

AGENDA
City Commission Meeting
222 Meigs Street
5:00 p.m.

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MONDAY, JANUARY 22, 2007

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Prayer
Pledge of Allegiance
Meeting Called to Order
Roll Call - BC, BF, DW, CS, DE, DK, DM
Minutes – December 21st & January 8th

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Charter Officers – Mike Will, Don Icsman, Ed Widman, B. Joyce Brown

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Audience Participation – Agenda Items Only (3 minute limit)

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PRESENTATION – Bob Hagg – Back Bay (Pipe Creek) - NASA Final Testing Results

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OLD BUSINESS

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ITEM#1

RESOLUTION NO. _____ A Resolution adopted pursuant to Section 1506.11 of the Ohio Revised Code finding and determining that based upon the representations and application filed by the City of Sandusky for property located on the Pier Track at 0 McEwen Street, the use and development of the territory so described, a Submerged Lands Lease may be entered into by the State’s Director of Natural Resources. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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NEW BUSINESS

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ITEM#2 - Communication submitted by Josh Snyder, P.E. Traffic Engineer.

RESOLUTION NO. _____ Declaring the necessity for the City of Sandusky, Ohio, to proceed with the Monroe Street Resurfacing Phase I Project; approving the specifications and engineer’s estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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ITEM#3 - Communication submitted by Gary Packan, Assistant City Manager.

RESOLUTION NO. _____ Authorizing the City of Sandusky to apply for a Recreational Trails Program Grant from the Ohio Department of Natural Resources and, if awarded, execute a Grant Agreement and expends funds. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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City Manager’s Report
Old Business
New Business
Audience Participation – Open discussion on any item (5 minute limit)
Press Question/Answers
Executive Session
Adjournment

RESOLUTION NO. _____

A RESOLUTION ADOPTED PURSUANT TO SECTION 1506.11 OF THE OHIO REVISED CODE FINDING AND DETERMINING THAT BASED UPON THE REPRESENTATIONS AND APPLICATION FILED BY CITY OF SANDUSKY FOR PROPERTY LOCATED ON THE PIER TRACK AT 0 MCEWEN STREET, THE USE AND DEVELOPMENT OF THE TERRITORY SO DESCRIBED, A SUBMERGED LANDS LEASE MAY BE ENTERED INTO BY THE STATE'S DIRECTOR OF NATURAL RESOURCES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City of Sandusky is the upland property owner of land located on the Pier Track at 0 McEwen Street, parcel numbers 56093483088000 and 57114104025000, and has been working with the Ohio Department of Natural Resources Division of Coastal Management to secure "Submerged Land Leases" on all parcels of public land subject to state land lease regulations from the State of Ohio; and

WHEREAS, this submerged land lease will provide the groundwork for the construction of the Sandusky Bay Pathway which will eventually span the entire width of the city connecting the Erie Metro Parks properties to the east and serving as a corridor connecting redevelopment opportunities for exercise, transportation and general recreation; and

WHEREAS, the City of Sandusky has made certain representations and filed an original application and site plan consistent therewith, with the State Director of Natural Resources, a copy of which is attached marked "Exhibit A" and incorporated herein, indicating a desire to use and develop a part of the territory as specified in their application and site plan without impairment of the public's right of navigation, water commerce and fishery; and

WHEREAS, this City Commission determines that based upon the City's representations, the territory as described in their application and site plan filed by the City of Sandusky is not necessary or required for the construction, maintenance, or operation, by the City of Sandusky, of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways, in aid of navigation and water commerce; and

WHEREAS, this City Commission determines that based upon the City's representations the land uses specified in the City's application and site plan filed with the State's Director of Natural Resources comply with the regulations of permissible land use under the City's Port Development Plan, Strategic Plan and Comprehensive Land Use Plan; and

WHEREAS, this City Commission determines that this legislation should be passed as an emergency measure and in accordance with Section 14 of the City Charter in order to insure that the administrative review process of the City's application can continue in a timely manner and expedite possible grant opportunities; 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, 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 based upon the City's representations, as contained in attached "Exhibit A", the territory as described in the application and site plan is not necessary or required for the construction, maintenance, or operation, by the City of Sandusky of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways, in aid of navigation and water commerce.

Section 2. This City Commission finds and determines that based upon the City's representations contained in attached "Exhibit A" the land uses specified in the City's application and site plan filed with the State's Director of Natural Resources comply with the regulations of permissible land use under the City's Port Development Plan, Strategic Plan and Comprehensive Land Use Plan.

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

PAGE 3 – RESOLUTION NO. _____

Commission of the City of Sandusky, Ohio.

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

Passed:



OHIO DEPARTMENT OF NATURAL RESOURCES
**COASTAL PERMITS AND LEASE
 APPLICATIONS FORM**



*Please consult the instructions prior to completing this form.
 Please type or print clearly using blue or black ink.*

GENERAL INFORMATION

1. Property Owner Name: City of Sandusky	
2. Mailing Address: 222 Meigs St, Sandusky, OH 44870	3. Home Telephone Number: 419-627-5829
	4. Alternate Telephone Number:
	5. E-Mail Address: kmckillips@ci.sandusky.oh.us
6. Authorized Agent/Representative Name: Kathy McKillips, City of Sandusky	
7. Mailing Address: 222 Meigs St, Sandusky, OH 44870	8. Telephone Number: 419-627-5829
	9. Fax Number: 419-627-5933
	10. E-Mail Address: kmckillips@ci.sandusky.oh.us

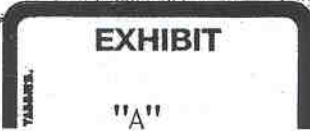
11. Street Address: 0 McEwen, Sandusky, OH 44870	
12. Permanent Parcel Number(s): 56093483088000 and 57114104025000	
13. City or Township: Sandusky	14. County: Erie County
15. Site Location Description (if necessary): Former railroad property along the shore with bay to the northeast and Boat house channels to the southwest.	16. Submittals (check if enclosed): <input checked="" type="checkbox"/> Location Map

17. Name of Adjoining Shoreline Property Owners	Street Address / City / State / Zip Code (include permanent mailing and local)
City of Sandusky, 222 Meigs Street, Sandusky, OH 44870	
See Attached List	

18. Brief Description of the Proposed Structure or Project (attach additional sheets as necessary):	
The city desires to enhance the existing pier track (10' path) as part of the Sandusky Bay Pathway promoting pedestrian transportation, fitness and community connections along the Sandusky waterfront.	
A copy of the pathway master plan has been attached in the requested area.	
19. Anticipated Start Date: TBD	20. Anticipated Finish Date: TBD

21. To apply for an authorization, check the box below and complete the application on the reverse page:		
<input type="checkbox"/> Shore Structure Permit	<input checked="" type="checkbox"/> Submerged Lands Lease	<input type="checkbox"/> Coastal Erosion Area Permit
<input type="checkbox"/> Shore Structure Permit Modification	<input type="checkbox"/> Submerged Lands Lease Modification	<input type="checkbox"/> Consistency Statement

AGENCY USE ONLY	
APPLICATION REFERENCE #:	DATE RECEIVED:
LEASE REFERENCE #:	THIS COPY TO: <input type="checkbox"/> SSP <input type="checkbox"/> SLL <input type="checkbox"/> CEA <input type="checkbox"/> other



BORE STRUCTURE PERMIT APPLICATION

1521.22 ORC

1. Professional Engineer:		2. Registration Number:	
3. Mailing Address:	4. Phone Number:	7. Submittals (check if attached): Construction Drawings (by Professional Engineer) Design Information	
	5. Fax Number:		
	6. E-Mail Address:		

SUBMERGED LANDS LEASE APPLICATION

1506.11 ORC

1. Total Area of Submerged Lands to be Occupied: 2.2 +/- acres		Deed Page: 895-902	
2. Deed Book: 484		Date Issued:	
3. Local Authority Issuing Resolution: City of Sandusky		Date Issued:	
4. Was any Portion of the Structure Erected in Lake Erie Prior to October 13, 1955? <input checked="" type="radio"/> Yes <input type="radio"/> No			
5. Brief Explanation of the Purpose of the Structure or Project (attach additional sheets if necessary): See Attached Description		6. Submittals (check if attached): Construction Drawings <input checked="" type="checkbox"/> Copy of Title Deed And report Metes and Bounds Survey Local Resolution or Ordinance	

COASTAL EROSION AREA PERMIT APPLICATION

1506.07 ORC

1. Authorization Type: Existing Measure <input type="checkbox"/> New Measure <input type="checkbox"/>		Date Built (if existing measure):	
2. Deed Book:		Deed Page:	
3. Start Date for the Building or Addition:			
4. Brief Description of the Building or Addition (attach additional sheets if necessary):		5. Submittals (check if attached): Construction Drawings Permanent Structure Drawings Copy of Title Deed Construction Schedule Design Information	

SIGNATURE AND CONSISTENCY STATEMENT

1506.03 ORC

I do certify that the proposed activity identified in this application complies with Ohio's approved Coastal Management Program and will be conducted in a manner consistent with such program (15 CFR 930.57 and ORC 1506.03).

I do additionally certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate.

Michael J. Will
Signature of Property Owner or Authorized Agent

November 16, 2006
Date

Application Page 2 of 2

MAIL TO: ODNR Coastal Services Center, 105 W. Shoreline Drive, Sandusky OH 44870

To: Michael Will, City Manager

From: Josh Snyder, P.E., Traffic Engineer

Date: January 10, 2007

Item for Consideration: Monroe Street Resurfacing Phase 1. This project involves the grinding and re-paving of Edgewater Avenue and Monroe Street from Toft Dairy's south driveway on Edgewater Avenue eastward along Monroe Street up to Camp Street. Manholes will be adjusted and pavement striping will also be performed. This section of roadway contains 5 of the top 25 worst major street sections in the City per the University of Toledo's pavement study. The City entered into a Local Public Agency Agreement with ODOT following the approval of legislation for this project by the City Commission on July 10, 2006.

Budgetary Information: The engineer's estimated cost of the project, including ODOT recommended 10% inflation from the original estimate, inspection, and miscellaneous costs are \$386,135.10. The Erie County MPO from ODOT, will contribute \$308,908.08 (80%) and the City's \$5 license fee will pick up the remaining \$77,227.02 (20%).

Action Requested: It is requested that the Monroe Street Resurfacing Phase 1 Project be approved and that the necessary legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to bid the project and receive competitive prices prior to the June 1, 2007 deadline.

Joshua R. Snyder, P.E.
Traffic Engineer

I concur with this recommendation:

Michael Will
City Manager

Kathryn K. McKillips, P.E.,
Director of Engineering Services

JRS/cal

cc: Ed Widman, Finance Director
Joyce Brown, Commission Clerk

RESOLUTION NO. _____

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY OF SANDUSKY, OHIO, TO PROCEED WITH THE MONROE STREET RESURFACING PHASE I PROJECT; APPROVING THE SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission authorized an LPA Federal Project Agreement between the City and the Ohio Department of Transportation for the Monroe Street Resurfacing Project by Resolution No. 033-06R, passed on July 10, 2006; and

WHEREAS, Phase I of this project involves the grinding and re-paving of Edgewater Avenue and Monroe Street from Toft Dairy's south driveway on Edgewater Avenue eastward along Monroe Street up to Camp Street, adjusting manholes and pavement striping; and

WHEREAS, this section of roadway contains 5 of the top 25 worst major street sections in the City per the University of Toledo's pavement study; and

WHEREAS, the total estimated cost of the project including ODOT's recommended 10% inflation from the original estimate, inspection, and miscellaneous costs is \$386,135.10 of which \$308,908.08 (80%) is to be funded by the Erie County Metropolitan Planning Organization through ODOT and the remaining balance of \$77,227.02 (20%) is to be funded by the City's \$5 License Fee Fund; and

WHEREAS, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to bid the project and receive competitive prices prior to the scheduled deadline of June 1, 2007; 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 Department of Engineering Services of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and
NOW, THEREFORE

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

Section 1. The specifications and estimates of cost as prepared by the Director of Engineering Services and submitted to this City Commission, and which are now on file with the Clerk of the City Commission, and the office of the Director of Engineering Services, for the proposed Monroe Street Resurfacing Phase 1 Project, be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with said project at the earliest possible time.

Section 3. The City Manager of the City of Sandusky, Ohio, be and hereby is authorized and directed to advertise for and to receive bids in relation to said project as

required by law.

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

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

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

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

Passed:

TO: Michael J. Will, City Manager
FROM: Gary Packan, Assistant City Manager
DATE: January 16, 2007
SUBJECT: Commission Agenda Item – Recreational Trail Program Grant

ITEM FOR CONSIDERATION: Resolution authorizing the City of Sandusky to apply for Recreational Trail Program grant monies and if awarded, execute a grant agreement and expend monies. The grant money would be used to complete three phases of the Sandusky Bay Pathway, which is a 10' wide concrete path.

BACKGROUND INFORMATION: One phase is the “**Castaway Bay Route**” which will run from Kiwanis Park to TGIFriday’s parking lot. The path is proposed on the east side of Causeway Drive and will be located in the City right-of-way. The total length of this phase will be 4,530 lineal feet.

Another phase of the project is the “**Municipal Boat Launch Route**”. This portion will start at the east edge of the City municipal boat launch and run through the boat launch area. Additional concrete will be added to the existing walkway to accommodate the new traffic and benches will be added as well. This phase will have a length of 1,246 lineal feet.

Adjoining this section is the “**Rail to Trail Route**”. This route will run along the northern edge of AMVET’s property and then through property owned by JAP Holdings. Both property owners have agreed access to the City for placement of the trail on their properties. This phase will have a length of 1,350 lineal feet.

The total length of all phases will be 7,126 lineal feet (1.35 miles) of trail. A draft of the application is on file with the Clerk of the City Commission.

BUGETARY INFORMATION: The total project cost \$366,743.00. The Recreational Trail Program grant money can pay for up to 80% of the total project cost which is \$293,203.00. Therefore, the City would be providing a match of 20% or \$73,540 from a combination of CDBG and Strategic Plan Funds. **No general fund money will be required for this project.**

SUPPORTING INFORMATION: The Sandusky Bay Pathway (Bayfront Corridor) is and will be a great recreational and economic asset to the city. Creating this path will connect areas of town that are high in traffic counts, thus provide safe pedestrian paths as well as providing a route to stimulate healthy lifestyles through walking, jogging, rollerblading and bicycling. These phases will also provide a safety factor by adding a sidewalk for pedestrians walking along Cedar Point Drive where a sidewalk does not exist.

ACTION REQUESTED: It is requested that the City Commission approve a resolution authorizing the City Manager to submit a Recreational Trails Program application for completion of three phases of the Bayfront Corridor and if awarded, execute a grant agreement and expend monies. It is requested that this approval be passed as an emergency under Section 14 of the City Charter due to the application deadline of February 1, 2007.

I concur with this recommendation:

Michael J. Will
City Manager
Attachments

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY OF SANDUSKY TO APPLY FOR A RECREATIONAL TRAILS PROGRAM GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES AND, IF AWARDED, EXECUTE A GRANT AGREEMENT AND EXPEND FUNDS; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the State of Ohio, through the Department of Natural Resources, administers financial assistance for public recreation purposes, through the Recreational Trails Program (RTP) and the City desires to apply for financial assistance under the Recreational Trails Program; and

WHEREAS, if the grant is approved and the City receives funding from the Recreation Trails Program Fund, the grant money would be used to complete the following three phases of the Sandusky Bay Pathway: the "Castaway Bay Route", "Municipal Boat Launch Route", and the "Rail to Trail Route"; and

WHEREAS, the total project cost is \$366,743.00, with the Recreational Trail Program Grant fund providing 80% of the total project cost which is \$293,203.00 and the City providing the 20% match of \$73,540.00 from a combination of CDBG and Strategic Plan Funds; and

WHEREAS, this legislation should be passed as an emergency measure under suspension of the rules and in accordance with Section 14 of the City Charter to timely file the application in order to qualify for a grant from the Recreational Trail Program Grant Fund with the application deadline being February 1, 1007; 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, 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 filing of an application for financial assistance from the Recreational Trails Program and the City Manager is authorized and directed to execute and file the application with the Ohio Department of Natural Resources, to provide all necessary information and documentation required for the City to become eligible for possible funding assistance and if awarded to enter into an appropriate Grant Agreement and expend funds as necessary.

Section 2. This City Commission agrees to obligate the funds necessary and required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Recreational Trails Program.

Section 3. The Clerk of this City Commission is authorized and directed to furnish a certified copy of this Resolution to be utilized in the filing of the application for financial

assistance from the Recreational Trails Program.

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

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

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

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST:

B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

PASSED: