



**CITY OF SANDUSKY COMMISSIONERS
REGULAR SESSION AGENDA
May 9, 2011 at 5 p.m.
City Hall, 222 Meigs Street**

INVOCATION

PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

P. Brown, D. Kaman, J. Hamilton, R. Brady, J. Farrar, D. Waddington & D. Cole

APPROVAL OF MINUTES

April 25, 2011

PROCLAMATION

Zonta Club of Sandusky - 50th anniversary

AUDIENCE PARTICIPATION

Agenda items listed below only (3 minute limit)

COMMUNICATIONS

Motion to accept all communications submitted below

CURRENT BUSINESS

ITEM #1 – ORDERED IN 4.25.11

ORDINANCE NO. _____: It is requested an Ordinance be passed amending part one – administrative code, title seven – boards and commissions, by the addition of new chapter 173 – Sandusky Youth Commission, of the codified ordinances, in the manner and way specifically set forth hereinbelow.

ITEM #2 – Submitted by Todd J. Roth, P.E., P.S.

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

RESOLUTION NO. _____: It is requested a Resolution be adopted pursuant to Section 1506.11 of the Ohio Revised Code finding and determining that based upon the representations and application filed by Elizabeth A. Valentine, trustee for property located at 1119 Cedar Point Road, the use and development of the territory so described, a submerged lands lease may be entered into by the state’s director of natural resources, and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

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

Budgetary Information: There will be no additional fees related to the requested time extension for change order #9 with Mosser Construction. The cost for piping changes and any other requested changes will be brought forward at a later date.

ORDINANCE NO. _____: It is requested an Ordinance be passed authorizing and directing the city manager to approve the ninth change order for work being performed for the wastewater treatment plant expansion project phase II by Mosser Construction of Fremont, Ohio; 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 city bid out the project in 2010 and contracts were awarded for general trades, plumbing, HVAC, electrical and fire protection in the amount of \$5,305,272. The city has also contracted out the construction administration in the amount of \$598,000. Costs have already been incurred on all contracts. The city is applying for an Ohio Water Development Authority loan which will be paid back with water funds.

ORDINANCE NO. _____: It is requested an Ordinance be passed authorizing a cooperative agreement between the City of Sandusky and the Ohio Water Development Authority to finance the cost of construction for the big island water works chemical improvement project; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #5 – Submitted by Carrie R. Handy, Chief Planner

Budgetary Information: There will be no impact to the general fund. Proposed activities will be paid for through the CDBG grant funds.

ORDINANCE NO. _____: It is requested an Ordinance be passed authorizing and directing the city manager to accept a consolidated entitlement grant in the estimated amount of \$744,846 total community development block grant funds for the program year of July 1, 2011, through June 30, 2012, and to submit to the United States Department of Housing and Urban Development a FY 2011 one-year action plan; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #6 – Submitted by Carrie R. Handy, Chief Planner

Budgetary Information: The total estimated project cost, including engineering, inspection, advertising and miscellaneous costs is \$642,958. \$70,000 is being funded with land and water conservation fund grant; \$25,000 with city water funds and \$25,000 with city sewer funds; and \$2,892 with a Sandusky/Erie County Community Foundation grant. The remaining balance of \$520,066 will be funded with CDBG funds.

RESOLUTION NO. _____: It is requested a Resolution be passed declaring the necessity for the City of Sandusky, Ohio, to proceed with the Lions Park project phase II, 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 #7 – Submitted by Kelly L. Kresser, Clerk of the City Commission

A notice has been submitted to the City of Sandusky from the Ohio Division of Liquor Control, requesting a liquor permit transfer for River Avenue Enterprises LLC, dba Louie’s Sportsman’s Lounge & Patio, 2331 River Avenue, Sandusky. It is requested the clerk notify the Ohio Division of Liquor Control that the city has no objections to this request.

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, May 9 at 8:30 p.m.

REPLAYS: Tuesday, May 10 at 5 p.m.
Monday, May 16 at 7 p.m.

PROCLAMATION

WHEREAS, the Zonta Club of Sandusky was chartered February 3, 1961, and is celebrating its 50th anniversary; and,

WHEREAS, the club membership includes over 50 women who represent executives and professionals from diverse occupations; and,

WHEREAS, the Zonta Club of Sandusky is a member of Zonta International, a worldwide service organization of women working to advance the status of women; and,

WHEREAS, Zonta International has over 33,000 members in 67 countries around the world with emphasis on making a difference in the lives of women by working to improve the legal, political, economic, health, educational and professional status of women through service and advocacy; and

WHEREAS, Zonta Club of Sandusky is committed to the values of love, international fellowship, and integrity, service and building community;

NOW THEREFORE, I, Daniel J. Kaman, President of the City Commission of Sandusky, Ohio, do hereby declare the month of May, 2011 as:

“Zonta Club of Sandusky Month”

in the City of Sandusky, Ohio, and ask the citizens of Sandusky to join in congratulating members of the Zonta Club of Sandusky for their efforts and success with preventative health, mentoring and leadership, advocacy and essentials for living.

Dated this 9th day of May, 2011.

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART ONE - ADMINISTRATIVE CODE, TITLE SEVEN - BOARDS AND COMMISSIONS, BY THE ADDITION OF NEW CHAPTER 173 - SANDUSKY YOUTH COMMISSION, OF THE CODIFIED ORDINANCES, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW.

WHEREAS, this City commission has determined that there is a need to create a Youth Commission for the City; and

WHEREAS, the Sandusky Youth Commission will be created to operate as a liaison between the youth of the City, the Sandusky City Commission and the Sandusky School System on issues affecting the youth by increasing communication between adults and youth, fostering and encouraging civic pride through an enhanced knowledge, understanding and involvement in the future of the City by providing a responsive voice for the youth of the community when requested by local government officials; 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 of the City of Sandusky, Ohio 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, of the Codified Ordinances of the City be amended by the addition of New Chapter 173 - Sandusky Youth Commission, as follows:

**NEW CHAPTER 173
SANDUSKY YOUTH COMMISSION**

- 173.01 Establishment; Membership; Term.
- 173.02 Officers; Meetings; Records.
- 173.03 Powers and Duties.
- 173.04 Annual Report.

CROSS REFERENCES

Authority to Establish - See Charter § 29

173.01 ESTABLISHMENT; MEMBERSHIP; TERM.

- (a) There is hereby established a Commission to be hereafter known as the "Sandusky Youth Commission" which shall consist of no more than fifteen (15) members, three (3) of whom shall be adults and reside within the City of Sandusky and shall be at least twenty-one (21) years of age, and twelve (12) of whom shall be high school students between the ages of eleven (11) and twenty-one (21) who reside within the City of Sandusky, attend school within the City of Sandusky, and are enrolled in or entering grades nine (9) through twelve (12).
- (b) The following authorities shall each have four (4) appointments and one (1) adult appointment: the Superintendent of the Sandusky City Schools, the Sandusky City Commission and the Sandusky City School Board.
- (c) Each member nominated for appointment shall be confirmed by the majority vote of the Sandusky City Commission and shall serve for one (1) year without compensation. In the event a vacancy occurs prior to

the expiration of the term, an appointment shall be made in the same manner for the remainder of the unexpired term.

- (d) The President of the Sandusky City Commission shall nominate one (1) City Commissioner as liaison to be confirmed by a majority vote of the Sandusky City Commission.

173.02 OFFICERS; MEETINGS; RECORDS.

- (a) At its first meeting in October each year, the Sandusky Youth Commission shall elect a Chairman, Vice Chairman, Secretary and Treasurer from its membership to serve one (1) year terms.
- (b) The Sandusky Youth Commission shall hold regular monthly meetings between October and April and may provide a method for the calling of special meetings. All meetings shall be open to the public and comply with open meeting laws.
- (c) The Secretary of the Sandusky Youth Commission shall keep appropriate minutes of its meetings and activities and make those records available as required by law.
- (d) The Youth Commission shall adopt rules for the conduct of its meetings. A simple majority of the Commission shall constitute a quorum.

173.03 POWERS AND DUTIES.

The Sandusky Youth Commission is an advisory body and shall have no executive or administrative powers or authority, and this Chapter shall not be construed as depriving City elected or appointed officials of any power they may have under the City Charter or laws of the State of Ohio. The Sandusky Youth Commission shall be advisory and is created for the purpose of providing a youthful viewpoint on matters pertaining to the youth of the community. The duties of the Sandusky Youth Commission may include the following:

- (a) Act in an advisory capacity to the Sandusky City Commission when requested on matters pertaining to the youth population and municipal government.
- (b) Maintain a constructive working relationship with the Sandusky City Schools and other organizations to identify and promote issues impacting the youth of the city.
- (c) Recognize children and youth making significant contributions to the community.
- (d) Participate in and monitor current municipal youth activities and programs and their impact on the youth of the community.
- (e) Identify any current needs of children and youth through personal contact with children, Sandusky School officials, youth providers and others.

173.04 ANNUAL REPORT.

The Sandusky Youth Commission shall submit to the Sandusky City Commission and the Sandusky School Board an annual report of its activities for the previous year and plan of work for the ensuing year.

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 shall take effect at the earliest time permitted by Law.

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 9, 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 of PED
Date: April 26, 2011
Subject: Commission Agenda Item

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

Elizabeth A. Valentine, Trustee
5876 Darrow Road
Hudson, OH 44236

The lease is for the property located at 1119 Cedar Point Road. The property owner intends to put in a floating dock for personal use which will be 13'3" wide by 18'3" long. The dock will have temporary moorings and will be removed and stored in the winter. The lease area will be 250 square feet.

BUDGETARY INFORMATION: The City will receive 50% of the payment for the finalized lease each year.

ACTION REQUESTED: It is requested that a resolution authorizing and consenting to a submerged land lease to be issued by the State of Ohio to Elizabeth A. Valentine, Trustee, be approved under suspension of the rules and in accordance with Section 14 of the City Charter in order to ensure that the administrative review process can continue in a timely manner to allow work to begin on the dock as soon as possible.

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 ADOPTED PURSUANT TO SECTION 1506.11 OF THE OHIO REVISED CODE FINDING AND DETERMINING THAT BASED UPON THE REPRESENTATIONS AND APPLICATION FILED BY ELIZABETH A. VALENTINE, TRUSTEE FOR PROPERTY LOCATED AT 1119 CEDAR POINT ROAD, THE USE AND DEVELOPMENT OF THE TERRITORY SO DESCRIBED, A SUBMERGED LANDS LEASE MAY BE ENTERED INTO BY THE STATE'S DIRECTOR OF NATURAL RESOURCES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Elizabeth A. Valentine, Trustee is the upland property owner of land located at 1119 Cedar Point Road, in the City of Sandusky; and

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

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

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

WHEREAS, this legislation should be passed as an emergency measure and in accordance with Section 14 of the City Charter in order to ensure that the administrative review process can continue in a timely manner to allow work to begin on the dock as soon as possible; 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 upon its adoption; and NOW, THEREFORE,

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

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

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

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

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

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 9, 2011



OHIO DEPARTMENT OF NATURAL RESOURCES
**COASTAL PERMITS AND LEASE
 APPLICATIONS FORM**



Please consult the instructions prior to completing this form.
 Please type or print clearly using blue or black ink.

GENERAL INFORMATION

1. Property Owner Name: VALENTINE ELIZABETH A, TRUSTEE	
2. Mailing Address: 5876 Dawson Rd. HUDSON, OH 44236	3. Home Telephone Number: 330 603 8963
	4. Alternate Telephone Number:
	5. E-Mail Address: MVALENTINE@ONESTOPSHIPPING.COM
6. Authorized Agent/Representative Name:	
7. Mailing Address:	8. Telephone Number:
	9. Fax Number:
	10. E-Mail Address:

11. Street Address: 1119 CEDAR POINT ROAD SANDUSKY OH 44870	
12. Permanent Parcel Number(s): 55-00278	
13. City or Township: SANDUSKY	14. County: ERIE
15. Site Location Description (if necessary): ATTACHED	16. Submittals (check if enclosed): <input checked="" type="checkbox"/> Location Map

17. Name of Adjoining Shoreline Property Owners	Street Address / City / State / Zip Code (include permanent mailing and local)
ELIZABETH A. VALENTINE	1115 CEDAR POINT Rd. SANDUSKY, OH 44870
JAMIE R STEINEMANN	1173 CEDAR POINT Rd, SANDUSKY, OH 44870

18. Brief Description of the Proposed Structure or Project (attach additional sheets as necessary): FLOATING JET DOCK FOR TWO JET SKI'S SEASONAL - ATTACHED	
19. Anticipated Start Date: 6/1/11	20. Anticipated Finish Date: 6/2/11

21. To apply for an authorization, check the box below and complete the application on the reverse page:

<input type="checkbox"/> Shore Structure Permit	<input checked="" type="checkbox"/> Submerged Lands Lease	<input type="checkbox"/> Coastal Erosion Area Permit
<input type="checkbox"/> Shore Structure Permit Modification	<input type="checkbox"/> Submerged Lands Lease Modification	<input type="checkbox"/> Consistency Statement

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

SHORE STRUCTURE PERMIT APPLICATION

\$1506.40 ORC

1. Professional Engineer:		2. Registration Number:	
3. Mailing Address: <i>N/A</i>	4. Phone Number:	7. Submittals (check if attached): <input type="checkbox"/> Construction Drawings (by Professional Engineer) <input type="checkbox"/> Design Information	
	5. Fax Number:		
	6. E-Mail Address:		

SUBMERGED LANDS LEASE APPLICATION

\$1506.11 ORC

1. Total Area of Submerged Lands to be Occupied: <i>250 SQ FT</i>		Deed Page:	
2. Deed Book: <i>201102657</i>		Date Issued:	
3. Local Authority Issuing Resolution: <i>CITY OF SANDUSKY</i>		4. Was any Portion of the Structure Erected in Lake Erie Prior to October 13, 1955? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5. Brief Explanation of the Purpose of the Structure or Project (attach additional sheets if necessary): <i>FLOATING JET DOCK (SEASONAL) DIAGRAM ATTACHED</i>		6. Submittals (check if attached): <input checked="" type="checkbox"/> Construction Drawings <input type="checkbox"/> Copy of Title Deed <input type="checkbox"/> Metes and Bounds Survey <input type="checkbox"/> Local Resolution or Ordinance	

COASTAL EROSION AREA PERMIT APPLICATION

\$1506.07 ORC

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

SIGNATURE AND CONSISTENCY STATEMENT

\$1506.03 ORC

I do certify that the proposed activity identified in this application complies with Ohio's approved Coastal Management Program and will be conducted in a manner consistent with such program (15 CFR 930.57 and ORC 1506.03).

I do additionally certify that I am familiar with the information contained in this application and, to the best of my knowledge and belief, such information is true, complete and accurate.

Cynthia Water Huster
Signature of Property Owner or Authorized Agent

4.20.11
Date

Application Page 2 of 2

MAIL TO: ODNR Office of Coastal Management, 105 W. Shoreline Drive, Sandusky OH 44870

[Print](#) | [Back](#)

Erie County GIS

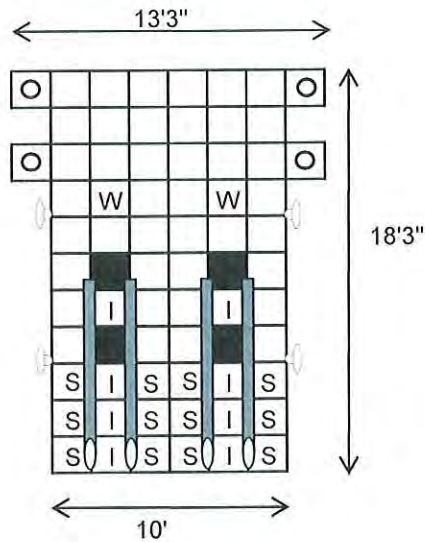


Notes

Proposed Floating Jet Dock



Custom Dock
For
Valentine Diagram
Modular Assemblies



L	Large Cube	Tie Off Cleats	
I	Inverted Cube	Pivoting Pedestal Winch	
B	Balast Cube	T	PWC Winch
■	Open Well	■	KDS Tube
		○	Mooring Posts

WARNING: The Jet Dock System and its assembly, designs and configurations depicted in these diagrams are protected by U.S. Patents #5,529,013; #5,682,833; #5,931,113; #5,947,050; #6,431,106; #6,526,902 and #6,745,714; Canadian Patents #2,174,705 and #2,271,572; European Patents #0,837,815; #1,438,228 and #1,440,003; and other pending United States, Canadian, and International patents. For information on licensing and/or patent infringement clarification, please contact Jet Dock Systems, Inc.



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: April 26, 2011
Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Change Order No. 9, General Trades and Electric Contract for the Wastewater Treatment Plant Expansion Project Phase II. This Change Order includes one (1) item change that is recommended for approval by the Project Manager, Jones & Henry Engineers, Ltd. City Staff concurs with the recommended approval.

1. Extend the project completion date to July 14, 2011.

The contractor was recently issued a piping change at the centrifuge. The piping work may extend beyond the completion date of May 15, 2011; therefore a sixty day extension is being requested.

Previously, the General Trades Contractor had requested an extension to May 15, 2011. This extension was requested in order to complete the asphalt paving, seeding and mulching and grading tasks that were weather dependent. Due to the late spring and rainy weather, this work will not be completed by May 15 and the additional 60 day extension will permit the completion of those tasks.

The items related to the extension will in no way impede plant operations as the project's wet stream portion is on-line and treating flows up to 42 mgd during these wet periods.

BUDGETARY INFORMATION: There will be no additional fees related to the requested time extension for Change Order No. 9 with Mosser Construction. The cost for piping changes and any other requested changes will be brought forward at a later date.

ACTION REQUESTED: It is requested that the Wastewater Treatment Plant Expansion Project Phase II Change Order No. 9, General Trades & Electric contract, for one (1) item change to be performed by Mosser Construction, Fremont, Ohio, be approved in full accordance with Section 14 of the City Charter in order to allow work to continue past the current extension date of May 15, 2011.

I concur with this recommendation:

Donald C. Icsman, Acting City Manager

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



Jones & Henry Engineers, Ltd.

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

April 25, 2011

Todd J. Roth, P.E., P.S.
Director of Engineering Services
Department of Planning, Engineering, & Development
Division of Engineering
222 Meigs Street
Sandusky, Ohio 44870

Subject: City of Sandusky, Ohio
WWTP Improvements – Phase II
Contracts G, E, P & H
Contract Completion Date Extension
026-5991.001

Dear Mr. Roth:

Recently, we have forwarded to Mosser Construction for quotation, modifications to the discharge piping of the cake pump at the centrifuge. With the completion date quickly approaching (May 15, 2011), we feel that an extension of sixty calendar days to complete the expected work is appropriate at this time.

The project's wet stream portion is on-line, at this time, and treating flows up to 42 mgd during these wet periods.

The additional time will also permit timely completion of final grading, seeding, and pavement which has been slowed due to the rainy conditions.

Sincerely,

JONES & HENRY ENGINEERS, LTD.

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

DWM/rmb
Attachments

State of Ohio
OHIO WATER DEVELOPMENT AUTHORITY

CHANGE ORDER Number 009

OWDA Project No.: 4977 and 4978 LGA Name: City of Sandusky, Ohio

Contract: City of Sandusky WWTP Improvements Phase II - Contract G & E

Title of Change Order: Change Order Number 9

Date: 4/26/2011

Description of Change: There is one item in Final Change Order 9.

Item 1 - Contract Completion Date Extension (#041-6608)

This item includes a time extension of the Contract Completion date. This time extension is a no cost change. Recently, the Contractor was issued a piping change at the centrifuge. It is expected that the piping work may extend beyond the completion date of May 15, 2011. A sixty (60) day extension to July 14, 2011 is required for the work.

	Jones & Henry Engineers, Ltd.	4/26/2011
RECOMMENDED FOR APPROVAL BY:	<i>Name of Engineering Firm</i>	<i>Date</i>
	<i>Engineer's Signature</i>	

Original Contract Amt	\$16,500,000.00	APPROVED BY:	City of Sanduky, Ohio
Previous Changes (+ or -)	\$273,225.11	DATE:	<i>Name of Owner</i>
This Change (+ or --)	\$0.00	SUBMITTED BY:	<i>Owner's Signature</i>
Adjusted Contract Amt	\$16,773,225.11	DATE:	Mosser Construction, Inc.
			<i>Name of Contractor</i>
			<i>Contractor's Signature</i>

Ohio Water Development Authority

The above proposal is hereby accepted and I recommend that it be approved and made a part of the contract covered by OWDA Project No. _____.

The above proposal is hereby approved.

<i>Chief Engineer</i>	<i>Date</i>	<i>Executive Director</i>	<i>Date</i>
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ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE NINTH CHANGE ORDER FOR WORK BEING PERFORMED FOR THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT PHASE II BY MOSSER CONSTRUCTION OF FREMONT, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

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

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

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

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

WHEREAS, this Ninth Change Order provides for one (1) item change that is recommended for approval by the Project Manager, Jones & Henry Engineers, Ltd. and is listed as follows:

1. Extend the project completion date to July 14, 2011.

WHEREAS, the contractor was recently issued a piping change at the centrifuge and it is expected that the piping work may extend beyond the completion date of May 15, 2011, and therefore a sixty (60) day extension is being requested; 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 allow work to continue past the current extended completion date of May 15, 2011; and

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

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

Section 1. The City Manager is hereby authorized and directed to approve this Ninth Change Order to request an extension from the deadline of May 15, 2011, until July 14, 2011, for work being performed for the Wastewater Treatment Plant Expansion Project Phase II by Mosser Construction of Fremont, Ohio.

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

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

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

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 9, 2011

To: Donald C. Icsman, Acting City Manager
From: Todd J Roth, Director
Date: April 27, 2011
Subject: Commission Agenda Item

ITEM FOR CONSIDERATION: Legislation approving a cooperative agreement between the City of Sandusky and the Ohio Water Development Authority. The Ohio Water Development Authority will provide a loan to finance the cost of construction for the Big Island Water Works Chemical Improvement Project.

The Ohio Water Development Authority has been created to carry forward the declared public policy of the State of Ohio to preserve, protect, upgrade, conserve, develop, utilize and manage the water resources of Ohio and to assist and cooperate with other governmental agencies in achieving such purposes through the establishment, operation and maintenance of water development projects. The City of Sandusky desires to obtain a loan from the OWDA to finance the cost of construction for the Big Island Water Works Chemical Improvement Project.

Below is the list of tasks included in the project scope of the Big Island Water Works Chemical Improvement Project.

- Chemical System Improvements
 - Sodium Hypochlorite
 - Sodium Permanganate
 - Alum System
 - Caustic
 - Hydrofluoric Acid
 - New Chemical Building and appurtenances
- Pre-Sedimentation Tank Improvements
 - Cleaning of tanks
 - New Coating system
 - Rehabilitate troughs, rake arms, walls, floors, drives

BUDGETARY INFORMATION: The City bid out the project in 2010 and contracts were awarded for General Trades, Plumbing, HVAC, Electrical & Fire Protection in the amount of \$5,305,272.00. The City has also contracted out the construction administration in the amount of \$598,000.00. Costs have already been incurred on all contracts. The City is applying for an Ohio Water Development Authority loan, which will be paid back with Water Funds.

ACTION REQUESTED: Request approval for the City Manager and the Finance Director to enter into a cooperative agreement with the Ohio Water Development Authority. It is requested that the necessary legislation to be passed under the suspension of the rules in accordance with section 14 of the City Charter so the application can be filed and executed with Ohio Water Development Authority in order to reimburse the City for funds expended for work already done.

I concur with the recommendation:

Donald C. Icsman
Acting City Manager

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

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF SANDUSKY AND THE OHIO WATER DEVELOPMENT AUTHORITY (OWDA) TO FINANCE THE COST OF CONSTRUCTION FOR THE BIG ISLAND WATER WORKS (BIWW) CHEMICAL IMPROVEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission declared the necessity for the City to proceed with the Big Island Water Works (BIWW) Chemical Improvement Project with a revised project scope by Resolution No. 022-10R, passed on July 26, 2010; and

WHEREAS, the Project Scope for the Big Island Water Works (BIWW) Chemical Improvement Project includes the following two tasks:

- Chemical System
 - Sodium Hypochlorite
 - Sodium Permanganate
 - Alum System
 - Caustic
 - Hydrofluoric Acid
 - New Chemical Building and appurtenances
- Pre-Sedimentation Tank Improvements
 - Cleaning of tanks
 - New Coating system
 - Rehabilitate troughs, rake arms, walls, floors, drives

WHEREAS, the City of Sandusky is performing certain construction activities as described in Exhibit "A" which is attached to the "Cooperative Agreement for Construction, Maintenance and Operation of State Water Project or Wastewater Project"; and

WHEREAS, the Ohio Water Development Authority (OWDA) has been created for reasons including to carry forward the declared public policy of the State of Ohio to preserve, protect, upgrade, conserve, develop, utilize and manage the water resources of Ohio, to prevent or abate the pollution of water resources, to promote the beneficial use of waters of Ohio for the protection and preservation of the comfort, health, safety, convenience and welfare, and the improvement of the economic and general welfare and employment opportunities of and the creation of jobs for the people of Ohio, and to assist and cooperate with other governmental agencies in achieving such purposes through the establishment, operation and maintenance of water development projects pursuant to Chapter 6121 of the Ohio Revised Code; and

WHEREAS, the City of Sandusky (referred to as the "LGA" in the Cooperative Agreement) desires to obtain a loan from the OWDA to finance the cost of certain construction activities on the terms as set forth in the "Cooperative Agreement for Construction, Maintenance and Operation of State Water Project or Wastewater Project", a copy of which is marked Exhibit "1" attached to this Ordinance and is specifically incorporated as if fully rewritten herein; and

WHEREAS, this project was bid out in CY 2010 and contracts were awarded for General Trades, Plumbing, HVAC, Electrical & Fire Protection in the amount of \$5,305,272.00 and construction administration in the amount of \$598,000.00 for a total cost of \$5,903,272.00; 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 to allow the Agreement to be signed with OWDA in order to reimburse the City for funds expended for work already completed; 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. This City Commission (LGA) hereby approves the construction activities for the Big Island Water Works (BIWW) Chemical Improvement Project and to finance the costs of these activities in cooperation with the OWDA under the provisions, terms and conditions set forth in the "Cooperative Agreement for Construction, Maintenance and Operation of State Water Project or Wastewater Project" substantially in the same form as attached hereto marked Exhibit "1".

Section 2. The City Manager and the Finance Director are hereby authorized and directed to execute the Agreement on behalf of the City in substantially the same form of the Agreement attached hereto and together with such revisions or additions as are approved by the Law Director as not being substantially adverse to the City and as being consistent with carrying out the City's public purpose.

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

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.

PAGE 3 - ORDINANCE NO. _____

DANIEL J. KAMAN
PRESIDENT OF THE CITY COMMISSION

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

Passed: May 9, 2011

TO: Donald C. Icsman, Acting City Manager
FROM: Carrie R. Handy, Chief Planner
DATE: April 26, 2011
SUBJECT: Commission Agenda Item – CDBG FY 2011 Action Plan

ITEM FOR CONSIDERATION: Authorizing and directing the City Manager to accept a consolidated entitlement grant in the amount of approximately \$744, 846 of Community Development Block Grant funds for the program year of July 1, 2011 through June 30, 2012; and to submit to the United States Department of Housing and Urban Development an FY 2011 One-Year Action Plan; and to execute all certifications and agreements; and to authorize program expenditures.

BACKGROUND INFORMATION: Prior to 2004, the City of Sandusky had received Community Development Block Grant (CDBG) funds through the State of Ohio Formula Grant Program. As a result of the 2000 Census, the City of Sandusky became a direct entitlement city and began receiving CDBG funds direction from the United States Department of Housing and Urban Development (HUD). Seven hundred and forty-four thousand, eight hundred and forty-six dollars (\$744,846) are estimated to be available from HUD to fund the City of Sandusky's 3rd Year Consolidated Plan budget for CDBG eligible activities.

In 2004 and in 2008, as required by HUD, the City of Sandusky undertook the consolidated planning process in order to receive funding from the HUD CDBG program. Sandusky's 5-Year Consolidated Plan for 2009-2013 strives to create economic opportunity, self-sufficiency and to sustain community development through comprehensive planning and a resource allocation approach. Activities include programs to address affordable housing and community development. Program contracts are awarded via Federal and City procurement regulations.

A One-Year Action Plan must be prepared on an annual basis incorporating any other comments deemed appropriate by the City and submitted to HUD under the rules and regulations promulgated by it. The One-Year Action Plan for the program year of July 1, 2011 through June 30, 2012 must be submitted to HUD by May 15, 2011. A 30-day comment period began March 28, 2011 and expired on April 26, 2011. The FY 2011 Action Plan will be available at the Sandusky Public Library and the City of Sandusky Municipal Building, 222 Meigs Street in the Department of Development. The document can also be accessed on-line at www.ci.sandusky.oh.us. All public comments will be incorporated into the final submission.

BUDGET/STRATEGIC PLAN IMPACT: There will be no impact to the general fund. Proposed activities will be paid for through the CDBG grant funds.

ACTION REQUESTED: It is requested that the City Commission approve legislation authorizing and directing the City Manager to accept a CDBG consolidated entitlement grant in the estimated amount of \$744,846 for the program year of July 1, 2011 through June 30, 2012 and to submit to HUD a One-Year Action Plan and to execute all certifications and agreements and to authorize program expenditures. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter to meet the May 15, 2011 deadline.

Todd Roth, Director of PED

Carrie Handy, Chief Planner

I concur with this recommendation:

Donald C. Icsman, Acting City Manager

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT A CONSOLIDATED ENTITLEMENT GRANT IN THE ESTIMATED AMOUNT OF \$744,846.00 TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE PROGRAM YEAR OF JULY 1, 2011, THROUGH JUNE 30, 2012, AND TO SUBMIT TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT A FY 2011 ONE-YEAR ACTION PLAN; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, prior to the year 2004 the City of Sandusky received Community Development Block Grant (CDBG) funds through the State of Ohio Formula Grant Program; and

WHEREAS as a result of the 2000 Census the City of Sandusky became a direct entitlement City eligible to receive CDBG funds directly from the U.S. Department of Housing and Urban Development; and

WHEREAS, Seven Hundred Forty Four Thousand Eight Hundred Forty Six and 00/100 dollars (\$744,846.00) is estimated to be available from HUD to fund the City of Sandusky's 3rd Year Consolidated Plan budget for Community Development Block Grant eligible activities; and

WHEREAS, this City Commission authorized the submittal of a 5-year Consolidated Plan for 2009-2013 to the United States Department of Housing and Urban Development by Ordinance No. 09-039, passed on May 11, 2009, that strives to create economic opportunity and self-sufficiency and to sustain community development through comprehensive planning a resource allocation approach and includes programs to address affordable housing and community development; and

WHEREAS, a One-Year Action Plan must be prepared on an annual basis incorporating other comments deemed appropriate by the City and for the program year of July 1, 2011, through June 30, 2012, must be submitted to HUD by May 15, 2011, and the thirty (30) day public comment period which began on March 28, 2010 and expired on April 26, 2011, with all additional comments being incorporated into the final submission; 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 to provide for the submission of the One-Year Action Plan to the United States Department of Housing and Urban Development by the May 15, 2011 deadline; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments 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 authorizes and directs the City Manager to accept a Consolidated Entitlement Grant in the estimated amount of Seven Hundred Forty Four Thousand Eight Hundred Forty Six and 00/100 Dollars (\$744,846.00) for the program year of July 1, 2011 through June 30, 2012, from the U.S. Department of Housing and Urban Development.

Section 2. This City Commission authorizes and directs the City Manager to submit to the U.S. Department of Housing and Urban Development a One-Year Action Plan for \$744,846.00 and to execute any required certifications and agreements in relation to the acceptance of the grant and to administer program expenditures consistent with the One-Year Action Plan.

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

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for 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: May 9, 2011

TO: Donald C. Icsman
Acting City Manager

FROM: Carrie R. Handy
Chief Planner

DATE: April 25, 2011

SUBJECT: Commission Agenda Item

ITEM FOR CONSIDERATION: Resolution of Necessity for the Lions Park Project Phase II. This phase of the overall improvement of Lions Park will include the construction of a new restroom/shelter building, a splash pad, playground area, and multi-purpose play surface which doubles as two half-court basketball courts and an ice skating rink.

BACKGROUND INFORMATION: Phase II improvement will include a splash pad, two playground areas, a restroom/shelter building and a multi-purpose play surface which doubles as two half-court basketball courts and an ice skating rink. Phase I improvements, which included re-grading the shoreline and demolishing the remaining trailer park area, were completed in the fall of 2010.

The redevelopment of Lions Park has been identified as a priority project by the City Commission and also during the City's Community Development Block Grant Consolidated Plan process for FY 2009-2013.

BUDGET/STRATEGIC PLAN IMPACT: The total estimated project cost, including engineering, inspection, advertising and miscellaneous costs is \$642,958. \$70,000 is being funded with a Land and Water Conservation Fund grant; \$25,000 with City Water funds and \$25,000 with City Sewer funds; and \$2,892 with a Sandusky/Erie County Community Foundation grant. The remaining balance of \$520,066 will be funded with CDBG funds.

ACTION REQUESTED: It is recommended that the proposed Lions Park Project Phase II be approved and that the necessary legislation be passed under suspension of the rules and in accordance with Section 14 of the City Charter in order to bid the project, receive competitive prices and complete work before the fall season.

