

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

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**MONDAY, MARCH 12, 2007**

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Prayer  
Pledge of Allegiance  
Meeting Called to Order  
Roll Call - CS, DE, DK, DM, BC, BF, DW  
Minutes – February 26<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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**PRESENTATION** – Pete Schade, Director – Health Department Update

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**PRESENTATION** – 2007 Budget

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**PRESENTATION** – Scott Schell, Economic Development Specialist – City Hall Fact Sheet

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**PRESENTATION** – Mike Pisarsky, Horticultural Services Superintendent – Ash Tree Plan/Yard Waste

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**PRESENTATION** – Rudy Ruiz, Fire Safety Inspector – Explorer Program

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**NEW BUSINESS**

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**ITEM#1** - Communication submitted by Mary Bird, Program Administrator.

**RESOLUTION NO.** \_\_\_\_\_ File an application with the Erie County Solid Waste Management District, substantially in the same form as attached and marked exhibit “A”, for a \$1,100.00 grant to be utilized to hold an Appliance and Scrap Metal Collection in conjunction with the Annual Citywide Spring Cleanup-up Event. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#2** - Communication submitted by Jeffrey W. Rosekelly, Project Engineer.

**RESOLUTION NO.** \_\_\_\_\_ Declaring the necessity for the City of Sandusky, Ohio, to proceed with the Monroe Street Handicap Ramp Replacement Project; approving the specifications and engineer’s estimate of cost thereof, and directing the City Manager to advertise for and receive bids in relation thereto. **The Total Estimated Project Cost including advertising and miscellaneous expenses is \$55,223.14. The Engineer’s Estimate of the Total Construction Contract is \$46,406.00. The entire funding for this project will be Community Development Block Grant (CDBG) Funds. Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#3** - Communication submitted by John Lippus, Downtown Development Manager.

**RESOLUTION NO.** \_\_\_\_\_ Authorizing the filing of an application with the Ohio Department of Natural Resources Recreational Harbor Evaluation Program Grant to fund the Dredging for a Transient Marina in the Paper District in an amount of \$736,000.00. **The City can use the construction costs associated with the Paper District TIF, as the required local match for the grant. The TIF will provide approximately \$2,695,326.00 in match money. In broad terms, the residents would receive this marina at no cost to the taxpayer. Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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

**RESOLUTION NO.** \_\_\_\_\_ A Resolution in support of the East Sandusky Bay Water Trail Plan and authorizing and directing the City Manager to enter into an Ohio Water Trails (OWT) Partnership Agreement with the Ohio Department of Natural Resources. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#5 - Communication submitted by Joshua R. Snyder, P.E., Traffic Engineer.**

**ORDINANCE NO.** \_\_\_\_\_ Award a contract to A. J. Riley, Inc. of Norwalk, Ohio, for the Monroe Street Resurfacing Phase 1 Project in an amount of \$402,609.00. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#6 - Communication submitted by Michael R. Meinzer, Fire Chief.**

**ORDINANCE NO.** \_\_\_\_\_ Purchase two (2) Lifepak-12 Heart Monitors through the State of Ohio Cooperative Purchasing Program from Medtronic Physio Control of Chicago, Illinois, in an amount of \$32,722.24. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#7 - Communication submitted by Kathryn K. McKillips, Engineering Director.**

**ORDINANCE NO.** \_\_\_\_\_ Enter into a contract with Cintas Corporation of Sandusky, Ohio, for Supply and Service of Uniforms for City Personnel for the period of April 1, 2007 through March 31, 2010 in an amount of \$31,917.60. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#8 - Communication submitted by Scott Schell, Economic Development Specialist.**

**ORDINANCE NO.** \_\_\_\_\_ Enter into a contract with Partners Environmental Consulting, Inc. and Hull & Associates, Inc. of Solon, Ohio, for certified Professional Services for Geo Gradel Property as part of the Bayfront Paper District – West End Redevelopment Project. **The estimated cost for the Certified Professional Services is \$432,402.00. Seventy-five percent (75%) of the cost of the Certified Professional Services (\$324,301.50) is included in the original \$2,870,000.00 Clean Ohio Revitalization Fund Grant. The remaining \$108,100.50 will be a 25% match, provided by the Developer upon completion of the Developer's Agreement and the work. Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#9**

**ORDINANCE NO.** \_\_\_\_\_ Ratifying, accepting and approving a Collective Bargaining Agreement between the City of Sandusky, an Ohio Charter Municipal Corporation, and the International Association of Fire Fighters Local #327, the Collective Bargaining Unit for certain employees of the Sandusky Fire Department, for the period January 1, 2007, through December 31, 2009, a copy of which is attached to this ordinance; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#10**

**ORDINANCE NO.** \_\_\_\_\_ Ratifying, accepting and approving a Collective Bargaining Agreement between the City of Sandusky, an Ohio Charter Municipal Corporation, and the American Federation of State, County and Municipal Employees Local #1519, the Collective Bargaining Unit for certain employees of the City of Sandusky, for the period January 1, 2007, through December 31, 2009, a copy of which is attached to this ordinance; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM#11**

**ORDINANCE NO.** \_\_\_\_\_ Ratifying, accepting and approving a Collective Bargaining Agreement between the City of Sandusky, an Ohio Charter Municipal Corporation, and the Fraternal Order of Police, Ohio Labor Council, Inc., the Collective Bargaining Unit for certain employees of the Sandusky Police Department, for the period January 1, 2007, through December 31, 2009, a copy of which is attached to this ordinance; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter. . **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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City Manager's Report

Old Business

New Business

Audience Participation – open discussion on any item (5 minute limit)

Press Question/Answers

Executive Session

Adjournment

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

**FROM:** Mary Bird  
Program Administrator

**DATE:** February 28, 2007

**SUBJECT:** **Item for** or March 12, 2007 City Commission Agenda  
Application for 2007 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 2007. The city has secured grant money through this program for the last 9 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 in conjunction with the Arbor Day tree planting ceremony. The collection will be held on Saturday, April 28, 2007. 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, 2007.

Supported by:

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Gary Packan  
Assistant 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 AND MARKED EXHIBIT "A", 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 28, 2007, 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 under suspension of the rules as an emergency measure in accordance with Section 14 of the City Charter to allow for the filing of the grant application to the Erie County Solid Waste Management District by the deadline of March 10, 2007; and

**WHEREAS**, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of 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. 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 28, 2007, 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 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:

TO: Michael J. Will, City Manager  
FROM: Jeffrey W. Rosekelly, Project Engineer  
DATE: February 26, 2007  
SUBJECT: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Proposed Monroe Street Handicap Ramp Replacement Project. This project shall repair, replace or re-construct existing concrete handicap ramps that do not meet the requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) to ensure that access for persons with disabilities is provided wherever a pedestrian way is newly built or altered, and that the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities. This project is in conjunction with the re-surfacing of Monroe Street. Improvements to the accessibility of Monroe Street requires improvements to the adjacent sidewalks and pedestrian corridors.

**STRATEGIC PLAN:** This item complies with the City's 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 improvements.

**BUDGETARY INFORMATION:** The Total Estimated Project Cost including advertising and miscellaneous expenses is \$55,223.14. The Engineer's Estimate of the Total Construction Contract Cost is \$46,406.00. The entire funding for this project will be Community Development Block Grant (CDBG) Funds.

**ACTION REQUESTED:** It is recommended that the proposed Monroe Street Handicap Ramp Replacement Project be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to bid the project and receive competitive prices in conjunction with the Monroe Street Resurfacing Project Phase I which will begin construction March 2007.

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Jeffrey W. Rosekelly  
Project Engineer

I concur with this recommendation:

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Michael J. Will  
City Manager

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

KKM/cal

cc: 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 MONROE STREET HANDICAP RAMP REPLACEMENT PROJECT; APPROVING THE SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this proposed project involves repairing, replacing or reconstructing existing handicap ramps to meet the requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and ensure the same degree of convenience, connection, and safety afforded to the general public is available to pedestrians with disabilities; and

**WHEREAS**, this project is taking place in conjunction with the Monroe Street Resurfacing Phase I Project approved by this City Commission by Resolution No. 003-07R passed on January 22, 2007, and complies with the General Goals of Development of Housing and Promotion of the City as a place to live through roadway improvements; and

**WHEREAS**, the total estimated project cost including advertising and miscellaneous costs is \$55,223.14 which will be completely funded with Community Development Block Grant (CDBG) Funds; and

**WHEREAS**, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to obtain competitive bids and award a construction contract to begin construction in March of 2007; and

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

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

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

Section 2. This City Commission hereby declares it necessary to proceed with the Monroe Street Handicap Ramp Replacement Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the Monroe Street Handicap Ramp Replacement Project as

required by law.

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

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

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

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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: John Lippus, Downtown Development Manager

DATE: February 28, 2007

RE: Item for Commission Agenda – Ohio Department of Natural Resources  
RHEP Transient Marina Dredging Grant

**ITEM FOR CONSIDERATION:** A resolution authorizing the City of Sandusky to apply for \$736,000.00 in grant funding from the Ohio Department of Natural Resources Recreational Harbor Evaluation Program Grant for dredging for the proposed 92 slip transient marina in the Paper District.

**BACKGROUND INFORMATION:** Since the beginning of the Paper District development the concept of a transient marina has been included as an integral part of the waterfront experience.

The grant money will be earmarked for dredging and material removal cost associated with the transient marina project.

The city can use the construction costs associated with the Paper District TIF, as the required local match for the grant. The TIF will provide approximately \$2,695,326.00 in match money. In broad terms, the residents would receive this marina at no cost to the taxpayer.

Another benefit for the residents is that, if awarded this grant for dredging, the property in which the marina is located will remain public property in perpetuity.

Viable options to address the actual operations of this marina include the following: staffed by the city or leased out for general operations, forming a marina committee to serve as an oversight team to ensure the marina is functioning properly, and if formed, having a representative from Mid-States serve on the committee due to its proximity to the Chesapeake Loft's project.

City Commission approved the filing of an application through the 2006 Cooperative Boating facility Grant Program on May 22, 2006, for this project but was recently informed the announcement of grant funds will be delayed until early April, 2007. In the event that all or partial funding is not awarded through this grant, the Ohio Department of Natural Resources suggested the City file for a Recreational Harbor Evaluation Program Grant.

Staff has had numerous conversations with representatives from ODNR concerning this potential grant request and we feel it has a very good opportunity of success.

**BUDGET IMPACT:** There is no budgetary impact other than the amount of staff time necessary to prepare the grant paperwork.

**ACTION REQUESTED:** A resolution authorizing the City Manager, or his designee, to submit a grant application to Ohio Department of Natural Resources Recreational Harbor Evaluation Grant Program for the dredging for a transient marina in the Paper District and execute the contract or agreement should it be awarded. This is being requested to be passed under suspension of the rules as an emergency measure and in accordance with Section 14 of the City Charter to meet the grant application deadline which is April 1, 2007.

I concur with this recommendation.

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Michael J. Will  
City Manager

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

**A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES RECREATIONAL HARBOR EVALUATION PROGRAM GRANT TO FUND THE DREDGING FOR A TRANSIENT MARINA IN THE PAPER DISTRICT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission approved the filing of an application with the Ohio Department of Natural Resources Waterways Safety Fund through the Cooperative Boating Facility Grant Program by Resolution No. 025-06R, passed on May 22, 2006; and

**WHEREAS**, the Ohio Department of Natural Resources Waterways Safety Fund administers financial assistance for public boating access through the Cooperative Boating Facility Grant Program and the City was recently informed the announcement for this grant has been delayed until early April, 2007; and

**WHEREAS**, the Ohio Department of Natural Resources suggested the City apply for the Recreational Harbor Evaluation Program Grant in the event that all or partial funding is not awarded through the 2006 Cooperative Boating Facility Grant Program; and

**WHEREAS**, a Transient Marina has been an integral part of the Paper District Redevelopment Project and the City of Sandusky desires financial assistance for dredging and construction costs associated with the Transient Marina Project; 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 meet the grant application deadline of April 1, 2007; and

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

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

Section 1. This City Commission hereby approves the filing of an application with the Ohio Department of Natural Resources Recreational Harbor Evaluation Program Grant, substantially in the same form as attached and marked Exhibit "A", for financial assistance to fund dredging for a Transient Marina in the Paper District, and to provide all information and documentation that may be required in the application to be eligible for possible financial assistance to the Ohio Department of Natural Resources Recreational Harbor Evaluation Program Grant and , if awarded, to enter into a grant agreement and expend funds as necessary.

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

not affect the validity of the remaining portions thereof.

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

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

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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: March 1, 2007

SUBJECT: Commission Agenda Item – E. Sandusky Bay Water Trail

**ITEM FOR CONSIDERATION:** This communication is requesting a Resolution by the City Commission to support the submittal of the East Sandusky Bay Water Trail (ESBWT) Plan to the Ohio Department of Natural Resources, Division of Watercraft (See Exhibit A) for official endorsement of the East Sandusky Bay Water Trail as well as approval to enter into an Ohio Water Trails Partnership Agreement, to be designated an official ‘Ohio Water Trail.’

**BACKGROUND INFORMATION:** City staff has been partnering with the Erie MetroParks on a number of programs and facility developments over the past few years. In January of 2007, the partnering agencies began to discuss the creation of a water trail in Sandusky Bay.

Throughout the month of February, staff from both partnering agencies conducted a series of public meetings to gather feedback from the community.

Based on feedback from the community, the proposed ESBWT will begin at the new Big Island Preserve and Landing and venture to the east connecting too many MetroParks and around to the Cedar Point Amusement Park Marina (See Exhibit B). The ESBWT will connect many assets along the waterfront from parks, preserves, restaurants, hotels and campgrounds. Staff believes the linear park will also serve as an economic development tool for the area as another way to promote Sandusky and encourage people to ‘stay another day’.

The Ohio Department of Natural Resources, Division of Watercraft requires, as part of the endorsement, for both partnering agencies to enter into an Ohio Water Trails Partnership Agreement to maintain the certification of an “Ohio Water Trail.”

**ACTION REQUESTED:** It is requested that the City Commission approve a Resolution supporting the development, marketing, programming and maintenance of the East Sandusky Bay Water Trail, the submittal of the East Sandusky Bay Water Trail (ESBWT) Plan to the Ohio Department of Natural Resources, Division of Watercraft for official endorsement of the East Sandusky Bay Water Trail as an ‘Ohio Water Trail’ and authorize the execution of an Ohio Water Trails Partnership Agreement. It is requested that this Resolution be passed under Section 14 of the City Charter to allow staff to take the appropriate steps in order to acquire Ohio Water Trail certification by the Ohio Department of Natural Resources, Division of Watercraft in order to be planning for a dedication of the water trail on National Trails Day, June 2, 2007.

I concur with this recommendation:

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Michael J. Will  
City Manager

Attachments

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

**A RESOLUTION IN SUPPORT OF THE EAST SANDUSKY BAY WATER TRAIL PLAN AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN OHIO WATER TRAILS (OWT) PARTNERSHIP AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City is partnering with the Erie MetroParks for a proposed East Sandusky Bay Water Trail that will connect many assets along the Sandusky waterfront beginning at the Big Island Preserve and Landing continuing east connecting to many MetroParks and to the Cedar Point Amusement Park Marina; and

**WHEREAS**, as part of the official endorsement process, the Ohio Department of Natural Resources requires both partnering agencies to enter into a Partnership Agreement to create and maintain certification as an "Ohio Water Trail"; and

**WHEREAS**, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the City to enter into the Partnership Agreement, acquire Ohio Water Trail certification from ODNR prior to the official dedication of this proposed East Sandusky Bay Water Trail on June 2, 2007; and

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

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

Section 1. This City Commission approves the form of the East Sandusky Bay Water Trail Plan, a copy of which is on file in the office of the Assistant City Manager, authorizes and directs the City Manager to submit the plan to the Ohio Department of Natural Resources, Division of Watercraft, and to execute an Ohio Water Trails Partnership Agreement with the Ohio Department of Natural Resources, substantially in the same form as Exhibit "1" attached to this Resolution and specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and as being consistent with the purpose of this Resolution as set forth in the preambles hereto.

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 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:

TO: Michael J. Will, City Manager  
FROM: Joshua R. Snyder, P.E., Traffic Engineer  
DATE: February 23, 2007  
SUBJECT: Commission Agenda Item

**ITEM FOR CONSIDERATION:** An Ordinance authorizing the City Manager to enter into a contract with A J Riley, INC. of Norwalk, Ohio, for the Monroe Street Resurfacing Project Phase 1. This work consists of milling, paving, traffic loop installation, striping, manhole and catch basin adjustment. This work actually begins on Edgewater Avenue at Toft Dairy's South driveway and continues northward to Monroe Street, then on Monroe it runs from Edgewater Avenue eastward to Camp Street, totaling 9735 feet (1.84 mi) of pavement. This section of Monroe Street contains 5 of the top 25 worst major street sections in the City per the University of Toledo's pavement study.

Four (4) bids were received on January 20, 2007 from the following companies:

A J Riley INC	Norwalk, OH	Bid:	\$402,609.00
Precision Paving	Milan, OH	Bid:	\$411,936.30
Erie Blacktop	Sandusky, OH	Bid:	\$413,017.60
Gerken Paving	Napoleon, OH	Bid:	\$414,752.40

**STRATEGIC PLAN:** This item complies with the City's Strategic Plan. The approval of this proposed project is in line with the General Goals of Development of Housing by increasing property values and promoting the City of Sandusky as a place to live, work and play through improved streets.

**BUDGETARY INFORMATION: Budgetary Information:** The updated total project cost including advertising, materials, labor, inspection and miscellaneous costs is \$422,739.45. The original estimated amount of construction was \$386,135.10, however the selected bid was \$402,609.00, which is within 10% of the original estimate. The Erie County MPO (Metropolitan Planning Organization), using federal transportation funds, will contribute at least \$308,908.08 (80%) of the original estimated construction costs, and will likely cover 80% of the additional amount over the original estimate. The City's \$5 license fee fund will pick up the remaining \$113,831.45. This amount covers the remaining 20% of construction costs, advertising, surveying, inspection and miscellaneous which the MPO funds do not cover.

**ACTION REQUESTED:** It is recommended that the Ordinance awarding a contract to A J Riley Inc., of Norwalk, Ohio for the Monroe Street Resurfacing Project phase 1, in the amount of \$402,609.00 be approved. It is requested that the legislation be passed under suspension of the rules in accordance with Section 14 of the City Charter thereby allowing the contractor sufficient time to complete this project by the June 30th completion deadline.

\_\_\_\_\_  
Joshua R. Snyder, P.E.  
Traffic Engineer

I concur with this recommendation:

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

\_\_\_\_\_  
Michael J. Will  
City Manager

JRS/cal

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

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AWARD A CONTRACT TO A J RILEY, INC., OF NORWALK, OHIO, FOR THE MONROE STREET RESURFACING PHASE 1 PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

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

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the Monroe Street Resurfacing Phase I Project by Resolution No. 003-07R passed on January 22, 2007; and

**WHEREAS**, this project involves milling, paving, traffic loop installation, striping, manhole and catch basin adjustments beginning at Edgewater Avenue from Toft Dairy's south driveway continuing northward to Monroe Street and eastward along Monroe Street up to Camp Street totaling 1.84 miles of pavement; and

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

**WHEREAS**, upon public competitive bidding as required by law four (4) appropriate bids were received and the bid from A J Riley, Inc., of Norwalk, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the revised total cost of the project including advertising, materials, labor, inspection and miscellaneous costs is \$422,739.45 of which \$308,908.08 (80% of the original estimated costs) is to be funded by the Erie County Metropolitan Planning Organization through ODOT and the remaining balance of \$113,831.37 will be funded by the City's \$5 License Fee Fund; and

**WHEREAS**, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the contractor sufficient time to completed this project by the completion deadline of June 30, 2007; and

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with A J Riley, Inc., of Norwalk, Ohio, for the Monroe Street Resurfacing Phase I Project in an amount **not to exceed** Four Hundred Two Thousand Six Hundred Nine and 00/100 Dollars (\$402,609.00) consistent with the bid submitted by A J Riley, Inc., of Norwalk, Ohio, currently on file in the office of the Director of Engineering Services.

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:

February 27, 2007

MEMORANDUM

To: Michael J. Will, City Manager  
From: Michael R. Meinzer, Fire Chief  
RE: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Legislation to purchase two (2) LifePak-12 Heart Monitors through the State of Ohio's Cooperative Purchasing Program from Medtronic Physio Control of Chicago, Illinois.

**BACKGROUND INFORMATION:** The need to replace two (2) of Sandusky Fire Departments LifePak-12 Heart Monitors has been determined by the Fire Chief. The current two (2) LifePak-12 Heart Monitors are 1995 and 1996 models and have exceeded their useful life and replacement parts for these monitors are unavailable.

Medtronic is the sole distributor for physio equipment in our region and it is the only equipment that is compatible with our existing equipment, including the newly implemented Life Net System at Firelands Regional Medical Center.

**BUDGETARY INFORMATION:** This purchase will not have a negative impact the General Fund. The funding for this purchase of two (2) LifePak-12 Heart Monitors in the amount of \$32,722.24 is available from revenue generated by ambulance transport fees. This funding is dedicated for Fire Department apparatus and equipment replacement. Medtronic Physio Control has agreed to take two (2) of our current LifePak-12 Heart Monitors in for trade.

Two (2) LifePak-12 Heart Monitor List Price	\$55,080.00
State of Ohio Purchasing Program Contract #772652A Discount	- \$9,515.42
Trade-in Discount	- \$2,000.00
Manufacturer Discount	- \$10,842.34
Total Purchase Price for Two (2) LifePak-12 Heart Monitors	\$32,722.24

**COMPLIANCE WITH THE STRATEGIC PLAN:** The purchase of two (2) LifePak-12 Heart Monitors through proper equipment maintenance and replacement will result in the Sandusky Fire Department's ongoing plan to be a **cost effective producer of quality services**.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to purchase two (2) LifePak-12 Heart Monitors through the State of Ohio Cooperative Purchasing Program from Medtronic Physio Control of Chicago, Illinois. The above pricing is good through April 8, 2007; therefore it is requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter.

Approved

I concur with this recommendation

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Michael R. Meinzer, Fire Chief  
Cc: Ed Widman, Finance Director  
Don Icsman, Law Director

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Michael J. Will, City Manager

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE TWO (2) LIFEPAK-12 HEART MONITORS THROUGH THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM, FROM MEDTRONIC PHYSIO CONTROL OF CHICAGO, ILLINOIS; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the need to replace two (2) of the Sandusky Fire Departments LifePak-12 Heart Monitors has been determined by the Fire Chief because the current monitors have exceeded their useful life expectancy and replacement parts are no longer available; and

**WHEREAS**, this equipment is available through the State of Ohio Cooperative Purchasing Program thereby allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

**WHEREAS**, this equipment is available from Medtronic Physio Control of Chicago, Illinois, who is the sole provider for this equipment in our region, and is the only equipment that is compatible with existing equipment including the newly implemented Life Net System at Firelands Regional Medical Center; and

**WHEREAS**, Medtronic Physio Control has agreed to take the two (2) existing LifePak-12 Heart Monitors for trade-in at a discount of \$2,000; and

**WHEREAS**, the total cost of this equipment, including the State of Ohio Purchasing Program Contract Discount, Manufacturer Discount and Trade-in Discount, is \$32,722.24 to be paid from revenue generated by Ambulance Transport Fees dedicated for Fire Department apparatus and equipment replacement; and

**WHEREAS**, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow for the placement of the order at this guaranteed price before the expiration date of April 8, 2007; and

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

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

Section 1. The City Manager be and hereby is authorized and directed to purchase two (2) LifePak-12 Heart Monitors through the State of Ohio Cooperative Purchasing Program from Medtronic Physio Control of Chicago, Illinois, at an amount **not to exceed** Thirty Two Thousand Seven Hundred Twenty Two and 24/100 Dollars (\$32,722.24).

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:

**Date:** February 22, 2007  
**To:** Michael J. Will, City Manager  
**From:** Kathryn K. McKillips, Director of Engineering Services  
**RE:** Commission Agenda Item

**ITEM FOR CONSIDERATION:** Legislation to enter into a contract with Cintas Corporation of Sandusky, Ohio for the supply and cleaning of uniforms for the period of April 1, 2007 through March 31, 2010.

**BACKGROUND INFORMATION:** On February 15, 2007, bids were opened for the above-stated service. Two (2) bids were received as follows:

	<b>Vendor</b>	<b>Per</b>	<b>Weekly Employee</b>	<b>Annual Less Local Cost</b>	<b>Preference</b>
1.	Cintas Corporation Sandusky, OH		\$3.95	\$205.40	3.50% \$198.22
2.	Arrow Uniform Perrysburg, OH	\$3.89		\$202.28	0.0% \$202.28

These vendors were requested to supply bid pricing on several different types of uniform supply and/or cleaning (i.e. some employees prefer to launder their own uniforms as opposed to having the supplier clean them).

The City's current uniform supplier for those persons not employed by either the Police or Fire Departments is Cintas Corporation of Sandusky, Ohio. The base rate in effect for the period April 1, 2004 through March 31, 2007 is \$4.50 per person per week or \$234.00 annually; their proposed bid price of \$3.95 is **12% LOWER** than the current contract price of \$4.50 per week.

Based upon criteria in the bid documents and prior positive experience with Cintas Corporation, it has been determined that the lowest and best bid was that received from Cintas Corporation of Sandusky, Ohio.

**BUDGET IMPACT:** Funds for the payment of this service are routinely included in the operating budgets of City departments. Operating departments should be able to budget a 12% savings for uniform rental and service.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to enter into a contract with Cintas Corporation of Sandusky, Ohio for the supply and service of uniforms for City personnel for the period of April 1, 2007 through March 31, 2010 at an amount not to exceed \$31,917.60 per year which is 12% less than the previous contract. **It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter to allow for measuring and delivery of new uniforms prior to April 1, 2007.**

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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: Donald C. Icsman, Law Director  
Edward A. Widman, Finance Director  
Joyce Brown, Commission Clerk

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CINTAS CORPORATION OF SANDUSKY, OHIO, FOR SUPPLY AND SERVICE OF UNIFORMS FOR CITY PERSONNEL FOR THE PERIOD OF APRIL 1, 2007, THROUGH MARCH 31, 2010; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, upon public, competitive bidding as required by law, two (2) proper and appropriate bids were received and based upon bid document criteria, including the application of the City's Local Preference Ordinance, and prior positive experience the bid of Cintas Corporation of Sandusky, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the City's current uniform supplier for AFSCME employees is Cintas Corporation and their proposed bid price of \$3.95 per person is 12% lower than their current contract price of \$4.50 per person with funds for the payment of this supply and service routinely included in the operating budget of the appropriate City departments; 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 measuring employees and delivery of new uniforms prior to April 1, 2007; and

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

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

Section 1. The City Manager is hereby authorized and directed to enter into a contract with Cintas Corporation of Sandusky, Ohio, for the supply and service of uniforms for City personnel for the period of April 1, 2007 through March 31, 2010 at an amount **not to exceed** Thirty One Thousand Nine Hundred Seventeen and 60/100 Dollars (\$31,917.60) consistent with the bid submitted by Cintas Corporation of Sandusky, Ohio, currently on file in the office of the Director of Engineering Services.

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:

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B. JOYCE BROWN  
CLERK OF THE CITY COMMISSION

Passed:

TO: Michael J. Will, City Manager  
FROM: Scott Schell, Economic Development Specialist  
DATE: February 28, 2007

SUBJECT: Commission Agenda Item - Geo. Gradel CORF Remediation Clean-up Contract

**ITEM FOR CONSIDERATION:** Approval to contract with Partners Environmental Consulting, Inc. of Solon, Ohio, for Certified Professional Services for the Bayfront Paper District – West End Redevelopment Project (Geo. Gradel Property). The Certified Professional will oversee all environmental work outlined in the Clean Ohio Revitalization Fund Grant.

**BACKGROUND INFORMATION:** The City sent the Request for Proposals to 64 consulting firms throughout the state. Four (4) companies responded to the invitation with proposals. The four (4) companies were scored based on experience with the Ohio EPA Voluntary Action Program (VAP), prior experience in other Clean Ohio Revitalization Fund projects, ability to bring forth possible money saving alternatives, and working with similar projects. Partners Environmental scored the highest.

The Certified Professional will perform all necessary tasks to obtain an Ohio EPA Voluntary Action Program (VAP) No Further Action (NFA) letter for the property. These tasks include oversight for asbestos abatement, hazardous material removal and disposal, and any necessary sampling and monitoring of the site. Once the EPA determines that the program standards have been met regarding public health and safety, a Covenant Not to Sue (CNS) will be requested from the Ohio EPA. The developer will then be able to proceed with plans to redevelop the Geo. Gradel property, the West end of the Bayfront Paper District.

The City has been working with Geo. Gradel Co to begin acquisition, business relocation and remediation of property. Approval of the Partners Environmental Consulting Clean-up Contract as requested is contingent upon the acquisition of the Geo. Gradel Co. property by the City.

**BUDGETARY INFORMATION:** The estimated cost for the Certified Professional Services is \$432,402. Seventy-five percent (75%) of the cost of the Certified Professional Services (\$324,301.50) is included in the original \$2,870,000 Clean Ohio Revitalization Fund Grant. The remaining \$108,100.50 will be a 25% match, provided by the Developer upon completion of the Developer's Agreement and the work. The City and the Developer are working on finalizing a detailed developer agreement that is anticipated to be complete in the first quarter of 2007.

**ACTION REQUESTED:** It is recommended that an Ordinance authorizing the City Manager to enter into a contract on behalf of the City of Sandusky with Partners Environmental Consulting, Inc. of Solon, Ohio, for certified professional services for the Bayfront Paper District – West End Redevelopment Project (Geo. Gradel property), and that the necessary legislation be approved under suspension of the rules and in accordance with Section 14 of the City Charter in order for the Certified Professional to schedule the work pertaining to the oversight of the clean up of the Bayfront Paper District.

I concur with this recommendation:

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Michael J. Will, City Manager

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PARTNERS ENVIRONMENTAL CONSULTING, INC., AND HULL & ASSOCIATES, INC., OF SOLON, OHIO, FOR CERTIFIED PROFESSIONAL SERVICES FOR GEO GRADEL PROPERTY AS PART OF THE BAYFRONT PAPER DISTRICT - WEST END REDEVELOPMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission declared the necessity for the City to proceed with Phase II of the Bayfront Paper District Redevelopment Project, by the passage of Resolution No. 006-04R, effective March 8, 2004 in order to carry out the City's public purpose of elimination of conditions of blight and deterioration, and to obtain redevelopment pursuant to a revitalization plan in order to prevent the recurrence or spread of conditions of blight and deterioration, and to undertake City activities for such public purposes in the Bayfront Paper District Area; and

**WHEREAS**, by Ordinance No. 04-193, passed on December 13, 2004, this City Commission awarded the Phase II Environmental Services contract to Partners Environmental Consulting Inc. in partnership with Hull & Associates, which is currently being completed; and

**WHEREAS**, by Ordinance No. 05-089, passed on May 9, 2005, this City Commission authorized preparation of a Clean Ohio Revitalization Fund Grant Application for the Geo Gradel property; and

**WHEREAS**, upon competitive bidding as required by law, four (4) proposals were received and evaluated based on experience with the Ohio EPA Voluntary Action Program (VAP), prior experience in other CORF projects, possible money saving alternatives, and working with similar projects, and the Partners Environmental Consulting, Inc. and Hull & Associates, Inc. scored the highest and is recommended as the most qualified; and

**WHEREAS**, The Certified Professional will oversee all environmental work outlined in the CORF grant and will perform all necessary tasks to meet the program standards determined by the Ohio EPA; and

**WHEREAS**, the estimated cost for the Certified Professional Services is \$432,402.00 which will be funded 75% (\$324,301.50) with a Clean Ohio Revitalization Fund grant and a 25% (108,100.50) match provided by the developer upon completion of the Developer's Agreement anticipated to be finalized in the first quarter of 2007; and

**WHEREAS**, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow Partners/Hull to schedule the work necessary for the clean up of the Bayfront Paper District; and

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

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

Section 1. The City Manager is authorized and directed to enter into an agreement with Partners Environmental, Inc., and Hull & Associates, Inc., of Solon, Ohio, for Certified Profession Services for the Bayfront Paper District - West End

Redevelopment Project for the Geo Gradel property, in an amount **not to exceed** Four Hundred Thirty Two Thousand Four Hundred Two and 00/100 Dollars (\$432,402.00). The services shall be provided in accordance with the proposal of Partners Environmental, Inc., and Hull & Associates, Inc., a copy of which is on file in the Department of Engineering Services and attached to this Ordinance, marked Exhibit "A", and the specifications contained therein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose.

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

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

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

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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 RATIFYING, ACCEPTING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SANDUSKY, AN OHIO CHARTER MUNICIPAL CORPORATION, AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL #327, THE COLLECTIVE BARGAINING UNIT FOR CERTAIN EMPLOYEES OF THE SANDUSKY FIRE DEPARTMENT, FOR THE PERIOD JANUARY 1, 2007, THROUGH DECEMBER 31, 2009, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the most recent collective bargaining agreement between the City of Sandusky, Ohio, an Ohio Charter Municipal Corporation, and the International Association of Fire Fighters Local #327, the collective bargaining unit for certain employees of the Sandusky Fire Department, expired on December 31, 2006; and

**WHEREAS**, pursuant to the terms and provisions of Chapter 4117 of the Ohio Revised Code, the City engaged in negotiations with the bargaining unit for the purpose of agreeing upon and entering into a successor agreement to the most recent collective bargaining agreement; and

**WHEREAS**, representatives of the City and the bargaining unit have negotiated a new agreement, a copy of which is attached to this Ordinance, marked Exhibit "A" and specifically incorporated as if fully rewritten herein; and

**WHEREAS**, this agreement is subject to the ratification, acceptance, and approval by this City Commission and it is the recommendation of the representatives of the City that the agreement substantially in the same form as reflected in Exhibit "A" be ratified, accepted, and approved by this City Commission; and

**WHEREAS** this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the new agreement to be ratified, accepted and approved immediately as the predecessor agreement expired on December 31, 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 the Fire Department of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists to permit the immediate ratification, acceptance and approval of the collective bargaining agreement with the International Association of Fire Fighters Local #327, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The agreement between the City of Sandusky, Ohio, and the International Association of Fire Fighters Local #327, by its terms effective from January 1, 2007, through December 31, 2009, substantially in the same form as reflected in Exhibit "A" which is specifically incorporated as if fully rewritten herein is ratified, accepted and approved by this City Commission together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and as being consistent with the purpose of this Ordinance as set forth in the preambles hereto.

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

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

Section 4. The City Manager is authorized and directed to forward certified copies of the foregoing Ordinance, together with copies of the agreement appended hereto to the State of Ohio, Employment Relations Board, and to the Association.

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

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

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

Passed:

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

**AN ORDINANCE RATIFYING, ACCEPTING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SANDUSKY, AN OHIO CHARTER MUNICIPAL CORPORATION, AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES LOCAL #1519, THE COLLECTIVE BARGAINING UNIT FOR CERTAIN EMPLOYEES OF THE CITY OF SANDUSKY, FOR THE PERIOD JANUARY 1, 2007, THROUGH DECEMBER 31, 2009, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the most recent collective bargaining agreement between the City of Sandusky, Ohio, an Ohio Charter Municipal Corporation, and the American Federation of State, County and Municipal Employees Local #1519, the collective bargaining unit for certain employees of the City of Sandusky, expired on December 31, 2006; and

**WHEREAS**, pursuant to the terms and provisions of Chapter 4117 of the Ohio Revised Code, the City engaged in negotiations with the bargaining unit for the purpose of agreeing upon and entering into a successor agreement to the most recent collective bargaining agreement; and

**WHEREAS**, representatives of the City and the bargaining unit have negotiated a new agreement, a copy of which is attached to this Ordinance, marked Exhibit "A" and specifically incorporated as if fully rewritten herein; and

**WHEREAS**, this agreement is subject to the ratification, acceptance, and approval by this City Commission and it is the recommendation of the representatives of the City that the agreement substantially in the same form as reflected in Exhibit "A" be ratified, accepted, and approved by this City Commission; and

**WHEREAS** this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the new agreement to be ratified, accepted and approved immediately as the predecessor agreement expired on December 31, 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 the Municipal Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists to permit the immediate ratification, acceptance and approval of the collective bargaining agreement with the American Federation of State, County and Municipal Employees Local #1519, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The agreement between the City of Sandusky, Ohio, and the American Federation of State, County and Municipal Employees Local #1519, by its terms effective from January 1, 2007, through December 31, 2009, substantially in the same form as reflected in Exhibit "A" which is specifically incorporated as if fully rewritten herein is ratified, accepted and approved by this City Commission together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and as being consistent with the purpose of this Ordinance as set forth in the preambles hereto.

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

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

Section 4. The City Manager is authorized and directed to forward certified copies of the foregoing Ordinance, together with copies of the agreement appended hereto to the State of Ohio, Employment Relations Board, and to the Association.

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

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

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

Passed:

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

**AN ORDINANCE RATIFYING, ACCEPTING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SANDUSKY, AN OHIO CHARTER MUNICIPAL CORPORATION, AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., THE COLLECTIVE BARGAINING UNIT FOR CERTAIN EMPLOYEES OF THE SANDUSKY POLICE DEPARTMENT, FOR THE PERIOD JANUARY 1, 2007, THROUGH DECEMBER 31, 2009, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the most recent collective bargaining agreement between the City of Sandusky, Ohio, an Ohio Charter Municipal Corporation, and the Fraternal Order of Police, Ohio Labor Council, Inc., the collective bargaining unit for certain employees of the Sandusky Police Department, expired on December 31, 2006; and

**WHEREAS**, pursuant to the terms and provisions of Chapter 4117 of the Ohio Revised Code, the City engaged in negotiations with the bargaining unit for the purpose of agreeing upon and entering into a successor agreement to the most recent collective bargaining agreement; and

**WHEREAS**, representatives of the City and the bargaining unit have negotiated a new agreement, a copy of which is attached to this Ordinance, marked Exhibit "A" and specifically incorporated as if fully rewritten herein; and

**WHEREAS**, this agreement is subject to the ratification, acceptance, and approval by this City Commission and it is the recommendation of the representatives of the City that the agreement substantially in the same form as reflected in Exhibit "A" be ratified, accepted, and approved by this City Commission; and

**WHEREAS** this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow the new agreement to be ratified, accepted and approved immediately as the predecessor agreement expired on December 31, 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 the Police Department of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists to permit the immediate ratification, acceptance and approval of the collective bargaining agreement with the Fraternal Order of Police, Ohio Labor Council, Inc., and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The agreement between the City of Sandusky, Ohio, and the Fraternal Order of Police, Ohio Labor Council, Inc., by its terms effective from January 1, 2007, through December 31, 2009, substantially in the same form as reflected in Exhibit "A" which is specifically incorporated as if fully rewritten herein is ratified, accepted and approved by this City Commission together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and as being consistent with the purpose of this Ordinance as set forth in the preambles hereto.

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

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

Section 4. The City Manager is authorized and directed to forward certified copies of the foregoing Ordinance, together with copies of the agreement appended hereto to the State of Ohio, Employment Relations Board, and to the Association.

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

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

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

Passed: