohio.



Exhibit A

April 15, 2022

CITY OF SANDUSKY
MHD CORPORATION
TEMPORARY
EASEMENT

JSA

Situated in the State of Ohio, County of Erie, and the City of Sandusky, being part of Outlet 4 in Darling's Survey East of Sycamore Line of the City of Sandusky, and also being part of lands described to MHD Corporation as recorded in Volume 389 page 847 and being more fully described as follows:

Beginning from a point at the northwesterly corner of parcel number 57-02922.000 said point being on the northeasterly line of Cleveland Road (S.R. 6);

1. Thence N 29° 56' 15" E along the north line of the grantor, 16.66 feet;
2. Thence S 59° 38' 17" E, 149.17 feet;
3. Thence N 31° 02' 09" E, 23.21 feet;
4. Thence S 59° 49' 16" E, 52.69 feet;
5. Thence S 11° 57' 30" E, 24.71 feet;
6. Thence S 60° 18' 44" E, 16.15 feet;
7. Thence S 71° 24' 13" E, 40.39 feet;
8. Thence S 40° 49' 31" E, 22.32 feet;
9. Thence S 59° 01' 09" E, 204.30 feet to the grantor's east line;
10. Thence S 46° 51' 07" E along the grantor's east line, 74.49 feet to the northeasterly line of said Cleveland Road;
11. Thence N 60° 03' 45" W along the said northeasterly line of Cleveland Road, 572.40 feet to the Place of Beginning and containing 0.2573 acres of land more or less.

The community impact people.

Page 1 of 2

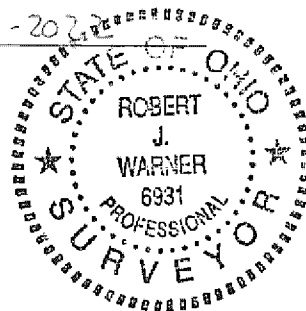
April 15, 2022

CITY OF SANDUSKY
MHD CORPORATION
TEMPORARY EASMENT

This easement description and basis of bearing are based on a survey as provided by Contractors Design Engineering, LTD. to Environmental Design Group for this project.

The above described easement lies within Erie County Auditor Parcel Number 57-02922.000

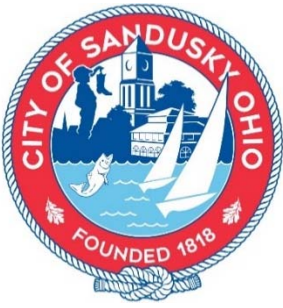
Robert J. Warner 4-15-2022
Robert J. Warner P.S. 6931

A circular professional seal for Robert J. Warner, a Professional Surveyor in the State of Ohio. The seal features the text "STATE OF OHIO" at the top, "ROBERT J. WARNER" in the center, "6931" below the name, and "PROFESSIONAL SURVEYOR" at the bottom. Two stars are positioned on either side of the license number.

The community impact people.

Page 2 of 2

CIVIL ENGINEERING/ LANDSCAPE ARCHITECTURE/ PLANNING/ SURVEYING/ ENVIRONMENTAL SERVICES/ CONSTRUCTION MANAGEMENT



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Aaron Klein, Director of Public Works

Date: June 15, 2022

Subject: Commission Agenda Item – Easements with Kasper Family Limited Partnership

Items for Consideration: Legislation approving a Temporary Easement Agreement with Kasper Family Limited Partnership (Kasper) for construction of portions of the Sandusky Bay Pathway as part of The Landing project.

Background Information: Per ordinance 18-127, the City contracted with Environmental Design Group (EDG) to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of The Landing project, which included sections of the Sandusky Bay Pathway. After preferred alignment alternatives were approved, EDG and their subconsultant OR Colan & Associates (ORC) have worked with landowners on acquisition services. The first request has been for donations of temporary and/or permanent easements. Many like Kasper are very supportive of the pathway and have agreed to grant the necessary easement.

Since the portion of the Sandusky Bay Pathway along this property will be constructed in the Cleveland Road right of way, the City only needs a temporary easement for construction activities.

Budgetary Information: The cost of this easement was \$1.00 plus recording fees.

Action Requested: It is requested that the proper legislation be prepared approving a Temporary Easement Agreement with Kasper Family Limited Partnership, and that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to approve the Temporary Easement granted for the Sandusky Bay Pathway and The Landing Project, which was recorded on June 17, 2020.

I concur with this recommendation:

Eric L. Wobser
City Manager

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

CERTIFICATE OF FUNDS

In the Matter of: Landing Easement

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

Account #110-7600-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 6/22/2022

ORDINANCE NO. _____

AN ORDINANCE APPROVING A TEMPORARY EASEMENT GRANTED TO THE CITY BY KASPER FAMILY LIMITED PARTNERSHIP FOR THE SANDUSKY BAY PATHWAY AS PART OF THE LANDING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission declared their support for The Landing Park Project by Resolution No. 005-18R, passed on January 22, 2018; and

WHEREAS, the City Commission authorized and directed the City Manager to enter into an agreement for professional design services with Environmental Design Group, LLC, of Akron, Ohio, to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of The Landing Project, which included sections of the Sandusky Bay Pathway, by Ordinance No. 18-127, passed on June 25, 2018; and

WHEREAS, Kasper Family Limited Partnership is the owner of property located on Cleveland Road, Parcel No. 57-05870.000, and has granted the City a Temporary Easement necessary for the construction of portions of the Sandusky Bay Pathway as part of The Landing Project; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to approve the Temporary Easement granted to the City for the Sandusky Bay Pathway and The Landing Project, which was recorded on June 17, 2020; and

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

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

Section 1. This City Commission approves a Temporary Easement granted to the City by Kasper Family Limited Partnership for the purpose of utilizing for the construction of portions of the Sandusky Bay Pathway as part of The Landing Project, a copy of which is attached and marked Exhibit "1" and is specifically incorporated as if fully rewritten herein.

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

thereof.

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022

TRANSFER NOT NECESSARY

TRANSFERRED

in Compliance with sections
319-202 and 322-02 of the
Ohio Revised Code

Fee: \$0.00

Exempt:

R.E. Transfer Fee: \$0.00

Richard H. Jeffrey

Erie County Auditor

Trans. Fees: : \$0.00

Date: Jun 17, 2020 by JC

eFile#: 14118292

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Kasper Family Limited Partnership, an Ohio limited partnership, the Grantor(s), in consideration of the sum of \$1.00, to be paid by City of Sandusky, an Ohio municipal corporation, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 57-05870.000 - T

City of Sandusky -Landing Park Project

See Exhibit A Attached

Erie County Current Tax Parcel No. 57-05870.000

Prior Instrument Reference: Instrument No. 200002744, Erie County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for the purpose of performing the work necessary to clear and grade the pathway slopes.

Exhibit "1"

IN WITNESS WHEREOF Kasper Family Limited Partnership, an Ohio limited partnership, has caused its name to be subscribed by Gerald E. Kasper, its general partner(s) on the 17th day of June, 2020.

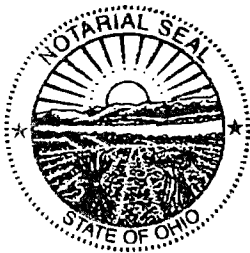
Kasper Family Limited Partnership, an Ohio limited partnership

By: *Gerald E. Kasper*
Gerald E. Kasper, General Partner of Kasper Family Limited Partnership

STATE OF OHIO, COUNTY OF Erie ss:

BE IT REMEMBERED, that on the 17th day of June, 2020, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Gerald E. Kasper, who acknowledged being a general or managing partner(s) and duly authorized agent(s) of Kasper Family Limited Partnership, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

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



JOSEPH E ALMADY
Notary Public
In and for the State of Ohio
My Commission Expires
August 22, 2023

Joseph E. Almady
NOTARY PUBLIC
My Commission expires: 8/22/2023

This document prepared by: Trevor Hayberger, Law Director, City of Sandusky. 240 Columbus Ave., Sandusky, Ohio 44870.



February 08, 2020

TEMPORARY EASEMENT DESCRIPTION
FROM KASPER FAMILY LIMITED PARTNERSHIP
TO THE CITY OF SANDUSKY
0.0793 ACRE EASEMENT *gea*

Situated in the State of Ohio, County of Erie, and the City of Sandusky, being part of Outlot No. 4 in Darling's Survey East of Sycamore Line in Ward 2 of the City of Sandusky, and also being part of the lands as conveyed to the Kasper Family Limited Partnership by deed in RN 200002744 of Erie County Records, said easement being more fully described as follows:

Commencing at the intersection of the northeasterly line of Cleveland Road (U.S. 6) (R/W Varies) and the southeasterly line of the lands as conveyed to MHD Corporation by Deed Volume 520, Page 324 of Erie County Records, also being the TRUE PLACE OF BEGINNING for the easement area herein described;

COURSE NO. 1: Thence **North 31°-24'-53" East, 5.91 feet** along the southeasterly line of said MHD Corporation lands;

COURSE NO. 2: Thence **South 62°-24'-07" East, 211.23 feet**;

COURSE NO. 3: Thence **South 59°-44'-11" East, 33.00 feet**;

COURSE NO. 4: Thence **South 55°-02'-11" East, 74.66 feet** to the northwesterly line of the lands as conveyed to the MHD Corporation by deed in R.N. 200802442 of Erie County Records;

COURSE NO. 5: Thence **South 31°-24'-53" West, 7.83 feet** along the northwesterly line of said MHD Corporation lands to the northeasterly line of said Cleveland Road;

COURSE NO. 6: Thence northwesterly along the **arc** of a curve to the left **26.03 feet**, having a **radius of 11499.20 feet**, a **delta of 00°-07'-47"**, and a **chord bearing North 59°-59'-52" West, 26.03 feet** along the northeasterly line of said Cleveland Road;



February 08, 2020

TEMPORARY EASEMENT DESCRIPTION
FROM KASPER FAMILY LIMITED PARTNERSHIP
TO THE CITY OF SANDUSKY
0.0793 ACRE EASEMENT

COURSE NO. 7: Thence **North 60°-03'-45" West, 292.35 feet** along the northeasterly line of said Cleveland Road to the True Place of Beginning and containing **0.0793 acres** of land, more or less, as determined in December 2019 by Adam D. Treat, P.S. 8058 for **Environmental Design Group** under project number 16-00259-050 and being subject to all legal highways, easements and restrictions of record.

This easement description and basis of bearing are based on a survey as provided by Contractors Design Engineering, LTD. to Environmental Design Group for this project.

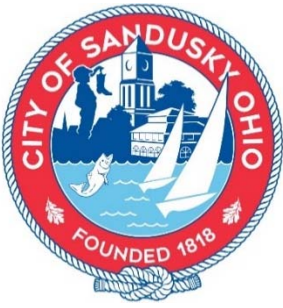
This described easement is 0.0793 acres within Erie County Auditor Parcel Number 57-05870.000.

A handwritten signature in cursive script that reads "Adam D. Treat".

ADAM D. TREAT, P.S.

Ohio Registered Professional Surveyor No. 8058





DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager
From: Aaron Klein, Director of Public Works
Date: June 15, 2022
Subject: Commission Agenda Item – Easements with Jeffrey M. Hartnett, Trustee

Items for Consideration: Legislation approving two (2) Easement Agreements with Jeffrey M. Hartnett (Hartnett) Trustee of the Jeffrey M. Hartnett Revocable Trust for construction of portions of the Sandusky Bay Pathway as part of The Landing project.

Background Information: Per ordinance 18-127, the City contracted with Environmental Design Group (EDG) to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of The Landing project, which included sections of the Sandusky Bay Pathway. After preferred alignment alternatives were approved, EDG and their subconsultant OR Colan & Associates (ORC) have worked with landowners on acquisition services. The first request has been for donations of temporary and/or permanent easements. Many like Mr. Hartnett are very supportive of the pathway and have agreed to grant the necessary easement.

This site will not only need the temporary construction easement for activities in the Cleveland Road and East Shoreway Drive rights of way, but Mr. Hartnett is also granting an easement for 0.0411 acres of parcel 57-02922.001 to the City of Sandusky for a total sum of \$1.00.

Budgetary Information: The cost of these easements are \$1.00 each, totaling \$2.00, plus recording fees.

Action Requested: It is requested that the proper legislation be prepared approving the Easement Agreements with Jeffrey M. Hartnett and that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to approve the Easements granted for the Sandusky Bay Pathway and The Landing Project, which were recorded on June 15, 2020.

I concur with this recommendation:

Eric L. Wobser
City Manager

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

CERTIFICATE OF FUNDS

In the Matter of: Landing Easement

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

Account #110-7600-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 6/22/2022

ORDINANCE NO. _____

AN ORDINANCE APPROVING A TEMPORARY EASEMENT GRANTED TO THE CITY BY JEFFREY M. HARTNETT, TRUSTEE OF THE JEFFREY M. HARTNETT REVOCABLE TRUST FOR THE SANDUSKY BAY PATHWAY AS PART OF THE LANDING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission declared their support for The Landing Park Project by Resolution No. 005-18R, passed on January 22, 2018; and

WHEREAS, the City Commission authorized and directed the City Manager to enter into an agreement for professional design services with Environmental Design Group, LLC, of Akron, Ohio, to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of The Landing Project, which included sections of the Sandusky Bay Pathway, by Ordinance No. 18-127, passed on June 25, 2018; and

WHEREAS, Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust is the owner of property located on Cleveland Road, Parcel No. 57-02922.001, and has granted the City a Temporary Easement necessary for the construction of portions of the Sandusky Bay Pathway as part of The Landing Project; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to approve the Temporary Easement granted to the City for the Sandusky Bay Pathway and The Landing Project, which was recorded on June 15, 2020; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the 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 approves a Temporary Easement granted to the City by Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust for the purpose of utilizing for the construction of portions of the Sandusky Bay Pathway as part of The Landing Project, a copy of which is attached and marked Exhibit "1" and is specifically incorporated as if fully rewritten herein.

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

thereof.

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022

TRANSFERRED

in Compliance with sections
319-202 and 322-02 of the
Ohio Revised Code

Fee: \$0.00

Exempt: X

R.E. Transfer Fee: \$0.00

Richard H. Jeffrey

Erie County Auditor

Trans. Fees: : \$0.00

Date: Jun 15, 2020 by LJ

eFile#: 14083196

TRANSFER NOT NECESSARY

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust, the Grantor(s), in consideration of the sum of \$1.00, to be paid by City of Sandusky, an Ohio municipal corporation, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 57-02922.001 - T

City of Sandusky -Landing Park Project

SEE EXHIBIT A ATTACHED

Erie County Current Tax Parcel No. 57-02922.001

Prior Instrument Reference: Instrument No. 200712096, Erie County Recorder's Office.

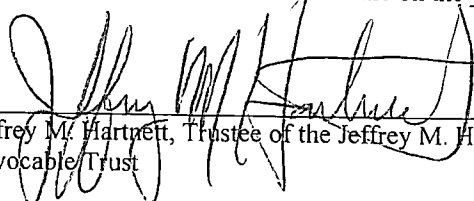
To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for the purpose of performing the work necessary to clear and grade the pathway slopes.

Exhibit "1"

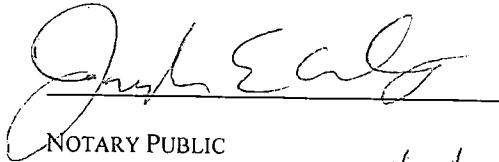
IN WITNESS WHEREOF the Jeffrey M. Hartnett Revocable Trust by and through Jeffrey M. Hartnett, Trustee of Jeffrey M. Hartnett Revocable Trust, has hereunto subscribed his name on the 11th day of June, 2020.


 Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust

STATE OF OHIO, COUNTY OF ERIE SS:

Be It Remembered that on the 11th day of June, 2020, before me the subscriber, a Notary Public in and for said state and county, personally came the above-named Jeffrey M. Hartnett, Trustee of who acknowledged being the Trustee of the Jeffrey M. Hartnett Revocable Trust, who acknowledged the foregoing instrument to be the voluntary act and deed of said Jeffrey M. Hartnett Revocable Trust.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.


 NOTARY PUBLIC

My Commission expires: 8/22/2023



JOSEPH E ALMADY
 Notary Public
 In and for the State of Ohio
 My Commission Expires
 August 22, 2023

This document prepared by: Trevor Hayberger, Law Director
 City of Sandusky
 240 Columbus Ave.
 Sandusky, Ohio 44870

Exhibit A



February 08, 2020

TEMPORARY EASEMENT DESCRIPTION
 FROM JEFFREY M. HARNETT, TRUSTEE
 TO THE CITY OF SANDUSKY
 0.0980 ACRE EASEMENT

JEA

Situated in the State of Ohio, County of Erie, and the City of Sandusky, being part of Outlot No. 4 in Darling's Survey East of Sycamore Line in Ward 2 of the City of Sandusky, and also being part of the lands as conveyed to Jeffrey M. Harnett, trustee by deed in RN 200712096 of Erie County Records, said easement being more fully described as follows:

Commencing at the intersection of the northeasterly line of Cleveland Road (U.S. 6) (R/W Varies) and the southeasterly line of East Shoreway Drive (R/W varies);

Thence South 60°-03'-45" East, 14.31 feet along the northeasterly line of said Cleveland Road, also being the TRUE PLACE OF BEGINNING for the easement area herein described;

COURSE NO. 1: Thence northwesterly along the arc of a curve to the left 17.01 feet, have a radius of 17.00 feet, a delta of 057°-19'-36", and a chord bearing North 06°-00'-16" West, 16.31 feet;

COURSE NO. 2: Thence North 30°-39'-31" East, 60.82 feet;

COURSE NO. 3: Thence northeasterly along the arc of a curve to the right 68.65 feet, having a radius of 245.00 feet, a delta of 016°-03'-14", and a chord bearing North 38°-41'-09" East, 68.42 feet;

COURSE NO. 4: Thence North 45°-20'-28" East, 39.84 feet;

COURSE NO. 5: Thence northeasterly along the arc of a curve to the left 13.19 feet, having a radius of 15.00 feet, a delta of 50°-23'-36", and a chord bearing North 20°-09'-00" East, 12.77 feet to the southeasterly line of said East Shoreway Drive;

COURSE NO. 6: Thence North 64°-21'-13" East, 10.59 feet along the southeasterly line of said East Shoreway Drive to the southwesterly line of the lands as conveyed to the MHD Corporation by deed in Deed Volume 520, Page 324 of Erie County Records;

COURSE NO. 7: Thence South 46°-50'-26" East, 1.77 feet along the southwesterly line of said MHD Corporation;

COURSE NO. 8: Thence South 30°-53'-30" West, 40.46 feet;

COURSE NO. 9: Thence South 35°-38'-29" West, 71.34 feet to the edge of an existing building;



February 08, 2020

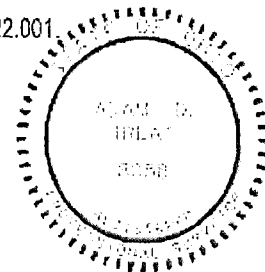
TEMPORARY EASEMENT DESCRIPTION
FROM JEFFREY M. HARNETT, TRUSTEE
TO THE CITY OF SANDUSKY
0.0980 ACRE EASEMENT

- COURSE NO. 10:** Thence **North 60°-06'-54" West, 14.55 feet** along the edge of an existing building;
- COURSE NO. 11:** Thence **South 29°-53'-06" West, 54.00 feet** along the edge of an existing building;
- COURSE NO. 12:** Thence **South 60°-06'-54" East, 27.00 feet** along the edge of an existing building;
- COURSE NO. 13:** Thence **South 29°-53'-06" West, 5.00 feet** along the edge of an existing building;
- COURSE NO. 14:** Thence **South 60°-06'-33" East, 45.00 feet** along the edge of an existing building and along the extension of the edge of the existing building;
- COURSE NO. 15:** Thence **South 29°-56'-15" West, 14.21 feet**;
- COURSE NO. 16:** Thence **South 61°-08'-15" East, 15.23 feet** to the northwesterly line of the lands of the MHD Corporation as conveyed by deed in Deed Volume 389, Page 847;
- COURSE NO. 17:** Thence **South 29°-56'-15" West, 16.66 feet** along the northwesterly line of said MHD Corporation to the northeasterly line of said Cleveland Road;
- COURSE NO. 18:** Thence **North 60°-03'-45" West, 82.69 feet** along the northerly line of said Cleveland Road to the True Place of Beginning and containing **0.0980 acres** of land, more or less, as determined in February 2020 by Adam D. Treat, P.S. 8058 for **Environmental Design Group** under project number 16-00259-050 and being subject to all legal highways, easements and restrictions of record.

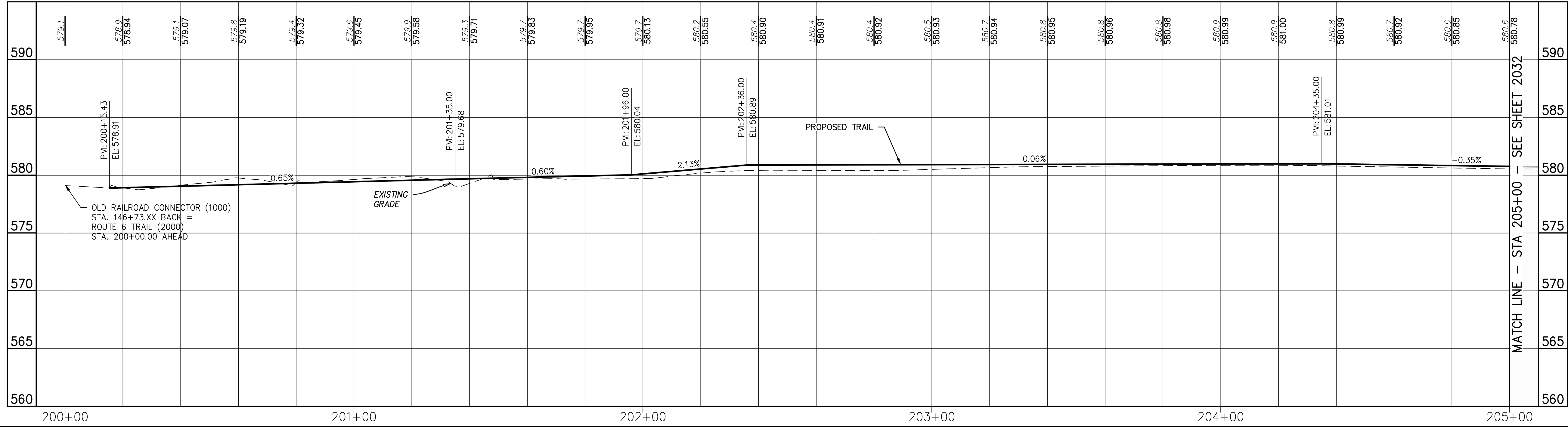
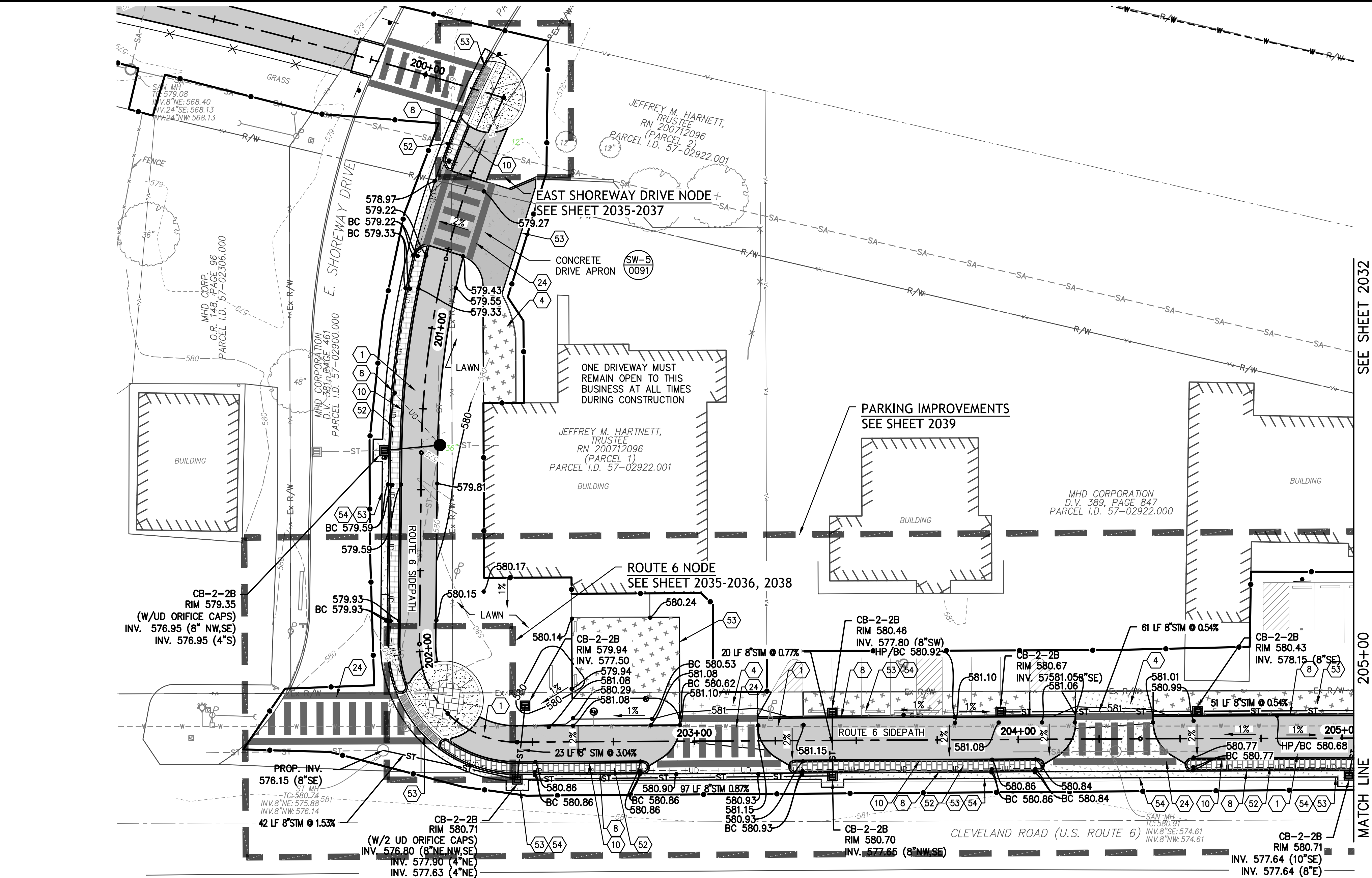
This easement description and basis of bearing are based on a survey as provided by Contractors Design Engineering, LTD. to Environmental Design Group for this project.

This described easement is 0.0980 acres within Erie County Auditor Parcel Number 57-02922.001


ADAM D. TREAT, P.S. Ohio Registered Professional Surveyor No. 8058



E:\SANDUSKY\16-00259-050 LANDING PARK DESIGN\CAD\DELIVERABLE\100% CONSTRUCTION\2020 - RT65P EDO20-PLR 16-00259-050 - 4/11/2020 12:25:05 PM



LAYOUT KEYNOTES

- 1 ASPHALT TRAIL
- 4 ASPHALT DRIVE
- 8 TYPE 6 CONCRETE CURB
- 10 FLUSH CURB
- 24 PEDESTRIAN CROSSING PAVEMENT MARKING
- 52 PERVIOUS PAVERS
- 53 MEET AND MATCH EXISTING PAVEMENT
- 54 VEHICULAR PAVEMENT REPAIR

UTILITY STRUCTURES

- | EXISTING | PROPOSED | UTILITY POLE |
|----------|----------|----------------------------------|
| ○ | ● | UTILITY MANHOLE |
| ■ | ■ | CATCH BASIN/ BUBBLE-UP STRUCTURE |
| □ | □ | YARD DRAIN |
| □ | □ | HEAD WALL |
| □ | □ | CLEAN OUT |
| □ | □ | VALVE |
| □ | □ | FIRE HYDRANT |
| □ | □ | FIRE DEPARTMENT CONNECTION |
| □ | □ | WATER MANHOLE |
| □ | □ | WATER METER |
| □ | □ | LIGHT POLE |

UTILITY LINES

- | EXISTING | PROPOSED | UTILITY LINES |
|----------|----------|---------------|
| —G— | —G— | GAS |
| —ST— | —ST— | STORM |
| —SA— | —SA— | SANITARY |
| —FM— | —FM— | FORCE MAIN |
| —W— | —W— | WATER |
| —E— | —E— | ELECTRIC |
| —FO— | —FO— | FIBER OPTIC |
| —UD— | —UD— | UNDERDRAIN |

LEGEND

- | | |
|--------------------------------------|---------|
| ASPHALT TRAIL | 1 0095 |
| ASPHALT DRIVE | 1 0095 |
| CONCRETE PAVEMENT, TYPE A | 1 0095 |
| CONCRETE PAVEMENT, TYPE B | 1 0095 |
| DECORATIVE CONCRETE PAVEMENT, TYPE A | 1 0095 |
| DECORATIVE CONCRETE PAVEMENT, TYPE B | 1 0095 |
| PERVIOUS PAVERS | 10 0095 |
| PRECAST CONCRETE PAVERS | 4 0095 |
| INTEGRAL CONCRETE CURB AND SIDEWALK | 1 0095 |
| CONTROL JOINT EXPANSION JOINT | 1 0095 |
| EXISTING GRAVEL PAVEMENT | |
| EXISTING WETLAND | |
| WORK LIMITS | |
| PROPERTY BOUNDARY | |
| RIGHT OF WAY | |
| TREE LINE | |
| FENCE | |
| SIGN | |
| EXISTING CONTOURS | |
| PROPOSED CONTOURS | |
| SPOT ELEVATION | |
| TOP OF CURB | |
| BOTTOM OF CURB | |
| TOP OF WALL | |
| BOTTOM OF WALL | |

NOTES:

- SEE SHEET 2002 FOR ASPHALT TRAIL TYPICAL SECTIONS.
- UNDERDRAINS TO BE SLOPED AT 0.50% MINIMUM.



THE LANDING

CITY OF SANDUSKY

ROUTE 6 SIDEWALK

PLAN & PROFILE



DATE: PROJECT NO.: 16-00259-050
DATE ISSUED: 2019-06-07
SEGMENT ID: 20 PROJECT SHEET #: 2031
811 Know what's below. Call before you dig.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN EASEMENT GRANTED TO THE CITY BY JEFFREY M. HARTNETT, TRUSTEE OF THE JEFFREY M. HARTNETT REVOCABLE TRUST FOR THE SANDUSKY BAY PATHWAY AS PART OF THE LANDING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission declared their support for The Landing Park Project by Resolution No. 005-18R, passed on January 22, 2018; and

WHEREAS, the City Commission authorized and directed the City Manager to enter into an agreement for professional design services with Environmental Design Group, LLC, of Akron, Ohio, to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of The Landing Project, which included sections of the Sandusky Bay Pathway, by Ordinance No. 18-127, passed on June 25, 2018; and

WHEREAS, Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust is the owner of property located on Cleveland Road, Parcel No. 57-02922.001, and has granted the City an Easement necessary for the Sandusky Bay Pathway as part of The Landing Project; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to approve the Easement granted to the City for the Sandusky Bay Pathway and The Landing Project, which was recorded on June 15, 2020; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the 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 approves an Easement granted to the City by Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust for the purpose of utilizing for the Sandusky Bay Pathway as part of The Landing Project, a copy of which is attached and marked Exhibit "1" and is specifically incorporated as if fully rewritten herein.

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

thereof.

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022

TRANSFERRED

in Compliance with sections
319-202 and 322-02 of the
Ohio Revised Code

Fee: \$0.00

Exempt: X

R.E. Transfer Fee: \$0.00

Richard H. Jeffrey

Erie County Auditor

Trans. Fees: : \$0.00

Date: Jun 15, 2020 by LJ

eFile#: 14083196

TRANSFER NOT NECESSARY

LPA RE 804
Rev. 10/2017

E
LPA

EASEMENT

Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust, the Grantor(s), in consideration of the sum of \$1.00, to be paid by City of Sandusky, an Ohio municipal corporation, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 57-02922.001 - PE

City of Sandusky -Landing Park Project

SEE EXHIBIT A ATTACHED

Erie County Current Tax Parcel No. 57-02922.001

Prior Instrument Reference: Instrument No. 200712096, Erie County Recorder's Office.

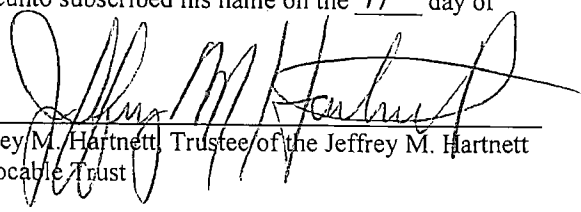
Grantor(s), for himself and his successors and assigns, covenant(s) with the Grantee, its successors and assigns, that he is the true and lawful owner(s) in fee simple, and has the right and power to convey the property and that the property is free and clear from all liens and encumbrances, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the property against all claims of all persons.

The property conveyed is being acquired by Grantee as a permanent easement for the construction, operation and maintenance of the pathway. No buildings or fixtures of any type, temporary or permanent, shall be constructed on the Easement Property and no materials, equipment, or other obstructions thereon shall be placed on the Easement Property for the duration of the Easement, without the prior written approval of the City.

Exhibit "1"

In the event that the Grantee decides not to use the property conveyed for the above-stated purpose, the Grantor(s) has a right under Section 163.211 of the Revised Code to repurchase the property for its fair market value as determined by an independent appraisal made by an appraiser chosen by agreement of the parties or, if the parties cannot agree, an appraiser chosen by an appropriate court. However, this right to repurchase will be extinguished if any of the following occur: (A) Grantor(s) declines to repurchase the property; (B) Grantor(s) fails to repurchase the property within sixty days after Grantee offers the property for repurchase; (C) Grantee grants or transfers the property to any other person or agency; or (D) Five years have passed since the property was appropriated.

IN WITNESS WHEREOF the Jeffrey M. Hartnett Revocable Trust by and through Jeffrey M. Hartnett, Trustee of Jeffrey M. Hartnett Revocable Trust, has hereunto subscribed his name on the 11th day of June, 2020.


Jeffrey M. Hartnett, Trustee of the Jeffrey M. Hartnett Revocable Trust

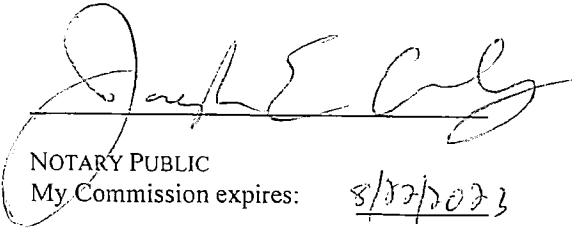
STATE OF OHIO, COUNTY OF ERIE SS:

Be It Remembered that on the 11th day of June, 2020, before me the subscriber, a Notary Public in and for said state and county, personally came the above-named Jeffrey M. Hartnett, Trustee of who acknowledged being the Trustee of the Jeffrey M. Hartnett Revocable Trust, who acknowledged the foregoing instrument to be the voluntary act and deed of said Jeffrey M. Hartnett Revocable Trust.

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



JOSEPH E ALMADY
Notary Public
In and for the State of Ohio
My Commission Expires
August 22, 2023


NOTARY PUBLIC
My Commission expires: 8/22/2023

This document prepared by: Trevor Hayberger, Law Director, City of Sandusky. 240 Columbus Ave., Sandusky, Ohio 44870.

Exhibit A

February 8, 2020

PERMANENT EASEMENT DESCRIPTION
FROM JEFFREY M. HARNETT, TRUSTEE
TO THE CITY OF SANDUSKY
0.0411 ACRE EASEMENT

JHA

Situated in the State of Ohio, County of Erie, and the City of Sandusky, being part of Outlot No. 4 in Darling's Survey East of Sycamore Line in Ward 2 of the City of Sandusky, and also being part of the lands as conveyed to Jeffrey M. Harnett, trustee by deed in RN 200712096 of Erie County Records, said easement being more fully described as follows:

Beginning at the intersection of the northerly line of Cleveland Road (U.S. 6) (R/W Varies) and the easterly line of East Shoreway Drive (R/W varies), also being the TRUE PLACE OF BEGINNING for the easement area herein described;

COURSE NO. 1: Thence **North 29°-56'-15" East, 157.14 feet** along the easterly line of said East Shoreway Drive;

COURSE NO. 2: Thence **North 64°-21'-13" East, 43.04 feet** along the easterly line of said East Shoreway Drive;

COURSE NO. 3: Thence southwesterly along the arc of a curve to the right **13.19 feet**, having a **radius of 15.00 feet**, a **delta of 50°-23'-36"**, and a **chord bearing South 20°-09'-00" West, 12.77 feet**;

COURSE NO. 4: Thence **South 45°-20'-48" West, 39.84 feet**;

COURSE NO. 5: Thence southwesterly along the arc of a curve to the left **68.65 feet**, having a **radius of 245.00 feet**, a **delta of 016°-03'-14"**, and a **chord bearing South 38°-41'-09" West, 68.42 feet**;

COURSE NO. 6: Thence **South 30°-39'-31" West, 60.82 feet**;

COURSE NO. 7: Thence southeasterly along the arc of a curve to the right **17.01 feet**, have a **radius of 17.00 feet**, a **delta of 057°-19'-36"**, and a **chord bearing South 06°-00'-16" East, 16.31 feet** to the northerly line of said Cleveland Road;



February 8, 2020

PERMANENT EASEMENT DESCRIPTION
FROM JEFFREY M. HARNETT, TRUSTEE
TO THE CITY OF SANDUSKY
0.0411 ACRE EASEMENT

COURSE NO. 8: Thence **North 60°-03'-45" West, 14.31 feet** along the northerly line of said Cleveland Road to the True Place of Beginning and containing **0.0411 acres** of land, more or less, as determined in February, 2020 by Adam D. Treat, P.S. 8058 for **Environmental Design Group** under project number 16-00259-050 and being subject to all legal highways, easements and restrictions of record.

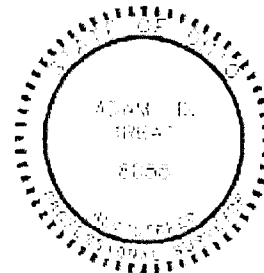
This easement description and basis of bearing are based on a survey as provided by Contractors Design Engineering, LTD. to Environmental Design Group for this project.

This described easement is 0.0411 acres within Erie County Auditor Parcel Number 57-02922.001.

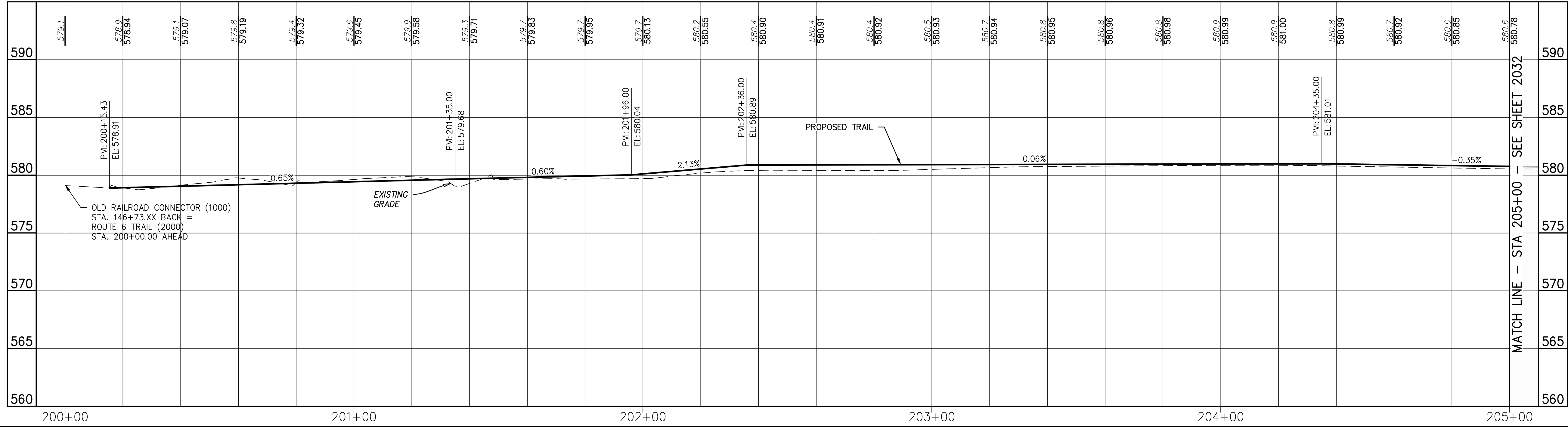
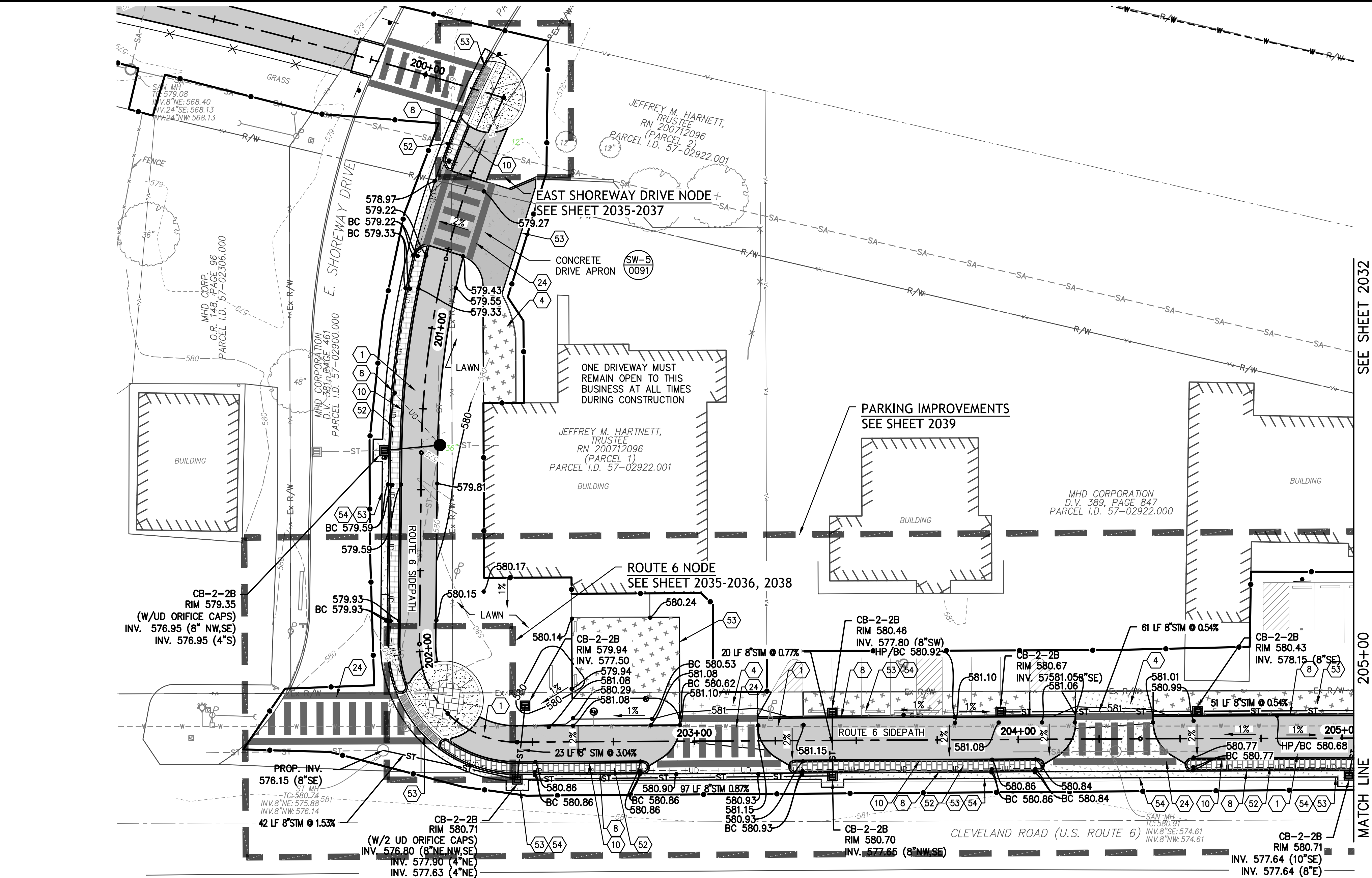
A handwritten signature in cursive script that reads "Adam D. Treat".

ADAM D. TREAT, P.S.

Ohio Registered Professional Surveyor No. 8058



E:\SANDUSKY\16-00259-050 LANDING PARK DESIGN\CAD\DELIVERABLE\100% CONSTRUCTION\2020 - RT65P-ED020-PLAN 16-00259-050 - 4/11/2020 12:25:05 PM



LAYOUT KEYNOTES

- 1 ASPHALT TRAIL
- 4 ASPHALT DRIVE
- 8 TYPE 6 CONCRETE CURB
- 10 FLUSH CURB
- 24 PEDESTRIAN CROSSING PAVEMENT MARKING
- 52 PERVIOUS PAVERS
- 53 MEET AND MATCH EXISTING PAVEMENT
- 54 VEHICULAR PAVEMENT REPAIR

UTILITY STRUCTURES
EXISTING PROPOSED

- UTILITY POLE
- UTILITY MANHOLE
- CATCH BASIN/BUBBLE-UP STRUCTURE
- YARD DRAIN
- HEAD WALL
- CLEAN OUT
- VALVE
- FIRE HYDRANT
- FIRE DEPARTMENT CONNECTION
- WATER MANHOLE
- WATER METER
- LIGHT POLE

UTILITY LINES
EXISTING PROPOSED

- G GAS
- ST STORM
- SA SANITARY
- FM FORCE MAIN
- W WATER
- E ELECTRIC
- FO FIBER OPTIC
- UD UNDERDRAIN

LEGEND

- ASPHALT TRAIL
- ASPHALT DRIVE
- CONCRETE PAVEMENT, TYPE A
- CONCRETE PAVEMENT, TYPE B
- DECORATIVE CONCRETE PAVEMENT, TYPE A
- DECORATIVE CONCRETE PAVEMENT, TYPE B
- PERVIOUS PAVERS
- PRECAST CONCRETE PAVERS
- INTEGRAL CONCRETE CURB AND SIDEWALK
- CONTROL JOINT EXPANSION JOINT
- EXISTING GRAVEL PAVEMENT
- EXISTING WETLAND
- WORK LIMITS
- PROPERTY BOUNDARY
- RIGHT OF WAY
- TREE LINE
- FENCE
- SIGN
- EXISTING CONTOURS
- PROPOSED CONTOURS
- SPOT ELEVATION
- TOP OF CURB
- BOTTOM OF CURB
- TOP OF WALL
- BOTTOM OF WALL

NOTES:

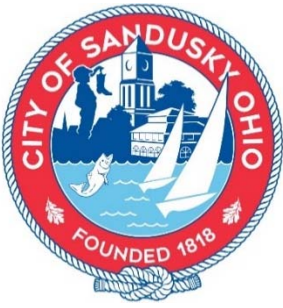
- SEE SHEET 2002 FOR ASPHALT TRAIL TYPICAL SECTIONS.
- UNDERDRAINS TO BE SLOPED AT 0.50% MINIMUM.



THE LANDING
CITY OF SANDUSKY
ROUTE 6 SIDEPAH
PLAN & PROFILE

PRELIMINARY
NOT FOR
CONSTRUCTION

DATE: PROJECT NO.: 16-00259-050
DATE ISSUED: 2019-06-07
SEGMENT ID: 20 PROJECT SHEET #: 2031
811 Know what's below. Call before you dig.



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager
From: Aaron Klein, Director of Public Works
Date: June 15, 2022
Subject: Commission Agenda Item – Easements with Erie County Health Department

Items for Consideration: Legislation approving and authorizing the City Manager to enter into a two (2) Agreements with Erie County Health Department (“ECHD”) in which ECHD has agreed to grant two easements via one agreement to the City of Sandusky (“City”) if the City would agree to grant one easement to ECHD.

Background Information: Per ordinance 19.115, the City contracted with Environmental Design Group (EDG) to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of the Sandusky Bay Pathway project. In addition, ECHD is in need of additional parking due to their ongoing facility and program expansion. The attached easements are based on discussions between ECHD, EDG, and the City to coordinate pathway alignment and maximization of parking. ECHD has expressed a desire to accommodate and support the pathway because of its health benefits, quality of life improvements, and access to their facility for residents that may not have vehicular access. Likewise, City staff supports the efforts of ECHD in their mission to improve the health and well-being of all of their patrons, which are mostly from the City of Sandusky.

1. Agreement from ECHD to City of Sandusky

Permanent Easement Agreement: This perpetual and exclusive easement is granted to the City of Sandusky from ECHD for the portions of the Sandusky Bay Pathway on parcel 59-00889.000 (between Lion’s Park and Superior Street) and on parcel 59-62004.000 (between unimproved rights of way at the north end Carroll Ave and the west end of Huron Street).

Temporary Easement Agreement: This temporary easement is granted to the City of Sandusky from ECHD to access, occupy, and construct the same portions of the Sandusky Bay Pathway mentioned above. Temporary easement limits are wider than the permanent easement because there is typically more space needed for equipment and materials to construct the improvement than to maintain the improvement.

2. Agreement from City of Sandusky to ECHD

Permanent Easement Agreement: The City recently purchased parcel 59-00439.000 totaling 0.10 acres via ordinance 21-067 to construct the Sandusky Bay Pathway. The width of that parcel is 39 feet. By granting an easement of 12 feet onto the northern portion of the parcel, ECHD can configure their parking lot more efficiently while also adding 5 more parking spaces to their design. The previous configuration consisted of angled parking throughout the lot with

unidirectional flow and parallel parking along this property line. The remaining 27 feet is sufficient to accommodate the pathway which only shifted a couple feet to the south.

Budgetary Information: The cost of easements are \$1.00 each plus recording fees.

Action Requested: It is requested that the proper legislation be prepared to allow the City to enter into separate Easement Agreements with Erie County Health Department, and that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to move forward with the Sandusky Bay Pathway Project.

I concur with this recommendation:

Eric L. Wobser
City Manager

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

CERTIFICATE OF FUNDS

In the Matter of: Landing Easement

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

Account #110-7600-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 6/22/2022

ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AGREEMENT GRANTING A PERPETUAL PERMANENT EASEMENT TO THE ERIE COUNTY COMBINED GENERAL HEALTH DISTRICT BOARD OF HEALTH FOR THE PURPOSE OF MAINTAINING A PARKING AREA; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City recently purchased real property located on Superior Street, Parcel No. 59-00439.000, for the purpose to construct the Sandusky Bay Pathway, which contains 0.10 acre and is thirty-nine (39) feet wide of which twenty-seven (27) feet will be used for the Sandusky Bay Pathway ; and

WHEREAS, the Erie County Health Department desires to use the northern twelve (12) feet of the City's property to configure their parking area more efficiently and add an additional five (5) parking spaces; and

WHEREAS, the proposed Easement Agreement and Perpetual Permanent Easement, copies of which are attached as exhibits, grant the Erie County Health Department an easement to use the property for their parking area; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to move forward with the construction of this portion of the Sandusky Bay Pathway; 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 approves an Agreement granting a Perpetual Permanent Easement to the Erie County Combined General health District Board of Health for purpose of maintaining a parking area, a copy of which is attached and marked Exhibit "1" and is specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose.

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

thereof.

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022

Easement Agreement

This Easement Agreement (the "Agreement") is made and entered into this _____ day of _____, 2022, between the City of Sandusky (the "Grantor") whose mailing address is 240 Columbus Avenue, Sandusky, Ohio 44870, and the Erie County Combined General Health District Board of Health (the "Grantee") whose mailing address is 420 Superior Street, Sandusky, Ohio 44870.

WHEREAS, the Grantor is the owner of the property with the parcel number 59-00439.000 which is more particularly described in Exhibit "A"; and

WHEREAS, the Grantee desires the easements contained herein in order to maintain a parking lot; and

THEREFORE, in consideration of the promises and mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee agree as follows:

1. **Grantor's Grant of Easements.**

- a. In consideration for the granting of the easement and covenants contained herein, the Grantor shall grant a perpetual and permanent easement to the Grantee to maintain a parking lot, which is more particularly described in the easement and legal description attached hereto as Exhibit B. The Grantee may do and perform all acts necessary to fulfill its obligations in accordance with this easement.

2. **Representation and Warranties.**

- a. Grantor represents and warrants to Grantee that: (a) it has the full right, power, title, and interest to make the grant of easements to Grantee; (b) such grant of easements and any rights granted under this Agreement may be fully and thoroughly enjoyed and utilized by Grantee pursuant to the terms herein; and (c) Grantee's easements rights shall not be defeased, impaired, and adversely affected by superior title.

3. **Notices.**

- a. Any notices required to be given to the Grantor or Grantee shall be given by certified mail, return receipt requested, or by a national delivery service which obtains a receipt for delivery, at the addresses set forth in the first paragraph of this Agreement, or to such other address as a party may designate from time to time by giving notice to the other party.

4. **Successors and Assigns.**

- a. The terms and conditions of this Agreement shall bind and inure to the benefit of the Grantor and Grantee and their respective heirs, executors, administrators, successors and assigns, subject to any and all matters of record which affect title to the easement area.

5. **Covenant Running With the Land.**

- a. The terms and conditions of these easements shall constitute a covenant running with the land and shall be binding upon and all inure to the benefit of the Grantor and Grantee and their respective heirs, executors, administrators, successors and assigns, subject to any and all matters of record which affect title to the easement area.

EXHIBIT

"1"

GRANTEE:

**Erie County Combined General Health
District Board of Health**

By: _____

Name: _____

Title: _____

GRANTOR:

City of Sandusky

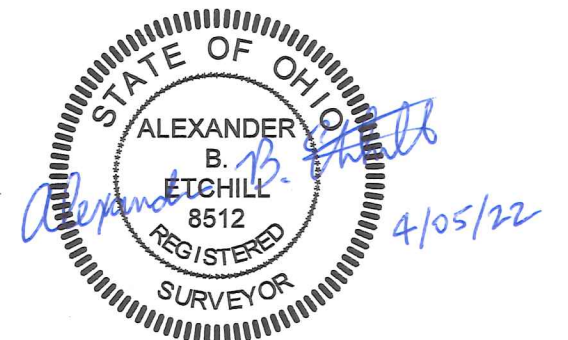
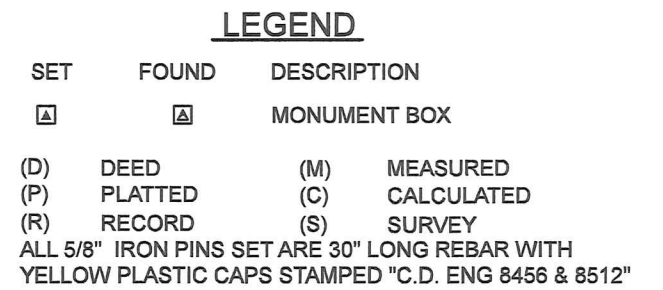
By: _____

Name: Eric Wobser

Title: City Manager

Approved as to Form:

Brendan L. Heil
Law Director
(0091991)



**Easement Survey Plat for
The City of Sandusky**
Being a parcel of land located in Lot 3
on Superior Street in William H. Hendrickson's Subdivision,
Plat Volume 10, Page 17, City of Sandusky, Erie County,
Firelands Connecticut Western Reserve, State of Ohio



CONTRACTORS
DESIGN ENGINEERING
CONSULTING ENGINEERS & SURVEYORS
NORWALK, OHIO

DATE: APRIL, 2022	CK'D. BY: ABE	PROJECT NO. 21-454
DR. BY: KNR	REV'D BY:	

PERPETUAL PERMANENT EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS: That, **the City of Sandusky**, herein referred to as the Grantor, whose tax mailing address is 240 Columbus Avenue, Sandusky, Ohio 44870, for and in consideration of the sum of one dollar(s) (\$1.00) and other good and valuable consideration paid by the **Erie County Combined General Health District Board of Health**, herein referred to as the Grantee, whose mailing address is 420 Superior Street, Sandusky, Ohio, 44870, the receipt and sufficiency of which is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, CONVEY, AND RELEASE** to the Grantee, its successors and assigns forever, a perpetual and exclusive permanent Easement to maintain a parking lot, at any time or times hereafter, for the area in Exhibit A, including the right of ingress to and egress from and over said premises (real estate) situated in the County of Erie and State of Ohio, and described as:

SEE ATTACHED "LEGAL DESCRIPTION", INCORPORATED HERETO.

SEE ATTACHED EXHIBIT "A", INCORPORATED HERETO FOR ILLUSTRATION PURPOSES ONLY.

(all bearings stated above are assumed for the purpose of this description)

The Grantors claim title to the above described property by virtue of an instrument recorded as RN 202108607.

The consideration recited herein shall constitute full and final payment for said Easement and all damages sustained and/or claimed by the Grantors, their executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of inspection or other proper and allowed acts as stated above, said damages include but are not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential.

TO HAVE AND TO HOLD said Easement, together with all rights and privileges belonging thereto unto the Grantee and its successors and assigns forever. This Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns forever.

The Grantors and signatories hereto, hereby covenant that they are the true and lawful Owner of the above described real estate and have full power and authority to convey the same; that the same is free and clear from all liens and encumbrances whatsoever and that the Grantors will warrant and defend the title to the said easement against all lawful claims.

IN TESTIMONY WHEREOF, _____, the Grantor, has
executed this Perpetual Permanent Easement this _____ day of
_____, 2022.

Eric L. Wobser, City Manager

STATE OF OHIO }
 }
COUNTY OF ERIE } ss:

Before me a Notary Public in and for said County, personally appeared the above named,
proper signatory for the Grantor, who acknowledged he did sign the foregoing instrument and
that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of
_____, 2022.

Notary Public

THIS INSTRUMENT PREPARED BY:

Brendan L. Heil
City of Sandusky Law Director
240 Columbus Avenue
(419) 627-5852

***Contractors Design Engineering
Consulting Engineers and Surveyors
1623 Old State Road, Norwalk, Ohio 44857***

**Legal Description For:
Parking Area Easement
0.0301 Acres**

Being part of Lot 3 on Superior Street in William H. Hendrickson's Subdivision, Plat Volume 10, Page 17, Ward 4, City of Sandusky, Erie County, Firelands Connecticut Western Reserve, State of Ohio, and further particularly described as follows:

Beginning at a 1" iron rod in a monument box at the intersection of centerlines of Monroe Street (66' R/W) and Superior Street (66' R/W); Thence North 01° 57' 00" West, along the centerline of Superior Street, a distance of 789.03 feet to a point; Thence North 88° 06' 28" East a distance of 33.00 feet to a 1" iron pipe found in concrete at the east right-of-way line of Superior Street and the southwest corner of land now or formerly owned by Erie County Combined General Health District Board of Health as recorded in RN 201604876 of the Erie County Recorder's Office, and being the principal place of beginning;

1. Thence continuing, North 88° 06' 28" East, on a south line of said Erie County Combined General Health District Board of Health's land, a distance of 109.13 feet to a 5/8" iron rod found in concrete, at a corner of said Erie County Combined General Health District Board of Health's land;
2. Thence South 01° 57' 00" East, along a west line of said Erie County Combined General Health District Board of Health's land, a distance of 12.00 feet to a point at a northwest corner of land now or formerly owned by Erie County Housing Opportunities, Inc. as recorded in RN 200015110 of the Erie County Recorder's Office;
3. Thence South 88° 06' 28" West, parallel to the south line of said Erie County Combined General Health District Board of Health's land, a distance of 109.13 feet to a point at the east right-of-way line of Superior Street;

4. Thence North 01° 57' 00" West, along the east right-of-way line of Superior Street, a distance of 12.00 feet to the principal place of beginning and containing 0.0301 acres (1,309.5597 Sq. Ft.) of land more or less, but subject to all legal highways, easements and restrictions of record.

Bearings are based on Grid North of the Ohio State Plane Coordinate System, NAD83 (2011) Datum, Geoid 12A, by ODOT VRS.

Subject Deed Reference: City of Sandusky RN 202108607 (Parcel 3)

This description was prepared by Contractors Design Engineering, (Consulting Engineers and Surveyors, Norwalk, Ohio) in April, 2022 per Alexander B. Etchill, Registered Surveyor No. 8512 from an actual survey performed January, 2020 on the premises by Contractors Design Engineering.



ORDINANCE NO. _____

AN ORDINANCE APPROVING AN AGREEMENT GRANTING A PERPETUAL PERMANENT EASEMENT AND A TEMPORARY EASEMENT TO THE CITY BY THE ERIE COUNTY COMBINED GENERAL HEALTH DISTRICT BOARD OF HEALTH FOR THE SANDUSKY BAY PATHWAY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission authorized and directed the City Manager to enter into an agreement for professional design services with Environmental Design Group, LLC, of Akron, Ohio, to complete pathway alignments, final engineering, landscape architectural design, environmental permitting, and acquisition services for certain sections of the Sandusky Bay Pathway, by Ordinance No. 19-115, passed on June 24, 2019; and

WHEREAS, the Erie County Combined General Health District Board of Health is the owner of property located on Superior Street, Parcel No. 59-00889.000 (between Lion's Park and Superior Street) and property located on Carroll Avenue, Parcel No. 59-62004.000 (between unimproved rights-of-way at the north end of Carroll Avenue and the west end of Huron Street), and has agreed to grant the City a Perpetual Permanent Easement necessary for the Sandusky Bay Pathway and a Temporary Easement to access, occupy, and construct these portions for the Sandusky Bay Pathway; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to move forward with the construction of this portion of the Sandusky Bay Pathway; 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 approves an Agreement granting a Perpetual Permanent Easement and a Temporary Easement to the City by the Erie County Combined General Health District Board of Health for the Sandusky Bay Pathway, a copy of which is attached and marked Exhibit "1" and is specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose.

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

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022

Easement Agreement

This Easement Agreement (the "Agreement") is made and entered into this _____ day of _____, 2022, between the City of Sandusky (the "Grantee") whose mailing address is 240 Columbus Avenue, Sandusky, Ohio 44870, and the Erie County Combined General Health District Board of Health (the "Grantor") whose mailing address is 420 Superior Street, Sandusky, Ohio 44870.

WHEREAS, the Grantor is the owner of the properties with the parcel numbers 59-62004.000 and 59-00889.000, which are more particularly described in Exhibit "A"; and

WHEREAS, the Grantee desires the easements contained herein in order to complete the Sandusky Bay Pathway;

THEREFORE, in consideration of the promises and mutual covenants contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee agree as follows:

1. **Grantor's Grant of Easements.**

- a. Grantor grants and conveys to the Grantee a perpetual and exclusive permanent easement for the Sandusky Bay Pathway, which is more particularly described in the easement, legal description and letter attached hereto as Exhibit B. The Grantee may do and perform all acts necessary to fulfill its obligations in accordance with this easement.
- b. Grantor grants and conveys to the Grantee a temporary easement to access, occupy, and construct the Sandusky Bay Pathway, which is more particularly described in the easement and legal description attached hereto as Exhibit C. This temporary easement shall last until the Grantee's construction ends. The Grantee may do and perform all acts necessary to fulfill its obligations in accordance with this easement.

2. **Grantor's Obligations.**

- a. Grantor shall ensure that the guy wires are relocated so that the Sandusky Bay Pathway can be constructed at its own cost, which is more particularly described in Exhibit A.

3. **Grantee's Obligations.**

- a. Grantee shall ensure that the Sandusky Bay Pathway is maintained, which includes landscaping and mowing.

4. **Representation and Warranties.**

- a. Grantor represents and warrants to Grantee that: (a) it has the full right, power, title, and interest to make the grant of easements to Grantee; (b) such grant of easements and any rights granted under this Agreement may be fully and thoroughly enjoyed and utilized by Grantee pursuant to the terms herein; and (c) Grantee's easements rights shall not be defeased, impaired, and adversely affected by superior title.

5. **Notices.**

- a. Any notices required to be given to the Grantor or Grantee shall be given by certified mail, return receipt requested, or by a national delivery service which obtains a receipt for delivery, at the addresses set forth in the first paragraph of this Agreement, or to such other address as a party may designate from time to time by giving notice to the other party.

EXHIBIT

"1"

6. Successors and Assigns.

- a. The terms and conditions of this Agreement shall bind and inure to the benefit of the Grantor and Grantee and their respective heirs, executors, administrators, successors and assigns, subject to any and all matters of record which affect title to the easement area.

7. Covenant Running With the Land.

- a. The terms and conditions of these easements shall constitute a covenant running with the land and shall be binding upon and all inure to the benefit of the Grantor and Grantee and their respective heirs, executors, administrators, successors and assigns, subject to any and all matters of record which affect title to the easement area.

Signature Page to Follow

GRANTOR:

**Erie County Combined General Health
District Board of Health**

By: _____

Name: _____

Title: _____

GRANTEE:

City of Sandusky

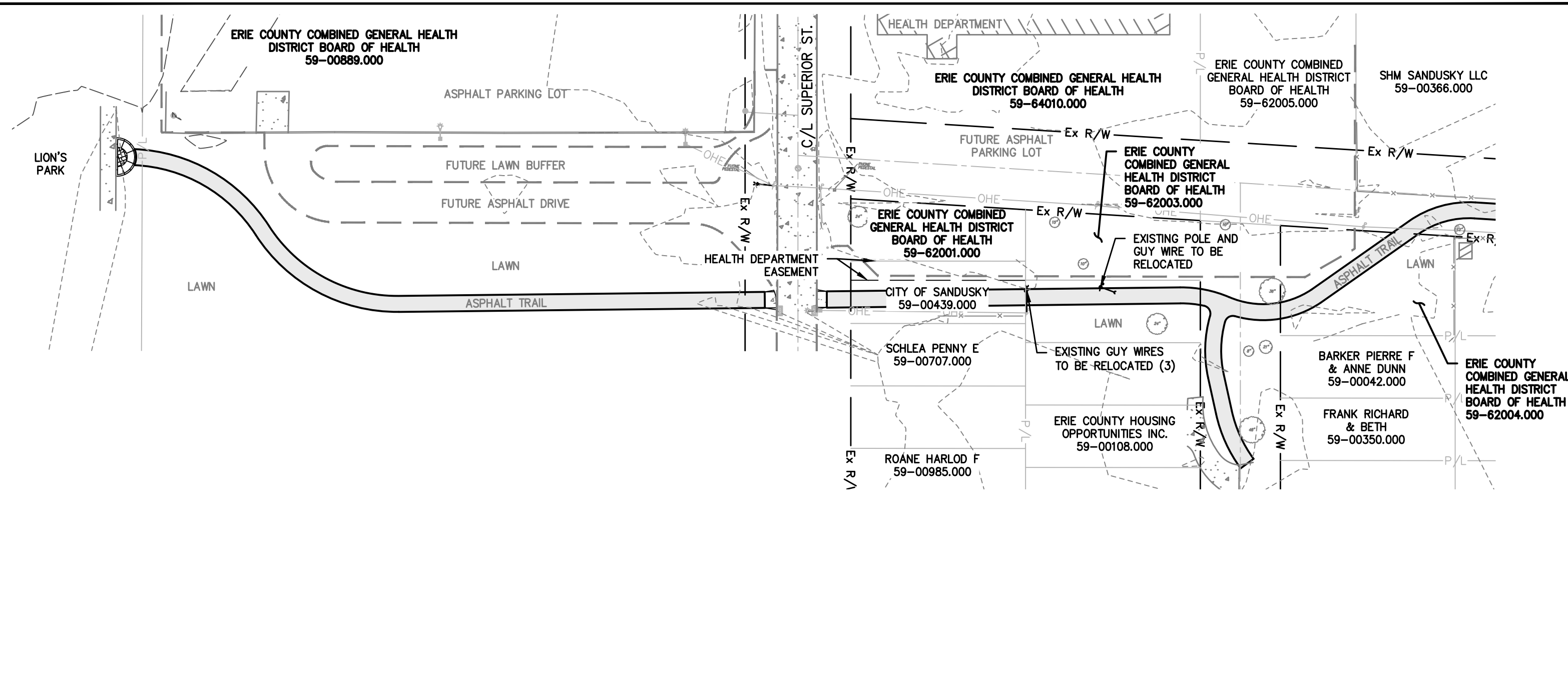
By: _____

Name: Eric Wobser

Title: City Manager

Approved as to Form:

Brendan L. Heil
Law Director
(0091991)



LEGEND

— Ex R/W — EXISTING RIGHT-OF-WAY

GRAPHIC SCALE

E:\SANDUSKY\17-00196-020 BAY PATHWAY DESIGN\CADD\EXHIBITS\LEGAL EXHIBITS\EASEMENT EXHIBITS_PHASE 2.DWG--5/7/2022 1:52:04 PM

PERPETUAL PERMANENT EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS: That, the **Erie County Combined General Health District Board of Health**, herein referred to as the Grantor, whose mailing address is 420 Superior Street, Sandusky, Ohio 44870, for and in consideration of the sum of one dollar(s) (\$1.00) and other good and valuable consideration paid by **the City of Sandusky**, herein referred to as the Grantees, whose tax mailing address is 240 Columbus Avenue, Sandusky, Ohio 44870, the receipt and sufficiency of which is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, CONVEY, AND RELEASE** to the Grantee, its successors and assigns forever, a perpetual and exclusive permanent Easement to have access to construct, lay, maintain, and repair the Sandusky Bay Pathway, at any time or times hereafter, for the area in Exhibit A, including the right of ingress to and egress from and over said premises (real estate) situated in the County of Erie and State of Ohio, and described as:

SEE ATTACHED "LEGAL DESCRIPTION", INCORPORATED HERETO.

SEE ATTACHED EXHIBIT "A", INCORPORATED HERETO FOR ILLUSTRATION PURPOSES ONLY.

SEE ATTACHED EXHIBIT "B", INCORPORATED HERETO.

(all bearings stated above are assumed for the purpose of this description)

The Grantors claim title to the above described properties by virtue of an instrument recorded as RN 201604876 and RN 202202637.

The consideration recited herein shall constitute full and final payment for said Easement and all damages sustained and/or claimed by the Grantors, their executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of inspection or other proper and allowed acts as stated above, said damages include but are not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential.

TO HAVE AND TO HOLD said Easement, together with all rights and privileges belonging thereto unto the Grantee and its successors and assigns forever. This Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns forever.

The Grantors and signatories hereto, hereby covenant that they are the true and lawful Owner of the above described real estate and have full power and authority to convey the same;

that the same is free and clear from all liens and encumbrances whatsoever and that the Grantors will warrant and defend the title to the said easement against all lawful claims.

IN TESTIMONY WHEREOF, _____, the Grantor, has
executed this Perpetual Permanent Easement this _____ day of
_____, 2022.

STATE OF OHIO }
 }
COUNTY OF ERIE } ss:

Before me a Notary Public in and for said County, personally appeared the above named, proper signatory for the Grantor, who acknowledged he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of
_____, 2022.

Notary Public

THIS INSTRUMENT PREPARED BY:

Brendan L. Heil
City of Sandusky Law Director
240 Columbus Avenue
(419) 627-5852



Erie County Health Department
An Accredited Public Health Department

Erie County Community Health Center
A Federally Qualified Health Center

Peter T. Schade, MPH, RS
Health Commissioner



March 24, 2022

Mr. Eric Wobser
Sandusky City Manager
240 Columbus Ave.
Sandusky, Ohio 44870

Dear Mr. Wobser:

The Erie County General Health District supports the design and construction of the Sandusky Bay Pathway throughout the City of Sandusky and its future expansion throughout Erie County and the region.

It is our understanding that the current Sandusky Bay Pathway alignment traverses through the southern portions of 301 Superior Street and 420 Superior Street (Parcel Numbers 59-64010.000, 59-62001.000, 59-62003.000, 59-62004.000), which are owned by the Erie County General Health District. We support this alignment and approve the use of the Sandusky Bay Pathway within the parcels listed above and understand that the City of Sandusky, or a separate entity outside of the Erie County General Health District, will be responsible for the maintenance of the Sandusky Bay Pathway alignment and landscaping features, including mowing.

The property at 301 Superior Street, on which the Sandusky Bay Pathway is to be constructed has been transferred to the Erie County General Health District. Therefore, an easement will be granted to the City of Sandusky in perpetuity for the property needed to properly maintain the infrastructure.

Sincerely,

Peter T. Schade, MPH, REHS
Health Commissioner

Board of Health: Linda Miller-Moore (Board President); Dina C. Bauer, DPM (President Pro-Tem);
Richard R. Keller, MD; Marsha D. Cooper, MD; Richard Bulan; Joey Supina;
Leroy E. Sizemore; Charles M. Murray; Lawrence O. Leaman

420 Superior Street, Sandusky, Ohio 44870 • Phone (419) 626-5623 • Toll free (888) 399-6065
Fax (419) 626-8778 • www.eriecohealthohio.com

TEMPORARY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS: That, the **Erie County Combined General Health District Board of Health**, herein referred to as the Grantor, whose mailing address is 420 Superior Street, Sandusky, Ohio 44870, for and in consideration of the sum of one dollar(s) (\$1.00) and other good and valuable consideration paid by **the City of Sandusky**, herein referred to as the Grantees, whose tax mailing address is 240 Columbus Avenue, Sandusky, Ohio 44870 the receipt and sufficiency of which is hereby acknowledged, does hereby **GRANT, BARGAIN, SELL, CONVEY, AND RELEASE** to the Grantee, its successors and assigns, a Temporary Easement to have access to construct and lay the Sandusky Bay Pathway until the completion of construction for the area in Exhibit A, including the right of ingress to and egress from and over said premises (real estate) situated in the County of Erie and State of Ohio, and described as:

SEE ATTACHED "LEGAL DESCRIPTION", INCORPORATED HERETO.

SEE ATTACHED EXHIBIT "A", INCORPORATED HERETO FOR ILLUSTRATION PURPOSES ONLY.

(all bearings stated above are assumed for the purpose of this description)

The Grantors claim title to the above described properties by virtue of an instrument recorded as RN 201604876 and RN 202202637.

The consideration recited herein shall constitute full and final payment for said Easement and all damages sustained and/or claimed by the Grantors, their executors, administrators, successors, and assigns, including but not limited to all damages to the remainder of the Grantor's real estate, that arise from or by reason of inspection or other proper and allowed acts as stated above, said damages include but are not limited to those known or unknown, those legal, equitable or otherwise and those direct, incidental or consequential.

TO HAVE AND TO HOLD said Easement, together with all rights and privileges belonging thereto unto the Grantee and its successors and assigns until the completion of the construction. This Easement together with all agreements, covenants, and other provisions recited herein, shall constitute a covenant running with the land for the benefit and use of the Grantee, its successors and assigns until the completion of construction.

The Grantors and signatories hereto, hereby covenant that they are the true and lawful Owner of the above described real estate and have full power and authority to convey the same;

that the same is free and clear from all liens and encumbrances whatsoever and that the Grantors will warrant and defend the title to the said easement against all lawful claims.

IN TESTIMONY WHEREOF, _____, the Grantor, has executed this Temporary Easement this _____ day of _____, 2022.

STATE OF OHIO }
 }
COUNTY OF ERIE } SS:

Before me a Notary Public in and for said County, personally appeared the above named, proper signatory for the Grantor, who acknowledged he did sign the foregoing instrument and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 2022.

Notary Public

THIS INSTRUMENT PREPARED BY:

Brendan L. Heil
City of Sandusky Law Director
240 Columbus Avenue
(419) 627-5852



DEPARTMENT OF PUBLIC WORKS

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

To: Eric Wobser, City Manager

From: Megan Stookey, Project Coordinator

Date: June 2, 2022

Subject: **Commission Agenda Item – Award the 2022 Sidewalk Repair & Replacement Project to The Kreimes Co. Inc. of Sandusky, Ohio**

ITEM FOR CONSIDERATION: Legislation awarding a contract to The Kreimes Co. Inc. of Sandusky, Ohio for the 2022 Sidewalk Repair & Replacement Project.

BACKGROUND INFORMATION: The 2022 Sidewalk Repair & Replacement project includes over 9,875 square feet of sidewalk and 127 linear feet of curb. This includes several residential locations and improvements to heaved slabs within the northwest quadrant of Washington Park. Staff is hoping to complete all needed sidewalk repairs within the park over the next 5 years. Attached is a listing of the locations included in this project.

The following bids were received Friday, May 27, 2022 at a formal public bid opening:

The Kreimes Co. Inc.	\$121,116.33	Base Bid
Sandusky, Ohio	\$17,200.00	Alternate #1
100% Bond		
D.L Smith Concrete, LLC	\$121,206.58	Base Bid
Norwalk, Ohio	\$17,350.00	Alternate #1
100% Bond		
RMH Concrete & Foundations	\$126,410.63	Base Bid
Collins, Ohio	\$19,020.00	Alternate #1
100% Bond		

The engineer's estimate for the base bid was \$111,817.58. The schedule requires completion 90 days of the Notice to Proceed, which would be in September, 2022.

BUDGETARY INFORMATION: The total construction cost of the project based on the lowest and best bid shall not exceed \$121,116.33, shall be paid for with \$114,298.75 out of Capital Projects Funds (Issue 8 Infrastructure) and \$6,817.58 out of Capital Funds.

ACTION REQUESTED: It is recommended that proper legislation be prepared awarding a contract to The Kreimes Co. Inc. of Sandusky, Ohio in the amount not to exceed \$121,116.33 be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow for work to begin and be completed prior to the end of construction season when the asphalt plants shut down.

I concur with this recommendation:

Eric Wobser
City Manager

Aaron Klein, P.E.
Director, Public Works

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

CERTIFICATE OF FUNDS

In the Matter of: Sidewalk Project

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

Account #431-6630-55990, 431-6200-55990

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 4/13/2022

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE KREIMES CO. INC. OF SANDUSKY, OHIO, FOR THE 2022 SIDEWALK REPAIR & REPLACEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed 2022 Sidewalk Repair & Replacement Project by Resolution No. 028-22R, passed on April 25, 2022; and

WHEREAS, the 2022 Sidewalk Repair & Replacement Project consists of over 9,875 square feet of sidewalk repairs and 127 linear feet of curb repairs and includes several residential locations and improvements to heaved slabs within the northwest quadrant of Washington Park; and

WHEREAS, upon public competitive bidding as required by law three (3) appropriate bids were received and the bid from The Kreimes Co. Inc. of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total construction cost of this project is \$121,116.33 of which \$114,298.75 will be paid with Issue 8 infrastructure funds from the Capital Projects Fund and \$6,817.58 will be paid with Capital 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 for the contractor to begin work and complete the project prior to the end of the construction season when the asphalt plants shut down; and

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with The Kreimes Co. Inc. of Sandusky, Ohio, for the 2022 Sidewalk Repair & Replacement Project in an amount **not to exceed** One Hundred Twenty One Thousand One Hundred Sixteen and 33/100 Dollars (\$121,116.33) consistent with the bid submitted by The Kreimes Co. 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: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: June 27, 2022