



**CITY OF SANDUSKY COMMISSIONERS
REGULAR SESSION AGENDA
November 8, 2010 at 5 p.m.
City Hall, 222 Meigs Street**

INVOCATION, PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

J. Hamilton, K. Nuesse, J. Farrar, D. Waddington, D. Cole, P. Brown and D. Kaman
October 25, 2010

APPROVAL OF MINUTES

PRESENTATIONS

**Erie County Special Olympics Slow Pitch Softball Team Recognition
Recognition of Rescue Efforts by Providence Care Center Employees
MT Business Technologies – Managed Print Services for the City of Sandusky**

AUDIENCE PARTICIPATION

Agenda Items Listed Below Only (3 minute limit)

COMMUNICATIONS

Motion to accept all Communications submitted below

ITEM #1 – Submitted by Todd J. Roth, Director of Planning, Engineering & Development

Budgetary Impact: The city will receive fifty percent (50%) of the payment for the finalized lease each year.

RESOLUTION NO. ____: It is requested a Resolution be adopted pursuant to Section 1506.11 of the Ohio Revised Code finding and determining that based upon the representations and application filed by J.A.P. Holding Company II, Inc. for property located at 202 Putnam Street, the use and development of the territory so described, a submerged lands lease may be entered into by the State's Director of Natural Resources; and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #2 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Impact: The original contract amount is \$136,270.00. The revised contract amount is \$137,497.00, to be paid with Water Funds.

ORDINANCE NO. ____: It is requested an Ordinance be passed approving and ratifying the first and final change order for work performed for the Follett Street and Mills Street elevated water tank project in the amount of \$1,227.00 to be paid to All Phase Power & Lighting, Inc., of Sandusky, Ohio; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #3 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Impact: The current invoice for the month of September is \$17,569.60. It is anticipated that an additional amount of \$35,000 will be needed for the remainder of the piles of debris. It is requested that an amount up to \$52,569.60 be approved for payment, as needed. Tax Increment Financing (TIF) will be used to pay for the disposal. The September invoice was approved for payment by motion at the City Commission meeting on October 25, 2010.

ORDINANCE NO. ____: It is requested an Ordinance be passed appropriating funds and ratifying the payment made to Erie County Sanitary Engineering and approving payments to be made to Erie County Sanitary Engineering for the disposal of debris from the Tricor property; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #4 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Impact: The change order No. 7 will increase the contract with Mosser Construction by \$21,901.69. The revised contract amount is \$16,738,928.19. The city's share of the change order is \$13,381.93 to be paid with sewer funds through the project's OWDA loan. Erie County's share is \$8,519.76.

ORDINANCE NO. ____: It is requested an Ordinance be passed approving and ratifying the seventh change order for work being performed for the Wastewater Treatment Plant expansion project, phase II in the amount of \$21,901.69 to be paid to Mosser Construction of Fremont, Ohio; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #5 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Impact: To be paid with Water (50%) and Sewer Funds (50%). No new funds are being allocated with this request.

ORDINANCE NO. ____: It is requested an Ordinance be passed authorizing and directing the City Manager to purchase replacement water meters and related parts from HD Supply Waterworks of Ashland, Ohio, for the water distribution system within the City of Sandusky; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #6 – Submitted by Scott A. Miller, Director of General Services

Budgetary Impact: The City of Willard has offered \$2,500 for the purchase of the leaf loader from the City of Sandusky. The City of Willard uses a similar machine for leaf collection and intends to use the leaf loader for spare parts. The Fleet Maintenance Supervisor and Director of General Services have determined that this is a fair price and better than what would be expected if the machine was auctioned on www.govdeals.com and are recommending the sale of this leaf loader to the City of Willard. In addition to obtaining the maximum return to the city for the sale of the leaf loader, it is our desire to support and cooperate with other governmental entities especially during the current economical conditions.

ORDINANCE NO. _____: It is requested an Ordinance be passed declaring the 1990 Ford Model 710 leaf loader as being unnecessary and unfit for city use pursuant to Section 25 of the City Charter, authorizing the City Manager to enter into a contract for its sale to the City of Willard; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

CITY MANAGER'S REPORT

OLD BUSINESS

NEW BUSINESS

AUDIENCE PARTICIPATION - Open discussion on any item (5 minute limit)

EXECUTIVE SESSION

ADJOURNMENT

Buckeye Cablesystem broadcast on Cable Channel 81:

LIVE: Monday, November 8 at 8:30 p.m.

REPLAYS: Tuesday, November 9 at 5 p.m.
Monday, November 15 at 7 p.m.



DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933

To: Donald C. Icsman, Acting City Manager
From: Todd J Roth
Date: October 26, 2010
Subject: Commission Agenda Item

Item for Consideration: Resolution authorizing and consenting to a submerged land lease to be issued by the State of Ohio for the following property owner:

J.A.P. Holding Company II, Inc.
3203 Harvard Drive
Cleveland, Ohio 44105

The lease is for the property located at 202 Putnam Street. The property owner will construct two concrete piers to support a 700 ton travellift. The piers will be 14'-2" wide and 200 feet long. There will be 110 feet of new steel sheet pile bulkhead along the shoreline and there will be 40,000 cubic yards of material dredged to provide additional depth and proper clearance. The total area of submerged land to be occupied is 9.296 acres. This work will allow the owner to lift and haul large vessels up to 200 feet long. Currently there is no lift available in the immediate area to handle vessels of this size.

No schedule has been set for construction. The owner is waiting for additional funding.

The applications and supporting documentation date back to 2009 which is when the submittal process began. An application was submitted to the US Army Corps of Engineers on May 04, 2009. The Army Corps has issued a provisional permit and requires approval from ODNR for their final approval. The ODNR permit application was submitted on September 23, 2010. A resolution from the City of Sandusky is needed for ODNR approval.

Budgetary Information: The City will receive 50 percent of the payment for the finalized lease each year.

Action Requested: It is requested that a resolution authorizing and consenting to a submerged land lease to be issued by the State of Ohio to J.A.P. Holding Company II, Inc. be approved under suspension of the rules and in accordance with Section 14 of the City Charter in order to ensure that the administrative review process can continue in a timely manner.

I concur with this recommendation:

Donald C. Icsman, Acting City Manager

cc: Hank Solowiej, Finance Director
Kelly Kresser, Commission Clerk
Carrie Handy, Chief Planner

RESOLUTION NO. _____

A RESOLUTION ADOPTED PURSUANT TO SECTION 1506.11 OF THE OHIO REVISED CODE FINDING AND DETERMINING THAT BASED UPON THE REPRESENTATIONS AND APPLICATION FILED BY J.A.P. HOLDING COMPANY II, INC. FOR PROPERTY LOCATED AT 202 PUTNAM STREET, THE USE AND DEVELOPMENT OF THE TERRITORY SO DESCRIBED, A SUBMERGED LANDS LEASE MAY BE ENTERED INTO BY THE STATE'S DIRECTOR OF NATURAL RESOURCES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, J.A.P. Holding Company II, Inc. is the upland property owner of land located at 202 Putnam Street, in the City of Sandusky; and

WHEREAS, the upland property owner has made certain representations and filed an original application and site plan consistent therewith, with the State Director of Natural Resources, a copy of which is attached marked "Exhibit A" and incorporated herein, indicating a desire to use and develop a part of the territory as specified in their application and site plan without impairment of the public's right of navigation, water commerce and fishery; and

WHEREAS, this City Commission determines that based upon the upland property owners representations, the territory as described in their application and site plan filed by the upland property owner is not necessary or required for the construction, maintenance, or operation, by the City of Sandusky, of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways, in aid of navigation and water commerce; and

WHEREAS, this City Commission determines that based upon the upland property owners representations the land uses specified in the application and site plan filed with the State's Director of Natural Resources comply with the regulations of permissible land use under the City's Port Development Plan, Strategic Plan, Comprehensive Land Use Plan and the Sandusky Bay Pathway Master Plan; and

WHEREAS, this legislation should be passed as an emergency measure and in accordance with Section 14 of the City Charter in order to ensure that the administrative review process can continue 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 Municipal Departments, including the Division of Engineering of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. This City Commission finds and determines that based upon the upland property owner's representations as contained in attached "Exhibit A" the territory as described in their application and site plan is not necessary or required for the construction, maintenance, or operation, by the City of Sandusky of breakwaters, piers, docks, wharves, bulkheads, connecting ways, water terminal facilities, and improvements and marginal highways, in aid of navigation and water commerce.

Section 2. This City Commission finds and determines that based upon the

upland property owners representations contained in attached "Exhibit A" the land uses specified in the application and site plan filed with the State's Director of Natural Resources comply with the regulations of permissible land use under the City's Port Development Plan, Strategic Plan, Comprehensive Land Use Plan and the Sandusky Bay Pathway Master Plan.

Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of 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 Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: November 8, 2010

MATRIX ENGINEERING, INC.
12815 DETROIT AVENUE
LAKEWOOD, OHIO 44107

LETTER OF TRANSMITTAL

(216) 226-6520 FAX (216) 226-1961

TO

city of Sandusky
222 Meigs St.
Sandusky, OH 44870

DATE	9/22/10	JOB NO.	
ATTENTION	City Manager		
RE:	New 700 Ton Travellift Piers at 202 Putnam St., Sandusky, OH		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order _____

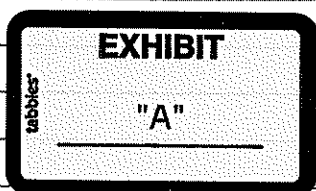
COPIES	DATE	NO.	DESCRIPTION
1	10/29/09	1610	ODNR & Corps of Engineers Permit Application

CITY OF SANDUSKY
SEP 28 2010
LAW DEPARTMENT

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ 19 _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS: Please have the City issue a resolution for the submerged land lease for the attached permit application. Please call with any questions.



COPY TO ODNR

SIGNED: [Signature]

City of Sandusky

OHIO DEPARTMENT OF NATURAL RESOURCES
COASTAL PERMITS AND LEASE
APPLICATIONS FORM

PLEASE CONSULT THE INSTRUCTIONS PRIOR TO COMPLETING THIS FORM.

GENERAL INFORMATION

1. Property Owner Name: J.A.P. HOLDING COMPANY II, INC.	
2. Mailing Address: 3203 HARVARD DRIVE CLEVELAND, OHIO 44105	3. Home Telephone Number: (216) 883-7200
	4. Alternate Telephone Number: (216) 244-2251
	5. E-Mail Address:

6. Authorized Agent/Representative Name: JOHN S. MATRICARDI, P.E.	
7. Mailing Address: MATRIX ENGINEERING INC. 12815 DETROIT AVENUE LAKEWOOD, OHIO 44107	8. Telephone Number: (216) 226-6520
	9. Fax Number: (216) 226-1961
	10. E-Mail Address: matrixlake@aol.com

11. Street Address: 202 PUTNAM STREET	
12. Permanent Parcel Number(s): 59-00029.000	
13. City or Township: SANDUSKY	14. County: ERIE
15. Site Location Description (if necessary): SEE VICINITY MAP	16. Submittals (check if enclosed): <input checked="" type="checkbox"/> Location Map

17. Name of Adjoining Shoreline Property Owners	Street Address / City / State / Zip Code (include permanent mailing and local)
AMERICAN VETERANS OF WW II, POST #17	307 PUTNAM STREET, SANDUSKY, OHIO 44870
CITY OF SANDUSKY	222 MEIGS STREET, SANDUSKY, OHIO 44870

18. Brief Description of the Proposed Structure or Project (attach additional sheets as necessary): TO CONSTRUCT TWO (2) NEW CONCRETE PILE SUPPORTED TRAVELLIFT PIERS SUPPORTED OVER THE LAKE, 210' LONG x 14'-2" WIDE EACH TO SUPPORT A 700 TON TRAVELLIFT FOR HAULING LARGE VESSELS UP TO 200' LONG. CONSTRUCT 110 LF OF NEW STEEL SHEET PILE BULKHEAD ALONG THE SHORELINE OF THE NEW TRAVELLIFT PIERS AND DREDGE APPROXIMATELY 40,000 CY OF EXISTING LAKE BOTTOM TO DOCK AND PULL OUT VESSELS NEEDING A DREDGE DEPTH OF -10.0 LWD ON THE WEST SIDE AND -18.0 LWD ON THE NORTH & EAST SIDES OF THE BULKHEAD ON THE PROPERTY. ALL DREDGE MATERIAL TO BE PLACED UPLAND ABOVE OHW. APPROXIMATELY 40,000 CY OF MATERIAL WILL BE REMOVED AND PLACED IN AN APPROVED UPLAND DISPOSAL AREA.	
19. Anticipated Start Date: 01-10	20. Anticipated Finish Date: 08-10

21. To apply for an authorization, check the box below and complete the application on the reverse page:		
<input checked="" type="checkbox"/> Shore Structure Permit	<input type="checkbox"/> Submerged Lands Lease	<input type="checkbox"/> Coastal Erosion Area Permit
<input type="checkbox"/> Shore Structure Permit Modification	<input checked="" type="checkbox"/> Submerged Lands Lease Modification	<input checked="" type="checkbox"/> Consistency Statement

AGENCY USE ONLY	
APPLICATION REFERENCE #	DATE RECEIVED
LEASE REFERENCE #	THIS COPY TO <input type="checkbox"/> SSP <input type="checkbox"/> SLL <input type="checkbox"/> CEA
other	

SHORE STRUCTURE PERMIT APPLICATION

§1507.04 ORC

1. Professional Engineer: JOHN S. MATRICARDI, P.E.		2. Registration Number: E-044003
3. Mailing Address: MATRIX ENGINEERING INC. 12815 DETROIT AVENUE LAKEWOOD, OHIO 44107	4. Phone Number: (216) 226-6520	7. Submittals (check if attached): <input checked="" type="checkbox"/> Construction Drawings (by Professional Engineer) <input checked="" type="checkbox"/> Design Information
5. FAX No. (216) 226-1961	6. E-MAIL: matrixlake@aol.com	

SUBMERGED LANDS LEASE APPLICATION

§1506.11 ORC

1. Total Area of Submerged Lands to be Occupied: 404,932 SF (9.2960 acres)	
2. Deed Book: V47	Deed Page: 145-148
3. Local Authority Issuing Resolution: CITY OF SANDUSKY	
Date Issued: TO BE SUBMITTED	
4. Was any Portion of the Structure Erected in Lake Erie Prior to October 13, 1955? Yes	
5. Brief Explanation of the Purpose of the Structure or Project (attach additional sheets if necessary): TO CONSTRUCT A NEW TRAVELLIFT HAULOUT FACILITY TO ACCOMODATE A 700 TON TRAVELLIFT CAPABLE OF HAULING UP TO 200' LONG VESSELS ON THE PROPERTY.	6. Submittals (check if attached): <input checked="" type="checkbox"/> Construction Drawings <input checked="" type="checkbox"/> Copy of Title Deed <input checked="" type="checkbox"/> Metes & Bounds Survey Local resolution or Ordinance - TO BE SUBMITTED

COASTAL EROSION AREA PERMIT APPLICATION

§1506.07 ORC

1. Authorization Type: Existing Measure New Measure	Date Built (if existing measure):
2. Deed Book:	Deed Page:
3. Start Date for the Building or Addition:	
4. Brief Description of the Building or Addition (attach additional sheets if necessary):	5. Submittals (check if attached): Construction Drawings Permanent Structure Drawings Copy of Title Deed Construction Schedule Design Information

SIGNATURE AND CONSISTENCY STATEMENT

§1506.03 ORC

I do certify that the proposed activity identified in this application complies with Ohio's approved Coastal Management Program and will be conducted in a manner consistent with such program (15 CFR 930.57 and ORC 1506.03). I do additionally certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate.

x August Palladino 10.29.09

Signature of Property Owner or Authorized Agent: Date

AUGUST PALLADINO, J.A.P. HOLDING COMPANY II, INC.

APPLICATION PAGE 2 OF 2 (1610)

**MAIL TO: ODNR Coastal Services Center,
105 W. Shoreline Drive, Sandusky, Ohio, 44870**

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine Uses. Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME J.A.P. COLDING COMPANY II, INC. & PUT-IN-BAY TOWNSHIP PORT AUTHORITY	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required) MATRIX ENGINEERING INC.
6. APPLICANT'S ADDRESS 3203 HARVARD DRIVE, CLEVELAND, OHIO 44105 P.O. BOX 278, PUT-IN-BAY, OHIO 43456	9. AGENT'S ADDRESS 12815 DETROIT AVENUE LAKEWOOD, OHIO 44107
7. APPLICANT'S PHONE NUMBERS W/AREA CODE a. Residence: b. Business: (419) 285-3371	10. AGENT'S PHONE NUMBER W/AREA CODE a. Residence b. Business (216) 226-6520

11. STATEMENT OF AUTHORIZATION

I hereby authorize **MATRIX ENGINEERING INC.** to act in behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

X August Palladino
X *[Signature]*

APPLICANT'S SIGNATURE
MONICA L. DRAKE, PUT-IN-BAY PORT AUTHORITY
AUGUST PALLADINO, CAPITOL CONTROL INC.

DATE 4-28-09
4/28/09

12. PROJECT NAME OR TITLE (see instructions) NAME, LOCATION, AND DESCRIPTION OF PROJECT OR ACTIVITY

NEW TRAVELLIFT PIERS AT 202 PUTNAM STREET, SANDUSKY, OHIO

13. NAME OF WATERBODY, IF KNOWN (if applicable) SANDUSKY BAY	14. PROJECT STREET ADDRESS (if applicable) 202 PUTNAM STREET SANDUSKY, OHIO 44870
15. LOCATION OF PROJECT ERJE OHIO COUNTY STATE	

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, (see instructions)
N/A

17. DIRECTIONS TO THE SITE
TAKE ROUTE 2 WEST FROM CLEVELAND TO SANDUSKY ROUTE 250 NORTH. FOLLOW TO WASHINGTON STREET, TURN LEFT, WASHINGTON STREET BECOMES TIFFIN AVENUE, FOLLOW TO PUTNAM, TURN RIGHT ON PUTNAM AND GO TO THE END OF PUTNAM TO 202.

18. Nature of Activity (Description of Project, include all features)
 TO CONSTRUCT TWO (2) NEW CONCRETE PILE SUPPORTED TRAVELLIFT PIERS SUPPORTED OVER THE LAKE, 210' LONG x 14'-2" WIDE TO SUPPORT A 700 TON TRAVELLIFT FOR HAULING LARGE VESSELS UP TO 200' LONG. CONSTRUCT 110 LF OF NEW STEEL SHEET PILE BULKHEAD ALONG THE SHORELINE OF THE NEW TRAVELLIFT PIERS AND DREDGE APPROXIMATELY 40,000 CY OF EXISTING LAKE BOTTOM TO DOCK AND PULL OUT VESSELS NEEDING A DREDGE DEPTH OF -10.0 LWD ON THE WEST SIDE AND -18.0 LWD ON THE NORTH & EAST SIDES OF THE BULKHEAD ON THE PROPERTY. ALL DREDGE MATERIAL TO BE PLACED UPLAND ABOVE OHW.

19. PROJECT PURPOSE (Describe the reason or purpose of the project, see instructions)
 TO CONSTRUCT A NEW TRAVELLIFT HAULOUT FACILITY TO ACCOMODATE A 700 TON TRAVELLIFT CAPABLE OF HAULING UP TO 200' LONG VESSELS ON THE PROPERTY.

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. REASON(S) FOR DISCHARGE
 TO PERFORM THE DREDGE ALONG THE WEST, NORTH & EAST BULKHEADS ON THE PROPERTY AND CONSTRUCT THE SHEET PILE BULKHEAD.

21. TYPE(S) OF MATERIAL BEING DISCHARGED AND THE AMOUNT OF EACH TYPE IN CUBIC YARDS
 APPROXIMATELY 40,000 CY OF MATERIAL WILL BE REMOVED AND PLACED IN AN UPLAND DISPOSAL AREA.

22. SURFACE AREA IN ACRES OF WETLANDS OR OTHER WATERS FILLED (see instruction)
 NO NEW AREA WILL BE FILLED BELOW OHW EXCEPT FOR THE NEW H-PILES SUPPORTING THE CONCRETE PIERS.

23. IS ANY PORTION OF THE WORK ALREADY COMPLETE? NO IF YES DESCRIBE THE COMPLETED WORK

24. ADDRESSES OF ADJOINING PROPERTY OWNERS, LESSEES, ETC., WHOSE PROPERTY ADJOINS THE WATERBODY (if you have more that can be here, please attach a supplemental list).
 AMERICAN VETERANS OF WW II CITY OF SANDUSKY
 POST #17 222 MEIGS STREET
 307 PUTNAM STREET SANDUSKY, OHIO 44870
 SANDUSKY, OHIO 44870

25. LIST OF OTHER CERTIFICATIONS OR APPROVAL/DENIALS RECEIVED FROM OTHER FEDERAL, STATE, OR LOCAL AGENCIES FOR WORK DESCRIBED IN THIS APPLICATION.

AGENCY	TYPE APPROVAL	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED
ODNR	PERMIT & LEASE			

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

August Palladino 4-28-09
MONICA L. DRAKE 4-28-09
 MONICA L. DRAKE, PUT-IN-BAY TOWNSHIP PORT AUTHORITY
 AUGUST PALLADINO, J.A.P. HOLDING COMPANY II, INC.
 Signature of Applicant Date

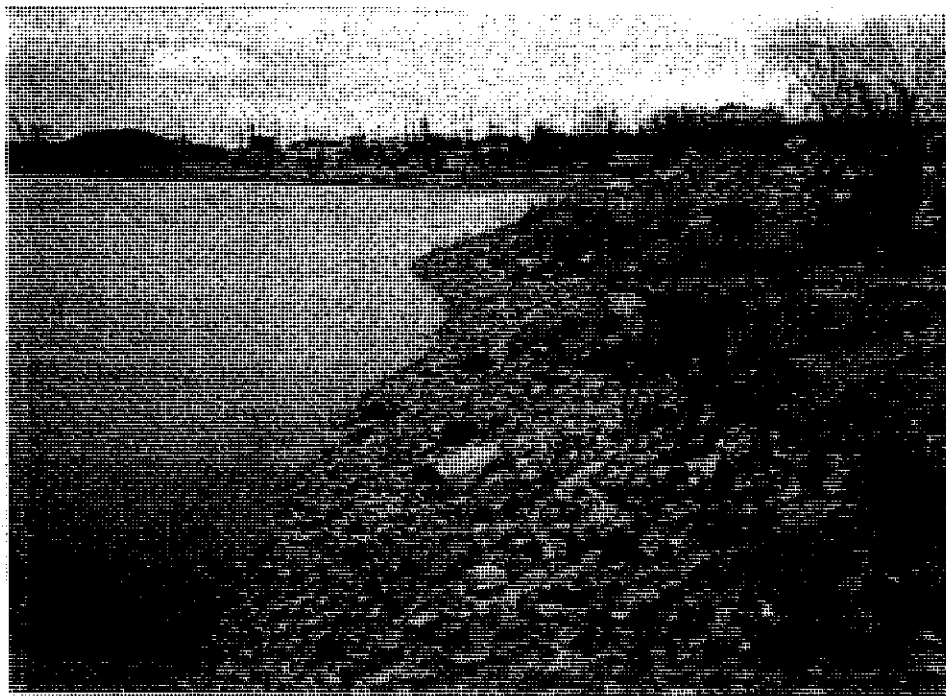
John S. Matricardi 4-28-09
 JOHN S. MATRICARDI, P.E.
 MATRIX ENGINEERING INC.
 Signature of Agent Date

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.



1.) LOOKING NORTH AT THE SHORELINE ALONG
THE EAST PROPERTY LINE. 03-09



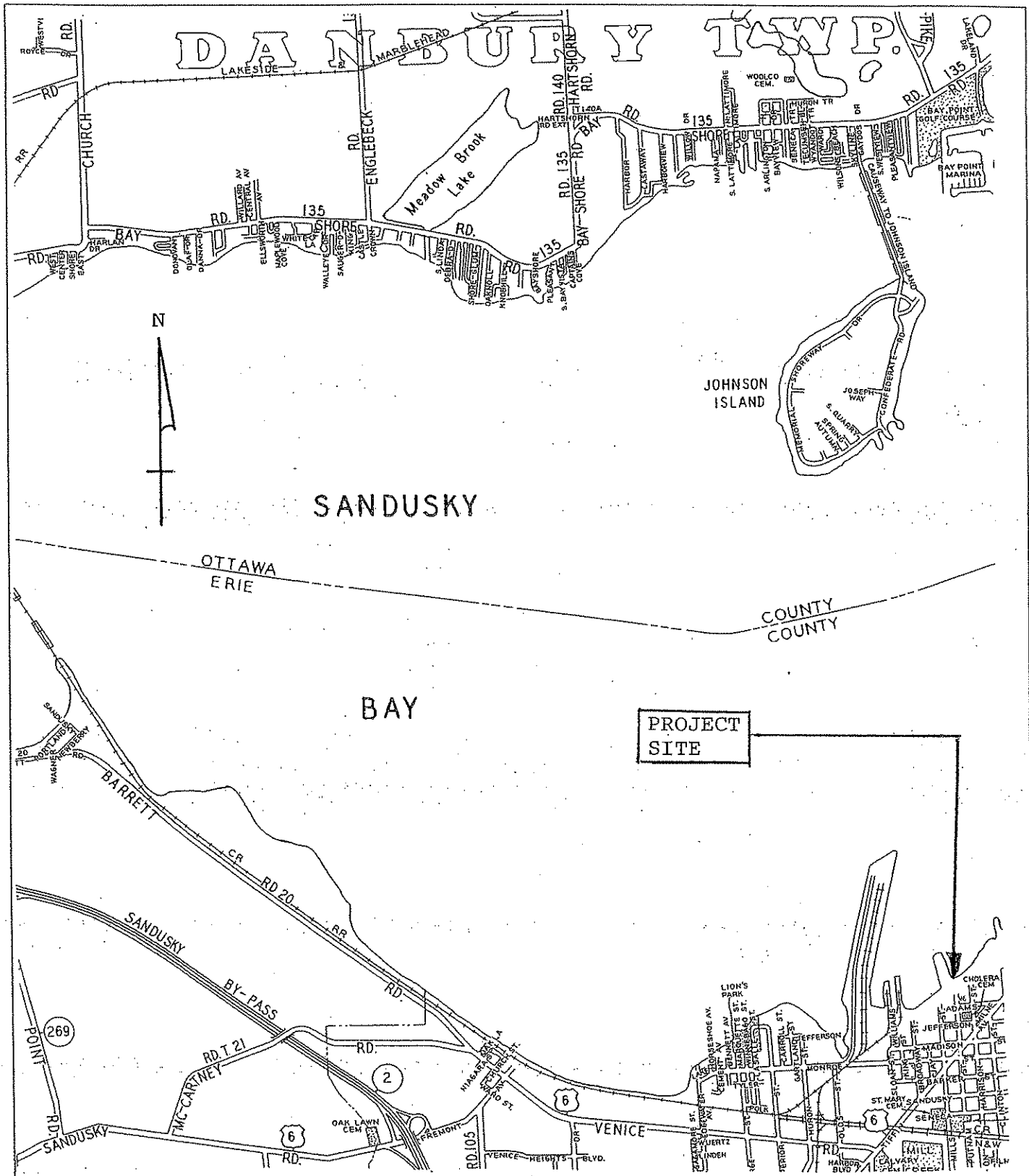
2.) LOOKING EAST ALONG THE SHORELINE FROM
THE EAST SIDE OF THE EXISTING TRAVELLIFT
PIERS. 03-09



3.) LOOKING SOUTH ALONG THE BULKHEAD AT
THE EXISTING TRAVELLIFT PIERS. 03-09



4.) LOOKING SOUTHEAST FROM THE BULKHEAD
AT THE SHORELINE WHERE NEW TRAVELLIFT
PIERS WILL BE BUILT. 03-09



DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985

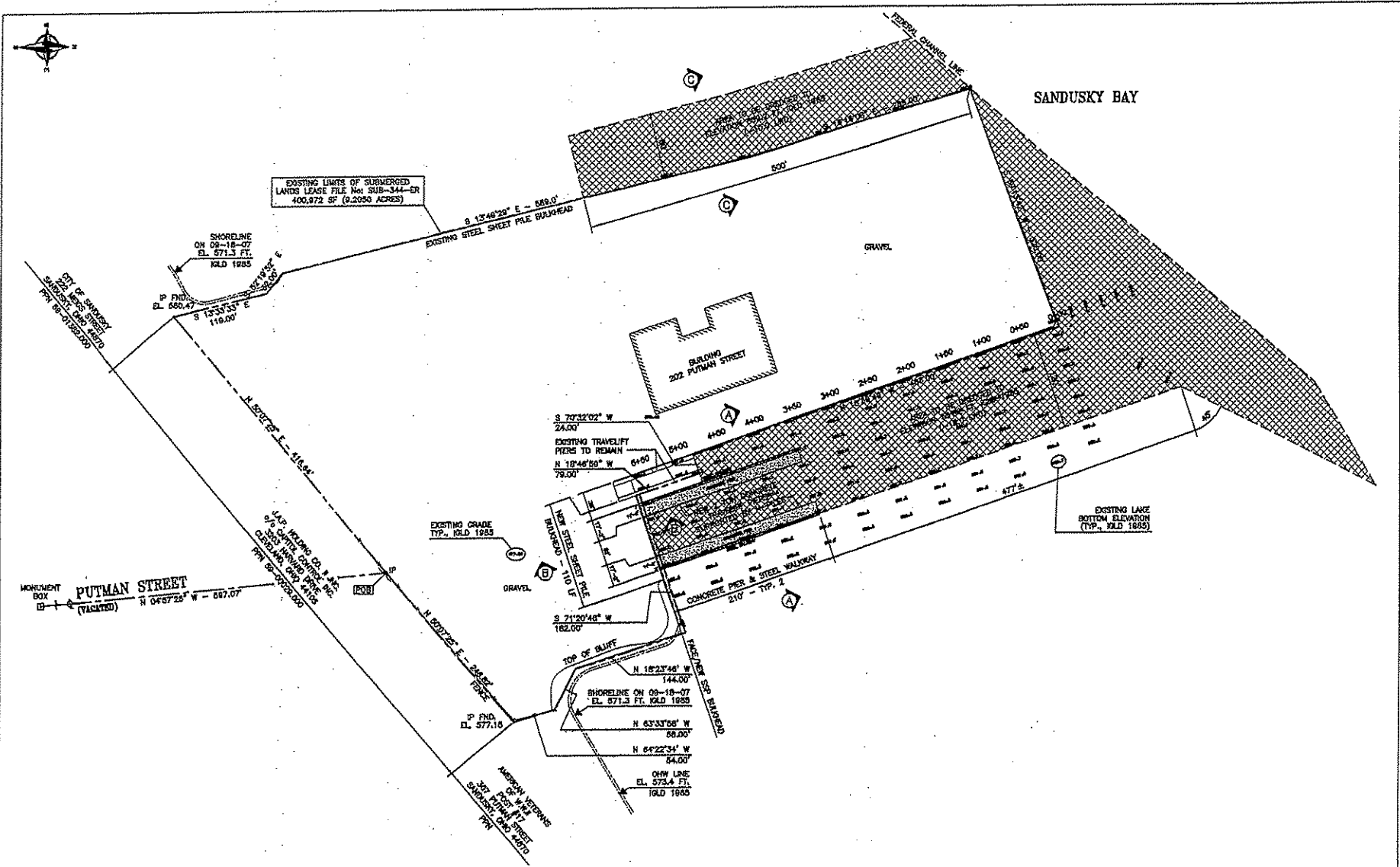
VICINITY MAP

PREPARED BY
MATRIX ENGINEERING, INC.

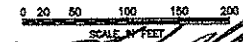
- ADJACENT PROPERTY OWNERS:
- 1.) AMERICAN VETERANS OF WW II
 - 2.) CITY OF SANDUSKY

J.A.P. HOLDING COMPANY II, INC.
3203 HARVARD DRIVE
CLEVELAND, OHIO 44105

NEW 700 TON TRAVELLIFT PIER
AT 202 PUTNAM STREET
SANDUSKY, OHIO



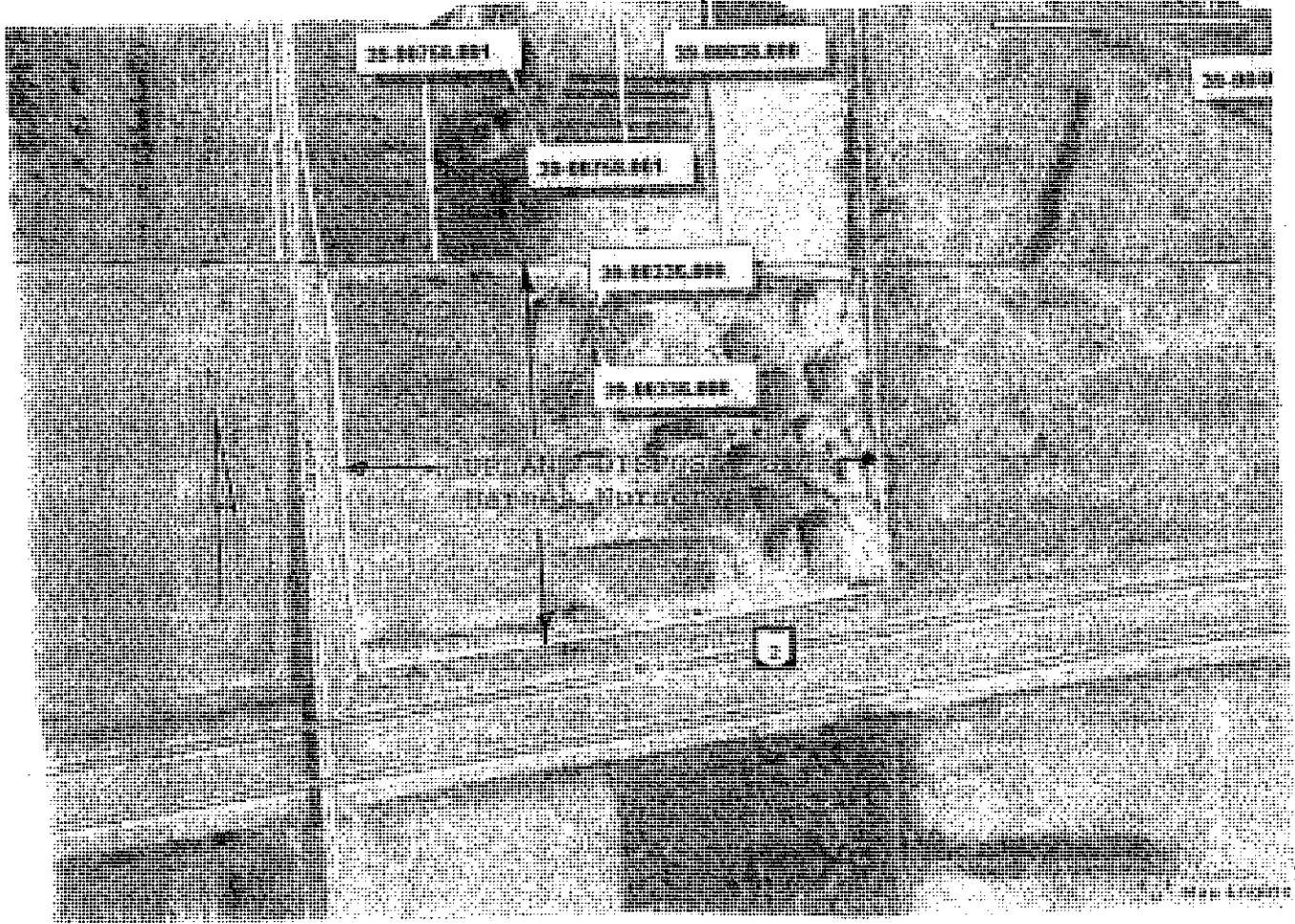
NOTES:
 1.) ALL ELEVATIONS ARE RELATIVE TO
 IGLD 1985, O.G. LWD = 569.20 FT. IGLD 1985.



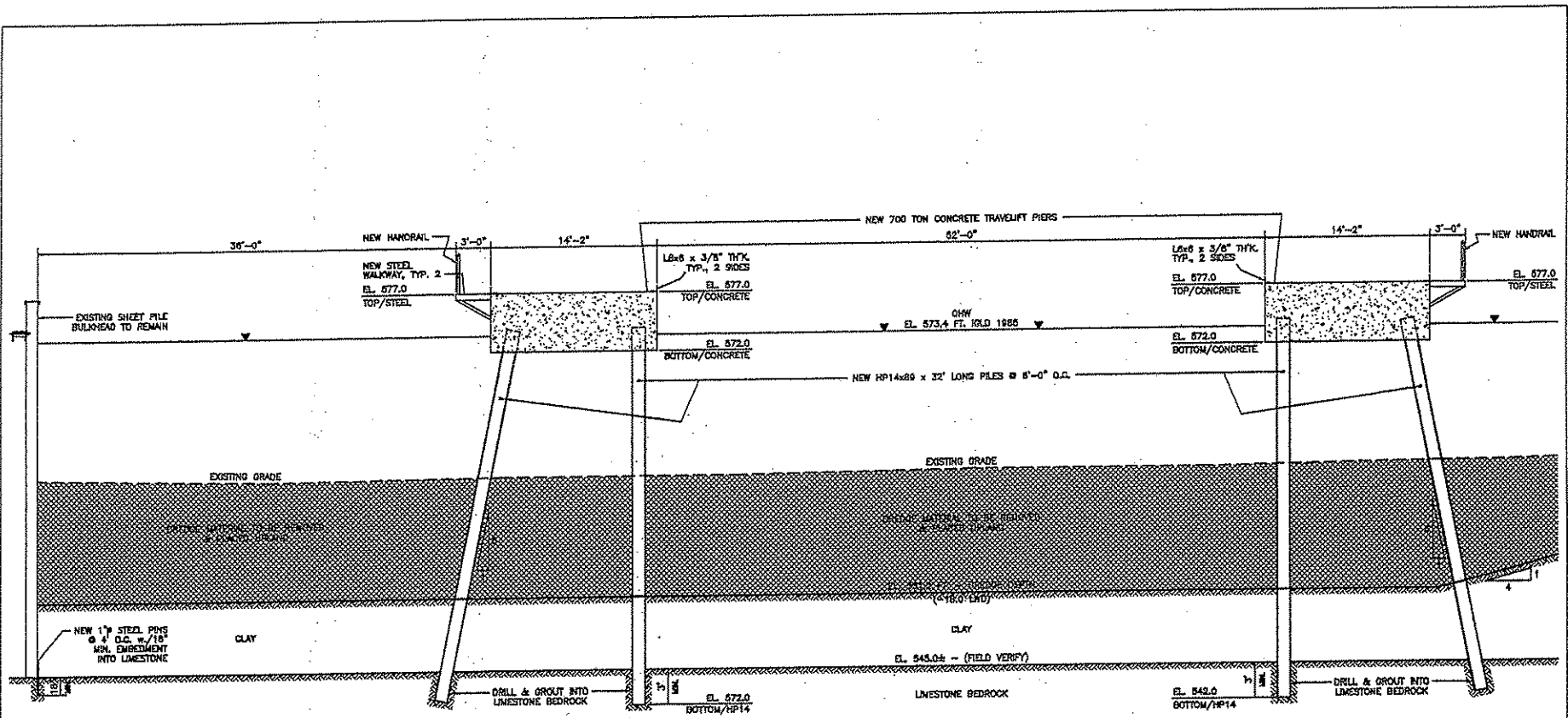
DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985	<h2>SITE PLAN</h2>	PREPARED BY MATRIX ENGINEERING INC.	
ADJACENT PROPERTY OWNERS: 1.) AMERICAN VETERANS OF WW II 2.) CITY OF SANDUSKY	J.A.P. HOLDING COMPANY II, INC. 3203 HARVARD DRIVE CLEVELAND, OHIO 44105	NEW 700 TON TRAVELLIFT PIERS AT 202 PUTNAM STREET SANDUSKY, OHIO SHEET 3 OF 7 REVISION 06-23-09	

Handwritten signature and date:
 [Signature]
 6/23/09

Erie County GIS

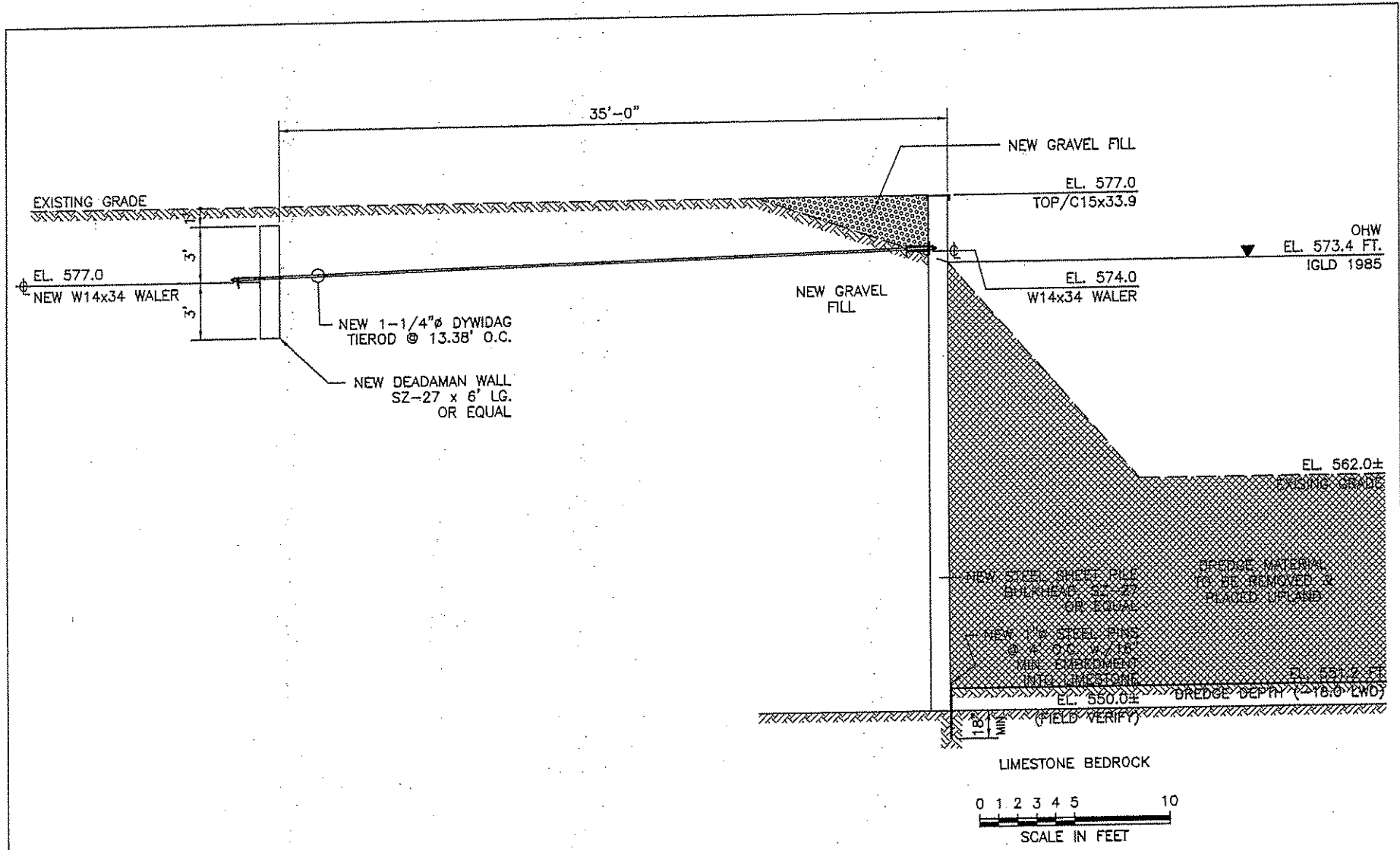


<p>DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985</p>	<p>UPLAND DISPOSAL SITE PLAN</p>	<p>PREPARED BY: MATRIX ENGINEERING, INC.</p>
<p>ADJACENT PROPERTY OWNERS: 1.) AMERICAN VETERANS OF WW II 2.) CITY OF SANDUSKY</p>	<p>J.A.P. HOLDING COMPANY II, INC. 3203 HARVARD DRIVE CLEVELAND, OHIO 44105</p>	<p>NEW 700 TON TRAVELLIFT PIER AT 202 PUTNAM STREET SANDUSKY, OHIO</p>
<p>SHEET 4 OF 7</p>		<p>REVISION DATE: 06-23-09</p>



NOTES:
 1.) ALL ELEVATIONS ARE RELATIVE TO
 IGLD 1985, O.D. LWD = 569.20 FT. K.R.D. 1985.

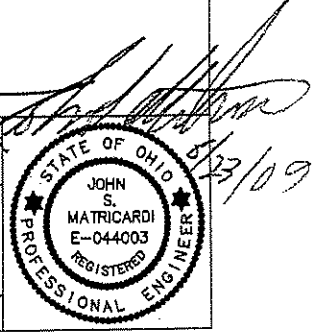
DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985	<h3 style="text-align: center;">SECTION A-A</h3>	PREPARED BY: MATRIX ENGINEERING INC	
ADJACENT PROPERTY OWNERS: 1.) AMERICAN VETERANS OF WW II 2.) CITY OF SANDUSKY	J.A.P. HOLDING COMPANY II, INC. 3203 HARVARD DRIVE CLEVELAND, OHIO 44105	NEW 700 TON TRAVELLIFT PIERS AT 202 PUTNAM STREET SANDUSKY, OHIO SHEET 5 OF 7 06-23-09	

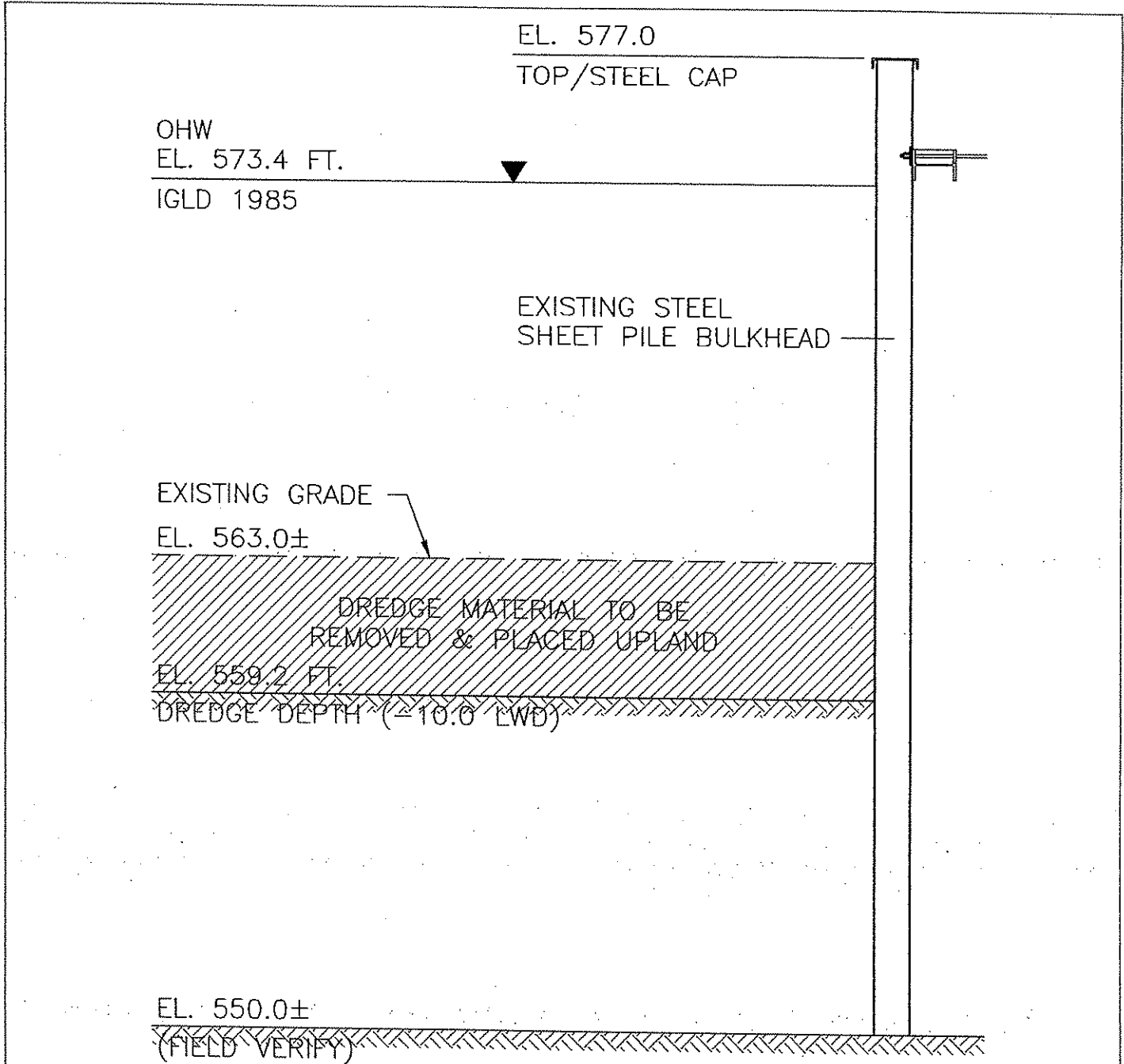


NOTES:

1.) ALL ELEVATIONS ARE RELATIVE TO IGLD 1985. O.D LWD = 569.20 FT. IGLD 1985.

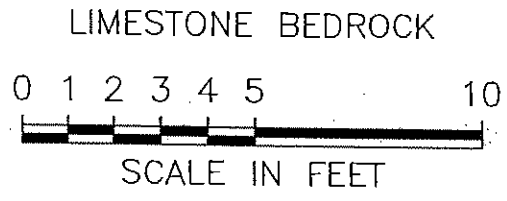
DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985	SECTION B-B	PREPARED BY MATRIX ENGINEERING INC.
ADJACENT PROPERTY OWNERS 1.) AMERICAN VETERANS OF WW II 2.) CITY OF SANDUSKY	J.A.P. HOLDING COMPANY II, INC. 3203 HARVARD DRIVE CLEVELAND, OHIO 44105	NEW 700 TON TRAVELLIFT PIERS AT 202 PUTNAM STREET SANDUSKY, OHIO SHEET 6 OF 7 DATE 06-23-09





NOTES:

- 1.) ALL ELEVATIONS ARE RELATIVE TO IGLD 1985. 0.0 LWD = 569.20 FT. IGLD 1985.



[Handwritten Signature]
 STATE OF OHIO
 JOHN S. MATRICARDI
 E-044003
 REGISTERED PROFESSIONAL ENGINEER
 6/23/09

DATUM: 0.0 L.W.D. = 569.2 FT. IGLD 1985	SECTION C-C	PREPARED BY MATRIX ENGINEERING, INC.
<small>ADJACENT PROPERTY OWNERS</small> 1.) AMERICAN VETERANS OF WW II 2.) CITY OF SANDUSKY	J.A.P. HOLDING COMPANY II, INC. 3203 HARVARD DRIVE CLEVELAND, OHIO 44105	NEW 700 TON TRAVELLIFT PIER AT 202 PUTNAM STREET SANDUSKY, OHIO SHEET 7 OF 7 <small>REVISION DATE</small> 06-23-09

0015498

WARRANTY DEED

Know all men by these presents, that CEE-EM Realty Company, an Ohio partnership, the Grantor, for the consideration of Ten and 00/100 Dollars (\$10.00) received to its full satisfaction of J.A.P. Holding Co. II, Inc., an Ohio corporation, the Grantee, whose tax mailing address will be 30675 Solon Road, Solon, Ohio 44139, does give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the property described in the attached Exhibit A.

To have and to hold the above granted and bargained premises, with the appurtenances thereunto belonging, unto the said Grantee, its successors and assigns forever. And CEE-EM Realty Company, an Ohio partnership, the said Grantor does for itself and its successors and assigns covenant with the said Grantee, its successors and assigns, that at and until the ensembling of these presents, it is well seized of the above described premises, as a good and indefeasible estate in fee simple, and has good right to bargain and sell the same in manner and form as above written, that the same are free and clear from all encumbrances whatsoever except easements, reservations, restrictions of record, taxes and assessments to be prorated as of the date of recording of this deed and that it will warrant and defend said premises, with the appurtenances thereunto belonging, to the said Grantee, its successors and assigns forever, against all lawful claims and demands whatsoever except as noted above.

APPROVED
[Signature]
ERIC COUNTY ENGINEER

TRANSFER
FLB. 26/1992
James W. McKeen
FLB 250

This conveyance has been recorded and the grantor has complied with sections 310-202 and 322.02 of the revised code.
FEE \$ 1.35
EXEMPT
R.E. TRANSFER \$ 27.00
JAMES W. McKEEN
COUNTY AUDITOR

LAW OFFICES
OF
WAGNER & WAGNER
116 E. 40th ST.
SANDUSKY, OHIO 44870
PHONE (419) 625-8482

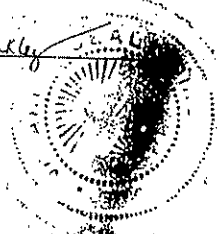
I, JOHN W. SCHAEFFER, RECORDER, HEREBY CERTIFY THAT THE PARTNERSHIP CERTIFICATE OF CEE-EM Realty Co. WAS FILED IN THE OFFICE OF THE RECORDER OF DEEDS AND RECORDS ON FEBRUARY 22, 1992 AT 10:00 AM.
BY [Signature] DEPUTY

STATE OF)
) ss:
COUNTY OF)

Before me, a notary public in and for said county and state personally appeared the above named Larry L. Inscore, partner in CEE-EM Realty Company, an Ohio partnership, who acknowledged that he did sign the foregoing instrument, and that the same is the free act and deed of said partnership, and the free act and deed of him personally and as such partner.

In testimony whereof, I have hereunto set my hand and official seal, at Mansfield, Ohio, this 25th day of February, 1992.

E. W. Wagner
Notary Public
Notary Public
Elizabeth C. Wagner
My Commission Expires
March 7, 1993

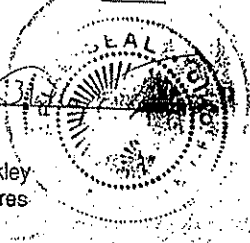


STATE OF)
) ss:
COUNTY OF)

Before me, a notary public in and for said county and state personally appeared the above named Charles E. Taylor, partner in CEE-EM Realty Company, an Ohio partnership, who acknowledged that he did sign the foregoing instrument, and that the same is the free act and deed of said partnership, and the free act and deed of him personally and as such partner.

In testimony whereof, I have hereunto set my hand and official seal, at Mansfield, Ohio, this 25th day of February, 1992.

E. W. Wagner
Notary Public
Notary Public
Elizabeth C. Wagner
My Commission Expires
March 7, 1993



This instrument prepared by
WALTER R. WAGNER
Attorney at Law
Sandusky, Ohio 44870

EXHIBIT A

PARCEL ONE

Being a parcel of land lying within the former Cleveland, Cincinnati, Chicago and St. Louis Railroad right of way opposite Putnam Street, 4th Ward, City of Sandusky, Erie County, Ohio and being more particularly described as follows;

Beginning at a monument box found at the intersection of the centerline of Adams Street with the centerline of Putnam Street, thence North 04° 57' 25" West along the centerline of Putnam Street, a distance of 597.07 feet to a $\frac{1}{2}$ " iron pin found on the southerly right of way line of said railroad and the principal place of beginning for this description;

1. Thence North 50° 07' 25" East along the southerly right of way line of said railroad, a distance of 248.82 feet to a point;
2. Thence North 17° 22' 34" West, a distance of 50.87 feet to the shoreline of Sandusky Bay as existed May 9, 1985;
3. Thence South 50° 07' 25" West along the northerly line of said railroad, a distance of 663.71 feet to a point;
4. Thence South 19° 19' 16" East along the southerly continuation of the shoreline of Sandusky Bay as existed May 9, 1985, a distance of 16.92 feet to a point on the centerline of said railroad;
5. Thence South 13° 53' 53" East, a distance of 35.60 feet to a point on the southerly line of said railroad;
6. Thence North 50° 07' 25" East along the southerly line of said railroad, a distance of 416.64 feet to the place of beginning and containing 0.7165 acres.

PARCEL THREE

Being a parcel of land located in part of Water Lots 1 through 16 Western Liberties Subdivision, part of vacated Mills Street, Water Street and Putnam Street, 4th Ward, City of Sandusky, Erie County, Ohio and being more particularly described as follows;

Beginning at a monument box found at the intersection of the centerline of Adams Street with the centerline of Putnam Street, thence North 04° 57' 25" West along the centerline of Putnam Street, a distance of 310.00 feet to the present northerly terminus of Putnam Street and the principal place of beginning for this description;

1. Thence South 85° 02' 35" West along the present northerly terminus of Putnam Street, a distance of 33.00 feet to a point;
2. Thence South 04° 57' 25" East, a distance of 17.43 feet to a point on the centerline of former Water Street;
3. Thence South 54° 19' 32" West along the centerline of former Water Street, a distance of 414.90 feet (previously recorded as 414.98 feet), to a 3/4" iron pin found on the northerly terminus of Mills Street;
4. Thence South 85° 06' 36" West along the northerly terminus of Mills Street, a distance of 20.59 feet (previously recorded as 20.60 feet) to a 3/4" iron pin found on the centerline of Mills Street;
5. Thence North 04° 49' 12" West along the northerly continuation of the centerline of Mills Street, a distance of 230.38 feet (previously recorded as 230.55 feet) to the southerly line of the former Cleveland, Cincinnati, Chicago and St. Louis railroad right of way;
6. Thence North 50° 07' 25" East along the southerly right of way line of said railroad, a distance of 499.69 feet (previously recorded as 499.67 feet) to a 1/2" iron pin found on the northerly continuation of the centerline of Putnam Street;
7. Thence South 04° 57' 25" East, along the northerly continuation of the centerline of Putnam Street, a distance of 287.07 feet to the principal place of beginning and containing 2.4723 acres of land.

Bearings are assumed and used to indicate angles only.

This description was prepared by Baharoglu and Associates, Inc. Consulting Engineers and Surveyors, Norwalk, Ohio on July 16, 1990 from an actual survey of the premises dated August, 1985, by Baharoglu & Associates, Inc. Consulting Engineers and Surveyors, Norwalk, Ohio per Ronald A. Morehouse, Registered Surveyor No. 5340.

Received and Recorded February
26th, 1992 at 3:25 P.M. in the
Erie County Official Records
Book 47 Page 145-149 incl.
John W. Schaeffer, Recorder.

0015498
FILED

92 FEB 26 P 3:25

JOHN W. SCHAEFFER
RECORDER
ERIE COUNTY, OHIO

9600pd



Dempsey
Surveying Company

12815 DETROIT AVENUE • CLEVELAND, OH 44107-2835 • 216.226.1130 FAX: 216.226.1131
www.dempseysurvey.com

Parcel No. 1
Submerged Land Lease for
Pre-1989 Existing Fill

Situated in the City of Sandusky, County of Erie and State of Ohio and being a parcel of land projecting into Sandusky Bay lying north of and including Parcel 1 of lands conveyed to J.A.P. Holding Co. II, Inc. by deed recorded in O.R. Vol. 47, Pg. 145 of Erie County Records, said lands having been a part of the former Cleveland, Cincinnati, Chicago and St. Louis Railroad right of way opposite Putnam Street in the 4th Ward, City of Sandusky, and being more particularly described as follows:

Beginning at a monument box found at the intersection of the centerline of Adams Street with the centerline of Putnam Street, thence North 04 degrees 57 minutes 25 seconds West along the centerline of Putnam Street and a vacated portion thereof, a distance of 597.07 feet to a ½ inch iron pin found in the southerly line of said Parcel 1 and the former southerly right of way line of said railroad and the principal place of beginning of the herein described lease premises:

Course 1. Thence along the southerly line of said Parcel 1, also being the former southerly right of way line of said railroad, South 50 degrees 07 minutes 25 seconds West, a distance of 416.64 feet to the southwesterly corner of said Parcel 1;

Course 2. Thence along the westerly line of said Parcel 1 North 13 degrees 53 minutes 53 seconds West a distance of 35.60 feet to a point on the former centerline of said railroad;

Course 3. Thence North 19 degrees 19 minutes 16 seconds West along the westerly line of said Parcel 1, also being the southerly extension of the shoreline of Sandusky Bay as existed May 9, 1985, passing over the northwesterly corner of said Parcel 1 at a distance of 16.02 feet, and continuing along the shoreline of Sandusky Bay as existed May 9, 1985 a total distance of 42.60 feet to a point;

Course 4. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 07 degrees 51 minutes 30 seconds West a distance of 41.33 feet to a point;

Course 5. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 10 degrees 45 minutes 06 seconds West a distance of 61.03 feet to a point;

Course 6. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 17 degrees 37 minutes 55 seconds West a distance of 69.22 feet to a point;

Course 7. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 10 degrees 43 minutes 42 seconds West a distance of 76.54 feet to a point;

Course 8. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 13 degrees 39 minutes 49 seconds West a distance of 78.14 feet to a point;

Course 9. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 14 degrees 46 minutes 07 seconds West a distance of 58.23 feet to a point;

Course 10. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 11 degrees 45 minutes 26 seconds West a distance of 61.07 feet to a point;

Course 11. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 13 degrees 19 minutes 48 seconds West a distance of 60.23 feet to a point;

Course 12. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 13 degrees 21 minutes 20 seconds West a distance of 33.18 feet to a point;

Course 13. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 20 degrees 04 minutes 41 seconds West a distance of 31.96 feet to a point;

Course 14. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 13 degrees 25 minutes 04 seconds West a distance of 29.37 feet to a point;

Course 15. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 19 degrees 29 minutes 17 seconds West a distance of 47.47 feet to a point;

Course 16. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 11 degrees 31 minutes 55 seconds West a distance of 37.47 feet to a point;

Course 17. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 18 degrees 41 minutes 34 seconds West a distance of 36.80 feet to a point;

Course 18. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 13 degrees 14 minutes 31 seconds West a distance of 33.97 feet to a point;

Course 19. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 10 degrees 27 minutes 52 seconds East a distance of 16.46 feet to a point;

Course 20. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 06 degrees 18 minutes 09 seconds West a distance of 25.89 feet to a point;

Course 21. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 02 degrees 30 minutes 41 seconds West a distance of 30.54 feet to a point;

Course 22. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 08 degrees 42 minutes 28 seconds East a distance of 58.72 feet to a point;

Course 23. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 34 degrees 37 minutes 48 seconds East a distance of 39.86 feet to a point;

Course 24. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 52 degrees 37 minutes 30 seconds East a distance of 37.17 feet to a point;

Course 25. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 45 degrees 12 minutes 41 seconds East a distance of 39.94 feet to a point;

Course 26. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 47 degrees 01 minutes 36 seconds East a distance of 14.89 feet to a point;

Course 27. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 18 degrees 58 minutes 50 seconds East a distance of 30.00 feet to a point;

Course 28. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 68 degrees 41 minutes 11 seconds East a distance of 102.44 feet to a point;

Course 29. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 70 degrees 48 minutes 48 seconds East a distance of 24.96 feet to a point on an existing sheet pile bulkhead;

Course 30. Thence continuing along the existing sheet pile bulkhead, South 18 degrees 58 minutes 39 seconds East a distance of 546.05 to the shoreline of Sandusky Bay as existed May 9, 1985;

Course 32. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 87 degrees 17 minutes 20 seconds East a distance of 21.56 feet to a point;

Course 33. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 77 degrees 30 minutes 20 seconds East a distance of 35.22 feet to a point;

Course 34. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 67 degrees 27 minutes 00 seconds East a distance of 32.22 feet to a point;

Course 35. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 71 degrees 49 minutes 49 seconds East a distance of 52.73 feet to a point;

Course 36. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 74 degrees 45 minutes 14 seconds East a distance of 35.75 feet to a point;

Course 37. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 87 degrees 30 minutes 58 seconds East a distance of 19.13 feet to a point;

Course 38. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 42 degrees 16 minutes 36 seconds East a distance of 20.15 feet to a point;

Course 39. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 09 degrees 11 minutes 17 seconds East a distance of 36.14 feet to a point;

Course 40. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 21 degrees 10 minutes 35 seconds East a distance of 52.74 feet to a point;

Course 41. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 28 degrees 09 minutes 07 seconds East a distance of 40.73 feet to a point;

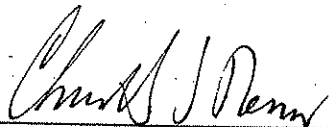
Course 42. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 67 degrees 35 minutes 31 seconds East a distance of 29.00 feet to a point;

Course 43. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 75 degrees 06 minutes 26 seconds East a distance of 19.79 feet to the northeasterly corner of said Parcel 1;

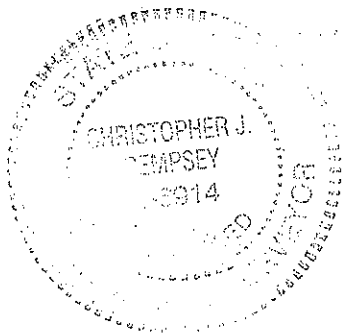
Course 44. Thence along the easterly line of said Parcel 1, South 17 degrees 22 minutes 34 seconds East a distance of 50.87 feet to the southeasterly corner thereof, also being on the former southerly right of way of said railroad;

Course 45. Thence along the southerly line of said Parcel 1 and the former southerly line of said railroad, South 50 degrees 07 minutes 25 seconds West a distance of 248.82 feet to the principal place of beginning and containing 8.3356 acres or 363,097 square feet of land as described by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company on September 21, 2010.

Basis of Bearings: Bearings are based on a centerline bearing for Putnam Street of North 04 degrees 57 minutes 25 seconds West as referenced in the deed to J.A.P. Holding Co. II, Inc. recorded in O.R. Vol. 47, Pg. 145 of Erie County Records.

 9-22-10

Christopher J. Dempsey, PS
Professional Surveyor





12815 DETROIT AVENUE • CLEVELAND, OH 44107-2835 • 216.226.1130 FAX:216.226.1131
www.dempseysurvey.com

Parcel No. 2
Submerged Land Lease for
Small Commercial Facility

Situated in the City of Sandusky, County of Erie and State of Ohio and being a parcel of land projecting into Sandusky Bay lying north of Parcel 1 of lands conveyed to J.A.P. Holding Co. II, Inc. by deed recorded in O.R. Vol. 47, Pg. 145 of Erie County Records, said lands having been a part of the former Cleveland, Cincinnati, Chicago and St. Louis Railroad right of way opposite Putnam Street in the 4th Ward, City of Sandusky, and being more particularly described as follows:

Beginning at a monument box found at the intersection of the centerline of Adams Street with the centerline of Putnam Street, thence North 04 degrees 57 minutes 25 seconds West along the centerline of Putnam Street and a vacated portion thereof, a distance of 597.07 feet to a ½ inch iron pin found in the southerly line of said Parcel 1 and the former southerly right of way line of said railroad; Thence along the southerly line of said Parcel 1 and the former southerly line of said railroad, North 50 degrees 07 minutes 25 seconds East a distance of 248.82 feet to the southeasterly corner of said Parcel 1; Thence along the easterly line of said Parcel 1, North 17 degrees 22 minutes 34 seconds West a distance of 50.87 feet to the northeasterly corner thereof and being a point on the shoreline of Sandusky Bay as existed May 9, 1985 and the principal place of beginning of the herein described lease premises:

Course 1. Thence along the shoreline of Sandusky Bay as existed May 9, 1985, South 75 degrees 06 minutes 26 seconds West a distance of 19.79 feet to a point;

Course 2. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 67 degrees 35 minutes 31 seconds West a distance of 29.00 feet to a point;

Course 3. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 28 degrees 09 minutes 07 seconds West a distance of 40.73 feet to a point;

Course 4. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 21 degrees 10 minutes 35 seconds West a distance of 52.74 feet to a point;

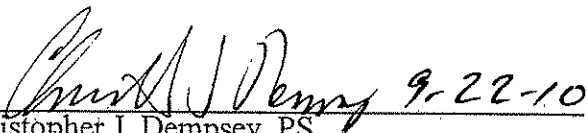
Course 5. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 09 degrees 11 minutes 17 seconds West a distance of 36.14 feet to a point;

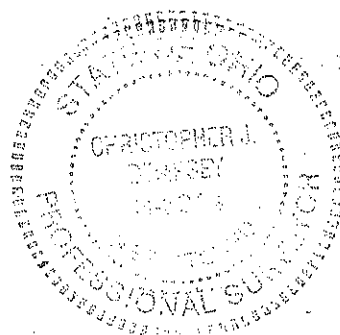
Course 6. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 42 degrees 16 minutes 36 seconds West a distance of 20.15 feet to a point;

- Course 7. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 87 degrees 30 minutes 58 seconds West a distance of 19.13 feet to a point;
- Course 8. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 74 degrees 45 minutes 14 seconds West a distance of 35.75 feet to a point;
- Course 9. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 71 degrees 49 minutes 49 seconds West a distance of 52.73 feet to a point;
- Course 10. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 67 degrees 27 minutes 00 seconds West a distance of 32.22 feet to a point;
- Course 11. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 77 degrees 30 minutes 20 seconds West a distance of 35.22 feet to a point;
- Course 12. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 87 degrees 17 minutes 20 seconds West a distance of 21.56 feet to a point on the southerly end of an existing sheet pile bulkhead;
- Course 13. Thence continuing along the existing sheet pile bulkhead, North 18 degrees 58 minutes 39 seconds West a distance of 80.62 feet to a point;
- Course 14. Thence North 69 degrees 59 minutes 32 seconds East a distance of 4.33 feet to a point;
- Course 15. Thence South 18 degrees 38 minutes 19 seconds East a distance of 81.16 feet to a point;
- Course 16. Thence South 87 degrees 17 minutes 20 seconds East a distance of 7.24 feet to a point;
- Course 17. Thence North 71 degrees 20 minutes 11 seconds East a distance of 9.05 feet to a point;
- Course 18. Thence North 18 degrees 46 minutes 59 seconds West a distance of 84.00 feet to a point;
- Course 19. Thence North 71 degrees 13 minutes 01 seconds East a distance of 4.40 feet to a point;
- Course 20. Thence South 18 degrees 46 minutes 59 seconds East a distance of 84.00 feet to a point;
- Course 21. Thence North 71 degrees 20 minutes 11 seconds East a distance of 11.00 feet to a point;
- Course 22. Thence North 18 degrees 39 minutes 49 seconds West a distance of 210.00 feet to a point;

- Course 23. Thence North 71 degrees 20 minutes 11 seconds East a distance of 17.20 feet to a point;
- Course 24. Thence South 18 degrees 39 minutes 49 seconds East a distance of 209.98 feet to a point;
- Course 25. Thence North 71 degrees 20 minutes 11 seconds East a distance of 52.00 feet to a point;
- Course 26. Thence North 18 degrees 39 minutes 49 seconds West a distance of 210.00 feet to a point;
- Course 27. Thence North 71 degrees 20 minutes 11 seconds East a distance of 17.20 feet to a point;
- Course 28. Thence South 18 degrees 39 minutes 49 seconds East a distance of 205.00 feet to a point;
- Course 29. Thence North 71 degrees 20 minutes 46 seconds East a distance of 84.60 feet to a point;
- Course 30. Thence South 18 degrees 23 minutes 46 seconds East a distance of 144.00 feet to a point;
- Course 31. Thence South 63 degrees 33 minutes 58 seconds East a distance of 58.00 feet to a point;
- Course 32. Thence South 17 degrees 22 minutes 34 seconds East a distance of 3.13 feet to the principal place of beginning and containing 0.2683 acres or 11,688 square feet of land as described by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company on September 21, 2010.

Basis of Bearings: Bearings are based on a centerline bearing for Putnam Street of North 04 degrees 57 minutes 25 seconds West as referenced in the deed to J.A.P. Holding Co. II, Inc. recorded in O.R. Vol. 47, Pg. 145 of Erie County Records.


 Christopher J. Dempsey, PS
 Professional Surveyor





Dempsey
Surveying Company

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Parcel No. 3
Submerged Land Lease for
Small Commercial Facility

Situated in the City of Sandusky, County of Erie and State of Ohio and being a parcel of land projecting into Sandusky Bay lying north of Parcel 1 of lands conveyed to J.A.P. Holding Co. II, Inc. by deed recorded in O.R. Vol. 47, Pg. 145 of Erie County Records, said lands having been a part of the former Cleveland, Cincinnati, Chicago and St. Louis Railroad right of way opposite Putnam Street in the 4th Ward, City of Sandusky, and being more particularly described as follows:

Beginning at a monument box found at the intersection of the centerline of Adams Street with the centerline of Putnam Street, thence North 04 degrees 57 minutes 25 seconds West along the centerline of Putnam Street and a vacated portion thereof, a distance of 597.07 feet to a ½ inch iron pin found in the southerly line of said Parcel 1 and the former southerly right of way line of said railroad; Thence along the southerly line of said Parcel 1 and the former southerly line of said railroad, North 50 degrees 07 minutes 25 seconds East a distance of 248.82 feet to the southeasterly corner of said Parcel 1; Thence along the easterly line of said Parcel 1; North 17 degrees 22 minutes 34 seconds West a distance of 50.87 feet to the northeasterly corner thereof and being a point on the shoreline of Sandusky Bay as existed May 9, 1985; Thence along the shoreline of Sandusky Bay as existed May 9, 1985, South 75 degrees 06 minutes 26 seconds West a distance of 19.79 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 67 degrees 35 minutes 31 seconds West a distance of 29.00 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 28 degrees 09 minutes 07 seconds West a distance of 40.73 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 21 degrees 10 minutes 35 seconds West a distance of 52.74 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 09 degrees 11 minutes 17 seconds West a distance of 36.14 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 42 degrees 16 minutes 36 seconds West a distance of 20.15 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 87 degrees 30 minutes 58 seconds West a distance of 19.13 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 74 degrees 45 minutes 14 seconds West a distance of 35.75 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 71 degrees 49 minutes 49 seconds West a distance of 52.73 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 67 degrees 27 minutes 00 seconds West a distance of 32.22 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, South 77 degrees 30 minutes 20 seconds West a distance of 35.22 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 87 degrees 17 minutes 20 seconds West a distance of 21.56 feet to a point on the southerly end of an existing sheet pile bulkhead; Thence continuing along the existing sheet pile bulkhead, North 18 degrees 58 minutes 39 seconds West

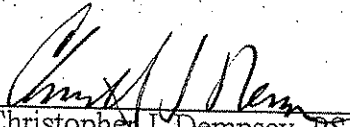
a distance of 546.05 feet to a point on the shoreline of Sandusky Bay as existed May 9, 1985 and the principal place of beginning of the herein described lease premises:

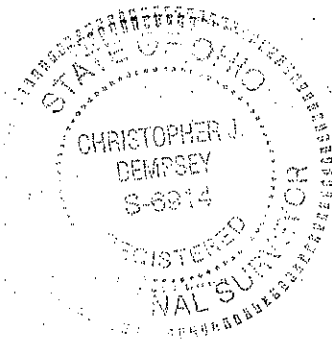
Course 1. Thence along the shoreline of Sandusky Bay as existed May 9, 1985, North 70 degrees 48 minutes 48 seconds West a distance of 24.96 feet to a point;

Course 2. Thence North 68 degrees 41 minutes 11 seconds East a distance of 19.64 feet to a point;

Course 3. Thence South 18 degrees 58 minutes 39 seconds East a distance of 16.22 feet to the principal place of beginning and containing 0.0037 acres or 159 square feet of land as described by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company on September 21, 2010.

Basis of Bearings: Bearings are based on a centerline bearing for Putnam Street of North 04 degrees 57 minutes 25 seconds West as referenced in the deed to J.A.P. Holding Co. II, Inc. recorded in O.R. Vol. 47, Pg. 145 of Erie County Records.

 9-22-10
Christopher J. Dempsey, PS
Professional Surveyor





Dempsey
Surveying Company

12815 DETROIT AVENUE • CLEVELAND, OH 44107-2835 • 216.226.1130 FAX:216.226.1131
www.dempseysurvey.com

Parcel No. 4
Submerged Land Lease for
Small Commercial Facility

Situated in the City of Sandusky, County of Erie and State of Ohio and being a parcel of land projecting into Sandusky Bay lying north of Parcel 1 of lands conveyed to J.A.P. Holding Co. II, Inc. by deed recorded in O.R. Vol. 47, Pg. 145 of Erie County Records, said lands having been a part of the former Cleveland, Cincinnati, Chicago and St. Louis Railroad right of way opposite Putnam Street in the 4th Ward, City of Sandusky, and being more particularly described as follows:

Beginning at a monument box found at the intersection of the centerline of Adams Street with the centerline of Putnam Street, thence North 04 degrees 57 minutes 25 seconds West along the centerline of Putnam Street and a vacated portion thereof, a distance of 597.07 feet to a ½ inch iron pin found in the southerly line of said Parcel 1 and the former southerly right of way line of said railroad; Thence along the southerly line of said Parcel 1, also being the former southerly right of way line of said railroad, South 50 degrees 07 minutes 25 seconds West, a distance of 416.64 feet to the southwesterly corner of said Parcel 1; Thence along the westerly line of said Parcel 1 North 13 degrees 53 minutes 53 seconds West a distance of 35.60 feet to a point on the former centerline of said railroad; Thence North 19 degrees 19 minutes 16 seconds West along the westerly line of said Parcel 1, also being the southerly extension of the shoreline of Sandusky Bay as existed May 9, 1985, passing over the northwesterly corner of said Parcel 1 at a distance of 16.02 feet, and continuing along the shoreline of Sandusky Bay as existed May 9, 1985 a total distance of 42.60 feet to a point; Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985, North 07 degrees 51 minutes 30 seconds West a distance of 41.33 feet to the principal place of beginning of the herein described lease premises:

Course 1. Thence North 51 degrees 55 minutes 19 seconds West a distance of 31.68 feet to a point;

Course 2. Thence North 13 degrees 49 minutes 29 seconds West a distance of 598.00 feet to a point;

Course 3. Thence North 16 degrees 16 minutes 08 seconds West a distance of 284.73 feet to a point;

Course 4. Thence North 68 degrees 41 minutes 11 seconds East a distance of 195.25 feet to a point on the shoreline of Sandusky Bay as existed May 9, 1985;

Course 5. Thence along the shoreline of Sandusky Bay as existed May 9, 1985 South 18 degrees 58 minutes 50 seconds West a distance of 30.00 feet to a point;

Course 6. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 47 degrees 01 minutes 36 seconds West a distance of 14.89 feet to a point;

Course 7. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 45 degrees 12 minutes 41 seconds West a distance of 39.94 feet to a point;

Course 8. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 52 degrees 37 minutes 30 seconds West a distance of 37.17 feet to a point;

Course 9. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 34 degrees 37 minutes 48 seconds West a distance of 39.86 feet to a point;

Course 10. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 08 degrees 42 minutes 28 seconds West a distance of 58.72 feet to a point;

Course 11. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 02 degrees 30 minutes 41 seconds East a distance of 30.54 feet to a point;

Course 12. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 06 degrees 18 minutes 09 seconds East a distance of 25.89 feet to a point;

Course 13. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 10 degrees 27 minutes 52 seconds West a distance of 16.46 feet to a point;

Course 14. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 13 degrees 14 minutes 31 seconds East a distance of 33.97 feet to a point;

Course 15. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 18 degrees 41 minutes 34 seconds East a distance of 36.80 feet to a point;

Course 16. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 11 degrees 31 minutes 55 seconds East a distance of 37.47 feet to a point;

Course 17. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 19 degrees 29 minutes 17 seconds East a distance of 47.47 feet to a point;

Course 18. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 13 degrees 25 minutes 04 seconds East a distance of 29.37 feet to a point;

Course 19. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 20 degrees 04 minutes 41 seconds East a distance of 31.96 feet to a point;

Course 20. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 13 degrees 21 minutes 20 seconds East a distance of 33.18 feet to a point;

Course 21. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 13 degrees 19 minutes 48 seconds East a distance of 60.23 feet to a point;

Course 22. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 11 degrees 45 minutes 26 seconds East a distance of 61.07 feet to a point;

Course 23. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 14 degrees 46 minutes 07 seconds East a distance of 58.23 feet to a point;

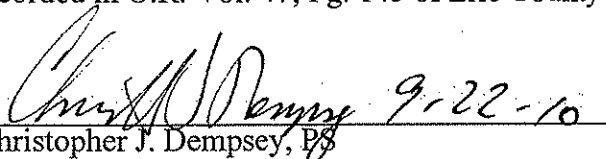
Course 24. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 13 degrees 39 minutes 49 seconds East a distance of 78.14 feet to a point;

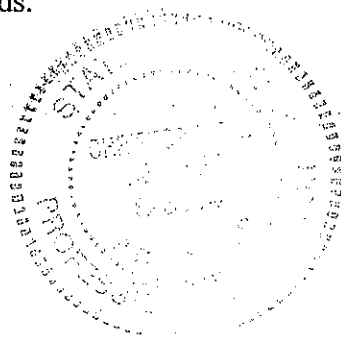
Course 25. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 10 degrees 43 minutes 42 seconds East a distance of 76.54 feet to a point;

Course 26. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 17 degrees 37 minutes 55 seconds East a distance of 69.22 feet to a point;

Course 27. Thence continuing along the shoreline of Sandusky Bay as existed May 9, 1985 South 10 degrees 45 minutes 06 seconds East a distance of 61.03 feet to the principal place of beginning and containing 0.6884 acres or 29,988 square feet of land as described by Christopher J. Dempsey, Professional Surveyor No. 6914, Dempsey Surveying Company on September 21, 2010.

Basis of Bearings: Bearings are based on a centerline bearing for Putnam Street of North 04 degrees 57 minutes 25 seconds West as referenced in the deed to J.A.P. Holding Co. II, Inc. recorded in O.R. Vol. 47, Pg. 145 of Erie County Records.


Christopher J. Dempsey, PS
Professional Surveyor



L31	N 71°49'49" E	52.73'
L32	N 74°45'14" E	35.75'
L33	S 87°30'58" E	19.13'
L34	S 42°16'36" E	20.15'
L35	S 09°11'17" E	36.14'
L36	S 21°10'35" E	52.74'
L37	S 28°09'07" E	40.73'
L38	S 67°35'31" E	29.00'
L39	N 75°06'26" E	19.79'
L40	S 17°22'34" E	50.87'

Christa Dewsey
9-22-10

SITUATED IN THE CITY OF SANDUSKY, COUNTY OF ERIE AND STATE OF OHIO AND BEING A PARCEL OF LAND PROJECTING INTO SANDUSKY BAY LYING NORTH OF AND INCLUDING PARCEL 1 OF LANDS CONVEYED TO J.A.P. HOLDING CO. II, INC. BY DEED RECORDED IN O.R. VOL. 47, PG. 145 OF ERIE COUNTY RECORDS

TITLE: SUBMERGED LANDS LEASE PLAT PLAN	MATRIX ENGINEERING INC 12815 DETROIT AVENUE, LAKEWOOD, OHIO 44107 PHONE No. (216) 226-6520 E-MAIL: MATRIXLAKE@AOL.COM	
PROJECT: NEW 700 TON TRAVELLIFT PIERS AT 202 PUTNAM STREET SANDUSKY, OHIO	SCALE: 1" = 50'	DATE: 06-23-10
	DRAWN BY: OCJ	SHEET No.:
	APPROVED BY: JSM	DRAWING No.: 1610-SLL

7936



DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

KATHRYN MCKILLIPS, P.E.

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933

kmckillips@ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager
From: Kathryn K. McKillips, Engineer
Date: October 26, 2010
Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Change Order No. 1 & Final, Contract # 3 for the Follett Street and Mills Street Elevated Water Tank Project. This change order includes one item to be added to the contract:

1. Additional work as directed to install conduit at the top of the tank for heat trace cable added at the Follett Street Water Tank
- | | | |
|--|-------|------------|
| | ADD | \$1,227.00 |
| | TOTAL | \$1,227.00 |

This issue was first included in the November 16, 2009 Project Progress update for commissioners. Heat tracing was extended to include the sample piping for the aeration suction piping. This work was completed in October 2009 prior to the freezing temperatures of the winter months. Discussions on finalizing the project continued through October 26, 2010 in regards to the radio signalization for the Mills Street Tank, so final payment to the contractor is being held by the City. Arcadis has approved the final change order minus item 2 listed on the form. See attached.

BUDGETARY INFORMATION: The original contract amount is \$136,270.00. The revised contract amount is \$137,497.00, to be paid with Water Funds.

ACTION REQUESTED: It is requested that Change Order No. 1 & Final, Contract # 3 for the Follett Street and Mills Street Elevated Water Tank Project, in the **ADD** amount of \$1,227.00 for one (1) item change performed by All Phase Power & Lighting, Inc., Sandusky, Ohio, be approved in full accordance with Section 14 of the City Charter in order for payment to be made for work performed and to close out the contract.

I concur with this recommendation:

Donald C. Icsman, Acting City Manager

Todd Roth, P.E., P.S., Director of PED

cc: Kelly Kresser, Clerk of City Commission
Hank Solowiej, Finance Director

CHANGE ORDER SUMMARY

ALL PHASE Power and Lighting, Inc.

2122 Campbell Street, PO Box 2515
Sandusky, OH 44871-2515
Phone: 419-626-8140

Fax: 419-626-0500
E-Mail: Dave@4-insight.com
Web Site: www.4insight.com

City of Sandusky, Ohio via

ATTN: Tim Harmsen, PE

Date: 7/15/2010
Page #: 1 of 1

Phone #: 1-419-473-1121
Fax #: 1-419-473-2108
To: Arcadis US, Inc.
One Lake Erie Center 600 Jefferson Ave
Toledo, Ohio 43603-1808

Job Name/Location: City of Sandusky, Ohio
Follett & Mills Street Tanks
Additional Work:
Heat Tracing Conduit at Follett St
Radio Check out at Mills St

Electrical Work Proposal for:

- 1 Additional Work as directed to install conduit at the top of the tank for heat trace cable added at the Follett Street Water Tank on the tank top for the added water piping and valve.

Install GRC conduit, fittings, hangers
completed 10/22/2009

Labor: \$ 1,055.00
Materials: \$ 172.00
Total this work: \$ 1,227.00

~~2 Additional labor to assist with City Check of Mills St Tank radio.~~


~~Labor: \$ 469.00
Total this work: \$ 469.00~~

\$ 1,227.00
~~\$ 1,696.00~~

TOTAL THIS CHANGE ORDER NO. 1:

THIS PROJECT IS 100% COMPLETE.

THIS CHANGE ORDER IS INCLUDED IN THE PROJECT FINAL INVOICE.


Authorized Signature
David A. Stein, VP

The above prices, specifications and conditions are satisfactory and are hereby accepted.

date name signature

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND RATIFYING THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED FOR THE FOLLETT STREET AND MILLS STREET ELEVATED WATER TANK PROJECT IN THE AMOUNT OF \$1,227.00 TO BE PAID TO ALL PHASE POWER & LIGHTING, INC., 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 declared the necessity to proceed with the Follett Street and Mills Street Elevated Water Tank Project by the passage of Resolution No. 034-07R, passed on November 26, 2007; and

WHEREAS, this City Commission authorized the City Manager to enter into a Professional Services Agreement with ARCADIS U.S., Inc. to perform bidding, construction administration, and resident inspection services for the Follett Street and Mills Street Elevated Water Tank Project by the passage of Ordinance No. 08-005, passed on January 28, 2008; and

WHEREAS, this City Commission approved the awarding of Contract 3 (electrical work for both towers) to All Phase Power & Lighting, Inc., of Sandusky, Ohio, for work being performed for the Follett Street and Mills Street Elevated Water Tank Project by Ordinance No. 08-010, passed on February 25, 2008; and

WHEREAS, this First & Final Change Order provides for the addition of one (1) item to the contract and is listed as follows:

Additional work as directed to install conduit at the top of the tank for heat trace cable added at the Follett Street Water Tank.	ADD	\$1,227.00
	TOTAL	\$1,227.00
		; and

WHEREAS, the original contract with All Phase Power & Lighting, Inc., is \$136,270.00 and with the addition of this First & Final Change Order in the amount of \$1,227.00, the final contract cost is \$137,497.00, and will be paid with Water Funds; 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 for payment to be made for work performed and for the contract to be finalized and closed out; 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, including the Division of Engineering 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 & Final Change Order for work performed for the Follett Street and Mills Street Elevated Water Tank Project at an amount not to exceed One Thousand Two Hundred Twenty Seven and 00/100 Dollars (\$1,227.00), resulting in the final contract cost of One

Hundred Thirty Seven Thousand Four Hundred Ninety Seven and 00/100 Dollars (\$137,497.00) with All Phase Power & Lighting, Inc., 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.

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: November 8, 2010

CHANGE ORDER SUMMARY

ALL PHASE Power and Lighting, Inc.

2122 Campbell Street, PO Box 2515

Sandusky, OH 44871-2515

Phone: 419-626-8140

Fax: 419-626-0500

E-Mail: Dave@4-insight.com

Web Site: www.4-insight.com

City of Sandusky, Ohio via
ATTN: Tim Harmsen, PE

Date: 7/15/2010
Page #: 1 of 1

Phone #: 1-419-473-1121

Fax #: 1-419-473-2108

To: Arcadis US, Inc.

One Lake Erie Center 600 Jefferson Ave
Toledo, Ohio 43603-1808

Job Name/Location: City of Sandusky, Ohio
Follett & Mills Street Tanks
Additional Work:
Heat Tracing Conduit at Follett St
~~Radio Checkout at Mills St~~

Electrical Work Proposal for:

- 1 Additional Work as directed to install conduit at the top of the tank for heat trace cable added at the Follett Street Water Tank on the tank top for the added water piping and valve.

Install GRC conduit, fittings, hangers
completed 10/22/2009

Labor: \$ 1,055.00
Materials: \$ 172.00
Total this work: \$ 1,227.00

~~2 Additional labor to assist with City Check of Mills St Tank radio~~

~~Labor: \$ 469.00
Total this work: \$ 469.00~~

\$ 1,227.00
~~\$ 1,696.00~~

TOTAL THIS CHANGE ORDER NO. 1:

THIS PROJECT IS 100% COMPLETE.

THIS CHANGE ORDER IS INCLUDED IN THE PROJECT FINAL INVOICE.

David A. Stein
Authorized Signature

David A. Stein, VP

The above prices, specifications and conditions are satisfactory and are hereby accepted.

date name signature

To: Donald C. Icsman, Acting City Manager
From: Kathryn K. McKillips, P.E., Engineer
Date: October 26, 2010
Subject: Commission Agenda Item

Item for Consideration: Legislation ratifying payment to Erie County Sanitary Engineering for the disposal of debris from the Tricor Property in the amount of \$17,569.60 and appropriating additional funds in the amount of \$35,000.00 for the disposal of the remaining debris.

Debris was removed from the Tricor property at the beginning of the marina work. The debris was removed from Tricor and hauled to BIWW in order not to delay the marina contractor. The landfill would only take ten loads per day which would not provide enough disposal capacity to meet the contractor's schedule, so BIWW was utilized temporarily for storage of the debris until City crews could haul the debris to the landfill. The City Commission was informed of this at its June 28, 2010, regularly scheduled meeting.

The removal of the debris piles at the Tricor Property was the City's responsibility. This work was not included in the construction contract for the marina.

Budgetary Information: The current invoice for the month of September is \$17,569.60. It is anticipated that an additional amount of \$35,000 will be needed for the remainder of the piles of debris. It is requested that an amount up to \$52,569.60 be approved for payment, as needed. Tax Increment Financing (TIF) will be used to pay for the disposal. The September invoice was approved for payment by motion at the City Commission meeting on October 25, 2010.

Action Requested: It is requested that the proper legislation ratifying payment to Erie County Sanitary Engineering in the amount of \$17,569.60 and authorizing the Finance Director to expend additional funds in an amount not to exceed \$35,000.00 be passed in accordance with Section 14 of the City Chapter in order to ratify the payment made to Erie County Sanitary Engineering and allow additional payments to be made in a timely manner for services to be provided for the disposal of the remaining debris.

I concur with this recommendation:

Todd Roth, P.E, P.S., Director of PED

Donald C. Icsman, Acting City Manager

cc: Donald C. Icsman, Law Director
Kelly Kresser, Commission Clerk
Hank Solowiej, Finance Director

ORDINANCE NO. _____

AN ORDINANCE APPROPRIATING FUNDS AND RATIFYING THE PAYMENT MADE TO ERIE COUNTY SANITARY ENGINEERING AND APPROVING PAYMENTS TO BE MADE TO ERIE COUNTY SANITARY ENGINEERING FOR THE DISPOSAL OF DEBRIS FROM THE TRICOR PROPERTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, in order to proceed with the Paper District Marina Project and not to delay the contractor, it was necessary to remove the debris from the Tricor property and since the landfill could only accommodate ten loads per day which would not provide enough disposal capacity to meet the contractor's schedule, the debris was temporarily stored at the Big Island Water Works until City crews were available to transport the debris to the landfill; and

WHEREAS, the total cost for services already provided for the disposal of debris is \$17,569.60, as reflected on the current September invoice submitted to the City, and it is anticipated that an additional sum of \$35,000.00 will be needed to dispose of the remaining debris for a total estimated cost of \$52,569.60 to dispose of all the debris from the Tricor property and these costs will be paid with Tax Increment Financing (TIF) funds; 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 made to Erie County Sanitary Engineering for services provided and allow for payments to be made in a timely manner for services to be provided for the removal of the remaining debris from the Tricor property; 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, including the Division of Engineering 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 payment made to Erie County Sanitary Engineering for services provided for the disposal of debris from the Tricor property consistent with the invoice submitted to the City in an amount not to exceed Seventeen Thousand Five Hundred Sixty Nine and 60/100 Dollars (\$17,569.60).

2. This City Commission authorizes and directs the City Manager and/or Finance Director to appropriate funds in an amount not to exceed Thirty Five Thousand and 00/100 Dollars (\$35,000.00) to make timely payments to Erie County Sanitary Engineering for services to be provided for the disposal of the remaining debris from the Tricor property currently being stored at the Big Island Water Works site.

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.

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: November 8, 2010



DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

KATHRYN MCKILLIPS, P.E.

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933

kmckillips@ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager
From: Kathryn K. McKillips, Engineer
Date: October 25, 2010
Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Change Order No. 7, General Trades and Electric Contract for the Wastewater Treatment Plant Expansion Project Phase II. The added work will be performed by Mosser Construction of Fremont, Ohio, in the amount of \$21,901.69. This cleanup Change Order for the Sludge Storage Area includes three (3) item changes that are recommended for approval by the Project Manager, Jones & Henry Engineers, Ltd. City Staff concurs with the recommended approval.

1. Additional Rock Excavation at the Sludge Storage Site for tank installation	ADD	12,092.10
2. Install two used gates at the Sludge Storage Site. One gate came from the WWTP and the other was relocated at the landfill	ADD	4,220.70
3. Water meter fees and chamber and connection fees. City crews installed the new 2" line	ADD	5,588.89
	TOTAL	\$21,901.69

Concrete elevations were adjusted in order to minimize the rock excavation quantity. The water meter and chamber and connection fees were not included in the original drawings for the Sludge Storage Area. These items were necessary to connect to the County's water distribution system. This work was completed as part of the Sludge Storage construction in order to not delay the contractor. The work performed was off site, as opposed to being at the WWTP, at the old landfill on Old Railroad. Any delay could have cost mobilization charges. Information on this possible change order was provided in the Engineering Department's Project Update dated September 27, 2010.

BUDGETARY INFORMATION: The Change Order No. 7 will increase the contract with Mosser Construction by \$21,901.69. The revised contract amount is \$16,738,928.19. The City's share of the change order is \$13,381.93 to be paid with Sewer Funds through the project's OWDA loan. Erie County's share is \$8,519.76.

ACTION REQUESTED: It is requested that the Wastewater Treatment Plant Expansion Project Phase II Change Order No. 7, General trades and electric contracts, in the amount of \$21,901.69 for three (3) item changes to be performed by Mosser Construction, Fremont, Ohio, be approved in full accordance with Section 14 of the City Charter in order to pay for services performed.

I concur with this recommendation:

Donald C. Icsman, Acting City Manager

cc: Don Icsman, Law Director
Kelly Kresser, Clerk of City Commission
Hank Solowiej, Finance Director

WWTP Expansion Phase II			
Mosser Construction G&E	CHANGE ORDER	RUNNING TOTAL	% of ORIGINAL CONTRACT
Original Contract		\$ 16,500,000.00	
CO1	\$ 18,345.64	\$ 16,518,345.64	0.11%
CO2	\$ 26,849.96	\$ 16,545,195.60	0.16%
CO3	\$ 128,195.26	\$ 16,673,390.86	0.78%
CO4	\$ 23,233.28	\$ 16,696,624.14	0.14%
CO5	\$ 10,820.60	\$ 16,707,444.74	0.07%
CO6	\$ 9,581.76	\$ 16,717,026.50	0.06%
CO7	\$ 21,901.69	\$ 16,738,928.19	0.13%
TOTAL CHANGE ORDER	\$ 238,928.19		1.45%

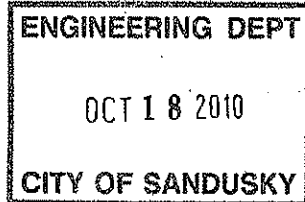


Jones & Henry Engineers, Ltd.

2000 WEST CENTRAL AVENUE, TOLEDO, OHIO 43606 • 419/473-9611
www.jheng.com FAX • 419/473-8924

October 13, 2010

Kathryn K. McKillips, P.E.
Deputy City Engineer
Department of Planning, Engineering & Development
Division of Engineering
222 Meigs Street
Sandusky, Ohio 44870



Subject: City of Sandusky, Ohio
Wastewater Treatment Plant Improvements, Phase II Expansion
Contracts G, P, E, & H
Sludge Storage and Vector Dumping Area
Additional Costs
026-5991.001

Dear Ms. McKillips:

Attached, are the additional costs and change order request for additional work at the sludge storage site.

In summary, the additional work involved:

1. The rock elevations at the new landfill site were higher than the previous site, and the Contractor encountered approximately two feet of additional rock when excavating for the septic tanks. Concrete elevations were adjusted as much as possible to minimize the additional rock excavation. The rock excavation was performed on a time-and-material basis.

Time and expense sheets were collected to document the costs.

The additional rock excavation totaled \$12,092.10.

2. The wastewater plant requested the installation of two additional gates at the new site to provide security for the site. This was a new request.

Total for the additional gates is \$4,220.70.

The two gates are not new but re-utilized gates, one from the WWTP and the moving of a gate already at the site.

3. The Contract Drawings did not include a water meter or meter chamber, or any of the County tap fees as part of the project.

Following discussions, it was decided that the line size be reduced from 6 inch to 2 inch prior to the meter chamber to reduce costs. Additionally, City crews were able to install much of the 2-inch line and yard hydrants.



Jones & Henry Engineers, Ltd.

Kathryn K. McKillips, P.E.
026-5991.001
October 13, 2010
Page 2

A credit of \$9,666.80 was received for the work installed by the City crews.

The City crews were not prepared to provide the trench vents previously required by OEPA when the site was moved to the landfill. The Contractor's cost to provide the vents is \$1,881.00.

The County's Connection & Permit fee is \$4,650.59.

The Contractor's fee to utilize the County's required tapping saddle and install the meter chamber and connect the 2-inch piping is \$8,724.20.

By changing the line size to 2 inch and the City's efforts to install the 2 inch line, the completed meter chamber was installed for only \$938.30 more than the required County tap fee.

Total for the water line revisions is \$5,588.89.

Total for the three items is \$21,901.69.

We have included the change request, drawings, and Contractor's quotations.

If you have any questions, please feel free to call.

Sincerely,

JONES & HENRY ENGINEERS, LTD.

Daniel W. Miller, P.E.
Director of Wastewater

DWM/rmb
Enc.

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND RATIFYING THE SEVENTH CHANGE ORDER FOR WORK BEING PERFORMED FOR THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT PHASE II IN THE AMOUNT OF \$21,901.69 TO BE PAID TO MOSSER CONSTRUCTION OF FREMONT, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission authorized the City Manager to enter into an agreement with Jones & Henry Engineers, Ltd. for Professional Design Services for the Wastewater Treatment Plant Expansion Project Phase II by Ordinance No. 07-010, passed on February 12, 2007, and subsequently amended by Ordinance No. 08-060, passed on July 14, 2008; and

WHEREAS, this City Commission declared the necessity to proceed with the Wastewater Treatment Plant Expansion Project Phase II by Resolution No. 021-08R, passed on August 25, 2008; and

WHEREAS, this City Commission approved the awarding of Contracts G (General Trades) & E (Electrical) to Mosser Construction of Fremont, Ohio, for work being performed for the Wastewater Treatment Plant Expansion Project Phase II by Ordinance No. 08-102, passed on October 14, 2008; and

WHEREAS, this City Commission authorized the City Manager to enter into an agreement with Jones & Henry Engineers, Ltd. for Professional Construction Services, which included requests for change orders, for the Wastewater Treatment Plant Expansion Project Phase II by Ordinance No. 08-117, passed on November 10, 2008; and

WHEREAS, this Seventh Change Order provides for three (3) item changes that are recommended for approval by the Project Manager, Jones & Henry Engineers, Ltd. and are listed as follows:

1. Additional Rock Excavation at the Sludge Storage Site for tank installation.	ADD	\$12,092.10
2. Install two used gates at the Sludge Storage Site. One gate came from the WWTP and the other was relocated at the landfill.	ADD	\$4,220.70
3. Water meter fees and chamber and connection fees. City crews installed the new 2" line.	ADD	\$5,588.89
	TOTAL	<u>\$21,901.69</u>

WHEREAS, this work was necessary to connect to the County's water distribution system and completed as part of the Sludge Storage construction in order to not delay the contractor and information regarding a possible change order was provided in the Engineering Department's Project Update dated September 27, 2010; and

WHEREAS, the current contract with Mosser Construction is \$16,717,026.50 and with the addition of this Seventh Change Order in the amount of \$21,901.69, the revised contract cost is \$16,738,928.19, and pursuant to the Sewer Services Agreement the City's portion of the change order is 61.1% or \$13,381.93 and will be paid with Sewer Funds through the project's OWDA loan and the County's share is 38.9% or \$8,519.76; 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 make payment for services performed 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 Municipal Departments, including the Division of Engineering 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 Seventh Change Order for work performed for the Wastewater Treatment Plant Expansion Project Phase II in an amount not to exceed Twenty One Thousand Nine Hundred One and 69/100 Dollars (\$21,901.69) to be paid to Mosser Construction of Fremont, Ohio.

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

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

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

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER

PAGE 3 - ORDINANCE NO. _____

CLERK OF THE CITY COMMISSION

Passed: November 8, 2010



DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

KATHRYN MCKILLIPS, P.E.

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933

kmckillips@ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager
From: Kathryn K. McKillips, P.E., Engineer
Date: October 26, 2010
Subject: Commission Agenda Item

Item for Consideration: Legislation to purchase meters and parts from HD Supply Waterworks pertaining to the replacement of water meters for the water distribution system within the City of Sandusky.

In 2005, Ordinance No. 05-143 was passed by Commission which allocated \$252,011.64 to the purchase of larger water meters that required replacement due to age and diminished accuracy from Sensus. To date the City has purchased meters and parts totaling \$69,003.74 which leaves a balance of \$183,007.90 remaining on Ordinance No. 05-143.

Sensus recently recommended that the City purchase Sensus meters from the local distributor, HD Supply Waterworks, Ashland, Ohio. One of the main reasons to use HD Supply is that they have Sensus Trained Specialists that have smaller territories than the factory reps. HD could act as a project manager during any meter installation project the City may do. The City has purchased materials and equipment from both companies in the past. The cost of the meters is relatively the same due to the quantity that HD Supply purchases from Sensus. The meters and parts for the Muirwood meter replacement project as part of the acceptance of the watermains in the apartment complex were purchased from HD Supply, however Ord. No. 05-143 was specific to Sensus and not HD Supply. Water Distribution will continue to purchase all meters and parts from HD Supply as recommended by Sensus with this ordinance. Therefore, it is requested that a new ordinance for purchase of meters and parts from HD Supply Waterworks be approved.

Budgetary Information: To be paid with Water (50%) and Sewer Funds (50%). No new funds are being allocated with this request.

Action Requested: It is requested that the proper legislation be prepared to authorize the purchase of meters and parts from HD Supply Waterworks in the amount of \$183,007.90 for the distribution system within the City of Sandusky and that it be passed in accordance with Section 14 of the City Chapter in order to pay HD Supply for materials received and continue with meter replacements within the City.

I concur with this recommendation:

Donald C. Icsman
Acting City Manager

Todd Roth, P.E, P.S.
Director of PED

cc: Kelly Kresser, Commission Clerk
Hank Solowiej, Finance Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE REPLACEMENT WATER METERS AND RELATED PARTS FROM HD SUPPLY WATERWORKS OF ASHLAND, OHIO, FOR THE WATER DISTRIBUTION SYSTEM WITHIN THE CITY OF SANDUSKY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission previously authorized the purchase of replacement water meters for the Division of Water Distribution from Sensus Metering Systems of Uniontown, Pennsylvania, by Ordinance No. 05-143, passed on September 12, 2005; and

WHEREAS, Sensus Metering Systems recently recommended that the City purchase Sensus meters from the local distributor, HD Supply Waterworks as they have Sensus Trained Specialists with a smaller territory than the factory representatives and is located in Ashland, Ohio; and

WHEREAS, to date the City has purchased meters and parts totaling \$69,003.74, which leaves a remaining balance of \$183,007.90 appropriated funds; and

WHEREAS, it is requested that this balance of appropriated funds for the purchase of replacement water meters from Sensus Metering Systems in the amount of \$183,007.90 be re-appropriated for the purchase of replacement water meters and related parts from HD Supply Waterworks of Ashland, Ohio; the costs will be paid 50% with Water Funds and 50% with Sewer Funds; 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 to HD Supply for materials received and continue with meter replacements within the City; 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, including the Division of Engineering 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 purchase replacement water meters and related parts for the water distribution system within the City from HD Supply Waterworks of Ashland, Ohio, at an amount not to exceed One Hundred Eighty Three Thousand Seven and 90/100 Dollars (\$183,007.90).

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

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were

taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST:

KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: November 8, 2010



DEPARTMENT OF GENERAL SERVICES

Scott A. Miller, Director
smiller@ci.sandusky.oh.us

1024 Cement Avenue
Sandusky, OH 44870

Fleet Maintenance
Greenhouse
Horticultural Services
Oakland Cemetery & Memorial Park
Municipal Buildings
Traffic Services
Recreation

419.627.5984 PHONE
419.627.5911 FAX

www.ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager

From: _____
Scott A. Miller, Director of General Services

Date: October 26, 2010

Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Legislation declaring the 1990 Ford Model 710 Leaf Loader as being unnecessary and unfit for City use and authorizing entering into an agreement with the City of Willard, Ohio for the sale of the Ford 710 Leaf Loader.

BACKGROUND INFORMATION: The City of Sandusky owns a 1990 Model 710 Ford Leaf Loader used for picking up leaves in the fall. The leaf loader is very worn and at the point of being unserviceable deemed by the Fleet Maintenance Supervisor. The machine is obsolete, parts are near impossible to locate, and very expensive to purchase if found. The Leaf Loader has not been used for the last two years because of breakdowns. The Traffic Division currently uses a vacuum type leaf machine for leaf collection and the General Services Department has recently acquired another vacuum type leaf machine to replace the 1990 mechanical leaf loader.

BUDGETARY INFORMATION: The City of Willard has offered \$2,500.00 for the purchase the leaf loader from the City of Sandusky. The City of Willard uses a similar machine for leaf collection and intends to use the Leaf Loader for spare parts. The Fleet Maintenance Supervisor and Director of General Services have determined that this is a fair price and better than what would be expected if the machine was auctioned on Gov Deals.Com and are recommending the sale of this leaf loader to the City of Willard. In addition to obtaining the maximum return to the City for the sale of the leaf loader, it is our desire to support and cooperate with other governmental entities especially during the current economical conditions.

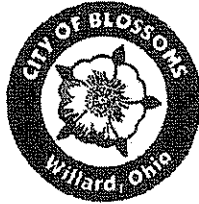
ACTION REQUESTED: It is requested that the proper legislation be prepared declaring the 1990 Model 710 Ford Leaf Loader as being unnecessary and unfit for City use and authorize an agreement to sell the 1990 Ford 710 Leaf Loader to the City of Willard, Ohio. It is also requested that this resolution be passed under suspension of the rules and in accordance with Section 14 of the City Charter so that the City of Willard can take ownership of the machine as it is time for leaf collection to begin.

I concur with the recommendation:

Donald C. Icsman
Acting City Manager

SANDUSKY, OHIO – HOME OF ‘AMERICA’S ROLLER COAST’®

City of Willard



631 Myrtle Avenue
P.O. Box 367, Willard, OH 44890-0367
www.willardohio.com

October 6, 2010

Attn: Scott Miller

City of Sandusky
222 Meigs Street
Sandusky OH 44870

To Whom It May Concern:

If available, the City of Willard would be interested in purchasing the used Ford 710 Leaf Loader currently owned by the City of Sandusky for \$2, 500.00.

It is our understanding that the Leaf Loader is being sold "as-is" with no implied warranty or guarantee, and that the City of Sandusky has legal authority to direct sell the leaf loader to the City of Willard.

Please contact me with any questions regarding this letter.

Respectfully,

CITY OF WILLARD

A handwritten signature in black ink that reads "Brian Humphress". The signature is written in a cursive style with a large initial "B".

Brian Humphress
City Manager

ORDINANCE NO. _____

A ORDINANCE DECLARING THE 1990 FORD MODEL 710 LEAF LOADER AS BEING UNNECESSARY AND UNFIT FOR CITY USE PURSUANT TO SECTION 25 OF THE CITY CHARTER, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR ITS SALE TO THE CITY OF WILLARD; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the General Services Division has a 1990 Ford Model 710 Leaf Loader that has not been used in the past two years and is very worn and deemed unserviceable by the Fleet maintenance Supervisor and is recommending that this 1990 Ford Model 710 Leaf Loader be declared unnecessary and unfit for City use; and

WHEREAS, Section 25 of the City Charter authorizes the City Manager to sell personal property that the City Commission may authorize to be sold as having become unnecessary and unfit for City use; and

WHEREAS, the City of Willard has offered to purchase the 1990 Ford Model 710 Leaf Loader for \$2,500.00 and the General Services Director and the Fleet Maintenance Supervisor have determined that this a fair price and given our current economical climate recognize the need for support and cooperation between governmental entities and are recommending the sale of this leaf loader to the City of Willard; 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 contract and deliver the 1990 Ford Model 710 Leaf Loader to the City of Willard as soon as practicable as it is the leaf collection season; 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, including the Department of General 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 finds and determines that the 1990 Ford Model 710 Leaf Loader is unnecessary and unfit for the City use pursuant to Section 25 of the City Charter and authorizes and directs the City Manager to enter into a contract with the City of Willard for the sale of the 1990 Ford Model 710 Leaf Loader for the price of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00).

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

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this ORDINANCE were

taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

ATTEST: _____
KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: November 8, 2010