

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

=====

MONDAY, FEBRUARY 12, 2007

=====

Prayer
Pledge of Allegiance
Meeting Called to Order
Roll Call - BF, DW, CS, DE, DK, DM, BC
Minutes – January 6th, January 22nd and January 26th

=====

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

=====

Audience Participation – Agenda Items Only (3 minute limit)

=====

PRESENTATION – Randell Roys - Honeywell - House Bill 30

=====

PRESENTATION – Judge O'Brien – Sandusky Municipal Court 2006 Annual Report

=====

PUBLIC HEARING – Gary Packan – Development of Sandusky Bay Water Trail

=====

OLD BUSINESS

=====

ITEM#1 – Passed at First Reading January 26th

RESOLUTION NO. _____ Execute a Calendar Year 2007 Marine Patrol Assistance Agreement with the Ohio Department of Natural Resource, Division of Watercraft. **Request passed at second reading under suspension of rules in full accordance of Section 14 of the City Charter.**

=====

NEW BUSINESS

=====

ITEM#2 - Communication submitted by Ed Widman, Finance Director.

ORDINANCE NO. _____ Authorizing and directing the City Manager and/or Finance Director to make payment for the 2006-2007 Renewal Costs for Property, Casualty and Liability Insurance Pool Membership with Buckeye Ohio Risk Management Association (BORMA) and Public Entity Risk Consortium (PERC). **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

=====

ITEM#3 - Communication submitted by Rosanne Bodner, Public Transit Administrator.

ORDINANCE NO. _____ Enter into a Lease Agreement with MV Contract Transportation, Inc. for the Buildings and Land commonly referred to as the Amtrak Station. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

=====

ITEM#4 - Communication submitted by Gary Packan, Assistant City Manager.

ORDINANCE NO. _____ Authorizing and approving an Economic Development Loan in an amount of \$42,000.00 to Custom Tool and Mold, LLC. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

=====

ITEM#5 - Communication submitted by Kathryn K. McKillips, Engineering Director.

ORDINANCE NO. _____ Enter into a contract for Professional Design Services with Jones & Henry Engineers LTD for the Wastewater Treatment Plant Expansion Project Phase II. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

=====

ITEM#6 - Communication submitted by Kathryn K. McKillips, Engineering Director.

ORDINANCE NO. _____ Enter into a contract for Professional Design Services with ARCADIS FPS, Inc. for the Follett Street Elevated Water Tank Project. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

=====

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 APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CY 2007 MARINE PATROL ASSISTANCE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WATERCRAFT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Chief of the Division of Watercraft with the consent and approval of the Director of Natural Resources is authorized pursuant to the Ohio Revised Code §1547.67 to expend funds for the purpose of assisting political subdivisions such as Sandusky for the purpose of establishing and/or maintaining and operating a Marine Patrol Program; and

WHEREAS, the City of Sandusky has a Marine Patrol on Sandusky Bay to enforce the watercraft laws of Ohio as set forth in Chapters 1547 and 1548 of the Ohio Revised Code and to enforce those rules, regulations and Ordinances promulgated by state and local authorities which pertain to the operation of watercraft and to provide emergency response to boating accidents on the water; and

WHEREAS, the Marine Patrol Assistance Grant will provide a maximum of \$35,000 or 75% of costs (whichever is the least) for CY 2007 including the purchase, maintenance and operation of vessels and marine equipment, educational materials, and personnel salaries that are necessary for the enforcement of Chapters 1547 and 1548 of the Ohio Revised Code and rules adopted under them to provide emergency response to boating accidents on the water; and

WHEREAS, this Resolution is necessary to evidence the City Commission's approval of the City of Sandusky's participation in the program for CY 2007 and is included in the grant application; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to submit the grant application by the extended deadline of January 31, 2007, since no expenses chargeable to the grant can be incurred until the agreement is signed by both the State and the City and any delay in the process prevents the Marine Patrol from being available and in the water for boating season; and

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

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

Section 1. This City Commission approves the City of Sandusky's participation in the Marine Patrol Assistance Program for the CY 2007 and the City Manager and Finance Director are authorized and directed to execute the 2007 Marine Patrol Assistance Agreement, substantially in the same form as attached to this Resolution and marked Exhibit "1" and incorporated herein.

Section 2. The Clerk of this City Commission is authorized and directed to prepare a certified copy of this Resolution to be utilized in the submission of the grant application.

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.

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST:

B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

Passed:

MEMO

TO: City Commission
FROM: Ed Widman, Finance Director
DATE: January 11, 2007
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

An ordinance approving the costs for 2006-2007 renewal for property, casualty and liability insurance pool membership with Buckeye Ohio Risk Management Association (BORMA) and Public Entity Risk Consortium (PERC). Mr. Jim Howell will be available on February 12, 2007 if there are any questions on this insurance program.

BUDGETARY INFORMATION:

The city has participated in this insurance program since 1987. The annual cost has become part of the annual operating budget. Based on the formula to calculate pool membership Sandusky's cost for 2006-2007 will be \$498,360 (Fixed Costs \$215,034, BORMA \$98,944, PERC \$175,000 & prior year audit \$9,382). The cost for 2004-2005 was \$461,136 and 2005-2006 was \$567,627 which covered fourteen months. The insurance year was October through September. The year now is December through November. This expense is shared with the utility funds based on exposures.

ACTION REQUESTED:

The City Commission is requested to approve legislation to authorize additional funds for the BORMA/PERC insurance package for 2006-2007. The legislation required is an ordinance to pay BORMA \$498,360. It is requested the City Commission enact the required legislation under suspension of the rules in accordance with Section 14 of the City Charter to avoid any lapse in coverage.

If there are any questions, please contact the Finance Director.

Attachment

CC011107PERC.wpf

cc: Michael J. Will
Don C. Icsman

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER AND/OR FINANCE DIRECTOR TO MAKE PAYMENT FOR THE 2006-2007 RENEWAL COSTS FOR PROPERTY, CASUALTY AND LIABILITY INSURANCE POOL MEMBERSHIP WITH BUCKEYE OHIO RISK MANAGEMENT ASSOCIATION (BORMA) AND PUBLIC ENTITY RISK CONSORTIUM (PERC); AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City of Sandusky has participated in the Municipal Insurance Pool (BORMA) since 1987 and the cost for this membership has become part of the City's annual operating budget with recent prior annual cost being \$461,136.00 for 2004-2005 and \$567,627.00 for 2005-2006 which was for 14 months; and

WHEREAS, based upon the formula used to calculate pool membership costs the City of Sandusky's cost for the 2006-2007 renewal will be \$498,360.00 which includes the following: fixed costs \$215,034.00, BORMA \$98,944.00, PERC \$175,000.00 and prior year audit \$9,382.00; 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 avoid any lapses in coverage and to make timely payment as required; 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 Department of Finance of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. This City Commission approves the City of Sandusky's Municipal membership for property, casualty and liability insurance with Buckeye Ohio Risk Management Association (BORMA) and Public Entity Risk Consortium (PERC) and the City Manager and/or Finance Director are authorized and directed to make payment in the sum of Four Hundred Ninety Eight Thousand Three Hundred and Sixty and 00/100 Dollars (\$498,360.00) for coverage for the year December 1, 2006 to November 30, 2007.

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.

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: Rosanne Bodner, Public Transit Administrator

DATE: January 29th, 2007

RE: **Ordinance to enter into a 5-year lease contract with MV Contract Transportation, Inc. to lease and occupy the Amtrak Station and vehicle maintenance garage for daily operation of Sandusky Transit System.**

ITEM FOR CONSIDERATION: Legislation for approval to enter into a 5-year lease with **MV Transportation, Inc.** for the occupation of both the Amtrak Station and the vehicle maintenance garage facilities, located at 1230 and 1240 North Depot St., Sandusky, Ohio. This contract is to begin January 1st, 2007 and continue through December 31st, 2011.

BACKGROUND INFORMATION: The City of Sandusky has recently entered into a five year contract for transportation services with MV Contract Transportation Inc, for the daily operation of the Sandusky Transit System. A requirement of service provision is for the successful contractor to also enter into a five-year lease of the existing operation facilities for that purpose. STS operates from both the renovated Amtrak Station located at 1230 N. Depot St. and the adjacent vehicle maintenance facility at 1240 N. Depot St.

STRATEGIC PLANNING IMPACT: This project promotes the City of Sandusky Strategic Plan in that public transportation is a necessary service to enhance the quality of life for the residents of City of Sandusky and the adjacent service area.

BUDGET IMPACT: STS operations and administration are funded in whole by the Federal Transit Administration, State of Ohio, local contributing agencies, local contributing private entities, and the daily farebox collections. No General Fund monies are used in the daily operation of STS.

ACTION REQUESTED: It is therefore requested that legislation be adopted allowing the City Manager to enter into a 5-year lease contract with MV Contract Transportation, Inc. to operate the Sandusky Transit System from the Amtrak station and vehicle maintenance garage facilities on N. Depot St., Sandusky. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter to allow the Lease Agreement to be executed by MV Contract Transportation, Inc. and the City for the for the facilities necessary for the operation of the Sandusky Transit System for the contract period of January 1, 2007 through December 31, 2011.

Approved: _____ I concur with this recommendation.

Carrie Handy,
Chief Planner, Transit Supervisor

Michael J. Will, City Manager

CC: Donald C. Icsman, Law Director
Edward A. Widman, Finance Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH MV CONTRACT TRANSPORTATION, INC. FOR THE BUILDINGS AND LAND COMMONLY REFERRED TO AS THE AMTRAK STATION; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed Lease Agreement between the City of Sandusky and MV Contract Transportation, Inc. is for the Amtrak Building and adjacent vehicle maintenance garage located at 1230 and 1240 North Depot Street; and

WHEREAS, the City of Sandusky recently entered into a five-year transportation services contract with MV Contract Transportation, Inc., for the daily operation of the Sandusky Transit System and a mandatory requirement of that contract is for the service provider to utilize the Amtrak station facilities for the provision of services to operate the Sandusky Transit System; and

WHEREAS, this legislation should be passed under suspension of the rules as an emergency measure in accordance with Section 14 of the City Charter to allow the Lease Agreement to be executed by MV Contract Transportation, Inc. and the City for the facilities required to be utilized for the provision of all services necessary for the operation of the Sandusky Transit System for the contract period of January 1, 2007 through December 31, 2011; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **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 five-year Lease Agreement with MV Contract Transportation, Inc. for the buildings and land commonly referred to as the Amtrak Station located at 1230 and 1240 North Depot Street commencing on January 1, 2007, substantially in the same form as Exhibit "A" attached to this Ordinance and specifically incorporated as if fully rewritten herein.

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

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

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

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance 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: City Commission
FROM: Gary Packan, Assistant City Manager
DATE: January 29, 2007
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

The City's Revolving Loan Fund Committee met on December 8, 2006 and voted unanimously to recommend a loan to Custom Tool and Mold, LLC. The committee recommends a 7-year, 5% loan for a maximum of \$42,000 with an initial twelve-month interest only period. The loan proceeds will be used as partial payment for new machinery and equipment costing approximately \$105,570. The city will have a lien on all business assets and the personal guarantees and mortgage on the home of Thomas and Vicky Reichert, the owners of the company.

BACKGROUND INFORMATION: Tom Reichert is a machinist with 22 years of experience. For the last year he has been employed by Sandusky Machine and Tool on Venice Road as a journeyman machinist and prior to that he worked for Lear in Huron as a machinist. Reichert was also a partner in and founding member of Modern Mold and Manufacturing in Port Huron Michigan, a company that he owned for eight years.

As a mold maker and repairman, Reichert specializes in the manufacture and repair of molds for the plastics industry. The idea for Custom Tool and Mold, LLC has arisen from this specialization in the repair of tooling for the injection molding business.

The company has signed a lease with occupancy 4,000 square feet of space in the rear of the Associated Suppliers building and is in the process of purchasing equipment and supplies.

Initially, the company's business plan calls for only two employees (Tom and Vicky Reichert). Plans call for one additional employee in the first three months and two to five additional employees in the first three years.

The RLF Committee recommends a loan not to exceed \$42,000 to be used toward the purchase of machinery and equipment costing approximately \$105,570. Citizens Bank will also finance \$42,000 with the balance of the financing coming from owner equity contributions. The city will have a lien on all business assets, a mortgage on the personal residence of Tom H. and Vicky L. Reichert and also the personal guarantees of Tom and Vicky Reichert.

BUDGETARY INFORMATION:

This action will not impact the City operating budget. The loan funds are restricted in

use and this loan is within the guidelines of the program. The company must create two new full-time jobs within three years of receiving this loan. The new hires will result in additional income taxes for the city.

ACTION REQUESTED:

It is requested that the City Commission enact the attached legislation under suspension of the rules as an emergency measure in accordance with Section 14 of the City Charter to assist the business in a timely manner. Equipment must be ordered now and paid for as it is received.

I concur with this recommendation:

Michael J. Will, City Manager

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND APPROVING AN ECONOMIC DEVELOPMENT LOAN IN THE AMOUNT OF \$42,000.00 TO CUSTOM TOOL AND MOLD, LLC; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Custom Tool and Mold, LLC, of Sandusky, Ohio, submitted an application to the City of Sandusky's Revolving Loan Fund Committee for partial funding of the purchase of new machinery and equipment; and

WHEREAS, Thomas Reichert is a machinist with 22 years of experience specializing in the manufacture and repair of molds for the plastics industry and the idea for creating Custom Tool and Mold is a result of this experience and specialization; and

WHEREAS, the RLF Committee met on December 8, 2006, and unanimously voted to recommend a 7-year, 5% loan for a maximum of \$42,000.00 with an initial twelve month interest only period with the City having a lien on all business assets and the personal guarantees and mortgage on the home of Thomas and Vicky Reichert, owners of the company, as contained in the terms of the Promissory Note and Security Agreement, a copy of which is attached to this Ordinance and marked Exhibit "A" and specifically incorporated herein; and

WHEREAS, Custom Tool and Mold, LLC, must create two new full-time jobs within three years of receiving this loan which will result in additional income taxes for the City; and

WHEREAS, this loan will not impact the City's operating budget, the loan is restricted in use and is within the RLF guidelines and shall be monitored on an annual basis by the Department of Community Development; and

WHEREAS, this legislation should be passed under suspension of the rules as an emergency measure in accordance with Section 14 of the City Charter to allow Custom Tool and Mold, LLC, to order new machinery and equipment as soon as possible and to have the funds available upon receipt of materials ; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **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 Finance Director is authorized and directed to deliver to Custom Tool and Mold, LLC, a draft in the sum of Forty Two Thousand and 00/100 Dollars (\$42,000.00) from the Revolving Loan Fund of the City of Sandusky pursuant to and in accordance with the terms of the Promissory Note and Security Agreement, with Custom Tool and Mold, LLC, of Sandusky, Ohio, a copy of which is attached to this Ordinance, marked Exhibit "A" and specifically incorporated as if fully rewritten herein.

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

holding shall not affect the validity of the remaining portions thereof;

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City'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 effect and be in full force from and 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: Kathryn K. McKillips, Director of
Engineering Department
Date: January 30, 2007
Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Agreement for Professional Design Services with ARCADIS FPS, Inc., (ARCADIS) for the Follett Street Elevated Water Tank Project. This agreement will authorize ARCADIS to proceed with planning and design for the new water tower on Follett Street and investigate options for the Mills Street and Cedar Point Tank.

The 2005 inspection of the Mills Street tank called out the need for painting of the structure as well as other issues. ARCADIS did a cost comparison between re-painting with lead issues and demolition and reconstruction. Re-painting is estimated at approximately \$300,000. Demolition and construction of a new tank is estimated at about \$2 to \$2.5 millions. Re-painting of the tank as well as other issues brought forth through the inspection performed by Liquid Engineering will be included in the bid package for the new tank in order to save on mobilization costs.

The Cedar Point tank is near the end of its life expectancy. A comparison between replacing the tank and providing a second source of water to the Chaussee will also be performed.

The new water tank will be located on Follett Street between Columbus Avenue and Caldwell Street. This new tank will provide additional water supply for the area including Erie County's main connection to the City's water system.

ARCADIS was selected using a quality based selection process as described in Chapter 141 of the City's Codified Ordinances. Four engineering firms submitted qualifications: ARCADIS, URS, Michael Benza & Associates, and CT Consultants. Based on the firm's experience, ability to perform, personnel experience, and overall project scope, ARCADIS was determined to be the most qualified firm.

BUDGETARY INFORMATION: The Engineering Consultant fee is \$103,000.00, to be paid with Water Funds. This fee includes a \$17,500 option for a two design bid package. Staff will decide if two styles of water tower will be designed and bid in order to increase competitive prices.

ACTION REQUESTED: It is recommended an Agreement for Professional Design Services with ARCADIS FPS, Inc., be executed 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 for ARCADIS to begin the design of the Follett Street water tower.

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

I concur with this recommendation:

Michael J. Will
City Manager

KKM/cal
cc: Ed Widman, Finance Director
Joyce B. Brown, Clerk of the City Commission

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR PROFESSIONAL DESIGN SERVICES WITH ARCADIS FPS, INC. FOR THE FOLLETT STREET ELEVATED WATER TANK PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed Follett Street Elevated Water Tank Project involves planning and design for a new water tower on Follett Street that will provide additional water supply for the area including Erie County's main connection to the City's water system; and

WHEREAS, pursuant to Chapter 141, Professional Design Services Selection, of the Codified Ordinances of the City four (4) engineering firms submitted statements of qualifications and based on the firm's experience, ability to perform, personnel experience, and overall project scope, ARCADIS FPS, Inc. was determined to be the most qualified; and

WHEREAS, the services to be provided by ARCADIS FPS, Inc., for this project will also include additional services to assist the City in investigating options for the Mills Street and Cedar Point Water Tanks and are a necessary precursor to this Commission moving forward with the project through the passage of a Resolution of Necessity; and

WHEREAS, the Engineering Consultant fee is \$103,000.00, which includes a \$17,500.00 option for a two design bid package, and will be paid with Water Funds.

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 the agreement to be signed and the design work to begin at the earliest possible time; 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 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 **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to enter into an agreement with ARCADIS FPS, Inc., for Professional Design Services for the Follett Street Elevated Water Tank Project substantially in the same form as attached to this Ordinance, marked Exhibit "1", and specifically incorporated as if fully rewritten herein, at an amount **not to exceed** One Hundred Three Thousand and 00/100 Dollars (\$103,000.00).

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.

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: Kathryn K. McKillips, Director of
Engineering Department
Date: January 30, 2007
Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Agreement for Professional Design Services with Jones & Henry Engineers, Ltd. for the Wastewater Treatment Plant Expansion Project, Phase II. This agreement will authorize Jones & Henry to proceed with planning and design for the expansion of our sewer plant.

The City is under a consent order to perform certain tasks that are included in the City's Wastewater General Plan. This plan will address combined sewer overflow (CSO) issues that the City has been dealing with since the inception of the wastewater plant. By expanding the capacity of the wastewater plant from 24 MGD to 36 MGD, wet weather flow will be addressed at the plant resulting in decreased CSO events. Erie County is a partner in this very important project.

Jones & Henry was selected using a quality based selection process as described in Chapter 141 of the City's Codified Ordinances. Jack Meyers, Erie County Sanitary Engineer, participated in the selection process. Seven engineering firms submitted qualifications: Jones & Henry, Malcolm Pirnie, CTI Environmental, Inc., Montgomery Watson Harza, URS Corporation, Tetra Tech, and R D Zande & Associates. Based on the firm's experience, ability to perform, personnel experience, and overall project scope, Jones & Henry was determined to be the most qualified firm.

BUDGETARY INFORMATION: The City and Erie County are partnering on this project. The City's portion of the planning and design costs is 61.1% as stated in the new Sewer Services Agreement between the City and Erie County. The total amount of the Consultant fee for professional design services will be \$1,302,450.00. The City's share is \$795,796.95. The OWDA loan for the planning and design has been approved by OWDA.

ACTION REQUESTED: It is recommended an Agreement for Professional Design Services with Jones & Henry Engineers, Ltd., be executed 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 for Jones & Henry to begin the actual design as soon as possible. Jones & Henry has been collecting information for this project since summer 2006. A contract could not be entered into until the Sewer Services Agreement was executed.

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

I concur with this recommendation:

Michael J. Will
City Manager

cc: Ed Widman, Finance Director
Joyce B. Brown, Clerk of the City Commission

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR PROFESSIONAL DESIGN SERVICES WITH JONES & HENRY ENGINEERS, LTD. FOR THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT PHASE II; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission approved a Cooperative Agreement between the City and the Ohio Water Development Authority (OWDA) to finance the cost of the planning activities for the Wastewater Treatment Plant Expansion Project Phase II which specified the work to be performed by Jones & Henry Engineers, Ltd., by Ordinance No. 07-004 passed on January 8, 2007; and

WHEREAS, Phase II of the Wastewater Treatment Plant Expansion Project is intended to increase the plant average capacity to 15.7 MGD and hydraulic capacity to 36 MGD through secondary improvements and will also include updates and improvements to primary and secondary digesters as well as addressing combined sewer overflow (CSO) issues; and

WHEREAS, pursuant to Chapter 141, Professional Design Services Selection, of the Codified Ordinances of the City seven (7) engineering firms submitted statements of qualifications and based on the firm's experience, ability to perform, personnel experience, and overall project scope, Jones & Henry Engineers, Ltd., was determined to be the most qualified; and

WHEREAS, the Engineering Consultant fee is \$1,302,450.00 with the City's portion being 61.1% and the County's portion being 38.9% as stated in the recently executed Sewer Services Agreement with the City's portion of \$795,796.95 being funded through the OWDA loan previously referred to; 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 the agreement to be signed and the design work to begin at the earliest possible time; 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 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 **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to enter into an agreement with Jones & Henry Engineers, Ltd. for Professional Design Services for the Wastewater Treatment Plant Expansion Project Phase II substantially in the same form as attached to this Ordinance, marked Exhibit "1", and specifically incorporated as if fully rewritten herein, at an amount **not to exceed** Seven Hundred Ninety Five Thousand Seven Hundred Ninety Six and 95/100 Dollars (\$795,796.95).

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.

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: