

**SANDUSKY CITY COMMISSION  
REGULAR SESSION AGENDA  
OCTOBER 9, 2023 AT 5 P.M.  
CITY HALL, 240 COLUMBUS AVENUE**

INVOCATION	Mr. Harris
PLEDGE OF ALLEGIANCE	
CALL TO ORDER	
ROLL CALL	M. Meinzer, W. Poole, D. Murray, D. Brady, S. Poggiali, D. Waddington, B. Harris
APPROVAL OF MINUTES	September 25, 2023 Regular Meeting
AUDIENCE PARTICIPATION	
PUBLIC HEARINGS	Rezoning 123 Division Street, Arin Blair, Chief Planner Amendment to General Business Zoning District, Arin Blair, Chief Planner
COMMUNICATIONS	Motion to accept all communications submitted below.
CURRENT BUSINESS	

**CONSENT AGENDA**

**ITEM A – Submitted by Arin Blair, Chief Planner (SECOND READING)**

**APPROVAL TO AMEND THE CODIFIED ORDINANCE FOR DOWNTOWN DESIGN REVIEW PROCESS**

**Budgetary Information:** The code change does not require funding. Historic preservation is an economic development tool that adds value to the city overall, thus having an indirect, net positive budgetary impact.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed amending Part Thirteen (Building Code), Title Five (Additional Local Provisions), Chapter 1359 (Downtown Design Review Process) of the Codified Ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

**ITEM B – Submitted by Arin Blair, Chief Planner**

**APPROVAL TO AMEND ZONING MAP FOR 123 DIVISION STREET**

**Budgetary Information:** The rezoning has no direct budgetary impact.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance amending the official zone map of the City of Sandusky to rezone the western portion of Parcel No. 57-04139.000 located at 123 Division Street from "PF" Public Facilities District to "R2F" Two-Family Residential District and the eastern portion from "PF" Public Facilities District to "LB" Local Business 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.

**ITEM C – Submitted by Alec Ochs, Assistant Planner**

**APPROVAL OF AMEND ORDINANCE FOR THE VACATION OF AN EXTENSION TO CHURCH STREET**

**Budgetary Information:** There is no impact to the general fund.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed amending Ordinance No. 22-263, passed on December 21, 2022; vacating a portion of Church Street, extending south between 4904 Ward Street and 4808 Ward Street, within the City, as set forth on the vacation plat, a copy of which is marked as exhibit "A-2", attached to this ordinance and incorporated herein; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM D – Submitted by Debi Eversole, Housing Development Specialist**

**APPROVAL TO ACCEPT 3 PARCELS INTO LAND BANK**

**Budgetary Information:** The cost of these acquisitions should be limited to transfer fees and will be paid out of the Land Bank expense account. Expenses will be recouped at the sale of the property. The taxing districts will not collect the approximate nine thousand six hundred thirty dollars (\$9,630.00) owed in delinquent taxes.

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

**ITEM E – Submitted by James Stacey, Transit Administrator**

**APPROVAL OF JOB AND FAMILY SERVICES TRANSPORTATION CONTRACT**

**Budgetary Information:** The contract stipulates that STS will be paid at a rate of \$4.50 per loaded passenger mile with the annual total invoiced not to exceed \$251,401.00. The revenue from this agreement will be used as matching grant funds for the Ohio Department of Transportation (ODOT) 5311 Program Grant.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract for transportation services between the City of Sandusky and the Board of County Commissioners of Erie County for the Department of Job and Family Services for the period of October 1, 2023, through September 30, 2024; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM F – Submitted by Aaron Klein, Public Works Director**

**APPROVAL OF MAINTENANCE OF STATE ROUTE 2 PAYMENT TO ODOT**

**Budgetary Information:** The total cost for the State Route 2 maintenance services for dates 7/1/2022 through 6/30/2023, is \$14,571.07, and will be paid from the City of Sandusky State Highway Fund.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing payment to the Treasurer of State, Ohio Department of Transportation for the maintenance of State Route 2 in the City of Sandusky by the Ohio Department of Transportation for the period of July 1, 2022, through June 30, 2023; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM G – Submitted by Josh Snyder, Public Works Engineer**

**APPROVAL TO AMEND ORDINANCE FOR BUTLER STREET AWARD**

**Budgetary Information:** The original contract with Great Lakes Demolition Company was \$890,479.50, the amendment increases the contract price by \$51.00, making the amended contract price \$890,530.50 which will be paid for out of American Rescue Plan Act Stimulus Funds.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed amending Ordinance No. 23-185, passed on September 11, 2023; authorizing and directing the City Manager to enter into a contract with Great Lakes Demolition of Clyde, Ohio, for the Butler Street Reconstruction Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM H – Submitted by Michelle Reeder, Finance Director**

**APPROVAL OF 2024 TAX BUDGET**

**Budgetary Information:** The City is required to accept the tax rates as determined by the Erie County Budget Commission. This approval establishes funding for 2024.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed accepting the amounts and rates as determined by the Erie County Budget Commission for fiscal year commencing on January 1, 2024; authorizing the necessary tax levies and certifying them to the County Auditor; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM I – Submitted by Mario D’Amico, Fire Chief**

**APPROVAL OF FIREFIGHTER CLOTHING DONATION TO EHOVE**

**Budgetary Information:** There will be no proceeds from the donation of turnout gear and accessories.

**RESOLUTION NO. \_\_\_\_\_:** It is requested a resolution be passed authorizing the disposal of used firefighting clothing as being unnecessary and unfit for City use; approving their donation to the EHOVE Career Center; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

**REGULAR AGENDA**

**ITEM 1 – Submitted by Megan Stookey, Project Manager (TABLED ITEM) Need Motion to Un-Table**

**PERMISSION TO AWARD CONTRACT FOR JAYCEE & WASHINGTON PARK PROJECT TO RMH**

**Budgetary Information:** The construction cost shall not exceed \$44,048.20 of which \$30,176.20 will be paid with funds donated from the Randolph J. & Estelle M. Dorn Foundation designated for the Sandusky Neighborhood Initiative, \$9,872.00 will be paid with funds donated from the Mylander Foundation, and \$4,000.00 will be paid with Friends of the Sandusky Greenhouse Funds donated from the Michelle Wightman and Karrie Wieber Charitable Foundation.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with RMH Concrete & Foundations, Inc. of Collins, Ohio, for the 2023 Jaycee and Washington Park Concrete Project; 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 TO AMEND GENERAL BUSINESS ZONING DISTRICT**

**Budgetary Information:** The proposed amendment has no direct budgetary impact. Any increase in housing units enabled by the change is expected to have a net positive impact on property/income revenue for the City.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance be passed amending Part Eleven (Planning and Zoning Code), Title Three (Zoning Districts and Regulations), Chapter 1133 (Business Districts), Section 1133.06 (Permitted Buildings and Uses; General Business District) of the Codified Ordinances; 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.

**ITEM 3 – Submitted by Jason Werling, Recreation Superintendent**

**APPROVAL OF LETTER OF INTENT WITH AMERESCO FOR ENERGY EFFICIENCY PROGRAM**

**Budgetary Information:** In the event Ameresco is successful in securing the grant on behalf of the City of Sandusky, it is agreed that the City will partner with Ameresco on implementation of the agreed upon scope of work, not to exceed \$260,880 with all but \$10,880 being reimbursed by the State of Ohio Community Grant funds. Funds not reimbursed by the State of Ohio will be covered by Issue 8 Capital Projects Fund.

**ORDINANCE NO. \_\_\_\_\_:** It is requested an ordinance authorizing and directing the City Manager to enter into a letter of intent with Ameresco Inc. of Worthington, Ohio, for services relating to securing an Energy Efficiency Program for Ohio Communities Grant through the Ohio Department of Development for energy conservation & facility improvement measures for certain City buildings; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM 4 – Submitted by Josh Snyder, Public Works Engineer

PERMISSION TO AWARD CONTRACT FOR COLUMBUS AVENUE UNDERPASS TO SCHIRMER

**Budgetary Information:** The construction cost shall not exceed \$527,785.00, which shall be paid with American Rescue Plan Act (ARPA) Stimulus Funds.

**ORDINANCE NO. 23-194:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Schirmer Construction LLC of North Olmsted, Ohio, for the 2023 Underpass Rehabilitation at Columbus Avenue Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

CITY MANAGER’S REPORT

OLD BUSINESS

NEW BUSINESS

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

EXECUTIVE SESSION(S)

ADJOURNMENT

Online: [www.CityofSandusky.com/Live](http://www.CityofSandusky.com/Live) – Click “Play” 



## COMMUNITY DEVELOPMENT

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Sandusky, Ohio 44870

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[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager  
From: Arin Blair, Chief Planner  
Date: September 13, 2023  
Subject: **Commission Agenda Item – Proposal to amend the Codified Ordinance of Sandusky, Ohio, Chapter 1359, Downtown Design Review Process**

**ITEM FOR CONSIDERATION:** Proposal for an amendment to the Downtown Design Review Process ordinance, Chapter 1359 of the Codified Ordinance of Sandusky to align with the Landmark Preservation Ordinance, Chapter 1161 and enable the adoption of the upcoming, updated Historic Preservation Design Guidelines.

**BACKGROUND INFORMATION:** The preservation of our historic structures and design review of new improvements downtown are paramount to retaining the historic character and economic value of our city's core. In 2015, the City of Sandusky adopted the Landmark Preservation Ordinance (chapter 1161 in the Planning & Zoning Code). This ordinance established the Landmark Commission, their duties and procedures, and the process of granting Certificates of Appropriateness for changes to the exterior of structures on the National Register of Historic Places or within a Historic District.

The Landmark Commission uses the Sandusky Preservation Design Guidelines to review cases for appropriate changes according to the guidelines and the Secretary of the Interior Standards for the Treatment of Historic Properties. The current Sandusky Preservation Design Guidelines were developed in 2007 for use in the Downtown Design Review Process, chapter 1359 of the Building Code, which was adopted in 1998. The guidelines have not been updated since the creation of Landmark Preservation ordinance, and therefore contain conflicting and inaccurate direction for applicants seeking a Certificate of Appropriateness to make improvements to downtown and historic buildings.

In 2022, the city was awarded a Certified Local Government grant from the State Historic Preservation Office. The grant application promised to edit any conflicting or inaccurate information, add guidance for new development and construction, and overall ensure the guidelines adhere to contemporary historic preservation practices most relevant to Sandusky.

**SUMMARY OF PROPOSED CHANGES:** The Community Development Department proposes to amend the Downtown Design Review District ordinance to enable the upcoming adoption of the updated preservation design guidelines. Our ordinances must first be in alignment before the guidelines document is able to clearly direct applicants through the review process.

The proposed update to the Downtown Design Review District is summarized as follows:

- Retains the physical boundaries of the Downtown Design Review District as originally established.
- Reduces the volume of text in the ordinance by pointing to the Landmark Preservation chapter as much as possible for definitions, process, and administration.



- Establishes the Landmark Commission as the advisory body for Downtown Review District cases as needed.
- Amends the process for adopting preservation design guidelines to a formal adoption by City Commission following a recommendation from Landmark Commission.

The Landmark Commission regularly meets each month, and its members are deeply familiar with the preservation design guidelines and process for reviewing applications for a Certificate of Appropriateness. Their expertise and experience make them the most appropriate reviewing body for these cases and the guiding documents of downtown design review and historic preservation in the city.

**BUDGETARY INFORMATION:** The code change does not require funding. Historic preservation is an economic development tool that adds value to the city overall, thus having an indirect, net positive budgetary impact.

**ACTION REQUESTED:** It is requested that City Commission approve the proposed amendment to the Downtown Design Review Process, Chapter 1359 of the Codified Ordinance of Sandusky.

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Arin Blair, AICP, Chief Planner

I concur with this recommendation.

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John Orzech, City Manager

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Colleen Gilson, Community Development Director

Cc: Cathy Myers, Clerk of City Commission  
Michelle Reeder, Finance Director  
Justin Harris, Interim Law Director

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

**AN ORDINANCE AMENDING PART THIRTEEN (BUILDING CODE), TITLE FIVE (ADDITIONAL LOCAL PROVISIONS), CHAPTER 1359 (DOWNTOWN DESIGN REVIEW PROCESS) OF THE CODIFIED ORDINANCES OF THE CITY OF SANDUSKY, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW.**

**WHEREAS**, the City Commission amended the Planning and Zoning Code with the adoption of new Chapter 1161 (Landmark Preservation) by Ordinance No. 15-161, passed on November 23, 2015, to establish the Landmark Commission, their duties and procedures, and the process of granting Certificates of Appropriateness for changes to the exterior of structures on the National Register of Historic Places or within a Historic District; and

**WHEREAS**, the Landmark Commission uses the Sandusky Preservation Design Guidelines to review cases for appropriate changes according to the guidelines and the Secretary of the Interior Standards for the Treatment of Historic Properties; and

**WHEREAS**, the current Sandusky Preservation Design Guidelines were developed in 2007 for use with Chapter 1359 (Downtown Design Review Process), which was adopted in 1998 and the guidelines have not been updated since the creation of Chapter 1161 (Landmark Preservation), and therefore contain conflicting and inaccurate direction for applicants seeking a Certificate of Appropriateness to make improvements to downtown and historic buildings; and

**WHEREAS**, in February of 2022, the City applied to the Ohio History Connection for a Certified Local Government Grant through the State Historic Preservation Office to update the Sandusky Preservation Design guidelines and subsequently, this City Commission accepted funds in the amount of \$18,800.00 by Ordinance No. 22-136, passed on July 25, 2022; and

**WHEREAS**, this City Commission authorized an Agreement for Professional Services with Designing Local, LTD, of Columbus, Ohio, for the Sandusky Preservation Design Guidelines Update Project by Ordinance No. 23-010-passed on January 23, 2023; and

**WHEREAS**, the proposed amendments to Chapter 1359 are to eliminate the inconsistencies within the Chapter in preparation for the updated Preservation Design Guidelines to be adopted; 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 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. Part Thirteen (Building Code), Title Five (Additional Local Provisions), Chapter 1359 (Downtown Design Review Process) of the Codified Ordinances of the City of Sandusky be amended as follows:

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

CHAPTER 1359 Downtown Design Review Process

- 1359.01 Establishment of ~~Downtown Design Review Committee~~ **Landmark Commission as the Advisory Body for Downtown Design Review.**
- 1359.02 Purpose. 1359.03 Definitions.
- 1359.04 Downtown Design Review District boundaries.
- ~~1359.05 Members; terms; compensation.~~
- ~~1359.06~~ ~~Organization, rules and~~ **Design guidelines.**
- ~~1359.07~~ Duties of the ~~Review Committee~~ **Landmark Commission for Downtown Design Review.**
- ~~1359.08~~ Limitations on issuance of building permits, sign permits and certificates of zoning compliance.
- ~~1359.09~~ Issuance of certificates of appropriateness.
- ~~1359.10~~ Criteria for evaluating applications for certificates of appropriateness.
- ~~1359.10~~ Limitations on landscaping.
- ~~1359.11~~ Existing sign limitations.
- ~~1359.12~~ Certificate of appropriateness required for new signs.
- ~~1359.13~~ Exclusions.
- ~~1359.14~~ **Enforcement, penalties, and appeals.** ~~Inspection and order for removal of violation.~~
- ~~1359.16~~ ~~Appeal from decision of the Review Committee.~~
- ~~1359.99~~ ~~Penalty.~~

**1359.01 ESTABLISHMENT OF ~~DOWNTOWN DESIGN REVIEW COMMITTEE~~ LANDMARK COMMISSION AS THE ADVISORY BODY FOR DOWNTOWN DESIGN REVIEW.**

In recognition of the need for the establishment of a public advisory committee to advise upon the changes to structures and objects in the Downtown Design Review District when staff of the Community Development Department cannot resolve problems with applications for Certificates of Appropriateness, the ~~Downtown Design Review Committee is hereby established to replace the original Downtown Design Review Board. This committee~~ **Landmark Commission (as defined in Chapter 1161) is hereby established as the advisory body. The Landmark Commission** will be available for special meetings, as needed, to be called by the Community Development Department. (~~Ord. 98-197. Passed 8-10-98.~~)

**1359.02 PURPOSE.**

The City Commission, being mindful of the proud history of this community and of the importance of beauty in the everyday lives of our citizens, declares as a matter of public policy that the preservation, restoration, rehabilitation and overall aesthetic improvement of our community are matters of public necessity involving the health, safety, prosperity and welfare of the people. In the last decade, the importance of assisting private property owners in creating a cohesive and attractively designed downtown area has been impressed upon the public sector. The economic health of an area is reflected by the appearance of the "heart" of that area, its downtown. Therefore, the purpose of this chapter is to:

- (a) Maintain and enhance the distinctive character of the Downtown by safeguarding the architectural integrity of the various period structures within it, and to prevent intrusions and alterations within this district that would be incompatible with this established character.
- (b) Maintain and enhance the distinctive character of the properties in the Downtown by safeguarding the architectural integrity of the various period structures.
- (c) Provide for a means of design review for other aspects of community development within the Downtown area that will be of any assistance in achieving a more pleasing environment for the residents of and visitors to the City, as well as prospective businesses and developers.

(Ord. 98-197. Passed 8-10-98.)

**1359.03 DEFINITIONS.**

**Terms herein follow definitions as established in Chapter 1161 as applicable.** The following definitions shall apply only to the provisions of the Downtown Design Review Regulations:

- ~~(a) "Alter" or "alteration" means any material change in the external architectural features of any property which lies within the Downtown Design Review District, including landscaping of real property and demolition as defined herein.~~
- ~~(b)~~ **(a)** "Applicant" means any owner, owners, person, persons, association, partnership, or corporation, including governmental bodies, who applies for a Certificate of Appropriateness in order to undertake any change on property subject to this chapter.
- ~~(c) "Change" means any exterior alteration, removal, or construction involving any property subject to the provisions of this chapter including signs.~~
- ~~(d) "Demolition" shall mean the removal of a building or portion of a building which shall result in exposing a structure or a portion of a structure which was not designed or intended to be an exterior facade.~~
- (e)** "Property" means any place, building, structure, work of art, fixture, or

similar object, but shall not include real property unless expressly provided.

- (fc) "Landscaping" means only such major landscaping work that is to be on open tracts of land, parking lots, streets, alleys, and other large open areas, but not including the planting or arrangement of flowers and plants incidental to the enhancement of single properties.

~~(g) "Member" means any member of the Review Committee.~~

~~(hd) "Owner" means the owner or owners of record.~~

~~(i) "Review Committee" means the Downtown Design Review Committee established under the provisions of these Codified Ordinances.~~

~~(Ord. 98-197. Passed 8-10-98.)~~

#### **1359.04 DOWNTOWN DESIGN REVIEW DISTRICT BOUNDARIES.**

The Downtown Design Review District boundaries are Sandusky Bay on the north, Hancock Street on the east, Washington Street on the south, and Decatur Street on the west. All properties within such boundaries and all properties fronting on the opposite side of Washington, Decatur, and Hancock Streets are subject to the regulations of this chapter.

~~(Ord. 98-197. Passed 8-10-98.)~~

#### **~~1359.05 MEMBERS; TERMS; COMPENSATION.~~**

~~\_\_\_\_\_The Downtown Design Review Committee, hereinafter referred to as the Review Committee, shall consist of three to six members. One member shall always be a member of the Planning Commission. The remaining members shall be recommended to the City Commission for appointment to the Review Committee by the Community Development Department. The following membership requirements are:~~

~~(a) All members shall be residents of Erie County and at least three shall reside in the City.~~

~~(b) Of the membership, at least one member shall be a professional qualified in the field of architecture, planning, law, history, design, or art.~~

~~(c) At least one member shall be a property owner and/or business owner/ manager located within the District.~~

~~(d) Each member shall serve a term of three years.~~

~~(e) The members shall serve without compensation from the City and may be removed for just cause by the City Commission.~~

~~(Ord. 98-197. Passed 8-10-98.)~~

#### **1359.056 ORGANIZATION, RULES, AND DESIGN GUIDELINES.**

~~\_\_\_\_\_The Community Development Department shall assist the Review Committee with the development of rules of procedure for its special meetings, as called by the Community Development Department. Before the adoption of such rules of procedure, such rules shall be submitted to the Planning Commission for~~



~~review and approval.~~

The Review Process will ~~continue to use~~ the Secretary of the Interior's Standards for Rehabilitation, Title 38 of the Code of Federal Regulations, Part 1208, and ~~other~~ guidelines as **recommended for adoption by the Landmark Commission and formally adopted by the City Commission.** ~~may be appropriate. Any additional guidelines shall be submitted to the Planning Commission for their approval.~~  
(Ord. 98-197. Passed 8-10-98.)

**1359.067 DUTIES OF THE ~~REVIEW COMMITTEE~~ LANDMARK COMMISSION FOR DOWNTOWN DESIGN REVIEW.**

~~The Review Committee shall meet~~ **Downtown Design Review cases**, as necessary, **shall be reviewed as agenda items** at ~~special meetings regularly scheduled~~ **Landmark Commission meetings, as determined** ~~called~~ by the Community Development Department.; **The role of the Landmark Commission in these cases is** to act as an advisory committee to the Community Development Department regarding problems concerning applications for Certificates of Appropriateness.  
(Ord. 98-197. Passed 8-10-98.)

**1359.078 LIMITATIONS ON ISSUANCE OF BUILDING PERMITS, SIGN PERMITS, AND CERTIFICATES OF ZONING COMPLIANCE.**

No permits which require a Certificate of Appropriateness shall be issued through otherwise established procedures, under the Zoning Code or Building Code, within the Downtown Design Review District, except in cases coming under Section 1359.134, unless the application for such permit is approved by the Community Development Department through issuance of a Certificate of Appropriateness in the manner prescribed herein.

No sign permit shall be issued by the Community Development Department or through otherwise established procedures for any sign to be erected or placed within the Downtown Design Review District unless a Certificate of Appropriateness has been issued for that sign in the manner prescribed herein.  
(Ord. 98-197. Passed 8-10-98.)

**1359.089 ISSUANCE OF CERTIFICATES OF APPROPRIATENESS.**

When the owner of a property within the Downtown Design Review District desires to make any change to the exterior of the property other than ordinary maintenance, and those changes involve construction, reconstruction, or alteration of any property, structure, tree, sign, area, or object within the District, including the changing of any exterior color or building material, such owner or his agent shall first secure a Certificate of Appropriateness from the Community Development Department, unless such property is exempt in accord with the exclusions permitted in Section 1359.134. Such exemptions shall be determined by the Community Development Department.

Applications for Certificates of Appropriateness shall be filed with the Community Development Department who shall, prior to issuance of any permits, review the application for compliance with the ~~Design Review Standards~~ **preservation design guidelines as established in 1161.07(g)**. If the application is acceptable, the Director of the Community Development Department will approve the Certificate of Appropriateness within ~~five days~~ **a reasonable timeframe** of receipt of the application. If the application is not acceptable, the Community Development Department will work with the owner of the property to resolve the problem. If resolution of the problem cannot be achieved, ~~a special meeting of the Review Committee~~ **the items will be heard as part of the agenda of the next regularly scheduled Landmark Commission meeting.** ~~will be scheduled as soon as possible, but not later than thirty calendar days from the date of the original denial of the Certificate of Appropriateness.~~

Any changes agreed to by the ~~Review Committee~~ **Landmark Commission** and the owner shall be in accordance with the guidelines of the Design Review Process and once consensus is reached, the Director of the Community Development Department will approve the Certificate of Appropriateness with conditions or changes noted. A record of the Certificate of Appropriateness will remain on file in the Community Development Department.  
(~~Ord. 98-197. Passed 8-10-98.~~)

**1359.0910 CRITERIA FOR EVALUATING APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS.**

- ~~(a)~~ In considering the appropriateness of any changes, including signs and tree removal, the Community Development Department shall **consider the following standards created by the U.S. Department of the Interior, including:**
- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment;**
  - (2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided;**
  - (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken;**
  - (4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved;**
  - (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be**

preserved;

- (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence;
- (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible;
- (8) Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken;
- (9) New additions, exterior, alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment; and
- (10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

~~take into account the historical and architectural value and significance, architectural style and general design, arrangement, texture, material, and color of the proposed change and the relation thereof to the same or related factors in other properties, objects, and areas in the immediate vicinity.~~

~~Attention shall be taken to avoid the environmentally harmful effect often created by the clash of disguised contemporary materials with those of older origin, such as aluminum or other metals, plastics, fiberglass, and glass improperly used with brick, stone, masonry, and wood.~~

~~The Community Development Department shall favor the use of authentic and traditional earth colors and trim colors as opposed to colors of contemporary origin.~~

- (b) In considering a demolition request the Community Development Department shall not be charged with the review of the appropriateness of demolition in lieu of renovation but shall review the site characteristics and impacts on adjacent buildings as the result of the demolition.

Attention shall be paid to the facades of the adjacent structures which may not have been designed to be exterior elements. It shall be the responsibility of the property owner doing the demolition to make arrangements with adjacent property owners to repair, renovate, or replace the facade treatment affected by the demolition in conformance with the requirements of subsection (a) hereof.

The Community Development Department shall also review each demolition for the impacts said act would have on the site and the proposed use of the site after demolition. The Community Development Department may require landscaping in conformance with Section 1359.101 or other such elements to ensure the property relates appropriately to the immediate vicinity.  
(Ord. 98-197. Passed 8-10-98.)

**1359.101 LIMITATIONS ON LANDSCAPING.**

No landscaping, as defined in these Design Review Regulations, shall be performed in the Downtown Design Review District unless a Certificate of Appropriateness has first been issued.  
(Ord. 98-197. Passed 8-10-98.)

**1359.112 EXISTING SIGN LIMITATIONS.**

Although signs which were in place prior to the passage of this chapter are not subject to review, if any business they relate to closes, the signs shall be removed within thirty calendar days of the last day of that business. The property owner is responsible for applying to the Community Development Department for a Certificate of Appropriateness for any subsequent treatment of that space unless it meets the exemptions as defined in Section 1359.134.  
(Ord. 98-197. Passed 8-10-98.)

**1359.123 CERTIFICATE OF APPROPRIATENESS REQUIRED FOR NEW SIGNS.**

As has been provided under the provisions of this chapter, a Certificate of Appropriateness shall be obtained for any new sign an applicant wishes to erect or place within the Downtown Design Review District. The Certificate of Appropriateness shall be obtained prior to the issuance of any required sign permit by the Community Development Department.  
(Ord. 98-197. Passed 8-10-98.)

**1359.13 14 EXCLUSIONS.**

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any property, area, or object within the Downtown Design Review District or otherwise listed under the provisions of this chapter, provided such work involves no change in material, design, texture, color, or outer appearance; nor shall anything in this chapter be construed to prevent any change, including the construction, reconstruction, or alteration of any feature which in the

view of the Community Development Department acting lawfully is required for the public safety because of an unsafe or dangerous condition.

(Ord. 98-197. Passed 8-10-98.)

**~~1359.1415 INSPECTION AND ORDER FOR REMOVAL OF VIOLATION ENFORCEMENT, PENALTIES, AND APPEALS.~~**

~~Enforcement, penalties, and appeals procedures shall follow those stated in Sections 1161.09 and 1161.10. Either or both the Director of the Community Development Department or the Building Official or their designee is empowered to inspect, examine, and to order in writing the remedy of any condition found to exist in violation of any provision of this chapter. After an order to remedy such violation is served or posted on the premises, no work, except to correct the violation or comply with the order, shall proceed on any building or tract of land included in the violation. Compliance time for such violation is seventy two hours.~~

~~(Ord. 98-197. Passed 8-10-98.)~~

**~~1359.16 APPEAL FROM DECISION OF THE REVIEW COMMITTEE.~~**

~~———— In the case of a denied Certificate of Appropriateness, the Review Committee shall attempt to work out an alternative plan with the owner or his agent that is acceptable to all parties. If the Review Committee and the owner are unable to work out an alternative plan, or if the owner does not wish to take this action, the owner may take the written decision of denial from the Review Committee and make an appeal to the Zoning Board of Appeals in accordance with Chapter 1111 of the Zoning Code.~~

~~(Ord. 98-197. Passed 8-10-98.)~~

**~~1359.99 PENALTY.~~**

~~———— Whoever constructs, reconstructs, alters, or changes any exterior feature of any property, area, or object in violation of these Design Review Regulations, or whoever maintains, changes, or installs a sign in violation of these regulations, shall be deemed in violation of these Regulations and such violation shall be considered a misdemeanor of the third degree. Each and every day such violation is continued or permitted to exist without compliance shall constitute a separate violation, punishable upon conviction in the manner prescribed in this section.~~

~~(Ord. 98-197. Passed 8-10-98.)~~

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

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this ordinance were



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

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

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

ATTEST: \_\_\_\_\_  
CATHY MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023 (effective after 30 days)



## DEPARTMENT of COMMUNITY DEVELOPMENT

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

**To:** John Orzech, City Manager

**From:** Arin Blair, Chief Planner

**Date:** September 26, 2023

**Subject:** October 9, 2023 Agenda Item –Application for an amendment to the zoning map for 123 Division Street, parcel 57-04139.000)

**Item for Consideration:** Application for an amendment to the zoning map for parcel 57-04139.000 to rezone the western portion of the property from PF – Public Facilities to R2F – Two Family Residential and the eastern portion of the property from PF – Public Facilities to LB – Local Business. Per the conditions of the motion, the zoning districts to follow the proposed parcel lines of a lot split currently in process.

**Purpose:** The Bicentennial Vision/ Comprehensive Plan outlines the citywide development for the next ten (10) years. In general, zoning amendments should align with the proposed land uses stated in a Comprehensive Plan. Therefore, the Comprehensive Plan is utilized by staff as one factor when evaluating proposed amendments.

**Background Information:** Dr. John M. Davenport has applied for a rezoning of the property currently zoned PF – Public Facilities. The parcel was originally a church facing Wayne Street with a parish house constructed to the west facing Division Street. A lot split is currently in process to split the parcel between the two structures. The rezoning application proposes to rezone the western portion of the property, that contains a residential structure, to R2F -Two Family Residential to be in harmony with the surrounding R2F residential district. The rezoning application proposed to rezone the eastern portion of the property to LB – Local Business to be in harmony with the use of the structure as a local business. The rezoning of these parcels will enable the independent ownership of either structure and will bring the existing land uses into conformity with the zoning.

At their regularly scheduled meeting, held on August 23, 2023, Planning Commission recommended approval of the rezoning. A condition of the Planning Commission recommendation of approval is that the new zoning districts align with the parcel lines as drawn in the lot split that is in progress.

**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.

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 destination city.

**Budgetary Impact:** The rezoning has no direct budgetary impact.

**Action Requested:** It is requested that City Commission approve the proposed amendment for parcel 57-04139.000 to rezone the western portion of the property from PF – Public Facilities to R2F – Two Family Residential and the eastern portion of the property from PF – Public Facilities to LB – Local Business, with the dividing boundary set by the new parcel lines defined in the pending lot split. It is further requested that this ordinance take effect under Section 13 of the City Charter.

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Arin Blair  
Chief Planner

I concur with this recommendation:

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John Orzech  
City Manager

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Colleen Gilson  
Community Development Director

cc: Cathy Myers, Clerk of City Commission  
Michelle Reeder, Finance Director  
Justin Harris, Interim Law Director

CITY OF SANDUSKY, OHIO  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
PLANNING DIVISION

# PLANNING COMMISSION REPORT

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APPLICATION FOR A MAP AMENDMENT TO THE  
ZONING MAP AT 123 DIVISION ST. (PARCEL 57-  
04139.000)

Reference Number: PRZ23-0002

Date of Report: August 13, 2023

Report Author: Alec Ochs, Assistant Planner



# City of Sandusky, Ohio

## Planning Commission Report

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### BACKGROUND INFORMATION

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Property Owner: Dr. John M. Davenport  
2818 N. Coho Dr.  
Port Clinton, OH 43452

Site Location: 123 Division St.  
Sandusky, OH 44870

Current Zoning: PF – Public Facilities

Proposed Zoning: Parcel 1: R2F – Two Family Residential  
Parcel 2: LB – Local Business

Adjacent Zoning: North: R2F – Two Family Residential  
CS – Commercial Services  
East: R2F – Two Family Residential  
South: R2F – Two Family Residential  
West: CS – Commercial Services

Existing Use: Residential / Business

Proposed Use: Residential / Business

Applicable Plans & Regulations: City of Sandusky Bicentennial Comprehensive Plan  
City of Sandusky Planning and Zoning Code Chapters:  
1113 Amendments, 1129 Residential, Districts, 1133  
Business Districts



SITE PICTURES

Subject Parcels 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



Bird eye photo from (3/7/2023)





Street View from 10/2021 looking westward on Division St.



Street View from 10/2021 looking eastward on Division St.



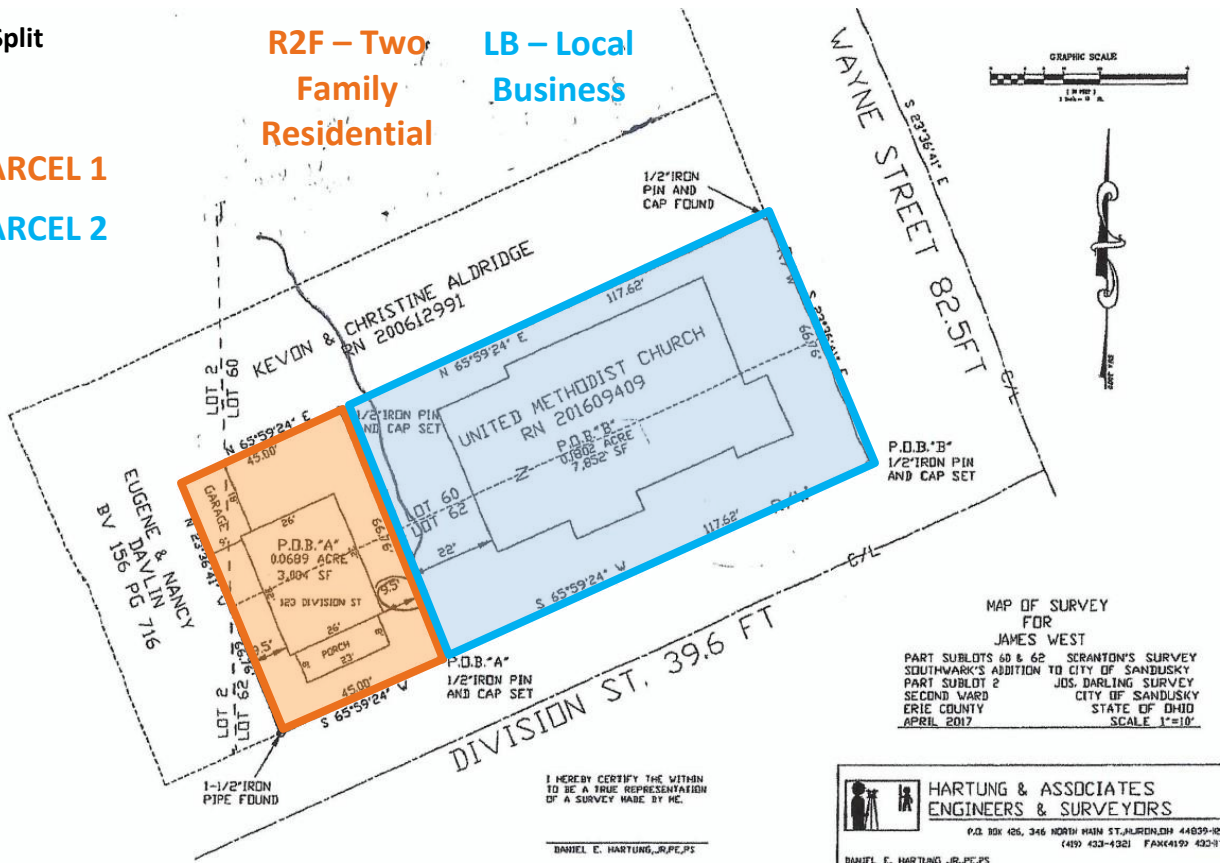
Lot Split

PARCEL 1

PARCEL 2

R2F – Two  
Family  
Residential

LB – Local  
Business



#### PROJECT DESCRIPTION

The existing parcel of 123 Division St. currently has both a residential structure and an old church that is now being used for a business on one parcel.

The applicant is proposing to split the parcel at 123 E. Division St. The owner plans to create two lots, one for the existing residential structure (parcel 1) and one for the structure currently housing the *Halo Live* venue (parcel 2). As part of this proposal, the applicant is proposing to re-zone both the proposed parcels 1 and parcel 2. Parcel one is proposed to be re-zoned to R2F – Two Family Residential. Parcel 2 is proposed to be re-zoned to LB – Local Business. Both zoning category's more appropriately reflect the existing uses of the structures. On parcel 1, the housing structure is used as a residential home as an accessory uses/structure to the previous church. What was once a church on the Corner of Division St. and Wayne is no longer being used as a church. Instead it is a mixed-use site comprising of a recording studio and venue.

#### APPLICABLE CODE SECTIONS

#### CHAPTER 1113 Amendments

Chapter 1113 Amendments, of the Zoning Code states that the Zoning Map may be amended periodically in order to keep it abreast of new zoning techniques, as well as when the following general conditions arise:

- (1) Whenever a general hardship prevails throughout a given district;
- (2) Whenever a change occurs in land use, transportation, or other sociological trends, either within or surrounding the community; and
- (3) Whenever extensive developments are proposed that do not comply but would be in the public interest.

## **CHAPTER 1129**

### **Residential Districts**

#### **1129.03 SCHEDULE OF PERMITTED BUILDINGS AND USES.**

R2F	1 Fam. Dw.	4,300	33	25	3	10	40	2	30
	2 Fam. Dw.	2,750	40	25	3	10	40	2	30

## **CHAPTER 1133**

### **Business Districts**

#### **1133.04 PERMITTED BUILDINGS AND USES; LOCAL BUSINESS DISTRICT.**

##### **(a) Main Buildings and Uses.**

- (1) Dwellings, of the type permitted and as regulated in the least restrictive contiguous district;
- (2) Retail stores and services conducted wholly within enclosed buildings, and devoted to supplying neighborhood needs to the following limited extent:
  - A. The sale of baked goods, confectionery, groceries, meats, fruits, vegetables, and dairy products.
  - B. The sale, serving, and consumption of soft drinks, juices, ice cream, beer, and wine, at such places as lunchrooms and tea rooms;
  - C. The sale of drugs, gifts, antique and art goods, flowers, periodicals, musical instruments and supplies (provided no loudspeaker broadcasts onto the street), tobacco, and sporting and athletic goods;
  - D. The sale of tools, paint, seed, garden supplies, and household appliances;
  - E. Personal services, such as beauty and barber shops, laundry agencies, laundromats, shoe and hat repair, radio and television repair, interior decorating, tailor, pressing and dry cleaning shops in which only nonexplosive and nonflammable solvents are used, provided that not more than one pressing or cleaning machine shall be used, or not more than 2 persons are engaged in such work, and no work shall be done on the premises for retail outlets elsewhere;
  - F. Automotive service stations; the sale of gasoline and oil, and the parking of automobiles are permitted in open areas. Services are limited to lubrication and minor repairing services, and only where performed wholly within an enclosed building;



G. Principal offices for dentists, doctors, and similar professions, financial institutions, and principal offices of real estate and similar businesses.

(3) Brewpub.

(b) Similar Main Uses. Any other retail neighborhood store, shop, service, or office not listed above, or in any subsequent use classification, and determined as similar by the Commission according to standards set forth in Section [1109.11](#). Main uses set forth in the General Business District may be permitted in a Local Business District if a conditional use permit is granted.

(c) Accessory Buildings or Uses.

(1) Accessory off-street parking and loading facilities as required and as set forth in Chapter [1149](#);

(2) Any accessory use such as the storage of goods and processing operations clearly incident to the conduct of a retail business or personal service establishment permitted as main uses, provided such a use has no injurious effect on adjoining residential districts.

(Ord. 15-201. Passed 12-28-15.)

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#### DIVISION OF PLANNING COMMENTS

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Rezoning applications for zone map amendments are evaluated based on the current/desired land use of the applicant and the broader perspective of whether the zoning change makes sense for the expected future land use of the site and the surrounding parcels.

##### **Parcel 1**

The existing parcel is adjacent to a parcel zoned R2F – Two Family Residential both on Division St across the street and north of the site. Staff understands the house is currently a 1-unit structure. Staff has determined that expanding the R2F – Two Family Zoning District to parcel 1 is appropriate to be in harmony with surrounding two-family zoned parcels.

##### **Parcel 2**

A rezoning to LB – Local Business is the minimum zoning intervention to get the current land use in conformity with its zoning district. LB districts are commonly on corner properties with neighboring residential properties throughout the city. The LB – Local Business Zoning District is designed to provide and supply the nearby neighborhood's needs. Because of this objective, the LB – Local Business Zoning Districts appropriate for this site, as it is currently functioning as a local business and neighborhood destination

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

##### **1) Livable City: Top Priorities (summarized)**

- a) Preserve historic and intact housing stock and maintain quality of life in the neighborhood.

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 destination city.

The rezoning of these parcels will enable the independent ownership of either structure and will bring the existing land uses into conformity with the zoning.

The decision in this case is a factor of weighing the following:

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**OTHER DEPARTMENT COMMENTS**

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**Engineering Staff:**

The Engineering Department has no objections.

**Building Staff:**

No objections have been received as of the writing of this report.

**Police Department:**

No objections have been received as of the writing of this report.

**Fire Department:**

No objections have been received as of the writing of this report.

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**CONCLUSION/RECOMMENDATION**

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Staff recommends approval of the proposed amendment to the Zoning Map at 123 Division St. (Parcel 57-04139.000) with the following conditions:

1. All applicable permits must be obtained through the Building Department, Engineering Department, and any other applicable agency prior to transient occupancy.
2. The new Zoning Districts aligns metes and bounds with the future new parcels.



## PLANNING COMMISSION

### Application for Zoning Map Amendment

Division of Planning  
240 Columbus Ave  
Sandusky, Ohio 44870  
419.627.5891  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

#### APPLICANT/AGENT INFORMATION:

Property Owner Name: DR. JOHN M. DAVENPORT

Property Owner Address: 2818 N. COHO DR.  
PORT CLINTON, OHIO 43452

Property Owner Telephone: 419-349-6177

Email: COLONELGRASH@yahoo.com

Authorized Agent Name: \_\_\_\_\_

Authorized Agent Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Authorized Agent Telephone: \_\_\_\_\_

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

#### LOCATION AND DESCRIPTION OF PROPERTY:

Municipal Street Address: 1) 123 DIVISION ST. SANDUSKY OH. HOUSE  
2) 806 WAYNE ST. SANDUSKY OH. CHURCH

Legal Description of Property (check property deed for description):

SEE ATTACHED

Parcel Number: 57-68015.000 Zoning District: \_\_\_\_\_

DETAILED SITE INFORMATION:

Land Area of Property: 10,856 (sq. ft. or acres) HOUSE 3004  
CHURCH 7852

Total Building Coverage (of each existing building on property):

Building #1: 975 (in sq. ft.) HOUSE

Building #2: 3700 CHURCH

Building #3: \_\_\_\_\_

Additional: \_\_\_\_\_

Total Building Coverage (as % of lot area): PRESENT HOUSE 9% CHURCH 35%  
FUTURE HOUSE 32% CHURCH 47%

Gross Floor Area of Building(s) on Property (separate out the square footage of different uses  
- for example, 800 sq. ft. is retail space and 500 sq. ft. is storage space:

HOUSE N/A  
CHURCH: RECORDING STUDIO 25%  
ENTERTAINMENT AREA 50%  
BAR AREA 25%

Proposed Building Height (for any new construction): N/A

Number of Dwelling Units (if applicable): 112

Number of Off-Street Parking Spaces Provided: HOUSE 2  
CHURCH N/A

Parking Area Coverage (including driveways): \_\_\_\_\_ (in sq. ft.)  
HOUSE 378

Landscaped Area: \_\_\_\_\_ (in sq. ft.)

Requested Zoning District Classification: HOUSE R2F  
CHURCH LB

**APPLICATION AUTHORIZATION:**

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

\_\_\_\_\_  
Signature of Owner or Agent\_\_\_\_\_  
Date**PERMISSION TO ACT AS AUTHORIZED AGENT:**

As owner of \_\_\_\_\_ (municipal street address of property), I hereby authorize \_\_\_\_\_ to act on my behalf during the Planning Commission approval process.

\_\_\_\_\_  
Signature of Property Owner\_\_\_\_\_  
Date**REQUIRED SUBMITTALS:**

1 copy of a site plan/off-street parking plan for property  
1 copy of the deed or legal description for property  
\$300.00 application fee

**STAFF USE ONLY:**

Date Application Accepted: \_\_\_\_\_ Permit Number: \_\_\_\_\_

Date of Planning Commission Meeting: \_\_\_\_\_

Planning Commission File Number: \_\_\_\_\_



**Planning Commission  
August 23, 2023  
Meeting Minutes**

**Meeting Called to Order**

Chair McGory called the August 23, 2023, Planning Commission meeting to order at 5:00 pm. The following Commissioners were present: Commissioner Castile, Commissioner Jackson, Chair McGory, Commissioner Poggiali, and Commissioner Zuilhof. Vice Chair Miller and Commissioner Whelan were absent. 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 July 26, 2023**

Chair McGory introduced the first item on the agenda, which was the approval of the minutes from the July 26, 2023, Planning Meeting. Commissioner Zuilhof made a motion to approve the minutes as presented and Commissioner Poggiali seconded the motion. Chair McGory called for a vote to approve the minutes as presented and the motion passed unanimously.

**Public Hearing**

**123 Division Street- Zone Map Amendment**

**Dr. John M. Davenport has submitted an application for an amendment to the zoning map for 123 Division Street (parcel 57-04139.000). The application is to amend the zoning map from PF- Public Facilities to LB- Local Business and R2F- Two Family Residential.**

Chair McGory introduced the application and asked for the Staff report. Mr. Ochs stated the applicant proposed to split the parcel at 123 E. Division St. The owner plans to create two lots, one for the existing residential structure (parcel 1) and one for the structure currently housing a venue space (parcel 2). As part of this proposal, the applicant proposed to re-zone both the proposed parcels 1 and parcel 2. Parcel one was proposed to be re-zoned to R2F – Two Family Residential. Parcel 2 was proposed to be re-zoned to LB – Local Business. Both zoning categories would more appropriately reflect the existing uses of the structures. Staff recommended the approval of the proposed amendment to the Zoning Map at 123 Division St. (Parcel 57-04139.000) with the following conditions: (1) all applicable permits were obtained through the Building Department, Engineering Department, and any other applicable agency prior to transient occupancy, (2) the new Zoning Districts aligned with metes and bounds with the future new parcels. Ms. Blair added that the property was currently one parcel and would be going through the lot split process and the rezone would bring the current use into conformance with zoning code. Chair McGory asked if the rezone would have to be subject to the lot split. Ms. Blair stated that was not required because portions of parcels could have different zoning. Commissioner Zuilhof asked if the parcels would be the same zoning. Ms. Blair stated that the parcel with the house would be zoned R2F- Two Family Residential, and the other parcel would be rezoned to LB- Local Business. Chair McGory asked if there was anyone to speak for or against the application. There was no one to speak for or against the application.



Commissioner Zuilhof made a motion to approve the application for zoning map amendment with Staff conditions. The motion was seconded by Commissioner Jackson. Chair McGory called for the vote and all Commissioners voted to approve the application.

### **New Business**

#### **3717 Venice Road- Site Plan**

**Logan Meisler, on behalf of Toft-Dairy Company, has submitted a site plan for 3717 Venice Road to build a cold storage building in a Limited Manufacturing District.**

Chair McGory introduced the application and asked for the Staff report. Mr. Ochs stated the applicant proposed to construct a new 20,700 sq. ft. freezer and convert the existing 10,269 sq. ft. freezer to dry storage. Part of this project would also widen the Venice Road curb cut for commercial vehicle traffic and construction of a new driveway & loading docks. The loading docks would be used during daylight hours only. The addition would put the total site coverage to approximately 23%, 27% under the maximum requirement of 50%. The proposed height of the expansion would be 23 feet high. The site contained 80+ parking spaces. The code called for 105 spaces. Staff talked to the applicant and determined 80+ spaces would adequately meet the parking need for the site. Staff noted that warehousing operations typically produce a minimal number of jobs or increase in customer traffic. The site should not require the amount of parking the code required, and Staff recommended waiving any additional parking requirements, and approval of the proposed site plan at 3717 Venice Rd. (parcel 60-00568.000) with the following condition: all applicable permits must be obtained through the Building Department, Engineering Department, and any other applicable agency prior to construction. Chair McGory asked the Commission if they had any questions for Staff. There were none. Chair McGory asked if there was anyone to speak on behalf of the application. Mr. Hernstein, of Feick Contractors, was present to speak on behalf of the applicant. He stated the site plan did include (7) additional parking spaces that could be developed in the future if they were needed. Commissioner Poggiali asked if there would possibly be 87 spaces. Mr. Hernstein said yes but they would not be developed unless needed. Chair McGory asked if the additional spaces were part of this proposal. Mr. Ochs stated they were not part of this application, but the Commission could make that a requirement. Commissioner Zuilhof asked about the stormwater plan. Mr. Hernstein answered it would be added to the existing system.

Commissioner Zuilhof made a motion to approve the site plan for 3717 Venice Road with Staff conditions. The motion was seconded by Commissioner Castile. Chair McGory called for a vote. The vote was called, and all Commissioners voted to approve the site plan with Staff conditions.

### **Other Business**

#### **General Business District Zoning Amendment Recommendation**

**Recommendation to amend GB- General Business District to allow multi-family residential as a main use.**

Chair McGory introduced the topic and asked for the Staff report. Ms. Blair stated Staff was proposing that the Planning Commission initiate a change in the zoning code to include multifamily residential in the list of allowed main uses in the GB- General Business Zoning District. This recommended change was based upon the findings of the Firelands Regional Housing Needs Assessment and public comment about the lack of housing options in Sandusky and surrounding areas. Ms. Blair



added that per the study Erie County was found to have a shortage of 1,637 rental housing units and 2,734 for-sale housing units. There was a demand for housing because of the needs of the current population, jobs, amenities, and walkability of the City. Ms. Blair proposed the Planning Commission recommend to City Commission an amendment to the General Business Zoning District to allow multi-family residential as a main use. This type of amendment would allow apartment buildings or mixed-use projects. Ms. Blair continued that currently the only business district that allowed multi-family residential was Downtown Business District. Commissioner Zuilhof stated that he would like to see multi-family residential, and the code referenced, so the term would be defined. Ms. Blair stated the business district section of the City's code already pointed to multi-family regulations for any building that's residential use only in a mixed-use zone and commercial building standards would apply. Commissioner Jackson asked if Ms. Blair saw this as utilization of the space that was available for residences by building onto existing commercial buildings to allow more living space. Ms. Blair answered that travel corridors were the areas that often see redevelopment and this amendment would give property owners more options for redevelopment. Commissioner Zuilhof stated that the Planning Commission should be looking to the future and long-term goals in their decisions. He continued that he was in favor of the proposed amendment to the zoning code. Chair McGory asked Staff if they were looking for a motion. Ms. Blair stated that Staff was recommending that the Planning Commission make a motion to amend the general business zoning district to include multi-family residential as a permitted main use and if the recommendation was approved by Planning Commission, it would go to City Commission for a public hearing. Commissioner Poggiali asked Ms. Blair if there was any downside to approval of this amendment. Ms. Blair stated change could be uncomfortable but that is expected with any type of development. She added transient rental was already permitted use in General Business. Sandusky has limited land area to offer more people places to live and with the current housing shortage, she didn't see a lot of downsides from this change. Commissioner Poggiali asked for clarification that transient rentals could currently go in a General Business District. Ms. Blair confirmed that was correct and this change would allow more mixed-use projects, which is how many citizens would prefer to live close to stores, gyms, and childcare centers. Commissioner Zuilhof added that zoning protected people's property rights and managed conflict between properties and this would be removing a barrier that was necessary in the past but was no longer the case. Chair McGory stated that this change would allow people to live where they were comfortable. Commissioner Poggiali stated he questioned the study results because of different factors identified in the study, such as \$300,000 homes as being affordable, the absorption rate when the population is declining/ staying the same, or if the study considered the Feick Building, Marous Development, and Redwood, and if birth/ death rates of the area were considered. Commissioner Poggiali stated many higher end units were being built and there needed to be more done on the Federal level to subsidized projects and make them more affordable. Commissioner Castile asked Ms. Blair if the Commission would still approve individual site plans if this change was adopted. Ms. Blair stated that was correct, the same site plan process would be required. Commissioner Castile stated there were properties available for the public, but the problem was the cost, many couldn't afford the properties that were available.

Commissioner Zuilhof made a motion to recommend the change of the zoning code to allow multi-family residential in the General Business zoning district. Commissioner Castile asked if the proposed language of the change was in the packet. Ms. Blair confirmed that was correct. The motion was seconded by Commissioner Poggiali. Chair McGory called for a vote. The vote



was called, and all Commissioners voted to approve the recommendation to City Commission to allow multi-family residential as a main use in the GB- General Business District.

**Adjournment**

Chair McGory made a motion to adjourn the Planning Commission Meeting and the motion was seconded by Commissioner Poggiali. The meeting adjourned at 5:47 pm.

**Next Meeting:**

September 27, 2023, at 5:00pm.

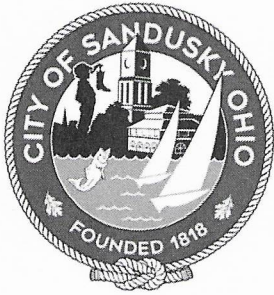
**Approved:**



Clerk



Chair/ Vice Chair



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DEPARTMENT of COMMUNITY DEVELOPMENT

*Division of Planning*  
240 Columbus Ave  
Sandusky, Ohio 44870  
419.627.5891

September 25, 2023

At the August 23, 2023 Planning Commission meeting, the Planning Commission recommends City Commission approval for the following zone map and zone text amendments:

1. 123 Division St. (parcel 57-04139.000).

An amendment to the zoning map to rezone the above-mentioned parcel from PF – Public Facilities to R2F - Two Family Residential on the western portion and LB – Local Business on the eastern portion, following the surveyed boundary lines depicted in the rezoning application.

2. General Business District Amendment

An amendment to the zoning text to amend the GB - General Business District to list RMF – Residential Multi-family as a permitted main use.

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Pete McGory  
Planning Commission Chairman

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

AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF SANDUSKY TO REZONE THE WESTERN PORTION OF PARCEL NO. 57-04139.000 LOCATED AT 123 DIVISION STREET FROM "PF" PUBLIC FACILITIES DISTRICT TO "R2F" TWO-FAMILY RESIDENTIAL DISTRICT AND THE EASTERN PORTION FROM "PF" PUBLIC FACILITIES DISTRICT TO "LB" LOCAL BUSINESS 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**, a request is being made by Dr. John M. Davenport 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. 57-04139.000, located at 123 Division Street to rezone the western portion from "PF" Public Facilities District to "R2F" Two-Family Residential District and the eastern portion from "PF" Public Facilities District to "LB" Local Business District and as more fully described in Exhibit "A" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein; and

**WHEREAS**, the existing parcel at 123 Division Street currently has both a residential structure and an old church that is being used for a business and the applicant is proposing to split the parcel to create two (2) separate lots, one for the existing residential structure (Parcel 1) and one for the structure currently housing the *Halo Live* venue (Parcel 2); and

**WHEREAS**, this request was heard by the Planning Commission at their August 23, 2023, meeting resulting in the Planning Commission's recommendation to **approve** the requested Zone Map Amendment for Parcel No. 57-04139.000 located at 123 Division Street; and

**WHEREAS**, a public hearing on the applicant's request was held by this City Commission at their October 9, 2023, regularly scheduled meeting; and

**WHEREAS**, this Ordinance should be passed under suspension of the rules in accordance with Section 13 of the City Charter approving the Amendment to the Zone Map 96-01 as Codified in Section 1121.03 of the Codified Ordinances to rezone the western portion of Parcel No. 57-04139.000 located at 123 Division Street from "PF" Public Facilities District to "R2F" Two-Family Residential District and the eastern portion from "PF" Public Facilities District To "LB" Local Business 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 Parcel No. 57-04139.000, located at 123 Division Street to rezone the western portion from "PF" Public Facilities District to "R2F" Two-Family Residential District and the eastern portion from "PF" Public Facilities District to "LB" Local Business 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

**Exhibit  
"A"**

NEW LEGAL

 <p><b>Ohio Bar Title Insurance Company</b> <small>A Subsidiary of First American Title Insurance Company</small></p>	<p><b>Commitment for Title Insurance</b></p> <p>ISSUED BY <b>Ohio Bar Title Insurance Company</b></p>
<p><b>Exhibit A</b></p>	

File No.: 4811

The Land referred to herein below is situated in the County of Erie, State of Ohio, and is described as follows:

**Parcel A:**

Being situated in the State of Ohio, County of Erie, City of Sandusky, Second Ward, Part Lots 60 & 62 Scranton's Survey of Southwark's Addition and Part Sublot 2 Joseph Darling Survey and being more definitely described as follows:

Commencing at a drill hole cut in curb, marking the intersection of the West right-of-way line of Wayne Street (82.5 ft) with the North right-of-way line of Division Street (39.6 FT); Thence South 65°59'24" West along the North right-of-way line of Division Street, a distance of 117.62 feet to a 1/2" iron pin & cap, set and the true point of beginning;

(1) Thence South 65°59'24" West continuing along said North right-of-way line, a distance of 45.00 feet to a 1 1/2" iron pipe, found, marking the Southeast corner of a parcel owned by Eugene & Nancy Davlin (BV 156 PG 716);

(2) Thence North 23°36'41" West along the east line of said Davlin parcel, a distance of 66.76 feet to a point;

(3) Thence North 65°59'24" East continuing along said East line and the South line of a parcel owned by Kevon & Christine Aldridge (RN 200612991), a distance of 45.00 feet to a drill hole cut in curb;

(4) Thence South 23°36'41" East a distance of 66.76 feet to the point of beginning, containing 0.0689 acre, more or less, of which 0.0048 acre is in Sublot 2 and 0.0295 acre is in Lot 60 and 0.0344 acre is in Lot 62, but being subject to all legal highways, easements and restrictions of record.

The above description was prepared from an actual survey by Daniel E. Hartung, Jr., Professional Surveyor No. 5667 in April 2017. The bearings were assumed only for the purpose of indicating angles.

**Parcel B:**

Being situated in the State of Ohio, County of Erie, City of Sandusky, Second Ward, Part Lots 60 & 62 Scranton's Survey of Southwark's Addition and being more definitely described as follows:

Beginning at a drill hole cut in curb, marking the intersection of the West right-of-way line of Wayne Street (82.5 FT) with the North right-of-way line of Division Street (39.6 FT);

(1) Thence South 65°59'24" West along the North right-of-way line of Division Street, a distance of 117.62 feet to a 1/2" iron pin & cap set;

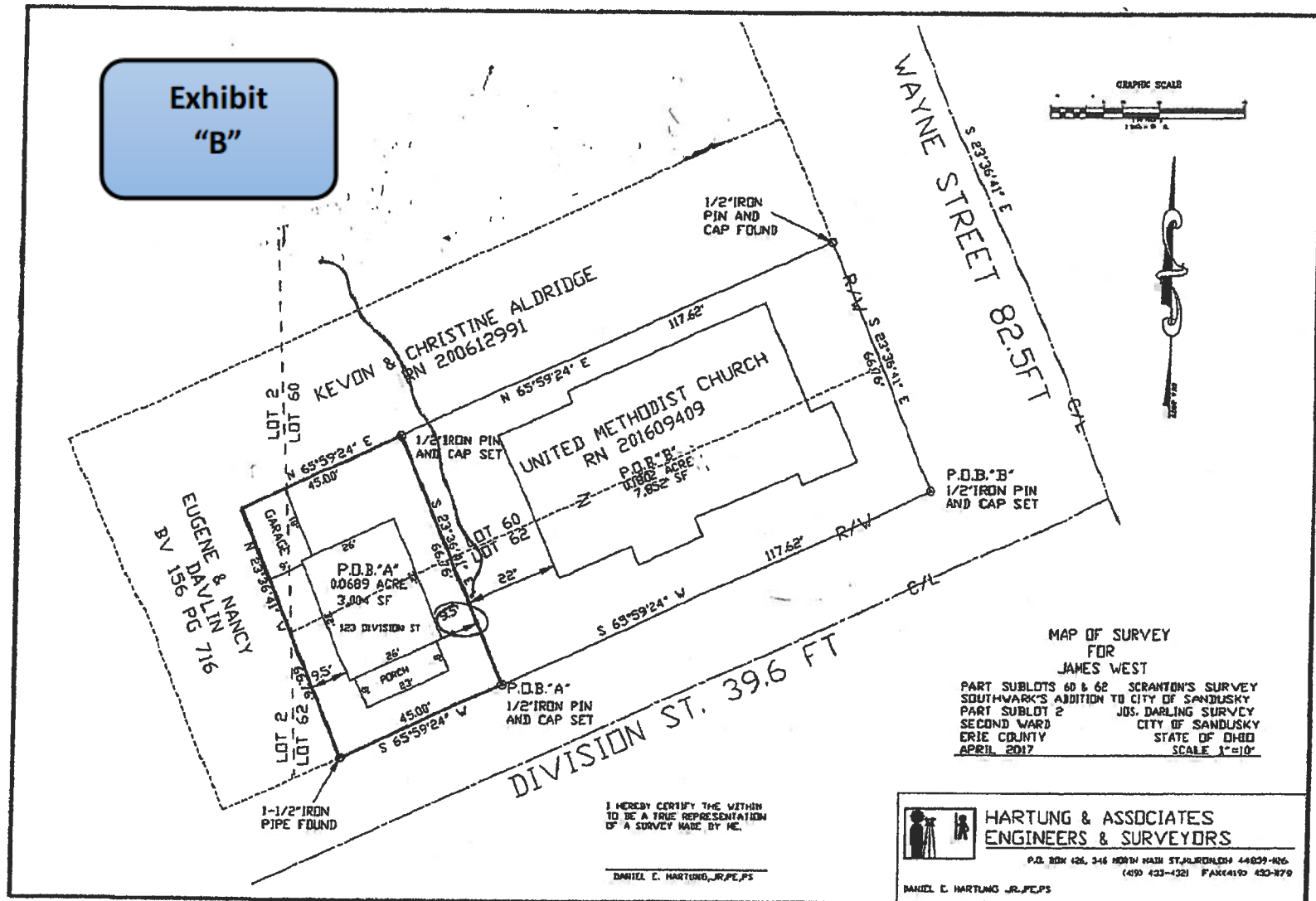
(2) Thence North 23°36'41" West a distance of 66.76 feet to a drill hole cut in curb, on the South line of a parcel owned by Kevon & Christine Aldridge (RN 200612991);

(3) Thence North 65°59'24" East along the South line of said Aldridge parcel, a distance of 117.62 feet to a 1/2" iron pin & cap, found on the West right-of-way line of Wayne Street;

(4) Thence South 23° 36' 41" East along the West right-of-way line of Wayne Street, a distance of 66.76 feet to the point of beginning, containing 0.1802 acre, more or less, of which 0.0910 acre is in Lot 60 and 0.0892 acre is in Lot 62, but being subject to all legal highways, easements and restrictions of record.

The above description was prepared from an actual survey by Daniel E. Hartung, Jr., Professional Surveyor No. 5667 in April, 2017. The bearings were assumed only for the purpose of indicating angles.

Exhibit  
"B"



123 Division St.





## DEPARTMENT of COMMUNITY DEVELOPMENT

### *DIVISION OF PLANNING*

240 Columbus Ave.

Sandusky, Ohio 44870

419.627.8462

[www.cityofsandusky.com](http://www.cityofsandusky.com)

**To:** John Orzech, City Manager

**From:** Alec Ochs, Assistant Planner

**Date:** September 25, 2023

**Subject:** October 9, 2023 City Commission Agenda Item – Amendment to the vacation of an extension to Church street right-of-way at the corner of Church Street and Ward St. between parcels 60-00036.000000 to the north and 60-00420.000 the south.

**Item for Consideration:** Dennis Grahl has submitted a petition for the vacation of an extension to Church Street right-of-way located between parcels 60-00036.000000 to the north and 60-00420.000 the south. The amendment to Ordinance No. 22-263 documents the waiver of rights by the owner of parcel 60-60418.000 (adjacent to the southwest) to any portion of the vacated property.

**Purpose:** Generally, it is important for the City Commission to analyze and preserve streets and alleys for future planning endeavors or projects when possible. Street and Alley vacations should only be considered when the City can definitively determine there will not be a public use in the future and when the vacation will not land lock any parcels, nor adversely impact traffic circulation or adjacent properties.

**Background Information:** At the April 27, 2022 Planning Commission meeting the Commission recommended approval for the vacation of the above referenced street. The applicant, Dennis Grahl, applied to vacate this area because he claims to have been maintaining the parcel for a long period of time. Planning staff recognizes that the mentioned street has never been developed or used as a street and will remain accessible for utilities. All adjacent property owners have signed the petition for the vacation of this right-of-way.

The proposed vacations will not create land locked parcels. The right-of-way is no longer of use for the public, nor are there plans to extend this roadway. The City's Engineering Department, Police Department, Fire Department, and Building Department reviewed the petition for vacation and do not object. The City Engineer noted that there is a storm sewer line running parallel through the right-of-way. The Planning Commission recommended approval based on the following: A minimum 20' easement must be granted to the City (10' for each side of center of pipe). This easement has been documented and will prohibit the construction of any structures within the 20' buffer.

The adjacent property owner to the southwest – Commons of Providence (parcel 60-60418.000), has waived their interest in obtaining their 1/3<sup>rd</sup> of the parcel and will allow the parcel to be split 50/50. It was discovered that the original waiver of this interest was not documented to the satisfaction of the county. This amendment updates the ordinance to reflect the waiver of rights to a portion of the vacated property for parcel 60-

60418.000. The Northern 50% will be awarded to Castalia Holdings, LLC (parcel 60-00036.000) and the southern 50% will be awarded to Grahl Dennis P & Valerie M (parcel 60-00420.000).

**Correlation to the Comprehensive Plan:**

The Comprehensive Plan calls for reimagining this section for residential stabilization and infill. The proposed vacation could assist in the beautification of this parcel.

**Budgetary Impact:**

There is no impact to the general fund.

**Action Requested:** It is requested that City Commission approve the amended petition for the vacation of an extension to Church street right-of-way located between parcels 60-00036.000000 to the north and 60-00420.000 the south. It is further requested that this legislation be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately amend Ordinance No. 22-263 so the vacation can be recorded accurately.

---

Alec Ochs, Assistant Planner

I concur with this recommendation:

---

John Orzech, City Manager

cc: Cathy Myers, Clerk of City Commission,  
Michelle Reeder, Finance Director,  
Justin Harris, Interim Law Director





The Commons of Providence  
5000 Providence Drive  
Sandusky, OH 44870

September 8, 2023

City of Sandusky  
240 Columbus Ave  
Sandusky, OH 44870

To Whom It May Concern,

I am writing this letter regarding the 66' vacant lot fronting on Ward Street in Sandusky, OH. On January 6, 2022, our facility signed a Petition for Vacation City Right-Of-Way. We were advised that we needed to also submit an approval letter for the vacant lot.

I, Seantell Amison, Executive Director at The Commons of Providence hereby grant permission for Dennis and Valarie Grahl and Dan & Scott Miller (Castalia Holdings) to take over the 66' vacant lot fronting on Ward Street. The Commons of Providence does not have any interest in taking over the property.

If you require further assistance or have any questions, please free to contact me at 419-624-1171. Thank you for your consideration in this matter.

Warm Regards,

*Seantell Amison, LNHA*

Seantell Amison, LNHA  
Executive Director  
The Commons of Providence



*Ann Waddington*

*Sep 8/5/2024*

*# 2019-RE-795011*

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

**AN ORDINANCE AMENDING ORDINANCE NO. 22-263, PASSED ON DECEMBER 21, 2022; VACATING A PORTION OF CHURCH STREET, EXTENDING SOUTH BETWEEN 4904 WARD STREET AND 4808 WARD STREET, WITHIN THE CITY, AS SET FORTH ON THE VACATION PLAT, A COPY OF WHICH IS MARKED AS EXHIBIT “A-2”, ATTACHED TO THIS ORDINANCE AND INCORPORATED HEREIN; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission approved vacating a portion of Church Street, extending south between 4904 Ward Street and 4808 Ward Street, within the City, by Ordinance No. 22-263, passed on December 21, 2022; and

**WHEREAS**, Section 723.04 of the Ohio Revised Code provides for statutory proceedings to vacate a street, alley, or portion thereof by the legislative authority upon petition by a person owning a lot in the immediate vicinity of the street or alley; and

**WHEREAS**, the petitioner, Dennis Grahl, and all abutting property owners are consenting to and signed the Petition for Vacation which dispensed with the notice requirement contained in Section 723.06 of the Ohio Revised Code; and

**WHEREAS**, the Ordinance was not recorded as it was necessary to clarify the split between the adjoining property owners; and

**WHEREAS**, adjoining property owner, the Commons of Providence, waived their right and interest in 1/3<sup>rd</sup> of the vacated land and therefore, the portion of the proposed vacation will be split between the abutting properties located at 4904 Ward Street and 4808 Ward Street pursuant to Ohio law; and

**WHEREAS**, the City’s Engineering Department, Police Department, Fire Department and Building Department have reviewed the petition for vacation and do not object but the City Engineer indicated a storm sewer line running parallel through the right-of-way exists and a minimum twenty foot (20’) easement (10’ on each side of pipe) must be granted to the City and would restrict any building and/or construction of any structure within the twenty foot (20’) easement; and

**WHEREAS**, the Planning Commission considered this vacation request at its April 27, 2022, meeting and resolved to recommend approval of the requested vacation; and

**WHEREAS**, pursuant to the requirements of Section 723.04 of the Ohio Revised Code, the City Commission held a public hearing at its May 23, 2022, regularly scheduled meeting to consider the Planning Commission's recommendation for **approval** pursuant to Section 713.02 of the Ohio Revised Code; and

**WHEREAS**, this City Commission finds that there is good cause for such vacation as prayed for and that such vacation will not be detrimental to the general interest and is conducive to the general interests of the public and the area is no longer needed for any municipal purpose, and that it should be made; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately amend Ordinance No. 22-263 so the vacation can be recorded accurately; and

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

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

Section 1. This City Commission hereby amends Ordinance No. 22-263, passed on December 21, 2022.

Section 2. The portion of Church Street, extending south between 4904 Ward Street, Parcel No. 60-00036.000 to the north and 4808 Ward Street, Parcel Nos. 60-00420.000 and 60-00137.000, to the south, labeled as described on the vacation plat, with a total area of approximately .2318 acres of land, and as more fully described in the legal descriptions and vacation plat marked Exhibits "A-1" and "A-2", attached to this Ordinance and specifically incorporated herein, be and the same are hereby vacated pursuant to the Ohio Revised Code, Section 723.08 and is a revocation of the acceptance thereof by this City Commission.

Section 3. The said vacations be and hereby are subject to the permanent easements for public utility purposes in such vacated premises as set forth in Section 723.041 of the Ohio Revised Code.

Section 4. The Clerk of the City Commission be instructed to endorse upon the plats, the City Commission action in vacating such portion of the street and alley and to cause said plats to be recorded in the office of the Erie County Recorder and to notify the Auditor of Erie County of such vacations, by sending a copy of this Ordinance.

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 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 7. 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: October 9, 2023

## ROAD VACATION PARCEL A DESCRIPTION

Situated in part of Church Street in the Village of Venice as per deed recorded in Volume 364 Page 314, now in the City of Sandusky, Erie County, Ohio, and being more particularly described as follows;

Commencing at an iron pin found at the intersection of the southwesterly right of way line of Ward Street with northwesterly right of way line of Church Street and being the most easterly corner of Lot Number 7 in said Village of Venice now or formerly owned by Castalia Holdings, LLC. as per deed recorded in RN202113120 of the Erie County Records, said point being the principal place of beginning for this description;

1. Thence South  $53^{\circ}40'00''$  East, a distance of 33.33 feet to an iron pin found on the centerline of Church Street;
2. Thence South  $36^{\circ}02'05''$  West, along the centerline of Church Street, a distance of 151.47 feet to an iron pin found on the northeasterly line of a parcel of land now or formerly owned by The Commons Of Providence as per deed recorded in RN9919043 of the Erie County Records;
3. Thence North  $54^{\circ}13'53''$  West, along the northeasterly line of said Commons Of Providence parcel, a distance of 33.33 feet to an iron pin found at the most southerly corner of said Lot Number 7, being on the northwesterly right of way line of Church Street;
4. Thence North  $36^{\circ}02'05''$  East, along the southeasterly line of said Lot Number 7 and the northwesterly right of way line of Church Street, a distance of 151.80 feet to the place of beginning and containing 0.1160 acres of land, but subject to all easements and restrictions of record.

In the above description the courses were referred to a meridian assumed for the purpose of indicating angles only.

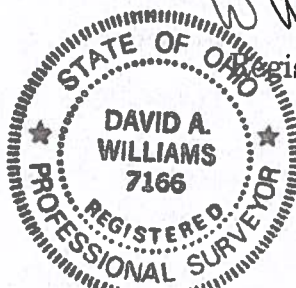
This description was prepared by David A. Williams, Registered Surveyor No. 7166 and was taken from an actual field survey performed on January 19, 2022.

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 J. Farrell*  
Engineer/Surveyor: Erie County Engineer's

Date: 1-21-22

David A. Williams



*David A. Williams*  
Registered Surveyor No. 7166

Exhibit "A-1"

APPROVED BY THE PLANNING  
AND ZONING DEPARTMENT  
CITY OF SANDUSKY, OHIO

DATE *9-27-23*

### ROAD VACATION PARCEL B DESCRIPTION

Situated in part of Church Street in the Village of Venice as per deed recorded in Volume 364 Page 314, now in the City of Sandusky, Erie County, Ohio, and being more particularly described as follows;

Commencing at an iron pin found at the intersection of the southwesterly right of way line of Ward Street with northwesterly right of way line of Church Street and being the most easterly corner of Lot Number 7 in said Village of Venice now or formerly owned by Castalia Holdings, LLC. As per deed recorded in RN202113120 of the Erie County Records;

Thence South  $53^{\circ}-40'-00''$  East, a distance of 33.33 feet to an iron pin found on the centerline of Church Street, said point being the principal place of beginning for this description;

1. Thence South  $53^{\circ}-40'-00''$  East, a distance of 33.33 feet to a point at the most northerly corner of Lot Number 8 in said Village of Venice now or formerly owned by Dennis and Valerie Grahl as per deed recorded in RN200409081 of the Erie County Records and being at the intersection of the southeasterly right of way line of Church Street with the southwesterly right of way line of Ward Street;

2. Thence South  $36^{\circ}-02'-05''$  West, along the northwesterly line of said Lot Number 8 and the southeasterly right of way line of Church Street, a distance of 151.14 feet to a point at the most westerly corner of said Lot Number 8 and being on the northeasterly line of a parcel of land now or formerly owned by The Commons Of Providence as per deed recorded in RN9919043 of the Erie County Records;

3. Thence North  $54^{\circ}-13'-53''$  West, along the northeasterly line of said Commons Of Providence parcel, a distance of 33.33 feet to an iron pin found on the centerline of Church Street;

4. Thence North  $36^{\circ}-02'-05''$  East, along the centerline of Church Street, a distance of 151.47 feet to the place of beginning and containing 0.1158 acres of land, but subject to all easements and restrictions of record.

In the above description the courses were referred to a meridian assumed for the purpose of indicating angles only.



This description was prepared by David A. Williams, Registered Surveyor No. 7166 and was taken from an actual field survey performed on January 19, 2022.



David A. Williams

A handwritten signature of David A. Williams in black ink.

Registered Surveyor No. 7166

**APPROVED BY THE PLANNING  
AND ZONING DEPARTMENT  
CITY OF SANDUSKY, OHIO**

**DATE**

*also* 9-27-23

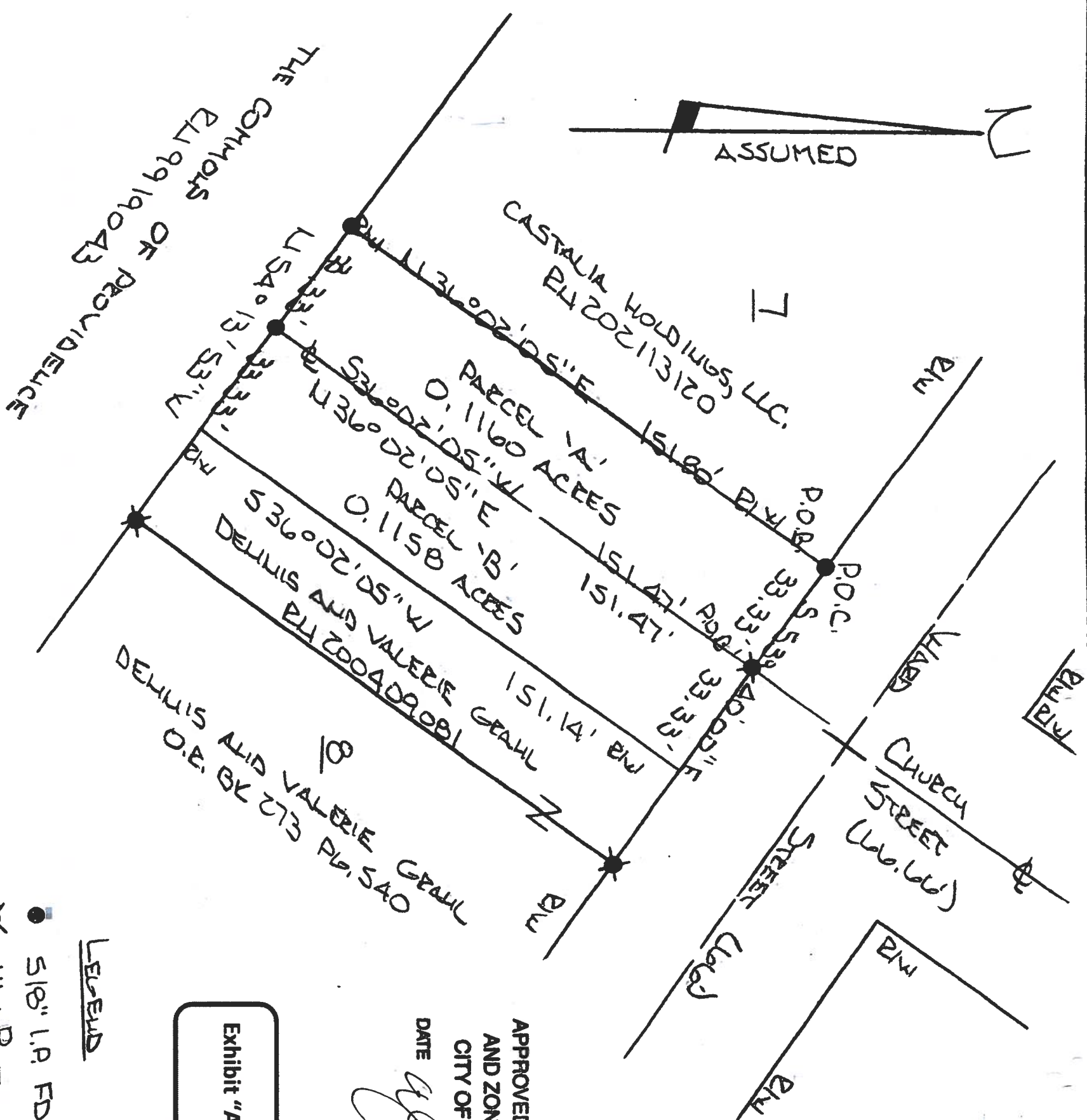
APPROVED as per Erie County Requirements  
And Sections 4733-37 thru 4733-37-07 of the Ohio  
Administrative Code only. No Field Verifications  
for Accuracy made.

A handwritten signature of Michael T. Farrell in black ink.

Engineer/Surveyor: Erie County Engineer's

Date:

1-20-2022



Part Of A Survey

BEING PART OF CHURCH STREET  
IN THE VILLAGE OF NEVUE  
DEED VOLUME 36A PAGE 31A  
Now In The City Of Sandusky  
Erie County, Ohio

JANUARY 2023

SCALE ~ 1" = 30'

APPROVED BY THE PLANNING  
AND ZONING DEPARTMENT  
CITY OF SANDUSKY, OHIO

DATE 9-27-23

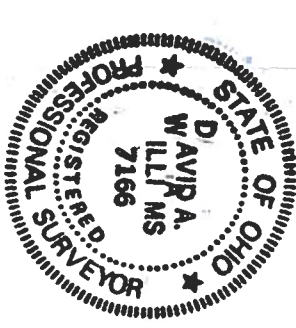


Exhibit "A-2"

*David A. Williams*  
DAVID A. WILLIAMS  
REG. SURVEYOR #7166

LEGEND

- 5/8" I.P. FD
- ✱ 1" I.P. FD.

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.

Engineer/Surveyor: Erie County Engineer's  
Date: 1-20-2022





## DEPARTMENT OF COMMUNITY DEVELOPMENT

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5832  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

TO: John Orzech, City Manager

FROM: Debi Eversole, Housing Development Specialist

DATE: September 26, 2023

RE: City Commission Agenda Item – Property Acquisition Request

**ITEMS FOR CONSIDERATION:** Legislation requesting approval to accept three (3) parcels situated within the City of Sandusky through the City of Sandusky's Land Reutilization Program for the purpose of facilitating reutilization of the nonproductive property.

**BACKGROUND INFORMATION:** Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code to acquire vacant and abandoned tax delinquent property with the future goal of productive reuse of the property. The City's ability to assemble land for reuse and redevelopment is critical to stabilizing and rebuilding Sandusky's neighborhoods and is necessary for neighborhood revitalization. The goal of the City of Sandusky's Land Reutilization Program is to return vacant and abandoned tax delinquent property to productive use that benefits the community. If a property is not producing tax revenues, less money is collected and available for enhancements back into the community. Also because the property is abandoned, it is not maintained and often becomes an illegal dumping ground. The City spends thousands of dollars per year maintaining weeds and nuisance conditions on abandoned properties. By returning the property back to a long-term tax producing status, more revenue is generated and available for community improvements and the City will not have to expend funds to maintain it. All parcels have been deemed necessary and/or beneficial to the Land Reutilization Program efforts and were approved by the Land Bank Committee on September 18, 2023.

- The City Land Reutilization Program has identified three (3) vacant structures and is seeking approval to acquire these properties through property tax foreclosure proceedings. There will be no cost for the transfer of property and if acquired, these structures will be evaluated for rehabilitation or demolition.
  - **58-02501.000 - 718 Fox Street** is a vacant one-story, single-family residential structure with a lot size of 33' x 100'. Property is zoned R2F and has 1155 sq. ft. of living space with three bedrooms and one bathroom. The property is currently delinquent in property taxes with an active foreclosure case. Should the City acquire this property via Sheriff Sale or Gift of Deed in lieu of foreclosure, it will be evaluated for rehabilitation or demolition.
  - **58-01322.000 & 58-01325.000 – 1807 Harrison Street & 1809 Harrison Street** are 2 vacant one-story, structures, zoned single-family residential. Lot sizes are each 33' x 128' and zoned R2F. Each property has multiple housing code violations that need to be addressed. The property is currently delinquent in property taxes and with an active foreclosure case. Should the City

acquire these properties via Sheriff Sale or Gift of Deed in lieu of foreclosure, they will be evaluated for rehabilitation or demolition.

The Land Bank Committee has determined that the acquisition of the three (3) parcels is necessary to protect, improve and preserve the stability of the neighborhoods that they are located in.

**BUDGET IMPACT:** The cost of these acquisitions should be limited to transfer fees and will be paid out of the Land Bank expense account. Expenses will be recouped at the sale of the property. The taxing districts will not collect the approximate nine thousand six hundred thirty dollars (\$9,630.00) owed in delinquent taxes.

**ACTION REQUESTED:** It is requested legislation be adopted allowing the City Manager to acquire three (3) parcels of land through the City of Sandusky's Land Reutilization Program. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to allow the Erie County prosecutor's Office to proceed with the Sheriff's sales and judicial foreclosure process in a timely manner.

---

Debi Eversole, Housing Development Specialist

I concur with this recommendation:

---

Colleen Gilson, Community Development Director

---

John Orzech, City Manager

cc: Justin Harris, Interim Law Director  
Michelle Reeder, Finance Director  
Cathy Myers, Commission Clerk

## CERTIFICATE OF FUNDS

In the Matter of: Landbank Property Acquisition

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

Account # 239-4357-53000

By: \_\_\_\_\_



Michelle Reeder

Finance Director

Dated: 9/29/2023

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

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

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

**WHEREAS**, it is requested that the City accept three (3) parcels of nonproductive land situated within the City of Sandusky as further described in attached Exhibit "A", for placement in the Land Reutilization Program Inventory; and

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

**WHEREAS**, the three (3) parcels requested for acquisition are tax delinquent and/or have been deemed to be necessary and/or beneficial to the Land Reutilization Program efforts and were approved by the Land Bank Committee on September 18, 2023; and

**WHEREAS**, upon City Commission approval and if acquired, three (3) vacant single-family structures located at 718 Fox Street, 1807 Harrison Street and 1809 Harrison Street will be evaluated for rehabilitation or demolition; and

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

**WHEREAS**, the cost of these acquisitions will be transfer fees and will be recouped by the City upon sale of the property; and

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

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

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

Section 1. This City Commission hereby approves and accepts for acquisition into the Land Reutilization Program three (3) parcels of nonproductive land situated within the City of Sandusky, as further described in Exhibit "A", a copy of which is attached to this Resolution and specifically incorporated herein.

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

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

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

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

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

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023

9/18/2023 Land Bank Committee Meeting		Exhibit A	Request for Acquisition				
Parcel	Address	Owner(s)	Del. Taxes	Assessments	P&I*	Total Owed	Yearly Taxes and Assessments
58-02501.000	718 Fox	Inverse Asset Fund, LLC	5,718.65	362.10	62.16	6,142.91	881.06
<b>Proposed Use:</b> 23cv0161	This is a vacant one-story, single-family residential structure with a lot size of 33' x 100'. Property is zoned R2F and has 1155 sq. ft. of living space with three bedrooms and one bathroom. The property is currently delinquent in property taxes and with an active foreclosure case. Should the City acquire this property via Sheriff Sale or Gift of Deed in lieu of foreclosure, it will be evaluated for rehabilitation or demolition.						
58-01322.000	1807 Harrison	IEIT LLC	2,367.29		170.27	2,537.56	750.26
58-01325.000	1809 Harrison	IEIT LLC	886.68		62.87	949.55	277.26
<b>Proposed Use:</b> 23cv0227	These are 2 vacant one-story, structures, zoned single-family residential. Lot sizes are each 33' x 128' and zoned R2F. Each property has multiple housing code violations that need to be addressed. The property is currently delinquent in property taxes and with an active foreclosure case. Should the City acquire this property via Sheriff Sale or Gift of Deed in lieu of foreclosure, it will be evaluated for rehabilitation or demolition.						
<p>Any vacant land will be marketed for new development, side lot expansion or retained for public use</p>							





PLANNING DEPARTMENT

*Division of Transit*

240 Columbus Ave.

Sandusky, Ohio 44870

419.621.8462

[www.cityofsandusky.com](http://www.cityofsandusky.com)

**TO:** John Orzech, City Manager

**FROM:** James A. Stacey III, Transit Administrator

**DATE:** September 25, 2023

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

**ITEM FOR CONSIDERATION:** Legislation requesting approval for the City Manager to enter into a contract for transportation services between the City of Sandusky and the County Commissioners of Erie County, Ohio starting October 1, 2023 through September 30, 2024.

**BACKGROUND INFORMATION:** The Sandusky Transit System (STS) will provide safe and reliable transportation services in Erie County, and into surrounding counties, to Erie County Job and Family Services (ECJFS) clients. The clients will be transported on a daily schedule coordinated between STS and ECJFS.

In August 2023, the Board of Erie County Commissioners sent out a Request for Proposals for transportation services for Erie County Job and Family Services clients, to which the City of Sandusky submitted a proposal on August 22, 2023. On September 5, 2023, ECJFS notified the City of Sandusky that STS's proposal was accepted. The contract is for one (1) year with the option to extend for two (2) additional one (1) year terms. This contract will be eligible for extension on September 30, 2024.

**BUDGET IMPACT:** The contract stipulates that STS will be paid at a rate of \$4.50 per loaded passenger mile with the annual total invoiced not to exceed \$251,401.00. The revenue from this agreement will be used as matching grant funds for the Ohio Department of Transportation (ODOT) 5311 Program Grant.

**ACTION REQUESTED:** It is requested that the Erie County Department of Job and Family Services Transportation Services Contract Agreement be approved, and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to immediately execute the contract as the previous contract expired on September 30, 2023, and to continue to provide transportation services to the ECJFS clients.

---

James A. Stacey III  
Transit Administrator

I concur with this recommendation:

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John Orzech  
City Manager

---

Colleen Gilson  
Director of Community Development

cc: Cathy Myers, Clerk of City Commission  
Michelle Reeder, Finance Director  
Justin Harris, Interim Law Director

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR TRANSPORTATION SERVICES BETWEEN THE CITY OF SANDUSKY AND THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY FOR THE DEPARTMENT OF JOB AND FAMILY SERVICES FOR THE PERIOD OF OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

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

**WHEREAS**, in August of 2023, Erie County issued a Request for Bids to provide these same transportation services in which the City submitted a bid on August 22, 2023, and was subsequently awarded the bid on September 5, 2023; and

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

**WHEREAS**, the contract will be effective for an initial term of one (1) year beginning on October 1, 2023, through September 30, 2024, with an option to extend for two (2) additional one (1) year terms; and

**WHEREAS**, the Sandusky Transit System will receive \$4.50 per passenger mile from Erie County with the annual total invoiced not to exceed \$251,401.00 and these funds received will be used as matching grant funds for the Ohio Department of Transportation Program grant; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the contract as the previous contract expired on September 30, 2023, and to continue uninterrupted service to the Erie County Department of Job & Family Services; and

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

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

Section 1. The City Manager be and hereby is authorized to execute a Contract with the Board of County Commissioners of Erie County for transportation services, substantially in the same form as reflected in Exhibit "1" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and being consistent with the objectives and requirements of this Ordinance and with carrying out the City's public purposes.

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

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

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

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

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023

## **CONTRACT**

This Contract made this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by and between City of Sandusky, 240 Columbus Ave. Sandusky, Ohio 44870, hereafter called the "Contractor" and the Board of Commissioners, Erie County, Ohio hereinafter called "Contracting Authority".

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

### **CONTRACTOR SERVICE REQUIREMENTS**

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

### **CONTRACTOR RESPONSIBILITIES**

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

### **COSTS**

The Contracting Authority will pay the Contractor for the total quantities of work performed at the Standard Unit Rate per Passenger Mile of \$4.50 for the respective items of work completed for the sum not to exceed \$251,401.00 (Two Hundred Fifty One Thousand Four Hundred One Dollars), subject to additions and deductions. Contracted number of miles are estimates only and are subject to fluctuate up or down at any time during the contract period.

### **TERM**

This contract shall remain in effect for an initial term of one (1) year. The contract period will run from October 1, 2023 through September 30, 2024. By mutual agreement of the Parties, the contract may be extended for two (2) additional one (1) year periods with all other terms of the contract remaining the same, unless amended by a written amendment signed by all Parties.

### **TERMINATION**

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

## **AMENDMENT OF CONTRACT**

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

## **INSURANCE REQUIREMENTS**

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

## **MODIFICATION**

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

## **NON-DISCRIMINATION**

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

## **FINDINGS FOR RECOVERY**

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

## **COUNTERPARTS**

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

## **COMPONENT PARTS OF THIS CONTRACT**

The executed contract documents shall consist of the following:

- a. This Contract
- b. Bid Specifications
- c. Contract Limitation Certificate

These documents constitute the entire contract between the parties and its provisions shall be construed



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

SIGNED AND ACKNOWLEDGED IN THE PRESENCE OF:

CONTRACTOR: CITY OF SANDUSKY

CONTRACTING AUTHORITY  
BOARD OF COMMISSIONERS  
OF ERIE COUNTY, OHIO

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Patrick J. Shenigo

\_\_\_\_\_  
Title

\_\_\_\_\_  
Mathew R. Old

\_\_\_\_\_  
Taxpayer I.D. #

\_\_\_\_\_  
Stephen L. Shoffner

Approved as to Form:

\_\_\_\_\_  
Asst. Prosecuting Attorney

Approved as to Content:

\_\_\_\_\_  
Elected or Appointed Official

## CONTRACT LIMITATION CERTIFICATE

I, \_\_\_\_\_, on behalf of **CITY OF SANDUSKY**

**(name of representative of vendor)**

do hereby acknowledge that the maximum amount of monetary obligation of Erie County, Ohio, i.e., Board of County Commissioners of Erie County, Ohio, under the hereinbefore attached contract or agreement is **\$251,401.00** UNLESS the Board of Erie County Commissioners gives **PRIOR APPROVAL** for additional expenditures of money under the contract or agreement and the County Auditor certifies to the availability of such additional funds. Erie County, Ohio, i.e., the Board of County Commissioners of Erie County, Ohio **SHALL NOT BE HELD LIABLE** by **CITY OF SANDUSKY** for any monetary obligations under this contract or agreement above the maximum amount of **\$251,401.00**, UNLESS expenditures are approved by the Board.

\_\_\_\_\_  
**Representative of Vendor**

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

\_\_\_\_\_  
**(Notary Public)**

APPROVED AS TO CONTENT

\_\_\_\_\_  
**(Appointed or Elected Official)**



## DEPARTMENT OF PUBLIC WORKS

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

To: John Orzech, City Manager

From: Aaron M. Klein, P.E.

Date: September 29, 2023

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

**ITEM FOR CONSIDERATION:** Legislation to authorize the payment to the Treasurer of State, C/O Ohio Department of Transportation (ODOT) for maintenance of State Route 2, located within the city limits, in the amount of \$14,571.07.

**BACKGROUND INFORMATION:** Per state law, maintenance of state routes and US routes are the responsibility of the municipality where they cross through the corporation limit. Ordinance 8203-C, passed March 27, 1978, required the City of Sandusky to annually pay ODOT for maintenance that includes but is not limited to snow plowing. There are approximately 6.22 lane miles of State Route 2, including on- and off-ramps that are within the City's corporation limits. The following two agreements were updated in 2022:

**Snow Removal:**

Since 2018, the City has accepted responsibility for snow and ice control of State Route 101 south of the City's corporation limits totaling 0.2 miles of two- and four-lane roadways, including the SR-2 overpass. In turn, ODOT will perform snow and ice control for the portions of SR-2 that are in the City limits.

**SR-2 Maintenance and/or Repair:**

ODOT will perform routine maintenance and repairs such as pothole patching, crack sealing, pavement markings, striping, storm sewer cleaning, ditch operations, sweeping activities, sign repairs, overhead lighting, mowing, and guardrail repairs. ODOT will also perform all drainage repairs for less than \$15,000. Any drainage repairs exceeding \$15,000 shall remain the responsibility of the respective responsible party.

Ordinance 22-102, passed on May 23, 2022 and Ordinance 22-165, passed August 22, 2022, consented to the current contracts. The term for the new agreements would expire "on the last date of the current biennium" but "may be renewed in writing for additional (2) year terms." Hence, these agreements can remain in effect until either party desires to terminate or modify them.

**BUDGETARY INFORMATION:** The total cost for the State Route 2 maintenance services for dates 7/1/2022 through 6/30/2023, is \$14,571.07, and will be paid from the City of Sandusky State Highway Fund.

**ACTION REQUESTED:** It is recommended that proper legislation be prepared and approved to make the payment in the amount of \$14,571.07 to the Treasurer of State, C/O Department of Transportation (ODOT), for work performed 7/1/2022 to 6/30/2023, and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to make payment as soon as possible for services already provided and consistent with the invoice received September 19, 2023, which is due by October 19, 2023.

I concur with this recommendation:

---

John Orzech  
City Manager

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



# INVOICE

## THE OHIO DEPARTMENT OF TRANSPORTATION

**IN ACCOUNT WITH:**

SANDUSKY CITY  
240 COLUMBUS AVENUE  
SANDUSKY, OH 44871

**ADDRESS QUESTIONS CONCERNING  
THIS INVOICE TO:**

OHIO DEPARTMENT OF TRANSPORTATION  
906 NORTH CLARK AVE  
ASHLAND, OH 44805 District - 3

(419)207-7031  
(419)207-7050

COUNTY	INVOICE NO.	INVOICE DATE	PATROL REPORT	DUE DATE
	030146	09/19/2023	0	10/19/2023

DESCRIPTION OF WORK DONE:	UNIT	QUANTITY	UNIT PRICE	TOTAL
Annual Maintenance Agreement for SR2. in Erie County. Period covers 07/01/2022 through 06/30/2023.				
ANNUAL MAINTENANCE AGREEMENT YEAR		1	\$14,571.07	\$14,571.07

**Pursuant to Ohio Rev. Code 131.02, in the event this invoice is not paid within 45 days after payment is due, the matter will be certified to the Ohio Attorney General's office for collection. Once the account is certified to the Attorney General, you and your insurance company are responsible for collection costs, interest, and any fees incurred if the account is assigned to special counsel or third-party vendors for collections.**

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

<b>TOTAL AMOUNT DUE</b>	<b>\$14,571.07</b>
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PLEASE RETURN BOTTOM PORTION OF INVOICE WITH PAYMENT


**MAKE CHECKS PAYABLE TO:**

TREASURER OF STATE  
C/O DEPARTMENT OF TRANSPORTATION

**INVOICE NUMBER:**

030146

**TOTAL DUE:**

\$14,571.07

**REMIT TO:**

OFFICE OF BUDGET AND FORECASTING  
1980 WEST BROAD STREET, 4th FLOOR  
COLUMBUS, OH 43223  
ATTN: ACCOUNTS RECEIVABLE MS2130

**DUE DATE:**

10/19/2023



# Annual Lane Mile Reimbursement

## For the City of Sandusky

### State Route 2 in Erie County

### Fiscal Year 2023 - From 7/1/22 to 6/30/2023

City corporation Limits - ERI SR2	Center			City lane miles	Lane miles
	To	From	line Miles		
City corporation Limits - ERI US6 west jct - RAMPS	3.706	4.761	1.055	4	4.22
				1	2.4
				city lane miles	6.62
Erie County ODOT Responsibility for Route 2 RAMPS	0.00	30.56	30.56	4	122.24
Erie County ODOT Responsibility, Total Lane Miles SR2				ramps	19.92
Erie County ODOT Responsibility, Total snow and Ice Lane Miles					142.16
Erie County ODOT Responsibility, Total Mowing Lane Miles (3 passes & 1 mowback)					386.21
					140.52
Direct Snow and Ice cost for Erie County ODOT					
Erie County ODOT Responsibility, Total Lane Miles					\$723,288.26
					386.21
<b>Total Snow and Ice Cost Per Lane Mile for Erie County ODOT</b>					<b>\$1,872.78</b>
					TRADED
Direct Maintenance Cost for Route 2 in Erie County					
Erie County ODOT Responsibility for State Route 2					\$205,592.92
					142.16
<b>Total Maintenance Cost Per Lane Mile for Route 2 in Erie County</b>					<b>\$1,446.21</b>
Contract Mowing Cost for Route 2 in Erie County					
Erie County ODOT Responsibility for Mowing State Route 2 Lane Miles					\$106,072.83
					140.52
<b>Total Mowing Cost Per Lane Mile for Route 2 in Erie County</b>					<b>\$754.86</b>
Direct Snow and Ice Cost Per Lane Mile for Erie County ODOT					
City of Sandusky Lane Miles on Route 2					\$1,872.78
					6.62
<b>City of Sandusky cost for Snow and Ice</b>					<b>\$12,397.84</b>
					TRADED
Direct Maintenance Cost Per Lane Mile for Route 2 in Erie County					
City of Sandusky Lane Miles on State Route 2					\$1,446.21
					6.62
<b>City of Sandusky cost for Maintenance</b>					<b>\$9,573.90</b>
Contract Mowing Cost Per Lane Mile for Route 2 in Erie County					
City of Sandusky Lane Miles on State Route 2					\$754.86
					6.62
<b>City of Sandusky cost for Contract Mowing</b>					<b>\$4,997.17</b>
<b>Total Reimbursement for FY23</b>					<b>\$14,571.07</b>
Summer Maintenance and Contract Mowing					

## CERTIFICATE OF FUNDS

In the Matter of: ODOT- STATE ROUTE 2 MAINTENANCE

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

Account # 217-6220-53000

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 9/29/2023

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

**AN ORDINANCE AUTHORIZING AND DIRECTING PAYMENT TO THE TREASURER OF STATE, OHIO DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF STATE ROUTE 2 IN THE CITY OF SANDUSKY BY THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PERIOD OF JULY 1, 2022, THROUGH JUNE 30, 2023; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky consented to the maintenance of State Route 2 within the corporate limits of the City by the Ohio Department of Transportation (ODOT) by Ordinance 8203-C, passed on March 27, 1978, and further agreed to annually pay the Ohio Department of Transportation for maintenance that included but is not limited to snow plowing; and

**WHEREAS**, since 1978, the City and the Ohio Department of Transportation have entered into numerous agreements, modifying the obligations of the City and ODOT based upon current needs; and

**WHEREAS**, in 2022, ODOT proposed to separate Snow Removal and Maintenance and/or Repair into two (2) separate agreements summarized as follows:

Maintenance and/or Repair:

ODOT will perform routine maintenance and repairs such as pothole patching, crack sealing, pavement markings, striping, storm sewer cleaning, ditch operations, sweeping activities, sign repairs, overhead lighting, and guardrail repairs. ODOT will also perform all drainage repairs less than \$15,000. Any drainage repairs exceeding \$15,000 shall remain the responsibility of the respective responsible party.

Snow Removal:

Since 2018, the City has accepted responsibility for snow and ice control of State Route 101 south of the City's corporation limits totaling 0.2 miles of two- and four-lane roadways, including the State Route 2 overpass. In turn, ODOT will perform snow and ice control for the portions of State Route 2 that are in the City limits.

**WHEREAS**, this City Commission approved the agreements with the Ohio Department of Transportation for the Maintenance and/or Repair Agreement by Ordinance No. 22-102, passed on May 23, 2022, and for the Snow Removal Agreement by Ordinance No. 22-165, passed August 22, 2022; and

**WHEREAS**, the cost for maintenance services for the period of July 1, 2022, through June 30, 2023, is \$14,571.07 and will be paid with the City's State Highway Funds; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to

allow payment to be made to the Treasurer of State, Ohio Department of Transportation as soon as possible for services already provided and consistent with the invoice received September 19, 2023, and due on October 19, 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. This City Commission hereby authorizes and directs the City Manager and/or Finance Director to make payment to the Treasurer of State, Department of Transportation for the maintenance of State Route 2 for the period of July 1, 2022, through June 30, 2023, in an amount **not to exceed** Fourteen Thousand Five Hundred Seventy-One and 07/100 Dollars (\$14,571.07), consistent with the invoice received by the City.

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

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

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its

adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

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

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023





## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Joshua R. Snyder, P.E.

Date: September 25, 2023

**Subject: Commission Agenda Item – Amending Ordinance 23-185, Awarding the Butler Street Reconstruction Project, Contract Price**

**ITEM FOR CONSIDERATION:** Requesting legislation amending Ordinance 23-185, Awarding the Butler Street Reconstruction Project to Great Lakes Demolition Company, updating the contract price.

**BACKGROUND INFORMATION:** After further review of the project's documentation, it has come to our attention that a data entry error occurred during the preparation of the bid tabulation, resulting in an incorrect contract price being awarded to Great Lakes Demolition Company of Clyde, Ohio at the September 11, 2023, City Commission meeting. The error occurred in one of the line items, that altered the total contract price calculation, which includes the base bid and Alternates A-C. This amendment will increase the contract price by \$51.00.

**BUDGETARY INFORMATION:** The original contract with Great Lakes Demolition Company was \$890,479.50, the amendment increases the contract price by \$51.00, making the amended contract price \$890,530.50 which will be paid for out of American Rescue Plan Act Stimulus Funds.

**ACTION REQUESTED:** It is recommended that proper legislation be prepared to amending Ordinance 23-185 awarding the Butler Street Reconstruction Project to Great Lakes Demolition Company be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter to allow for contracts to be executed and notice to proceed issued so that work can begin to meet completion by Spring of 2024.

I concur with this recommendation:

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John Orzech  
City Manager

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Aaron Klein  
Director

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

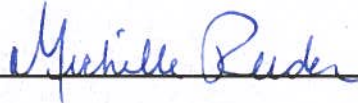
## **CERTIFICATE OF FUNDS**

**In the Matter of: Great Lakes Demolition- Butler Street Project**

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

**Account # 240-0000-55990**

**By:**



**Michelle Reeder**

**Finance Director**

**Dated: 10/4/2023**

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

**AN ORDINANCE AMENDING ORDINANCE NO. 23-185, PASSED ON SEPTEMBER 11, 2023; AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GREAT LAKES DEMOLITION OF CLYDE, OHIO, FOR THE BUTLER STREET RECONSTRUCTION PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, Butler Street, from Cleveland Road to the U.S. 250 off-ramp is beyond repair and needs reconstruction; and

**WHEREAS**, this City Commission approved an agreement for Professional Design Services with IBI Group of Canton, Ohio, for the Butler Street Reconstruction Project by Ordinance No. 23-045, passed on February 27, 2023; and

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the proposed Butler Street Reconstruction Project by Resolution No. 028-23R, passed on July 24, 2023; and

**WHEREAS**, the Butler Street Reconstruction Project involves the reconstruction of Butler Street, from Cleveland to the U.S. 250 off-ramp, with full depth asphalt cross section to accommodate the heavy traffic from industry, tourism and local traffic, drainage improvement, lane changes, and includes Alternative Bids for concrete repairs along the concrete "Frontage Roads", which run parallel to and under the Milan Road overpass; and

**WHEREAS**, upon public competitive bidding as required by three (3) appropriate bids were received and the bid from Great Lakes Demolition of Clyde, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, it was discovered that a data entry error occurred during the preparation of the bid tabulation, resulting in an incorrect contract price being awarded to Great Lakes Demolition Company and therefore it is necessary to amend Ordinance No. 23-185 to reflect the correct cost, which is an increase of \$51.00; and

**WHEREAS**, the total construction cost of this project is **\$890,530.50** and will be paid with American Rescue Plan Act (ARPA) Stimulus 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 for the contracts to be executed and notice to proceed to be issued so that construction can begin to meet completion by the spring of 2024; and

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

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with Great Lakes Demolition of Clyde, Ohio, for the Butler Street Reconstruction Project, in an amount **not to exceed Eight Hundred Ninety Thousand Five Hundred Thirty and 50/100 Dollars (\$890,530.50)** consistent with the bid submitted by Great Lakes Demolition of Clyde, Ohio, currently on file in the office of the Director of Public Works.

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

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

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

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

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION



## FINANCE DEPARTMENT

240 Columbus Avenue

Sandusky, Ohio 44870

419.627.5776

[www.cityofsandusky.com](http://www.cityofsandusky.com)

TO: John Orzech, City Manager  
FROM: Michelle Reeder, Finance Director  
DATE: September 28, 2023  
RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

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

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

### **BUDGETARY INFORMATION:**

The City is required to accept the tax rates as determined by the Erie County Budget Commission. This approval establishes funding for 2024.

### **ACTION REQUESTED:**

It is recommended that the resolution be approved in accordance with Section 14 of the City Charter under suspension of the rules. The need for immediate action is due to the deadline of October 10, 2023.

I concur with this recommendation:

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John Orzech  
City Manager

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Michelle Reeder  
Finance Director



# OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

Ohio Revised Code Section 5705.36

**Office of the Budget Commission,**  
Sandusky, Erie County, Ohio, August 23, 2023

To the Taxing Authority of the **City of Sandusky:**

*The following is the official certificate of estimated resources for the fiscal year beginning January 1, 2024, as made by the Budget Commission of Erie County, which shall govern the total of appropriations made at any time during such fiscal year.*

FUND	Unencumbered Balance January 1, 2024	Taxes	Other Sources	TOTAL
General Fund	5,968,502	1,946,489	30,171,911	38,086,902
Special Revenue Funds	5,932,791	319,970	8,871,910	15,124,671
Debt Service Funds	2,447,072	-	2,709,340	5,156,412
Capital Projects Funds	3,458,090	-	11,765,000	15,223,090
Special Assessment Funds	348,347	-	325,000	673,347
Enterprise Funds	3,173,826	-	21,575,000	24,748,826
Internal Service Funds	353,118	-	4,692,000	5,045,118
Fiduciary Funds	2,628,183	-	2,057,000	4,685,183
<b>TOTAL</b>	<b>24,309,929</b>	<b>2,266,459</b>	<b>82,167,161</b>	<b>108,743,549</b>

  
Erie County Auditor  
Erie County Prosecutor  
Erie County Treasurer

**Erie County Budget Commission**

FUND	Unencumbered Balance January 1, 2024	Taxes	Other Sources	TOTAL
General Fund	5,968,502	1,946,489	30,171,911	38,086,902
Special Revenue Funds				
216 Street Construction Maintenance & Repair	349,600		2,000,000	2,349,600
217 State Highway	232,094		105,000	337,094
218 Public Transit	231,540		3,420,000	3,651,540
227 Parks & Recreation	138,600		600,000	738,600
236 Fire Pension	67,550	159,985	825,000	1,052,535
237 Police Pension	43,707	159,985	645,000	848,692
239 State Grant	103,975		90,000	193,975
240 Coronavirus Relief	3,418,635			3,418,635
241 Federal Grant	355,000		825,000	1,180,000
242 Indigent Driver Alcohol	185,500		20,910	206,410
243 Enforcement & Education	7,700		34,000	41,700
244 Court Computer	116,158		32,000	148,158
245 Indigent Telephone	53,473		10,000	63,473
246 Probation Service	139,380		55,000	194,380
247 Payroll Stabilization	225,000		175,000	400,000
248 Real Estate Development	213,979		25,000	238,979
249 Opioid Settlement	50,900		10,000	60,900
Total Special Revenue	5,932,791	319,970	8,871,910	15,124,671

FUND	Unencumbered Balance January 1, 2024	Taxes	Other Sources	TOTAL
<b>Debt Service Funds</b>				
535 Special Assessments	927,086		193,800	1,120,886
434 Bond Retirement	572,702		975,000	1,547,702
435 Urban Renewal Debt	135,120		568,140	703,260
436 Central Public Utility Fund	114,509		122,400	236,909
437 Cleveland Rd Improvement	682,655		675,000	1,357,655
438 Cook Building TIF	15,000		175,000	190,000
<b>Total Debt Service</b>				
	2,447,072	-	2,709,340	5,156,412
<b>Capital Projects Funds</b>				
430 Capital Improvements	430,000		765,000	1,195,000
431 Capital Projects	3,028,090		11,000,000	14,028,090
<b>Total Capital Projects</b>				
	3,458,090	-	11,765,000	15,223,090
<b>Special Assessment Funds</b>				
433 Special Assessment Improvements	348,347		325,000	673,347
<b>Total Special Assessments</b>				
	348,347	-	325,000	673,347

FUND	Unencumbered Balance January 1, 2024	Taxes	Other Sources	TOTAL
<b>Enterprise Funds</b>				
612 Water Revenue	1,617,970		8,825,000	10,442,970
613 Sewer Revenue	1,555,856		12,750,000	14,305,856
Total Enterprise	3,173,826	-	21,575,000	24,748,826
<b>Internal Service Funds</b>				
701 Internal Service Fund	353,118		4,692,000	5,045,118
Total Internal Service	353,118	-	4,692,000	5,045,118
<b>Fiduciary Funds</b>				
863 Trust - Expendable	859,364		105,000	964,364
873 Trust - Non-expendable	269,009		1,900	270,909
876 Cemetary Endowment	739,004		30,500	769,504
880 Agency - Treasury	50,006		28,600	78,606
888 Special Assessments non city	-		55,000	55,000
890 Agency -Non-treasury	710,800		1,836,000	2,546,800
Total Fiduciary	2,628,183	-	2,057,000	4,685,183

# CITY OF SANDUSKY

2023 Tax year  
2024 Collection year  
based on 2022 Total Valuation

533,284,510

TOTAL PROPERTY TAXES TO BE COLLECTED BY LEVY			
	PER BUDGET COMMISSION	PER BUDGET SUBMITTED	VARIANCE
General	1,946,489	1,850,000	96,489
Fire Pension	159,985	160,000	(15)
Police Pension	159,985	160,000	(15)
Library Bond	-	-	-
TOTAL	2,266,459	2,170,000	96,459

LOCAL GOV. FUNDS TO BE COLLECTED			
	PER BUDGET COMMISSION	PER BUDGET SUBMITTED	VARIANCE
2023 Estimated Allocation	510,916	515,000	(4,084)

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

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE ERIE COUNTY BUDGET COMMISSION FOR FISCAL YEAR COMMENCING ON JANUARY 1, 2024; AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Erie County Budget Commission has certified its action regarding the amounts and rates and necessary tax levies to this Commission together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Commission and what part thereof is in excess of, and what part within, the ten-mill tax limitation; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to meet the deadline for approval of October 10, 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 Municipal Departments, including the Finance Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this Resolution be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE

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

Section 1. This City Commission approves the amounts and rates as determined by the Budget Commission for Fiscal Year commencing on January 1, 2024 in its certification to this City Commission.

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

SCHEDULE A

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

AMOUNTS APPROVED BY THE BUDGET COMMISSION  
INSIDE 10-MILL LIMITATION

		INSIDE 10-MILL
General Fund	\$1,946,489.00	3.65
Police Pension Fund	\$ 159,985.00	.30
Fire Pension Fund	\$ 159,985.00	.30
TOTAL	\$2,266,459.00	4.25



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

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

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

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

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

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023



## FIRE DEPARTMENT

600 West Market Street  
Sandusky, Ohio 44870

419.627.5822

Fire Prevention 419.627.5823

Fax 419.627.5820

[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

**TO:** John Orzech, City Manager

**FROM:** Mario D'Amico III, Fire Chief

**DATE:** September 25, 2023

**RE:** Commission Agenda Item – Donation of Firefighting Clothing

**ITEM FOR CONSIDERATION:** Requesting legislation authorizing the disposal of turnout gear and clothing. These items will be donated to Ehope Career Center, Milan, OH for use in their fire program.

**BACKGROUND INFORMATION:** The following list of fire department clothing has been deemed obsolete and unusable per the Fire Chief.

11 fire helmets  
21 sets of turnout gear  
15 pairs of fire boots

The dates of the turnout gear are beyond its serviceable use to be used on the front lines as they are older than 10 years pursuant to NFPA (National Fire Protection Association).

These items will be donated and accepted in "as is" condition.

**BUDGETARY INFORMATION:** There will be no proceeds from the donation of turnout gear and accessories.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared declaring the fire equipment obsolete and unusable for the Sandusky Fire Department. It is further requested that this legislation take immediate effect in full accordance with section 14 of the City Charter in order to allow the used firefighting clothing to be disposed of in a timely manner by donating to Ehope Career Center, Milan, OH for their Fire & Rescue Training Program.

**Approved:**

**I concur with this recommendation**

\_\_\_\_\_  
Mario D'Amico III, Fire Chief

\_\_\_\_\_  
John Orzech, City Manager

CC: Justin Harris, Interim Law Director; Michelle Reeder, Finance Director

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

**A RESOLUTION AUTHORIZING THE DISPOSAL OF USED FIREFIGHTING CLOTHING AS BEING UNNECESSARY AND UNFIT FOR CITY USE; APPROVING THEIR DONATION TO THE EHOVE CAREER CENTER; AND DECLARING THAT THIS RESOLUTION TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Sandusky Fire Department has eleven (11) used fire helmets, twenty-one (21) sets of used turnout gear, and fifteen (15) pairs of used fire boots that have been determined by the Fire Chief to be no longer of any use to the Sandusky Fire Department and have exceeded their useful life pursuant to NFPA (National fire Protection Association) standards; and

**WHEREAS**, the City of Sandusky has a longstanding, positive working relationship with the EHOVE Career Center which has been established through EHOVE's Fire & Rescue Training Program and it is recommended that these clothing items be disposed of by donating them to the EHOVE Career Center; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately declare the used firefighting clothing to be unnecessary and unfit for City use and dispose of the used firefighting clothing in a timely manner by donating to the EHOVE Career Center for their Fire & Rescue Training Program; 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 Fire Department, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. This City Commission finds and determines that the used eleven (11) fire helmets, twenty-one (21) sets of turnout gear, and fifteen (15) pairs of fire boots are unnecessary and unfit for City use pursuant to Section 25 of the City Charter and authorizes and directs the City Manager to dispose of the Firefighting Clothing by donating them to the EHOVE Career Center.

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

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

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

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

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

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Megan Stookey, Project Manager

Date: September 14, 2023

**Subject: Commission Agenda Item – Award a Contract to RMH Concrete & Foundations, Inc. of Collins, OH for the 2023 Jaycee and Washington Park Concrete Project**

**ITEM FOR CONSIDERATION:** Requesting legislation awarding a contract to RMH Concrete & Foundations, Inc. of Collins, OH for the 2023 Jaycee and Washington Park Concrete Project.

**BACKGROUND INFORMATION:** Legislation was presented at the August 28, 2023, City Commission meeting requesting permission to bid on the 2023 Jaycee and Washington Park Concrete project (Resolution No. 037-23R).

At Jaycee Park, a concrete slab will be installed to be used as the foundation under a 20' x 20' shelter building just south of the parking lot off Wayne Street, that will provide shade and a hub for different activities on this end of the park. A generous grant from the Dorn Foundation for use in Neighborhood Parks will pay for 100% of this work.

At West Washington Park (NW Quadrant), due West of the Popcorn Wagon location, the addition of an oversized chess board, approximately 32' x 20' complete with oversized pieces and seating will lie just North of the existing diagonal walk between the center of the park and the popcorn wagon on the SW corner of Washington Row and Columbus Ave. A generous grant from the Michelle Wightman and Karrie Wieber Charitable Foundation to the Friends of the Sandusky Greenhouse and the remaining funds coming from the Mylander Foundation donation for City of Sandusky Parks & Recreation will pay for 100% of this work.

The following bid was received on Thursday, September 14, 2023, at a formal bid opening:

RMH Concrete & Foundations, Inc.	Part A	\$30,176.20
Collins, OH	Part B	\$13,872.00
		\$44,048.20

The completion date of December 1, 2023 has been set for the project.

**BUDGETARY INFORMATION:** The construction cost shall not exceed \$44,048.20 of which \$30,176.20 will be paid with funds donated from the Randolph J. & Estelle M. Dorn Foundation designated for the Sandusky Neighborhood Initiative, \$9,872.00 will be paid with funds donated from the Mylander Foundation, and \$4,000.00 will be paid with Friends of the Sandusky Greenhouse Funds donated from the Michelle Wightman and Karrie Wieber Charitable Foundation.

**ACTION REQUESTED:** It is recommended that proper legislation be prepared awarding a contract to RMH Concrete & Foundations, Inc. of Collins, OH for the 2023 Jaycee and Washington Park Concrete Project in the amount of \$44,048.20 be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to proceed with construction so the project can be completed prior to the completion date of December 1, 2023.

I concur with this recommendation:

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John Orzech  
City Manager

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Aaron Klein  
Director of Public Works

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



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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH RMH CONCRETE & FOUNDATIONS, INC. OF COLLINS, OHIO, FOR THE 2023 JAYCEE AND WASHINGTON PARK CONCRETE PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the 2023 Jaycee and Washinton Park Concrete Project involves the addition of a walkway and concrete slab, to be used as the foundation under a 20' x 20' shelter, at Jaycee Park just south of the parking lot off Wayne Street and the addition of an oversized concrete chess board, approximately 32' x 20', and walkway at the northwest quadrant of West Washington Park; and

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the proposed 2023 Jaycee and Washington Park Concrete Project by Resolution No. 037-23R, passed on August 28, 2023; and

**WHEREAS**, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid from RMH Concrete & Foundations, Inc. of Collins, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the total construction cost of this project is \$44,048.20 of which \$30,176.20 will be paid with funds donated from the Randolph J. & Estelle M. Dorn Foundation designated for the Sandusky Neighborhood Initiative, \$9,872.00 will be paid with funds donated from the Mylander Foundation, and \$4,000.00 will be paid with Friends of the Sandusky Greenhouse Funds donated from the Michelle Wightman and Karrie Wieber Charitable Foundation; 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 proceed with construction so the project can be completed by the completion deadline of December 1, 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 authorized and directed to enter into a contract with RMH Concrete & Foundations, Inc. of Collins, Ohio, for the 2023 Jaycee and Washington Park Concrete Project, in an amount **not to exceed** Forty-Four Thousand Forty-Eight and 20/100 Dollars (\$44,048.20) consistent with the bid submitted by RMH Concrete & Foundations, Inc. of Collins, Ohio, currently on

file in the office of the Director of Public Works.

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

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

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

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

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023



## COMMUNITY DEVELOPMENT

*Division of Planning*  
240 Columbus Ave  
Sandusky, Ohio 44870  
419.627.5891

**To:** John Orzech, City Manager  
**From:** Arin Blair, Chief Planner  
**Date:** September 26, 2023  
**Subject:** October 9, 2023, Agenda Item – Amendment to the GB - General Business zoning district

**Items for Consideration:** Initiation of a change in the Zoning Code by recommendation of the Planning Commission to include multifamily residential in the list of allowed main uses in the GB – General Business zoning district.

**Purpose:** The *2023 Housing Needs Assessment for the Firelands Region of Ohio*, conducted by Bowen National Research and led by Firelands Forward, found our three-county region has an overall housing gap of more than 10,000 units. Erie County alone is in need of more than 1,600 rental units and 2,734 for-sale units to support a healthy housing market for existing and expected residents over the next five years. Providing any meaningful measure of these units will be a challenge that public and private sector professionals must strategically and creatively work together to accomplish.

**Background:** With Sandusky's walkable neighborhoods, iconic waterfront, historic charm, revitalizing downtown, and access to amenities such as parks and transit, the city has the market strength to attract new housing development to help fill the identified need for new units. However, as a built-out urban area, Sandusky does not have abundant available land for new development. We must make strategic land use decisions to enable new residents to live in the city.

As a proactive measure to enable mixed-use development and multifamily residential projects, the Planning Commission recommends amending the General Business zoning district to allow multifamily residential as a main use. The GB - General Business Zoning District is primarily located on medium-high traffic arterial corridors in the city, including Perkins Avenue, Cleveland Road, and West Washington/Tiffin Ave. The condition of these types of corridors are appropriate for mixed use and multifamily projects for several reasons including their access to transit and access to commercial and retail businesses. General Business is the most intense business district in the zoning code but for Downtown Business District. Amending General Business to permit multifamily residential would enable new and mixed uses projects along commercial corridors outside of downtown. The Planning Commission hopes this change will not only help attract new development to fill the great need for housing units in the city, but also will catalyze the continued revitalization of our neighborhoods and historic commercial corridors.

**Correlation to the Comprehensive Plan:** A "Livable City" with access to a variety of housing types is a paramount strategy defined in the Bicentennial Vision Comprehensive Plan. This zoning amendment will increase the availability of land for construction of housing units across the city within the General Business Zoning District.

**Budgetary Impact:** The proposed amendment has no direct budgetary impact. Any increase in housing units enabled by the change is expected to have a net positive impact on property and income revenue for the city.

**Action Requested:** It is requested that the City Commission approve the proposed amendment to the zoning code, to include multifamily residential in the list of allowed main uses in the GB – General Business zoning district. It is further requested that this ordinance take effect under Section 13 of the City Charter.

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Arin Blair, AICP  
Chief Planner

I concur with this recommendation,

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John Orzech  
City Manager

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Colleen Gilson  
Community Development Director

cc: Cathy Myers, Clerk of City Commission  
Michelle Reeder, Finance Director  
Justin Harris, Interim Law Director



## COMMUNITY DEVELOPMENT

*Division of Planning*  
240 Columbus Ave  
Sandusky, Ohio 44870  
419.627.5891

**To:** Planning Commission  
**From:** Arin Blair, AICP, Chief Planner  
**Date:** August 15, 2023  
**Subject:** Recommendation to amend GB - General Business zoning district to allow multifamily residential

**Items for Consideration:** Proposal to initiate a change in the Zoning Code to include multifamily residential in the list of allowed main uses in the GB – General Business zoning district.

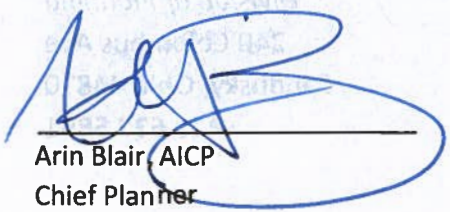
**Background:** The *2023 Housing Needs Assessment for the Firelands Region of Ohio*, conducted by Bowen National Research and led by Firelands Forward, found our three-county region has an overall housing gap of more than 10,000 units. Erie County alone is in need of more than 1,600 rental units and 2,734 for-sale units to support a healthy housing market for existing and expected residents over the next five years. Providing any meaningful measure of these units will be a challenge that public and private sector professionals must strategically and creatively work together to accomplish.

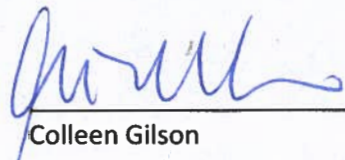
With our walkable neighborhoods, iconic waterfront, historic charm, revitalizing downtown, and access to amenities such as parks and transit, the City of Sandusky has the market strength to attract new housing development to help fill the identified need for new units. However, as a built-out urban area, Sandusky does not have abundant available land for new development. We must make strategic land use decisions to enable new residents to live in the city.

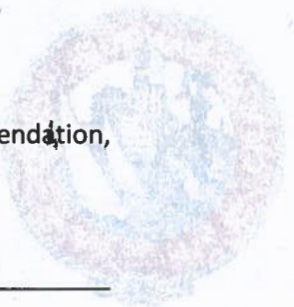
As a proactive measure to enable mixed-use development and multifamily residential projects, Staff recommends amending the General Business zoning district to allow multifamily residential as a main use. The GB - General Business Zoning District is primarily located on medium-high traffic arterial corridors in the city, including Perkins Avenue, Cleveland Avenue, and West Washington/Tiffin Ave. The condition of these types of corridors are appropriate for mixed use and multifamily projects for several reasons including their access to transit and access to commercial and retail businesses. General Business is the most intense business district in the zoning code but for Downtown Business District. Amending General Business to permit multifamily residential would enable new and mixed uses projects along commercial corridors outside of downtown. Staff hopes this change will not only help attract new development to fill the great need for housing units in the city, but also will catalyze the continued revitalization of our neighborhoods and historic commercial corridors.

**Recommendation:** The Community Development Department recommends Planning Commission make a motion to amend the GB – General Business zoning district to include multifamily residential as a permitted main use.

I concur with this recommendation,

  
Arin Blair, AICP  
Chief Planner

  
Colleen Gilson  
Interim Community Development Director



Planning Commission  
Arin Blair, AICP, Chief Planner  
August 19, 2023  
Subject: Recommendation to amend GB - General Business zoning district to allow multi-family residential

Items for Consideration: Proposal to amend the zoning code to include multi-family residential in the list of allowed main uses in the GB - General Business zoning district.

**Background:** The 2023 Housing Needs Assessment for the Cuyahoga County region of Ohio, conducted by the Ohio Department of Housing and led by the Ohio Department of Housing, found that the Cuyahoga County region has an estimated housing gap of more than 10,000 units. The County alone is in need of more than 1,000 rental units and 2,754 for-sale units to support a healthy housing market for existing and projected residents over the next five years. Providing any meaningful measure of these units will be a challenge that public and private sector professionals must strategically and creatively work together to accomplish.

With our walkable neighborhoods, iconic waterfront destination, revitalizing downtown, and access to amenities such as parks and transit, the City of Cleveland has the market strength to attract new housing development to help fill the identified need for new units. However, as a build-out urban area, existing uses not have abundant available land for new development. We must make the most of the land use decisions to enable new residents to live in the city.

As a proactive measure to enable mixed-use development and multi-family residential projects, staff recommends amending the General Business zoning district to allow multi-family residential as a main use. The GB - General Business zoning district is primarily located on medium-high traffic arterial corridors in the city, including Firms Avenue, Cleveland Avenue, and West Washington Avenue. The condition of these types of corridors are appropriate for mixed-use and multi-family projects for several reasons including their access to transit and access to commercial and retail businesses. General Business is the most intense business district in the city and is the only district that allows multi-family residential. Amending General Business to permit multi-family residential would enable new and mixed-use projects along commercial corridors outside of downtown. Staff hopes this change will not only attract new development to fill the great need for housing units in the city but also will retain the principle revitalization of our neighborhoods and historic commercial corridors.

**Recommendation:** The Community Development Department recommends Planning Commission make a motion to amend the GB - General Business zoning district to include multi-family residential as a permitted main use.



## FIRELANDS REGION, OHIO

### Housing Needs Assessment

A Housing Needs Assessment is a comprehensive analysis that serves as a valuable resource for developers/investors, area stakeholders and local governments to support the development of affordable and accessible housing. The report evaluates current demographic, economic and housing supply conditions and projected trends to assess both challenges and opportunities that exist in the market. To that end, the Housing Needs Assessment completed for the Firelands Region of Ohio considered the following:

- Demographic Characteristics and Trends
- Economic Conditions and Initiatives
- Existing Housing Supply Costs, Performance, Conditions and Features
- Various Other Housing Factors (commuting/migration patterns, transportation analysis, development opportunities, development costs and government regulations, identification of potential development/investment partners, cost of living analysis, university/college overview, and special needs populations)
- Input from the Community (Surveys of Stakeholders, Employers and Residents/Commuters)

Based on these metrics, we were able to identify housing needs by affordability and tenure (rental vs. ownership) and provide recommendations on possible ways to address local housing issues.

**The Firelands Region has an Overall Housing Gap of 10,428 Units for Rental and For-Sale Product at a Variety of Affordability Levels** - It is projected that the county has a five-year **rental** housing gap of 4,166 units and a **for-sale** housing gap of 6,262 units.

Overall Housing Gaps				
Area	Rental		For-Sale	
	Housing Gap (Units)	Share of Region's Gap	Housing Gap (Units)	Share of Region's Gap
Erie County	1,637	39.3%	2,734	43.7%
Huron County	1,699	40.8%	2,094	33.4%
Ottawa County	830	19.9%	1,434	22.9%
Firelands Region	4,166	100.0%	6,262	100.0%

The Firelands Region's largest rental gap is in Huron County with a gap of 1,699 units (representing 40.8% of the region's overall gap), followed closely by Erie County's gap of 1,637 units (representing 39.3% of the region's gap). Ottawa County has a rental housing gap of 830 units (representing 19.9% of the region's overall gap). The largest gaps within these counties are primarily for rental units targeting households with incomes of up to 80% of Area Median Household Income, which generally have rents under \$1,700. Despite the large need for more affordable rentals, all three markets also have noteworthy gaps for higher-end rentals, particularly within Erie and Huron counties. Without the notable addition of new rental product, the area will not meet the housing needs of its current residents or the growing and changing housing needs of the market.

The largest for-sale housing gap is within Erie County, with a gap of 2,734 units (representing 43.7% of the overall region's gap). Huron County has a for-sale housing gap of 2,094 units (representing 33.4% of the overall region's gap) and Ottawa County has a gap of 1,434 for-sale housing units (representing 22.9% of the overall region's gap). While all home price segments and affordability levels have some level of need, it appears some of the greatest gaps within the three counties are for product generally priced between \$197,000 and \$283,000, which generally serves households earning between 81% and 100% of Area Median Household Income. Although this segment has relatively large gaps, there are still notable gaps for housing that is affordable to lower income households, including first-time homebuyers, as well as for high-end product priced well over \$300,000. The limited inventory of for-sale product limits opportunities for renters seeking to enter the homebuyer market, homebuyers coming from outside the region or seniors seeking to downsize. The region will miss out on various growth opportunities and be unable to meet the needs of its current residents without additional housing.

### **Action Plan Recommendations**

We developed an outline for a recommended Action Plan that can serve as a framework to organize priorities, goals and strategies that address the housing needs of the region. It is important to point out that not all of the items listed need to be implemented for the region to be successful. Ultimately, the region will need to develop its own priorities and plans that fit its goals, align with budgetary limitations, and correspond to regional needs.

#### **Goal Setting & Planning**

- Set realistic/attainable short-term housing goals, outline long-term objectives and monitor progress.
- Develop community-/neighborhood-specific and regional-level housing plans.
- Develop next-steps plans.

#### **Capacity Building**

- Consider capacity building through organizational efforts and/or hiring professionals to spearhead housing efforts.

#### **Marketing and Outreach**

- Market the Fireland Region's housing needs and development opportunities to potential residential development partners.
- Develop strategies to attract people that currently commute into the Firelands Region to *live* in the region.
- Consider developing a centralized housing resource center.

#### **Development and Preservation Tools**

- Implement/modify policies to encourage or support the development of new residential units, with possible emphasis on affordable workforce housing and senior-oriented housing.
- Support efforts to develop residential units along or near public transportation corridors and/or within walkable downtowns/communities to accommodate the housing needs of seniors and to appeal to younger households.
- Preservation of existing affordable housing alternatives and increasing rental opportunities for Housing Choice Voucher holders should be areas of focus.
- Consider evaluating approaches to regulating/managing vacation rentals.

Additional Action Plan details are provided in the Executive Summary.

**Planning Commission  
August 23, 2023  
Meeting Minutes**

**Meeting Called to Order**

Chair McGory called the August 23, 2023, Planning Commission meeting to order at 5:00 pm. The following Commissioners were present: Commissioner Castile, Commissioner Jackson, Chair McGory, Commissioner Poggiali, and Commissioner Zuilhof. Vice Chair Miller and Commissioner Whelan were absent. 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 July 26, 2023**

Chair McGory introduced the first item on the agenda, which was the approval of the minutes from the July 26, 2023, Planning Meeting. Commissioner Zuilhof made a motion to approve the minutes as presented and Commissioner Poggiali seconded the motion. Chair McGory called for a vote to approve the minutes as presented and the motion passed unanimously.

**Public Hearing**

**123 Division Street- Zone Map Amendment**

**Dr. John M. Davenport has submitted an application for an amendment to the zoning map for 123 Division Street (parcel 57-04139.000). The application is to amend the zoning map from PF- Public Facilities to LB- Local Business and R2F- Two Family Residential.**

Chair McGory introduced the application and asked for the Staff report. Mr. Ochs stated the applicant proposed to split the parcel at 123 E. Division St. The owner plans to create two lots, one for the existing residential structure (parcel 1) and one for the structure currently housing a venue space (parcel 2). As part of this proposal, the applicant proposed to re-zone both the proposed parcels 1 and parcel 2. Parcel one was proposed to be re-zoned to R2F – Two Family Residential. Parcel 2 was proposed to be re-zoned to LB – Local Business. Both zoning categories would more appropriately reflect the existing uses of the structures. Staff recommended the approval of the proposed amendment to the Zoning Map at 123 Division St. (Parcel 57-04139.000) with the following conditions: (1) all applicable permits were obtained through the Building Department, Engineering Department, and any other applicable agency prior to transient occupancy, (2) the new Zoning Districts aligned with metes and bounds with the future new parcels. Ms. Blair added that the property was currently one parcel and would be going through the lot split process and the rezone would bring the current use into conformance with zoning code. Chair McGory asked if the rezone would have to be subject to the lot split. Ms. Blair stated that was not required because portions of parcels could have different zoning. Commissioner Zuilhof asked if the parcels would be the same zoning. Ms. Blair stated that the parcel with the house would be zoned R2F- Two Family Residential, and the other parcel would be rezoned to LB- Local Business. Chair McGory asked if there was anyone to speak for or against the application. There was no one to speak for or against the application.



Commissioner Zuilhof made a motion to approve the application for zoning map amendment with Staff conditions. The motion was seconded by Commissioner Jackson. Chair McGory called for the vote and all Commissioners voted to approve the application.

### **New Business**

#### **3717 Venice Road- Site Plan**

**Logan Meisler, on behalf of Toft-Dairy Company, has submitted a site plan for 3717 Venice Road to build a cold storage building in a Limited Manufacturing District.**

Chair McGory introduced the application and asked for the Staff report. Mr. Ochs stated the applicant proposed to construct a new 20,700 sq. ft. freezer and convert the existing 10,269 sq. ft. freezer to dry storage. Part of this project would also widen the Venice Road curb cut for commercial vehicle traffic and construction of a new driveway & loading docks. The loading docks would be used during daylight hours only. The addition would put the total site coverage to approximately 23%, 27% under the maximum requirement of 50%. The proposed height of the expansion would be 23 feet high. The site contained 80+ parking spaces. The code called for 105 spaces. Staff talked to the applicant and determined 80+ spaces would adequately meet the parking need for the site. Staff noted that warehousing operations typically produce a minimal number of jobs or increase in customer traffic. The site should not require the amount of parking the code required, and Staff recommended waiving any additional parking requirements, and approval of the proposed site plan at 3717 Venice Rd. (parcel 60-00568.000) with the following condition: all applicable permits must be obtained through the Building Department, Engineering Department, and any other applicable agency prior to construction. Chair McGory asked the Commission if they had any questions for Staff. There were none. Chair McGory asked if there was anyone to speak on behalf of the application. Mr. Hernstein, of Feick Contractors, was present to speak on behalf of the applicant. He stated the site plan did include (7) additional parking spaces that could be developed in the future if they were needed. Commissioner Poggiali asked if there would possibly be 87 spaces. Mr. Hernstein said yes but they would not be developed unless needed. Chair McGory asked if the additional spaces were part of this proposal. Mr. Ochs stated they were not part of this application, but the Commission could make that a requirement. Commissioner Zuilhof asked about the stormwater plan. Mr. Hernstein answered it would be added to the existing system.

Commissioner Zuilhof made a motion to approve the site plan for 3717 Venice Road with Staff conditions. The motion was seconded by Commissioner Castile. Chair McGory called for a vote. The vote was called, and all Commissioners voted to approve the site plan with Staff conditions.

### **Other Business**

#### **General Business District Zoning Amendment Recommendation**

**Recommendation to amend GB- General Business District to allow multi-family residential as a main use.**

Chair McGory introduced the topic and asked for the Staff report. Ms. Blair stated Staff was proposing that the Planning Commission initiate a change in the zoning code to include multifamily residential in the list of allowed main uses in the GB- General Business Zoning District. This recommended change was based upon the findings of the Firelands Regional Housing Needs Assessment and public comment about the lack of housing options in Sandusky and surrounding areas. Ms. Blair



added that per the study Erie County was found to have a shortage of 1,637 rental housing units and 2,734 for-sale housing units. There was a demand for housing because of the needs of the current population, jobs, amenities, and walkability of the City. Ms. Blair proposed the Planning Commission recommend to City Commission an amendment to the General Business Zoning District to allow multi-family residential as a main use. This type of amendment would allow apartment buildings or mixed-use projects. Ms. Blair continued that currently the only business district that allowed multi-family residential was Downtown Business District. Commissioner Zuilhof stated that he would like to see multi-family residential, and the code referenced, so the term would be defined. Ms. Blair stated the business district section of the City's code already pointed to multi-family regulations for any building that's residential use only in a mixed-use zone and commercial building standards would apply. Commissioner Jackson asked if Ms. Blair saw this as utilization of the space that was available for residences by building onto existing commercial buildings to allow more living space. Ms. Blair answered that travel corridors were the areas that often see redevelopment and this amendment would give property owners more options for redevelopment. Commissioner Zuilhof stated that the Planning Commission should be looking to the future and long-term goals in their decisions. He continued that he was in favor of the proposed amendment to the zoning code. Chair McGory asked Staff if they were looking for a motion. Ms. Blair stated that Staff was recommending that the Planning Commission make a motion to amend the general business zoning district to include multi-family residential as a permitted main use and if the recommendation was approved by Planning Commission, it would go to City Commission for a public hearing. Commissioner Poggiali asked Ms. Blair if there was any downside to approval of this amendment. Ms. Blair stated change could be uncomfortable but that is expected with any type of development. She added transient rental was already permitted use in General Business. Sandusky has limited land area to offer more people places to live and with the current housing shortage, she didn't see a lot of downsides from this change. Commissioner Poggiali asked for clarification that transient rentals could currently go in a General Business District. Ms. Blair confirmed that was correct and this change would allow more mixed-use projects, which is how many citizens would prefer to live close to stores, gyms, and childcare centers. Commissioner Zuilhof added that zoning protected people's property rights and managed conflict between properties and this would be removing a barrier that was necessary in the past but was no longer the case. Chair McGory stated that this change would allow people to live where they were comfortable. Commissioner Poggiali stated he questioned the study results because of different factors identified in the study, such as \$300,000 homes as being affordable, the absorption rate when the population is declining/ staying the same, or if the study considered the Feick Building, Marous Development, and Redwood, and if birth/ death rates of the area were considered. Commissioner Poggiali stated many higher end units were being built and there needed to be more done on the Federal level to subsidized projects and make them more affordable. Commissioner Castile asked Ms. Blair if the Commission would still approve individual site plans if this change was adopted. Ms. Blair stated that was correct, the same site plan process would be required. Commissioner Castile stated there were properties available for the public, but the problem was the cost, many couldn't afford the properties that were available.

Commissioner Zuilhof made a motion to recommend the change of the zoning code to allow multi-family residential in the General Business zoning district. Commissioner Castile asked if the proposed language of the change was in the packet. Ms. Blair confirmed that was correct. The motion was seconded by Commissioner Poggiali. Chair McGory called for a vote. The vote

was called, and all Commissioners voted to approve the recommendation to City Commission to allow multi-family residential as a main use in the GB- General Business District.

**Adjournment**

Chair McGory made a motion to adjourn the Planning Commission Meeting and the motion was seconded by Commissioner Poggiali. The meeting adjourned at 5:47 pm.

**Next Meeting:**

September 27, 2023, at 5:00pm.

**Approved:**

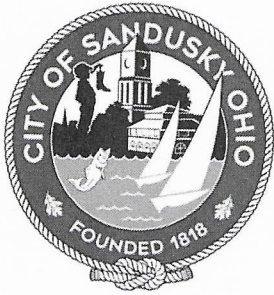


Clerk



Chair/ Vice Chair





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DEPARTMENT of COMMUNITY DEVELOPMENT

*Division of Planning*  
240 Columbus Ave  
Sandusky, Ohio 44870  
419.627.5891

September 25, 2023

At the August 23, 2023 Planning Commission meeting, the Planning Commission recommends City Commission approval for the following zone map and zone text amendments:

1. 123 Division St. (parcel 57-04139.000).

An amendment to the zoning map to rezone the above-mentioned parcel from PF – Public Facilities to R2F - Two Family Residential on the western portion and LB – Local Business on the eastern portion, following the surveyed boundary lines depicted in the rezoning application.

2. General Business District Amendment

An amendment to the zoning text to amend the GB - General Business District to list RMF – Residential Multi-family as a permitted main use.

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Pete McGory  
Planning Commission Chairman



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

**AN ORDINANCE AMENDING PART ELEVEN (PLANNING AND ZONING CODE), TITLE THREE (ZONING DISTRICTS AND REGULATIONS), CHAPTER 1133 (BUSINESS DISTRICTS), SECTION 1133.06 (PERMITTED BUILDINGS AND USES; GENERAL BUSINESS DISTRICT) OF THE CODIFIED ORDINANCES; 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**, the *2023 Housing Needs Assessment for the Firelands Region of Ohio*, conducted by Bowen National Research and led by Firelands Forward, found our three-county region has an overall housing gap of more than 10,000 units and Erie County alone needs more than 1,600 rental units and 2,734 for-sale units to support a healthy housing market for existing and expected residents over the next five years; and

**WHEREAS**, as a proactive measure to enable mixed-use development and multi-family residential projects, the Planning Commission recommends amending the General Business zoning district to allow multi-family residential as a main use; and

**WHEREAS**, this Ordinance should be passed under suspension of the rules in accordance with Section 13 of the City Charter approving the amendment to Chapter 1133 (Business Districts), Section 1133.06 (Permitted Buildings and Uses; General Business District) of the Codified Ordinances; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of 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:

**NEW LANGUAGE APPEARS IN BOLD PRINT**

**LANGUAGE TO BE STRICKEN APPEARS WITH A STRIKE THROUGH IT**

**LANGUAGE TO REMAIN UNCHANGED APPEARS IN REGULAR PRINT**

Section 1. Part Eleven (Planning and Zoning Code), Title Three (Zoning Districts and Regulations), Chapter 1133 (Business Districts), Section 1133.06 (Permitted Buildings and Uses; General Business District) of the Codified Ordinances of the City is hereby amended as follows:

1133.06 PERMITTED BUILDINGS AND USES; GENERAL BUSINESS DISTRICT.

(a) Main Buildings and Uses.

(1) All stores, services, dwellings, and other uses permitted in Roadside Business Districts;

- (2) Additional retail business stores and services conducted wholly within enclosed buildings, and devoted to supplying all community needs to the following extent:
- A. The sale of all food; frozen food lockers; state liquor stores;
  - B. The sale of general merchandise; dry goods, wearing apparel, shoes, hats, variety, and department stores;
  - C. The sale of all hardware, appliances, china, furniture, floor and wall covering, business equipment, music, radios and televisions, provided no loudspeakers broadcast onto the street;
  - D. Shops for custom work, and all personal service establishments without limitation on the number of persons engaged in work, provided the services rendered and articles produced are to be sold only at retail, and only on the premises;
  - E. Photographic developing, blueprinting, letter and small job printing shops, medical and dental laboratories, radio and television broadcasting stations, transmittal towers, telephone exchanges, and transformer stations;
  - F. Railroad and bus passenger stations, taxi stations;
  - G. Offices such as banks, travel bureaus, public utility, insurance, and all types of business and professional offices;
  - H. Wholesale offices and showrooms.

**(3) Multi-family residential.**

(b) Similar Main Uses. Any other general business store, shop, or service not listed above or in any subsequent use classification and determined as similar by the Commission.

(c) Accessory Buildings or Uses.

- (1) Accessory off-street parking and loading facilities as required and set forth in Chapter 1149;
- (2) Any accessory use, such as the storage of goods or processing operations clearly incident to the conduct of a retail business, service establishment or office permitted as a main use, providing the use has no injurious effect on adjoining residential districts.

(Ord. 04-057. Passed 1-12-04).

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

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

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

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance shall take effect 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: October 9, 2023 (effective after 30 days)



## PARKS & RECREATION

1918 Mills Street  
Sandusky, Ohio 44870  
419.627.5886  
[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

To: John Orzech, City Manager  
From: Jason Werling, Recreation Superintendent  
Date: October 9, 2023  
Subject: Commission Agenda Item

**ITEMS FOR CONSIDERATION:** Requesting legislation for approval to enter into a letter of intent with Ameresco Inc. to provide project development, engineering services and grant application services for Energy Efficiency Program for Ohio Communities Grant funds through the Ohio Department of Development for facility improvement measures.

**BACKGROUND INFORMATION:** The letter of intent affirms the City of Sandusky's request for Ameresco, INC to provide project development, engineering services, and State of Ohio Community grant application services for the facility improvement measures associated with the City buildings identified a scope of work. It also outlines the scope of work and the terms and conditions associated with the Services that Ameresco will perform for the City. The objective of these Services is to move forward with all critical path project development, engineering, and application activities to improve the likelihood of the City of Sandusky securing the State of Ohio Community Grant totaling \$250,000. In the event Ameresco is successful in securing the grant on behalf of the City, it is agreed that the Customer will partner with Ameresco on implementation of the agreed upon scope of work in an amount not to exceed \$260,880.

**BUDGETARY INFORMATION:**

In the event Ameresco is successful in securing the grant on behalf of the City of Sandusky, it is agreed that the City will partner with Ameresco on implementation of the agreed upon scope of work in an amount not to exceed \$260,880 with all but \$10,880 being reimbursed by the State of Ohio Community Grant funds. Funds not reimbursed by the State of Ohio will be covered by Issue 8 Capital Projects Fund.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to allow for the approval to enter into a Letter of Intent with Ameresco Inc. It is further requested that this be passed to take immediate effect in accordance with Section 14 of the City Charter in order to enter the agreement so the grant application can be finalized and submitted before the October 31<sup>st</sup>, 2023 deadline.

I concur with this recommendation:

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Jason Werling, Parks & Recreation Superintendent

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John Orzech, City Manager

cc: Cathy Myers, Commission Clerk; Michelle Reeder, Finance Director; Justin Harris, Interim Law Director

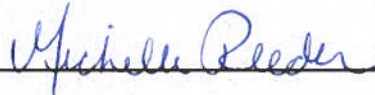
## CERTIFICATE OF FUNDS

In the Matter of: AMERESCO -Energy Efficiency Program

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 # 431-6202-53000

By: \_\_\_\_\_



Michelle Reeder

Finance Director

Dated: 10/4/2023

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LETTER OF INTENT WITH AMERESCO INC. OF WORTHINGTON, OHIO, FOR SERVICES RELATING TO SECURING AN ENERGY EFFICIENCY PROGRAM FOR OHIO COMMUNITIES GRANT THROUGH THE OHIO DEPARTMENT OF DEVELOPMENT FOR ENERGY CONSERVATION & FACILITY IMPROVEMENT MEASURES FOR CERTAIN CITY BUILDINGS; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the U.S. Department of Energy (DOE) through the Infrastructure Investment and Jobs Act (IIJA) allocated \$13,295,590 in funds to the State of Ohio and of these funds, \$8,000,000 will be used to provide energy efficiency upgrades across the State of Ohio to help local governments realize energy savings in their facilities; and

**WHEREAS**, the IIJA Energy Efficiency Program for Ohio Communities (EEPOC) is being administered by the Ohio Department of Development (Development), Office of Energy and Environment (OEE); and

**WHEREAS**, Ameresco INC. is an approved Participating Energy Audit Contractor, and will assist the City through the application process and determining the most efficient and cost-effective measures for some of the City's facilities; and

**WHEREAS**, the Letter of Intent affirms the City's desire for Ameresco, INC. to provide project development, engineering services, and grant application services for the facility improvement measures associated with City buildings described in the Scope of Work and included in the Letter of Intent; and

**WHEREAS**, the objective of these Services is to move forward with all critical path project development, engineering, and application activities to improve the likelihood of the City securing the State of Ohio Community Grant totaling \$250,000.00; and

**WHEREAS**, in the event Ameresco INC. is successful in securing the grant on behalf of the City, it is agreed that the City will partner with Ameresco INC. on implementation of the Scope of Work in an amount not to exceed \$260,880.00 of which \$250,000.00 will be reimbursed through the State of Ohio and the remaining \$10,880.00 will be paid with issue 8 funds from the Capital Projects Fund; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately execute the Letter of Intent and allow the grant application to be finalized and submitted prior to the October 31, 2023, deadline; 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 Recreation, 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 authorizes and directs the City Manager to enter into a Letter of Intent with Ameresco INC. of Worthington, Ohio, for services relating to securing an Energy Efficiency Program for Ohio Communities grant through the Ohio Department of Development for Energy Conservation & Facility Improvement Measures for certain City buildings, substantially in the same form as Exhibit "1", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

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

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

# Letter of Intent

September 25, 2023

John Orzech  
City Manager  
City of Sandusky  
240 Columbus Avenue  
Sandusky, OH 44870

RE: Letter of Intent for Ohio Communities Grant Projects

Dear Mr. Orzech,

This letter (the "Letter of Intent") affirms that the City of Sandusky's (the "Customer") request for Ameresco, INC ("Ameresco") to provide project development, engineering services, and State of Ohio Community grant application services (the "Services") for the facility improvement measures associated with the City Buildings identified in the scope of work below. It also outlines the scope of work and the terms and conditions associated with the Services that Ameresco will perform for the Customer. The objective of these Services is to move forward with all critical path project development, engineering, and application activities to improve the likelihood of the Customer securing the State of Ohio Community Grant totaling \$250,000. In the event Ameresco is successful in securing the grant on behalf of the Customer, it is agreed that the Customer will partner with Ameresco on implementation of the agreed upon scope of work in an amount not to exceed \$260,880.

## Scope of Work

Ameresco will expend engineering hours to create all necessary documentation and technical information to apply for one State of Ohio Community Grant of \$250,000, to be applied to following identified scope of work. If the grant is secured for the customer, the customer agrees to implement the work with Ameresco only. Both Ameresco and the customer agree to work in a timely manner to ensure that any grant deadlines can be met.

Energy Conservation & Facility Improvement Measures Financial Analysis		Measure Investment		Annual Savings			Simple Payback (years)
		Min (w/rebate)	Max (w/rebate)	Utility	O&M	Total	
1	SFD 7	\$ 6,890	\$ 8,026	\$ 846	\$ 254	\$ 1,099	6.3 - 7.3
2	Greenhouse	\$ 8,079	\$ 9,411	\$ 434	\$ 130	\$ 564	14.3 - 16.7
3	Shoreline	\$ 18,789	\$ 21,888	\$ 3,580	\$ 1,074	\$ 4,654	4.0 - 4.7
4	SFD 1	\$ 40,606	\$ 47,304	\$ 6,299	\$ 1,890	\$ 8,189	5.0 - 5.8
5	SFD 3	\$ 17,155	\$ 19,985	\$ 1,824	\$ 547	\$ 2,371	7.2 - 8.4
6	Service Center	\$ 119,408	\$ 139,104	\$ 5,330	\$ 1,599	\$ 6,929	17.2 - 20.1
7	Lion Park	\$ 7,448	\$ 8,677	\$ 800	\$ 240	\$ 1,040	7.2 - 8.3
8	Mills Creek Golf Club	\$ 14,291	\$ 16,649	\$ 975	\$ 292	\$ 1,267	11.3 - 13.1
9	Jaycee North Park	\$ 16,668	\$ 19,418	\$ 2,948	\$ 884	\$ 3,833	4.3 - 5.1
10	Marina	\$ 7,734	\$ 9,010	\$ 291	\$ 87	\$ 378	20.5 - 23.8
Total		\$ 223,941	\$ 260,880	\$ 18,100	\$ 5,430	\$ 23,531	9.5 - 11.1
State Grant Offset		\$ (250,000)	\$ (250,000)	\$ -	\$ -	\$ -	-
Net Total		\$ (26,059)	\$ 10,880	\$ 18,100	\$ 5,430	\$ 23,531	-1.1 - 0.5

## Ameresco Fee Schedule:

It is agreed that Ameresco will incur significant engineering costs in their effort to secure the State of Ohio Department of Energy Grant on behalf of the Customer. In the event Ameresco is successful in securing the grant, and the customer does not partner on the implementation with Ameresco, the customer agrees to reimburse Ameresco time and material for their efforts in an amount not to exceed \$15,000. In the event Ameresco is unsuccessful in securing the grant on behalf of the customer, Ameresco agrees to waive all fees associated with the scope of work described herein.

## Intent to Proceed

Ameresco

City of Sandusky

\_\_\_\_\_  
Dave Zehala,  
Vice President

\_\_\_\_\_  
John Orzech,  
City Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

The services covered under the terms of this Letter of Intent consist only of those provided in the "Scope of Work" herein, which are the delivery of complete Schematic Design documents, a proposed Project Budget, and a proposed Project Schedule to the Customer.

No further Services will be provided by Ameresco, and no additional compensation owed by the Customer, without an additional, fully-executed agreement between the Parties.



## DEPARTMENT OF PUBLIC WORKS

240 Columbus Avenue  
Sandusky, Ohio 44870  
419.627.5829  
[www.cityofsandusky.com](http://www.cityofsandusky.com)

To: John Orzech, City Manager

From: Josh Snyder, P.E., Public Works Engineer

Date: September 28, 2023

Subject: **Commission Agenda Item – Award a Contract to Schirmer Construction LLC of North Olmsted, Ohio for the 2023 Underpass Rehabilitation at Columbus Avenue Project**

**ITEM FOR CONSIDERATION:** Requesting legislation awarding a contract to Schirmer Construction LLC of North Olmsted, Ohio for the 2023 Underpass Rehabilitation at Columbus Avenue Project.

**BACKGROUND INFORMATION:** Legislation was presented at the September 11, 2023, City Commission meeting requesting permission to bid on the 2023 Underpass Rehabilitation at Columbus Avenue Project (Resolution No. 040-23R).

Planned work for the rehabilitation project:

- Replace the remaining unsafe walkway handrail with a rustproof aluminum style to match the other half that will be replaced by the railroad.
- Upgrade underpass lighting with LED lighting fixtures for pedestrian and driver safety.
- Power wash and chisel off the existing wall coatings to the stone/concrete structure.
- Repair delamination and cracks with specialized cements and epoxies.
- Apply a new waterproof coating system.

The following bid(s) were received on Thursday, September 28, 2023, at a formal bid opening:

Schirmer Construction LLC	Base Bid	\$527,785.00
North Olmsted, Ohio	Alternate A	\$34,500.00
100% Bid Bond	Alternate B	\$23,000.00

Local preference does not apply to this project, as federal funding is being used. Schirmer Construction LLC was the sole bidder, and their bid exceeds the Engineer's Estimate. However, it falls within the 10% threshold allowed by the ORC. The completion date for this project has been set as June 7, 2024.

**BUDGETARY INFORMATION:** The construction cost shall not exceed \$527,785.00, which shall be paid with American Rescue Plan Act (ARPA) Stimulus Funds.

**ACTION REQUESTED:** It is recommended that proper legislation be prepared awarding a contract to Schirmer Construction LLC of North Olmsted, Ohio for the 2023 Underpass Rehabilitation at Columbus Avenue project in an amount not to exceed 527,785.00 be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to proceed with construction so the project can be completed prior to the completion date of June 7, 2024.

I concur with this recommendation:

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John Orzech  
City Manager

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Aaron M. Klein  
Director

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

## CERTIFICATE OF FUNDS

In the Matter of: Schirmer- Columbus Ave Underpass Project

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

Account # 240-0000-55990

By: Michelle Reeder

Michelle Reeder

Finance Director

Dated: 10/4/2023



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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SCHIRMER CONSTRUCTION LLC OF NORTH OLMSTED, OHIO, FOR THE 2023 UNDERPASS REHABILITATION AT COLUMBUS AVENUE PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the 2023 Underpass Rehabilitation at Columbus Avenue involves replacing the remaining unsafe walkway handrail with a rustproof aluminum style, upgrading the underpass lighting to match the LED lighting fixtures on the Camp Street underpass for pedestrian and driver safety, power washing and chiseling off the existing wall coatings to the stone/concrete structure, repairing delamination and cracks with specialized cements and epoxies, and reapplying a new waterproof coating system; and

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the proposed 2023 Underpass Rehabilitation at Columbus Avenue Project by Resolution No. 040-23R, passed on September 11, 2023; and

**WHEREAS**, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid from Schirmer Construction LLC of North Olmsted, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the total construction cost of this project is \$527,785.00 and will be paid with American Rescue Plan Act (ARPA) Stimulus 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 proceed with construction so the project can be completed by the completion deadline of June 7, 2024; and

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with Schirmer Construction LLC of North Olmsted, Ohio, for the 2023 Underpass Rehabilitation at Columbus Avenue Project, in an amount **not to exceed** Five Hundred Twenty-Seven Thousand Seven Hundred Eighty-Five and 00/100 Dollars (\$527,785.00) consistent with the bid submitted by Schirmer Construction LLC of North Olmsted, Ohio, currently on file in the office of the

Director of Public Works.

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

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

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

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

ATTEST: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: October 9, 2023