



**CITY OF SANDUSKY COMMISSIONERS**  
**REGULAR SESSION AGENDA**  
**April 26, 2010 at 5 p.m.**  
**City Hall, 222 Meigs Street**

**INVOCATION, PLEDGE OF ALLEGIANCE**

**CALL TO ORDER**

**ROLL CALL**

K. Nuesse, J. Farrar, D. Waddington, B. Fuqua, P. Brown, D. Kaman & J. Hamilton

**APPROVAL OF MINUTES**

April 12, 2010

**AUDIENCE PARTICIPATION**

Agenda Items Listed Below Only (3 minute limit)

**PROCLAMATIONS**

Motorcycle Awareness Month

Arbor Day

**PUBLIC HEARING**

2010 Annual Plan

**PRESENTATIONS**

Sandusky City Tree Commission

**COMMUNICATIONS**

Motion to accept all Communications submitted below

**ITEM #1 – Submitted by Michele Hall, Recreation Program Supervisor**

**Budgetary Information:** The agreements will not result in any additional budgetary expenses. The city will benefit from the agreed upon service of restroom cleaning and restocking to be done by Double S Industries.

**ORDINANCE NO. \_\_\_\_:** It is requested an Ordinance be passed authorizing and directing the City Manager to enter into an Agreement with Double S Industries, Inc., (d.b.a. Bay Area Bike Rentals) for the Shoreline Park concession stand beginning May 31, 2010, through September 6, 2010; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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

**Budgetary Information:** The revised project cost based on bids, including engineering, inspection, advertising and miscellaneous expenses is \$59,763. The city is responsible for the entire project cost, and it will be paid with Water Funds.

**ORDINANCE NO. \_\_\_\_:** It is requested an Ordinance be passed authorizing and directing the City Manager to award a contract to Speer Bros., Inc., of Sandusky, Ohio, for the Bardshar Road Water Main at Cold Creek project; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM #3 – Submitted by Charlie Sams, Interim Chief of Police**

**Budgetary Information:** Firelands Regional Medical Center (FRMC) is the sole provider of contractually required annual testing for police officers within the City of Sandusky. Having the tests performed within the city allows police officers to be tested while on duty and, therefore, avoids the additional expense of overtime. There are 35 employees that are eligible for physicals at a cost not to exceed \$24,517.50. The cost for the exams was included in the Police Department's 2010 budget.

**ORDINANCE NO. \_\_\_\_:** It is requested an Ordinance be passed authorizing and directing the City Manager to expend funds to Firelands Corporate Health Center of Sandusky, Ohio, for annual physicals, drug screens, chest x-rays and treadmill stress tests to be completed for the Sandusky Police Department in CY 2010; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM #4 – Submitted by Carrie Handy, Chief Planner**

**Budgetary Information:** The cost of this contract is covered by FY 2009 Community Development Block Grant (CDBG) Program funds not to exceed \$22,500. There will be no impact on the City's general Fund.

**ORDINANCE NO. \_\_\_\_:** It is requested an Ordinance be passed authorizing and directing the City Manager to enter into an agreement for professional design services with the Collaborative Inc., for the Lions Park project; 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**

# PROCLAMATION

**WHEREAS**, American Bikers Aimed Toward Education, Inc. (ABATE) of Ohio is a not-for-profit organization dedicated to preserving the rights, improving the image, and promoting safe operating practices of Ohio motorcyclists; and

**WHEREAS**, motorcycle riding is a popular form of transportation and recreation for over two hundred thousand people across the state and millions across the nation; and

**WHEREAS**, in an effort to make motorcycling in Ohio a safer and more enjoyable sport, motorcycling organizations from around the state are now planning a collective venture to promote Motorcycle Awareness; and

**WHEREAS**, Ohio is a national leader in motorcycle registrations and production; and

**WHEREAS**, it is especially important that the citizens of our State be aware of motorcycles on the streets and highways, and recognize the importance of motorcycle safety; and

**WHEREAS**, all motorcycle organizations, clubs, dealerships, groups and highway safety officials in our state should join with the Motorcycle Ohio Program and ABATE of Ohio, Inc., in actively promoting safe operation, increased rider training, improved licensing efforts and motorist awareness; and

**WHEREAS**, during this month, all roadway and highway users should unite in the safe sharing of roads throughout the State of Ohio; and **NOW THEREFORE**

I, Daniel J. Kaman, President of the City Commission of the City of Sandusky, Ohio, do hereby declare May, 2010 as:

## **“Motorcycle Awareness Month”**

in the City of Sandusky, Ohio, and urge all members of the community to join in recognition of this significant occasion and the achievements above mentioned.

Dated this 26<sup>th</sup> day of April, 2010.

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Daniel J. Kaman, President  
Sandusky City Commission  
City of Sandusky, Ohio

# PROCLAMATION

*WHEREAS*, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

*WHEREAS*, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and Arbor Day is now observed throughout the nation and the world; and

*WHEREAS*, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

*WHEREAS*, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

*WHEREAS*, trees in our City increase property values, enhance the economic vitality of business areas and beautify our community; and

*WHEREAS*, trees, wherever they are planted, are a source of joy and spiritual renewal; and

*WHEREAS*, Sandusky has been recognized as a Tree City U.S.A. by the National Arbor Day Foundation and desires to continue its tree-planting practices, **NOW THEREFORE**

I, Daniel J. Kaman, President of the Sandusky City Commission, do hereby proclaim Saturday, May 1, 2010:

## “ARBOR DAY”

in the City of Sandusky, Ohio, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and to plant trees to gladden the heart and promote the well being of this in future generations.

Dated this 26<sup>th</sup> day of April, 2010.

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Daniel J. Kaman, President  
Sandusky City Commission  
City of Sandusky, Ohio



TO: Don Icsman, Acting City Manager

FROM: Michele Hall, Recreation Program Supervisor

DATE: April 12, 2010

RE: Item for Commission Agenda  
Shoreline Park Concession Agreement 2010

**ITEMS FOR CONSIDERATION:**

Legislation to enter into an Agreement with Double S Industries for the lease of the Shoreline Park Concession Stand for the operation of their Bay Area Bike Rental (May 31, 2010 to September 6, 2010) beginning May 31, 2010.

**BACKGROUND INFORMATION:**

The City of Sandusky has leased the Shoreline Park Concession Stand to Double S Industries for the operation of their Bay Area Bike Rental since the year 2007. With the success of these past years, the lessor would like to lease the concession stand for the 2010 season.

**BUDGET IMPACT:**

The agreements will not result in any additional budgetary expenses. The City will benefit from the agreed upon service of restroom cleaning and restroom restocking to be done by Double S Industries.

**ACTION REQUESTED:** It is requested that legislation be approved authorizing the City Manager to enter into an Agreement with Double S Industries for the lease of the Shoreline Park Concession Stand. It is further requested that the legislation take immediate effect in full accordance with Section 14 of the City Charter in order to allow the Agreement to be fully executed prior to the commencing date of May 31, 2010.

I concur with this recommendation.

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Scott Miller, General Services Superintendent

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Don Icsman, Acting City Manager

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DOUBLE S. INDUSTRIES, INC. (D.B.A. BAY AREA BIKE RENTALS) FOR THE SHORELINE PARK CONCESSION STAND BEGINNING MAY 31, 2010, THROUGH SEPTEMBER 6, 2010; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky has leased the Shoreline Park Concession Stand to Double S Industries since the year 2007 for the operation of a bike rental business and concession stand and with the success of these past years the lessor would like to lease the concession stand for the 2010 season; and

**WHEREAS**, this agreement will not result in any additional budgetary expenses and the City will benefit from the agreed upon maintenance and restocking of supplies by Double S. Industries for the public restroom facilities; and

**WHEREAS**, this legislation should be passed under suspension of the rules as an emergency measure in accordance with Section 14 of the City Charter in order to allow the Agreement to be fully executed prior to the commencing date of May 31, 2010; 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 Recreation of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to enter into an Agreement with Double S. Industries, Inc. (d.b.a. Bay Area Bike Rentals) for the Shoreline Park Concession Stand located in the City of Sandusky for the 2010 operating season beginning May 31, 2010, and concluding on September 6, 2010, substantially in the same form as Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

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: April 26, 2010

To: Donald C. Icsman, Acting City Manager  
From: Kathryn K. McKillips, Engineer  
Date: April 13, 2010  
Subject: Commission Agenda Item

**ITEM FOR CONSIDERATION:** An ordinance awarding a contract to Speer Bros., Inc., Sandusky, Ohio for the Bardshar Road Water Main at Cold Creek Project. The water main on Bardshar at Cold Creek was disconnected to accommodate the replacement of the bridge by the Erie County Engineer's Office. Previously, the main was connected to the bridge. In order to demolish the existing bridge, the main had to be removed. Now that the new bridge is complete and in place, a new main can be installed. The new water main will be directionally bored under the creek which would alleviate the need to attach it to the new bridge.

The following two (2) bids were received on April 5, 2010:

Speer Bros., Inc.	Sandusky, Ohio	\$52,763.00
D & S Utility Construction Inc	LaGrange, Ohio	\$61,062.00

The bid from Speer Bros., Inc. was determined to be the lowest and best bid. D & S Utility's bid exceeded the Engineer's Estimate (\$51,000.00) by more than 10%.

**BUDGETARY INFORMATION:** The revised project cost based on bids, including engineering, inspection, advertising and miscellaneous expenses is \$59,763.00. The City is responsible for the entire project cost, and it will be paid with Water Funds.

**ACTION REQUESTED:** It is recommended that the Ordinance awarding contract to Speer Bros., of Sandusky, Ohio for the Bardshar Road Water Main at Cold Creek Project in the amount of \$52,763.00 be approved. It is requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order for the contractor to schedule the work and order materials so that the water mains on Bardshar can be reconnected to complete the loop and complete by the project completion deadline of July 31, 2010.

I concur with this recommendation:

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Donald C. Icsman  
Acting City Manager

cc: Edward Widman, Finance Director  
Kelly Kresser, City Commission Clerk

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

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO AWARD A CONTRACT TO SPEER BROS., INC., OF SANDUSKY, OHIO, FOR THE BARDSHAR ROAD WATER MAIN AT COLD CREEK PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the Bardshar Road Water Main at Cold Creek Project by Resolution No. 009-10R passed on February 22, 2010; and

**WHEREAS**, the water main on Bardshar Road at Cold Creek was disconnected from the bridge and removed to accommodate the replacement of the bridge by the Erie County Engineer's Office; and

**WHEREAS**, the new bridge has been completed and in place and this project provides for the installation of a new water main that will be directionally bored under the creek alleviating the necessity to attach the water main to the new bridge; and

**WHEREAS**, upon public competitive bidding as required by law two (2) appropriate bids were received and the bid from Speer Bros., Inc., of Sandusky, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the revised project cost based on bids, including engineering, inspection, advertising and miscellaneous costs is \$59,763.00 and will be paid with Water Funds; and

**WHEREAS**, this legislation should be passed under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the contractor to schedule the work and order materials so the water mains on Bardshar Road can be reconnected to complete the loop and complete the project by the July 31, 2010, completion deadline; 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 enter into a contract with Speer Bros., Inc., of Sandusky, Ohio, for the Bardshar Road Water Main at Cold Creek Project in an amount **not to exceed** Fifty Two Thousand Seven Hundred Sixty Three and 00/100 Dollars (\$52,763.00) consistent with the bid submitted by Speer Bros., Inc., of Sandusky, Ohio, currently on file in the office of the Deputy City Engineer of the Division of Engineering.

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: April 26, 2010



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## SANDUSKY POLICE DEPARTMENT

CHARLIE SAMS, INTERIM POLICE CHIEF

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

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

TO: Donald Icsman, Acting City Manager  
FROM: Charlie Sams, Interim Chief of Police  
DATE: April 15, 2010  
RE: Commission Agenda Item

**ITEM FOR CONSIDERATION:** Requesting legislation for approval by City Commissioners to expend funds to Firelands Corporate Health Center for the Sandusky Police annual physicals, drugs screens, chest x-ray's and treadmill stress tests. This is a contractual obligation by the City of Sandusky per the FOP/LOC contract, Article 33 and Appendix G, Fitness Program, and Addendum 1.7.

**BACKGROUND INFORMATION:** In accordance with the current FOP/OLC contract, police officers are required to have a medical examination within the second quarter of each year as long as they participate in the physical fitness incentive program. The program is designed to encourage officers to maintain a healthy fitness level in order to better perform their duties, which results in a higher level of service delivery to the community.

**BUDGETARY INFORMATION:** Firelands Regional Medical Center (FRMC) is the sole provider of contractually required annual testing for police officers within the City of Sandusky. Having the tests performed within the city allows police officers to be tested while on duty and, therefore, avoids the additional expense of overtime.

There are 35 employees that are eligible for physicals at a cost not to exceed \$24,517.50. The cost for the exams was included in the Police Department's 2010 budget.

**ACTION REQUESTED:** It is requested that the proper legislation be prepared to move forward with the medical examinations from Firelands Corporate Health Center in an amount not to exceed \$24,517.50. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to schedule the annual medical examinations within the second quarter of 2010 pursuant to the FOP.OLC contract and provide immediate health safety to our police officers and to be absolutely sure they are fit for duty.

Approved: \_\_\_\_\_ I concur with this recommendation:

\_\_\_\_\_  
Charlie Sams, Interim Police Chief

\_\_\_\_\_  
Donald Icsman, Acting City Manager

Cc: Ed Widman, Finance Director  
Donald Icsman, Law Director

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

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

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXPEND FUNDS TO FIRELANDS CORPORATE HEALTH CENTER OF SANDUSKY, OHIO, FOR ANNUAL PHYSICALS, DRUG SCREENS, CHEST X-RAY'S AND TREADMILL STRESS TESTS TO BE COMPLETED FOR THE SANDUSKY POLICE DEPARTMENT IN CY 2010; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City of Sandusky has a current contractual obligation pursuant to the current FOP/OLC contract, Article 33 and Appendix G, Fitness Program, and Addendum 1.7, and in accordance with the contract, police officers are required to have annual medical examinations as long as they are participating in the physical fitness incentive program and these examinations are to be performed within the second quarter of each year; and

**WHEREAS**, Firelands Regional Medical Center (FRMC) is the sole provider of the contractually required annual testing for police officers within the City of Sandusky and having the tests performed within the City allows police officers to be tested while on duty and, therefore, avoids the additional expense of overtime; and

**WHEREAS**, the total estimated cost for the medical examinations to be provided to the Sandusky Police Department is \$24,517.50 and funds for these exams are included in the Police Department's 2010 budget; 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 schedule the annual medical examinations within the second quarter of 2010 pursuant to the FOP/OLC contract and provide immediate health safety to our police officers and ensure they are fit for duty; 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 Police Department 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 expend funds to Firelands Corporate Health Center of Sandusky, Ohio, for annual physicals, drug screens, chest x-ray's and treadmill stress tests to be completed for the Sandusky Police Department in an amount **not to exceed** Twenty Four Thousand Five Hundred Seventeen and 50/100 Dollars (\$24,517.50).

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: April 26, 2010

**TO: Donald C. Icsman, Interim City Manager**

**FROM: Carrie R. Handy  
Chief Planner**

**DATE: April 15, 2010**

**SUBJECT: COMMISSION AGENDA ITEM  
CONTRACT FOR THE COLLABORATIVE, INC. FOR LIONS PARK  
DESIGN WORK**

**ITEM FOR CONSIDERATION:**

Consideration is being requested to enter into a contract for design work for the Lions Park Project with The Collaborative, Inc., of Toledo, Ohio.

**BACKGROUND INFORMATION:**

The Collaborative, Inc., will be providing design refinement services for improvements to Lions Park based upon the Lions Park Master Plan which will include roadway, parking, grade elevations, splash pad, playground, restroom facility, lighting and electrical.

The Commission will recall that The Collaborative acted as the City's consultant for the Lions Park Master Plan Project and therefore is very familiar with the Lions Park redevelopment project. It is noted that an extensive request for proposals process was conducted in 2009 for the park master plan project and The Collaborative was selected as the consultant with the most appropriate qualifications to assist the City with the Lions Park project. The redevelopment of Lions Park has been identified as a priority project by the City Commission and also during the City's Community Development Block Grant Consolidated Plan process for FY 2009-2013.

**BUDGETARY INFORMATION:**

The cost of this contract is covered by FY 2009 Community Development Block Grant (CDBG) Program funds not to exceed \$22,500. There will be no impact on the City's general fund.

**ACTION REQUESTED:**

It is requested that legislation be passed authorizing the City Manager to enter into an agreement for professional design services with The Collaborative, Inc. for the Lions Park Project. It is requested that legislation be passed in accordance with Section 14 of the City Charter in order for the design process to begin as expediently as possible so that a September deadline for shoreline construction work to be completed and seeding for grass can be met.

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Carrie R. Handy  
Chief Planner

I concur with this recommendation:

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Donald C. Icsman  
Interim City Manager

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

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL DESIGN SERVICES WITH THE COLLABORATIVE INC., FOR THE LIONS PARK PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

**WHEREAS**, this City Commission previously authorized an agreement for Professional Design Services with the Collaborative Inc., for the development of the Lions Park Master Plan Project by Ordinance No. 09-077, passed on September 14, 2009, and subsequently approved the Lions Park Master Plan by Ordinance No. 09-131, passed on December 28, 2009; and

**WHEREAS**, services to be provided by The Collaborative, Inc., include design refinement for roadway, parking, grade elevations, splash pad, playground, restroom facility, lighting and electrical and are based upon the Lions Park Mater Plan for the redevelopment of Lions Park; and

**WHEREAS**, The Collaborative, Inc., will be providing professional design services exempt from the requirement of competitive bidding as they have developed the necessary knowledge, professional expertise and technical ability necessary to complete the required tasks and have successfully provided services in the past for the Lions Park Project resulting in a knowledge and understanding of the project providing a benefit to the City; and

**WHEREAS**, the cost of these design services is not to exceed \$22,500.00, and will be paid with Community Development Block Grant (CDBG) 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 the design process to begin as expediently as possible and allow for the completion of the shoreline construction work and grass seeding by the deadline of September, 2010; 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 Planning and Development of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to enter into an agreement with The Collaborative, Inc., of Toledo, Ohio, for Professional Design Services for the Lions Park Project consistent with the proposal submitted, a copy of which is marked Exhibit "A" and attached to this Ordinance at an amount **not to exceed** Twenty Two Thousand Five Hundred and 00/100 Dollars (\$22,500.00).

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: April 26, 2010