

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

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**FEBRUARY 13, 2006**

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Prayer – Mr. Edmon  
Pledge of Allegiance  
Meeting Called to Order  
Roll Call - DE, DK, DM, BC, BF, DW, CS  
Minutes – January 23<sup>rd</sup> and January 24<sup>th</sup>

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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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**CURRENT BUSINESS**

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**ITEM#1**

**ORDINANCE NO.** \_\_\_\_\_ Ratifying the execution of the Supplemental Agreement to the Erie County/City of Sandusky Water Contract. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#2**

Angela Byington, AICP Chief Planner, approved by Charlene Mockensturm, Community Development Director, and Michael J. Will, City Manager, recommending an application for amendment to the Zoning Map for parcel #6000043100, #6000672000, &#6000191000 (Cold Creek Development) Venice Road from “R1-75” Single-Family Residential to “LB” Local Business. (This is to allow potential uses as permitted in the Local Business Zoning District.)

**ORDINANCE NO.** \_\_\_\_\_ Amending the official Zone Map of the City of Sandusky to rezone three (3) parcels located on Venice Road from “R1-75”, Single-Family Residential, to “LB”, Local Business. **Request passed under suspension of rules in full accordance of Section 13 of the City Charter.**

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**ITEM#3**

Mary Bird, Program Administrator, approved by Charlene Mockensturm, Community Development Director, and Michael J. Will, City Manager, requesting authorization for The Erie County Solid Waste District to provide grant assistance to our community to hold several cleanup events in 2006.

**RESOLUTION NO.** \_\_\_\_\_ File an application with the Erie County Solid Waste Management District for a \$1,100.00 grant to be utilized to hold an Appliance and Scrap Metal Collection in conjunction with the Annual City-wide Spring Clean-Up Event. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#4**

Mary Bird, Program Administrator, approved by Charlene Mockensturm, Community Development Director, and Michael J. Will, City Manager, recommend extending support from the City of Sandusky to the proposed Sandusky Homes Affordable Housing Project. (The project will be comprised of up to fifty (50) single-family homes to be located on scattered sites in the City of Sandusky.)

**RESOLUTION NO.** \_\_\_\_\_ Support the Sandusky Homes Affordable Housing Project for Affordable Housing Tax Credits. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#5**

Michael R. Meinzer, Fire Chief, approved by Michael J. Will, City Manager, recommending the purchase of three (3) ISG K1000 Elite Thermal Imaging Cameras from FTR&R, Inc. of Powell, Ohio, for use in the Fire Department in an amount of \$34,995.00.

**ORDINANCE NO.** \_\_\_\_\_ Purchase three (3) ISG K1000 Elite Thermal Imaging Cameras for use in the Fire Department from FTR&R, Inc. of Powell, Ohio, in an amount of \$34,995.00. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#6**

Michael R. Meinzer, Fire Chief, approved by Michael J. Will, City Manager, recommending the City's participation in the Ohio Department of Transportation's Cooperative Purchasing Program.

**ORDINANCE NO.** \_\_\_\_\_ Authorizing the City's Participation in the Ohio Department of Transportation's Cooperative Purchasing Program. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#7**

Kathryn K. McKillips, Director of Engineering Services, approved by Michael J. Will, City Manager, requesting approval of Change Order No. 4, Electrical Branch of Work for the Big Island Water Works Electrical Improvement Project. The added work will be performed by All Phase Power & Lighting of Sandusky, Ohio, in the amount not to exceed \$31,953.00. (This Change Order includes two (2) item changes that are recommended for approval by the Project Manager, Montgomery Watson Harza.)

**ORDINANCE NO. \_\_\_\_\_** Approve the Fourth Change Order for the Electrical Branch of Work being performed by All Phase Power and Lighting of Sandusky, Ohio, at the Big Island Water Works Electrical Improvements Project in the amount of \$31,953.00. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

**ITEM#8**

Kathryn K. McKillips, Director of Engineering Services, approved by Michael J. Will, City Manager, requesting approval of Change Order No. 8, General Branch of Work for the Big Island Water Works Electrical Improvement Project. The added work will be performed by Mosser Construction, Inc. of Fremont, Ohio, in an amount not to exceed \$22,026.00. (This Change Order includes five (5) item changes that are recommended for approval by the Project Manager, Montgomery Watson Harza.)

**ORDINANCE NO. \_\_\_\_\_** Approve the Eighth Change Order for the General Branch of Work being performed at the Big Island Water Works Electrical Improvements Project in the amount of \$22,026.00 to be paid to Mosser Construction Inc. of Fremont, Ohio. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

**ITEM#9**

Jeffrey W. Rosekelly, City Manager, approved by Kathryn K. McKillips, Director of Engineering Services, and Michael J. Will, City Manager, recommend proceeding with the Sidewalk, Curb and Gutter, and Approach Construction and Repair for the year 2006. (This project is part of an ongoing program to improve and maintain streets and sidewalks within the City of Sandusky.)

**RESOLUTION NO. \_\_\_\_\_** Declaring the Necessity to Proceed with the proposed Sidewalk, Curb, Gutter, and Approach Construction and Repair for the year 2006 approving the specifications and estimates of cost thereof. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

**ITEM#10**

Kathryn K. McKillips, Director of Engineering Services, approved by Michael J. Will, City Manager, recommend amendment to the Agreement for Professional Design Services with Proudfoot Associates, Toledo, Ohio, for the Hayes Avenue Underpass Rehabilitation Project. (The Hayes Avenue Underpass is located on State Route 4 at the Norfolk Southern railroad.)

**RESOLUTION NO. \_\_\_\_\_** Execute an amendment to the contract with Proudfoot Associates for Professional Design Services for the Hayes Avenue Underpass Rehabilitation Project. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

**ITEM#11**

Gary Packan, Assistant City Manager, approved by Michael J. Will, City Manager, requesting approval to apply for grant funding from the Wightman Wieber Foundation for \$40,000 to purchase playground equipment for that park.

**RESOLUTION NO. \_\_\_\_\_** Filing an application for grant funding from the Wightman-Wieber Foundation for \$40,000 to purchase Playground Equipment. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

**ITEM#12**

**ORDINANCE NO. \_\_\_\_\_** Amending Part One – Administrative Code, Title Five – Officers and Departments by the addition of Chapter 149 – Local Preference. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

**ITEM#13**

**ORDINANCE NO. \_\_\_\_\_** Determining to proceed with the Improvement of Seneca Street between certain termini by grading, paving, constructing curbs, gutters, sidewalks, driveway approaches, storm sewers, catch basins, manholes, water mains, fire hydrants and service lines and connections all together with the necessary appurtenances thereto. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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

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

**AN ORDINANCE RATIFYING THE EXECUTION OF THE SUPPLEMENTAL AGREEMENT TO THE ERIE COUNTY/CITY OF SANDUSKY WATER CONTRACT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, The Board of Erie County Commissioners and The City of Sandusky entered into a Water Contract authorized by Ordinance No. 89-080 on June 5, 1989; and

**WHEREAS**, The Board of Erie County Commissioners and The City Commission of the City of Sandusky have engaged in negotiations regarding modifications to the 1989 Water Contract and executed a Memorandum of Understanding authorized by Resolution No. 040-05R, passed on November 28, 2005; and

**WHEREAS**, The Board of Erie County Commissioners and The City Commission of the City of Sandusky held a joint public meeting on January 24, 2006, at which time the terms of the Supplemental Agreement, a copy of which is attached to this Ordinance marked Exhibit "A" and specifically incorporated as if fully rewritten herein, were agreed 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 in order to ratify the execution of the Supplemental Agreement signed on January 24, 2006; and

**WHEREAS**, it is deemed necessary in order to provide for the immediate safety and welfare of the citizens of the City of Sandusky, Ohio and for the usual daily operation of the Municipal Departments of the City of Sandusky, the City Commission finds that an emergency now exists and that it is advisable to declare this **Ordinance** to be an emergency measure which shall 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 terms of the Supplemental Agreement as reflected in attached Exhibit "A" which is specifically incorporated as if fully rewritten herein, and authorizes and ratifies its execution by the City Manager and the Members of the Sandusky City Commission.

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.

COMMISSION

\_\_\_\_\_  
DANIEL J. KAMAN  
PRESIDENT OF THE CITY

ATTEST: \_\_\_\_\_  
B. JOYCE BROWN  
CLERK OF THE CITY COMMISSION

Passed:

TO: Michael J. Will  
City Manager

FROM: Angela Byington, AICP Chief Planner

DATE: January 13, 2006

SUBJECT: Commission Agenda Item for the February 13, 2006 City Commission Meeting

**Item for Consideration:** Application for amendment to the Zoning Map for parcel #6000043100, #6000672000, & #6000191000 (Cold Creek Development) Venice Road from "R1-75" Single Family Residential to "LB" Local Business.

**Purpose:** To allow potential uses as permitted in the Local Business zoning district.

**Background Information:** The proposed zoning map amendment was approved at the January 4, 2006 Planning Commission meeting. The property consists of approximately 0.9384 acres. It is currently zoned "R1-75" Single Family Residential and it has a residential structure located on it. The request for rezoning has been made with the intent of building 9,000 to 10,000 s.f. of building area for use as permitted in the Local Business zoning district. A conceptual plan has been attached which shows two buildings and off-street parking. Permitted buildings and uses in the Local Business District include:

- (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.

A list of specific retail stores and services permitted can be found in Section 1133.04 of the Zoning Code. The Local Business zoning district is the most restrictive of the business zoning districts found in the Zoning Code. The City's Comprehensive Plan calls for this land to remain low density residential. However, it is staff's opinion that this property would be better utilized for low density business use, as permitted in the Local Business zoning district. The property's location on Venice Road and adjacent to the new Cold Creek Crossings subdivision gives cause to rezone the property. Local business uses will benefit the new residential subdivision and this property will act as a buffer between the heavily traveled Venice Road and the new subdivision.

If the proposed zoning map amendment is approved, the Planning Commission recommends the following conditions:

1. Site Plan / Off-Street Parking must be approved by the Planning Commission.

**Correlation to the Strategic Plan**

*General Goal: Development of Business.* The rezoning will allow business creation, which will increase taxes and jobs.

**Supporting Documentation:** From an economic development stand point, this rezoning will allow additional business to develop along Venice Road. Hopefully, once the overpass is completed, ease of traffic flow may stimulate future development along this vehicular artery.

**Action Requested:** Approval of the proposed zoning map amendment rezoning parcel #6000043100, #6000672000 and #6000191000. It is requested that this ordinance take effect under Section 13 of the City Charter.

Submitted by:

\_\_\_\_\_

Angela Byington, AICP Chief Planner

Reviewed by:

I have reviewed the attached:

\_\_\_\_\_

Charlene Mockensturm  
Director of Community Development

\_\_\_\_\_

Michael J. Will  
City Manager

cc: Don Icsman, Law Director  
Joyce Brown, Clerk of City Commission

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

**AN ORDINANCE AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF SANDUSKY TO REZONE THREE (3) PARCELS LOCATED ON VENICE ROAD FROM "R1-75", SINGLE FAMILY RESIDENTIAL, TO "LB", LOCAL BUSINESS; 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 on behalf of COLD CREEK DEVELOPMENT COMPANY LTD. for an amendment to the Zone Map NO. 96-01 as Codified in Section 1121.03 of the Codified Ordinances of the City for three (3) parcels (#6000043100, #6000672000, #6000191000) located on Venice Road and adjacent to the Cold Creek Crossing Subdivision, from "R-1-75" (Single Family Residential) to "LB" (Local Business) as more fully described in Exhibit "A" which is attached to this Ordinance and specifically incorporated as if fully rewritten herein; and

**WHEREAS**, the change in zoning being requested for the three (3) parcels will allow their use as low density business which is permitted in the local business zoning district as codified in Section 1133.04 of the Codified Ordinances of the City and will be of benefit to the new adjacent residential subdivision; and

**WHEREAS**, this request was heard by the Planning Commission at their January 4, 2006, meeting resulting in the Planning Commission's recommendation to **approve** the requested Zone Map Amendment with the following conditions:

1. Site Plan/Off-Street Parking must be approved by the Planning Commission.

**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 for three (3) Parcels located on Venice Road (#6000043100, #6000672000, #6000191000) from "R1-75" (Single Family Residential) to "LB" (Local Business); 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. 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 three (3) parcels located on Venice Road (#6000043100, #6000672000, #6000191000) as more fully described in Exhibit "A" which is attached to this Ordinance and specifically incorporated herein, from "R1-75" (Single Family Residential) to "LB" (Local Business).

Section 2. The City Planner is directed to make the change on the original Zoning Map on file in the Office of the City's Director of Community Development.

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 provided in Section 13 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission.

\_\_\_\_\_  
DANIEL J. KAMAN  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
JOYCE BROWN  
CLERK OF THE CITY COMMISSION

Passed:

**TO:** Michael J. Will  
City Manager

**FROM:** Mary Bird  
Program Administrator

**DATE:** January 27, 2006

**SUBJECT:** **Item for February 27, 2006 City Commission Agenda  
Application for 2006 Community Cleanup Grant Funds**

**ITEM FOR CONSIDERATION:**

The Erie County Solid Waste District is once again providing grant assistance to communities holding cleanup events in 2006. The city has secured grant money through this program for the last 8 years and has used it to hold an appliance and scrap metal collection in conjunction with the annual Citywide Spring Cleanup event.

This year, the Erie County Solid Waste District has \$1,100 available for our municipality and we would like to secure permission to apply for these dollars. The City will sponsor an appliance and scrap metal collection during Spring Cleanup Week. This collection will be held on Saturday, April 29, 2006. Sandusky Steel & Supply Company will collect appliances at their business location at 1943 Milan Road. The City will reimburse Sandusky Steel for the removal of Chlorofluorocarbons (CFC's) from all appliances that contain refrigerant at the rate of \$10.00 per appliance. Proof of residency (Driver's License) will be required for any person wishing the discount with a limit of two (2) appliances per resident.

**BUDGETARY INFORMATION:**

Funding secured from the Erie County Solid Waste Grant will cover the cost of removal of CFC's from appliances. Should the cost exceed the grant amount the Department of Community Development will cover any extra amount from its budget. With a limit on the number of appliances this year, the cost is not expected to exceed \$1,100. If the cost comes in under the grant amount the extra funding will be used toward the City's yard waste program.

**STRATEGIC PLAN IMPACT:**

Activities that promote a cleaner Sandusky have an overall positive effect on all the action plans in the Strategic Plan.

**SUPPORTING COMMENTS:** This grant will support two factors that support the development within our community. These factors are “keeping our parks clean” as well as “keeping our neighborhoods clean”. This grant will provide a resource to our residents to help keep Sandusky beautiful and a great place to live, work and play.

**ACTION REQUESTED:**

It is requested that the City Commission authorize City staff to apply for grant funding in the amount of \$1,100 from the Erie County Solid Waste Management District. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to meet the application deadline of March 10, 2006.

Supported by:

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Charlene Mockensturm  
Director, Community Development

Supported by:

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Gary Packan  
Assist. City Manager

I concur with this recommendation:

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Michael J. Will  
City Manager

cc: Donald Icsman, Law Director  
Edward Widman, Finance Director  
Joyce Brown, Commission Clerk

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO FILE AN APPLICATION WITH THE ERIE COUNTY SOLID WASTE MANAGEMENT DISTRICT, SUBSTANTIALLY IN THE SAME FORM AS ATTACHED HERETO, FOR A \$1,100.00 GRANT TO BE UTILIZED TO HOLD AN APPLIANCE AND SCRAP METAL COLLECTION IN CONJUNCTION WITH THE ANNUAL CITYWIDE SPRING CLEAN-UP EVENT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Erie County Solid Waste District has \$1,100.00 available to our municipality, and the City would like to secure permission to apply for these dollars in order to hold an appliance and scrap metal collection on April 29, 2006, in conjunction with the annual Citywide Spring Clean-up event; and

**WHEREAS**, funding secured from the Erie County Solid Waste District will cover the cost of the removal of CFC's from appliances; and

**WHEREAS**, Sandusky Steel & Supply Company will collect the appliances at their business located at 1943 Milan Road and the City will reimburse them for the removal of CFC's from all appliances that contain the refrigerant at a rate of \$10.00 per appliance; and

**WHEREAS**, this legislation should be passed as an emergency measure in accordance with Section 14 of the City Charter to allow for the timely filing of the grant application to the Erie County Solid Waste Management District by March 10, 2006; 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 ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. That the City Manager is authorized on behalf of the City of Sandusky, Ohio, and the citizens of the City of Sandusky to file an application, and if awarded, enter into an agreement for financial assistance in the form of a grant through the Erie County Solid Waste District in the amount of One Thousand One Hundred and 00/100 Dollars (\$1,100.00) in relation to the proposed appliance and scrap metal collection to be held on April 29, 2006, in conjunction with the annual Citywide Spring Cleanup event.

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 this Commission.

\_\_\_\_\_  
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:** Mary Bird, Program Administrator  
**DATE:** February 2, 2006  
**SUBJECT:** **Item for February 13, 2006 City Commission Agenda**  
**Resolution of Support for Sandusky Homes Affordable Housing Project**

**ITEM FOR CONSIDERATION:** A Resolution extending support from the City of Sandusky to the proposed Sandusky Homes Affordable Housing Project. The project will be comprised of up to fifty (50) single family homes to be located on scattered sites in the City of Sandusky. 100% of the projects units will be affordable units, and all of the units will be leased to households whose annual incomes are 60% or less of the Area Median Gross Income. The development is not targeted towards a special needs population and the project will utilize Affordable Housing Tax Credits.

**BACKGROUND INFORMATION:** The proposed Sandusky development will be a comprehensive development project that will include up to fifty (50) single family homes on fee simple lots to be concentrated in census tract 410, block groups 2 & 3 in the targeted South Side Neighborhood.

Based on initial market research and cost estimates the project will contain a mix of 4-bedroom homes averaging 1,438 square feet and 3-bedroom homes averaging 1,251 square feet. The homes will enhance the neighborhood atmosphere by offering a variety of one and two story exterior styles with at least three different floor plans. The 4-bedroom homes will include 2 bathrooms, a basement and a garage. The 3-bedroom homes will include 1.5 bathrooms, a basement and a garage. The elevations of each single-family home will be designed to be harmonious with the architectural styles of the neighborhoods.

Other physical amenities in the homes will include: Central air conditioning, new refrigerator, stove, dishwasher in kitchen, washer and dryer hook-ups in basements, energy efficient features such as furnaces with 93: AFUE Rating, and windows with U-O factor rating of .40 or below, and a minimum of twenty universal design features. An experienced management staff will be available to the residents to handle all maintenance requests and all residents will have the option of participating in a lease purchase program allowing them to become homeowners.

Financing for the homes will include a combination of proceeds from (i) the sale of housing tax credits; (ii) long term permanent debt; and (iii) State of Ohio HOME funds; and (iv) general partner equity. Currently a family of four making \$35,820 annually would qualify. Target rents are anticipated to be set at less than 60% Area Medium Gross Income. Rents for a 3 and 4-bedroom home will be set between \$400 and \$600. Tenants will have an option to purchase these homes at the end of the minimum tax credit holding period at a predetermined price anticipate to be equal to the outstanding debt on the property.

Home sites for this phase of housing are being acquired through private landowners. If the application is successful, the project anticipates starting construction on the lease purchase homes by April 2007 and completing all fifty (50) homes to be placed in service by May 2008.

**Project Time Line**

February 2006	Formation of Limited Partnership Land and Building Identified Phase I Environmental Review Application of Affordable Tax Credit & State HOME funds
July 2006	Approval of Affordable Tax Credit and Sate HOME funds

	Construction Loan & Permanent Financing Committed
November 2006	10% Carryover Environmental Approval Site Preparation
March 2007	Construction Commencement Zoning & Building Permits Appraisal Completed Construction Loan Closing
September 2007	50% Completion
May 2008	Construction Completion Placed in Service Permanent Loan Closing Equity Closing

**STRATEGIC PLAN IMPACT:** Proposed activities meet the City of Sandusky's Strategic Plan's goal of housing development by impacting the quality of housing available in the City.

**BUDGET IMPACT:** There is no impact on the City's General Fund.

**ACTION REQUESTED:** A Resolution extending support from the City of Sandusky to the proposed Sandusky Homes. The project will be comprised of up to fifty (50) single family homes to be located on scattered sites in the City of Sandusky. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to meet the March 7<sup>th</sup> application deadline.

I concur with this recommendation:

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Michael J. Will  
City Manager

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Charlene Mockensturm  
Community Development Director

cc: Donald Icsman, Law Director  
Joyce Brown, Commission Clerk

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

**A RESOLUTION TO SUPPORT THE SANDUSKY HOMES AFFORDABLE HOUSING PROJECT FOR AFFORDABLE HOUSING TAX CREDITS; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the proposed Sandusky development will be a comprehensive development project that will include up to fifty (50) single family homes on fee simple lots to be concentrated in census tract 410, block groups 2 & 3 in the targeted South Side Neighborhood with 100% of the units being affordable units and all of the units will be leased to households whose annual incomes are 60% or less of the Area Median Gross Income; and

**WHEREAS**, the proposed Sandusky development is not targeted towards a special needs population and will utilize Affordable Housing Tax Credits; 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 March 7, 2006 application deadline; and

**WHEREAS**, it is deemed necessary in order to provide for the immediate safety and welfare of the citizens of the City of Sandusky, Ohio and for the usual daily operation of the Municipal Departments of the City of Sandusky, this City Commission finds that an emergency now exists and that it is advisable to declare this Resolution to be an emergency measure which shall 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 extends its full support to Sandusky Homes, an affordable development of single family homes in the City of Sandusky.

Section 2. The Clerk of this City Commission is hereby authorized and directed to forward a certified copy of this Resolution to the Project Owner % The NRP Group LLC at 5309 Transportation Blvd., Cleveland, Ohio 44125.

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 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:

January 30, 2006

**M E M O R A N D U M**

**TO: Michael J. Will, City Manager**

**FROM: Michael R. Meinzer, Fire Chief**

**RE: Commission Agenda Item**

**ITEM FOR CONSIDERATION:** Legislation to purchase Three (3) ISG K1000 Elite Thermal Imaging Cameras from FTR&R, Inc. of Powell Ohio.

**BACKGROUND INFORMATION:** The need to replace Sandusky Fire Department's Three (3) Thermal Imaging Cameras has been determined by the Fire Chief and the Thermal Imaging review Committee for the following reasons; the cameras are nearing the end of their serviceable life. They have become extremely undependable and their continual repairs are an excessive expense. Many times two of the three Cameras are out of service.

Fire scenes pose a considerable risk of injury or death and require the need for equipment to be immediately available and dependable. These Cameras work with infrared technology and are used in a wide variety situations including; search and rescues, finding fire concealed in walls, looking for overheated electrical components, searching for oil/gas spills on the water and monitoring temperatures at Hazardous Materials incidents. These Cameras minimize property damage and create a safer environment for firefighters to work in.

Pricing for these three (3) Thermal Image Cameras were advertised in the Sandusky Register in October, 2005. Sixteen (16) manufactures received specifications and the following responses were received:

<b>FTR&amp;R, Inc.</b>	<b>\$34,995.00</b>
<b>Powell, OH</b>	
<b>ISG</b>	
Finely Fire	\$26,657.59
McConnelsville, OH	
*Bullard	
Chagrin Safety	\$27,538.00
Chagrin Falls, OH	
*Bullard	

After careful review of the three (3) proposals that were submitted we recommend the acceptance of the ISG K1000 Thermal Imaging Cameras from FTR&R, Inc. because it is the only acceptable bid that solely meets and exceeds the specifications and are more cost efficient in regards to quality, performance and future upgradeability.

When the Thermal Image selection committee conducted trial evaluations in live burns, Bullard demonstrated a camera that was comparable to the ISG. The prices that we received from the two Bullard camera vendors are not for the same model that was demonstrated and this cheaper model does not meet the specifications and the quotes contain several "exceptions" to the specification sheets.

**COMPLIANCE WITH STRATEGIC PLAN:** The replacement of currently unreliable and unsafe Thermal Imaging Cameras will do more than enhance Firefighter Safety. It will allow for making Sandusky a safer place to live, work and play. Safety forces with Thermal Image Cameras will be able to better perform a multitude of services for citizens and tourists.

**BUDGETARY INFORMATION:** This action will **not** negatively impact the general fund. The purchase of these Three (3) Thermal Imaging Cameras in the amount of \$34,995.00 has been a scheduled purchase through the Fire Department's EMS Replacement Fund.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to authorize the contract for the purchase of Three (3) ISG K1000 Elite Thermal Image Cameras from ISG, Inc. of Powell, OH in the amount of \$34,995.00. Delivery time will be approximately 90 days from the signing of the agreement, therefore it is requested that this Resolution take effect immediately in accordance with Section 14 of the City Charter.

Approved:

City Commission:

I concur with this recommendation

\_\_\_\_\_  
Michael R. Meinzer, Fire Chief

\_\_\_\_\_  
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 PURCHASE THREE (3) ISG K1000 ELITE THERMAL IMAGING CAMERAS FOR USE IN THE FIRE DEPARTMENT FROM FTR&R, INC. OF POWELL, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the need to replace the three (3) Thermal Imaging Cameras has been determined by the Fire Chief and the Thermal Imaging Review Committee as the current cameras are near the end of their serviceable life and undependable; and

**WHEREAS**, in October, 2005, pricing for the above stated purchase was advertised in the Sandusky Register and bid documents were sent to sixteen (16) potential vendors with three (3) bids being received and only one bid, that of FTR&R, Inc. of Powell, Ohio, being responsive to the bid specifications and was therefore, determined to be the lowest and best bid; and

**WHEREAS**, funds for the purchase of these Thermal Imaging Cameras in the amount of \$34,995.00 will be paid from the Fire Department's EMS Replacement Fund; 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 for the delivery of this equipment approximately 90 days from the signing of the agreement; and

**WHEREAS**, it is deemed necessary in order to provide for the immediate safety and welfare of the citizens of the City of Sandusky, Ohio and for the usual daily operation of the Municipal Departments of the City of Sandusky, the City Commission finds that an emergency now exists and that it is advisable to declare this **Ordinance** to be an emergency measure which shall 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 to purchase three (3) ISG K1000 Elite Thermal Imaging Cameras for use in the Fire Department from FTR&R, Inc. of Powell, Ohio at an amount **not to exceed** Thirty-Four Thousand Nine Hundred Ninety-Five and 00/100 Dollars (\$34,995.00).

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 and will be in full force from and after its adoption and due authentication by the President and the Clerk of this Commission.

\_\_\_\_\_  
DANIEL J. KAMAN  
VICE-PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
B. JOYCE BROWN  
CLERK OF THE CITY COMMISSION

Passed:

January 30, 2006

**M E M O R A N D U M**

**TO:** Michael J. Will, City Manager

**FROM:** Michael R. Meinzer, Fire Chief

**RE:** Commission Agenda Item

**ITEM FOR CONSIDERATION:** Legislation to authorize the City's participation in the Ohio Department of Transportation's Cooperative Purchasing Program.

**BACKGROUND INFORMATION:** The Director of the Ohio Department of Transportation may permit any political subdivision to participate in selected contracts for the purchase of certain machinery, supplies, materials and other articles. This program allows political subdivisions to forego the competitive billing process and assures them of the Department's contract pricing. The City is then allowed to participate in a contract that has been awarded pursuant to ODOT's competitive bid procedures. This program is similar to the Cooperative Purchasing Program administered by the State Department of Administrative Services which the City participates in.

**COMPLIANCE WITH STRATEGIC PLAN:** In utilizing the savings benefits offered through the Ohio Department of Transportation, we will be able to purchase equipment at a substantial discount. This is a cost-effective procedure, which will benefit the City; its citizens and visitors, as well as, neighboring mutual aid communities.

**BUDEGTARY INFORMATION:** This action will not impact the general fund, as there is no cost involved.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to authorize the City to participate in the Ohio Department of Transportation's Cooperative Purchase Program. **It is further requested that this legislation take immediate effect in accordance with Section 14 of the City Charter.**

Approved:

City Commission:

I concur with this recommendation

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Michael Meinzer, Fire Chief

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Michael Will, City Manager

Cc: Donald Icsman, Law Director  
Edward Widman, Finance Director



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

**A ORDINANCE AUTHORIZING THE CITY'S PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING PROGRAM AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Ohio Revised Code, Section 5513.01 (B) provides the opportunity for political subdivisions, as defined therein, including municipal corporations to participate in contracts of the Ohio Department of Transportation (ODOT) for the purchase of machinery, material, supplies, or other articles; and

**WHEREAS**, in order for the City to qualify to participate in ODOT's Cooperative Purchasing Program in addition to passing this Ordinance requesting permission to participate, the City must designate an agent and agree to and be bound by all ODOT contract terms and conditions and to assume all responsibility for placing contract orders and vendor payments, and to release ODOT employees and its director from responsibilities and obligations (other than caused by their own negligence) as a result of the City's participation in the program; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules as contained in Section 14 of the City Charter in order to allow a certified copy of this Ordinance to be forwarded to ODOT and the City's agent (the City Manager) to provide a written request to ODOT's office of contracts, purchasing services, to participate in the contract for the international cabin chassis for use by the Sandusky Fire Department, as soon as possible; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, 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, find that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which shall 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 designates the City manager of the City of Sandusky as the City's agent and requests authority in the name of the City of Sandusky to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code, Section 5513.01 (B).

Section 2. That the City Manager is hereby authorized to agree in the name of the City of Sandusky to be bound by all terms and conditions as the Director of Transportation prescribes.

Section 3. That the City Manager is hereby authorized to agree in the name of the City of Sandusky to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Sandusky participates, for items it receives pursuant to the contract.

Section 4. That the City of Sandusky agrees to be responsible for resolving all claims or disputes arising out of its participation in the Cooperative Purchasing Program under Section 5513.01 (B) of the Ohio Revised Code. The City of Sandusky releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the Cooperative Purchasing Program which the City of Sandusky may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

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.

\_\_\_\_\_  
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 Services  
Date: January 23, 2006  
Subject: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Change Order No. 4, Electrical Branch of Work for the Big Island Water Works Electrical Improvement Project. The added work will be performed by All Phase Power & Lighting of Sandusky, Ohio, in the amount not to exceed \$31,953.00. This Change Order includes two (2) item changes that are recommended for approval by the Project Manager, Montgomery Watson Harza.

Provide labor, materials, equipment, etc. to perform the following:

- |  |                    |
|--|--------------------|
| 1. Credits: Switching to THHN from XHHN wire, pump pressure switches, salvage of old diesel generators, no installation of sheet metal panels for electrical room, returning lighting mounting hardware, compensation for SCADA factory test strip, no hours of directed training.   | DEDUCT \$21,165.00 |
| 2. Changes: Run conduit and wire from front to back switchboard, add a horn/beacon, relocate new workstation and wiring, replace pump nameplates, change out lugs on 3 VFD's, switch out breakers in various lighting panels, install 10 transformer fusible disconnects, change out lugs on MCC's, change over old Farwell breaker to Ogontz, wire temperature switches for High Service pumps, wire ball check valve switches, wire limit switches for HS pumps, rewire hand-off-auto switch for washwater tank fill pump, wiring for baseboard heater in Superintendent's Office, upgrade HS pump #3 soft start, repair core drill damage for upstairs electrical closet. | ADD \$53,118.00    |
| TOTAL  | \$31,953.00        |

**STRATEGIC PLAN INFORMATION:** This item complies with the City's Strategic Plan. The work involved with this change order will help the Electrical Improvement Project be more successful, and a successful project will ensure "High Quality/Low Cost Utilities" for our residents (Action Plan Item J).

**BUDGETARY INFORMATION:** The Change Order No. 4 will not increase the original contract amount with All Phase Power and Lighting C.O.; therefore, the contract amount remains at \$2,521,875.00.

**ACTION REQUESTED:** It is requested that Change Order No. 4, Electrical Branch of Work for the Big Island Water Works Electrical Improvement Project in the amount of \$31,953.00 for two (2) item changes to be performed by All Phase Power and Lighting, C.O., Sandusky, Ohio, be approved in full accordance with Section 14 of the City Charter in order to permit the project to proceed without delay.

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

I concur with this recommendation:

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Michael J. Will, City Manager

cc: Don Icsman, Law Director  
Joyce Brown, Clerk of City Commission  
Ed Widman, Finance Director

KKM/cal

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

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FOURTH CHANGE ORDER FOR THE ELECTRICAL BRANCH OF WORK BEING PERFORMED BY ALL PHASE POWER AND LIGHTING, SANDUSKY, OHIO AT THE BIG ISLAND WATER WORKS ELECTRICAL IMPROVEMENTS PROJECT IN THE AMOUNT OF \$31,953.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

**WHEREAS**, this City Commission previously approved the awarding of the contract for the Electrical Branch of work being performed at the Big Island Water Works Electrical Improvements Project by Ordinance No. 04-165, passed on January 27, 2004; and

**WHEREAS**, this Fourth Change Order includes one (2) item changes that are recommended for approval by the Project Manager, Montgomery Watson Harza:

- |  |                           |
|--|---------------------------|
| 1. Credits: Switching to THHN from XHHN wire, pump pressure switches, salvage of old diesel generators, no installation of sheet metal panels for electrical room, returning lighting mounting hardware, compensation for SCADA factory test strip, no hours of directed training.   | <b>DEDUCT \$21,165.00</b> |
| 2. Changes: Run conduit and wire from front to back switchboard, add a horn/beacon, relocate new workstation and wiring, replace pump nameplates, change out lugs on 3 VFD's, switch out breakers in various lighting panels, install 10 transformer fusible disconnects, change out lugs on MCC's, change over old Farwell breaker to Ogontz, wire temperature switches for High Service pumps, wire ball check valve switches, wire limit switches for HS pumps, rewire hand-off-auto switch for washwater tank fill pump, wiring for baseboard heater in Superintendent's Office, upgrade HS pump #3 soft start, repair core drill damage for upstairs electrical closet. | <b>ADD \$53,118.00</b>    |

**TOTAL** **\$31,953.00**

**WHEREAS**, this item complies with the City's Strategic Plan. The work involved with this change order will help the Electrical improvement Project be more successful, and a successful project will ensure "High Quality/Low Cost Utilities" for our residents (Action Plan Item J).

**WHEREAS**, this change order will **not increase** the original contract amount with All Phase Power & Lighting, with the revised contract amount \$2,521,875.00; and

**WHEREAS**, the legislation should be passed under suspension of the rules as an emergency measure in accordance with Section 14 of the City Charter in order for construction of this emergency project to continue without delay in the project's schedule; and

**WHEREAS**, it is deemed necessary in order to provide for the immediate safety and welfare of the Citizens of the City of Sandusky, Ohio, and for the usual daily

operation of the Municipal Departments of the City of Sandusky, this City Commission finds that an emergency now exists and that it is advisable to declare this **Ordinance** to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is hereby authorized and directed to approve the Third Change Order for the Electrical Branch of work being performed at the Big Island Water Works Electrical Improvements Project in the amount of Thirty-One Thousand Nine Hundred Fifty-Three and 00/100 Dollars (\$31,953.00) from the contract with All Phase Power and Lighting, Sandusky, Ohio.

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: \_\_\_\_\_, 2006.

To: Michael J. Will, City Manager  
From: Kathryn K. McKillips, Director of Engineering Services  
Date: January 23, 2006  
Subject: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Change Order No. 8, General Branch of Work for the Big Island Water Works Electrical Improvement Project. The added work will be performed by Mosser Construction, Inc. of Fremont, Ohio, in the amount not to exceed \$22,026.00. This Change Order includes five (5) item changes that are recommended for approval by the Project Manager, Montgomery Watson Harza.

Provide labor, materials, equipment, etc. to perform the following:

1. Relocation of man-way door for Screening and pumping Building	ADD \$1,167.00
2. Installation of 6" bypass water line to allow continued water use in the Plant laboratory and Administration Building during installation of Surge Tank #1	ADD \$7,200.00
3. Installation of a cathodic protection system for new surge tanks	ADD \$8,348.00
4. Repair of concrete housekeeping pad in the first floor electrical room	ADD \$3,673.00
5. Coating of corroding panels in the Screen Building	ADD 1,638.00
TOTAL	\$22,026.00

**STRATEGIC PLAN INFORMATION:** This item complies with the City's Strategic Plan. The work involved with this change order will help the Electrical Improvement Project be more successful, and a successful project will ensure "High Quality/Low Cost Utilities" for our residents (Action Plan Item J).

**BUDGETARY INFORMATION:** The Change Order No. 8 will not increase the original contract amount with Mosser Construction, Inc.; therefore, the contract amount remains at \$2,464,000.00.

**ACTION REQUESTED:** It is requested that Change Order No. 8, General Branch of Work for the Big Island Water Works Electrical Improvement Project in the amount of \$22,026.00 for five (5) item changes to be performed by Mosser Construction, Inc., Fremont, Ohio, be approved in full accordance with Section 14 of the City Charter in order to permit the project to proceed without delay.

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

I concur with this recommendation:

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Michael J. Will, City Manager

cc: Don Icsman, Law Director  
Joyce Brown, Clerk of City Commission  
Ed Widman, Finance Director

KKM/cal

To: Michael J. Will, City Manager  
From: Kathryn K. McKillips, Director of Engineering Services  
Date: January 23, 2006  
Subject: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Change Order No. 8, General Branch of Work for the Big Island Water Works Electrical Improvement Project. The added work will be performed by Mosser Construction, Inc. of Fremont, Ohio, in the amount not to exceed \$22,026.00. This Change Order includes five (5) item changes that are recommended for approval by the Project Manager, Montgomery Watson Harza.

Provide labor, materials, equipment, etc. to perform the following:

1. Relocation of man-way door for Screening and pumping Building	ADD \$1,167.00
2. Installation of 6" bypass water line to allow continued water use in the Plant laboratory and Administration Building during installation of Surge Tank #1	ADD \$7,200.00
3. Installation of a cathodic protection system for new surge tanks	ADD \$8,348.00
4. Repair of concrete housekeeping pad in the first floor electrical room	ADD \$3,673.00
5. Coating of corroding panels in the Screen Building	ADD 1,638.00
TOTAL	\$22,026.00

**STRATEGIC PLAN INFORMATION:** This item complies with the City's Strategic Plan. The work involved with this change order will help the Electrical Improvement Project be more successful, and a successful project will ensure "High Quality/Low Cost Utilities" for our residents (Action Plan Item J).

**BUDGETARY INFORMATION:** The Change Order No. 8 will not increase the original contract amount with Mosser Construction, Inc.; therefore, the contract amount remains at \$2,464,000.00.

**ACTION REQUESTED:** It is requested that Change Order No. 8, General Branch of Work for the Big Island Water Works Electrical Improvement Project in the amount of \$22,026.00 for five (5) item changes to be performed by Mosser Construction, Inc., Fremont, Ohio, be approved in full accordance with Section 14 of the City Charter in order to permit the project to proceed without delay.

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

I concur with this recommendation:

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Michael J. Will, City Manager

cc: Don Icsman, Law Director  
Joyce Brown, Clerk of City Commission  
Ed Widman, Finance Director

KKM/cal

To: Michael J. Will, City Manager

From: Jeffrey W. Rosekelly, P.E.  
Project Engineer

Date: January 30, 2006

Re: Commission Agenda Item

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**ITEM FOR CONSIDERATION:** Resolution to Proceed for Sidewalk, Curb and Gutter, and Approach Construction and Repair for the year 2006. This project is part of an ongoing program to improve and maintain streets and sidewalks within the City of Sandusky.

**STRATEGIC PLAN:** The approval of this proposed change is in line with the General Goals of Development of Housing and Promotion of the City of Sandusky as a place to live through roadway and sidewalk improvements to neighborhoods. This annual program has produced excellent results, which are consistent with the Strategic Plan and Community Survey.

**BUDGETARY INFORMATION:** The legislation being requested is a Resolution to Proceed thereby allowing the project to be bid in accordance with the procedure outlined by Section 729 of the Ohio Revised Code. Attached please find the Engineer's Estimate of Contract Cost, the list of streets proposed to be accomplished in 2006 and the 5-year schedule for the Sidewalk Program.

Total Estimated Cost of the project including advertising, legal fees, communication, wages, etc. is \$537,597.93. The estimated City Portion of the Contract Cost is \$277,853.34 to come from the City Capital Budget. The estimated Private Property Portion of the Contract Cost is \$259,744.58 to be paid through private assessments.

**ACTION REQUESTED:** It is recommended that a Resolution to Proceed be approved by the City Commission thereby allowing this project to move forward in order to obtain competitive bids. It is requested that this Resolution be enacted so as to take effect immediately in accordance with Section 14 of the City Charter.

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Jeffrey W. Rosekelly, P.E.  
Project Engineer

I concur with this recommendation:

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Michael J. Will  
City Manager

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Kathryn McKillips, P.E.  
Director of Engineering Services

cc: Don Icsman, Law Director  
Ed Widman, Finance Director  
Joyce Brown, Clerk of City Commission

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

**A RESOLUTION DECLARING THE NECESSITY FOR THE CITY OF SANDUSKY, OHIO, TO PROCEED WITH THE PROPOSED SIDEWALK, CURB, GUTTER, AND APPROACH CONSTRUCTION AND REPAIR FOR THE YEAR 2006, APPROVING THE SPECIFICATIONS AND ESTIMATES OF COST THEREOF; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this Project is part of an ongoing program to improve and maintain streets and sidewalks within the City of Sandusky; and

**WHEREAS**, the legislation being requested is a Resolution to Proceed thereby allowing the project to be bid in accordance with the procedure outlined by Section 729 of the Ohio Revised Code; and

**WHEREAS**, a list of streets proposed to be accomplished in 2006 and the 5-year schedule for the Sidewalk Program is attached to the communication requesting this legislation and was reviewed and approved by the A.D.A. Advisory Board; and

**WHEREAS**, this program has produced excellent results, which are consistent with the Strategic Plan and Community Survey; and

**WHEREAS**, the estimated cost of the project including advertising, legal fees, communication, wages, etc. is \$537,597.92 with the City's portion of \$277,853.34 being taken from the Capital Budget and the remaining balance of \$259,744.58 is to be paid through private assessments; and

**WHEREAS**, the legislation should be passed under suspension of the rules and as an emergency measure allowing this Project to move forward in order to obtain competitive bids; 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. That the specifications and estimates of cost as prepared by the Director of Engineering Services, which are now on file with the Clerk of the said City Commission, and the office of the said Director of Engineering Services, for the proposed Sidewalk, Curb, Gutter, and Approach Construction and Repair for the year 2006 be and the same hereby are approved by this City Commission.

Section 2. That this City Commission hereby declares it necessary to proceed with said improvements at the earliest possible time.

Section 3. That the City Manager be and hereby is authorized and directed to advertise for and to receive bids in relation to said improvements as required by law and specifically Ohio Revised Code §729.

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 shall take immediate effect in accordance with Section 14 of the City Charter after 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 Services  
Date: January 30, 2006  
Subject: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Amendment to the Agreement for Professional Design Services with Proudfoot Associates, Toledo, Ohio for the Hayes Avenue Underpass Rehabilitation Project.

The Hayes Avenue Underpass is located on State Route 4 at the Norfolk Southern railroad. This project involves the replacement of concrete sidewalks and handrails and the repair and painting (or surface treatment) of the abutment and upper retaining walls on both sides of the road from North Depot Street to Filmore Street. The concrete stairs located on three sides will be repaired and new handrail installed. A jersey style lower wall will be constructed on both sides of the street under the bridge. Drainage tiles behind the upper and lower walls will be installed if necessary, directing ground water into the City sewer system. Improved drainage will increase the life of the structures. The project also involves relocating a sewer force main, which is currently above the sidewalk, under the sidewalk and the repair of the sewer pump station for the underpass.

The original agreement and scope of services calls out possible Additional Services in the event the need for new pump station equipment is necessary. KS Associates, subconsultant for Proudfoot Associates, has completed the required evaluation of the pump station. Their findings conclude that new equipment is required for the pump station. The approval of additional services for this agreement would allow the upgrade of the pump station to be included in the construction plans.

**STRATEGIC PLAN INFORMATION:** This item complies with the City's Strategic Plan. The work involved with this amendment will help the project be more successful by improving the pump station and ensure "High Quality/Low Cost Utilities" for our residents (Action Plan Item J).

**BUDGETARY INFORMATION:** Proudfoot's lump sum fee for design is currently \$125,820. With the approval of the Additional Services in the amount of \$22,050.00, the revised agreement will be \$147,870.00. The additional service fee will be paid with Sewer Funds.

**ACTION REQUESTED:** It is recommended that the Amendment to the Agreement for Professional Design Services with Proudfoot Associates, Inc. be approved and

that the necessary legislation be passed under suspension of the rules in full accordance with Section 14 of the City Charter in order not to delay the completion of the project design.

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH PROUDFOOT ASSOCIATES FOR PROFESSIONAL DESIGN SERVICES FOR THE HAYES AVENUE UNDERPASS REHABILITATION PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission upon competitive bid awarded a contract to Proudfoot Associates of Toledo, Ohio for Engineering Design Services for the Hayes Avenue Underpass Rehabilitation Project by Ordinance No. 04-176 passed on October 24, 2004; and

**WHEREAS**, the original Scope of Services to be performed included the potential additional services in the event that new pump station equipment was found to be needed and as a result of the required evaluation new equipment is necessary for the pump station; and

**WHEREAS**, the lump sum fee for these additional design services is \$22,050.00, to be paid from the Sewer Fund and with the addition of this amount the revised amount of the agreement is \$147,870.00; 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 allow Proudfoot Associates to immediately begin the additional design work so as not to delay the completion of the project's design; 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 **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 amendment to the contract with Proudfoot Associates, and authorizes and directs the City Manager to execute the amendment for Professional Design Services to upgrade the pump station equipment for the Hayes Avenue Underpass Rehabilitation Project, in an amount not to exceed Twenty-two Thousand Fifty and 00/100 Dollars (\$22,050.00).

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: Gary Packan, Assistant City Manager  
DATE: January 13, 2006  
RE: Item for Commission Agenda – WWF Grant Request (Playground Equip)

**ITEM FOR CONSIDERATION:** This communication is requesting approval to apply for grant funding from the Wightman Wieber Foundation for \$40,000 to purchase playground equipment. This playground equipment will be constructed in Wightman Wieber Park for use by the general public.

**BUDGET IMPACT:** There is no budgetary impact other than the amount of staff time necessary to prepare the grant paperwork and install the equipment during normal operating hours. A Community Development Block Grant (CDBG) will serve as a match covering \$40,000 and the requested amount from the Wightman Wieber Foundation will be two annual payments of \$20,000 totaling \$40,000. Total estimated cost of the project will be \$80,000.

**STRATEGIC PLAN IMPACT:** This project will enhance the community in which we live, thus impacting many of the factors from the Strategic Plan such as the Development of Housing and Development of Neighborhoods.

When people seek to purchase a new house one of the many factors that attract people to a location is the distance to a park or green space. Redeveloping our park system will provide a key factor in rebuilding our neighborhoods.

**ACTION REQUESTED:** A motion is requested by the City Commission authorizing the City Manager, or his designee, to author and submit a grant application to the Wightman Wieber Foundation in the amount of \$40,000 for the purchase of playground equipment for Wightman Wieber Park.

I concur with this recommendation.

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Michael J. Will, City Manager

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

**A RESOLUTION AUTHORIZING AND DIRECTING THE FILING OF AN APPLICATION FOR GRANT FUNDING FROM THE WIGHTMAN-WIEBER FOUNDATION FOR \$40,000 TO PURCHASE PLAYGROUND EQUIPMENT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the purpose of this project is to purchase and install playground equipment for the Wightman-Wieber Park located adjacent to J.C. Park; and

**WHEREAS**, the total estimated cost of this project is \$80,000 with \$40,000 being requested from the Wightman-Wieber Foundation, to be paid in two annual installments of \$20,000 each and a Community Development Block Grant (CDBG) in the amount of \$40,000 will serve as the required match; and

**WHEREAS**, this project will enhance the community in which we live, thus impacting many of the factors from the Strategic Plan such as the Development of Housing and Development of Neighbors and there will be no budget impact other than the amount of time necessary to prepare the grant paperwork and install the equipment during normal operating hours; 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 in order to allow for timely filing of the application to request funding before the March 1, 2006 deadline; and

**WHEREAS**, 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 finds that an emergency exists regarding the submission of the grant application and that it is advisable that this **Resolution** be declared and emergency measure which shall take 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 City Manager is authorized to file an application with the Wightman-Wieber Foundation in the amount of \$40,000, payable in two annual installments of \$20,000 each, for the purchase of playground equipment to be installed at the Wightman-Wieber Park, and if awarded to enter into an appropriate grant agreement and expend the funds awarded in conjunction with a \$40,000 match being provided through Community Development Block Grant (CDBG) Funds.

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 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:

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

**AN ORDINANCE AMENDING PART ONE - ADMINISTRATIVE CODE, TITLE FIVE - OFFICERS AND DEPARTMENTS, BY THE ADDITION OF CHAPTER 149 – LOCAL PREFERENCE, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Manager of the City of Sandusky instituted a Local Preference Policy on June 22, 2004, and this City Commission desires to codify a Local Preference Ordinance and increase the contract amounts and percentages by which bids and proposals are evaluated; and

**WHEREAS**, it is deemed necessary in order to provide for the usual daily operation of the Municipal Departments to adopt the proposed Local Preference Chapter 149 and to provide the immediate preservation of the public peace, health and safety, to approve the proposed Chapter 149 and by reason thereof this **Ordinance** is declared to be an emergency measure which shall 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. That Part One - Administrative Code, Title Five – Officers and Departments, be amended by the addition of new Chapter 149 – Local Preference as follows:

CHAPTER 149  
Local Preference

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Except as limited by subsection (f) herein, and except for any contract supported in whole or in part by the State or a contract financed in whole or in part by contributions or loans from any agency of the United States government, the price of any vendor's or contractor's bid or proposal for goods or services, shall be evaluated as though those proposed by local bidders were either five percent (5%), four percent (4%), three and one-half percent (3.5%), three percent (3%), two and one-half percent (2.5%), two and one-quarter percent (2.25%), two percent (2%) lower than actually proposed in accordance with the following schedule:

- A. (1) Bids and proposals for contracts involving forty thousand dollars (\$40,000) or more received from companies, businesses or individuals whose principal place of business is within the corporate boundaries of the City of Sandusky shall be evaluated on a three percent (3%) reduction basis.
- (2) Bids and proposals for contracts involving less than forty thousand dollars (\$40,000) received from companies, businesses or individuals whose principal place of business is within the corporate boundaries of the City of Sandusky shall be evaluated on a five percent (5%) reduction basis.
- B. (1) Bids and proposals for contracts involving forty thousand dollars (\$40,000) or more received from companies, businesses or individuals that are located in the City of Sandusky but do not have their principal place of business within the corporate boundaries of the City of Sandusky shall be evaluated on a two and one-half percent (2.5%) reduction basis.
- (2) Bids and proposals for contracts involving less than forty thousand dollars (\$40,000) received from companies, businesses or individuals that are located in the City of Sandusky but do not have their principal place of business within the corporate boundaries of the City of Sandusky shall be evaluated on a four percent (4%) reduction basis.
- C. (1) Bids and proposals for contracts involving forty thousand dollars (\$40,000) or more received from companies, businesses or individuals that are located

outside the City of Sandusky but within Erie County shall be evaluated on a two and one-quarter percent (2.25%) reduction basis, when not competing against a City of Sandusky bidder.

- (2) Bids and proposals for contracts involving less than forty thousand dollars (\$40,000) received from companies, businesses or individuals that are located outside the City of Sandusky but within Erie County shall be evaluated on a three and one-half percent (3.5%) reduction basis, when not competing against a City of Sandusky bidder.
- D. (1) Bids and proposals for contracts involving forty thousand dollars (\$40,000) or more received from companies, businesses or individuals that are located outside the City of Sandusky and Erie County but within the boundaries of the contiguous counties of Ottawa, Huron, Lorain and Sandusky shall be evaluated on a two percent (2%) reduction basis, when not competing against a City of Sandusky bidder or a Erie County bidder.
- (2) Bids and proposals for contracts involving less than forty thousand dollars (\$40,000) received from companies, businesses or individuals that are located outside the City of Sandusky and Erie County but within the boundaries of the contiguous counties of Ottawa, Huron, Lorain and Sandusky shall be evaluated on a three percent (3%) reduction basis, when not competing against a City of Sandusky bidder or a Erie County bidder
- E. (1) A vendor, bidder or contractor principal place of business in Sandusky is an individual or business entity whose principal place of business is located within the corporate limits of the City of Sandusky. Registration of principal place of business in official documents filed with the Secretary of State, State of Ohio, or a valid vendor's license which indicates that the principal place of business is located within the corporate limits of the City of Sandusky is prima facia proof of principal place of business. When proof of situs is required the local bidder or contractor must provide proof of principal place of business to the City Manager in order to receive a preference provided herein.
- (2) A vendor, bidder or contractor located but not principal place of business in Sandusky is an individual or business entity whose physical, viable place of business is located within the corporate limits of the City of Sandusky but not principal place of business within the corporate limits of the City of Sandusky. When proof of situs is required the local bidder or contractor must provide proof of place of business to the City Manager in order to receive a preference provided herein.
- (3) A vendor, bidder or contractor located but not necessarily principal place of business in Erie County is an individual or business entity whose physical, viable place of business is located within the corporate limits of Erie County. When proof of situs is required the local bidder or contractor must provide proof of place of business to the City Manager in order to receive a preference provided herein.
- (4) A vendor, bidder or contractor located within the boundaries of the contiguous counties of Ottawa, Huron, Lorain and Sandusky, excluding Erie County, is an individual or business entity whose physical, viable place of business is located within those counties. When proof of situs is required the local bidder or contractor must provide proof of place of business to the City Manager in order to receive a preference provided herein.
- F. The maximum amount of preference given to a vendor or contractor shall be applied, based on the size of the contract, according to the following schedule. Where application of the local preference would result in a contract award where the actual cost of the contract is more than the amount specified below over the next low acceptable bid, the local preference shall not apply.

<b>Contract Amount</b>	<b>Maximum Preference</b>
Less than \$500,000	\$15,000
\$500,000 or more but less than \$750,000	\$22,500
\$750,000 or more but less than \$1,000,000	\$30,000
\$1,000,000 or more	\$37,500

Nothing herein shall be construed as increasing or decreasing the actual price of a bid or proposal and the resulting contract in accordance with their terms in this section is intended only to be used for purposes of comparing and evaluating bids and proposals for goods and services. Nothing within this section shall be construed to create any private rights, claims or causes of action on behalf of any person, including but not limited to bidders, proposers and contractors.

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.

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DANIEL J. KAMAN  
PRESIDENT OF THE CITY COMMISSION

ATTEST: \_\_\_\_\_  
B. JOYCE BROWN  
CLERK OF THE CITY COMMISSION

Passed:

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

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF SENECA STREET BETWEEN CERTAIN TERMINI BY GRADING, PAVING, CONSTRUCTING CURBS, GUTTERS, SIDEWALKS, DRIVEWAY APPROACHES, STORM SEWERS, CATCH BASINS, MANHOLES, WATER MAINS, FIRE HYDRANTS AND SERVICE LINES AND CONNECTIONS, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this Commission adopted Resolution No. 041-05R on December 12, 2005 (the Resolution of Necessity), declaring the necessity of making the improvement described in Section 1; and

WHEREAS, an emergency exists in that, for the immediate preservation of the public peace, property, health and safety, it is necessary that this ordinance be immediately effective in order to provide for the construction of the improvement and thereby eliminate hazards to the traveling public, and by reason thereof, this ordinance shall take effect forthwith upon its adoption, NOW THEREFORE

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

Section 1. It is hereby determined to proceed with the improvement of Seneca Street from Mills Street to Camp Street by grading, paving, constructing curbs, gutters, sidewalks, driveway approaches, storm sewers, catch basins, manholes, water mains, fire hydrants and service lines and connections, all together with the necessary appurtenances thereto, all as described and provided for in the Resolution of Necessity.

Section 2. That improvement shall be made in accordance with the provisions of the Resolution of Necessity, and with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the Director of Engineering Services and the Clerk of this Commission.

Section 3. All claims for damages resulting therefrom that have been legally filed shall be inquired into after completion of that improvement, and the Law Director is hereby authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into any claims that have been so filed.

Section 4. The portion of the cost of that improvement to be assessed as provided in the Resolution of Necessity shall be assessed in the manner and pursuant to the schedule provided in the Resolution of Necessity and on the lots and lands described therein.

Section 5. The estimated special assessments heretofore prepared and filed in the office of the Clerk of this Commission be and the same are hereby approved and adopted. This Commission does hereby determine that said assessments as so adopted are in proportion to the benefits which may result from such improvement and are not in excess of any statutory limitation.

Section 6. The Clerk of this Commission is hereby directed to deliver a certified copy of this ordinance to the County Auditor within fifteen days after its passage. As provided in Section 15 of the City Charter, and in lieu of publishing this ordinance, the Clerk of the Commission

shall cause a notice of determination to proceed with public improvement substantially in the form contemplated therein to be published once in a newspaper of general circulation in this City.

Section 7. Subject to the provisions of Revised Code Section 727.24, the City Manager is hereby authorized and directed as soon as the funds are available therefor to make and execute a contract for said improvement with the lowest and best bidder after advertising according to law, and the improvement shall be financed as provided for in the Resolution of Necessity.

Section 8. 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 opening 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 law.

Section 9. For the reasons set forth in the last preamble hereto, this ordinance is hereby declared to be an emergency measure and shall take effect immediately upon its passage and due authentication by the President and the Clerk of the City Commission.

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DANIEL J. KAMAN  
PRESIDENT OF THE CITY COMMISSION

ATTEST: 

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B. JOYCE BROWN  
CLERK OF THE CITY COMMISSION

Passed: February 13, 2006