

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

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MONDAY, JUNE 9, 2008  
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Invocation  
Pledge of Allegiance  
Meeting Called to Order  
Roll Call – DM, BF, JF, DW, DK, CS  
Minutes – May 22<sup>nd</sup>, May 27<sup>th</sup>, May 29<sup>th</sup>, June 2<sup>nd</sup>, June 4<sup>th</sup>

**CHARTER OFFICERS**

- Matthew Kline, City Manager
- Don Icsman, Law Director
- Edward Widman, Finance Director
- B. Joyce Brown, Clerk of the City Commission

**PROCLAMATION** – “UNITED STATES ARMY’S 233<sup>RD</sup> BIRTHDAY” – June 14, 2008 through June 20, 2008

**PRESENTATION** – Peter Schade – Public Health Update

Audience Participation – Agenda Items Listed Below Only (3 minute limit)

**CURRENT BUSINESS**

**ITEM #1 – Communication – Matthew D. Kline, City Manager**

**BUDGETARY INFORMATION:** Proceeds from the sale of these items will be placed into the Police Department General Trust Account, with the exceptions of the proceeds for the bicycle proceeds which will be placed in the City’s General Fund.

**ORDINANCE NO.** \_\_\_\_\_ Dispose of Surplus Personal Property and Equipment as having become unnecessary and unfit for City use pursuant to Section 25 of the City Charter. Request passed under suspension of rules in full accordance of **Section 14** of the City Charter.

**ITEM #2 – Communication – Jeffrey W. Rosekelly, P.E. Project Engineer**

**BUDGETARY INFORMATION:** The revised project cost based on bids, including engineering, inspection, advertising and miscellaneous costs is \$655,416.70. The private assessment cost is \$131,322.52. The City portion of the project cost is \$328,754.18. The Water Fund expense will be \$75,354.37, the Sewer Fund expense will be \$6,590.22, the \$5 License Fee Fund will be \$246,809.59. The Ohio Public Works Grant will fund \$195,340.00.

**ORDINANCE NO.** \_\_\_\_\_ Enter into a contract with Precision Paving, Inc. of Milan, Ohio, for the the Monroe Street Resurfacing Project Phase III. Request passed under suspension of rules in full accordance of **Section 14** of the City Charter.

**ITEM #3 – Communication – Kathryn K. McKillips, Director of Engineering Services**

**BUDGETARY INFORMATION:** There is no budgetary impact with this legislation.

**ORDINANCE NO.** \_\_\_\_\_ Adopting the consent legislation submitted by the Ohio Department of Transportation for the Traffic Signal Battery Backup Systems Project, PID NO. 83991, authorizing and directing the City Manager to sign the consent legislation and to execute any necessary contracts with the Director of Transportation to complete the Project. Request passed under suspension of rules in full accordance of **Section 14** of the City Charter.

**ITEM #4 – This item was ordered in.**

**ORDINANCE NO.** \_\_\_\_\_ Amending Part Three – Traffic Code, Title Nine – Pedestrians, Bicycles, and Motorcycles, by the adoption of new Chapter 379 – Golf Carts.

**ITEM #5 – Communication – Jeffrey W. Rosekelly, P.E. Project Engineer**

**BUDGETARY INFORMATION:** This project has been budgeted by way of the Capital Planning effort and is consistent with the Strategic Plan. The total project cost including construction contract costs, administration costs, interest, and miscellaneous costs is \$257,019. The City’s portion is \$44,649, while the private assessments total is \$184,370, and CDBG funds will contribute \$28,000 for repairs made to the Tiffin Avenue Underpass.

**RESOLUTION NO.** \_\_\_\_\_ A Resolution confirming the determination of the necessity of constructing, re-laying and repairing certain sidewalks and constructing certain curbs and gutters and approaches as a part of the City’s 2007 Sidewalk, Curb and Gutter and Approach Program, and declaring an emergency. 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



## CITY COMMISSIONERS

DENNIS E. MURRAY, JR., President  
CRAIG H. STAHL, Vice President  
JULIE A. FARRAR  
BRETT L. FUQUA, SR.  
DANIEL J. KAMAN  
DAVID L. WADDINGTON

MATTHEW D. KLINE, City Manager  
DONALD C. ICSMAN, Law Director  
EDWARD A. WIDMAN, Finance Director  
B. JOYCE BROWN, Commission Clerk

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SANDUSKY, OH 44870  
Phone: 419.627.5844  
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[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

TO: City Commission

FROM: Matthew D. Kline

DATE: May 27, 2008

SUBJECT: Disposal of Property

**ITEM FOR CONSIDERATION:** *It is requested that the City Commission authorize legislation to dispose of bicycles, equipment and two unneeded and confiscated vehicles, pursuant to Section 25 of the City Charter.*

**BACKGROUND INFORMATION:** *The following vehicles have been determined to be beyond their useful life by city staff when confiscated by the Sandusky Police Department. It is requested that these vehicles be sold for scrap:*

1977 Ford T-Bird, VIN 7G87H305863, mileage unknown –confiscated – junk and of no use

1975 Cadillac VIN 6L67S5Q221884, mileage unknown – junk and of no use

*The items below have all been confiscated by the Sandusky Police Department; the cases for each of these items have been closed and it is no longer necessary to hold the items (they are of no value to the City of Sandusky).*

5 metal halide light fixtures	1 double sink	Reciprocating saw w/ 6 blades
38 metal halide light fixtures	Monroe adding machine	3 tin snips
3 4-drawer filing cabinets	Weedeater weed whip	2 wire cutters
2 4-drawer print file cabinet stand	3 - 2" pumps	1 nut driver
1 - 3 drawer card file	1 - 1 1/2 pump	3 screwdrivers
1 aluminum antenna	1 - 3" pump	10 batteries, vise grips
5 small parts drawers	2 - 1" pumps	18" black & Silver bolt cutter
2 miller fluid power 800 psi hydraulic cylin	3 lights	2 walkie talkies
1 miller fluid power 250 psi hydraulic cylin	BUNN coffeemaker	Flashlight
1 ingersoll/rand 820 air compressor	4 bagboy pull carts	Misc. stereo equipment (CD players, speakers, etc.)
2 electrical transfer switchgear boxes	1 literature organizer	Cards, poker chips
1 skid misc. electrical parts	3 wand scanners	Lear bag & supplies
2 skids various size electrical capacitors	1 receipt printer	Electric grinder
1 2750 watt homelite portable generator	1 cordless telephone	Misc. pieces of jewelry (rings, necklaces, watches, etc.)
1 office chair	1 adding machine	2 Cameras
2 skids computer monitors and peripherals	2 small fans	1 television
3 push mowers	1 typewriter stand	22 bicycles
1 hand pump	1 typewriter	
2 sets of work lights	Travel bag & misc. items	

**BUDGET IMPACT:** *Proceeds from the sale of these items will be placed into the Police Department's General Trust Account, with the exceptions of the proceeds for the bicycle proceeds which will be placed into the city's General Fund.*

**ACTION REQUESTED:** *It is requested the attached legislation be approved authorizing the disposal of the vehicles and equipment listed above. It is further requested this legislation take immediate effect in full accordance with Section 14 of the City Charter; the auction is scheduled to be held on Thursday, June 19 at 6 p.m. at the City Service Center.*

/klk

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO DISPOSE OF SURPLUS PERSONAL PROPERTY AND EQUIPMENT AS HAVING BECOME UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, Section 25 of the City Charter authorizes the City Manager to conduct all sales of personal property that has become obsolete, unnecessary and unfit for City use; and

**WHEREAS**, the following vehicles have been determined to be obsolete, unnecessary and unfit for City use:

<b>Year Make / Model</b>	<b>Vehicle ID Number</b>	<b>Mileage</b>
1977 Ford T-Bird (confiscated)	7G87H305863	unknown
1975 Cadillac	6L67S5Q221884	unknown

**WHEREAS**, the following items have been confiscated by the Sandusky Police Department and the related Court cases have been adjudicated and closed thereby eliminating the need to retain these items as evidence and these items have been determined to be obsolete, unnecessary and unfit for City use:

5 metal halide light fixtures	1 literature organizer
38 metal halide light fixtures	3 wand scanners
3 4-drawer filing cabinets	1 receipt printer
2 4-drawer print file cabinet stand	1 cordless telephone
1 - 3 drawer card file	1 adding machine
1 aluminum antenna	2 small fans
5 small parts drawers	1 typewriter stand
2 miller fluid power 800 psi hydraulic cylin	1 typewriter
1 miller fluid power 250 psi hydraulic cylin	Travel bag & misc. items
1 ingersoll/rand 820 air compressor	Reciprocating saw w/ 6 blades
2 electrical transfer switchgear boxes	3 tin snips
1 skid misc. electrical parts	2 wire cutters
2 skids various size electrical capacitors	1 nut driver
1 2750 watt homelite portable generator	3 screwdrivers
1 office chair	10 batteries, vise grips
2 skids computer monitors and peripherals	18" black & Silver bolt cutter
3 push mowers	2 walkie talkies
1 hand pump	Flashlight
2 sets of work lights	Misc. stereo equipment (CD players, speakers, etc.)
1 double sink	Cards, poker chips
Monroe adding machine	Lear bag & supplies
Weedeater weed whip	Electric grinder
3 - 2" pumps	Misc. pieces of jewelry (rings, necklaces, watches, etc.)
1 - 1 1/2 pump	2 Cameras
1 - 3" pump	1 television
2 - 1" pumps	22 bicycles
3 lights	
BUNN coffeemaker	
4 bagboy pull carts	

**WHEREAS**, the proceeds from the sale of these items will be placed into the Police Department's General Trust Account with the exception of the proceeds from the bicycles which will be placed in the City's General 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 in order to allow for the items to be declared unnecessary and unfit for City use prior to the auction date of June 19, 2008; 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 dispose of the personal property described above as having become obsolete, unnecessary and unfit for City use, pursuant to Section 25 of the City Charter, through public auction, with the proceeds received to be placed into the Police Department's General Trust Account and City's General Fund.

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.

\_\_\_\_\_  
DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

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

Passed:

TO: Matthew D. Kline  
City Manager

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

DATE: May 27, 2008

SUBJECT: Commission Agenda Item

**ITEM FOR CONSIDERATION:** An Ordinance awarding a contract to Precision Paving, Inc., Milan, Ohio, for the Monroe Street Resurfacing Project Phase III. This project is from Columbus Avenue to Meigs Street, and includes the replacement of curb and gutters, sidewalks and drive approaches in need of repair; removal of abandoned railroad ties and full-depth pavement repair in the center ten feet (10') of pavement; and milling and re-surfacing to a depth of three inches (3") of the remaining road surface. This section of Monroe Street contains three (3) of the twelve (12) worst sections of street located on major streets in the City as reported by the 2005 UT pavement study. Three bids were received on May 20, 2008 from the following companies:

Precision Paving, Inc.	Milan, Ohio	Bid: \$550,770.34
Ed Burdue & Co.	Sandusky, Ohio	Bid: \$561,598.53
A.J. Riley, Inc.	Norwalk, Ohio	Bid: \$579,483.53

This project involves Ohio Public Works Commission grant funding, therefore the Local Preference Ordinance (Chapter 149) was not applied.

The Engineer's Estimated Construction Cost was \$504,327.49. The bid from Precision Paving, Inc. did exceed this estimate but is within 10% over the Engineer's Estimate and is recommended to be the lowest and best bid.

**BUDGETARY INFORMATION:** The revised project cost based on bids, including engineering, inspection, advertising and miscellaneous costs is \$655,416.70. The private assessment cost is \$131,322.52. The City portion of the project cost is \$328,754.18. The Water Fund expense will be \$75,354.37, the Sewer Fund expense will be \$6,590.22, the \$5 license fee fund will be \$246,809.59. The Ohio Public Works Grant will fund \$195,340.00.

**ACTION REQUESTED:** It is recommended that the Ordinance awarding a contract to Precision Paving, Inc., of Milan, Ohio for the Monroe Street Resurfacing Project Phase III, in the amount of \$550,770.33 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 before the estimated project deadline of September 18, 2008. The time for completion of this project is 90 consecutive days from the date of the Notice to Proceed upon execution of the contract.

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

I concur with this recommendation:

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Matthew D. Kline, City Manager

KKM/cal

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

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PRECISION PAVING, INC., OF MILAN, OHIO, FOR THE MONROE STREET RESURFACING PROJECT PHASE III; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission authorized the submission of an application and to enter into a project agreement with the Ohio Public Works Commission for financial assistance by Resolution No. 044-06R, passed on September 25, 2006; and

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the Monroe Street Resurfacing Project Phase III by Resolution No. 036-07R passed on December 10, 2007; and

**WHEREAS**, this City Commission determined to proceed with the Monroe Street Resurfacing Project Phase III by Ordinance No. 08-039, passed on April 28, 2008; and

**WHEREAS**, this section of Monroe Street contains 3 of the 12 worst sections of street located on major streets in the City as reported by the 2005 UT pavement study; and

**WHEREAS**, this project involves the replacement of curb and gutters, sidewalks and drive approaches in need of repair, removal of abandoned railroad ties and full-depth pavement repair in the center ten feet of the pavement from Columbus Avenue to Meigs Street; milling and resurfacing to a depth of three inches of the remaining road surface; and installation of a new 12" waterline from Columbus Avenue to Wayne Street; and

**WHEREAS**, upon public competitive bidding as required by law three (3) appropriate bids were received and the bid from Precision Paving, Inc., of Milan, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the revised total cost of this project based on bids including engineering, inspection, advertising and miscellaneous costs is \$655,416.70, with the City's portion being \$328,754.18 of which \$75,354.37 is to be paid with Water Funds, \$6,590.22 to be paid from Sewer Funds and \$246,809.59 to be paid from the \$5 License Fee Fund; the Ohio Public Works Commission grant will fund \$195,340.00 and the remaining balance of \$131,322.52 is to be paid through private assessments; 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 complete this project by the estimated completion deadline of September 18, 2008; 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 Precision Paving, Inc., of Milan, Ohio, for the Monroe Street Resurfacing Project

Phase III in an amount **not to exceed** Five Hundred Fifty Thousand Seven Hundred Seventy and 34/100 Dollars (\$550,770.34) consistent with the bid submitted by Precision Paving, Inc., of Milan, 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.

\_\_\_\_\_  
DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

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

Passed:

TO: Matthew D. Kline, City Manager  
FROM: Kathryn K. McKillips, Director of Engineering Services  
DATE: May 27, 2008  
SUBJECT: Commission Agenda Item

**ITEM FOR CONSIDERATION:** An Ordinance consenting to the proposed Traffic Signal Battery Backup project to be administered by the Director of the Ohio Department of Transportation (ODOT) and authorizing the City Manager to sign any necessary agreement with ODOT.

This project involves the installation of battery backup systems located at the following intersections:

Milan Road and Perkins Avenue  
Cleveland Road and Butler Street  
Cleveland Road and Cowdery Street  
Cleveland Road and Cedar Point Drive

With this ordinance, the City gives consent to the above improvements and agrees to pay 100% for any additional work that is not necessary to the signal improvements. The City will maintain the right of way and keep it free from obstruction and available for public highway purposes.

**BUDGETARY INFORMATION:** There is no budgetary impact with this legislation.

**ACTION REQUESTED:** It is recommended that the Ordinance consenting to the ERI TSG Battery Backup project and authorizing the City Manager to sign on behalf of the City for any contracts that may be necessary be approved. It is requested that the legislation be passed under suspension of the rules in accordance with Section 14 of the City Charter in order to expedite the project for the purpose of highway safety and allow the consent legislation to be submitted to the ODOT District 3 as soon as possible allowing them to send the project to the ODOT Central Office by the deadline of June 31, 2008.

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

I concur with this recommendation:

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Matthew D. Kline, City Manager

KKM/cal

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

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

**AN ORDINANCE ADOPTING THE CONSENT LEGISLATION SUBMITTED BY THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE TRAFFIC SIGNAL BATTERY BACKUP SYSTEMS PROJECT, PID NO. 83991, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN THE CONSENT LEGISLATION AND TO EXECUTE ANY NECESSARY CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION TO COMPLETE THE PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the State of Ohio has identified the need for the installation of traffic signal battery backup systems at 21 locations in Erie County, four of the signal locations being within the City of Sandusky at Perkins Avenue, Butler Street, Cowdery Street, and Cedar Point Causeway; and

**WHEREAS**, approval of the consent legislation submitted by the Ohio Department of Transportation giving consent to the Director of Transportation to complete the project is a necessary requirement; 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 expedite the project for the purpose of highway safety and to allow the consent legislation to be submitted to the ODOT District 3 as soon as possible providing sufficient time for ODOT District 3 to send the project to the ODOT Central Office by the deadline of June 31, 2008; 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. This City Commission approves the consent legislation submitted by the Ohio Department of Transportation for the Traffic Signal Battery Systems Project, PID No. 83991, a copy of which is attached to this Ordinance marked Exhibit "A" and is specifically incorporated as if fully rewritten herein; authorizes the President of this City Commission to sign the consent legislation and authorizes and directs the City Manager to sign the consent legislation and to execute any contracts with the Director of Transportation necessary to complete the Project, PID No. 83991.

Section 2. The Clerk of this City Commission is authorized and directed to complete two (2) original Certificates of Copy State of Ohio, and to attach a certified copy of this Ordinance as required.

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 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.

\_\_\_\_\_  
DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

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

Passed:

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

**AN ORDINANCE AMENDING PART THREE - TRAFFIC CODE, TITLE NINE - PEDESTRIANS, BICYCLES, AND MOTORCYCLES, BY THE ADOPTION OF NEW CHAPTER 379 - GOLF CARTS, AS SET FORTH HEREINBELOW.**

**WHEREAS**, this City Commission has determined that it is necessary to amend Part Three - Traffic Code, Title Nine - Pedestrians, Bicycles, and Motorcycles, in order to add a New Chapter to the Codified Ordinances of the City regulating the use of golf carts on streets within the City of Sandusky; and

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

Section 1. Part Three - Traffic Code, Title Nine - Pedestrians, Bicycles, and Motorcycles, be amended by the adoption of New Chapter 379 - Golf Carts as follows:

**NEW  
CHAPTER 379  
GOLF CARTS**

**379.01 Definitions. 379.99 Penalty.**  
**379.02 Inspection of Golf Carts.**

**379.01 DEFINITIONS.**

- (a) "Vehicle" has the same meaning as set forth in R.C. §4501.01(A).
- (b) "Motor Vehicle" has the same meaning as set forth in R.C. §4501.01(B).
- (c) "Operator" the same meaning as set forth in R.C. §4501.01(X).
- (d) "Golf Cart" is a motor vehicle as that term is defined under R.C. §4501.01(B).

**379.02 INSPECTION OF GOLF CARTS.**

No person shall operate a golf cart on the streets within the City of Sandusky unless the golf cart has been inspected by the Chief of Police or designee for compliance with the State of Ohio's statutory requirements that are applicable to motor vehicles.

The owner or operator of any golf cart shall be required to pay an inspection fee as established by the Chief of Police. If the Chief of Police or designee determines that the golf cart complies with the State of Ohio's statutory requirements that are applicable to motor vehicles, the Chief of Police or designee shall issue the owner or operator a certificate of compliance entitling the owner or operator to operate the golf cart on the streets within the City of Sandusky. The owner or operator shall also show the Chief of Police or designee proof of liability insurance for the golf cart before a certificate of compliance is issued.

The owner of a golf cart shall also comply with all requirements of Ohio law regarding proper title, registration and license plates prior to operating a golf cart on any street within the City of Sandusky.

**379.99 PENALTY.**

Whoever violates this Chapter is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; and each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third

**degree.**

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

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

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

\_\_\_\_\_  
DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

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

Passed:

TO: Matthew D. Kline, City Manager  
FROM: Jeffrey W. Rosekelly, P.E., Project Engineer  
DATE: June 3, 2008  
SUBJECT: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Final Distribution of Assessments; 2007 Sidewalk, Curb & Gutter and Drive Approach Program.

Action by the City Commission will cause a notice to be published for three (3) consecutive weeks in the local newspaper indicating that the assessments have been calculated and are on file in the Clerks Office for inspection and examination by anyone interested. Any person objecting to an assessment must file said objection in writing within two (2) weeks after the last publication of notice.

The waiver work, which is included as a separate portion of the assessment roster must also be declared necessary by the Commission through a resolution of necessity to the above notice being published.

**BUDGETARY INFORMATION:** This project has been budgeted by way of the Capital Planning effort and is consistent with the Strategic Plan. The total project cost including construction contract costs, administration costs, interest, and miscellaneous costs is \$257,019. The City's portion is \$44,649, while the private assessments total \$184,370, and CDBG funds will contribute \$28,000 for repairs made to the Tiffin Avenue underpass.

**ACTION REQUESTED:** It is recommended that the City Commission take the following action:

- 1.) Direct, by the way of motion, the Clerk to cause the necessary notices to be published relative to the 2007 Sidewalk, Curb & Gutter and Drive Approach Program.
- 2.) Adopt a Resolution of Necessity for the waiver work incorporated in the 2007 Sidewalk, Curb & Gutter and Drive Approach Program with an aggregate amount of \$9,479 entailing 8 properties.

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Jeffrey W. Rosekelly, P.E.  
Project Engineer

I concur with this recommendation:

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

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Matthew D. Kline  
City Manager

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

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

A RESOLUTION CONFIRMING THE DETERMINATION OF THE NECESSITY OF CONSTRUCTING, RE-LAYING AND REPAIRING CERTAIN SIDEWALKS AND CONSTRUCTING CERTAIN CURBS AND GUTTERS AND APPROACHES AS A PART OF THE CITY'S 2007 SIDEWALK, CURB AND GUTTER AND APPROACH PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, the owners of the various abutting and benefited properties involved and listed in Exhibit A of this Resolution have requested the City previously to construct the improvements described in that Exhibit A in accordance with complete plans, specifications, profiles and estimates of cost heretofore submitted by the Department of Engineering Services and to assess the cost of those improvements against their respective properties pursuant to appropriate waivers, and this City Commission, having determined that this should be done, desires to confirm that and other related determinations and to adopt this Resolution for that purpose, and

WHEREAS, an emergency exists in that, for the immediate preservation of the public peace, property, health and safety, it is necessary that this Resolution be effective immediately in order to enable the City to make further provision for those improvements so as to permit the financing thereof to the extent required and thereby protect the credit of the City, and, by reason thereof, this Resolution shall take effect forthwith upon its adoption, NOW THEREFORE

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

Section 1. This City Commission hereby confirms its determination of the necessity of constructing, re-laying and repairing sidewalks and constructing curbs and gutters and approaches as and to the extent provided for in the waivers referred to in the preambles hereto and in the listing attached hereto as "Exhibit A" of the affected owners and their abutting and benefited properties and to do so as a part of the City's 2007 Sidewalk, Curb and Gutter and Approach Program.

Section 2. Having determined the necessity of undertaking those improvements, this City Commission hereby confirms its further determination that the construction of those improvements be done in accordance with the complete plans, specifications, profiles and estimates of cost heretofore prepared and filed in the offices of the Department of Engineering Services and the Clerk of the City Commission and in a form having the approval of this City Commission.

Section 3. It is hereby found that, consistently with the foregoing, those improvements have been completed in accordance with those completed plans, specifications, profiles and estimated of cost and, accordingly and as likewise determined previously, the cost thereof shall be assessed against the benefited properties described in Section 1 hereof and to the extend provided for therein.

Section 4. Any and all actions heretofore taken in conformity or consistently with this Resolution are hereby ratified, confirmed and approved.

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

Section 6. For the reasons set forth in the last preamble hereto, this Resolution is hereby declared to be an emergency measure and shall take effect immediately upon its adoption and due authentication by the President and the Clerk of the City Commission.

\_\_\_\_\_  
DENNIS E. MURRAY, JR.  
PRESIDENT OF THE CITY COMMISSION

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

Passed: \_\_\_\_\_, 2008

**EXHIBIT A**

**WAIVER WORK**

**Notice No. 117**

PROPERTY OWNER: Coder, Sean M.  
1202 Shelby Street  
Sandusky, OH 44870

LOT NO.: 78 Shelby W 1/2  
**LOCATION: 1202 SHELBY**

**PARCEL NO.: 58-01133**

Length	X	Width	Total Area		Estimated Cost
	X		0	Sq. Ft Concrete Removal	0
	X		0	Sq. Ft 4" Concrete Walk	0
	X		0	Sq. Ft 4" Concrete Walk	0
10.5	X	6.5	68.25	Sq. Ft 6" Concrete Walk	337.85
14	X	11	154	Sq. Ft 6" Concrete Approach	762.33
				Ln. Ft Curb and Gutter	0
			17.5	Ln. Ft 6" x 18" Curb	219.18
			2.33	Sq. Yd. Seed and Mulch	<u>6.95</u>
				<b>TOTAL COST</b>	<b>\$ 1326.31</b>

**Notice No. 118**

PROPERTY OWNER: Monegan, Sophia J.  
1445 Wamajo Dr.  
Sandusky, OH 44870

LOT NO.: 5 Sunnyside Acres. Sub. 1  
**LOCATION: 1445 WAMAJO**

**PARCEL NO.: 57-03218**

Length	X	Width	Total Area		Estimated Cost
	X		0	Sq. Ft Concrete Removal	0
5.5	X	4	22	Sq. Ft 4" Concrete Walk	102.34
	X		0	Sq. Ft 4" Concrete Walk	0
	X		0	Sq. Ft 6" Concrete Walk	0
12	X	7.5	90	Sq. Ft 6" Concrete Approach	445.52
				Ln. Ft Curb and Gutter	0
				Ln. Ft 6" x 18" Curb	0
			2.67	Sq. Yd. Seed and Mulch	<u>7.96</u>
				<b>TOTAL COST</b>	<b>\$ 555.82</b>

**Notice No. 119**

PROPERTY OWNER: Nagel, Kenneth D. & Jane R.  
2123 W. Monroe St.  
Sandusky, OH 44870

LOT NO.: S1 MONROE STREEET WH SUB of 92 94 96  
**LOCATION: 2123 W. MONROE**

**PARCEL NO.: 59-00813**

Length	X	Width	Total Area		Estimated Cost
	X		0	Sq. Ft Concrete Removal	0
17	X	6	102	Sq. Ft 4" Concrete Walk	474.5
39	X	4	156	Sq. Ft 4" Concrete Walk	725.71
	X		0	Sq. Ft 6" Concrete Walk	0
	X		0	Sq. Ft 6" Concrete Approach	0
				Ln. Ft Curb and Gutter	0
				Ln. Ft 6" x 18" Curb	0
			0	Sq. Yd. Seed and Mulch	<u>0</u>
				<b>TOTAL COST</b>	<b>\$ 1200.21</b>

**Notice No. 120**

PROPERTY OWNER: Denslow, Mark R. & Faith A.  
2119 W. Monroe St.  
Sandusky, OH 44870

LOT NO.: S2 MONROE STREEET SH SUB 92 94 96  
**LOCATION: 2119 W. MONROE**

**PARCEL NO.: 59-00514**

Length	X	Width	Total Area		Estimated Cost
	X		0	Sq. Ft Concrete Removal	0
24	X	6	144	Sq. Ft 4" Concrete Walk	669.89
	X		0	Sq. Ft 4" Concrete Walk	0
9	X	6	54	Sq. Ft 6" Concrete Walk	267.31
10.5	X	12.5	131.25	Sq. Ft 6" Concrete Approach	649.71
				Ln. Ft Curb and Gutter	0
				Ln. Ft 6" x 18" Curb	0
			5.72	Sq. Yd. Seed and Mulch	<u>17.06</u>
				<b>TOTAL COST</b>	<b>\$ 1603.97</b>

**Notice No. 121**

PROPERTY OWNER: Myers, Charles E. & Angela C.  
14196 Erie Blvd.  
Sandusky, OH 44870

LOT NO.: 247, 248 Erie Blvd.

LOCATION: 1416 ERIE BLVD.

PARCEL NO.: 57-03314

Length	X	Width	Total Area		Estimated Cost
	X		0	Sq. Ft Concrete Removal	0
18	X	4	72	Sq. Ft 4" Concrete Walk	334.94
	X		0	Sq. Ft 4" Concrete Walk	0
	X		0	Sq. Ft 6" Concrete Walk	0
	X		0	Sq. Ft 6" Concrete Approach	0
				Ln. Ft Curb and Gutter	0
				Ln. Ft 6" x 18" Curb	0
			4	Sq. Yd. Seed and Mulch	<u>11.93</u>
				<b>TOTAL COST</b>	<b>\$ 346.87</b>

**Notice No. 122**

PROPERTY OWNER: Schaefer, Peter L. & Christine L.  
1521 Columbus Ave.  
Sandusky, OH 44870

LOT NO.: OL19 SE PT S OF SOUTHWARK

LOCATION: 1521 COLUMBUS

PARCEL NO.: 57-04209

Length	X	Width	Total Area		Estimated Cost
	X		0	Sq. Ft Concrete Removal	0
	X		0	Sq. Ft 4" Concrete Walk	0
	X		0	Sq. Ft 4" Concrete Walk	0
54.42	X	6	326.52	Sq. Ft 6" Concrete Walk	1616.34
7.5	X	8	60	Sq. Ft 6" Concrete Approach	297.01
				Ln. Ft Curb and Gutter	0
				Ln. Ft 6" x 18" Curb	0
			1	Sq. Yd. Seed and Mulch	<u>2.98</u>
				<b>TOTAL COST</b>	<b>\$ 1916.33</b>

**Notice No. 123**

PROPERTY OWNER: Nossaman, Toni L. & Smith, Linda J.  
919 Erie St.  
Sandusky, OH 44870

LOT NO.: 9 11 FOURTH ST N 66' OF E 34' & ALL N 66'

LOCATION: 919 ERIE

PARCEL NO.: 57-03798000

Length	X	Width	Total Area		Estimated Cost
	X		0	Sq. Ft Concrete Removal	0
12	X	4	48	Sq. Ft 4" Concrete Walk	223.3
	X		0	Sq. Ft 4" Concrete Walk	0
10	X	4	40	Sq. Ft 6" Concrete Walk	198.01
4.5	X	11	49.5	Sq. Ft 6" Concrete Approach	245.03
			17	Ln. Ft Curb and Gutter	294.03
				Ln. Ft 6" x 18" Curb	0
			4.3	Sq. Yd. Seed and Mulch	<u>12.82</u>
				<b>TOTAL COST</b>	<b>\$ 973.19</b>

**Notice No. 124**

PROPERTY OWNER: WERNER GERALD W & KATHLEEN A  
526 E PARISH ST  
SANDUSKY OHIO 44870

LOT NO.: 89 PARISH

LOCATION: 526 PARISH

PARCEL NO.: 57-05179

Length	X	Width	Total Area		Estimated Cost
	X		0	Sq. Ft Concrete Removal	0
	X		0	Sq. Ft 4" Concrete Walk	0
	X		0	Sq. Ft 4" Concrete Walk	0
	X		0	Sq. Ft 6" Concrete Walk	0
	X		0	Sq. Ft 6" Concrete Approach	0
			90	Ln. Ft Curb and Gutter	1556.63
				Ln. Ft 6" x 18" Curb	0
			0	Sq. Yd. Seed and Mulch	<u>0</u>
				<b>TOTAL COST</b>	<b>\$ 1556.63</b>