

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

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**MONDAY, FEBRUARY 9, 2009**

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Invocation	<b><u>CHARTER OFFICERS</u></b>
Pledge of Allegiance	Matthew Kline, City Manager
Meeting Called to Order	Don Icsman, Law Director
Roll Call – JF, CS, BF, PB, BW, DW, DK	Edward Widman, Finance Director
Minutes – January 26 <sup>th</sup>	B. Joyce Brown, Clerk of the City Commission

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

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**PRESENTATIONS**

- Rosanne Bodner, Public Transit Administrator - Sandusky Transit System – Introduction of new community route service – Job Access Reverse Commute (JARC) route serving Sandusky neighborhoods and Milan Road Commercial Corridor.
  
  - Peter Schade, Director - Health Department Update
- =====

**ITEM #1 - Communication – Ruth S. Haag**

**BUDGETARY INFORMATION:** The original contract amount was \$777,000.00. The revised contract amount with the Change Order in the amount of \$7,444.00 is \$784,744.00. This work will be paid through the City’s Capital Projects account, based upon notes to be issued by the City and retired with the proceeds from the TIF arrangement on the Chesapeake Loft Condominiums.

**ORDINANCE NO.**\_\_\_\_\_ Approving and ratifying the First Change Order for work being performed for the Paper District Public Waterfront Improvements Project “Chesapeake Walkway Project” in the amount of \$7,744.00 to be paid to Hoty Builders, LLC, of Sandusky, Ohio.

**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: Daniel J. Kaman, City Commissioner, Brownfields Committee Chair  
Matthew D. Kline, City Manager

FROM: Ruth S. Haag  
Operating the Brownfields Local Redevelopment Authority (BLRA)  
Under contract to the Sandusky City Commission

DATE: January 28, 2009

SUBJECT: Commission Agenda Item

**ITEM FOR CONSIDERATION:** An Ordinance approving and ratifying the First Change Order for the Paper District Public Waterfront Improvements Project, a part of the Bayfront Paper District Redevelopment Project. This effort is also known informally as the "Chesapeake Walkway Project." The amount of the change order is \$7,744.00. The City currently has a contract with Hoty Builders, LLC, of Sandusky, Ohio.

Following contract execution on 30-Dec-08, but prior to beginning work, Hoty representative Todd Hart met with City Engineer Kathy McKillips on 07-Jan-09, to review details of the sheet piling design. BLRA representatives Bob and Ruth Haag were present at the site, but were not involved in the review of these design details. The Hoty representative proposed lengthening the tie-backs, to anchor them in a more "virgin" material. The City Engineer and the Hoty representative reached agreement, and the Hoty representative indicated that Hoty would submit a change order to reflect this agreement. Based on that verbal agreement, Hoty ordered materials. City Commission was notified by the City Manager via e-mail of the Staff's agreement to this change on 20-Jan-09. The ordered materials are to arrive onsite on 29-Jan-09. The schedule for this project cannot tolerate significant delays, as all in-water work must be completed by March 15, 2009, due to fish spawning considerations of the project's permits.

**BUDGETARY INFORMATION:** The original contract amount was \$777,000.00. The revised contract amount with the Change Order in the amount of \$7,744.00 is \$784,744.00. This work will be paid through the City's Capital Projects account, based upon notes to be issued by the City and retired with the proceeds from the TIF arrangement on the Chesapeake Lofts Condominiums.

**ACTION REQUESTED:** It is recommended that the Ordinance approving and ratifying the First Change Order for the Chesapeake Walkway Project in the amount of \$7,744.00 be passed under suspension of the rules and in full accordance with Section 14 of the City Charter, in order to reimburse the Contractor promptly for purchases made based on an agreement with the City Staff.

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Ruth S. Haag  
Operating the Brownfields Local Redevelopment Authority (BLRA)  
Under contract to the Sandusky City Commission

I concur with this recommendation:

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Matthew D. Kline, City Manager

RSH/rdh

**Attachment**

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

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

**AN ORDINANCE APPROVING AND RATIFYING THE FIRST CHANGE ORDER FOR WORK BEING PERFORMED FOR THE PAPER DISTRICT PUBLIC WATERFRONT IMPROVEMENTS PROJECT "CHESAPEAKE WALKWAY PROJECT" IN THE AMOUNT OF \$7,744.00 TO BE PAID TO HOTY BUILDERS, LLC, OF SANDUSKY, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission previously approved the awarding of the contract for work being performed for the Paper District Public Waterfront Improvements Project "Chesapeake Walkway Project" by Ordinance No. 08-187, passed on December 22, 2008; and

**WHEREAS**, subsequent to the contract execution but prior to beginning the work, a meeting was held with the City Engineer and a representative of Hoty Builders, LLC, to review details of the sheet piling design where an agreement was made to lengthen the tie-backs to anchor them in a more "virgin" material and based upon this agreement, Hoty Builders, LLC, ordered the materials and submitted a change order to reflect the agreement; and

**WHEREAS**, this City Commission was notified by the City Manager via e-mail of the agreement for this change order on January 20, 2009; and

**WHEREAS**, the original contract with Hoty Builders, LLC, was \$777,000.00 and with the addition of this First Change Order in the amount of \$7,744.00, the revised contract amount is \$784,744.00, and will be funded with City Capital Funds, based upon notes to be issued by the City and retired with the proceeds from the TIF arrangement on the Chesapeake Lofts Condominium; 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 reimburse the Hoty Builders, LLC, promptly for purchases made based upon the agreement with the City Staff; 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 hereby approves and ratifies this First Change Order for work performed for the Paper District Public Waterfront Improvements Project in an amount **not to exceed** \$7,744.00 to be paid to Hoty Builders, LLC, of Sandusky, Ohio.

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

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

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

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

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

Passed:



## 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

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SANDUSKY, OH 44870  
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TO: Daniel J. Kaman, City Commissioner, Brownfields Committee Chair  
Matthew D. Kline, City Manager

FROM: Ruth S. Haag  
Operating the Brownfields Local Redevelopment Authority (BLRA)  
Under contract to the Sandusky City Commission

DATE: January 28, 2009

SUBJECT: Commission Agenda Item

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**ACTION REQUESTED:** It is recommended that the Ordinance approving and ratifying the First Change Order for the Chesapeake Walkway Project in the amount of \$7,744.00 be passed under suspension of the rules and in full accordance with Section

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

14 of the City Charter, in order to reimburse the Contractor promptly for purchases made based on an agreement with the City Staff.



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Ruth S. Haag

Operating the Brownfields Local Redevelopment Authority (BLRA)  
Under contract to the Sandusky City Commission

I concur with this recommendation:

---

Matthew D. Kline, City Manager

RSH/rdh

Attachment

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



**Hoty Builders**  
 4918 Milan Road  
 Sandusky OH 44870  
 419 626-9696

# Change Order

Order#: 1

Order Date: 01/15/2009

License:

**To:** City of Sandusky-Engineer  
 222 Miegs Street  
 Sandusky OH 44870

**Project:** 200901  
 Bayfront Paper Dist. Improve  
 401 W Shoreline Drive  
 Sandusky OH 44870

The contractor agrees to perform and the owner agrees to pay for the following changes to this contract.

Plans Attached

**Ordered By:**

**Customer Order:**

Specifications Attached

Description of Work	Amount
Extend (22) 1" tierods at \$352.00 per tierod	7,744.00

**Notes**

Extend all 22 tierods on the east side an additional 20' in length.  
 Use 1" 150,000 psi steel rods and couplers

Negative changes will lower the overall contract price requiring no additional payment by owner.

**Requested Amount of Change**

**7,744.00**

The original Contract Sum was _____	777,000.00
Net change by previous Change Orders _____	0.00
The Contract Sum prior to this Change Order _____	777,000.00
The Contract Sum will be changed by this Change Order _____	7,744.00
The new Contract Sum including this Change Order will be _____	784,744.00
The Contract Time will be changed by _____	0 Days

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

Contractor: R. Taddell Date: 1/15/09