CITY OF SANDUSKY COMMISSIONERS
REGULAR SESSION AGENDA
September 12, 2011 at 5 p.m.
(Note: Call for an executive session at 4 p.m.)
City Hall, 222 Meigs Street

INVOCATION	
PLEDGE OF ALLEGIANCE	
CALL TO ORDER	
ROLL CALL	**J. Hamilton, R. Brady, J. Farrar, D. Waddington, D. Cole, P. Brown & D. Kaman**
EXECUTIVE SESSION	**Personnel, City Manager**
APPROVAL OF MINUTES	**August 22, 2011**
AUDIENCE PARTICIPATION	**Agenda items listed below only (3 minute limit)**
PRESENTATIONS	**Crystal Dymond, Erie Soil & Water District – Update RE Storm Water Program**
PUBLIC MEETING	**RE: Clean Ohio Revitalization Fund/Cleanup of former Apex Manufacturing, 1643 First Street**
COMMUNICATIONS	**Motion to accept all communications submitted below**

CURRENT BUSINESS

ITEM #1 – Submitted by Hank S. Solowiej, CPA, Finance Director
Budgetary Information: None
ORDINANCE NO. _____: It is requested an Ordinance be passed amending part one – administrative code, title seven – boards and commissions, chapter 181 – Audit/Finance Committee, in the manner and way specifically set forth hereinbelow.

ITEM #2 - Submitted by Amanda Meyers, Paralegal
Budgetary Information: The cost associated with this purchase agreement is the total amount of the title examination, deed preparation, escrow fees and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction. Pursuant to Ohio Revised Code Section 5722.08(A), the city will recoup expenses incurred on account of the acquisition, administration, management, maintenance and disposition of the property from the proceeds of the sale, and the remaining balance, if any, will be paid to the County Treasurer for reimbursement to the taxing districts. The conversion and improvements made to this residential dwelling will enhance surrounding property values and the taxing districts will once again begin collecting real property taxes.
ORDINANCE NO. _____: It is requested an Ordinance be passed declaring that certain real property owned by the city as part of the land reutilization program identified as Parcel No. 58-00269.000, located at 911 Vine Street is no longer needed for any municipal purpose and authorizing the execution of a purchase agreement with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #3 – Submitted by Paul E. Ricci, Fire Chief
Budgetary Information: The total amount of this expenditure is $60,000. The federal share covers $54,000 (90%) of the proposed expenditures. The matching $6,000 (10%) funds for this purchase will be provided from the city's equipment replacement fund (EMS fund).
RESOLUTION NO. _____: It is requested a Resolution be passed approving and ratifying the grant application submitted to the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD) for the 2011 Assistance to Firefighters Grant (AFG) program and, if awarded, authorizing the city manager to execute any required agreements; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #4 – Submitted by Paul E. Ricci, Fire Chief
Budgetary Information: The cost associated with this request for legislation is the total amount of time utilized for any necessary enforcement by the fire department.
ORDINANCE NO. _____: It is requested an Ordinance be passed amending part fifteen (fire prevention code), by the addition of chapter 1503 (outdoor wood furnaces), of the codified ordinances, in the manner and way specifically set forth hereinbelow; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #5 – Submitted by Tom Whitted, Communications Systems/IT Manager
Budgetary Information: There is no budgetary impact. These items will be donated to the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc.
RESOLUTION NO. _____: It is requested a Resolution be passed authorizing the disposal of used computers and related equipment as being unnecessary and unfit for city use, approving their donation to the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc.; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #6 – Submitted by Jane E. Cullen, Engineering Technician
Budgetary Information: Funding is available to cover only the cost of the base bid using 2.5 inches of asphalt. The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is $195,663.03, to be

paid with $150,000 from community development block grant funds and $45,663.03 from street funds.
ORDINANCE NO. _____: It is requested an Ordinance be passed authorizing and directing the city manager to enter into a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the Columbus Avenue resurfacing project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #7 – Submitted by Todd J. Roth, P.E., P.S.
Budgetary Information: The estimated cost of the project is $18,000, including miscellaneous expenses. This cost will be paid with USEPA Cleanup Grant funds made available through the ARRA.
RESOLUTION NO. _____: It is requested a Resolution be passed declaring the necessity for the City of Sandusky, Ohio, to proceed with the demolition of the Sandusky Cabinets gas station building in Sandusky, Ohio; approving the specifications and engineer's estimate of cost thereof; and directing the city manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #8 – Submitted by Todd J. Roth, P.E., P.S.
Budgetary Information: The city is applying for $175,000 in credit enhancement funding to offset the interest costs for the OWDA loan currently in place for the Big Island Water Works chemical improvement project.
RESOLUTION NO. _____: It is requested a Resolution be passed authorizing and ratifying the submission of an application by the city manager for financial assistance and to enter into a project agreement with the Ohio Public Works Commission in order to participate in the Ohio Public Works Commission's state capital improvement and/or local transportation improvement programs authorized by chapter 164 (aid to local government improvements) of the Ohio Revised Code; and declaring that this resolution take immediate effect in accordance with Section 14 of the city charter.

ITEM #9 – Submitted by Todd J. Roth, P.E., P.S.
Budgetary Information: The estimated construction cost of the First Street waterline project is $526,578. The city is applying for $175,000 in funding from the Ohio Public Works Commission. The city's cost of the project would be paid out of the water fund, $351,578.
RESOLUTION NO. _____: It is requested a Resolution be passed authorizing and ratifying the submission of an application by the city manager for financial assistance and to enter into a project agreement with the Ohio Public Works Commission in order to participate in the Ohio Public Works Commission's state capital improvement and/or local transportation improvement programs authorized by chapter 164 (aid to local government improvements) of the Ohio Revised Code; and declaring that this resolution take immediate effect in accordance with Section 14 of the city charter.

ITEM #10 – Submitted by Todd J. Roth, P.E., P.S.
Budgetary Information: The estimated construction cost to remove the existing pavement and replace it is $220,000. The city is applying for 50% funding assistance in the amount of $110,000 from the Ohio Public Works Commission. The city's share of $110,000 will be paid out of the capital funds.
RESOLUTION NO. _____: It is requested a Resolution be passed authorizing and ratifying the submission of an application by the city manager for financial assistance and to enter into a project agreement with the Ohio Public Works Commission in order to participate in the Ohio Public Works Commission's state capital improvement and/or local transportation improvement programs authorized by chapter 164 (aid to local government improvements) of the Ohio Revised Code; and declaring that this resolution 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, September 12 at 8:30 p.m.
REPLAYS:	Tuesday, September 13 at 5 p.m.
	Monday, September 19 at 7 p.m.

CITY COMMISSIONERS

DANIEL J. KAMAN, President
JOHN F. HAMILTON, Vice President
RICHARD R. BRADY
PERVIS D. BROWN, JR.
DIEDRE Y. COLE
JULIE A. FARRAR
DAVID L. WADDINGTON

DONALD C. ICSMAN, Law Director/Acting City Manager
KELLY L. KRESSER, Commission Clerk
HANK S. SOLOWIEJ, C.P.A., Finance Director

222 MEIGS STREET
SANDUSKY, OH 44870
Phone: 419.627.5850
Fax: 419.627.5825

www.ci.sandusky.oh.us

PRESS RELEASE

Contact: *Kelly L. Kresser, Commission Clerk*
kkresser@ci.sandusky.oh.us

September 6, 2011

City Commission Meeting – Executive Session

Sandusky – Prior to the onset of the regularly scheduled City Commission meeting on Monday, September 12, the Commissioners plan to vote upon holding an Executive Session to discuss personnel matters pertaining to the search for a new city manager. This session is scheduled to begin at 4 p.m.

This meeting will take place in the first floor conference room of the City Building, 222 Meigs Street, Sandusky.

Notice of Public Meeting and Information Repository for a Clean Ohio

Revitalization Fund Grant

The City of Sandusky is applying for a grant from the Clean Ohio Revitalization Fund for a cleanup of the former Apex Manufacturing property located at 1643 First Street in Sandusky, Ohio 44870. The application is available for review at the Sandusky Library, located at 114 West Adams Street, Sandusky, Ohio 44870 until September 12, 2011. A public meeting to discuss and solicit comments to the grant application will be held on September 12, 2011 at Sandusky City Hall located at 222 Meigs Street, Sandusky, Ohio 44870 at 5 p.m. Application information is also available online at www.ci.sandusky.oh.us. Any questions maybe referred to Mr. Todd Roth at 419.627.5830.

DEPARTMENT OF FINANCE
HANK S. SOLOWIEJ, CPA, FINANCE DIRECTOR

222 Meigs Street
Sandusky, Ohio 44870
Phone (419) 627-5888
Fax (419) 627-5892

TO: City Commission

FROM: Hank S. Solowiej, CPA, Finance Director

DATE: August 22, 2011

RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

The Finance Committee has had difficulty meeting on a monthly basis as required by City Codified Ordinance Chapter 181.04. The Committee approved a motion at its August 19, 2011, meeting to change the current language in the ordinance to indicate that the Committee will meet quarterly during the calendar year rather than monthly for eleven months.

City Codified Ordinance Chapter 181 was previously amended by the City Commission by Ordinance 06-011 on January 23, 2006.

BUDGETARY INFORMATION:

None

ACTION REQUESTED:

It is requested that the City Commission approve the proposed changes to City Codified Ordinance Chapter 181 as recommended by the Finance Committee.

CC: Donald C. Icsman, Interim City Manager/Law Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART ONE - ADMINISTRATIVE CODE, TITLE SEVEN - BOARDS AND COMMISSIONS, CHAPTER 181 - AUDIT / FINANCE COMMITTEE, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW.

WHEREAS, the Finance Committee approved by motion at their August 19, 2011, meeting to change the meeting requirement to at least quarterly during the calendar year instead of monthly meetings for eleven months of each year and is recommending the City Commission amend current Chapter 181 - Audit / Finance Committee to reflect this proposed change; 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 Finance Department and the Audit / Finance Committee of the City of Sandusky, Ohio, to approve the proposed amendments to Chapter 181; and NOW, THEREFORE,

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

Section 1. Part One - Administrative Code, Title Seven - Boards and Commissions, Chapter 181 - Audit / Finance Committee of the Codified Ordinances of the City is hereby amended as follows:

NEW LANGUAGE APPEARS IN BOLD PRINT
LANGUAGE TO BE STRICKEN APPEARS WITH A STRIKE THROUGH IT
LANGUAGE TO REMAIN UNCHANGED APPEARS IN REGULAR PRINT

CHAPTER 181
Audit / Finance Committee

181.01	Creation; members.	181.03	Responsibility of City Finance Director.
181.02	Duties.	181.04	Meetings.

CROSS REFERENCES
Boards and commissions - see CHTR. Sec. 28 and 29
Open meetings - see Ohio R.C. 121.22 and Chapter 113 of the Codified Ordinances

181.01CREATION; MEMBERS.

(a) The City Commission hereby creates an Audit/Finance Committee.

(b) The City Commission further determines that the Audit/Finance Committee shall consist of the following members:
(1) The City Manager;
(2) The City Finance Director;
(3) One member of the City Commission;
(4) Seven additional members to be nominated by the President of the City Commission and confirmed by the City Commission for two-year terms. The members so nominated and approved shall have backgrounds in business, finance and/or accounting and either be residents of the City, have active offices located in the City, or are employed with a business or organization that has an active office located in the City or owns property in the City during their terms of office. If the member moves from the City or ceases to actively maintain an office in the City, or is no longer employed with a business or organization that has an active office located in the City or owns property in the City, that member

shall be replaced on the Committee for the duration of the term. The term of four of the initial members shall expire December 31, 2007. The term of the other three initial members shall expire on December 31, 2008.
(Ord. 06-011. Passed 1-23-06.)

181.02DUTIES.

The duties of the Audit / Finance Committee shall include but not be limited to:

(a) Review the annual unaudited financial report submitted to the Auditor of the State;
(b) **Periodically** ~~Monthly~~ review the process used to prepare interim financial information submitted to the City Commission;
(c) Review any audit results;
(d) Assure that audit recommendations are appropriately addressed;
(e) Serve as liaison between management and independent auditors;
(f) Assure that any problems and issues are appropriately communicated from management to the Auditor of the State;
(g) Serve in an advisory capacity to the City Commission;
(h) Assist in an advisory capacity **to both** the City Commission and City Administration in the preparation of written financial reports and control policies; assist the City Commission in annually reviewing the Finance Director's job performance;
(i) Meet with the independent auditors before and after each audit;
(j) Select a chairman and establish rules and procedures as are appropriate to carry out the purposes of this chapter.
~~(Ord. 06-011. Passed 1-23-06.)~~

181.03RESPONSIBILITY OF CITY FINANCE DIRECTOR.

The Finance Director shall have the power and responsibility as delineated in the Charter and consistent with the Charter shall communicate the following information to the Audit/Finance Committee, according to generally accepted accounting standards:

(a) The Finance Director's professional responsibility under generally accepted accounting standards;
(b) Selection of accounting policies;
(c) Sensitive accounting estimates;
(d) Significant audit adjustments;
(e) Disagreements with management;
(f) Difficulties encountered in performing the audit.
(Ord. 06-011. Passed 1-23-06.)

181.04MEETINGS.

The Audit / Finance Committee shall meet at least **quarterly** ~~monthly for eleven months of each year~~ to monitor the City's financial and control activities, and shall meet with the City's independent auditors before and after each audit. Special meetings may be called by at least two members of the Committee with written notice provided to all other members.
~~(Ord. 06-011. Passed 1-23-06.)~~

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. This Ordinance shall be in full force and effect from and after January 1, 2012.

_____
DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed:

TO: Don Icsman, Acting City Manager

FROM: Amanda Meyers, Paralegal

DATE: September 2, 2011

RE: City Commission Agenda Item

ITEM FOR CONSIDERATION: The purpose of this communication is to request approval of legislation allowing the City Manager to execute a 'Purchase Agreement' and sale of non-productive land that the City has acquired through the City of Sandusky's Land Reutilization Program, identified as 911 Vine Street, Sandusky, Ohio, Erie County Parcel No. 58-00269.000, which is no longer needed for any municipal purpose.

BACKGROUND INFORMATION: Pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City has acquired this nonproductive property by forfeiture through foreclosure. The parcel was foreclosed upon by the Erie County Treasurer for delinquent property taxes and went through at least two (2) sheriff's sales with no bidders/no sale. The City was offered the property for the Land Reutilization Program by the Assistant Erie County Prosecutor before it was forfeited to the State of Ohio. The City Commission approved the acquisition on September 13, 2010 by adoption of Resolution No. 031-10R. The City petitioned the Erie County Common Pleas Court for forfeiture on September 15, 2010.

A request was made on behalf of The Arc of Erie County, to acquire this property and rehabilitate and convert the existing nonconforming two-family residential dwelling located on the parcel to a single-family residential dwelling that will legally conform to the R1-40 Zoning District within which it is located in accordance with the Planning and Zoning Code, Part 11, of the Codified Ordinances of the City of Sandusky.

When the title transferred to the City on October 25, 2010, I requested Code Enforcement Officer, Dave Trent, to do a routine inspection to insure the property was properly secured. Upon inspection, it was discovered that Mr. Bragg, the previous owner, was still residing at the property. Mr. Bragg advised that he was working with Erie Metropolitan Housing Authority to obtain housing and he would be vacating the property by the end of November. Because it was winter and it was thought that the Mr. Bragg was making a good faith effort to obtain housing, Mr. Trent extended the date to vacate the property four (4) more times, each in thirty (30) day increments. At the end of March, with winter being over and warmer weather approaching, I mailed Mr. Bragg a letter to vacate the property by April 30th and enclosed a list of four (4) local social service agencies that might assist him. Prior to mailing the letter I had called each of the agencies, described the circumstances, and obtained the specific requirements in order to qualify for assistance. Mr. Bragg was able to obtain housing with one of those agencies and surrendered the property at the beginning of June.

On June 17th I met with Don Roesch, Housing Director for The Arc of Erie County, at the property site for a walk through. Shortly thereafter, Mr. Roesch obtained approval from the Board of Directors to acquire the property and we worked out the terms of the Purchase Agreement.

BUDGET IMPACT: The cost associated with this purchase agreement is the total amount of the title examination, deed preparation, escrow fees and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction. Pursuant to Ohio Revised Code Section 5722.08(A), the City will recoup expenses incurred on account of the acquisition, administration, management, maintenance, and disposition of the property from the proceeds of the sale, and the remaining balance, if any, will be paid to the County Treasurer for reimbursement to the taxing districts. The conversion and improvements made to this residential dwelling will enhance surrounding property values and the taxing districts will once again begin collecting real property taxes.

ACTION REQUESTED: It is requested legislation be adopted allowing the City Manager to enter into a purchase agreement and to sell the property no longer needed for any municipal purpose identified as 911 Vine Street, Sandusky, Ohio, Erie County Parcel No. 58-00269.000 to The Arc of Erie County. It is further requested that the legislation be passed under suspension of the rules and in full accordance with Section 14 of the City Charter in order to promptly execute the closing with the escrow agent.

_____
Amanda J. Meyers
Paralegal

I concur with this recommendation:

_____
Donald C. Icsman, Acting City Manager

ORDINANCE NO._____

AN ORDINANCE DECLARING THAT CERTAIN REAL PROPERTY OWNED BY THE CITY AS PART OF THE LAND REUTILIZATION PROGRAM IDENTIFIED AS PARCEL NO. 58-00269.000, LOCATED AT 911 VINE STREET IS NO LONGER NEEDED FOR ANY MUNICIPAL PURPOSE AND AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT WITH RESPECT TO THAT REAL PROPERTY; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, pursuant to Ordinance No. 07-026 passed June 11, 2007, the City is conducting a Land Reutilization Program in accordance with the provisions of Chapter 5722 of the Ohio Revised Code; and

WHEREAS, this City Commission previously authorized the acquisition of the property located at 911 Vine Street, Parcel No. 58-00269.000 by Resolution No. 031-10R, passed on September 13, 2010, under said Land Reutilization Program, which property is more specifically described in Exhibit "A" (the "Property") attached to a certain Purchase Agreement, a copy of which is marked Exhibit "1" with respect thereto (the "Purchase Agreement"), which property is no longer needed for any municipal purposes; and

WHEREAS, the City of Sandusky's Land Reutilization Policies and Procedures facilitate reutilization of nonproductive land situated within the City of Sandusky and supports neighborhood revitalization and development within the City; and

WHEREAS, a request was made on behalf of The Arc of Erie County to acquire this property and rehabilitate and convert the existing nonconforming two-family residential dwelling to a single-family residential dwelling that will legally conform to the R1-40 Zoning District within which it is located in accordance with the Planning and Zoning Code of the City of Sandusky's Codified Ordinances; and

WHEREAS, the Land Bank Committee met on August 5, 2011, and approved the acquisition and sale of this property to The Arc of Erie County; and

WHEREAS, the total cost associated with this purchase and sale agreement is the cost of the title examination, deed preparation, escrow fees and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction and pursuant to the Ohio R.C. Section 5722.08(A), the City will recoup expenses incurred on account of the acquisition, administration, management, maintenance, and disposition of the property from the proceeds of the sale and the remaining balance, if any, will be paid to the Erie County Treasurer for reimbursement to the taxing districts; and

WHEREAS, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to promptly execute the closing with the escrow agent; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. This City Commission finds, determines and declares that the Property, Parcel No. 58-00269.000, located at 911 Vine Street, Sandusky, more

specifically described in Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, is no longer needed for any municipal purpose and that the execution of the Purchase Agreement providing for the sale, pursuant to Section 25 of the Charter of this City, to the Purchasers of the Property at the purchase price set forth in the Purchase Agreement, is in the economic interest of the City and in furtherance of the City's Land Reutilization Program referenced in those preambles in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The City Manager is hereby authorized and directed to execute the Purchase Agreement on behalf of the City, substantially in the same form as attached to this Ordinance, marked Exhibit "1", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the City's public purpose. Upon the exercise by the Purchasers to purchase the Property pursuant to that Purchase Agreement, the City Manager is also hereby authorized and directed on behalf of the City to execute a quit claim deed conveying the Property to the Purchasers, which quit claim deed shall be in a form satisfactory to the Law Director. The City Manager, Law Director, Finance Director, and other City officials, as appropriate, are each hereby authorized to execute and deliver such instruments, certificates and other documents and take such actions as are necessary and in the best interests of the City in order to carry out and consummate the foregoing actions authorized by 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: September 12, 2011

PURCHASE AND SALE AGREEMENT

The City of Sandusky, Ohio, a chartered Ohio Municipal Corporation, 222 Meigs Street, Sandusky, Ohio 44870, hereinafter "Seller," agrees to sell to The ARC of Erie County, a Non-profit Corporation, Galloway Road, #112, Sandusky, Ohio 44870, hereinafter "Buyer," and Buyer agrees to purchase from Seller the real property herein located at 911 Vine Street, Sandusky, Ohio, more fully described on attached "Exhibit A."

ARTICLE I. PURCHASE PRICE

Amount

1.01 The purchase price shall be Six Thousand and No/100 Dollars ($6,000), which is fair market value and shall be paid in cash, certified check or cashier's check at the time of closing.

Earnest Money Deposit

1.02 A six hundred dollar ($600.00) earnest money deposit shall be paid to the escrow agent upon full execution of this Agreement. The earnest money deposit shall be applied to the purchase price at closing. In the event this transaction does not close for any reason, other than default by Buyer, or in the event all conditions precedent are not fully satisfied or waived, the earnest money deposited shall be returned in full to the Buyer. However, upon waiver of all contingencies at the expiration of the Inspection Period pursuant to Article 3.02 of this Agreement, and so long as there is no default by Seller, the earnest money shall become non-refundable.

ARTICLE 2. ESCROW

Opening of Escrow

2.01 An escrow shall be opened pursuant to this Agreement at Lawyers Title Insurance Corporation, 402 Columbus Avenue, Sandusky, Ohio 44870, at the soonest practicable time; time being agreed to be of the essence, all documents and funds shall be deposited in escrow on or before _____, 2011.

Conditions of Escrow

2.02 The close of such escrow and the Buyer's obligation to purchase the property are conditioned on:

Good Title

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(1) The conveyance to Buyer of good and marketable title to said property by a quit claim deed, as evidenced by an Owner's Policy of Title Insurance that may be issued by Lawyers Title Insurance Corporation, or other reputable title company doing business in Erie County,–Ohio, subject to all restrictions, easements, conditions, reservations, limitations, zoning ordinances, and taxes and assessments, both general and special, not yet due and payable.

Delivery of Possession

(2) Possession of the property shall be delivered to the Buyer on _____, 2011.

Title Evidence

2.03 The parties shall procure a title insurance commitment with all exceptions noted and copies of the documents which are the basis for such, to Buyer within ten (10) days from the date of this Agreement. Seller shall have a minimum of thirty (30) days from the date upon which Seller receives a copy of a title insurance commitment or a title report within which to resolve any title exceptions or defects or other title issues which in any way impede or impair Seller's ability to convey title as required herein. If, within such thirty (30) day period, Seller determines that it is unable or unwilling, at its sole discretion, to resolve such matters, then the Buyer may (1) take title in its then existing state, thereby waiving any title objections, or (2) terminate the Purchase Agreement and receive a refund of any deposit as Buyer's sole and exclusive remedy.

Title and Escrow Fees

2.04 The expenses of closing described in this Article shall be paid in the following manner:

(1) The cost of securing the title insurance commitment described in paragraph 2.03 of this Agreement shall be paid by Seller.
(2) An Owner's Policy of Title Insurance is optional and may be obtained at Buyer's sole expense.
(3) The cost of preparing, executing, and acknowledging any deeds or other instruments required to convey title to Buyer in the manner described in this Agreement shall be paid by Seller.
(4) Each party hereto shall be responsible for their own attorney fees relating to this Agreement and its implementation.
(5) The cost of transfer and recording the deed shall be paid by Buyer.
(6) Any tax imposed on the conveyance of title to the property to Buyer shall be paid by Buyer.

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(7) Any fee charged by the escrow agent shall be equally shared between the Seller and the Buyer.

Pro-ration of Taxes

2.05 All real estate taxes shall be pro-rated as of the date of closing based upon the latest available tax duplicate of the Erie County Auditor. Any and all assessments on the property attributable to all periods prior to closing, including deferred assessments, shall be paid by Seller at closing.

ARTICLE 3. NO REPRESENTATION OR WARRANTIES: PROPERTY SOLD "AS IS"

3.01 Buyer acknowledges and understands that the property is being sold as-is, and with all faults. Buyer further acknowledges and understands that the property was acquired by the Seller through forfeiture after a foreclosure action and therefore the Seller was not an owner-occupant and its information concerning the property and its condition is limited. Buyer is hereby informed that Seller is unaware of any latent defects in the property or any appurtenant systems, including but not limited to plumbing, heating, air conditioning and electrical systems, fixtures, appliances, roof, sewers, soil conditions, foundation, structural integrity, or environmental conditions. Seller makes no representations or warranties as to any of the above, the condition of the property, the property's systems, the serviceability or fitness for a particular use of the property, or any component of the property. Buyer agrees that in contracting to buy the property, buyer has not relied upon any representation or warranty made by the Seller or any of its officers, employees, agents, or representatives. Buyer has been afforded the opportunity to undertake its own investigations and inspections of the property.

Inspections

3.02 Buyer, at Buyer's sole cost and expense, and after Seller's written acceptance of this Agreement, shall have the opportunity to inspect the Property including, but not limited to, environmental, asbestos, radon gas, lead paint, physical defects including structural defects, roof, basement, mechanical systems such as heating and air conditioning, electrical systems, sewage and septic systems, plumbing, exterior site drainage, termite and other types of pest and insect infestation or damage caused by such infestation, and review and/or order a boundary survey. If Buyer does not give to Seller written notice of cancellation, for any reason Buyer deems appropriate, within seven (7) calendar days of the date of this Agreement, Buyer shall conclusively be deemed to have: (1) completed all inspections, investigations, reviewed all applicable documents and disclosures and removed all contingencies; (2) elected to proceed with the transaction; (3) assumed all liability, responsibility, and expense for repairs and/or corrections other than for items

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which Seller has otherwise agreed in writing to repair or correct. If Buyer objects to the condition of the property within the specified time period, Buyer as their sole option may terminate the Agreement and neither party shall have any further obligations hereto. As a condition to termination under the inspection period, Buyer agrees to submit to Seller any and all written reports as to such inspections within three (3) calendar days following the expiration of the inspection period, after which time Seller will immediately refund the earnest money deposit.

Repairs

3.03 The property is being sold "as-is" and any repairs to the property identified by Buyer shall be the responsibility of the Buyer. The Seller will be under no obligation whatsoever to make any repairs to the property. Buyer agrees not to enter the property prior to closing for the purpose of making any repairs or alterations without express written permission from Seller.

Rehabilitation

3.04 Upon transfer of title to Buyer, Buyer shall rehabilitate and convert the existing nonconforming two-family residential dwelling located on the parcel to a single-family residential dwelling that will legally conform to the R1-40 Zoning District within which it is located in accordance with the Planning and Zoning Code, Part 11, of the Codified Ordinances of the City of Sandusky and shall make the following improvements to the property:

1. The roof and flashing on the entire structure shall be repaired and/or replaced. Gutters and downspouts shall be repaired and/or replaced so that storm water is discharged in such a manner that it does not create a public nuisance.
2. The exterior front steps located on the east side of the structure that are connected to the front porch of the structure shall be repaired and/or replaced.
3. The exterior stairs and staircase located on the south side of the structure that provides access to the second story of the structure shall be removed.
4. The storage shed/garage located in the backyard of the premises shall be rehabilitated or demolished.
5. The Twisted Willow Tree located in the backyard of the premises shall be removed.

Construction shall start within thirty (30) days and completion of construction shall occur within twenty four (24) months from the date Buyer acquires title. If the Buyer fails to complete construction and occupy the property within twenty four (24) months from the date Buyer acquires title, the title to the property together with all improvements made or erected shall

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automatically be forfeited and revert to and vest in the City of Sandusky. The City shall have the right to re-enter and take possession of the property. An extension of time may be granted by the Land Bank Committee upon written request from the Purchaser.

ARTICLE 4. CONTROL OF PROPERTY DURING ESCROW

Destruction of Improvements

4.01 All of the representations, warranties, and agreements made by the Seller and by the Buyer shall survive the closing and shall not be merged therein.

ARTICLE 5. MISCELLANEOUS

Assignment of Agreement

5.01 This Agreement shall be binding on the respective heirs, executors, administrators, successors, and to the extent assignable, on the assigns or nominees of the parties hereto, provided Buyer shall not transfer or assign this Agreement without first having obtained the express written consent of Seller.

Notice

5.02 Any notice required or permitted to be delivered hereunder shall be deemed received when sent by United State Mail, postage prepaid, certified mail, return receipt requested, addressed to Seller or Buyer, as the case may be, at the address set forth under the signatures of such party hereto.

Ohio Law to Apply

5.03 This Agreement shall be construed under and in accordance with the laws of the State of Ohio. All obligations of the parties created hereunder are performable in Erie County, Ohio.

Legal Construction

5.04 In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

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Prior Agreements Superseded

5.05 This Agreement constitutes the sole and only agreement of the parties hereto and supersedes any prior understandings or written or oral agreements between the parties respecting the aforesaid subject matter.

Time of Essence

5.06 Time is of the essence of this Agreement.

Descriptive Heading

5.07 The descriptive headings used herein are for convenience only and are not intended to necessarily refer to the matter in sections which precede or follow them, and have no effect whatsoever in determining the rights of obligations of the parties.

Parties Bound

5.08 The terms, promises, covenants and agreements contained in this Agreement of Sale shall apply to, define upon, and inure to the benefit of the parties hereto and their heirs, executors and administrators.

Counterparts

5.09 This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instruments.

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SIGNATURE PAGES TO FOLLOW

WITNESSES: Buyer:

The ARC of Erie County

_____

_____ _____
By: Don Roesch
Title: Housing Director

STATE OF OHIO)
) ss:
ERIE COUNTY)

On this _____ day of _____, 2011, before me, a Notary Public in and for said County and State, personally appeared Don Roesch, Housing Director, ARC of Erie County, and acknowledged his execution of the foregoing instrument as said Buyer on behalf of The ARC of Erie County and that the same is his voluntary act and deed as said Buyer on behalf of The ARC of Erie County.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

_____
NOTARY PUBLIC

DRAFT

WITNESSES:

SELLER:

CITY OF SANDUSKY

_____

_____ _____

Donald C. Icsman
Acting City Manager

STATE OF OHIO)
) ss:
ERIE COUNTY)

On this _____ day of _____, 2011, before me, a Notary Public in and for said County and State, personally appeared Donald C. Icsman, Acting City Manager of the City of Sandusky, Ohio, and acknowledged his execution of the foregoing instrument as said officer of said City on behalf of said City and by its authority and that the same is his voluntary act and deed as said officer on behalf of said City and the voluntary act and deed of said City.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year aforesaid.

_____
NOTARY PUBLIC

Approved as to Form:
_____
Donald C. Icsman
Ohio Supreme Court #0021435
Law Director
City of Sandusky

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EXHIBIT "A"

Situated in the City of Sandusky, County of Erie and State of Ohio: Being the south one-half (1/2) of Lot Number (6) Vine Street in Reber and Scott's Addition.

Property Address: 911 Vine Street, Sandusky, Ohio 44870
Tax ID No.: 58-00269.000

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August 24, 2011
M E M O R A N D U M

To: **Donald C. Icsman, Acting City Manager**

From: **Paul R. Ricci, Assistant Fire Chief**

RE: **Commission Agenda Item**

ITEM FOR CONSIDERATION: Requesting legislation for the approval and ratification of the submission of a grant application to the **2011 Assistance to Firefighters Grant (AFG)** Program to the Department of Homeland Security. If awarded, the grant money would be used for Candidate Physical Abilities Testing (CPAT) equipment.

BACKGROUND INFORMATION: The Sandusky Fire Department's committee on health and safety has determined that there is a need to purchase the tools to train and test staff and potential employees with the Candidate Physical Abilities Testing (CPAT) equipment. The CPAT evaluates the physical agility of new hires and assesses current firefighters as part of their annual physical using props that simulate actual firefighter activities. This mobile tool will also be available for other fire departments to use and maintain a consistency of firefighter physical requirements.

BUDGETARY INFORMATION: The total amount of this expenditure is **$60,000.00**. The Federal share covers **$54,000.00 (90%)** of the proposed expenditures. The matching **$6,000.00 (10%)** funds for this purchase will be provided from the City's Equipment Replacement Fund (EMS Fund).

ACTION REQUESTED: It is requested that legislation be prepared to allow for the approval and ratification of the submission of the grant application to the **2011 Assistance to Firefighters Grant (AFG)** and if awarded, authorizing the City Manager to execute the grant agreement and expend funds. It is further requested that this be passed in accordance with Section 14 of the City Charter in order to ratify the submission of the grant application which was submitted before the deadline of September 9, 2011.

Approved: I concur with this recommendation:

_____ _____
Paul E. Ricci, Fire Chief Donald C. Icsman, Acting City Manager

CC: Hank Solowiej, Finance Director

RESOLUTION NO._____

A RESOLUTION APPROVING AND RATIFYING THE GRANT APPLICATION SUBMITTED TO THE U.S. DEPARTMENT OF HOMELAND SECURITY (DHS), FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), GRANT PROGRAMS DIRECTORATE (GPD) FOR THE 2011 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) PROGRAM AND, IF AWARDED, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED AGREEMENTS; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Assistance to Firefighters Grants (AFG) provides financial assistance to enhance the safety of the public and firefighters and the authority for AFG is derived from the *Federal Fire Prevention and Control Act of 1974* (15 U.S.C. §§ 2229 *et seq*.), as amended, and their primary goal is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical service organizations and since 2001, the AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources to protect the public and emergency personnel from fire and related hazards; and

WHEREAS, the Sandusky Fire Department's Health and Safety Committee has determined that there is a need to purchase the tools to train and test staff and potential employees with the Candidate Physical Abilities Testing (CPAT) equipment which evaluates the physical agility of new hires and assesses current firefighters as part of their annual physical using props that simulate actual firefighter activities; and

WHEREAS, the total cost for this expenditure is $60,000.00 with the Federal share providing $54,000.00 (90%) and the City providing the matching share of $6,000.00 (10%) which will be paid with funds from the City's Equipment Replacement Fund (EMS Fund); and

WHEREAS, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to ratify the submission of the application to the U.S. Department of Homeland Security, Federal Emergency Management Agency, Grant Programs Directorate (GPD) for the 2011 Assistance to Firefighters Grant (AFG) Program which was due on September 9, 2011, and to expend any awarded funds at the earliest opportunity; 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 Fire 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 **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter; and NOW, THEREFORE

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

Section 1. This City Commission hereby approves and ratifies the submission of the grant application to the U.S. Department of Homeland Security, Federal Emergency Management Agency, Grant Programs Directorate (GPD), a copy of which is on file in the Sandusky Fire Department, for the 2011 Assistance to Firefighters Grant (AFG) Program funding and authorizes and directs the City Manager to execute any grant agreements and lawfully expend funds should they be awarded.

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

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

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

_____
DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 12, 2011

August 29, 2011

M E M O R A N D U M

TO: Donald C. Icsman, Acting City Manager

FROM: Paul E. Ricci, Fire Chief

RE: Commission Agenda Item

ITEM FOR CONSIDERATION: The purpose of this communication is to request legislation for Outdoor Wood Furnaces (Referred to as outdoor wood boilers or outdoor wood-fired hydronic heaters) to be adopted into the City of Sandusky's Codified Ordinances.

BACKGROUND INFORMATION: The fire department has received several complaints regarding the Outdoor Wood Furnaces which prompted a review and extensive research. The proposed ordinance will be used to govern the conditions and installation of the Outdoor Wood Furnaces. This will provide the standards and conditions essential to ensure properties and residents safety.

The increased demand on fossil fuels has resurrected the national focus on "greener" energy systems. This focus has driven the development of alternative fuel heating appliances such as outdoor wood burning (hydronic) heating appliances. These appliances utilize manufactured fuel pellets, such as corn, wood and other alternative fuels to produce heat for home heating applications. Unfortunately, in providing cost effective alternative heating options, these appliances are creating unwanted air-borne byproducts that are causing health concerns for local communities. Densely populated residential neighborhoods do not provide the necessary open space to allow these airborne byproducts to dissipate. Therefore, legislation is necessary to make sure the manufacture, installation and maintenance of these appliances is closely regulated.

BUDGETARY INFORMATION: The cost associated with this request for legislation is the total amount of time utilized for any necessary enforcement by the Fire Department.

ACTION REQUESTED: It is requested that legislation be approved adopting Chapter 1503 of the City of Sandusky's Codified Ordinances. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter to allow enforcement to proceed which will ensure the safety of our residents.

Approved: I concur with this recommendation:

_____ _____

Paul R. Ricci, Fire Chief Donald C. Icsman, Acting City Manager

Cc: Hank Solowiej, Finance Director

ORDINANCE NO._____

AN ORDINANCE AMENDING PART FIFTEEN (FIRE PREVENTION CODE), BY THE ADDITION OF CHAPTER 1503 (OUTDOOR WOOD FURNACES), OF THE CODIFIED ORDINANCES, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Sandusky Fire Department has received several complaints regarding outdoor wood furnaces (also referred to as outdoor wood boilers or outdoor wood-fired hydronic heaters) which prompted a review and after extensive research, this proposed Chapter 1503 was drafted to govern the conditions and installation of outdoor wood furnaces and provide the standards and conditions essential to ensure property and resident safety; and

WHEREAS, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to proceed with enforcement of this new Chapter which will ensure the safety of residents; and

WHEREAS, it is deemed necessary in order to provide for the usual daily operation of the Municipal Departments, including the Fire Department, to adopt the proposed Outdoor Wood Furnaces Chapter 1503 and to provide the immediate preservation of the public peace, health and safety, to approve the proposed Outdoor Wood Furnaces Chapter 1503 and by reason thereof this **Ordinance** is declared to be an emergency measure which shall 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. Part Fifteen (Fire Prevention Code) of the Codified Ordinances of the City be amended by the addition of New Chapter 1503 (Outdoor Wood Furnaces) as follows:

NEW CHAPTER 1503
OUTDOOR WOOD FURNACES

(Referred to as OUTDOOR WOOD BOILERS or OUTDOOR WOOD-FIRED HYDRONIC HEATERS)

1503.01 Definitions.
1503.02 Regulations for Outdoor Wood Furnaces.
1503.03 Substantive Requirements.
1503.04 Appeals/Variances.
1503.05 Violations and Penalties.
1503.06 Civil Proceedings.
1503.07 Severability.

1503.01 DEFINITIONS.

A. Outdoor Wood Furnace means any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. An Outdoor Wood Furnace may also be referred to as an Outdoor Wood Boiler or Outdoor Wood-fired Hydronic Heater.

B. Chimney means a flue or flues that carries off exhaust from an Outdoor Wood Furnace firebox or burn chamber.

C. EPA Phase 1 Program means EPA OWHH (Outdoor Wood-fired Hydronic Heater) Phase 1 Program administered by the United States Environmental Protection Agency.

D. EPA Phase 1 Program Qualified Model means an Outdoor Wood Furnace that has been EPA OWHH Phase 1 Program qualified. The model has met the EPA OWHH Phase 1 emission level and has the proper qualifying label and hangtag.

E. EPA Phase 2 Program means EPA OWHH (Outdoor Wood Hydronic Heater) Phase 2 Program administered by the United States Environmental Protection Agency.

F. EPA Phase 2 Program Qualified Model means an Outdoor Wood Furnace that has been EPA OWHH Phase 2 Program qualified. The model has met the EPA OWHH Phase 2 emission level and has the proper qualifying label and hangtag.

G. Existing Outdoor Wood Furnace means an Outdoor Wood Furnace that was purchased and installed prior to the effective date of this ordinance.

H. Natural Wood means wood, which has not been painted, varnished or coated with a similar material, has not been pressure treated with preservatives and does not contain resins or glues as in plywood or other composite wood products.

I. New Outdoor Wood Furnace means an Outdoor Wood Furnace that is first installed, established or constructed after the effective date of this ordinance.

1503.02 REGULATIONS FOR OUTDOOR WOOD FURNACES.

A. No person shall, from the effective date of this ordinance, construct, install, establish, operate or maintain an Outdoor Wood Furnace other than in compliance with the applicable sections of Chapter 1503 of the City of Sandusky Fire Prevention Code.

B. No person shall, from the effective date of this ordinance, install or operate an Outdoor Wood Furnace that is not an EPA Phase 1 Program Qualified Model or an EPA Phase 2 Program Qualified Model.

C. No Outdoor Wood Furnace shall be installed or operated until a permit has been issued by the Fire Chief or his/her designee. The owner of the property seeking to install an Outdoor Wood Furnace shall fill out an application, present a site plan of the property showing the proposed location where the Outdoor Wood Furnace is to be installed, the locations and distances of all residences and structures on adjoining properties and pay a permit fee of one hundred and twenty five dollars ($125.00). The application shall be signed by all owners of the real property on which the Outdoor Wood Furnace will be located and the contractor installing the Outdoor Wood Furnace. Money collected under this section shall be used exclusively for the administration and enforcement of this Chapter.

D. No person shall, from the effective date of this ordinance, operate an Outdoor Wood Furnace unless such operation conforms with the manufacturer's instructions regarding such operation and the requirements of Chapter 1503 of the City of Sandusky Fire Prevention Code regarding fuels that may be burned in an Outdoor Wood Furnace as set forth in Sections 1503.03(A) and (B) of this ordinance, location and setbacks as set forth in Sections 1503.03(C) and chimney

height as set forth in Sections 1503.03(D).

E. No person shall, from the effective date of this ordinance, install an Outdoor Wood Furnace without obtaining all applicable building permits for the installation of the Outdoor Wood Furnace and its connection to the mechanical system of the residence or structure.

E. All new Outdoor Wood Furnaces shall be constructed, established, installed, operated and maintained in conformance with the manufacturer's instructions and the requirements of this ordinance. In the event of a conflict, the requirements of this ordinance shall apply unless the manufacturer's instructions are stricter, in which case the manufacturer's instructions shall apply.

F. The owner of any new Outdoor Wood Furnace shall produce a copy of the EPA's qualifying label and hangtag and the manufacturer's owner's manual or installation instructions to the Fire Chief or his/her designee to review at any time if requested.

G. All new Outdoor Wood Furnaces shall be laboratory tested and listed to appropriate safety standards such as UL, CAN/CSA, ANSI or other applicable safety standards.

H. If an existing Outdoor Wood Furnace is, through the course of proper investigation by local authorities, creating a verifiable nuisance, as defined by local or state law, the following steps may be taken by the owner and the Fire Chief:

(1) Modifications made to the unit to eliminate the nuisance such as extending the chimney, or relocating the Outdoor Wood Furnace or both.

(2) Cease and desist operating the unit until reasonable steps can be taken to ensure that the Outdoor Wood Furnace will not be a nuisance.

1503.03 SUBSTANTIVE REQUIREMENTS.

Outdoor Wood Furnaces shall be constructed, established, installed, operated and maintained pursuant to the following conditions:

A. Fuel burned in any new or existing Outdoor Wood Furnace shall be only natural untreated wood, wood pellets, corn products, biomass pellets, or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas, or propane backup.

B. The following fuels are strictly prohibited in new or existing Outdoor Wood Furnaces:

(1) Wood that has been painted, varnished or coated with similar material and/or has been pressure-treated with preservatives and contains resins or glues as in plywood or other composite wood products.

(2) Rubbish or garbage, including but not limited to food wastes, food packaging, or food wraps.

(3) Any plastic materials, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.

(4) Rubber, including tires or other synthetic rubber-like products.

(5) Newspaper, cardboard, or any paper with ink or dye products.

(6) Any other items not specifically allowed by the manufacturer or this provision.

C. Location and Setbacks for Outdoor Wood Furnaces shall be as follows:

(1) The Outdoor Wood Furnace shall only be installed in the back yard of the lot for the residence or structure being served by the Outdoor Wood Furnace. The Outdoor Wood Furnace shall not be permitted in a front yard or side yard.

(2) The Outdoor Wood Furnace shall be located at least twenty five feet (25') from the property line and at least twenty five (25') from any combustible structure.

(3) The Outdoor Wood Furnace shall be located on the property in compliance with manufacturer's recommendations and/or testing and listing requirements for clearance to combustible materials.

(4) The Outdoor Wood Furnace shall be located at least one hundred feet (100') from any residence that is not served by the Outdoor Wood Furnace.

D. Chimney heights for new and existing Outdoor Wood Furnaces shall be as follows:

(1) The chimney of any new Outdoor Wood Furnace shall be no less than fifteen feet (15') in height measured from the ground.

(2) If neighboring residences not served by the Outdoor Wood Furnace are located within three hundred feet (300') of the Outdoor Wood Furnace the chimney shall extend at least two feet (2') above the peak of the residence or structure for which it serves.

(3) If neighboring residences not served by the Outdoor Wood Furnace are located within two hundred feet (200') of the Outdoor Wood Furnace the chimney shall extend at least two feet (2') above the peak of any residence not served by the furnace

(4) If there is an existing Outdoor Wood Furnace already installed and there is new construction of a residence not served by the Outdoor Wood Furnace within three hundred feet (300') of such Outdoor Wood Furnace, the owner of such Outdoor Wood Furnace shall conform to the stack height requirements of this regulation within thirty (30) days of the date such construction is complete and upon written notice from the Fire Chief or his/her designee.

1503.04 APPEALS.

Appeals from any actions, decisions, or ruling in the enforcement of this chapter or for a variance from the strict application of the specific requirements of this ordinance may be made to the Fire Prevention Board of Appeal. Requests for all appeals shall be made in writing in accordance with Section 1501.07 of the City of Sandusky's Fire Prevention Code.

1503.05 VIOLATIONS AND PENALTIES.

Any person who shall violate any provision of this ordinance shall be guilty of a misdemeanor of the fourth degree. Each day such violation occurs or

continues shall constitute a separate offense.

1503.06 CIVIL PROCEEDINGS.

Compliance with this law may also be compelled and violations restrained by order or by injunction of a court of competent jurisdiction. Any person who violates any provision of this law may also be subject to civil penalty of not more than $200, to be recovered by the City in a civil action, and each week's continued violation shall be for this purpose a separate and distinct violation. In the event the City is required to take legal action to enforce this ordinance, the violator may be responsible for any and all necessary costs relative thereto, including attorneys' fees, and such expense shall be charged to the property so affected by including such expense in the next annual tax levy against the property.

1503.07 SEVERABILITY.

The provisions of this ordinance are severable and the invalidity of a particular provision shall not invalidate any other provisions.

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: September 12, 2011

DEPARTMENT OF INFORMATION TECHNOLOGY

Tom Whitted, Manager
twhitted@ci.sandusky.oh.us

222 Meigs Street
Sandusky, OH 44870
419-627-5969
www.ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager

From: Tom Whitted, Communications Systems / IT Manager

Date: August 30, 2011

Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Requesting legislation authorizing the disposal of used computers and related equipment that have exceeded their recommended service life and are no longer in service and are no longer useful to the Information Technology Department and allowing the items to be donated to the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc.

BACKGROUND INFORMATION: The Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc. has informed the City that they are continuing their used-computer recycling partnership with Dell Inc. and that they would welcome any used computers and related equipment that the City no longer needed. Goodwill uses the proceeds from the recycling program to help fund their employment programs for area residents with disabling and disadvantageous conditions.

The Information Technology Department has accumulated a surplus of used computers and related equipment that are obsolete, unnecessary and unfit for City use and is recommending that these items be donated to the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc. A list of the items that are recommended for donation is attached and marked Exhibit "A".

BUDGETARY INFORMATION: There is no budgetary impact. These items will be donated to the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc.

ACTION REQUESTED: It is requested that the proper legislation be prepared declaring the used computers and related equipment as unfit for City use as recommended by the Information Technology Manager and allowing the used computers and related equipment to be donated to the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc. It is further requested that this legislation be passed in accordance with Section 14 of the City Charter in order to make arrangements with Goodwill for the items to be picked up allowing them to receive the benefits of the proceeds from the recycling program as soon as possible and in addition free up valuable space for the Information Technology Department.

_____
Tom Whitted, Communications Systems / IT Manager

I concur with this recommendation:

_____

Donald C. Icsman, Acting City Manager

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

Dell	Optiplex GX110	Desktop	9TL2101	No Hard Drive
Dell	PowerEdge 4400	Server	8RX4911	No Hard Drive
Pelco	PMC901	Monitor / CTR	_07270022	
Dell	GX270	Desktop	HK05S51	No Hard Drive
Dell	GX270	Desktop	84X1M51	No Hard Drive
Dell	GX270	Desktop	22TH061	No Hard Drive
Gateway	VX700	Monitor	C811097737	
Sylvania	SRC22134	TV/VCR	V25219267	
Emerson	VCR400	VCR	162-31137730	
TA Adler-Royal	EW-1000	Typewriter	Unable to locate	
Panasonic	PanaSync E21	Monitor	FF6431442	
Dell	Optiplex GX240	Desktop	7X15211	No Hard Drive
Dell	Optiplex GX110	Desktop	284JN01	No Hard Drive
Dell	Optiplex GX240	Desktop	89LDP51	No Hard Drive
Dell	Optiplex GX270	Desktop	1ZVCQ41	No Hard Drive
Dell	Optiplex GX240	Desktop	B395S11	No Hard Drive
HP	Laserjet 4+	Printer	USFC271976	
HP	Color Laserjet 2550n	Printer	Unable to locate	
Dell	Optiplex GX240	Desktop	6W14211	No Hard Drive
Dell	Optiplex GX240	Desktop	B3VQ411	No Hard Drive
Dell	Optiplex GX260	Desktop	2PTYW21	No Hard Drive
HP	Laserjet 4+	Printer	USFB8304362	
Panasonic	KX-FL511	Fax Machine	4HBFD127756	
Dell	Optiplex GX110	Desktop	3N0J501	No Hard Drive
Dell	Optiplex GX110	Desktop	GTL2101	No Hard Drive
Dell	Optiplex GX110	Desktop	6NL2101	No Hard Drive
Dell	Optiplex GX110	Desktop	5H9Z001	No Hard Drive
HP	Pavilion 8565C	Desktop	D7429A	No Hard Drive
HP	Laserjet 5	Printer	JPKH022797	
Acer	None	Desktop	None	Custom Build
Dell	Optiplex GX110	Desktop	8YL2101	No Hard Drive
Dell	1800FP	Monitor	MX07R4774832336B08QY	
Planar	CT1904N	Monitor	M0043HE2360075	
Dell	1800FP	Monitor	MX07R4774832336B08QY	
Dell	1800FP	Monitor	MX07R4774832336B08QX	
Dell	1800FP	Monitor	MX07R47748323364020C	
Dell	E770P	Monitor	MX-0832D-47801-081-H0TM	
Dell	E770P	Monitor	MX-0832D-47801-095-H05J	
HP	Scanjet 6200c	Scanner	SG91Q1128P	
Dell	E770P	Monitor	MX-0832D-47801-081-H0SW	
Acer	7134T	Monitor	9175402068	
HP	Laserjet P2015	Printer	CNB1N15236	
Dell	E172FPb	Monitor	CN-0M1609-46633-04666	
Brother	IntelliFax 1270	Fax Machine	F07944699	
Xerox	Work Centre M151	MFP	PDE-137740	
HP	Scanjet C6270	Scanner	SG958110XQ	
Canon	FL2-3245	MFP	KLU03462	
HP	Business Injet 1100	Printer	CN36A120FR	
HP	Deskjet970Ci	Printer	MY1N122K9	
Dell	Dell C Port II	Docking Station	MAC 00:0b:d8:27:4f:4d	
Samsung	Color Laser CLP-315	Printer	1432BAFQ410281Y	
HP	Laserjet 4+	Printer	USFC271982	
Dell	E770P	Monitor	MX-0832DX-47801-08H-HIY3	
HP	Deskjet 5650	Printer	MY5B85P1YZ	
APC	SmartUPS 2200xl	UPS	YS0316210051	No Batteries

Xerox	Phaser 6120	Printer	Unable to Located	
Brother	TN-570	Toner / Ink	N/A	
Panasonic	KX-FA84	Toner / Ink	N/A	
Xerox	WorkCentre Pro 412	Toner / Ink	N/A	
Dell	PR01X	Docking Station	CN-02U442-48643-4559	
HP	Proliant ML150	Server	USE519A6A7	No Hard Drive
HP	-	Envelope Feeder	JPDB058100	
HP	-	Envelope Feeder	JPEE112353	
HP	-	Envelope Feeder	JPBE041976	
HP	-	Envelope Feeder	JPDB044937	
HP	Laserjet 4+	Printer	USTC109319	
HP	-	Envelope Feeder	JPDB044933	
HP	-	Envelope Feeder	JPDB082509	
HP	JetDirect 300x	Parallel to LAN	SG83452064	
-	-	A/B Parallel Printer Switchbox	-	
Hayes	5914US	33.6 Modem	A0245914W970	
Dell	Precision 620	Workstation	1PYP401	No Hard Drive
Toshiba	Satellite Pro 4600	Laptop	1196604U	No Hard Drive
Netgear	FR114P	Firewall / Print Server	13T658AS0103C	
Dell	PR01X	Docking Station	CN-0HD062-48643-7BU-2632	
Iomega	Zip250USBPCM	External Removable Drive	7BEL45L3BY	
Samsung	F3BK	Floppy Disk Drive	P4JJ063096	
Iomega	Zip250P	External Removable Drive	P7C9110040	
Iomega	Zip250USBPCM	External Removable Drive	7BF020C0JV	
RCA	-	Remote Control	-	
APC	BE500	UPS 500	JB0235032293	
APC	BE550G	UPS 550	3B0834X05964	
Visioneer	OneTouch 7300	Flatbed Scanner	619571464037287	
BoxLight	Boxlight 2002	Projector	4AC7510232	
HP	Colorado T1000	Tape Backup drive	US02911972	
HP	SureStore DAT24	Tape Backup drive	GB00840019	
US Robotics	USR5686D	56k Modem	24LGB2QBTBDV	
Brother	PC-201	Cartridge Refill	-	
Brother	PC-201	Cartridge Refill	-	
Brother	PC-201	Cartridge Refill	-	
Brother	PC-201	Cartridge Refill (2pack)	-	Only 1
Dell	Axim5 Dock	PDA Docking Station	TW-00X400-70181-33P-00H1	
Cardinal	2631	14.4k Modem	SN Unreadable	
Dressekhaus	PSS-P4-Parallel	Parallel Switch	511151036	
Aten	AS/2 AS-154P	Parallel Switch	22030582	
Asus	CD-S520/A5	Internal CD	54DM599162	
US Robotics	Sportster	56k Modem	22SBB8QALH6U	
Cisco	1538	10/100 Hub	RCT043801CJ	
APC	SmartUPS 700XL	UPS	QS0133224619	No Batteries
APC	SmartUPS 1400	UPS	QS0106313927	No Batteries
APC	SmartUPS 1000XL	UPS	QS0133323674	No Batteries
APC	UXBP24	UPS	WS0139007727	No Batteries
Dell	Optiplex GX110	Desktop	5ML2101	No Hard Drive
Dell	Optiplex GX110	Desktop	1NL2101	No Hard Drive
Best Power	Fortress 7500	UPS	UC5200750010052	No Batteries
APC	BF250	UPS	FB9652382256	No Batteries
Best Power	Fortress 1050	UPS	UC52010500060334	No Batteries
HP	NetServer LC3	Server	US94600372	No Hard Drive
HP	NetServer LC3	Server	US94600412	No Hard Drive

HP	NetServer LC3	Server	US94600404	No Hard Drive
HP	NetServer LC3	Server	US94402755	No Hard Drive
HP	NetServer LC3	Server	US90300221	No Hard Drive
Sharp	AR-2020NT	Toner / Ink	-	
Generic	FX-2 Fax	Toner / Ink	QTY = 4	
HP	NetServer LH3	Server	US94102278	
Curtis	-	A/B Parallel Printer Switchbox	-	
Vodavi	-	Telephone	SSK901252	
Addtron	Ethernet 10Base-T	Hub	572900773	
Dell	E173FPf	Monitor	CN-0D5428-72201-48P-4JMS	
Panasonic	RR-830	Dictation Machine	XE4GA59460	
-	-	Box of Power Cords	-	
-	-	Box of Speakers	-	
-	-	Box of Mice	-	
-	-	Box of Miscelanious I/O Cards	-	
-	-	Box of Keyboards	-	
-	-	Box of Telephone cords	-	
-	-	Box of Printer Cables	-	

RESOLUTION NO._____

A RESOLUTION AUTHORIZING THE DISPOSAL OF USED COMPUTERS AND RELATED EQUIPMENT AS BEING UNNECESSARY AND UNFIT FOR CITY USE, APPROVING THEIR DONATION TO THE GOODWILL INDUSTRIES OF ERIE, HURON, OTTAWA AND SANDUSKY COUNTIES, INC; AND DECLARING THAT THIS RESOLUTION TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Information Technology Department has accumulated a surplus of used computers and related equipment that have exceeded their recommended service life and are no longer in service and no longer useful to the Information Technology Department; and

WHEREAS, the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc. has informed the City that they are continuing their used-computer recycling partnership with Dell Inc. and would welcome any used computers and related equipment that the City no longer needed and the proceeds from this program are used to assist with their employment programs for area residents with disabling and disadvantageous conditions; and

WHEREAS, the following items have been determined to be obsolete, unnecessary and unfit for City use by the Information Technology Department:

Device Make	Device Model	Type of Device	Serial Number	NOTE
Dell	Optiplex GX110	Desktop	9TL2101	No Hard Drive
Dell	PowerEdge 4400	Server	8RX4911	No Hard Drive
Pelco	PMC901	Monitor / CTR	07270022	
Dell	GX270	Desktop	HK05S51	No Hard Drive
Dell	GX270	Desktop	84X1M51	No Hard Drive
Dell	GX270	Desktop	22TH061	No Hard Drive
Gateway	VX700	Monitor	C811097737	
Sylvania	SRC22134	TV/VCR	V25219267	
Emerson	VCR400	VCR	162-31137730	
TA Adler-Royal	EW-1000	Typewriter	Unable to locate	
Panasonic	PanaSync E21	Monitor	FF6431442	
Dell	Optiplex GX240	Desktop	7X15211	No Hard Drive
Dell	Optiplex GX110	Desktop	284JN01	No Hard Drive
Dell	Optiplex GX240	Desktop	89LDP51	No Hard Drive
Dell	Optiplex GX270	Desktop	1ZVCQ41	No Hard Drive
Dell	Optiplex GX240	Desktop	B395S11	No Hard Drive
HP	Laserjet 4+	Printer	USFC271976	
HP	Color Laserjet 2550n	Printer	Unable to locate	
Dell	Optiplex GX240	Desktop	6W14211	No Hard Drive
Dell	Optiplex GX240	Desktop	B3VQ411	No Hard Drive
Dell	Optiplex GX260	Desktop	2PTYW21	No Hard Drive
HP	Laserjet 4+	Printer	USFB8304362	
Panasonic	KX-FL511	Fax Machine	4HBFD127756	
Dell	Optiplex GX110	Desktop	3N0J501	No Hard Drive
Dell	Optiplex GX110	Desktop	GTL2101	No Hard Drive
Dell	Optiplex GX110	Desktop	6NL2101	No Hard Drive
Dell	Optiplex GX110	Desktop	5H9Z001	No Hard Drive
HP	Pavilion 8565C	Desktop	D7429A	No Hard Drive
HP	Laserjet 5	Printer	JPKH022797	
Acer	None	Desktop	None	Custom Build
Dell	Optiplex GX110	Desktop	8YL2101	No Hard Drive
Dell	1800FP	Monitor	MX07R4774832336B08QY	
Planar	CT1904N	Monitor	M0043HE2360075	
Dell	1800FP	Monitor	MX07R4774832336B08QY	
Dell	1800FP	Monitor	MX07R4774832336B08QX	
Dell	1800FP	Monitor	MX07R47748323364020C	
Dell	E770P	Monitor	MX-0832D-47801-081-H0TM	
Dell	E770P	Monitor	MX-0832D-47801-095-H05J	
HP	Scanjet 6200c	Scanner	SG91Q1128P	
Dell	E770P	Monitor	MX-0832D-47801-081-H0SW	

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Acer	7134T	Monitor	9175402068	
HP	Laserjet P2015	Printer	CNB1N15236	
Dell	E172FPb	Monitor	CN-0M1609-46633-04666	
Brother	IntelliFax 1270	Fax Machine	F07944699	
Xerox	Work Centre M151	MFP	PDE-137740	
HP	Scanjet C6270	Scanner	SG958110XQ	
Canon	FL2-3245	MFP	KLU03462	
HP	Business Injet 1100	Printer	CN36A120FR	
HP	Deskjet970Ci	Printer	MY1N122K9	
Dell	Dell C Port II	Docking Station	MAC 00:0b:d8:27:4f:4d	
Samsung	Color Laser CLP-315	Printer	1432BAFQ410281Y	
HP	Laserjet 4+	Printer	USFC271982	
Dell	E770P	Monitor	MX-0832DX-47801-08H-HIY3	
HP	Deskjet 5650	Printer	MY5B85P1YZ	
APC	SmartUPS 2200xl	UPS	YS0316210051	No Batteries
Xerox	Phaser 6120	Printer	Unable to Located	
Brother	TN-570	Toner / Ink	N/A	
Panasonic	KX-FA84	Toner / Ink	N/A	
Xerox	WorkCentre Pro 412	Toner / Ink	N/A	
Dell	PR01X	Docking Station	CN-02U442-48643-4559	
HP	Proliant ML150	Server	USE519A6A7	No Hard Drive
HP	-	Envelope Feeder	JPDB058100	
HP	-	Envelope Feeder	JPEE112353	
HP	-	Envelope Feeder	JPBE041976	
HP	-	Envelope Feeder	JPDB044937	
HP	Laserjet 4+	Printer	USTC109319	
HP	-	Envelope Feeder	JPDB044933	
HP	-	Envelope Feeder	JPDB082509	
HP	JetDirect 300x	Parallel to LAN	SG83452064	
-	-	A/B Parallel Printer Switchbox	-	
Hayes	5914US	33.6 Modem	A0245914W970	
Dell	Precision 620	Workstation	1PYP401	No Hard Drive
Toshiba	Satellite Pro 4600	Laptop	1196604U	No Hard Drive
Netgear	FR114P	Firewall / Print Server	13T658AS0103C	
Dell	PR01X	Docking Station	CN-0HD062-48643-7BU-2632	
Iomega	Zip250USBPCM	External Removable Drive	7BEL45L3BY	
Samsung	F3BK	Floppy Disk Drive	P4JJ063096	
Iomega	Zip250P	External Removable Drive	P7C9110040	
Iomega	Zip250USBPCM	External Removable Drive	7BF020C0JV	
RCA	-	Remote Control	-	
APC	BE500	UPS 500	JB0235032293	
APC	BE550G	UPS 550	3B0834X05964	
Visioneer	OneTouch 7300	Flatbed Scanner	619571464037287	
BoxLight	Boxlight 2002	Projector	4AC7510232	
HP	Colorado T1000	Tape Backup drive	US02911972	
HP	SureStore DAT24	Tape Backup drive	GB00840019	
US Robotics	USR5686D	56k Modem	24LGB2QBTBDV	
Brother	PC-201	Cartridge Refill	-	
Brother	PC-201	Cartridge Refill	-	
Brother	PC-201	Cartridge Refill	-	
Brother	PC-201	Cartridge Refill (2pack)	-	Only 1
Dell	Axim5 Dock	PDA Docking Station	TW-00X400-70181-33P-00H1	
Cardinal	2631	14.4k Modem	SN Unreadable	
Dressekhaus	PSS-P4-Parallel	Parallel Switch	511151036	
Aten	AS/2 AS-154P	Parallel Switch	22030582	
Asus	CD-S520/A5	Internal CD	54DM599162	
US Robotics	Sportster	56k Modem	22SBB8QALH6U	
Cisco	1538	10/100 Hub	RCT043801CJ	
APC	SmartUPS 700XL	UPS	QS0133224619	No Batteries
APC	SmartUPS 1400	UPS	QS0106313927	No Batteries

APC	SmartUPS 1000XL	UPS	QS0133323674	No Batteries
APC	UXBP24	UPS	WS0139007727	No Batteries
Dell	Optiplex GX110	Desktop	5ML2101	No Hard Drive
Dell	Optiplex GX110	Desktop	1NL2101	No Hard Drive
Best Power	Fortress 7500	UPS	UC5200750010052	No Batteries
APC	BF250	UPS	FB9652382256	No Batteries
Best Power	Fortress 1050	UPS	UC52010500060334	No Batteries
HP	NetServer LC3	Server	US94600372	No Hard Drive
HP	NetServer LC3	Server	US94600412	No Hard Drive
HP	NetServer LC3	Server	US94600404	No Hard Drive
HP	NetServer LC3	Server	US94402755	No Hard Drive
HP	NetServer LC3	Server	US90300221	No Hard Drive
Sharp	AR-2020NT	Toner / Ink	-	
Generic	FX-2 Fax	Toner / Ink	QTY = 4	
HP	NetServer LH3	Server	US94102278	
Curtis	-	A/B Parallel Printer Switchbox	-	
Vodavi	-	Telephone	SSK901252	
Addtron	Ethernet 10Base-T	Hub	572900773	
Dell	E173FPf	Monitor	CN-0D5428-72201-48P-4JMS	
Panasonic	RR-830	Dictation Machine	XE4GA59460	
-	-	Box of Power Cords	-	
-	-	Box of Speakers	-	
-	-	Box of Mice	-	
-	-	Box of Miscelanious I/O Cards	-	
-	-	Box of Keyboards	-	
-	-	Box of Telephone cords	-	
-	-	Box of Printer Cables	-	

WHEREAS, this Resolution 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 arrangements with the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc. for the used computers and related equipment to be picked up allowing them to receive the benefits of the proceeds from the recycling program as soon as possible and in addition free up valuable space for the Information Technology Department; 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 Information Technology 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 **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 the used computers and related equipment described in the preamble above has become obsolete and is unnecessary and unfit for City use pursuant to Section 25 of the City Charter and authorizes and directs the City Manager to dispose of the used computers and related equipment by donating the items to the Goodwill Industries of Erie, Huron, Ottawa and Sandusky Counties, Inc.

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

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

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

_____
DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 12, 2011

DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

TODD J ROTH, P.E., P.S.

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

troth@ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager

From: Jane E. Cullen, Engineering Technician

Date: August 30, 2011

Subject: Commission Agenda Item

Item for Consideration: Ordinance awarding a contract to Erie Blacktop, Inc. Sandusky, Ohio, for the Columbus Avenue Resurfacing Project. This project will mill and pave Columbus Avenue with new asphalt, adjust castings, and install pavement markings as needed from Perkins Avenue to Homestead Street.

The following four (3) bids were received on August 25, 2011:

Erie Blacktop, Inc. Sandusky, OH	Bid with 2.5" asphalt: $190,890.76 Alt 1: $151,647.31 Bid using 3" asphalt: $221,078.22
Precision Paving Milan, OH	Bid with 2.5" asphalt: $203,564.04 Alt 1: $159,034.99 Bid using 3" asphalt: $230,772.12
Gerken Paving, Inc Napoleon, OH	Bid with 2.5" asphalt: $211,631.35 Alt 1:$153,706.74 Bid using 3" asphalt: $237,582.86

Erie Blacktop, Inc. is determined to be the lowest and best bid. This project involves grant funds, therefore, the Local Preference ordinance does not apply.

Budgetary Information: Funding is available to cover only the cost of the base bid using 2.5 inches of asphalt. The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is $195,663.03, to be paid with $150,000.00 from Community Development Block Grant Funds and $45,663.03 from Street Funds.

Action Requested: It is requested that the Ordinance awarding the construction contract to Erie Blacktop, Inc., Sandusky, Ohio in the amount of $190,890.76 be approved and that it be passed in full accordance with Section 14 of the City Charter in order to proceed with executing the contract and completing the project before the end of the fall construction season.

Jane E. Cullen, P.E.

I concur with this recommendation:

Donald C. Icsman,
Acting City Manager

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

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

ORDINANCE NO._____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ERIE BLACKTOP, INC., OF SANDUSKY, OHIO, FOR THE COLUMBUS AVENUE RESURFACING 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 to proceed with the proposed Columbus Avenue Resurfacing Project by Resolution No. 028-11R, passed on July 25, 2011; and

WHEREAS, the Columbus Avenue Resurfacing Project will provide for the milling and paving of Columbus Avenue with new asphalt, adjustment of castings and the installation of pavement markings as needed from Perkins Avenue to Homestead Street; and

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

WHEREAS, the total project cost based on bids, including engineering, inspection, advertising and miscellaneous expenses is $195,663.03 of which $150,000.00 will be paid with Community Development Block Grant (CDBG) Funds and the remaining balance of $45,663.03 will be paid with Street 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 proceed with executing the contract and completing the project before the end of the Fall construction 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 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 Erie Blacktop, Inc., of Sandusky, Ohio, for the Columbus Avenue Resurfacing Project in an amount **not to exceed** One Hundred Ninety Thousand Eight Hundred Ninety and 76/100 Dollars ($190,890.76) consistent with the bid submitted by Erie Blacktop, Inc., of Sandusky, Ohio, currently on file in the office of the Director of Planning, Engineering and Development.

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: September 12, 2011

DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

TODD J ROTH, P.E., P.S.

222 Meigs Street
Sandusky, Ohio 44870
Phone 419/627-5829
Fax 419/627-5933
troth@ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager

From: Todd J Roth, Director

Date: August 30, 2011

Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Proposed Sandusky Cabinets Gas Station Building Demolition project. The Sandusky Cabinets site has been the subject of many years of brownfield assessment work by the City of Sandusky. Some of that work has been supported by U.S. EPA assessment grants, and some has been supported by an EPA Petroleum Cleanup Grant. The U.S. EPA Petroleum Cleanup Grant has provided for the removal of petroleum underground storage tank (UST) systems at both the factory and gas station properties.

The gas station property, located at 430 E. Market Street, had two UST systems, and one of those will receive NFA status. The other UST system on the gas station property included piping and pumps that were inside and beneath, parts of the gas station building. BUSTR will not grant NFA status for that system until the piping and pumps are removed.

To accomplish the necessary BUSTR UST testing, the existing building must be removed. The building is structurally unsound and considered unsafe to enter and conduct the necessary work. Therefore, to achieve the NFA status required, we are asking to bid for the demolition of this building.

The City of Sandusky applied for and received a $200,000 USEPA Brownfield Petroleum Cleanup Grant for Underground Storage Tank (UST) removal and remediation activities at the Sandusky Cabinets property. This Grant was made possible through funds given to the USEPA through the American Recovery and Reinvestment Act (ARRA) of 2009.

BUDGETARY INFORMATION: The estimated cost of the project is $18,000.00, including miscellaneous expenses. This cost will be paid with USEPA Cleanup Grant funds made available through the ARRA.

ACTION REQUESTED: It is recommended that the Sandusky Cabinets Gas Station Building Demolition project be approved and the necessary legislation be passed in full accordance with Section 14 of the City Charter in order to obtain competitive bids, award a contract and move forward with the demolition and to meet the deadline of the grant requirements.

I concur with this recommendation:

_____

Donald C. Icsman, Acting City Manager

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

RESOLUTION NO._____

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY OF SANDUSKY, OHIO, TO PROCEED WITH THE DEMOLITION OF THE SANDUSKY CABINETS GAS STATION BUILDING IN SANDUSKY, OHIO; APPROVING THE SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this project will provide for the demolition of the existing gas station building at the former Sandusky Cabinets site, located at 430 E. Market Street, which is necessary to complete the work required by the Bureau of Underground Storage Tank Regulations (BUSTR) in order for the City to obtain No Further Action (NFA) status for the UST system; and

WHEREAS, the City of Sandusky was awarded $200,000.00 for a USEPA Brownfield Petroleum Cleanup Grant for Underground Storage Tank (UST) removal and remediation activities at the Sandusky Cabinets property on September 30, 2009; and

WHEREAS, this City Commission authorized entering into a contract with Valor Contracting, LLC, of Northwood, Ohio, for the Sandusky Cabinets Underground Storage Tank Removal Project, which included the removal of three fuel tanks, a fueling station island, and underground piping, by Ordinance No. 10-089, passed on September 13, 2010; and

WHEREAS, the total estimated cost of the project including miscellaneous expenses is $18,000.00 and will be paid with USEPA Cleanup Grant funds made available through the American Recovery and Reinvestment Act (ARRA); and

WHEREAS, this legislation should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to obtain competitive bids, award a contract and move forward with the demolition and to meet the deadline of the grant requirements; 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 Municipal Departments, including the Department 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. The specifications and estimates of cost as prepared by the Director of Planning, Engineering and Development of the City of Sandusky, Ohio, and submitted to this City Commission, and which are now on file with the Clerk of this City Commission, and in the office of the Director of Planning, Engineering and Development, for the proposed demolition of the Sandusky Cabinets Gas Station Building in Sandusky, Ohio, be and the same are hereby approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with

said demolition at the earliest possible time.

Section 3. The City Manager of the City of Sandusky, Ohio, be and hereby is authorized and directed to advertise for and to receive bids in relation to said demolition as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

Section 6. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

_____
DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 12, 2011

DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

TODD J ROTH, P.E., P.S.

222 Meigs Street
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Phone 419/627-5829
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troth@ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager

From: Todd J Roth, Director

Date: August 30, 2011

Subject: Commission Agenda Item

Item for Consideration: A Resolution approving and ratifying the submission by the City Manager of an application to participate in the Ohio Public Works Commission (OPWC) State Capital Improvement and / or Local Transportation Improvement Programs and to execute contracts as required.

The City is applying for a grant involving credit enhancement funding for the City of Sandusky Big Island Water Works Chemical Improvement Project Loan. The City of Sandusky awarded contracts for the Chemical Improvement Project in September, 2010. The project involves the installation of new facilities and renovations to existing facilities to improve the management and application of chemicals into our water treatment process. The construction, contingencies, OWDA Fee, and Technical services cost is $6,807,622.00. .

The Ohio Water Development Authority approved a loan for the project. The loan is at an interest rate of 4.45% for 30 years. The project has started and the City pays the contractor and then submits to OWDA for reimbursement of funds. If approved, the OPWC Credit Enhancement will pay for interest spent during construction and one year following the completion of the project. The construction is scheduled to be completed in 2012, and the first OWDA debt service payment is estimated to occur on January 1, 2013.

The City Commission was notified at the 8/22/11 meeting of Ohio Public Works Commission (OPWC) funding opportunities and a request was made to submit applications for the First Street Waterline Project, the Caldwell Street Replacement Project, and a credit enhancement for the OWDA loan for the BIWW Chemical Improvement Project. The City Commission passed a motion authorizing the submission of the applications for all three projects.

Budgetary Information: The City is applying for $175,000.00 in Credit Enhancement funding to offset the interest costs for the OWDA loan currently in place for the Big Island Water Works Chemical Improvement Project.

Action Requested: It is requested that a Resolution approving and ratifying the submission of the application for the Big Island Water Works Chemical Improvement Project by the City Manager to the Ohio Public Works Commission for financial assistance be approved. It is further requested that this Resolution be passed in full accordance with Section 14 of the City Charter in order to ratify the submission of the application that was submitted to the District Public Works Committee by the deadline of September 2, 2011, and allow a certified copy of this Resolution to be forwarded to them as soon as possible to complete the application.

I concur with this recommendation:

_____
Donald C. Icsman, Acting City Manager

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND RATIFYING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER FOR FINANCIAL ASSISTANCE AND TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN ORDER TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AUTHORIZED BY CHAPTER 164 (AID TO LOCAL GOVERNMENT IMPROVEMENTS) OF THE OHIO REVISED CODE; AND DECLARING THAT THIS RESOLUTION TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity to proceed with the proposed Big Island Water Works Chemical Improvement Project by Resolution No. 022-10R, passed on July 26, 2010, and subsequently authorized entering into contracts for General Trades, Plumbing, HVAC, Electrical and Fire Protection by Ordinance Nos. 10-090, 10-091, 10-092, 10-093, and 10-094, passed on September 13, 2010; and

WHEREAS, the Big Island Water Works Chemical Improvement Project involves the installation of new facilities and renovations to existing facilities to improve the management and application of chemicals into the City's water treatment process; and

WHEREAS, this City Commission previously authorized a Cooperative Agreement with the Ohio Water Development Authority for the Big Island Water Works Chemical Improvement Project to finance the cost of construction activities by the passage of Ordinance No. 11-045, passed on May 9, 2011; and

WHEREAS, the City is applying for $175,000.00 in Credit Enhancement funding from the Ohio Public Works Commission to offset interest costs for the Ohio Water Development Authority (OWDA) loan currently in place for the Big Island Water Works Chemical Improvement Project; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to ratify the submission of the application that was submitted to the District Public Works Committee by the deadline of September 2, 2011, and allow a certified copy of this Resolution to be forwarded to them as soon as possible to complete the application; 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 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; and NOW, THEREFORE,

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

Section 1. This City Commission hereby approves and ratifies the submission of an application for financial assistance with the Ohio Public Work's Commission's State Capital Improvement and/or Local Transportation Improvement Programs as provided in Chapter 164 of the Ohio Revised Code for the Big Island Water Works Chemical Improvement Project, authorizes and directs the City Manager to file the application for assistance and authorizes and directs the City Manager and/or Finance Director to

provide any necessary information and assurances and to execute appropriate project agreements if assistance is awarded by the Ohio Public Works Commission.

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

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

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

_____
DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 12, 2011

DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

TODD J ROTH, P.E., P.S.

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To: Donald C. Icsman, Acting City Manager

From: Todd J Roth, Director

Date: August 30, 2011

Subject: Commission Agenda Item

Item for Consideration: A Resolution approving and ratifying the submission by the City Manager of an application to participate in the Ohio Public Works Commission State Capital Improvement and / or Local Transportation Improvement Programs and to execute contracts as required.

The City is applying for a grant involving water main replacement. The water main on First Street is deteriorating to the extent that several main breaks over the past several years has caused the need for repairs and boil alerts for the residents in that area. A portion of the existing water main is a six inch main and the remaining portion a twelve inch main. The new main will all be a twelve inch line and will replace the existing main on First Street from approximately 1414 First Street east to Cedar Point Drive.

The First Street water main replacement is part of the Erie County Metropolitan Planning Organization (MPO) funded project called First Street Resurfacing Project. The water main costs are not an eligible expense that can be covered by MPO funds.

The City Commission was notified at the 8/22/11 meeting of Ohio Public Works Commission (OPWC) funding opportunities and a request was made to submit applications for the First Street Waterline Project, the Caldwell Street Replacement Project, and a credit enhancement for the OWDA loan for the BIWW Chemical Improvement Project. The City Commission passed a motion authorizing the submission of the applications for all three projects.

Budgetary Information: The estimated construction cost of the First Street Waterline Project is $526,578.00. The City is applying for $175,000.00 in funding from The Ohio Public Works Commission. The City's cost of the project would be paid out of the Water Fund, $351,578.

Action Requested: It is requested that a Resolution approving and ratifying the submission of the application for the First Street Waterline Project by the City Manager to the Ohio Public Works Commission for financial assistance be approved. It is further requested that this Resolution be passed in full accordance with Section 14 of the City Charter in order to ratify the submission of the application that was submitted to the District Public Works Committee by the deadline of September 2, 2011, and allow a certified copy of this Resolution to be forwarded to them as soon as possible to complete the application.

I concur with this recommendation:

_____

Donald C. Icsman
Acting City Manager

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND RATIFYING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER FOR FINANCIAL ASSISTANCE AND TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN ORDER TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AUTHORIZED BY CHAPTER 164 (AID TO LOCAL GOVERNMENT IMPROVEMENTS) OF THE OHIO REVISED CODE; AND DECLARING THAT THIS RESOLUTION TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed First Street Waterline Project involves the replacement of a water main on First Street from approximately 1414 First Street east to Cedar Point Drive, which is deteriorating to the extent that several main breaks over the past several years has caused the need for repairs and boil alerts in that area, with a twelve inch water main; and

WHEREAS, the estimated construction cost for the First Street Waterline Project is $526,578.00 with the City applying for $175,000.00 in funding from the Ohio Public Works Commission and the remaining balance of $351,578.00 will be paid with Water Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to ratify the submission of the application that was submitted to the District Public Works Committee by the deadline of September 2, 2011, and allow a certified copy of this Resolution to be forwarded to them as soon as possible to complete the application; 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 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; and NOW, THEREFORE,

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

Section 1. This City Commission hereby approves and ratifies the submission of an application for financial assistance with the Ohio Public Work's Commission's State Capital Improvement and/or Local Transportation Improvement Programs as provided in Chapter 164 of the Ohio Revised Code for the First Street Waterline Project, authorizes and directs the City Manager to file the application for assistance and authorizes and directs the City Manager and/or Finance Director to provide any necessary information and assurances and to execute appropriate project agreements if assistance is awarded by the Ohio Public Works Commission.

Section 2. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such

holding shall not affect the validity of the remaining portions thereof.

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

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

_____
DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 12, 2011

DEPARTMENT OF PLANNING, ENGINEERING & DEVELOPMENT

TODD J ROTH, P.E., P.S.

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Phone 419/627-5829
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troth@ci.sandusky.oh.us

To: Donald C. Icsman, Acting City Manager

From: Todd J Roth, Director

Date: August 30, 2011

Subject: Commission Agenda Item

Item for Consideration: A Resolution approving and ratifying the submission by the City Manager of an application to participate in the Ohio Public Works Commission State Capital Improvement and / or Local Transportation Improvement Programs and to execute contracts as required.

The City is applying for a grant involving the Caldwell Street Replacement Project from Perkins Avenue to West Parish Street. The existing street is concrete and has deteriorated where joint repair is not an option. The Caldwell Street Replacement will include street and curb replacement, repair and replace drive approaches, and adjust manholes and catch basins as needed. The new pavement will provide the City a safe street meeting current standards.

The City Commission was notified at the 8/22/11 meeting of Ohio Public Works Commission (OPWC) funding opportunities and a request was made to submit applications for the First Street Waterline Project, the Caldwell Street Replacement Project, and a credit enhancement for the OWDA loan for the BIWW Chemical Improvement Project. The City Commission passed a motion authorizing the submission of the applications for all three projects.

Budgetary Information: The estimated construction cost to remove the existing pavement and replace it is $220,000.00. The City is applying for 50% funding assistance in the amount of $110,000.00 in funding from the Ohio Public Works Commission. The City's share of $110,000.00 will be paid out of the Capital Funds.

Action Requested: It is requested that a Resolution approving and ratifying the submission of the application for the Caldwell Street Replacement Project by the City Manager to the Ohio Public Works Commission for financial assistance be approved. It is further requested that this Resolution be passed in full accordance with Section 14 of the City Charter in order to ratify the submission of the application that was submitted to the District Public Works Committee by the deadline of September 2, 2011, and allow a certified copy of this Resolution to be forwarded to them as soon as possible to complete the application.

I concur with this recommendation:

_____

Donald C. Icsman
Acting City Manager

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

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND RATIFYING THE SUBMISSION OF AN APPLICATION BY THE CITY MANAGER FOR FINANCIAL ASSISTANCE AND TO ENTER INTO A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION IN ORDER TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AUTHORIZED BY CHAPTER 164 (AID TO LOCAL GOVERNMENT IMPROVEMENTS) OF THE OHIO REVISED CODE; AND DECLARING THAT THIS RESOLUTION TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed Caldwell Street Replacement Project involves the replacement of Caldwell Street from Perkins Avenue to West Parish Street which is concrete and has deteriorated and will include street and curb replacement, repairing and replacement of drive approaches, and adjustments of manholes and catch basins as needed and will provide the City a safe street which meets the current standards; and

WHEREAS, the estimated construction cost for the Caldwell Street Replacement Project is $220,000.00 with the City applying for $110,000.00 in funding from the Ohio Public Works Commission and the remaining balance of $110,000.00 will be paid with Capital Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to ratify the submission of the application that was submitted to the District Public Works Committee by the deadline of September 2, 2011, and allow a certified copy of this Resolution to be forwarded to them as soon as possible to complete the application; 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 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; and NOW, THEREFORE,

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

Section 1. This City Commission hereby approves and ratifies the submission of an application for financial assistance with the Ohio Public Work's Commission's State Capital Improvement and/or Local Transportation Improvement Programs as provided in Chapter 164 of the Ohio Revised Code for the Caldwell Street Replacement Project, authorizes and directs the City Manager to file the application for assistance and authorizes and directs the City Manager and/or Finance Director to provide any necessary information and assurances and to execute appropriate project agreements if assistance is awarded by the Ohio Public Works Commission.

Section 2. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such

holding shall not affect the validity of the remaining portions thereof.

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

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

_____
DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 12, 2011