

## AGENDA

### City Commission Meeting

City Commission Chamber  
City Hall, 222 Meigs Street  
February 23, 2009  
5:00 p.m.

Invocation - Pledge of Allegiance  
Meeting Called to Order  
Roll Call – CS, BF, PB, BW, DW, DK, JF  
Minutes - Feb. 2<sup>nd</sup>, Feb. 9<sup>th</sup>, Feb. 17<sup>th</sup>

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#### CHARTER OFFICERS

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

#### ADMINISTRATIVE STAFF

Kathy McKillips, Engineer  
Mike Meinzer, Fire Chief  
Charlie Sams, Interim Police Chief  
Warrenette Parthemore, Administrative Services Director  
Scott Schell, Economic Development Specialist  
Carrie Handy, Chief Director

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

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### PUBLIC HEARINGS

- Erie County HUD Lead-Based Paint Grant
- City of Sandusky's intention to apply to the U.S. Department of Housing and Urban Development (HUD) for funding under the Community Development Block Grant (CDBG). The City of Sandusky is eligible for approximately \$800,000 annually over the next five years beginning July 1, 2009 for HUD CDBG Funding, providing the City meets applicable program requirements through its submission of the Consolidated Plan.
- 2009 Budget

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**ITEM #1** - Communication – Edward Widman, Finance Director

**BUDGETARY INFORMATION:** This City Commission authorized the expenditure of funds not to exceed \$625,000 for the repairs to homes involved in the City's 2004, 2005, and 2006 Housing Rehabilitation Program by Ordinance No. 08-143, passed on December 22, 2008. At the present time, existing State and Federal Grant Revolving Loan Funds are pre-funding the cost of the repairs. An additional \$425,000 is being requested for repairs through the process of pre-funding the cost of the repairs using existing State and Federal Revolving Loan Fund Grants. It is anticipated the City of Sandusky's General Fund will assume the long term financial responsibility for these repairs as these grant funds will need to be repaid once insurance, criminal investigations and legal matters are resolved. A list of the properties involved in these programs is available upon request.

**ORDINANCE NO.** \_\_\_\_\_ Appropriating funds and ratifying the payments made to various contractors and approving payments to be made to contractors for additional services for the repairs to homes involved in the City of Sandusky's 2004, 2005, and 2006 Housing Rehabilitation Programs in calendar year 2009. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM #2** - Communication – Scott J. Schell, Economic Development Specialist

**BUDGETARY INFORMATION:** This Submerged Lands Lease is payable by the City of Sandusky as the leaseholder. The Chesapeake Lofts Condominium Association, Mid-States Development Corporation's assigned sub-lessee, will reimburse the City for the cost of the lease payment pursuant to Submerged Lands Lease Agreement SUB-2119B-ER, between the City, MidStates Bayfront Development, LLC and ODNR. ODNR does not allow a sub-lease holder to make a Submerged Lands Lease payment on the City's behalf. Since the amount of the payment is over \$10,000 it should be approved by City Commission.

**ORDINANCE NO.** \_\_\_\_\_ Make payment to the Ohio Department of Natural Resources (ODNR), Office of Coastal Management for rental payment on Submerged Lands Lease File No. SUB-2119B-ER for the period of April 2009 through March 2010. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM #3** - Communication – Matt D. Kline, City Manager

**BUDGETARY INFORMATION:** Both the City of Sandusky and Erie MetroParks acknowledge that passage of this Agreement is in the best interests of both entities in the spirit of intergovernmental cooperation and the encouragement of a regional approach. Erie MetroParks will pay the City of Sandusky \$20,000.00 for the services provided by Mr. Pisarsky and he will remain an employee of the City of Sandusky. A mutually agreed upon work schedule will be established by the City Manager and the Executive Director of Erie MetroParks.

**ORDINANCE NO.** \_\_\_\_\_ Approving and authorizing the execution of the Intergovernmental Agreement with Erie Metroparks to provide the services of the City's Arborist. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

**ITEM #4** - Communication – Lieutenant Phillip J. Frost

**BUDGETARY INFORMATION:** The total cost for the building materials is \$19,000.00 and will be funded with grant funds from the Sidney Frohman Foundation in the amount of \$9,500.00 and the Wightman/Wieber Foundation in the amount of \$9,500.00 if awarded. These grants require no matching funds from the City. The Construction Maintenance Department would provide the labor for the construction of the building.

**RESOLUTION NO.** \_\_\_\_\_ Approving the submission of grant applications to the Sidney Frohman Foundation and the Wightman/Wieber Foundation for the Sandusky Police Department and, if awarded, authorizing the City Manager to execute any required agreements and expend funds. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM #5** – Ordered in meeting of February 17<sup>th</sup>.

**RESOLUTION NO.** \_\_\_\_\_ A Resolution requesting the U.S. Congress to delay the United States Postal Service from moving its facility for processing mail originating in the 448 and 449 zip codes from the Mansfield Customer Center to the Akron Processing and Distribution Center until the effect of such proposal on costs and delivery standards is fully investigated. **Request passed under suspension of rules in full accordance of Section 14 of the City Charter.**

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**ITEM #6** - Submitted by B. Joyce Brown, Clerk of the City Commission on behalf of ODOL.

A stock request of D5 Liquor Permit to El Pino Ltd, dba Casa Fiesta Mexican Restaurant, 1007 W. Perkins Avenue & Patio, Sandusky, Ohio 44870. **Request the Clerk notify the Ohio Department of Liquor Control that the City has no objections to this request.**

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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

# MEMO

TO: City Commission  
FROM: Ed Widman, Finance Director  
DATE: February 11, 2009  
RE: Commission Agenda Item

## **ITEM FOR CONSIDERATION:**

Ordinance authorizing and ratifying payments to contractors for services rendered and future services for the repairs to homes involved in the City's housing rehabilitation programs during 2004, 2005 and 2006 for CY 2009. The City has delegated administrative oversight for this program to the City Building Official, George J. Poulos, AIA.

## **BUDGETARY INFORMATION:**

This City Commission authorized the expenditure of funds not to exceed \$625,000 for the repairs to homes involved in the City's 2004, 2005, and 2006 Housing Rehabilitation Program by Ordinance No. 08-143, passed on December 22, 2008. At the present time, existing state and federal grant revolving loan funds are pre-funding the cost of the repairs. An additional \$425,000 is being requested for repairs through the process of pre-funding the cost of the repairs using existing State and Federal Revolving Loan Fund Grants. It is anticipated the City of Sandusky General Fund will assume the long term financial responsibility for these repairs as these grant funds will need to be repaid once insurance, criminal investigations and legal matters are resolved. A list of the properties involved in these programs is available upon request.

## **ACTION REQUESTED:**

It is requested that the City Commission approve the necessary legislation under suspension of the rules in accordance with Section 14 of the City Charter in order to ratify payment for services rendered and authorize payment for additional services for the repair to homes involved in the City's 2004, 2005, and 2006 Housing Rehabilitation Programs for the CY 2009 in a timely manner.

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

CC: City Manager  
Law Director

CC: 01-12-09REDO B

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

**AN ORDINANCE APPROPRIATING FUNDS AND RATIFYING THE PAYMENTS MADE TO VARIOUS CONTRACTORS AND APPROVING PAYMENTS TO BE MADE TO CONTRACTORS FOR ADDITIONAL SERVICES FOR THE REPAIRS TO HOMES INVOLVED IN THE CITY OF SANDUSKY'S 2004, 2005, AND 2006 HOUSING REHABILITATION PROGRAMS IN CY 2009; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, In November of 2007, the City's Housing Rehabilitation Programs were temporarily suspended and subsequently the City's Department of Development was directed by the State of Ohio Department of Development to immediately repair the life and safety items identified by the State in the City's 2004, 2005 and 2006 Housing Rehabilitation Programs as emergencies; and

**WHEREAS**, this City Commission authorized the expenditure of funds in the amount of \$163,933.00 for the repairs to homes involved in the City's 2004, 2005, and 2006 Housing Rehabilitation Programs for the CY 2008, for an estimated aggregate expenditure not to exceed \$625,000.00 for the repairs in CY 2008 by Ordinance No. 08-143 passed on December 22, 2008; and

**WHEREAS**, it is requested that an additional \$425,000.00 be appropriated through the process of pre-funding the costs of the repairs utilizing existing State and Federal Revolving Loan Fund Grants conditioned upon the understanding that the grant funds will ultimately need to be repaid at the conclusion of this matter for the required repairs in CY 2009; 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 ratify payment for services rendered and authorize payment for additional services for the repair to homes involved in the City's 2004, 2005, and 2006 Housing Rehabilitation Programs for the CY 2009 and in a timely manner; 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 Finance, Development, and Engineering Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. This City Commission approves and ratifies the payments made to contractors for services provided and authorizes and directs the City Manager and/or Finance to appropriate funds for additional services in an amount **not to exceed** Four Hundred Twenty Five Thousand and 00/100 Dollars (\$425,000.00) to make timely payment for the repairs to homes involved in the City's 2004, 2005, and 2006 Housing Rehabilitation Programs for the CY 2009.

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.

\_\_\_\_\_  
CRAIG H. STAHL  
PRESIDENT OF THE CITY COMMISSION

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

Passed:



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## CITY COMMISSIONERS

CRAIG H. STAHL., President  
BRETT L. FUQUA, SR., Vice President  
PERVIS D. BROWN, JR.  
JULIE A. FARRAR  
DANIEL J. KAMAN  
DAVID L. WADDINGTON  
ROBERT R. WARNER

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

222 MEIGS STREET  
SANDUSKY, OH 44870  
Phone: 419.627.5844  
FAX: 419.627.5825

[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

TO: City Commission

FROM: Scott J. Schell, Economic Development Specialist

DATE: February 10, 2009

RE: Item for Commission Agenda – Submerged Lands Lease Payment

### **ITEM FOR CONSIDERATION:**

City Commission approval of an ordinance authorizing payment to The Ohio Department of Natural Resources (ODNR) for Submerged Lands Lease SUB-2119B-ER, the Chesapeake Lofts, for the period April/2009-March/2010.

### **BUDGET IMPACT:**

This Submerged Lands Lease is payable by the City of Sandusky as the leaseholder. The Chesapeake Lofts Condominium Association, Mid-States Development Corporation's assigned sub-lessee, will reimburse the city for the cost of the lease payment pursuant to Submerged Lands Lease Agreement SUB-2119B-ER, between the City, Mid-States Bayfront Development, LLC and ODNR. ODNR does not allow a sub-lease holder to make a Submerged Lands Lease payment on the city's behalf. Since the amount of the payment is over \$10,000 it should be approved by City Commission.

### **ACTION REQUESTED:**

It is requested the City Commission approve an ordinance authorizing payment in the amount of \$11,470.28 to ODNR for the April/2009 through March 2010 rental period. Request item be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to make payment by the April 1, 2009, deadline set by the ODNR.

I concur with this recommendation.

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Matthew D. Kline, City Manager

***SANDUSKY, OHIO – HOME OF 'AMERICA'S ROLLER COAST'®***

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO MAKE PAYMENT TO THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR), OFFICE OF COASTAL MANAGEMENT FOR RENTAL PAYMENT ON SUBMERGED LANDS LEASE FILE NO. SUB-2119B-ER FOR THE PERIOD OF APRIL 2009 THROUGH MARCH 2010; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky is the Lessee of a Submerged Lands Lease, File No. SUB-2119B-ER, for the submerged land which is part of the Chesapeake Lofts and as the Lessee, is responsible for all terms and conditions contained in the Submerged Lands Lease, including any annual rent; and

**WHEREAS**, as part of the agreement with Mid-States Development Corporation, the cost for the for any annual Submerged Lands Lease rental payment is to be reimbursed by Mid-States to the City; and

**WHEREAS**, in the past the City has requested Mid-States Development Corporation pay the annual rent on the City's behalf directly to the State of Ohio but as of 2007 the Ohio Department of Natural Resources (ODNR) prohibited this process and requires the Lessee (City of Sandusky) to make payment; and

**WHEREAS**, the total cost for Submerged Lands Lease File No. SUB-2119B-ER, as reflected on the current unpaid invoice is \$11,470.28 and will initial be paid by the City and then reimbursed by Mid-States Development Corporation in accordance with the Agreement; 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 make payment in a timely manner before the due date of April 1, 2009; 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 and/or Finance Director is authorized and directed to make payment to the Ohio Department of Natural Resources (ODNR), Office of Coastal Management, Sandusky, Ohio, for rental payment for Submerged Lands Lease File No. SUB-2119B-ER, for the period April 2009 through March 2010 in an amount **not to exceed** Eleven Thousand Four Hundred Seventy and 28/100 Dollars (\$11,470.28), consistent with the invoice submitted to the City.

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.

\_\_\_\_\_  
CRAIG H. STAHL  
PRESIDENT OF THE CITY COMMISSION

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

Passed:



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## CITY COMMISSIONERS

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**TO:** City Commission

**FROM:** Matthew D. Kline

**DATE:** February 13, 2009

**SUBJECT:** Agreement with Erie MetroParks

**Item for Consideration:** It is requested that the City Commission authorize the City Manager to enter into an Agreement with Erie MetroParks (EMP) to provide arborist services to EMP through the City's Arborist, Mike Pisarsky. If approved, this Agreement would be effective March 19 – November 25, 2009 and would allow Mr. Pisarsky to provide an average of twenty (20) regular hours per week to Erie MetroParks.

**Budgetary Information:** Both the City of Sandusky and Erie MetroParks acknowledge that passage of this Agreement is in the best interests of both entities in the spirit of intergovernmental cooperation and the encouragement of a regional approach. Erie MetroParks will pay the City of Sandusky \$20,000 for the services provided by Mr. Pisarsky and he will remain an employee of the City of Sandusky.

A mutually agreed upon work schedule will be established by the City Manager and the Executive Director of Erie MetroParks.

**Action Requested:** It is requested that an Ordinance be approved authorizing the City Manager to enter into an Agreement with Erie MetroParks to provide arborist services through the City's Arborist, Mike Pisarsky. It is further requested that this Ordinance be passed under suspension of the rules and in accordance with Section 14 of the City Charter so that we can begin providing arbor-related services to EMP in March, 2009.

## **INTERGOVERNMENTAL AGREEMENT**

This Agreement is made and entered into by and between the City of Sandusky, an Ohio Charter Municipality, 222 Meigs Street, Sandusky, Erie County, Ohio 44870, and Erie MetroParks, 3910 Perkins Avenue, Huron, Erie County, Ohio 44839, this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**WHEREAS**, the City of Sandusky and Erie MetroParks recognize that in the face of current economic conditions and dwindling revenues the need for cooperation between governmental entities is the best solution to continue to provide the level of services the citizens expect; and

**WHEREAS**, the parties acknowledge that in the spirit of intergovernmental cooperation and the encouragement of a regional approach to provide certain services when the means for such cooperative effort are available and result in a cost savings; and

**WHEREAS**, the City of Sandusky has an acknowledged goal of inviting and maintaining the presence of Erie MetroParks within the City's boundaries to enable its citizens to fully enjoy the passive natural parks offered by Erie MetroParks; and

**WHEREAS**, Erie MetroParks would greatly benefit from the additional experience, knowledge and assistance an arborist can provide; and

**WHEREAS**, this agreement is authorized by Section 715.02 of the Ohio Revised Code.

**NOW, THEREFORE**, the parties agree as follows:

1. The City of Sandusky currently has an employee who is employed by the City as a City Arborist, Mike Pisarsky.

2. The City of Sandusky shall provide the services of Mike Pisarsky, City Arborist, beginning March 19, 2009, through November 25, 2009, for a total average of twenty (20) regular hours per week to Erie MetroParks. A mutually agreed upon work schedule shall be established by the City Manager of the City of Sandusky and the Executive Director of Erie MetroParks.
3. Erie MetroParks shall pay to the City of Sandusky the sum of \$10,000.00 on or before April 15, 2009, and \$10,000.00 on or before November 1, 2009, for a total of \$20,000.00 for the services to be provided by Mike Pisarsky who shall remain a City of Sandusky employee while performing the services for Erie MetroParks contemplated by this Agreement.
4. The precise duties to be performed for the City shall continue to be as instructed by the City Manager or designee and the precise duties to be performed for Erie MetroParks shall be as instructed by the Executive Director who shall also provide appropriate documentation of the hours worked and duties performed to the City Manager on at least a bi-weekly basis.
5. Any modification of this Agreement shall be binding only if evidenced in writing signed by the authorized representative of each party and this Agreement may be terminated by either party by giving 30 days written notice of termination to the other party's authorized representative:

For the City:

City of Sandusky  
c/o City Manager  
222 Meigs Street  
Sandusky, OH 44870

For Erie MetroParks:

Erie MetroParks  
c/o Executive Director  
3910 Perkins Avenue  
Huron, OH 44839

6. In the event this agreement is terminated pursuant to Paragraph 5 for any reason then Erie MetroParks shall have no further obligation to make payment to the City, except for any payment for services rendered on a prorata hourly basis owed at the time of termination in excess of any money paid pursuant to Paragraph 3, and the City shall have no further obligation to provide the services contemplated by this Agreement. The City shall reimburse Erie MetroParks on a prorata hourly basis for any unused portion of money paid pursuant to Paragraph 3 up to the last date for which services were provided.
7. This Agreement supersedes all other oral and written agreements between the parties with respect to the services that are the subject of this Agreement and contains all of the covenants and agreements between the parties.
8. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF, the parties hereto have signed this Intergovernmental Agreement on the date indicated above.

**ERIE METROPARKS**

**CITY OF SANDUSKY, OHIO**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Donald C. Icsman  
Law Director  
City of Sandusky

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

**AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF THE INTERGOVERNMENTAL AGREEMENT WITH ERIE METROPARKS TO PROVIDE THE SERVICES OF THE CITY'S ARBORIST; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky and Erie MetroParks recognize that in the face of current economic conditions and dwindling revenues the need for cooperation between governmental entities is the best solution to continue to provide the level of services the citizens expect; and

**WHEREAS**, the parties acknowledge that in the spirit of intergovernmental cooperation and the encouragement of a regional approach to provide certain services when the means for such cooperative effort are available and result in a cost savings; and

**WHEREAS**, the City of Sandusky has an acknowledged goal of inviting and maintaining the presence of Erie MetroParks within the City's boundaries to enable its citizens to fully enjoy the passive natural parks offered by Erie MetroParks; and

**WHEREAS**, Erie MetroParks would greatly benefit from the additional experience, knowledge and assistance an arborist can provide; and

**WHEREAS**, the City of Sandusky and Erie MetroParks have agreed to share the services of the City's Arborist from March 19, 2009, through November 25, 2009, for a total average of twenty (20) regular hours per week in which Erie MetroParks will subsidize the City for the wages for the worked hours at a sum of \$20,000.00; and

**WHEREAS**, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute the agreement prior to the commencement date of March 19, 2009; 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. This City Commission hereby approves and authorizes the execution of the Intergovernmental Agreement with Erie MetroParks, a copy of which is marked Exhibit "A" and is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, to provide the services of the City's Arborist, beginning March 19, 2009, through November 25, 2009.

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.

\_\_\_\_\_  
CRAIG H. STAHL  
PRESIDENT OF THE CITY COMMISSION

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

Passed:



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## SANDUSKY POLICE DEPARTMENT

CHARLIE SAMS, INTERIM POLICE CHIEF

222 MEIGS STREET  
SANDUSKY, OH 44870  
Phone: 419.627.5870  
FAX: 419.627.5862

[www.ci.sandusky.oh.us](http://www.ci.sandusky.oh.us)

TO: Matt Kline, City Manager

FROM: Lt. Phillip J. Frost

DATE: 02-12-2009

RE: Commission Agenda Item

### **ITEM FOR CONSIDERATION:**

Legislation for the approval of the submission of a grant applications to the Sidney Frohman Foundation and the Wightman/Wieber Foundation for the construction of an indoor training facility and authorizing the City Manager to enter into any grant agreements and accept funds if awarded.

### **BACKGROUND INFORMATION:**

The City of Sandusky has owned property on Old Railroad that houses the Sandusky Police Department (SPD) firing range. This facility is open for use by any local, state or federal law enforcement agency that requests it.

The range does not have an adequate indoor training facility where classroom training can be completed in conjunction with the outdoor training.

The intension of SPD is to build a countywide multi-use training facility on the Old Railroad property adjacent to the firing range.

SPD does not have a classroom facility and has to borrow other classrooms for all our training needs. SPD does not have a classroom to house our yearly civilian police academy and youth academy.

This classroom facility would be open to all local, state and federal law enforcement agencies as well as fire departments.

The construction maintenance department of the City of Sandusky would build the building to reduce costs.

### **BUDGETARY INFORMATION:**

The total cost for the building materials is \$19,000.00 and will be funded with grant funds from the Sidney Frohman Foundation in the amount of \$9,500.00 and the Wightman/Wieber

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Foundation in the amount of \$9,500.00 if awarded. These grants require no matching funds from the City. The Construction Maintenance Department would provide the labor for the construction of the building.

**ACTION REQUESTED:**

It is requested that the proper legislation be prepared to allow for the approval of the submission of the grant applications to the Sidney Frohman Foundation and the Wightman/Wieber Foundation for the construction of an indoor training facility and if awarded, to execute any required agreements and expend funds consistent to the agreements. It is further requested that this be passed in accordance with Section 14 of the City Charter in order to submit the grant applications prior to the deadline of March 1, 2009.

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Phillip J. Frost  
Lieutenant, Sandusky Police Department

City Commission:

Approved:

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Charlie Sams, Acting Police Chief

I concur with this recommendation:

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Matthew D. Kline, City Manager

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

**A RESOLUTION APPROVING THE SUBMISSION OF GRANT APPLICATIONS TO THE SIDNEY FROHMAN FOUNDATION AND THE WIGHTMAN/WIEBER FOUNDATION FOR THE SANDUSKY POLICE DEPARTMENT AND, IF AWARDED, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED AGREEMENTS AND EXPEND FUNDS; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky owns property on Old Railroad that houses the Sandusky Police Department's firing range which is available by request for use by any local, state or federal law enforcement agency; and

**WHEREAS**, the currently facility does not provide an adequate indoor training facility for classroom training in conjunction with outdoor training and it is the intension of the Sandusky Police Department to construct a countywide multi-use training facility on the Old Railroad property adjacent to the firing range; and

**WHEREAS**, the total cost for the building materials is \$19,000.00 and will be funded with grants, if awarded, from the Sidney Frohman Foundation in the amount of \$9,500.00 and the Wightman/Wieber Foundation in the amount of \$9,500.00; the Construction Maintenance Department would provide the labor for the construction of the building; 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 submit the grant applications before the deadline of March 1, 2009; 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 hereby approves the submission of grant applications to the Sidney Frohman Foundation and the Wightman/Wieber Foundation for an indoor training facility for the Sandusky Police Department and authorizes and directs the City Manager to execute any grant agreements and lawfully expend funds should they be awarded.

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.

\_\_\_\_\_  
CRAIG H. STAHL  
PRESIDENT OF THE CITY COMMISSION

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

Passed:

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

**A RESOLUTION REQUESTING THE U.S. CONGRESS TO DELAY THE UNITED STATES POSTAL SERVICE FROM MOVING ITS FACILITY FOR PROCESSING MAIL ORIGINATING IN THE 448 AND 449 ZIP CODES FROM THE MANSFIELD CUSTOMER CENTER TO THE AKRON PROCESSING AND DISTRIBUTION CENTER UNTIL THE EFFECT OF SUCH PROPOSAL ON COSTS AND DELIVERY STANDARDS IS FULLY INVESTIGATED; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the United States Postal Service has proposed the consolidation of the originating mails for the 448 and 449 Zip Codes into the Akron Processing and Distribution Center (P&DC); and

**WHEREAS**, this consolidation does not serve the public's best interest because of the decrease in productivity from where it is currently processed in the Mansfield Customer Service Facility (CFS); and

**WHEREAS**, the service standard from the Akron P&DC is 2-day delivery for the Columbus, Toledo, and Lima Zip Code areas is 2-day delivery, while the standard currently adhered to by the Mansfield CSF for mail originating in the 448 and 449 Zip Codes is that these communities are now considered to be an overnight delivery obligation; and

**WHEREAS**, the economy of the local communities would be negatively impacted as a result of the relaxation of overnight delivery standards for those communities in the 448/449 Zip Codes; and

**WHEREAS**, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to immediately place this proposal on hold pending the outcome of the requested General Accounting Office (G.A.O.) investigation; 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 hereby demands Congressional intervention to immediately place this proposed consolidation of the originating mails for the 448 and 449 Zip Codes on hold until a General Accounting Office (G.A.O.) investigation can be conducted on the feasibility study concerning the increased cost of transportation and the relaxation of delivery standards for those communities now served by the Mansfield CSF.

Section 2. This City Commission hereby demands that the proposed consolidation continue to be held in abeyance until the G.A.O. investigation results are considered and that if an increased cost of transportation, processing and delivery of the originating mails or a reduction or degradation of the delivery standards for communities, like Sandusky, now served by the Mansfield CSF are found by the G.A.O. those matters are addressed and properly remedied prior to implementation.

**PAGE 2 - RESOLUTION NO. \_\_\_\_\_**

Section 3. The Clerk of the City Commission shall be and hereby is directed to forward a certified copy of this Resolution to the City's United States Senators and Representatives, to the City's State Senator and Representative, to the Mansfield, Shelby, and Akron Post Offices, to the Mansfield Ohio American Postal Workers Union, AFC-CIO, and to the Richland County Commissioners.

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.

\_\_\_\_\_  
CRAIG H. STAHL  
PRESIDENT OF THE CITY COMMISSION

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

Passed: