



CITY OF SANDUSKY COMMISSION
REGULAR SESSION AGENDA
September 10, 2012 at 5 p.m.
City Hall, 222 Meigs Street

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

D. Cole, W. Poole, K. Grohe, J. Smith, J. Farrar, P. Brown & J. Hamilton

APPROVAL OF MINUTES

August 27, 2012

AUDIENCE PARTICIPATION

Agenda items listed below only (3 minute limit)

COMMUNICATIONS

Motion to accept all communications submitted below

CURRENT BUSINESS

ITEM #1 – Submitted by Paul E. Ricci, Fire Chief

Budgetary Information: The contract will not negatively impact the city's budget as this is an attempt to collect debt owed to the City of Sandusky for ambulance services rendered. This legislation, if passed, will generate revenue.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into an agreement with State Collection and Recovery Services LLC, of Sandusky, Ohio, for debt collection services for the Sandusky Fire Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #2 – Submitted by Jim Lang, Interim Police Chief

Budgetary Information: The total cost for the five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware is \$16,801.80. The Edward Byrne Memorial Justice Assistance Grant will fund \$15,883 and the remaining balance of \$918.80 will be paid with funds from the police department's 2012 budget.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to purchase five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware from Insight Public Sector of Tempe, Arizona, through the State of Ohio Department of Administrative Services cooperative purchasing program for the Sandusky Police Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #3 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: This legislation has no budgetary impact.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into an amendment to the Erie County/City of Sandusky water contract; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #4 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$185,617.70, to be paid with Community Development Block Grant funds.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into a contract with Precision Paving, Inc., of Milan, Ohio, for the 2012 city resurfacing program; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #5 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$534,316.20. 50% of the construction costs will be paid with an Ohio Public Works grant in the amount of \$242,871 with the remaining amount of \$291,445.20 to be paid with the water fund.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the city manager to enter into a contract with Speer Bros., Inc., of Sandusky, Ohio for the Thorpe Drive, Dorn Drive and Ferndale Drive waterline project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #6 – Submitted by Kelly L. Kresser, Commission Clerk

Budgetary Information: The cost of the revisions of the codification supplements and updating the Code on the internet will be taken from the contractual services line item in the Commission's budget (50%), sewer funds (25%) and water funds (25%). This item is appropriated each year.

ORDINANCE NO. _____: It is requested an ordinance be passed approving current replacement pages to the Sandusky codified ordinances for the period August, 2011 through July, 2012; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #7 – Submitted by Kelly L. Kresser, Commission Clerk

A request has been received from the Ohio Division of Liquor Control requesting a new C1 liquor permit (beer only in original sealed container for carry out only) for Party Store Ltd., dba The Party Store, 803 Hancock Street, Sandusky. It is requested the commission clerk be authorized to notify the Ohio Division of Liquor Control the city has no objection to this request.

CITY MANAGER'S REPORT

OLD BUSINESS

NEW BUSINESS

AUDIENCE PARTICIPATION

Open discussion on any item (5 minute limit)

EXECUTIVE SESSION(S)

ADJOURNMENT

Buckeye CableSystem broadcast on Cable Channel 81 Replays:

Monday, September 10 at 8:30 p.m.

Tuesday, September 11 at 5 p.m.

Monday, September 17 at 7 p.m.



Fire Department

PAUL E. RICCI, EFO, CFO

FIRE CHIEF

PRicci@ci.sandusky.oh.us

Office Telephone 419-627-5822
Fire Prevention 419-627-5823

600 WEST MARKET STREET
SANDUSKY, OHIO 44870
FAX 419-627-5820

September 4, 2012

M E M O R A N D U M

TO: Nicole C. Ard, City Manager
FROM: Paul E. Ricci, Fire Chief
RE: Commission Agenda Item

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City Manager to enter into an agreement between the City of Sandusky and State Collection and Recovery Services, LLC, 2115 George St., Sandusky, Ohio 44870.

BACKGROUND INFORMATION: Emergency Medical Service billing is performed by Professional Collection Services of Ohio (PCSO), Inc. of Vermilion, Ohio. PCSO Inc. no longer pursues delinquent accounts for collection.

On June 4, 2012 the Sandusky Fire Department issued a request for proposals (RFP) for a contractor to perform debt collection services for delinquent EMS bills by competitive bidding through a sealed bid process.

The committee comprised of Hank Solowiej, Finance Director and Paul Ricci, Fire Chief, in accordance to the RFP, met and reviewed four (4) bids and determined the proposal from State Collection and Recovery Services, LLC is the responsible bidder who poses the best opportunity for the City to achieve the best return of revenue. They were also the lowest bidder and are a local entity in the City of Sandusky.

BUDGETARY INFORMATION: The contract will **not** negatively impact the City's Budget as this is an attempt to collect debt owed to the City of Sandusky for ambulance services rendered. This legislation if passed will generate revenue.

ACTION REQUESTED: It is requested that the proper legislation be prepared to enter into a contract with State Collection and Recovery Services, LLC, 2115 George St., Sandusky, Ohio 44870. In order to expedite the recovery of monies owed to the City of Sandusky it is further requested that this be passed in accordance with Section 14 of the City Charter.

Approved:

Paul E. Ricci, Fire Chief

I concur with this recommendation:

Nicole C. Ard, City Manager

CC: Hank Solowiej, Finance Director
Donald Icsman, Law Director

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH STATE COLLECTION AND RECOVERY SERVICES, LLC, OF SANDUSKY, OHIO, FOR DEBT COLLECTION SERVICES FOR THE SANDUSKY FIRE DEPARTMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Professional Collection Services of Ohio, Inc. (PCSO) of Vermilion, Ohio, performs Emergency Medical Service billing for the City but no longer pursues delinquent accounts for collection; and

WHEREAS, a request for proposals (RFP) was issued on June 4, 2012, in which four (4) proposals were received and reviewed by a Committee comprised of the Fire Chief and the Finance Director who determined that State Collection and Recovery Services, LLC, was the lowest and the best proposal providing the optimum opportunity for the City to achieve the highest return of revenue; 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 expedite the recovery of funds owed to the City of Sandusky for EMS services; 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 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 Ordinance be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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

Section 1. The City Manager is authorized and directed to enter into an agreement with State Collection and Recovery Services, LLC, of Sandusky, Ohio, for debt collection services for the Sandusky Fire Department, substantially in the same form as Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance.

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

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this

City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

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

JOHN F. HAMILTON
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 10, 2012

DEBT RECOVERY SERVICES AGREEMENT

This Agreement is made this _____ day of _____, 2012, between: State Collection and Recovery Services, LLC (SCRS) (Contractor) whose registered office is at 2115 George Street, Sandusky, Ohio, 44870 and The City of Sandusky Fire Department, 600 West Market Street, Sandusky, Ohio 44870 (Client).

Whereas, the Client, City of Sandusky Fire Department issued a Request for Proposals (RFP), dated June 4, 2012 for debt collection services, and

Whereas, the Contractor, State Collections and Recovery Services, LLC submitted a proposal dated June 25, 2012, in response to the RFP, and

Whereas, the Client, City of Sandusky Fire Department finds in its best interest to accept the Contractor's proposal;

Now, therefore in consideration of the covenants set forth below, and intending to be legally bound, the City of Sandusky Fire Department (Client) and SCRS (Contractor) agree as follows:

RECITALS:

- (A) Contractor is an independent contractor, not an employee of Client, and operates the business of providing debt collection and recovery services. Nothing in this agreement shall be construed to create any partnership, joint venture, or joint enterprise between Client and Contractor.
- (B) The Client is owed money ("the Debt") for the supply of services to certain persons or companies ("the Debtor") and shall provide full details of the Debt and the Debtor to Contractor.
- (C) The Client shall instruct Contractor to recover the Debt and Contractor agrees to act on the behalf of the Client to recover the Debt from the Debtor on the terms and conditions of this Agreement.

1.0 OBLIGATIONS OF CONTRACTOR

- 1.1 Contractor hereby accepts the Client's instructions to act on the Client's behalf in the recovery of the Debt from the Debtor.
- 1.2 Contractor shall use all reasonable means to recover the Debt on behalf of the Client and shall, if and when necessary in the discretion of Contractor, instruct a firm of Solicitors to act on behalf of the Client in this respect.
- 1.3 Contractor shall keep Client informed on a regular basis of its progress by providing monthly reports pertaining to collection activity as determined necessary by the Client.
- 1.4 Contractor agrees to indemnify and hold harmless Client, its commissioners, officers, employees and agents against any and all claims, losses, damages, or lawsuits for damages arising from or allegedly arising from or related to the provision of services by Contractor.

2.0 OBLIGATIONS OF THE CLIENT

- 2.1 The Client shall provide Contractor with full information and copies of all relevant documentation (such as agreements, invoices, statement of account, etc.) regarding the Debtor, the Debt and any services provided by the Client to the Debtor and shall provide all reasonable assistance to Contractor and/or the solicitor instructed under section 1.2 may require to collect the Debt.
- 2.2 The Client authorizes and instructs Contractor to endorse for deposit in the Client's name and on their behalf, such moneys, checks or drafts paid by the Debtor as to settlement of the Debt.
- 2.3 When the Client directs Contractor to forward any account to a Solicitor for collection, Contractor is authorized and directed to tender the account to the Solicitor as a convenience to the Client subject to the Client's control.

- 2.4 The Client shall authorize and direct the Solicitor, for the duration of the agreement, to pay all money recovered from the Debtor to Contractor.
- 2.5 The Client shall pay the following fees to Contractor for acting on its behalf in the recovery of the Debt:
- 2.5.1 A fee equal to **25%** of all money paid or recovered from the Debtor in respect of the Debt during the term of the agreement for any standard collection prior to the issue of any legal proceedings for recovery of Debt;
 - 2.5.2 A fee equal to **40%** of all money paid by or recovered from The Debtor in respect of the Debt during the term of this agreement as a result of skip tracing/mail return;
 - 2.5.3 A fee equal to **50%** of all money paid or recovered from the Debtor in respect of the Debt during the term of this agreement for the funds collected as a result of second placement;
 - 2.5.4 A fee equal to **40%** of all money paid or recovered where the client has directed to be sent to a Solicitor or court ordered fees and interest that may be received.
- 2.6 The Client authorizes Contractor to deduct and withhold from money paid by or recovered from the Debtor in respect to Debt an amount equal to the fees set out in section 2.5.
- 2.7 The Client shall advise Contractor of any amount of money paid directly to the Client by the Debtor within two working days of receipt of such sum and the Client acknowledges that the fees set out in section 2.5 shall apply to such sum as they would apply had such sum been paid to Contractor.
- 2.8 The Client authorizes Contractor to report any of the accounts listed for collection with Contractor to the credit bureau.

- 2.9 The Client authorizes Contractor to file proofs of claim in probate estates and bankruptcy estates on the accounts listed with Contractor.

Upon receipt of a notice of bankruptcy, other than the filing of a proof of claim when appropriate, no further statements or bills are to be sent to the bankrupt patient.

3.0 DURATION AND TERMINATION

- 3.1 This agreement shall commence on the effective date and remain in effect until midnight, December 31, 2013.

- 3.2 Either party may terminate this agreement without cause and without liability upon sixty (60) days advance written notice to the other party.

- 3.3 The Client may terminate the agreement if Contractor commits a material breach of this agreement and shall fail to remedy such breach within fourteen (14) days of the Client giving Contractor written notice specifying the material breach.

- 3.4 Any termination shall not relieve Contractor of any liability to the Client for damages sustained by virtue of a material breach by Contractor. In the event of termination, the Client shall be under no further monetary obligation to Contractor. Contractor shall be paid compensation for services performed to date of termination.

- 3.5 In the event of termination or expiration of this agreement Contractor shall, in good faith, assist Client in transferring the accounts and information that are the subject of the debt recovery services provided by Contractor pursuant to this agreement.

4.0 NOTICES

Whenever either party desires or is required to give notice to the other, it shall be given by written notice sent by certified United States mail, return receipt requested, address to the other party. The parties designate the following as the respective places for providing notice:

For the Client:

City of Sandusky Fire
Department
c/o Fire Chief
600 W. Market Street
Sandusky, OH 44870

For the Contractor:

State Collection & Recovery
Services, LLC
c/o Office Manager
2115 George Street
Sandusky, OH 44870

5.0 GENERAL PROVISIONS

This agreement sets forth the entire agreement between the parties with respect to the subject matter of this agreement. No waiver or modification of any of the terms or conditions of this agreement shall be effective unless in writing signed by both parties. Should any of the provisions of this agreement be held to be void or invalid the remaining provisions of this agreement shall not be affected.

This agreement shall be governed by and construed in accordance with the laws of the State of Ohio.

The headings of this agreement are for ease of reference only and are not intended to limit or restrict the terms.

This agreement is binding upon the heirs, legal representatives, successors and assigns of the parties.

This agreement may not be assigned by Contractor in whole or in part without the expressed written consent of Client.

In providing all the services pursuant to this agreement Contractor shall abide by all statutes, ordinances, rules and regulations pertaining to the provision of such services including those now in effect and hereafter adopted.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date(s) set forth below.

CLIENT: The City of Sandusky Fire Department

(signature) (date)

(printed name & title)

CONTRACTOR: State Collections and Recovery Services, LLC.

(signature) (date)

(printed name & title)



SANDUSKY POLICE DEPARTMENT

JAMES LANG, INTERIM POLICE CHIEF

222 MEIGS STREET
SANDUSKY, OH 44870
Phone: 419.627.5869
FAX: 419.627.5862

www.ci.sandusky.oh.us

TO: Nicole Ard, City Manager
FROM: Jim Lang, Interim Police Chief
DATE: August 29, 2012
RE: Commission Agenda Item

ITEM FOR CONSIDERATION: Requesting legislation authorizing the City Manager to purchase five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware from, Insight Public Sector of Tempe, Arizona, through the State of Ohio Cooperative Purchasing Program, Schedule Number #534177, in the amount of \$16,801.80.

BACKGROUND INFORMATION: The Sandusky Police Department has been actively involved in the Regional Dispatch project and had made great strides in our use of technology for dispatch and communications with our police vehicles. One way we have accomplished this is by applying for grants to improve our equipment. In April of 2012, the Sandusky Police Department applied for funding through the Edward Byrne Memorial Justice Assistance Grant (JAG) program and recently was awarded funds in the amount of \$15,883.00. Through a collaborative effort between police department and information technology staff, specifications were developed to meet these needs. The toughbooks will provide officers with the ability to communicate with dispatch for receiving call for service information, location mapping, and automatic vehicle locating.

The Ohio Cooperative Purchasing Program was created in 1985 and is administered by the State Department of Administrative Services. It allows local political subdivisions to purchase items that have been competitively bid from the successful state vendor thereby giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding.

BUDGETARY INFORMATION: The total cost for the five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware is \$16,801.80. The Edward Byrne Memorial Justice Assistance Grant (JAG) will fund \$15,883.00 and the remaining balance of \$918.80 will be paid with funds from the Police Department's 2012 budget.

ACTION REQUESTED: It is requested that the proper legislation be prepared to purchase five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware from Insight Public Sector of Tempe, Arizona, through the State of Ohio Cooperative Purchasing Program, Schedule Number #534177 in the amount of \$16,801.80. It is further requested that this legislation be passed under suspension of the rules in accordance with Section 14 of the City Charter in order to purchase and install the equipment at the earliest opportunity which will improve the officer's ability to communicate with dispatch for receiving vital information.

Approved:

I concur with this recommendation:

Jim Lang, Interim Police Chief

Nicole Ard, City Manager

cc: Hank Solowiej, Finance Director



INSIGHT PUBLIC SECTOR
 6820 S HARL AVE
 TEMPE AZ 85283-4318
 Tel: 800-487-4448

SOLD-TO PARTY

CITY OF SANDUSKY POLICE DEPARTMENT
 222 MEIGS ST
 SANDUSKY OH 44870-2835

SHIP-TO ADDRESS

CITY OF SANDUSKY POLICE DEPARTMENT
 222 MEIGS ST
 SANDUSKY OH 44870-2835

Quotation	
Quotation Number	Creation Date
213997347	29-AUG-2012
PO Number :	
PO Release :	
Customer No :	10430319
Sales Rep :	David O'Connor
Email :	doconnor@insight.com
Telephone :	614-456-2172
Sales Rep 2 :	Robert Dougherty Jr
Email 2 :	rdougher@insight.com
Telephone :	614-456-2199 X2199

Dear Lt. Phil Frost,
 Thank you for considering insight to be your trusted partner in addressing your evolving IT needs. We appreciate being considered as your solution source and look forward to making IT work for you.

We deliver according to the following terms:

Payment Terms : Credit Card
 Ship Via : Insight Assigned Carrier / Ground
 Terms of Delivery : FOB DESTINATION
 Currency : USD

Material	Description	Quantity	Unit Price	Extended Price
CF-31Q6AAX1M	Panasonic Toughbook 31 - 13.1" - Core i3 2310M - Windows 7 Professional - 2 GB RAM - 320 GB HDD	5	2,297.00	11,485.00
	STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)			
CF-WKB313VM	EMISSIVE BACKLIT KEYS FOR CF-31 MUST BE	5	210.93	1,054.65
	STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)			
FEESKU	BASE SYSTEM PLUS INSERTS HARDWARE ONLY	5	32.10	160.50
	OPEN MARKET			

Insight[®]

PUBLIC SECTOR

Quotation Number / Creation Date

213997347 / 28-AUG-2012

Material	Description	Quantity	Unit Price	Extended Price
UT-X-T	Havis vehicle mounting kit STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	169.28	846.40
LPS-103	Havis LPS-103 - power adapter - 120 Watt STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	134.88	673.40
C-HDM-203	Havis C-HDM 203 - mounting component (telescopic) STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	109.34	546.70
C-MD-202	Havis C-MD 202 - mounting kit STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	68.96	279.80
SS-UT-X	Havis mounting component STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	47.72	238.60
C-HDM-304	Havis vehicle mounting kit STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	12.63	63.15
C-HDM-103	Havis HDM Series C-HDM-103 - base STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	68.61	343.05
CF-SVGPDEXYAFOS2Y	Panasonic Extended Warranty - extended service agreement - 2 years STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	93.06	465.30
FEESKU	BASE SYSTEM PLUS INSERTS HARDWARE ONLY OPEN MARKET	5	32.10	160.50
CF-WMBA110KG	Panasonic memory - 4 GB - SO DIMM 204-pin - DDR3 STATE OF OHIO STATE TERM SCHEDULE - PANASONIC(# 534177)	5	97.90	489.50
Product Subtotal				16,015.30
Services Subtotal				786.30
Tax				0.00
Total				16,801.60

Insight PUBLIC SECTOR

Quotation Number / Creation Date

213997347 / 28-AUG-2012

PURCHASE ORDER REQUIREMENTS:

Shipping Confirmed FOB Insight

Quote Number : 213997347

Purchase Order Number : _____

Authorized by/Title : _____ (please print)

Authorized Signature : _____ Date : _____

Terms of Sale.

Please contact us with any questions or for additional information about INSIGHT PUBLIC SECTOR's complete IT solution offering. Purchase orders should be made out to Insight Public Sector, Inc. Again, thank you for considering INSIGHT PUBLIC SECTOR!

Sincerely,

David O'Connor
614-456-2172

doconnor@insight.com

Fax: 614-456-2160

Robert Dougherty Jr

614-456-2199 Ex: 2199

rdougher@insight.com

Fax: 480-760-6046

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www.us.insight.com/TermsandConditions

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO PURCHASE FIVE (5) PANASONIC TOUGHBOOK 31 MOBILE COMPUTERS AND ASSOCIATED DOCKING AND MOUNTING HARDWARE FROM INSIGHT PUBLIC SECTOR OF TEMPE, ARIZONA, THROUGH THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM FOR THE SANDUSKY POLICE DEPARTMENT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission previously approved the submission of a grant application to the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) for funding through the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for FY 2012 Local Solicitation by Ordinance No. 12-042, passed on April 23, 2012, and was subsequently awarded grant funds in the amount of \$15,883.00; and

WHEREAS, the Sandusky Police Department has been actively involved in the Regional Dispatch project and has made great strides in the use of technology for dispatch and communications and through a collaborative effort between the Police Department and Information Technology staff developed specifications to meet the needs of the Police Department and based on this effort is requesting to purchase five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware from Insight Public Sector of Tempe, Arizona, to provide officers with the ability to communicate with dispatch for receiving call for service information, location mapping and automatic vehicle locating; and

WHEREAS, the five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware from Insight Public Sector of Tempe, Arizona, are available through the State of Ohio Department of Administrative Services Cooperative Purchasing Program, thereby, allowing local political subdivisions to purchase items that have been competitively bid from the successful state vendor giving the City the benefit of the State's negotiated price and eliminating the necessity of formal bidding; and

WHEREAS, the total cost of the five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware is \$16,801.80 of which \$15,883.00 will be paid with funds received from the Byrne Memorial Justice Assistance Grant (JAG) Program and the remaining balance of \$918.80 will be paid with funds from the Police Department's 2012 operating budget; 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 purchase and install the equipment at the earliest opportunity which will improve the officer's ability to communicate with dispatch for receiving vital information; and

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

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

Section 1. The City Manager is authorized and directed to purchase five (5) Panasonic Toughbook 31 mobile computers and associated docking and mounting hardware through the State of Ohio, Department of Administrative Services Cooperative

Purchasing Program for the Sandusky Police Department from Insight Public Sector of Tempe, Arizona, at an amount **not to exceed** Sixteen Thousand Eight Hundred One and 80/100 Dollars (\$16,801.80).

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 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 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 upon its passage, and its due authentication by the President, and the Clerk of the City Commission of the City of Sandusky, Ohio.

JOHN F. HAMILTON
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 10, 2012



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: Nicole C. Ard, City Manager
FROM: Todd J Roth, P.E., P.S., Director
DATE: August 30, 2012
RE: Commission Agenda Item

ITEM FOR CONSIDERATION: Legislation authorizing the City Manager to enter into an amendment to the Erie County/City of Sandusky Water Contract for the connection of an existing County water main at Cedar Point Road and S.R. 6 (Cleveland Road).

In order to provide the Cedar Point peninsula with a second source of water for water quality and fire protection, it was necessary for the City to connect the existing dead end water main on Cedar Point Road to the County's water main on Cleveland Road. All improvements to this connection were paid by the City.

The amendment to the Erie County/City of Sandusky Water Contract establishes the terms and conditions for the ownership, operation and maintenance as well as the water delivery rates to be charged. The County has already approved a resolution authorizing their participation in the agreement amendment.

BUDGETARY INFORMATION: This legislation has no budgetary impact.

ACTION REQUESTED: It is recommended that the necessary legislation authorizing the City Manager to enter into an amendment to the Erie County/City of Sandusky Water Contract be approved and that it take immediate effect in accordance with Section 14 of the City Charter in order to allow the City and County to proceed with the terms of the Amendment to ensure proper service to the Cedar Point area.

I concur with this recommendation:

Nicole C. Ard
City Manager

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AMENDMENT TO THE ERIE COUNTY / CITY OF SANDUSKY WATER CONTRACT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Board of Erie County Commissioners and the City of Sandusky entered into a Water Contract authorized by Ordinance No. 89-080 on June 5, 1989; and

WHEREAS, the Board of Erie County Commissioners and the City Commission of the City of Sandusky engaged in negotiations regarding modifications to the 1989 Water Contract which resulted in a Memorandum of Understanding authorized by Resolution No. 040-05R, passed on November 28, 2005, and a Supplemental Agreement authorized by Ordinance No. 06-012, passed on February 13, 2006, and subsequently authorized an Amended and Restated Erie County / City of Sandusky Water Contract by Ordinance No. 06-092, passed on September 25, 2006; and

WHEREAS, the City desires to loop a dead end water main on Cedar Point Road to an existing County water main at S.R. 6 (Cleveland Road) to provide the Cedar Point peninsula with a second source of water for water quality and fire protection and this Amendment to the Erie County / City of Sandusky Water Contract establishes the terms and conditions for the ownership, operation and maintenance as well as the water delivery rates to be charged; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to proceed with the terms of the Amendment to the Erie County / City of Sandusky Water Contract, which has been previously approved and signed by the Board of Erie County Commissioners, to ensure proper service to the Cedar Point area; 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; and NOW, THEREFORE

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

Section 1. This City Commission approves the terms of the Amendment to the Erie County / City of Sandusky Water Contract as reflected in Exhibit "A", a copy of which is attached to this Ordinance and is specifically incorporated as if fully rewritten herein, together with such revisions or additions as are approved by the Law Director as not being adverse to the City and as being consistent with carrying out the terms of this Ordinance, and authorizes and directs the City Manager to execute the Amendment to the Erie County / City of Sandusky Water Contract on behalf of the City of Sandusky, Ohio.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction,

such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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

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

JOHN F. HAMILTON
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 10, 2012

**AMENDMENT TO THE
ERIE COUNTY/CITY OF SANDUSKY WATER CONTRACT**

THIS AGREEMENT AMENDMENT, made and entered into this _____ day of July, 2011, by and between the County of Erie, a political subdivision existing under the Constitution and laws of the State of Ohio (hereinafter called "County"), pursuant to a resolution adopted by the Board of County Commissioners on the 14~~th~~ day of July, 2011, and the City of Sandusky, a municipal corporation organized and existing under the Constitution and laws of the State of Ohio (hereinafter called "City"), duly authorized by Ordinance No. _____ passed by its City Commission on the _____ day of _____, 2011,

WITNESSETH:

WHEREAS, on June 6, 1989, the City and County entered into the City of Sandusky/Erie County Water Contract for County to purchase from the City a supply of water for the inhabitants of the County sewer districts for a period of 35 years; and

WHEREAS, on January 24, 2006, the City and County entered into a Supplemental Agreement to the City of Sandusky/Erie County Water Contract to allow the sale of additional water to areas located outside Erie County Sewer District to inhabitants of Huron and Sandusky Counties; and

WHEREAS, on October 4, 2006 the City and County entered into an Amended and Restated Erie County/City of Sandusky Water Contract establishing a wholesale water rate and other pertinent terms of the water contract; and

WHEREAS, the City desires to loop a dead end water main on Cedar Point Road to an existing County water main at SR 6 (Cleveland Road) to provide improved fire protection for their customers;

NOW THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and of good and valuable consideration, the City and County do promise and agree to the following:

The Parties mutually agree for the City to connect a new 8-inch diameter water line to the existing County water line along SR 6 (Cleveland Road) at Cedar Point Road. All improvements to this connection will be paid for by the City at no cost to the County. The City will install a master meter pit and appurtenances near SR 6 on the new 12-inch diameter water line. Upon completion and successful start-up of the new water line, the County shall own, operate and maintain the new water line on the County side of the master meter and the City shall own, operate, maintain the master meter pit and appurtenances and the new 12-inch water line on the City side of the master meter. The County shall provide to the project, at actual cost to the City, the meter, radio and strainer.

For all water delivered by the County to the City at the Cedar Point Road connection, the City will subtract that volume from the County's monthly water bill, since the City estimates water use will be less than 2,000 CCF per year; however, should this volume increase, the County reserves the right to review the costs and rates charged for the water delivered to the Cedar Point Road connection and make appropriate adjustments.

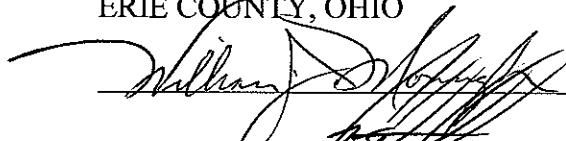
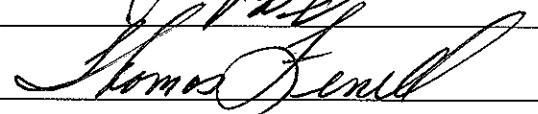
It is further covenanted and agreed that the aforesaid Water Contract, as well as Supplemental and Amended existing agreements, shall continue in full force and effect subject to the modification of the provisions thereof herein provided for.

IN WITNESS WHEREOF, the parties have executed this instrument in duplicate the date and year first mentioned above.

SIGNED IN THE PRESENCE OF:

BOARD OF COUNTY COMMISSIONERS OF
ERIE COUNTY, OHIO

Carolyn L. Hauenstein

July 14, 2011

SIGNED IN THE PRESENCE OF:

CITY OF SANDUSKY, OHIO

City Manager

APPROVED AS TO CONTENT:

APPROVED AS TO FORM AND LEGALITY:


County Sanitary Engineer

Assistant Prosecuting Attorney

City Director of Engineering & Planning

City Solicitor

RESOLUTION NO. 11-341

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY, OHIO, FOR THE PURPOSE OF ENTERING INTO AN AGREEMENT AMENDMENT WITH THE CITY OF SANDUSKY

The Board of County Commissioners of Erie County, Ohio, met this 14th day of July, 2011, in Regular Session with the following members present:

William J. Monaghan, Patrick J. Shenigo, and Thomas M. Ferrell, Jr.

Mr. Ferrell introduced the following resolution and moved its adoption.

WHEREAS, on June 6, 1989, the City of Sandusky and Erie County entered into a water contract for the County to purchase water from the City, followed by a supplemental agreement and amendments to the City of Sandusky/Erie County Water Contract; and

WHEREAS, the City of Sandusky desires to connect to an existing County water main at Cedar Point Road and S.R. 6 (Cleveland Road); **NOW, THEREFORE,**

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY, OHIO:

THAT, this Board hereby enters into an agreement amendment with the City of Sandusky, 222 Meigs Street, Sandusky, Ohio 44870 for the purpose of providing water to the City of Sandusky, looping a dead end water main on Cedar Point Road at S.R. 6 (Cleveland Road), according to the provisions as outlined in the attached document; and

THAT, this Board of County Commissioners hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Mr. Shenigo seconded the motion for the adoption of said resolution; and the roll being called upon its adoption, the vote resulted as follows:

Roll Call: Mr. Ferrell, Aye; Mr. Shenigo, Aye; Mr. Monaghan, Aye

Adopted: July 14, 2011

CERTIFICATE

I, Carolyn L. Hauenstein, Clerk of the Board of County Commissioners of Erie County, Ohio, hereby do certify that the above is a true and correct copy of resolution adopted by said Board under said date, and as same appears in Commissioners' Journal Volume #184.

Carolyn L. Hauenstein Clerk
Board of County Commissioners
of Erie County, Ohio

Approved by County Administrator

Michael J. Bixler
Michael J. Bixler



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: Nicole C. Ard, City Manager
From: Todd J Roth, Director
Date: August 28, 2012
Subject: Commission Agenda Item

Item for Consideration: Ordinance awarding a contract to Precision Paving, Milan, Ohio, for the 2012 City Resurfacing Program. This project will mill and pave two streets with new asphalt, adjust castings, and install pavement markings as needed on Market Street from Wayne Street to Meigs Street and on Hancock Street from Monroe Street to Jefferson Street.

The following four (4) bids were received on August 21, 2012:

Erie Blacktop, Inc. Sandusky, OH	Bid: \$189,031.93
Precision Paving Milan, OH	Bid: \$168,743.36
Gerken Paving, Inc Napoleon, OH	Bid: \$223,538.58
A.J. Riley Norwalk, OH	Bid: \$181,690.19

Precision Paving was determined to be the lowest and best bid. This project involves grant funds; therefore, the Local Preference ordinance does not apply.

Budgetary Information: The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$185,617.70, to be paid with Community Development Block Grant Funds.

Action Requested: It is requested that the Ordinance awarding the construction contract to Precision Paving, Inc., Milan, Ohio in the amount of **\$168,743.36** 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 scheduling the work as soon as possible so the work can be completed before the asphalt plant closes for the season which is typically the end of November.

I concur with this recommendation:

Nicole C. Ard, City Manager

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH PRECISION PAVING, INC., OF MILAN, OHIO, FOR THE 2012 CITY RESURFACING PROGRAM; 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 2012 City Resurfacing Program by Resolution No. 019-12R, passed on July 9, 2012; and

WHEREAS, the 2012 City Resurfacing Program involves the milling and paving of two (2) streets with new asphalt, casting adjustments, and the installation of pavement markings as needed on Market Street from Wayne Street to Meigs Street and on Hancock Street from Monroe Street to Jefferson Street; and

WHEREAS, upon public competitive bidding as required by law four (4) appropriate bids were received and the bid from Precision Paving, Inc., of Milan, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total revised project cost based on bids, including engineering, inspection, advertising and miscellaneous expenses is \$185,617.70 and will be paid with Community Development Block Grant (CDBG) Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute the contract and allow the contractor to schedule the work as soon as possible so the work can be completed before the asphalt plant closes for the season which is typically the end of November; 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 Precision Paving, Inc., of Milan, Ohio, for the 2012 Resurfacing Program at an amount not to exceed One Hundred Sixty Eight Thousand Seven Hundred Forty Three and 36/100 Dollars (\$168,743.36) consistent with the bid submitted by Precision Paving, Inc., of Milan, 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.

JOHN F. HAMILTON
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 10, 2012



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: Nicole C. Ard, City Manager
From: Todd J Roth, Director
Date: August 28, 2012
Subject: Commission Agenda Item

Item for Consideration: Ordinance awarding a contract to Speer Bros., Inc., Sandusky, Ohio, for the Thorpe Drive, Dorn Drive and Ferndale Drive Waterline Project. This project will install an 8 inch water main on Thorpe Drive from Venice Road to Dorn Drive and Dorn Drive to Ferndale Drive to replace the existing 6 inch main. The new main will meet current standards.

The following eight (8) bids were received on August 16, 2012:

G.E. Baker Shreve, OH	Bid: \$590,631.60
Ed Burdue & Co. Sandusky, OH	Bid: \$494,219.60
Eclipse Co. Warrensville Heights, OH	Bid: \$634,746.51
Buckeye Excavating Norwalk, OH	Bid: \$563,694.00
KF Construction & Excavating Clyde, OH	Bid: \$669,631.00
Elite Excavating Mansfield, OH	Bid: \$581,609.00
Speer Bros., Inc. Sandusky, OH	Bid: \$485,742.00

Underground Utilities
Monroeville, OH

Bid: \$583,844.00

Speer Bros., Inc. was determined to be the lowest and best bid. This project involves grant funds; therefore, the Local Preference ordinance does not apply.

Budgetary Information: The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$534,316.20. 50% of the construction costs will be paid with an Ohio Public Works Grant in the amount of \$242,871.00 with the remaining amount of \$291,445.20 to be paid with the Water Fund.

Action Requested: It is requested that the Ordinance awarding the construction contract to Speer Bros, Inc., Sandusky, Ohio in the amount of **\$485,742.00** be approved and that it be passed in full accordance with Section 14 of the City Charter in order to start the project by the fall and meet the schedule requirement of the grant agreement with the Ohio Public Works Commission.

I concur with this recommendation:

Nicole C. Ard, City Manager

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPEER BROS., INC., OF SANDUSKY, OHIO, FOR THE THORPE DRIVE, DORN DRIVE AND FERNDALE DRIVE WATERLINE PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission authorized 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 for the proposed Thorpe Drive, Dorn Drive and Ferndale Drive Waterline Project by Resolution No. 030-10R, passed on September 13, 2010; and

WHEREAS, the City Commission authorized the City Manager to enter into an agreement for Professional Design Services with John Hancock & Associates, Inc., for the proposed Thorpe Drive, Dorn Drive and Ferndale Drive Waterline Project by Ordinance No. 11-042, passed on April 25, 2011; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed Thorpe Drive, Dorn Drive and Ferndale Drive Waterline Project by Resolution No. 018-12R, passed on July 9, 2012; and

WHEREAS, the Thorpe Drive, Dorn Drive and Ferndale Drive Waterline Project involves the replacement of the existing six (6) inch water main to an eight (8) inch water main on Thorpe Drive from Venice Road to Dorn Drive and Dorn Drive to Ferndale Drive; and

WHEREAS, upon public competitive bidding as required by law eight (8) appropriate bids were received and the bid from Speer Bros., Inc., of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total revised project cost based on bids, including engineering, inspection, advertising and miscellaneous expenses is \$534,316.20 of which \$242,871.00 (50% of construction costs) will be paid with an Ohio Public Works Commission grant and the remaining balance of \$291,445.20 will be paid with Water Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to execute the contract and allow the contractor to begin the project by the Fall and meet the schedule requirement of the grant agreement with the Ohio Public Works Commission (OPWC); 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 Speer Bros., Inc., of Sandusky, Ohio, for the Thorpe Drive, Dorn Drive and Ferndale Drive Waterline Project at an amount not to exceed Four Hundred Eight Five Thousand Seven Hundred Forty Two and 00/100 Dollars (\$485,742.00) consistent

with the bid submitted by Speer Bros., 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.

JOHN F. HAMILTON
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 10, 2012

TO: City Commission

FROM:

Kelly L. Kresser
City Commission Clerk

DATE: August 29, 2012

SUBJECT: Replacement Pages for Codified Ordinances for the City of Sandusky

ITEM FOR CONSIDERATION: It is requested the City Commission authorize the adoption of an Ordinance approving current replacement pages to the Codified Ordinances and internet for the period August, 2011 – July, 2012 with Walter H. Drane Company.

The City of Sandusky completes a codification process each year in order to bring the Code of Ordinances up to date. Additionally, state laws which have been changed or newly adopted are incorporated into this update.

BUDGETARY INFORMATION: The cost of the revisions of the Codification supplements and updating the Code on the internet will be taken from the contractual services line item in the Commission's budget (50%), sewer funds (25%), and water funds (25%). This item is appropriated each year.

ACTION REQUESTED: It is recommended an Ordinance be approved ratifying payment to Walter H. Drane Company in the amount of \$4,000 and approving the replacement pages. It is further requested this legislation take immediate effect in full accordance with Section 14 of the City Charter to allow for payment in a timely manner.

/klk

cc.: Hank Solowiej
Donald Icsman
Nicole Ard

Walter H. Drane Company

Municipal Codes
Suite 344
23811 Chagrin Boulevard
Beachwood, Ohio 44122-5525

Phone (216) 514-1022
E-mail whdrane1@aol.com

Fax (216) 514-4740
Web Site www.walterdrane.com

Kelly L Kresser
City Commission Clerk
222 Meigs St.
Sandusky, Ohio 44870-2837

DATE 8/23/2012

P.O.

CONTRACT

INVOICE NO. 15862

Preparation of 2012 Replacement pages; updating Internet; Shipping and Handling	4,000.00
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Total	<u>\$4,000.00</u>
Payments/Credits	\$0.00
Balance Due	<u>\$4,000.00</u>

ORDINANCE NO. _____

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE SANDUSKY CODIFIED ORDINANCES FOR THE PERIOD AUGUST, 2011 THROUGH JULY, 2012; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various Ordinances of a general and permanent nature have been passed by the Commission which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before this City Commission; and

WHEREAS, the total cost of the revisions of the Codification supplements and updating the Code on the internet is \$4,000.00 of which \$2,000.00 will be paid with funds from the Commission's budget, \$1,000.00 will be paid with Sewer Funds and \$1,000.00 will be paid with Water Funds; 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 allow for payment of the invoice received and approve the replacement pages to the Codified Ordinances in a timely manner; and

WHEREAS, in order to provide for the immediate preservation of the public peace, health, welfare and safety for the reason that there exists an imperative necessity for the earliest publication and distribution of current replacement pages to the officials and residents of the City of Sandusky, so as to facilitate administration, daily operation and avoid practical and legal entanglements, it is necessary to declare this Ordinance to be an emergency measure to take effect immediately upon its adoption and due authentication; and NOW, THEREFORE,

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

Section 1. The Ordinances of the City of Sandusky, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2012 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

301.031 Beacon; Hybrid Beacon. (Added)
301.161 Highway Traffic Signal. (Added)

Traffic Code (Cont.)

301.17 Intersection. (Amended)
301.181 Median. (Added)
301.26(b) Private Road or Driveway. (Added)
301.361 Shared-Use Path. (Added)
301.45 Traffic. (Amended).

- 301.46 Traffic Control Device. (Amended)
- 301.47 Traffic Control Signal. (Amended)
- 303.01 Compliance With Order of Police Officer. (Amended)
- 303.041 Emergency, Public Safety and Coroner's Vehicles Exempt. (Amended)
- 313.03 Traffic Signal Indications. (Amended)
- 313.04 Lane-Use Control Signal Indications. (Amended)
- 313.05 Special Pedestrian Control Signals. (Amended)
- 313.06 Flashing Traffic Signals. (Repealed)
- 331.12 U-Turns Restricted. (Amended)
- 333.01 Driving or Physical Control While Under the Influence. (Amended)
- 333.11 Texting While Driving Prohibited. (Added)
- 335.01 Driver's License or Commercial Driver's License Required. (Amended)
- 335.02 Permitting Operation Without a Valid License. (Amended)
- 335.032 Electronic Wireless Communication Device Prohibited. (Added)
- 335.05 Wrongful Entrustment of a Motor Vehicle. (Amended)
- 335.06 Display of License. (Amended)
- 335.07 Driving Under License Suspension or Restriction. (Amended)
- 335.071 Driving Under OVI Suspension. (Amended)
- 335.072 Driving Under Financial Responsibility Law Suspension or Cancellation. (Amended)
- 335.073 Driving Without Complying With License Reinstatement Requirements. (Amended)
- 335.074 Driving Under License Forfeiture or Child Support Suspension. (Added)
- 335.12 Stopping After Accident Upon Streets. (Amended)
- 335.13 Stopping After Accident Upon Property Other Than Street. (Amended)
- 335.14 Vehicle Accident Resulting in Damage to Realty. (Amended)
- 339.03 Maximum Width, Height and Length. (Amended)
- 341.05 Commercial Drivers' Criminal Offenses. (Amended)
- 351.04 Parking Near Curb; Handicapped Parking. (Amended)

General Offenses Code

- 501.02 Classification of Offenses. (Amended)
- 501.11 Organizational Criminal Liability. (Amended)
- 501.99 Penalties for Misdemeanors. (Amended)
- 505.001 Animals and Fowl Definitions. (Enacted)
- 505.13 Dangerous Wild Animals and Restricted Snakes. (Amended)
- 505.14 Dangerous Dogs. (Amended)
- 509.06 Inducing Panic. (Amended)
- 509.07 Making False Alarms. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.121 Marihuana Drug Paraphernalia. (Added)

General Offenses Code (Cont.)

- 517.05 Cheating. (Amended)
- 525.02 Falsification. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.08 Procuring. (Amended)
- 533.09 Soliciting. (Amended)
- 537.10 Telecommunication Harassment. (Amended)
- 537.12 Misuse of 9-1-1 System. (Amended)
- 541.02 Arson. (Amended)

- 545.02 Determining Property Value in Theft Offense. (Amended)
- 545.04 Detention of Shoplifters. (Amended)
- 545.05 Petty Theft. (Amended)
- 545.07 Insurance Fraud. (Amended)
- 545.08 Unauthorized Use of Property. (Amended)
- 545.09 Passing Bad Checks. (Amended)
- 545.10 Misuse of Credit Cards. (Amended)
- 545.13 Criminal Simulation. (Amended)
- 545.14 Tampering With Records. (Amended)
- 545.15 Securing Writings by Deception. (Amended)
- 545.17 Defrauding Creditors. (Amended)
- 545.18 Receiving Stolen Property. (Amended)

Section 3. The complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances, a copy of which is on file in the office of the Clerk of the City Commission. Section 4. 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 5. 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 6. 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.

JOHN F. HAMILTON
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 10, 2012

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

6726417 <small>PERMIT NUMBER</small>		NEW <small>TYPE</small>	PARTY STORE LTD DBA THE PARTY STORE 803 HANCOCK ST SANDUSKY OH 44870	
ISSUE DATE 08 15 2012				
FILING DATE				
C1 <small>PERMIT CLASSES</small>				
22 <small>TAX DISTRICT</small>	077 <small>PERMIT CLASS</small>	B <small>PERMIT CLASS</small>	Z80897 <small>RECEIPT NO.</small>	



FROM 08/17/2012

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT	PERMIT CLASS	RECEIPT NO.



MAILED 08/17/2012

RESPONSES MUST BE POSTMARKED NO LATER THAN.

09/17/2012

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **B NEW 6726417**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF SANDUSKY CITY COUNCIL
222 MEIGS STREET
SANDUSKY OHIO 44870

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT #	6726417

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
 6606 Tasting Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005
 Telephone: (614) 644-2431 - http://www.com.ohio.gov/liqr



LIMITED LIABILITY COMPANY DISCLOSURE FORM
 (This form must accompany all applications of an LLC business entity)

SECTION A.

Name of Limited Liability Company THE PARTY STORE LTD.	DBA Name THE PARTY STORE	
Permit Premises Address 803 HANCOCK ST.	City, State SANDUSKY, OHIO	Zip Code 44870
Township, if in Unincorporated Area	Tax Identification No. (TIN) 45-5776640.	

Limited Liability Company ("LLC") - Chapter 1705 Ohio Revised Code. Indicate below the managing members, LLC Officers, and all persons with a 5% or greater membership or voting interest, and attach a copy of the Articles of Organization filed with the Ohio Secretary of State.

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION B. List the top five (5) officers of the captioned business. If an office is NOT held, please indicate by writing NONE.

EACH OFFICER LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BC&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

NAME OF OFFICER	SOCIAL SECURITY NUMBER	DATE OF BIRTH
1) CEO RACQUEL A. PACE		10-4-67
2) President NONE		
3) Vice-President NONE		
4) Secretary NONE		
5) Treasurer NONE		

SECTION C. List the managing members and all persons with a 5% or greater membership or voting interest in the LLC.

THE INDIVIDUALS LISTED BELOW MUST HAVE A BACKGROUND CHECK PERFORMED BY BC&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name RACQUEL A. PACE	Social Security No. (if individual)	<input checked="" type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
Residence Address 1250 CHALET DR.	Tax Identification No. (if applicable)	
City and State SANDUSKY, OH	Zip Code 44870	
Telephone No. 419-366-8040	Date of Birth	
2) Name	Social Security No. (if individual)	
Residence Address	Tax Identification No. (if applicable)	<input type="checkbox"/> Managing Member <input type="checkbox"/> 5% or greater voting interest <input type="checkbox"/> 5% or greater membership interest
City and State	Zip Code	
Telephone No	Date of Birth	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, ERIE COUNTY ss,

I, RACQUEL A. PACE being first duly sworn, according to law, deposes and says that he/she is (Title) CEO of the THE PARTY STORE LTD., a business duly authorized by law to do business in the State of Ohio, and that the statements made in the foregoing affidavit are true.

(Signature) Racquel A. Pace (Print Name and Title) RACQUEL A. PACE ; CEO

Sworn to and subscribed in my presence this 14 day of June 2012

Jean K Pettus 8-5-12
 (Notary Public) (Notary Expiration)

2012 JUN 19 PM 1:39

LIQUOR LICENSING SCAN RM. 1-9

From: Rudolfo Ruiz
To: Kresser, Kelly
Date: 8/22/2012 4:03 PM
Subject: The Party Store

After reviewing the Fire inspection file on The Party Store 803 Hancock Street transaction number: B NEW 6726417 the Sandusky Fire Department Fire Prevention Bureau has no official objection for renewal to maintain permit privileges, nor requests a hearing.

According to the inspection file there are no unfavorable enforcement records or disregard to laws, regulations or local ordinances.

Sincerely,

Rudy Ruiz, MBA, EFO, FO
Fire Marshal
Bureau of Fire Prevention & Risk Reduction
Sandusky Fire Department
419-627-5823 office
419-557-1145 cell
Have you checked your smoke alarms lately?

From: John Orzech
To: Kresser, Kelly
Date: 8/20/2012 8:30 AM
Subject: Liquor Permit

Kelly,

The police department has no objection to the issuing of this permit.

John

From: Carrie Handy
To: Kelly Kresser
Date: 9/6/2012 10:33 AM
Subject: Re: Party Store, Hancock Street

Kelly -

The Division of Planning has no objection to the issuance of a carry-out license for the store at 801 Hancock Street. This property is zoned "LB"/Local Business District which would permit a neighborhood convenience-type store which sells groceries.

Carrie R. Handy
Chief Planner
City of Sandusky, Ohio
222 Meigs Street
Sandusky, Ohio 44870
419-627-5873
chandy@ci.sandusky.oh.us