



**SANDUSKY CITY COMMISSION
REGULAR SESSION AGENDA
DECEMBER 20, 2023 AT 5 P.M.
CITY HALL, 240 COLUMBUS AVENUE**

4:30 p.m.

CELEBRATION OF OUTGOING/INCOMING COMMISSION

INVOCATION

Mr. Harris

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

D. Waddington, B. Harris, M. Meinzer, W. Poole, D. Murray, D. Brady, S. Poggiali

APPROVAL OF MINUTES

December 11, 2023 Regular Meeting

SWEARING IN

Commissioners-Elect Richard Koonce & Jeff Krabill

PUBLIC HEARING

Rezoning of 920 W. Osborne Street, Arin Blair, Chief Planner

AUDIENCE PARTICIPATION

COMMUNICATIONS

Motion to accept all communications submitted below.

CURRENT BUSINESS

CONSENT AGENDA

ITEM A – Submitted by Cathy Myers, Commission Clerk

APPROVAL OF 2023 REPLACEMENT PAGES TO CODIFIED ORDINANCES BY WALTER DRANE

Budgetary Information: The cost of the revisions for the Codification supplements and updating the Code on the internet for 2023 is \$8,771.59 and will be taken from the contractual services line item in the Commission's/Commission Clerk Funds (50%), Sewer Funds (25%), and Water Funds (25%). This item is appropriated each year.

ORDINANCE NO. _____: It is requested an ordinance be passed to approve current replacement pages to the Sandusky Codified Ordinances; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM B – Submitted by Aaron Klein, Public Works Director

APPROVAL TO PURCHASE CARBON FOR BIWW

Budgetary Information: This purchase will be paid out of the Water Fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to purchase an additional 80 pounds, more or less, of powdered activated carbon from Bonded Chemicals, Inc., of Columbus, Ohio, for use at the Big Island Water Works plant during the calendar year 2023; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM C – Submitted by Michelle Reeder, Finance Director (Walked In)

APPROVAL OF 2023 AMENDMENT #8 TO GENERAL APPROPRIATIONS

Budgetary Information: This action will cover anticipated expenditures through December 31, 2023. The agenda deadline occurs before the final payroll costs can be determined. The amendment needs to cover final payroll and other projected costs through December 31, 2023. The ordinance will be available at the meeting.

ITEM D – Submitted by Michelle Reeder, Finance Director

APPROVAL OF TEMPORARY APPROPRIATIONS FOR 2024

Budgetary Information: This action will establish a budget for operations until the annual appropriations can be approved after the second Monday in January 2024. The City Charter prohibits the City from enacting the 2024 budget before January 8, 2024.

ORDINANCE NO. _____: It is requested an ordinance be passed to make temporary appropriations for 2024 and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

REGULAR AGENDA

ITEM 1 – Submitted by Colleen Gilson, Community Development Director

APPROVAL OF AMENDMENT TO ORDINANCE #23-248 FOR THE GREATER SANDUSKY PARTNERSHIP GRANT

Budgetary Information: The City will be responsible for providing \$300,000 per year in grant proceeds for a period of three years from sources as follows:

- \$150k from Capital Projects Funds (Programming Funds)
- \$30k from General Fund (Community Development, old ECEDC funding)
- \$50k From General Fund (Marketing fund)
- \$70k from Capital Projects Funds (Issue 8 ED Grants)

The grant will be subject to annual renewal based on performance and deliverables met.

ORDINANCE NO. _____: It is requested an ordinance be passed amending Ordinance No. 23-248, passed on December 11, 2023; authorizing and approving a grant in the amount of \$900,000.00 to the Greater Sandusky

Partnership for the purpose of furthering community and economic development and providing services to the City; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM 2 – Submitted by Arin Blair, Chief Planner

APPROVAL OF ZONE MAP AMENDMENT FOR 920 W. OSBORNE STREET

Budgetary Information: The rezoning has no direct budgetary impact.

ORDINANCE NO. _____: It is requested an ordinance be passed amending the Official Zone Map of the City of Sandusky to rezone parcel no. 58-65001.000 from “PF” Public Facilities District to “RMF” Residential Multi-Family District; and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 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” 



CITY COMMISSION

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5850

www.cityofsandusky.com

TO: City Commission

FROM: Cathy A. Myers
Commission Clerk

DATE: December 8, 2023

SUBJECT: 2023 Replacement Pages for Codified Ordinances for the City of Sandusky

ITEM FOR CONSIDERATION: It is requested that the City Commission authorize the adoption of an Ordinance approving current replacement pages to the Codified Ordinances and internet containing updated City legislation through November 13, 2023, and certain relevant State law through January 6, 2023, completed by Walter H. Drane Company.

The City of Sandusky completes a codification process each year in order to bring our Code of Ordinances up to date. Additionally, state laws which have been changed or newly adopted are incorporated into this update.

BUDGETARY INFORMATION: The cost of the revisions for the Codification supplements and updating the Code on the internet for 2023 is \$8,771.59 and will be taken from the contractual services line item in the Commission's/Commission Clerk Funds (50%), Sewer Funds (25%), and Water Funds (25%). This item is appropriated each year.

ACTION REQUESTED: It is recommended an Ordinance be passed approving the 2023 replacement pages. It is further requested this legislation takes immediate effect in full accordance with Section 14 of the City Charter in order to immediately approve the replacement pages and provide internet access to the updates as soon as possible.

cc.: John Orzech, City Manager
Michelle Reeder, Finance Director
Stewart Hastings, Law Director

CERTIFICATE OF FUNDS

In the Matter of: Publishing Codified Ordinances

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 #110-7200-53000, 612-5900-53000, 613-5900-53000

By: _____

Michelle Reeder

Michelle Reeder

Finance Director

Dated: 12/13/23

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE SANDUSKY CODIFIED ORDINANCES; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various Ordinances of a general and permanent nature have been passed by the City Commission which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before this City Commission; and

WHEREAS, the 2023 replacement pages contain updated City legislation current through November 13, 2023 and certain relevant State law updates current through January 6, 2023; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately approve the replacement pages to the Sandusky Codified Ordinances and provide internet access to the updates as soon as possible; and

WHEREAS, in order to provide for the immediate preservation of the public peace, health, welfare and safety for the reason that there exists an imperative necessity for the earliest publication and distribution of current replacement pages to the officials and residents of the City of Sandusky, so as to facilitate administration, daily operation and avoid practical and legal entanglements, it is necessary to declare this Ordinance to be an emergency measure to take effect immediately upon its adoption and due authentication; and NOW, THEREFORE,

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

Section 1. The Ordinances of the City of Sandusky, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2023 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2. The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

303.081	Impounding Vehicles on Private Residential or Agricultural Property. (Amended)
303.082	Private Tow-Away Zones. (Amended)
303.083	Impounding Vehicles on Public Property. (Amended)
303.09	Leaving Junk and Other Vehicles on Private or Public Property Without Permission or Notification. (Amended)
303.991	Committing an Offense While Distracted Penalty. (Amended)
331.35	Occupying Travel Trailer, Fifth Wheel Vehicle or Manufactured or Mobile Home While in Motion. (Amended)
333.01	OVI; Willful Misconduct; Speed. (Amended)
333.03	Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
333.11	Electronic Wireless Communication Device Use Prohibited While Driving. (Amended)
335.07	Driving Under Suspension or License Restriction. (Amended)
335.071	Driving Under OVI Suspension. (Amended)
335.072	Driving Under Financial Responsibility Law Suspension or Cancellation; Driving Under a Nonpayment of Judgment Suspension. (Amended)
335.073	Driving Without Complying With License Reinstatement Requirements. (Amended)
335.074	Driving Under License Forfeiture or Child Support Suspension. (Amended)
337.10	Lights, Emblems, and Reflectors on Slow-Moving Vehicles, Farm Machinery, Agricultural Tractors, and Animal-Drawn Vehicles. (Amended)
337.16	Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)
337.22	Windshield and Windshield Wiper; Sign or Poster Thereon. (Amended)
341.01	Commercial Drivers Definitions. (Amended)
351.04	Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended)

General Offenses Code

501.01	General Provisions and Penalty Definitions. (Amended)
501.99	Penalties for Misdemeanors. (Amended)
505.16	Coloring Rabbits or Baby Poultry; Sale or Display of Poultry. (Amended)
509.04	Disturbing a Lawful Meeting. (Amended)
509.10	Impeding Public Passage of an Emergency Service Responder. (Added)
513.01	Drug Abuse Control Definitions. (Amended)
513.03	Drug Abuse; Controlled Substance Possession or Use. (Amended)

General Offenses Code (Cont.)

513.04	Possessing Drug Abuse Instruments. (Amended)
513.12	Drug Paraphernalia. (Amended)
513.121	Marihuana Drug Paraphernalia. (Amended)
517.08	Raffles. (Amended)
521.10	Nonsmoking Areas in Places of Public Assembly. (Amended)
521.12	Spreading Contagion. (Added)
525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
525.15	Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
529.01	Liquor Control Definitions. (Amended)
529.02	Sales to and Use By Underage Persons; Securing Public Accommodations. (Amended)
529.07	Open Container Prohibited. (Amended)
533.01	Obscenity and Sex Offenses Definitions. (Amended)
533.06	Voyeurism. (Amended)
533.08	Procuring; Engagement in Sexual Activity for Hire. (Amended)
537.03	Assault. (Amended)
537.06	Menacing. (Amended)
537.07	Endangering Children. (Amended)
537.15	Temporary Protection Order. (Amended)
545.05	Misdemeanor Theft. (Amended)
549.02	Carrying Concealed Weapons. (Amended)
549.04	Improperly Handling Firearms in a Motor Vehicle. (Amended)
549.19	Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Added)

Section 3. The complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances, a copy of which is on file in the office of the Clerk of the City Commission.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: December 20, 2023



DEPARTMENT OF PUBLIC WORKS

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

To: John Orzech, City Manager

From: Aaron M. Klein, P.E.

Date: December 13, 2023

Subject: **Commission Agenda Item – Additional Purchase of Carbon for Big Island Water Works**

ITEM FOR CONSIDERATION: Requesting legislation authorizing the purchase of an additional eighty (80) pounds of Powder Activated Carbon for Big Island Water Works (BIWW) from Bonded Chemicals, Inc. of Columbus, Ohio.

BACKGROUND INFORMATION: Powder Activated Carbon is used to control taste, odor and algae in drinking water. Bonded Chemicals was awarded the 2023 Powder Activated Carbon bid with the lowest price of \$1.52/pound. An additional eighty (80) pounds are needed to top off the tanks for the 2023 calendar year. Purchasing eighty (80) pounds at the current bid price of \$1.52/pound equals a total additional cost of \$121.60.

BUDGETARY INFORMATION: This purchase will be paid out of the Water Fund.

ACTION REQUESTED: It is recommended that the proper legislation be prepared for the purchase of additional eighty (80) pounds of powder activated carbon to be used for BIWW in an amount not to exceed \$121.60 from Bonded Chemicals, Inc. of Columbus, Ohio. It is requested that this legislation take effect in full accordance with Section 14 of the City Charter in order to allow continued treatment of water at the BIWW plant for the remainder of CY 2023.

I concur with this recommendation:

John Orzech
City Manager

cc: Cathy Myers, Commission Clerk; M. Reeder, Finance Director; S. Hastings, Law Director

CERTIFICATE OF FUNDS

In the Matter of: Bonded Chemicals- Powder Activated Carbon

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 #612-5230-54000

By: _____

Michelle Reeder

Michelle Reeder

Finance Director

Dated: 12/13/23

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE AN ADDITIONAL 80 POUNDS, MORE OR LESS, OF POWDERED ACTIVATED CARBON FROM BONDED CHEMICALS, INC., OF COLUMBUS, OHIO, FOR USE AT THE BIG ISLAND WATER WORKS PLANT DURING THE CALENDAR YEAR 2023; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission authorized the purchase of 123,000 pounds, more or less, of Powdered Activated Carbon at \$1.52 per pound from Bonded Chemicals, Inc., of Columbus, Ohio, for use at the Big Island Water Works Plant (BIWW) during calendar year 2023 by Ordinance No. 22-242, passed on December 12, 2022; and

WHEREAS, Powder Activated Carbon is used to control taste, odor, and algae in drinking water and an additional eighty (80) pounds are needed to top off the tank for the 2023 calendar year; and

WHEREAS, the total cost for the additional eighty (80) pounds of Powdered Activated Carbon is \$121.60 and will be paid with Water Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow continued treatment of water at the BIWW plant for the remainder of CY 2023; and

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

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

Section 1. The City Manager is hereby authorized and directed to purchase an additional Eighty (80) pounds, more or less, of Powdered Activated Carbon from Bonded Chemicals, Inc., of Columbus, Ohio, for use at the Big Island Water Works Plant during calendar year 2023 at \$1.52 per pound for an amount **not to exceed** One Hundred Twenty-One and 60/100 Dollars (\$121.60). Said Powdered Activated Carbon shall be provided in accordance with the proposal of the said Bonded Chemicals, Inc., of Columbus, Ohio, 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 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: December 20, 2023



FINANCE DEPARTMENT

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5776

www.cityofsandusky.com

TO: John Orzech, City Manager
FROM: Michelle Reeder, Finance Director
DATE: December 12, 2023
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

Ohio Rev. Code Section 5705.40 states that any appropriation ordinance or measure may be amended or supplemented, provided that such amendment or supplement shall comply with all provisions of law governing the taxing authority in making an original appropriation and that no appropriation for any purpose shall be reduced below an amount sufficient to cover all unliquidated and outstanding contracts or obligations certified from or against the appropriation. I am submitting amendment #8 to the 2023 General Appropriations.

BUDGETARY INFORMATION:

This action will cover anticipated expenditures through December 31, 2023. The agenda deadline occurs before the final payroll costs can be determined. The amendment needs to cover final payroll and other projected costs through December 31, 2023. The ordinance will be available at the meeting.

ACTION REQUIRED:

It is requested that the City Commission enact the ordinance, and have it take immediate effect under Section 14 of the City Charter, so that the budget amendments can be entered into the financial system and purchases can be made to continue the flow of city operations.

I concur with this recommendation:

John Orzech
City Manager

Michelle Reeder
Finance Director

Cc: Stewart Hastings, Law Director



FINANCE DEPARTMENT

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

TO: John Orzech, City Manager
FROM: Michelle Reeder, Finance Director
DATE: December 12, 2023
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

Ohio Rev. Code Section 5705.38 (A) requires that on or about the first day of each fiscal year, an appropriation measure is to be passed. If the taxing authority wants to postpone the passage of the annual appropriation measure until an amended certificate is received from the county budget commission based upon the actual year end balances, it may pass a temporary appropriation measure for meeting the ordinary expenses until no later than April 1. I am submitting an ordinance approving Temporary Appropriations for 2024.

BUDGETARY INFORMATION:

This action will establish a budget for operations until the annual appropriations can be approved after the second Monday in January 2024. The City Charter prohibits the City from enacting the 2024 budget before January 8, 2024.

ACTION REQUESTED:

It is requested that the City Commission enact the ordinance and have it take immediate effect under Section 14 of the City Charter. This will establish a temporary operating budget for 2024 until the City Commission passes an Appropriation Ordinance in accordance with Section 51 of the City Charter.

I concur with this recommendation:

John Orzech
City Manager

Michelle Reeder
Finance Director

CC: Stewart Hastings, Law Director

ORDINANCE NO. _____

AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR 2024 AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to establish an Operating Budget for 2024 until the City Commission passes an Appropriation Ordinance which may not be passed before the second Monday in January of each budget year as required by Section 51 of the City Charter; and

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

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

Section 1. There shall be and hereby are appropriated out of any funds now in the treasury or any accruing revenues of the City available for said purposes at the values set forth herein below for the payment of the expenses and obligations of the City until an Appropriation Ordinance is passed for 2024, for the various purposes hereinafter specified.

<u>DEPARTMENT</u>	<u>BUDGET</u>
1010. POLICE DEPARTMENT	
Personnel	1,272,304
Other	119,425
Total 1010. POLICE DEPARTMENT	1,391,729
	-
1020. POLICE RECORDS	-
Personnel	40,218
Other	44,336
Total 1020. POLICE RECORDS	84,554
	-
1030. POLICE-RESERVE	-
Personnel	20,595
Other	925
Total 1030. POLICE-RESERVE	21,520
	-
1310. FIRE	-
Personnel	1,303,026
Other	118,065
Total 1310. FIRE	1,421,091

	-
1610. STREET LIGHTING CONTRACT	-
Other	71,250
Total 1610. STREET LIGHTING CONTRACT	71,250
	-
2600. OAKLAND CEMETERY DEPT	-
Personnel	70,262
Other	39,841
Total 2600. OAKLAND CEMETERY DEPT	110,103
	-
3300. PARKS & PUBLIC REALM	-
Personnel	178,690
Other	104,487
Total 3300. PARKS & PUBLIC REALM	283,177
	-
4010. CODE ENFORCEMENT	-
Personnel	29,353
Other	6,850
Total 4010. CODE ENFORCEMENT	36,203
	-
4070. ECONOMIC DEVELOPMENT	-
Personnel	148,089
Other	14,050
Total 4070. ECONOMIC DEVELOPMENT	162,139
	-
4090. BUILDING DIVISION	-
Personnel	85,005
Other	14,868
Total 4090. BUILDING DIVISION	99,873
	-
4850. FORESTRY	-
Personnel	76,296
Other	18,470
Total 4850. FORESTRY	94,766
	-
6860. JACKSON STREET PIER	-
Other	20,325
Total 6860. JACKSON STREET PIER	20,325
	-
7020. CITY MANAGER DEPARTMENT	-
Personnel	86,029
Other	26,469
Total 7020. CITY MANAGER DEPARTMENT	112,498
	-
7030. ADMINISTRATIVE SERVICES	-
Personnel	36,382
Other	9,543
Total 7030. ADMINISTRATIVE SERVICES	45,925
	-
7060. FINANCE DEPT	-
Personnel	39,611
Other	887
Total 7060. FINANCE DEPT	40,498

7070. INCOME TAX DEPT	-
Other	113,750
Total 7070. INCOME TAX DEPT	113,750
	-
7080. INFORMATION TECHNOLOGY	-
Personnel	39,901
Other	59,934
Total 7080. INFORMATION TECHNOLOGY	99,835
	-
7100. LAW DEPT	-
Personnel	79,020
Other	5,350
Total 7100. LAW DEPT	84,370
	-
7200. CITY COMMISSION	-
Personnel	10,781
Other	5,238
Total 7200. CITY COMMISSION	16,019
	-
7210. CITY COMMISSION CLERK	-
Personnel	9,229
Other	481
Total 7210. CITY COMMISSION CLERK	9,710
	-
7250. MUNICIPAL COURT	-
Personnel	249,606
Other	22,600
Total 7250. MUNICIPAL COURT	272,206
	-
7550. BUILDING MAINTENANCE	-
Personnel	37,624
Other	71,311
Total 7550. BUILDING MAINTENANCE	108,935
	-
7600. ENGINEERING	-
Personnel	76,700
Other	10,525
Total 7600. ENGINEERING	87,225
	-
7750. FLEET MAINTENANCE	-
Personnel	74,197
Other	36,225
Total 7750. FLEET MAINTENANCE	110,422
	-
7900. ADMINISTRATIVE SUPPORT	-
Other	257,500
Transfer: Public Transit Fund	187,500
Transfer: Park & Recreation Fund	68,750
Transfer: Capital Public Art	26,250
Transfer: Capital Programming	51,250
Transfer: Capital Projects	1,500,000
Transfer: Capital Housing	100,000
Transfer: Capital Economic Development	125,000
Transfer: Bond Retirement Fund	-
Transfer: Fire Pension:	223,750
Transfer: Police Pension	198,750

PAGE 4 - ORDINANCE NO. _____

Transfer: Payroll Stabilization Fund	43,750
Total 7900. ADMINISTRATIVE SUPPORT	2,782,500
General Fund Personnel Total	3,962,918
General Fund Other Total	3,717,705
General Fund Total	7,680,623
	-
216 STREET MTC & REPAIR	-
Personnel	265,549
Other	213,637
Total 216 STREET MTC & REPAIR	479,186
	-
217 STREET HIGHWAY	-
Personnel	12,960
Other	10,500
Total 217 STREET HIGHWAY	23,460
	-
218 TRANSIT	-
Personnel	25,603
Other	485,476
Total 218 TRANSIT	511,079
	-
227 PARKS & RECREATION	-
Personnel	104,287
Other	86,885
Total 227 PARKS & RECREATION	191,172
	-
236 FIRE PENSION TRANS	-
Personnel	224,688
Other	13,900
Total 236 FIRE PENSION TRANS	238,588
	-
237 POLICE PENSION TRANS	-
Personnel	195,125
Other	10,205
Total 237 POLICE PENSION TRANS	205,330
	-
239 STATE GRANTS	-
Personnel	3,000
Other	34,563
Total 239 STATE GRANTS	37,563
	-
240 CORONAVIRUS RELIEF FUND (CRF) HB 481	-
Personnel	115,589
Other	1,918,750
Total 240 CORONAVIRUS RELIEF FUND (CRF) HB 481	2,034,339
	-
241 FEDERAL GRANTS	-
Personnel	126,284
Other	513,725
Total 241 FEDERAL GRANTS	640,009
	-
242 INDIGENT DRIVER ALCOHOL	-
Other	7,000
Total 242 INDIGENT DRIVER ALCOHOL	7,000
	-

243 ENFORCE AND EDUCATION	-
Other	2,125
Total 243 ENFORCE AND EDUCATION	2,125
	-
244 COURT COMPUTERIZATION	-
Personnel	1,976
Other	11,250
Total 244 COURT COMPUTERIZATION	13,226
	-
245 INDIGENT TELEPHONE	-
Other	1,250
Total 245 INDIGENT TELEPHONE	1,250
	-
246 MUNICIPAL PROBATION	-
Personnel	21,211
Other	2,250
Total 246 MUNICIPAL PROBATION	23,461
	-
247 PAYROLL STABILIZATION FUND	-
Personnel	106,250
Total 247 PAYROLL STABILIZATION FUND	106,250
	-
248 REAL ESTATE DEVELOPMENT FUND	-
Other	18,750
Total 248 REAL ESTATE DEVELOPMENT FUND	18,750
	-
249 ONE OH OPIOID SETTLEMENT	-
Other	11,250
Total 249 ONE OH OPIOID SETTLEMENT	11,250
	-
430 CAPITAL IMPROVEMENT	-
Other	213,750
Total 430 CAPITAL IMPROVEMENT	213,750
	-
431 CAPITAL PROJECTS	-
Personnel	15,567
Other	5,354,187
Total 431 CAPITAL PROJECTS	5,369,754
	-
433 SPECIAL ASSESSMENT	-
Personnel	95,078
Other	25,838
Total 433 SPECIAL ASSESSMENT	120,916
	-
434 GEN BOND RETIRE	-
Other	228,250
Total 434 GEN BOND RETIRE	228,250
	-
435 URBAN RENEWAL DEBT RETIRE	-
Other	154,875
Total 435 URBAN RENEWAL DEBT RETIRE	154,875
	-
436 CENTRAL PUBLIC IMP TIF	-
Other	50,000
Total 436 CENTRAL PUBLIC IMP TIF	50,000
	-

437 CLEVELAND RD PUBLIC IMP TIF	-
Other	155,750
Total 437 CLEVELAND RD PUBLIC IMP TIF	155,750
	-
438 COOKE BUILDING IMPROVEMENT TIF FUND	-
Other	71,250
Total 438 COOKE BUILDING IMPROVEMENT TIF FUND	71,250
	-
535 SPECIAL ASSESSMENT BOND RETIRE	-
Other	57,138
Total 535 SPECIAL ASSESSMENT BOND RETIRE	57,138
	-
612 WATER	-
Personnel	932,606
Other	1,431,381
Total 612 WATER	2,363,987
	-
613 SEWER	-
Personnel	942,399
Other	5,478,668
Total 613 SEWER	6,421,067
	-
701 HEALTH INSURANCE FUND	-
Other	1,250,000
Total 701 HEALTH INSURANCE FUND	1,250,000
	-
863 GENERAL TRUST	-
Other	91,388
Total 863 GENERAL TRUST	91,388
	-
873 PARK ENDOWMENT	-
Other	3,250
Total 873 PARK ENDOWMENT	3,250
	-
876 CEMETERY ENDOW	-
Other	26,813
Total 876 CEMETERY ENDOW	26,813
	-
880 & 881 TRUST & AGENCY	-
Other	11,250
Total 880 STATE PATROL TRANSFER	11,250
	-
888 SPECIAL ASSESSMENTS- NON-CITY	-
Other	13,750
Total 888 SPECIAL ASSESSMENTS- NON-CITY	13,750
	-
	-
Personnel Total	7,151,090
Other Total	21,676,759
TOTAL ALL FUNDS	28,827,849

Section 2. The amounts appropriated for the various purposes hereinafter set forth shall, in no event, be exceeded unless the City Commission shall by

Ordinance authorize a transfer from one appropriation account to another, or shall appropriate additional unappropriated funds.

Section 3. No payments shall be made out of any of the funds herein appropriated for any extraordinary purpose, without specific authority of the City Commission.

Section 4. The Finance Director is authorized to draw warrants upon the City treasury for funds appropriated in this Ordinance upon presentation of properly approved vouchers and when in conformity with the Charter and general laws of the State of Ohio. In addition, the Finance Director is authorized to make transfers between funds, to cover deficiencies in City funds provided said transfers are included in the general appropriations.

Section 5. 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 6. This Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. 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: December 20, 2023



DEPARTMENT OF COMMUNITY DEVELOPMENT

240 Columbus Avenue
Sandusky, Ohio 44870
419.627.5832
www.cityofsandusky.com

To: John Orzech, Manager

From: Colleen Gilson, Director of Community Development

Date: December 13, 2023

Subject: Commission Agenda Item – General and Capital Fund Grant – Greater Sandusky Partnership

ITEM FOR CONSIDERATION: Legislation amending Ordinance No. 23-248, passed on December 11, 2023 approving a Grant Agreement with the Greater Sandusky Partnership for the purposes of furthering community and economic development activity in the City of Sandusky.

BACKGROUND INFORMATION: The Greater Sandusky Partnership (GSP) is a regional economic development organization created from the consolidation of existing local organizations including the Erie County Economic Development Corporation (ECEDC), the Erie County Chamber of Commerce (ECCOC) and Destination Sandusky.

The mission of the Greater Sandusky Partnership is to enhance the quality of life and economic vibrancy of the Sandusky region, while positioning the region as the greatest destination on the Great Lakes for residents, employees, and visitors. The City of Sandusky is already a significant partner to the Greater Sandusky Partnership, as evidenced by its 2022 commitments to ECEDC and GSP totaling \$150,000. Further, the City has been a long-time partner and funder of ECEDC.

GSP's work will promote the city of Sandusky specifically through its Destination Sandusky affiliate, with priorities including direct special event programming, comprehensive city branding and marketing, merchant coordination and placemaking. Further, GSP will partner with the city in order to build a pipeline of housing, drive regional economic development, and advocate and plan to position Sandusky and the surrounding region for increased local, state and federal investment in key areas including infrastructure, transportation, planning, and development.

BUDGETARY INFORMATION: The City will be responsible for providing \$300,000 per year in grant proceeds for a period of three years from sources as follows:

- \$150k from Capital Projects Funds (Programming Funds)
- \$30k from General Fund (Community Development, old ECEDC funding)
- \$50k From General Fund (Marketing fund)
- \$70k from Capital Projects Funds (Issue 8 ED Grants)

The grant will be subject to annual renewal based on performance and deliverables met.

Action Requested: It is requested that the proper legislation be prepared amending Ordinance No. 23-248 approving a Grant Agreement with the Greater Sandusky Partnership. It is further requested that this legislation be passed in accordance with **Section 14** of the City Charter in order to immediately approve the agreement and continue the cooperation and services between the City and GSP.

I concur with this recommendation:

John Orzech
City Manager

Colleen Gilson
Director of Community Development

cc: Stewart Hastings, Law Director
 Michelle Reeder, Finance Director
 Cathy Myers, City Commission Clerk

CERTIFICATE OF FUNDS

In the Matter of: Greater Sandusky Partnership Agreement

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 #431-7021-53000, 110-4070-53000, 110-7020-53001, 431-4070-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 11/17/23

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 23-248, PASSED ON DECEMBER 11, 2023; AUTHORIZING AND APPROVING A GRANT IN THE AMOUNT OF \$900,000.00 TO THE GREATER SANDUSKY PARTNERSHIP FOR THE PURPOSE OF FURTHERING COMMUNITY AND ECONOMIC DEVELOPMENT AND PROVIDING SERVICES TO THE CITY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Greater Sandusky Partnership (“GSP”), is a regional economic development organization created from the consolidation of existing local organizations including the Erie County Economic Development Corporation (ECEDC), the Erie County Chamber of Commerce (ECCOC) and Destination Sandusky; and

WHEREAS, the mission of the Greater Sandusky Partnership is to enhance the quality of life and economic vibrancy of the Sandusky region, while positioning the region as the greatest destination on the Great Lakes for residents, employees, and visitors; and

WHEREAS, GSP’s work will promote the City specifically through its Destination Sandusky affiliate, with priorities including direct special event programming, comprehensive City branding and marketing, merchant coordination and placemaking, and GSP will partner with the City in order to build a pipeline of housing, drive regional economic development, and advocate and plan to position Sandusky and the surrounding region for increased local, state and federal investment in key areas including infrastructure, transportation, planning, and development, all in accordance with the Proposal and Agreement; and

WHEREAS, to support GSP’s efforts and the Agreement, the City desires to expend \$300,000.00 for three (3) years, for a total amount of \$900,000.00 to GSP and will be paid with Capital Projects (Programming & Issue 8 E.D.) Funds and General (Community Development & Marketing) Funds; and

WHEREAS, the City has determined that this project and the fulfillment generally of this Grant Agreement are in the vital and best interests of the City and for the health and safety and welfare of its residents, and are necessary to improve the economic and general welfare of people of the City; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately approve the agreement and continue the cooperation and services between the City and GSP; and

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

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

Section 1. **This City Commission hereby amends Ordinance No. 23-248, passed on December 11, 2023,** and authorizes and directs the City Manager to enter into a Grant Agreement with the Greater Sandusky Partnership for financial assistance for the purpose of furthering economic development and providing services to the City, substantially in the same form as Exhibit "1", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

Section 2. This City Commission authorizes and approves the grant funding to the Greater Sandusky Partnership in an amount **not to exceed** Nine Hundred Thousand and 00/100 Dollars (\$900,000.00) from the City's Capital Projects Fund and General Funds of the City of Sandusky pursuant to and in accordance with the terms of the Grant Agreement and Proposal.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

GRANT AGREEMENT

THIS GRANT AGREEMENT (the "**Agreement**") is made and entered into this ____ day of _____, 2023 (the "**Effective Date**"), by and between the CITY OF SANDUSKY, OHIO, an Ohio municipal corporation, and the Greater Sandusky Partnership, an Ohio not-for-profit corporation (the "**Corporation**"). The City and the Corporation are collectively referred to herein as the "**Parties**".

WITNESSETH:

WHEREAS, in accordance with Section 13 of Article VIII of the Ohio Constitution and pursuant to Ordinance No. [____], passed by the City Commission of the City of Sandusky, Ohio (the "**City Commission**") on December 11, 2023, a copy of which is attached hereto as **Exhibit A** and incorporated herein by reference (the "**Approval**"), the City determined that it is in the best interest of the citizens of the City to grant funds to financially support the Corporation's implementation of Destination Sandusky, Housing Production, Sandusky Advocacy, and Regional Development with ECEDC (the "**Project**") as described more specifically in the Project Proposal attached hereto as Exhibit B and is incorporated as if fully rewritten herein; and,

WHEREAS, said Approval was rendered in order to encourage economic development and employment within the City; and,

WHEREAS, the Corporation is a community-based, non-profit 501(c)(3) corporation that supports the economic development of the City of Sandusky and Erie County; and,

WHEREAS, in accordance with Section 13 of Article VIII of the Ohio Constitution, it is a public interest and a proper public purpose for the City, in order to create jobs, employment opportunities, and to improve the economic welfare of the people of the state of Ohio, to make or guarantee loans or provide moneys for the acquisition, construction, enlargement, improvement, or equipment of property, structures, equipment, and facilities within the State of Ohio that are used for industry and commerce; and,

WHEREAS, the City desires to assist the Project and encourage economic development and employment, and therefore has agreed to provide, in the manner further described in Section 1 hereof, an economic incentive grant to the Corporation for offsetting a portion of the costs of the Project; and,

WHEREAS, the prohibition of the City's loaning of credit under Section 6 of Article VIII of the Ohio Constitution does not extend to non-profit corporations that fulfill public functions; to wit: Greater Sandusky Partnership is a duly registered non-profit corporation doing business in Ohio, and the City deems the implementation of Destination Sandusky, Housing Production, Sandusky Advocacy, and Regional Development with ECEDC to be a public function, all in accordance with *State ex rel. Pugh v. Sayre*, 90 Ohio St. 215, 107 N.E. 512 (1914) (Article VIII, Section 6 does not prohibit donation of non-tax moneys to nonprofit corporations that fulfilled public functions) and *Leaverton v. Kerns*, 104 Ohio St. 550, 136 N.E. 217 (1922) (public funds may be given to a private, non-profit organization serving public purposes); and,

WHEREAS, the Corporation acknowledges the City's commitment to provide financial assistance through this Grant and has agreed to enter into this Agreement, which sets forth the Corporation's obligations concerning the use of the Grant's proceeds; and,

WHEREAS, the City has determined this Project and the fulfillment generally of this Agreement are in the vital and best interests of the City and the health, safety, and welfare of its residents, and are necessary to improve the economic and general welfare of people of the City.

NOW THEREFORE, the Parties covenant, agree and obligate themselves as follows:

Section 1. Terms of the Grant. The City shall grant to the Corporation funds in the amount of Nine Hundred Thousand Dollars (\$900,000.00) (the "**Grant**") for use by the Corporation exclusively to pay for the Project and in accordance with the disbursement schedule in Section 1, below. This Grant will not increase if the Corporation chooses to make additional improvements not contemplated in the Project Proposal, attached hereto as Exhibit B and is incorporated as if fully rewritten herein. . The disbursement schedule shall be as follows:

- (1) \$300,000 due to the Corporation by December 31, 2024
- (2) \$300,000 due to the Corporation by December 31, 2025
- (3) \$300,000 due to the Corporation by December 31, 2026.

Section 2. Use of Funds. The Corporation will use the Grant to pay for the Project, as further described in Exhibit B. The Corporation shall use the Grant solely in connection with eligible expenses incurred under the Project. By accepting the Grant herein provided, the Corporation agrees to meet the terms of this Agreement.

Section 3. City's Obligation to Make Payments Not Debt. Notwithstanding anything to the contrary herein, the obligations of the City pursuant to this Agreement are not a general obligation debt or bonded indebtedness, or a pledge of the general credit or taxes levied by the City, and the Corporation has no right to have excises or taxes levied by the City, the State or any other political subdivision of the State for the performance of any obligations of the City herein. Consistent with Section 13 of Article VIII of the Ohio Constitution, any payments required to be made by the City pursuant to this Agreement are to be payable solely from the City's non-tax revenues. Furthermore, the obligation of the City to make the payments pursuant to this Agreement are in accordance with the City Commission's approval and subject to certification by the Director of Finance of the City as to the availability of such non-tax revenues.

Section 4. Events of Default. At any time during the Term of this Agreement, and solely at the discretion of the City, should the City determine the Corporation is not in compliance with the terms of the Grant set forth herein, then the City shall provide Notice of Default to the Corporation pursuant to Section 5 demanding strict compliance therewith. If the Corporation fails to take necessary action during the notice period herein to regain and remain in strict compliance, then the City can immediately seek any legal or equitable remedy to which it is entitled including the repayment of any Grant amount or cancellation of this Agreement.

Section 5. Notice of Default. Pursuant to Section 4, should the City determine that the

Corporation is not in strict compliance with the terms of the Grant, then the City shall provide written notice to the Corporation, addressed to and sent via the notice provisions of Section 7(a) below (the “**Notice of Default**”). The Notice of Default shall state clearly the reason(s) for which the City determines the Corporation to be out of compliance. The Corporation shall have ten (10) days from the date it received the Notice of Default to cure or otherwise take the necessary corrective action to regain, and remain in, strict compliance with the terms of the Grant under this Agreement.

Section 6. Indemnification of the City. The Corporation shall indemnify, defend, and hold harmless the City from and against all claims, losses, liabilities, damages, costs, and expenses, including reasonable attorneys’ fees, costs and expenses, arising from the City’s remittance of funds under the Grant.

Section 7. Miscellaneous.

(a) Notices. Except as otherwise specifically set forth in this Agreement, all notices, demands, requests, consents or approvals given, required or permitted to be given hereunder shall be in writing and shall be deemed sufficiently given if actually received or if hand-delivered or sent by a recognized, overnight delivery service or by certified mail, postage prepaid and return receipt requested, addressed to the other party at the address set forth in this Agreement or any addendum to this Agreement, or to such other address as the recipient shall have previously notified the sender of in writing, and shall be deemed received upon actual receipt, unless sent by certified mail, in which event such notice is deemed to have been received when the return receipt is signed or refused. For purposes of this agreement, Notices shall be addressed to:

(i) If to the City:

City of Sandusky, Ohio
240 Columbus Avenue
Sandusky, Ohio 44870
Attention: Director of Community Development

City of Sandusky, Ohio
240 Columbus Avenue
Sandusky, Ohio 44870
Attention: City Manager

(ii) If to the Corporation:

Greater Sandusky Partnership

The Parties, by notice given hereunder, may designate any further or different addresses to which subsequent notices, certificates, requests or other communications are to be

sent.

(b) Extent of Provisions: Personal Liability. All rights, remedies, representations, warranties, covenants, agreements and obligations of the City under this Agreement are effective to the extent authorized and permitted by applicable law. No representation, warranty, covenant, agreement, obligation, or stipulation contained in this Agreement is to be deemed to constitute a representation, warranty, covenant, agreement, obligation or stipulation of any present or future director, member, officer, agent or employee of the City. No official executing or approving the City's participation in this Agreement is liable personally under this Agreement or subject to any personal liability or accountability by reason of the issuance thereof.

(c) Successors. This Agreement is neither binding upon nor inures to the benefit of the Corporation's successors and assigns unless with the prior written consent of the City.

(d) Assignment or Transfer. This Agreement is not to be assigned or transferred without the express written consent of the City.

(e) Amendments. This Agreement may only be amended by a written instrument executed by both Parties.

(f) Authority to Sign. The Corporation and City both represent that this Agreement has been approved by formal action of the duly authorized representatives of both Parties.

(g) Executed Counterparts. This Agreement may be executed in several counterparts, each of which is to be regarded as an original and all of which constitutes but one and the same agreement. It shall not be necessary in proving this Agreement to produce or account for more than one of those counterparts.

(h) Severability. In case any section or provision of this Agreement, or any covenant, agreement, obligation or action, or part thereof, made, assumed, entered into or taken, or any application thereof, is held to be illegal or invalid for any reason:

(i) that illegality or invalidity does not affect the remainder hereof or thereof, any other section or provision hereof, or any other covenant, agreement, obligation or action, or part thereof, made, assumed, entered into, or taken, all of which are to be construed and enforced as if the illegal or invalid portion were not contained herein or therein;

(ii) the illegality or invalidity of any application hereof or thereof does not affect any legal and valid application hereof or thereof; and

(iii) each section, provision, covenant, agreement, obligation or action, or part thereof is deemed to be effective, operative, made, assumed, entered into or taken in the manner and to the fullest extent permitted by law.

(i) Captions. The captions and headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of the

Agreement.

(j) Governing Law and Choice of Forum. This Agreement is to be governed by and constructed in accordance with the laws of the State of Ohio or applicable federal law. All claims, counterclaims, disputes, and other matters in question between the City, its agents and employees, and the Corporation, its employees and agents, arising out of or relating to this Agreement or its breach will be decided in a court of competent jurisdiction within Erie County, Ohio.

(k) Further Assurances. The Corporation shall, upon request of the City, duly execute and deliver to the City such further instruments, and do and cause to be done such further acts, as may be necessary or proper in the opinion of the City to carry out the provisions and purposes of this Agreement.

EXHIBIT "1"

[Signature Page to Follow]

IN WITNESS WHEREOF, the City and the Corporation have caused this Agreement to be executed in their respective names by their duly authorized representatives, all as of the Effective Date.

Greater Sandusky Partnership

By: _____
[_____, _____]

CITY OF SANDUSKY, OHIO

By: _____
John Orzech, City Manager

Approved as to Form:

By: _____
Stewart Hastings, Law Director

FISCAL OFFICER'S CERTIFICATE

The undersigned, Finance Director of the City of Sandusky, hereby certifies that the moneys required to meet the obligations of the City during the year 2023 under the foregoing Grant have been lawfully appropriated by the City Commission of the City for such purposes and are in the treasury of the City or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances. This Certificate is given in compliance with Ohio Revised Code Sections 5705.41 and 5705.44.

Michelle Reeder, Finance Director

Dated: [____], 2023

EXHIBIT "1"

EXHIBIT A

Ordinance Approving Economic Development Grant Agreement

[See Attached.]

EXHIBIT "1"

EXHIBIT B

Greater Sandusky Partnership Proposal

[See Attached].

EXHIBIT "1"



Greater Sandusky Partnership Proposal to City of Sandusky

The Greater Sandusky Partnership

The Greater Sandusky Partnership (GSP) is a regional economic development organization created from the consolidation of existing local organizations including the Erie County Economic Development Corporation (ECEDC), the Erie County Chamber of Commerce (ECCOC) and Destination Sandusky.

The mission of the Greater Sandusky Partnership is to enhance the quality of life and economic vibrancy of the Sandusky region, while positioning the region as the greatest destination on the Great Lakes for residents, employees, and visitors.

The City of Sandusky is already a significant partner to the Greater Sandusky Partnership, as evidenced by its 2022 commitments to ECEDC and GSP totaling \$150,000.

GSP is proposing a three-year contract for services with the City of Sandusky from 2024-2026. This partnership would build on existing City of Sandusky investments in GSP by ensuring that the core city within the region is well-represented in the creation and implementation of a vision for improving the economy and quality of life in the Sandusky region.

GSP's work will promote the city of Sandusky specifically through its Destination Sandusky affiliate, with priorities including direct special event programming, comprehensive city branding and marketing, merchant coordination and placemaking.

In addition to Destination Sandusky, GSP will partner with the city in order to build a pipeline of housing, drive regional economic development, and advocate and plan to position Sandusky and the surrounding region for increased local, state and federal investment in key areas including infrastructure, transportation, planning, and development. In order to measure the impact of its work, GSP will work with the city and other partners to set a baseline for performance metrics in 2024 that can be measured against moving forward. This baseline will create an understanding of where the community is so it can get to where it needs to be.

Individually these programs all make a strong impact. Collectively, they will transform our region as part of a comprehensive vision for improving quality of life and enhancing economic vibrancy that is implemented and resourced in an aligned and sustainable way.

Proposed Areas of Focus:

I. Destination Sandusky

While much of GSP's work will be regional in nature, Destination Sandusky is designed to be a Sandusky-specific program that partners with the city on special event management, marketing, placemaking and merchant service management. This is important, as there has been no nonprofit partner dedicated to

programming, marketing and placemaking in Sandusky since the recent shutdown of Sandusky Mainstreet and the earlier decision of the Sandusky Chamber of Commerce to become the Erie County Chamber of Commerce. Destination Sandusky will be that partner, allowing the city to continue its focus on providing important city services and community development, while partnering with Destination Sandusky to promote and program in a manner that will leverage city investment with additional private investment.

- o **Special Event and Programming Management:** The City of Sandusky has made critical investments in creating vibrant public places since the passage of Issue 8, most notably at the Jackson Street Pier. The city also created a programming fund to bring that space to life via free to the public special events that build community, support existing small businesses, and attract major private investment. Partnering with Destination Sandusky to enhance programming will:
 - Continue the momentum created by the Party at the Pier series and provide additional free community programming.
 - Create additional resources for events and placemaking with a goal of ramping up hundreds of events annually, an identified best practice in creating an active and vibrant community. Programming enriches the community culturally, increases visitorship, supports local businesses, and attracts increased investment. Destination Sandusky will achieve this ambitious goal by producing programming in addition to promoting and partnering on events produced by others. Of the financial commitment requested by GSP, at least 1/3 will go directly into providing programming with the goal of leveraging the city's commitment to attract additional private funding for programming that will increase the overall amount of programming in the community.
 - Partner with the city to promote and leverage special events and opportunities. Sandusky has strategically taken advantage of opportunities including but not limited to its own 2018 bicentennial and hosting the governor's state of the state address in 2017. Destination Sandusky will be a strong partner to the city on similar upcoming events such as the 2024 solar eclipse and the 30th anniversary of Tommy Boy in 2025.
 - Develop new programming and promotion specifically designed to make Sandusky a year-round destination for residents, visitors and employers and specifically increase sales for existing businesses while providing the traffic necessary for new businesses to open successfully in Sandusky.

Special Event Metrics for Success:

1. By year 3 of agreement, leverage the city's investment in programming by attracting an equal amount of private investment in programming on an annual basis.
2. Track number of special events, with a goal of achieving over 100 active programming events each year (either directly produced or supported by Destination Sandusky).
3. Survey local businesses with a goal of demonstrating impact of event programming by setting a baseline in 2024 with a goal of increasing impact by 20 percent in 2025 and 2026.

- **Brand and Marketing:** Over the last several months, DS developed a brand encompassing the unique assets and authenticity of Sandusky, with City staff contributing throughout the process. Together, we hope to align around a community brand that accurately reflects Sandusky's current strengths as well as its future potential. Destination Sandusky will help tell Sandusky's authentic story, communicate its unique assets, and showcase its diverse and vibrant community in a way that builds community amongst existing residents and attracts new residents, visitors, and investment. Over the next year, we will work in coordination with City staff to bring this brand to life. DS, in collaboration with the City of Sandusky, will:
 - Create content including social media, merchandise, photography, videos, and publications that showcase local champions, build Sandusky pride, and attract investment.
 - Focus on growing Sandusky's market share of the over 11 million regional visitors to Shores & Islands Ohio. One specific opportunity includes leveraging the city's marketing partnership with Cedar Point & Cedar Point Center to educate their customers on all Sandusky offers.
 - Market Sandusky as a year-round destination for culture, entertainment, and recreation to over 250,000 regional residents.
 - Grow and nurture media relationships to increase positive media exposure for Sandusky.
 - Support local business by updating downtown maps, creating retail guides, rack cards, and visitor information material.
 - Invigorate the public realm with banners and other placemaking activities designed to create a sense of "place" in Sandusky that enriches the lives of locals while attracting an increased number of visitors.

Branding and Marketing Metrics for Success:

1. Survey businesses and stakeholders annually, setting a baseline in 2024 with a goal of increasing foot traffic downtown by at least 10 percent annually in 2025 and 2026.
2. Develop and track sales of "Sandusky" merchandise as a tool for building community and marketing Sandusky.
3. Track positive media stories on Sandusky, setting a baseline in 2024 and increasing positive stories in local and regional media by 10 percent annually.
4. Grow Social Media Engagement and Followers by 10 percent annually.
5. Develop a system for measuring the positive impact on perceptions of Sandusky as a place to live, work, and visit.

- **Merchant Services and Retail:** Downtown Sandusky will reach a new level when its businesses and stakeholders are rowing in the same direction. Through regular communication and coordinated efforts, we will inform the business community, rally around important development opportunities, and attract new merchants and office tenants to Sandusky. Destination Sandusky will:
 - Host monthly merchant meetings and monthly merchant communications that build a bridge and grow deeper roots to our small business community. Meetings and communications will share updates, promote upcoming events, address challenges, and identify new projects and ideas. These efforts will inform our entrepreneurs and build community while creating a more coordinated approach to hours of operation, marketing, programming and beautification. One

example could involve merchants planning to be open before and after shows at the revitalized Sandusky State Theatre.

- Partner with Greater Sandusky Partnership's business development and entrepreneurial services staff to develop an inventory of available office and retail space while also building a pipeline of potential office and first floor tenants to drive additional economic activity in Sandusky.
- Showcase Sandusky's entrepreneurs and community with social media, public relations and other content designed to increase engagement and activity in the city.

Merchant Services and Retail Metrics for Success:

1. Monitor Inventory of vacant retail spaces in Downtown Sandusky, setting a baseline of vacant inventory and occupancy rates in 2024, create a new retail initiative in partnership with the city to support existing and new retail and raising occupancy rates by at least 10 percent each year.
2. Create inventory of vacant or under-utilized buildings in Downtown Sandusky with a goal of driving the revitalization of at least 3 buildings over the 3-year contract.
3. Survey existing businesses and support an improved sales environment of existing businesses or the expansion of existing businesses with a goal of at least five business expansions over the life of the contract.

- **Placemaking:** Placemaking is a multifaceted approach to urban planning, design, and development that focuses on creating and enhancing public spaces to improve the overall quality of life in a community. It involves transforming ordinary spaces into vibrant, inviting, and people-centric places that foster social interaction, community engagement, and a sense of identity. In 2017, Sandusky created a public art program that led to increased public art and also created a stronger culture of public art and placemaking in Sandusky. Partners like the Lange Trust and Shores & Islands Ohio have made additional investments in public art and placemaking that are making Sandusky a better place for locals while attracting visitors and investment. As placemaking becomes a more important part of the downtown experience, exposing people to fun and whimsical experiences in the public realm creates a stronger sense of identity, safety, and vibrancy. Destination Sandusky will work in coordination and collaboration with the City to take placemaking efforts to the next level with goals including:
 - Creating placemaking opportunities that elevate Sandusky's brand and mission of being a family friendly, inclusive, year-round attraction. Potential placemaking options include outdoor games, functional and decorative seating (i.e. Adirondack chairs and bistro tables), pop up public art, lighting installations, small-scale programming, photo opportunities, seasonal décor, and more.
 - Work with City staff to identify beautification opportunities and appropriate funding models to keep the city attractive and well-maintained year-round.
 - Leverage existing resources and attract new resources into a coordinated plan for placemaking, public art and programming that takes existing activities to scale. Start with partners such as Shores & Islands Ohio, the Lange Trust and the city's Public Art & Cultural Commission to identify whether joint funding of planned priorities can take existing efforts to scale while continuing to fund and support organic projects implemented by local artists and stakeholders.

Placemaking Metrics for Success:

1. Create at least three placemaking or public art projects in Sandusky.
2. Survey stakeholders to create a baseline in 2024 and set goal of tracking impact on foot traffic, and social media engagement made possible by enhanced placemaking in Sandusky.

II. Housing Production

The Firelands Forward (now a program of GSP) Regional Housing Study identified a severe shortage of housing in Sandusky and the surrounding three-county region. Over 2,000 units of housing are needed immediately, with current housing occupancy levels dangerously close to one hundred percent. While the housing shortage is a national challenge, local solutions will be required that involve the identification of appropriate sites, creating housing-friendly local zoning, developing appropriate local tax and gap financing incentives, attracting civic and philanthropic investment, and building a pipeline of housing developers and builders to meet local demand.

Developing solutions to the Sandusky region's housing needs will require collaboration between the public, private, and civic sectors. Partnering to address the housing challenge will be one of the most important initiatives of the GSP, with a focus on developing a diversified pipeline of affordable and market rate housing solutions including rehabilitation, adaptive reuse, single family, new neighborhoods/subdivisions, and multi-family projects. Any solution must develop a diverse portfolio of unit types designed for single occupants, families, and seniors of all income levels.

GSP will convene stakeholders in late 2023 and early 2024 to develop an implementation blueprint for the Regional Housing Study. This will include identifying local, state and federal resources for all housing types as well as learning from best practices being established in real time by other local communities.

- Identifying sites, buildings and lots within Sandusky that are currently suitable for housing, and identifying sites that could become available for housing with infrastructure investment or a change in ownership. Once identified, work with site owners and developers to bring lots to market quickly and efficiently.
- Developing a housing infill program designed specifically to bring new units to market in Sandusky and similarly situated communities in partnership with the city and County Land Bank and utilizing potential state incentives and developing appropriate local incentives to overcome financial obstacles to housing production.
- Working closely with the city and other partners to identify best practices and educate the community on local policy and zoning solutions that can help eliminate barriers to housing production while also maintaining neighborhood character. Existing examples include zoning for accessory dwelling units and identifying corridors and other sites that are appropriate for the construction of multi-family housing.
- Building a pipeline of development partners and builders with an emphasis on identifying partners with a specific niche and expertise in the development of affordable housing, modular housing, infill housing, mixed use development and other project types designed specifically to meet the needs of Sandusky and the surrounding region.

- Identify, advocate for and raise resources specifically designed to close financing gaps that are currently preventing housing production of both affordable and market rate housing in the city.
- Define metrics and goals for housing production of all types and track the implementation of the Regional Housing Plan providing the data necessary to determine if current local action is sufficient or if more or different tactics are necessary to meet the needs of the community.

Housing Metrics for Success:

1. Develop Inventory of Sites (publicly and privately owned) within Sandusky that are candidates for new construction infill housing.
2. Create baseline of existing housing activity in 2024 and monitor new housing starts and rehabilitations with a goal of increasing unit production and rehabilitation by 10% each year.
3. Build a pipeline of housing development partners to develop new market rate, affordable, multi-family and single-family housing in Sandusky with a goal of supporting the construction with a goal of bringing at least five new housing developers into the market.
4. Identify new resources to support housing development (public and private), and advocate for maintaining existing resources and creating new resources for housing at the local, state, and federal level.

III. Advocacy & Planning

Advocacy will be an important component of GSP's work. GSP will partner with the City of Sandusky in advancing an agenda locally as well as at the state and federal level that further strengthens our position as the greatest destination on the Great Lakes. Our voice will be stronger by working together to support a shared vision that includes protecting Lake Erie, creating a stronger connection to Columbus, attracting increased capital investment in necessary infrastructure, and ensuring that Sandusky and GSP's shared priorities are also the priorities of local, state and federal partners.

An example of a potential priority for local advocacy would be galvanizing support for public transportation, a critical resource for the region that is operated by the City of Sandusky. GSP will work directly with the city to educate the public and key stakeholders on the importance of transit to workforce development with a goal of identifying new resources that will help make the service more sustainable and comprehensive. GSP will prioritize working with the business community, the city, and other critical stakeholders to develop a more equitable funding system for public transportation in the region that meets the region's needs for this critical service.

State and federal examples of advocacy would involve conducting a process to identify local priorities and matching those priorities with potential state and federal funding opportunities. GSP will work closely with the city to identify and secure funding for shared priorities.

GSP will also play a role in conceptual planning for critical regional development and infrastructure priorities. GSP will raise resources and conduct conceptual planning for key priorities including but not limited to leveraging the impending Route 6 project, the redevelopment of the Boeckling Ferry Terminal in Downtown Sandusky, the expansion of the Sandusky Bay Pathway, and creating a more seamless connection from Columbus to Sandusky. GSP will provide planning, advocacy, and resource development

services specifically for these and other priorities identified in partnership with the City of Sandusky, with a goal of identifying opportunities and needs via coordinated planning efforts and then developing and attracting the resources necessary to implement those priorities.

Advocacy & Planning Metrics:

1. Develop goals for public and private investment in priority projects, setting a baseline based on past success in securing resources and look to increase resources by 20 percent.
2. Identify shared policy goals at local, state, and federal level and track success of achieving those goals over life of contract.
3. Specifically prioritize advocating for an improved regional partnership for public transportation that better distributes the costs of managing a strong regional public transportation system and continues to provide this critical service.
4. Create a conceptual plan for the redevelopment of Route 6 and the expansion of the Sandusky Bay Pathway and begin working toward implementation.

IV. Regional Economic Development

Erie County Economic Development Corporation (ECEDC) is now an affiliate program of the Greater Sandusky Partnership. The City of Sandusky has long supported and partnered with ECEDC to provide economic development services. ECEDC's new affiliation with GSP provides an opportunity to continue and expand current services in a way that is more aligned with GSP's additional work in place-based development and district management, housing, planning and advocacy, and more. Existing programs that will be continued and expanded under the terms of GSP's partnership with the city include:

- Business Retention, Expansion, and Attraction (BREA): GSP will continue to provide business retention and expansion services that make regular contact with existing Sandusky employers and connect those employers to available resources for expansion via Team NEO and JobsOhio. In addition, GSP will identify key sites and market those sites for major attraction projects while continuing coordination with available Team NEO and JobsOhio resources. This work will benefit Sandusky as GSP coordinates specifically with Sandusky businesses and markets Sandusky sites but also as larger sites within the region are brought to market with major investments that will grow the regional economy and employ Sandusky residents. Examples of key regional sites include the opportunity to bring excess land at NASA Armstrong to market for economic development, as well as continuing to work on the redevelopment of KBI that will attract significant investment and job creation to the region.
- RISE/Entrepreneurship/Retail and Office: GSP seeks to continue the work of RISE (Regional Incubator for Sustainability & Entrepreneurship) in supporting and building a pipeline of entrepreneurs in our region. Additionally, GSP seeks to expand this work by building out an initiative specifically focused on connecting these and other entrepreneurs directly to a well-maintained inventory of available office and retail space in Sandusky. GSP seeks to partner with the city and other stakeholders to develop an initiative specifically around creating a stronger retail and office market and will accomplish this through activities of RISE, BREA, Destination

Sandusky, and other programs that when aligned will connect business owners directly to opportunities to find success in a vibrant place.

- Minority Business Empowerment Team (MBET): GSP seeks not only to connect entrepreneurs to economic opportunity, but also to ensure that the pipeline of entrepreneurs is representative of Sandusky. MBET is a program that seeks to build a network and offer supportive services to minority business enterprises that breaks down barriers and opportunities that have prevented them from fairly competing in the past. GSP will continue to support the MBET collaboration and identify resources to scale this work and opportunities for minority businesses to thrive in Sandusky.

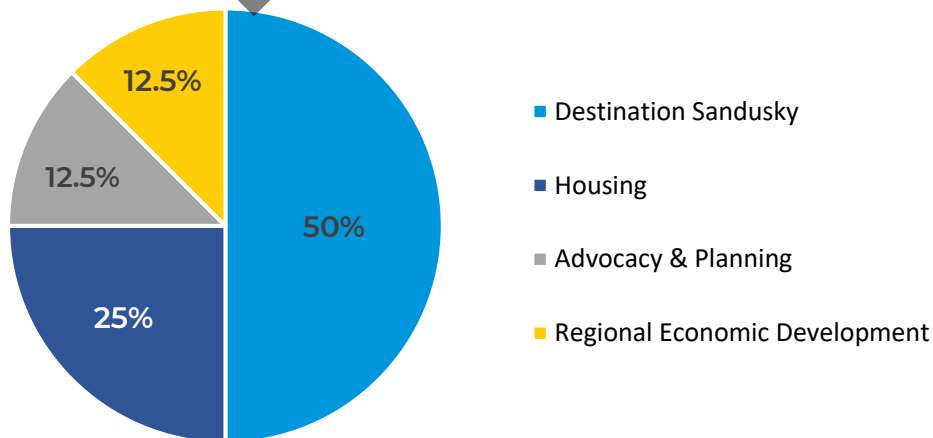
Regional Economic Development Metrics:

1. Capital Investment: support capital investment projects by private businesses generating an average of at least \$10 million annually in investment in Sandusky.
2. Job Creation: Support creation of an average of at least 30 jobs annually within Sandusky.
3. Entrepreneurial and Minority Business Support: directly support via technical assistance and connection to resources over 150 small businesses, entrepreneurs and/or minority businesses either located in Sandusky or owned by Sandusky-based entrepreneurs.

Summary and Next Steps

In Summary, the Greater Sandusky Partnership formally requests a 3-year contract for services from the City of Sandusky starting in January of 2024 at \$300,000 annually. This request would be all inclusive and GSP would not seek additional city resources for itself or any of its affiliate programs during this period. Furthermore, the Greater Sandusky Partnership pledges that at least 50% of the total contract will go into direct programming including special events, project and program implementation, and planning & advocacy efforts.

GSP is proposing that service priorities are defined based on the below estimates:



50% - Destination Sandusky:

Special Event Production & Management, Sandusky Branding & Marketing, Placemaking Project Management, Merchant Attraction & Coordination

25% - Housing:

Build Pipeline of Sites, Development Partners, and Resources in order to increase number of units of affordable & market rate housing, including rehabilitation, adaptive reuse, & new construction.

12.5% - Advocacy & Planning:

Advocate for increased local, state and federal resources for shared city and GSP priorities. Plan, raise resources and advocate for high impact, regionally significant projects.

12.5% - Regional Economic Development:

Continue and expand programs for business attraction, retention, and expansion. Create a strong network of entrepreneurs and build a pipeline of potential retail and office tenants for Sandusky. Expand the work of the Minority Business Empowerment Team.

The Greater Sandusky Partnership is grateful for the City of Sandusky's consideration of this proposal and looks forward to working with staff and presenting to Sandusky City Commissioners in order to answer any questions. We look forward to building out and implementing a shared vision for Sandusky and the surrounding region that further positions our community as America's Best Coastal Small Town and the Greatest Destination on the Great Lakes.



DEPARTMENT of COMMUNITY DEVELOPMENT

Division of Planning
240 Columbus Ave
Sandusky, Ohio 44870
419.627.5973
www.cityofsandusky.com

To: John Orzech, City Manager

From: Arin Blair, Chief Planner

Date: December 7, 2023

Subject: December 20, 2023 Agenda Item –Application for a Zone Map Amendment for 920 W. Osborne Street, parcel 58-65001.000)

Item for Consideration: Initiation of a Zone Map Amendment by recommendation of the Planning Commission for parcel 58-65001.000 to rezone the former Osborne School building and property from PF – Public Facilities to RMF – Multi-Family Residential.

Purpose: The rezoning will enable the feasibility of rehabilitating of the historic Osborne School building into an adaptive reuse project to turn it into housing units and bring it up to modern accessibility standards while preserving its historic character. Without the proper zoning in place, the building cannot be used for residential purposes.

Background: Following the October 23, 2023, City Commission approval for the city to purchase the former Osborne School, and School board authorization of the sale of the building the week prior, the Sandusky Planning Commission made a motion to initiate a change to the zoning of the property during their regularly scheduled meeting on October 25, 2023.

The Planning Commission made a motion to amend the zoning of the property from PF – Public Facilities to RMF – Multi-Family Residential to support the city’s goals for the future of the building including:

- Readaptation of the structure into at least 20 new housing units
- Engagement with the surrounding neighbors on the development plan for the project
- Rental rate restriction of some kind to ensure affordability to a specific demographic in need, such as senior housing
- Preservation of the structure according to the Sandusky Preservation Design Guidelines and U.S. Secretary of the Interior Standards for Historic Preservation
- Preservation of the playground area to remain open to the surrounding neighborhood families

Correlation to the Comprehensive Plan: The Bicentennial Vision Comprehensive Plan outlines a number of priorities for the Central Neighborhood. Some of the priorities related to this site are:

- “Livable City”: Top Priorities (summarized)

- Preserve historic and intact housing stock and maintain quality of life in the neighborhood
- Housing: multi-family development, rehabilitation of existing structures
- Repurpose land/former buildings of former school sites

Staff examined the City's Bicentennial Vision Comprehensive Plan as it relates to this area and suggest this rezoning could offer great potential towards developing human capital, preserve existing historic buildings, and help shape Sandusky as a "Livable City".

Budgetary Impact: The rezoning has no direct budgetary impact.

Action Requested: It is requested that the City Commission approve the proposed Zone Map Amendment by recommendation of the Planning Commission for parcel 58-65001.000 to rezone the property from PF – Public Facilities to RMF – Multi-Family Residential. It is further requested that this ordinance take effect under Section 13 of the City Charter.

Arin Blair
Chief Planner

I concur with this recommendation:

John Orzech
City Manager

Colleen Gilson
Community Development Director

cc: Cathy Myers, Clerk of City Commission
Michelle Reeder, Finance Director
Steward Hastings, Law Director



DEPARTMENT OF COMMUNITY DEVELOPMENT

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To: Planning Commission
From: Arin Blair, AICP, Chief Planner
Date: October 24, 2023 **Amended 12/8/23**
Subject: Recommendation to amend the zoning map for 920 West Osborne Street

Items for Consideration: Proposal to initiate a change in the Zoning Map to rezone the former Osborne School building and surrounding parcel, at 920 Osborne Street, parcel no. 58-65001.000, from PF- Public Facilities to RMF – Residential Multi-Family.

Background Information: Sandusky is gifted with historic structures, but that comes with the challenge of how to ensure they are preserved and remain in use. Sandusky is also challenged with the need for housing units, with the greatest gap in availability recognized for individuals of modest income. According to the 2023 Firelands Region Housing Needs Assessment, Erie County has a gap of 1,637 rental units across all price points.

On Monday, October 23rd, Sandusky City Commission approved a purchase agreement for the city to purchase the former Osborne School. The Sandusky School Board authorized the sale of the building to the city at their meeting the week before.

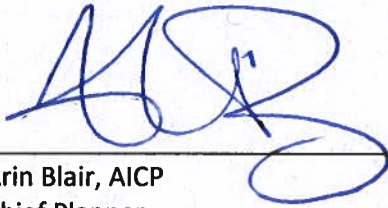
The intent of this purchase is to foster the rehabilitation of the historic Osborne School building through an adaptive reuse project to turn it into housing units and bring it up to modern accessibility standards while preserving its historic character. This agreement with the Sandusky City Schools is a collaboration for the benefit of the community. The Sandusky City Schools have maintained the high quality and condition of the former Osborne School, yet they no longer have a use for the structure. This transaction will remove an unused building from the school district inventory with the end-goal of it becoming a community asset through adaptive reuse as housing.

Proposed goals of the Community Development Department for the future of the building include:

- Readaptation of the structure into at least 20 new housing units
- Engagement with the surrounding neighbors on the development plan for the project
- Rental rate restriction of some kind to ensure affordability to a specific demographic in need, such as senior housing
- Preservation of the structure according to the Sandusky Preservation Design Guidelines and U.S. Secretary of the Interior Standards for Historic Preservation
- Preservation of the playground area to remain open to the surrounding neighborhood families

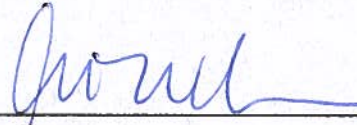
Accomplishing this ambitious project is be a multi-step process. One critical piece is to establish the proper zoning district at the parcel to allow the desired uses.

Recommendation: The Community Development Department recommends Planning Commission make a motion to amend the zoning map to change 920 Osborne Street, parcel no. 58-65001.000, ~~to~~ from the PF – Public Facilities zoning district to RMF – Residential Multi-Family zoning district.

A handwritten signature in blue ink, appearing to read 'Arin Blair', written over a horizontal line.

Arin Blair, AICP
Chief Planner

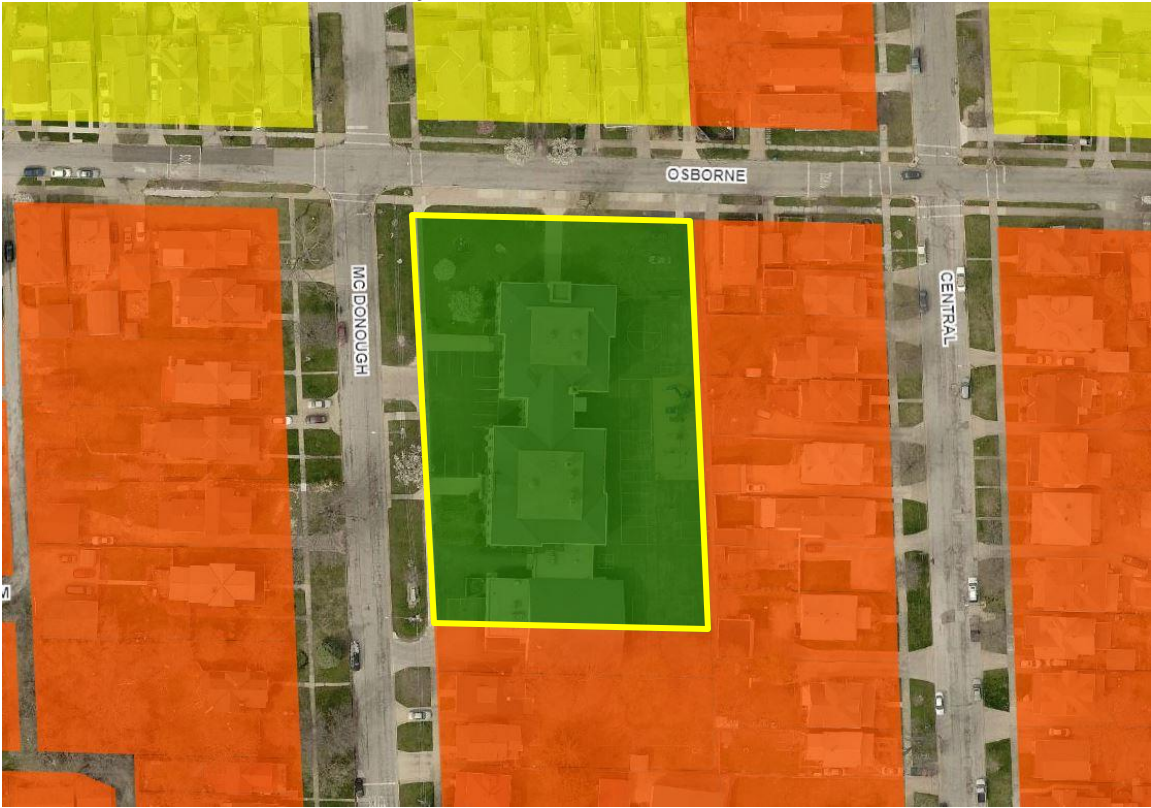
I concur with this recommendation:

A handwritten signature in blue ink, appearing to read 'Colleen Gilson', written over a horizontal line.

Colleen Gilson
Community Development Director

SITE PICTURES

Subject Parcel Outlined in Yellow:



Zone Map Setbacks



PUD - Planned Unit Development



Parcels



TRO - Transient Rental Overlay



Zoning

- AG - Agriculture
- CA - Commercial Amusement
- CR - Commercial Recreation
- CS - Commercial Service
- DBD - Downtown Business
- GB - General Business
- GM - General MAnufacturing
- LB - Local Business
- LM - Local Manufacturing
- P - Auto Parking

- PF - Public Facilities
- R1-40 - Single Family Residential
- R1-50 - Single Family Residential
- R1-60 - Single Family Residential
- R1-75 - Single Family Residential
- R2F Two-Family Residential
- RB - Roadside Business
- RMF - Multi-Family Residential
- RRB - Residential/Business
- RS - Residential Suburban

Aerial of site



Birds-eye view of site



Northern side of 920 W. Osborne St. looking southeast



Western side of 920 W. Osborne St. looking east



**Planning Commission
October 25, 2023
Meeting Minutes**

Meeting Called to Order

Chair McGory called the Planning Commission meeting to order at 5:00 pm. The following Commissioners were present: Commissioner Castile, Commissioner Jackson, Vice Chair Miller, Chair McGory, Commissioner Poggiali, Commissioner Whelan, and Commissioner Zuilhof. Arin Blair and Alec Ochs were present on behalf of the Community Development Department, Sarah Chiappone was present on behalf of the Law Department and Quinn Rambo was the acting clerk.

Approval of Minutes from September 27, 2023

Chair McGory introduced the first item on the agenda, which was the approval of the minutes from the September 27th Planning Meeting. Commissioner Poggiali made a motion to approve the minutes as presented and Commissioner Jackson seconded the motion. Vice Chair Miller stated that in the meeting the state representative's name, mentioned at the previous meeting, was not documented in the minutes correctly. The last name was Ardt, not Hart as written in the minutes. Commissioner Poggiali amended his motion to approve the minutes as corrected. The amended motion was seconded by Commissioner Zuilhof. Chair McGory called for a vote to approve the minutes as corrected, and the motion passed unanimously.

New Business

1231 First Street-

Cross View Bay Ltd. has submitted an application for a site plan at 1231 First Street to construct a storage building in a Commercial Zoning District.

Chair McGory introduced the application and asked for the Staff report. Mr. Ochs explained the Cross View Bay, Ltd. parcel 57-01436.000 was approximately 8.53 acres. There were two buildings on this site, totaling 95,624 sq. ft. A large storage building that was 93,600 sq. ft. and a restroom / community building that was 2,024 sq. ft. The existing building coverage of the site was approximately 25.9 %. The new building coverage proposed would be 27.1%, which was 22.9% below the maximum allowable building coverage. The proposal would add 4,400 sq. ft. to the parcel. The building would be 27 feet tall and would be approximately 110' x 40'. The maximum height allowance was 40'. According to the requirements in Section 1149.04 of the Zoning Code, Measurement Standards (c) "Storage or warehousing may be waived with administrative approval and if not approved by the administration, the Planning Commission may approve the waiver". Staff noted that storage operations typically produce a minimal number of jobs or increase in customer traffic – therefore, should not be required to meet the code requirement for additional parking. Due to lack of demand, Staff recommended waiving any additional parking requirements, which would also waive any additional landscaping, but Staff recommended adding trees and some low-level landscaping. This was a permitted use for the site. Staff recommended the approval of the proposed site plan for 1231 First St. (parcel 57-

01436.000) with the following conditions, that all applicable permits are obtained through the Building Department, Engineering Department, Division of Planning, and any other applicable agency prior to construction. Chair McGory asked if there was anyone present to speak on behalf of the application. Mr. Todd Hart was present to represent the applicant and stated they were moving the building from the current site to the site at Cross View Bay. Chair McGory asked if the building was rack storage. Mr. Hart stated it was a rack storage building but would not be used in that manner at the new site because of staffing issues.

Commissioner Zuilhof made a motion to approve the application with Staff conditions. The motion was seconded by Commissioner Poggiali. Chair McGory called for the vote and all Commissioners voted to approve the application, unanimously.

2130 Hayes Avenue-

Arie Swirsky with ThenDesign Architects, on behalf of the Sandusky Board of Education, has submitted an application for a site plan amendment at 2130 Hayes Avenue for a pool addition to the Sandusky High School.

Chair McGory introduced the application for a site plan amendment and asked for the Staff report. Mr. Ochs stated the Sandusky Board of Education proposed a natatorium addition attached to the Sandusky High School building. The scope consisted of renovating the existing pool locker rooms, and adding a new entrance, bleacher area and storage room. The proposed plan will have a seating capacity of 290 bleacher seats. The facility would be used by students and the community. The hours of operation were not determined yet. The proposed natatorium was 2,695 square feet and would be placed on the east side of the building in the existing parking lot. The site was approximately 13.0677 acres. The total land coverage was 29%. Sandusky High School had 322 parking spaces + 30 easement /113 intermediate school spaces. The proposal would remove approximately 8 spaces. The total landscaped area was 350,147 square feet. The proposed height of the natatorium building was 26 feet. The previously approved project was updated due to budgetary reasons. The proposed addition was now 2,695 square feet, reduced from the originally approved 12,200 addition, because the project planned to renovate the existing pool site within the school building. The updated proposal enabled the project to contain a new entrance, bleachers, and storage area. The architect and applicants were confident that removing 8 parking spaces would not negatively impact parking demand for the proposed facility or school operations. No additional parking was required. No additional landscaping was required. All area standards were satisfied. All yard regulations were satisfied. This was a permitted use. Staff recommended the approval of the amended site plan at 2130 Hayes Ave with the following condition that all applicable permits were obtained through the Building Department, Engineering Department, Division of Planning, and any other applicable agency. Chair McGory asked if there were any questions for Staff. Commissioner Zuilhof asked if the existing building was just getting pushed back 20'. Mr. Ochs stated that was correct. Commissioner Zuilhof asked if there was a representative present to speak on behalf of the project. Mr. John Feick was present to speak on behalf of the amended site plan. Vice Chair Miller asked why the drastic change to the scope of the project.

Mr. Feick answered that the original project plan was \$3 million dollars over budget and the School District could not cover that increase. Vice Chair Miller asked how many lanes were going to be in the renovated pool. Mr. Feick stated that there would be 6 regulation size lanes. Commissioner Zuilhof stated that he had no issue with approving the site plan for appropriateness. Chair McGory stated that if this had been the original plan it would have been approved previously as well.

Commissioner Castile made a motion to approve the amended site plan with Staff conditions. The motion was seconded by Commissioner Poggiali. Chair McGory called for the vote and all Commissioners voted to approve the application, unanimously.

920 West Osborne Street-

Recommendation to amend the zoning map for 920 West Osborne Street.

Chair McGory introduced the application and asked for the Staff report. Ms. Blair stated the proposal was to initiate a change in the Zoning Map to rezone the former Osborne School building and surrounding parcel, at 920 Osborne Street, parcel no. 58-65001.000, from PF-Public Facilities to RMF – Residential Multi-Family. Ms. Blair added Sandusky was gifted with historic structures, but that comes with the challenge of how to ensure they were preserved and remained in use. Sandusky was also challenged with the need for housing units, with the greatest gap in availability recognized for individuals of modest income. According to the 2023 Firelands Region Housing Needs Assessment, Erie County had a gap of 1,637 rental units across all price points. On Monday, October 23rd, Sandusky City Commission approved a purchase agreement for the city to purchase the former Osborne School. The Sandusky School Board authorized the sale of the building to the city at their meeting the week before. The intent of this purchase was to foster the rehabilitation of the historic Osborne School building through an adaptive reuse project to turn it into housing units and bring it up to modern accessibility standards while preserving the historic character. The agreement with the Sandusky City Schools was a collaboration for the benefit of the community. The Sandusky City Schools maintained the high quality and condition of the former Osborne School, yet they no longer had a use for the structure. This transaction removed an unused building from the school district inventory with the end-goal of it becoming a community asset through adaptive reuse as housing. The proposed goals of the Community Development Department for the future of the building included readaptation of the structure into at least 20 new housing units, engagement with the surrounding neighbors on the development plan for the project, rental rate restriction of some kind to ensure affordability to a specific demographic in need, such as senior housing, preservation of the structure according to the Sandusky Preservation Design Guidelines and U.S. Secretary of the Interior Standards for Historic Preservation, and preservation of the playground area to remain open to the surrounding neighborhood families. Accomplishment of this ambitious project would be a multi-step process. One critical piece was to establish the proper zoning district at the parcel to allow the desired uses. The Community Development Department recommended that the Planning Commission make a motion to amend the zoning map to change 920 Osborne Street, parcel no. 58-65001.000, from

the PF – Public Facilities zoning district to RMF – Residential Multi-Family zoning district. Commissioner Zuilhof stated that he felt the Chesapeake was very successful and there have been other projects that the City has sold, and nothing happens, but sees the potential this project has in developing residential units. Commissioner Jackson asked if the City would lose its control once a private corporation takes over the project. Ms. Blair stated that the City would require detailed documentation on what the project was in order for the city to ensure the project outcome. Commissioner Whelan asked why there was not public notice for this recommendation. Ms. Blair stated that a public hearing was not required by code but there would be a public hearing conducted at the City Commission. Commissioner Whelan stated he liked the idea of it becoming housing but was not comfortable with it going forward without a public hearing or a proposed plan being presented. Chair McGory stated that the site was not going to be a school again and that residential whether high end or low end would be preferable. Commissioner Castile stated that she heard everyone was in favor of the site being used for housing and reminded the Commission that a site plan would have to come before them for approval before any construction could be implemented. Commissioner Jackson stated that he heard from citizens that current rentals available were too expensive for the public and that was his biggest concern. Commissioner Whelan asked if there was an answer to why the zoning needed to be changed before there was a plan presented. Ms. Blair stated to help shepherd the project was why getting the property zoned correctly was critical. The rezoning would lend stability to the project goals since the current zoning does not allow housing. Commissioner Zuilhof added that it was difficult to acquire funding when the zoning was inconsistent with the project. Commissioner Whelan stated he was in favor of the project but the sale of property and zoning change between public entities should require more public hearings, not less. Commissioner Poggiali asked if this would slow the process down if the Planning Commission voted not to recommend the zoning change. Ms. Blair stated that Staff had not established a specific timeline with a developer. Commissioner Poggiali stated there would be a public hearing and engagement with neighboring property owners, there would be checks and balances, and the Law Department would ensure that nobody would acquire the property until the City knew what plan would be implemented.

Commissioner Zuilhof made a motion to recommend rezoning the property purchased by the City to Multi-family Residential. The motion was seconded by Commissioner Poggiali. Chair McGory asked if there was any further discussion. Vice Chair Miller stated he was aware of other similar projects that were very successful. Chair McGory stated that this property was headed in the direction of residential. Commissioner Zuilhof referenced the success of the Sycamore Line School conversion. Commissioner Castile stated that the concerns of the Commissioners were legitimate, but it sounded as if everyone agreed that a residential use was the best option, there would be checks and balances to work through concerns about the project and moving forward with the recommendation was the best course. Chair McGory called for the vote and resulted in 6-1 vote in favor of the motion, with Commissioner Whelan with a vote of nay.

Chair McGory stated that the next item for discussion was an update from the Law Department regarding abandoned boats and introduced Ms. Chiappone to present her findings to the Commission. Ms. Chiappone stated that she researched the Ohio Revised Code, Sandusky Codified Ordinances, and other municipalities about abandoned boats. She continued that she shared her findings with Ms. Blair and Mr. Ochs. The three of them would be meeting with the new law director, Mr. Hastings, to present her findings and develop a strategy. Commissioner Zuilhof asked if the Commission would receive an update in November. Ms. Chiappone stated there would be an update. Chair McGory asked if she discovered anything in her research that would support a municipality having the authority to address abandoned boats. Ms. Chiappone stated yes there was authority for municipal control but to what extent the City would want to address the issue would be a discussion with the new law director. Ms. Chiappone stated that Mr. Hastings worked with several municipalities, and she looked forward to what insight could be provided on the best way to move forward.

Adjournment

Chair McGory asked for a motion to adjourn. Commissioner Zuilhof made a motion to adjourn the meeting and the motion was seconded by Commissioner Whelan. The meeting adjourned at 5:47 pm.

Next Meeting:

November 22, 2023, at 5:00pm.

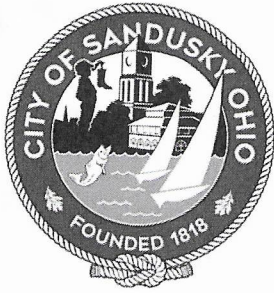
Approved:



Clerk



Chair/ Vice Chair



Department of Community Development

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

December 7, 2023

At the October 25, 2023 Planning Commission meeting, the Planning Commission recommended City Commission approval for the following Zone Map Amendments:

1. 920 W. Osborne St.

A Zone Map Amendment for 920 W. Osborne Street, parcel (58-65001.000) to rezone the property from PF – Public Facilities to RMF – Multi-Family Residential.

Pete McGory
Planning Commission Chairman

LEGAL NOTICES

CITY COMMISSION NOTICE OF HEARING

The City of Sandusky, City Commission will conduct a public hearing on Wednesday, December 20th, 2023 at 5:00 p.m. to consider the following application:

The Planning Commission, has made a recommendation to the City Commission for an amendment to the zoning map for 920 W. Osborne St. (parcel 58-65001.000). The application is to amend the zoning map from PF - Public Facilities to RMF- Residential Multi-Family

The meeting will take place in the City Commission Chambers at City Hall, 240 Columbus Ave, and will be live streamed on www.YouTube.com/CityofSanduskyOH. If you have any comments regarding the above case, you will have the opportunity to share those at the meeting. Please email aochs@cityofsandusky.com or call 419-627-5973 with any questions.

Alec Ochs
Assistant Planner
November 17, 20, 2023

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF SANDUSKY TO REZONE PARCEL NO. 58-65001.000 FROM “PF” PUBLIC FACILITIES DISTRICT TO “RMF” RESIDENTIAL MULTI-FAMILY DISTRICT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE EFFECT UNDER SUSPENSION OF THE RULES AS CONTAINED IN AND IN ACCORDANCE WITH SECTION 13 OF THE CITY CHARTER.

WHEREAS, this City Commission authorized the purchase of real property located at 920 W. Osborne Street (former Osborne Elementary School), and identified as Parcel No. 58-65001.000 from the from the Board of Education of the Sandusky City School District by Ordinance No. 23-210, passed on October 23, 2023, and approved the sale of the property to Community Building Partners, LLC by Ordinance No. 23-227, passed on November 27, 2023, for the purpose of the development of affordable senior housing; and

WHEREAS, a request is being made by the City for an amendment to the Zone Map No. 96-01 as codified in Section 1121.03 of the Codified Ordinances of the City for Parcel No. 58-65001.000, located at 920 W. Osborne Street, from “PF” Public Facilities District to “RMF” Residential Multi-Family District as more fully described in Exhibits “A” and “B” which are attached to this Ordinance and specifically incorporated as if fully rewritten herein; and

WHEREAS, the request for rezoning from “PF” Public Facilities District to “RMF” Residential Multi-Family District is to place the proper zoning on the property that would allow for rehabilitating the historic Osborne School building into an adaptive reuse project for affordable residential housing; and

WHEREAS, this request was heard by the Planning Commission at their October 25, 2023, meeting resulting in the Planning Commission’s recommendation to **approve** the requested Zone Map Amendment; and

WHEREAS, a public hearing on the request was held by this City Commission at their December 20, 2023, regularly scheduled meeting; and

WHEREAS, this Ordinance should be passed approving the Amendment to the Zone Map 96-01 as Codified in Section 1121.03 of the Codified Ordinances for Parcel No. 58-65001.000, located at 920 W. Osborne Street, from “PF” Public Facilities District to “RMF” Residential Multi-Family District; and

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

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

Section 1. This City Commission approves the requested rezoning and the Zone Map 96-01, as codified in Section 1121.03 of the Codified Ordinances of the

City, is hereby amended to effect the rezoning of a parcel located at 920 W. Osborne Street and identified as Parcel No. 58-65001.000, from “PF” Public Facilities District to “RMF” Residential Multi-Family District as more fully described in Exhibits “A” and “B” which are attached to this Ordinance and specifically incorporated herein.

Section 2. The City's Chief Planner is directed to make the change on the original Zoning Map on file in the Office of Planning and Zoning.

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

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

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

RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

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

Passed: December 20, 2023 (effective after 30 days)

Exhibit "A"

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

**Legal Description For:
The Board of Education of the City of Sandusky
Osborne School Parcel
1.4681 Acres**

Being a parcel of land located in part of Outlot 33, Ward 3, City of Sandusky, Erie County, Firelands Connecticut Western Reserve, State of Ohio, and further particularly described as follows:

Beginning at a 3/4" iron pipe in a monument box found at intersection of the centerlines of Prospect Street and Osborne Street (66' R/W); Thence North 88° 22' 46" West, along the centerline of Osborne Street, a distance of 672.20 feet to a point at the intersection of the centerline of Osborne Street, the west line of Outlot 31 and the east line of Outlot 33; Thence South 02° 10' 14" East, along the west line of Outlot 31 and the east line of Outlot 33, a distance of 33.07 feet to a 5/8" iron rod set at the south right of way line of Osborne Street and a northwest corner now or formerly owned by Martin Guzman as recorded in RN 201502614 of the Erie County Recorder's Office and being the principal place of beginning;

1. Thence continuing, South 02° 10' 14" East, along the east line of Outlot 33 and west lines of Outlot 31, said Guzman's land and lands now or formerly owned by Dian M. Woodruff as recorded in RN 200107594, Martin J. Migot & Pamela J. Migot as recorded in RN 201709499, David Wilken & Loretta Wilken as recorded in RN 200107234, Carolyn M. Pankow (Parcels 1 & 2) as recorded in RN 201404068, William Evan Mackenzie Uchtman as recorded in RN 202200838 and Scott S. Russell & Heather L. Russell as recorded in RN 200111615 of the Erie County Recorder's Office, a distance of 325.90 feet to a 5/8" iron rod set at a northeast corner of land now or formerly owned by Jeremy Brown as recorded in RN 202204655 of the Erie County Recorder's Office;
2. Thence North 88° 22' 46" West, along a north line of said Brown's land, a distance of 196.66 feet to a 5/8" iron rod set at a northwest corner of said Brown's land and the east right-of-way line of McDonough Street (99' R/W);
3. Thence North 02° 10' 14" West, along the east right-of-way line of McDonough Street, a distance of 325.90 feet to a 5/8" iron rod set at the intersection of the east right-of-way line of McDonough Street and the south right-of-way line of Osborne Street;

4. Thence South 88° 22' 46" East, along the south right-of-way line of Osborne Street, a distance of 196.66 feet to the principal place of beginning and containing 1.4681 acres (63,951.2449 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 Datum, Geoid 12A, by ODOT VRS.

Prior Deed Reference: Deed Volume 84, Page 460,
Deed Volume 84, Page 550,
Deed Volume 152, Page 423

All 5/8" iron rods set are 30" long rebar with yellow plastic caps stamped "C.D. ENG 8456 & 8512".

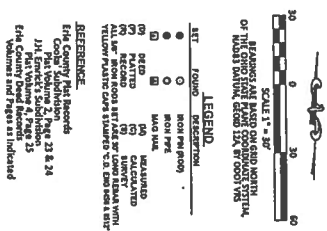
This description was prepared by Contractors Design Engineering, (Consulting Engineers and Surveyors, Norwalk, Ohio) in October 2023 per Alexander B. Etchill, Registered Surveyor No. 8512 from an actual survey performed October, 2023 on the premises by Contractors Design Engineering.





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

Michael T. Farrell
Engineer/Surveyor: Erie County Engineer's

Date: 10-31-2023



SCALE 1" = 30'		 E.C. CONTRACTORS DESIGN ENGINEERING CONSULTING, ARCHITECTURE & SURVEYORS 10000 UNIVERSITY AVE. NORWALK, OHIO 44130	
DATE: OCTOBER, 2023	BY: 	DATE: _____	BY: _____
DRAWN: DMM	PROJECT NO.: 22-459		