Todd Roth, Director of PED

Carrie Handy, Chief Planner

I concur with this recommendation:

Donald C. Icsman, Acting City Manager

RESOLUTION NO. _____

A RESOLUTION DECLARING THE NECESSITY FOR THE CITY OF SANDUSKY, OHIO, TO PROCEED WITH THE LIONS PARK PROJECT PHASE II, 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 City Commission approved and adopted the Lions Park Master Plan by the passage of Ordinance No. 09-131, passed on December 28, 2009; and

WHEREAS, this City Commission authorized an agreement for professional design services with the Collaborative Inc., for the Lions Park Project Phase II by Ordinance No. 11-008, passed on February 14, 2011; and

WHEREAS, Phase II of the improvements to Lions Park will include a splash pad, two playground areas, a restroom / shelter building and a multi-purpose play surface which doubles as two half-court basketball courts and an ice skating rink; and

WHEREAS, the total estimated cost for this project including engineering, inspection, advertising and miscellaneous expenses is \$642,958.00 of which \$70,000.00 will be funded with a Land and Water Conservation Fund grant, \$25,000.00 will be paid with Water Funds, \$25,000.00 will be paid with Sewer Funds, \$2,892.00 will be paid with a Sandusky / Erie County Community Foundation grant and the remaining balance of \$520,066.00 will be funded with Community Development Block Grant (CDBG) 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 obtain competitive bids, award a contract and complete the project before the Fall 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 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 City's Director of Planning, Engineering and Development and submitted to this City Commission, and which are now on file with the Clerk of the City Commission, and the office of the Department of Engineering, for the Lions Park Project Phase II, be and the same are hereby approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with the Lions Park Project Phase II at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the Lions Park Project Phase II 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: May 9, 2011

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

7403227		TRFO	RIVER AVENUE ENTERPRISES LLC DBA LOUIES SPORTSMANS LOUNGE & PATIO 2331 RIVER AV SANDUSKY OHIO 44870
PERMIT NUMBER		TYPE	
02	01	2011	
ISSUE DATE			
04	26	2011	
FILING DATE			
D5	D6		
PERMIT CLASSES			
22	077	B F05505	
TAX DISTRICT		RECEIPT NO.	



FROM 04/28/2011

0726894			BIYC INC DBA LOUIES SPORTSMANS LOUNGE 2331 RIVER AV & PATIO SANDUSKY OHIO 44870
PERMIT NUMBER		TYPE	
02	01	2011	
ISSUE DATE			
04	26	2011	
FILING DATE			
D5	D6		
PERMIT CLASSES			
22	077		
TAX DISTRICT		RECEIPT NO.	



MAILED 04/28/2011

RESPONSES MUST BE POSTMARKED NO LATER THAN. 05/31/2011

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 TRFO 7403227**

(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**

OHIO DIV. LIQUOR CONTROL
 LICENSE # 1-A
 2011 APR 25 AM 10:51

FOR OFFICE USE ONLY	
NEW	TRANSFER
PERMIT # 7403227	

OHIO DEPARTMENT OF COMMERCE - DIVISION OF LIQUOR CONTROL
 6606 Tussing 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 River Avenue Enterprises, LLC	DBA Name	
Permit Premises Address 2331 River Avenue	City, State Sandusky, OH 44870	Zip Code 44870
Township, if in Unincorporated Area	Tax Identification No. (TIN)	

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 BCI&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 None		
2) President		
3) Vice-President		
4) Secretary		
5) Treasurer		

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 BCI&I AND SUBMIT A PERSONAL HISTORY BACKGROUND FORM. PLEASE READ "BACKGROUND CHECK INFORMATION" DLC4191.

1) Name John T. Ruble	Social Security No. (if	<input type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 4001 Page Street	Tax Identification No. (if applicable)	
City and State Allentown, PA	Zip Code 18104	
Telephone No. 484-951-5646	Date of Birth 04/18/1969	
2) Name Michael T. Neff	Social Security No. (if	<input checked="" type="checkbox"/> Managing Member <input checked="" type="checkbox"/> 5% or greater voting interest <input checked="" type="checkbox"/> 5% or greater membership interest
Residence Address 914 Sycamore Line, Apt. 2A	Tax Identification No. (if applicable)	
City and State Sandusky, OH	Zip Code 44870	
Telephone No. 440-227-6236	Date of Birth 12/19/1983	

(PLEASE SEE REVERSE SIDE SHOULD YOU NEED ADDITIONAL SPACE)

STATE OF OHIO, Erie COUNTY ss,

I, John T. Ruble being first duly sworn, according to law, deposes and says that he/she is (Title) Member
 of the River Avenue Enterprises, LLC, a business duly authorized by law to do business in the State of Ohio, and that the statements made in the forgoing affidavit are true.

(Signature) [Signature] (Print Name and Title) John T. Ruble, Member

Sworn to and subscribed to before me this 25th day of March 2011

JOHN D. FRANKEL
 Notary Public, State of Ohio
 My Commission Has No Expiration
 Section 147.03 O.R.C.

[Signature]
 (Notary Public) (Notary Expiration)

From: Carrie Handy
To: Kelly Kresser
Date: 5/2/2011 5:19 PM
Subject: Re: request for license transfer

Kelly -

This property is zoned "CR"/Commercial Recreation District by the Sandusky Zoning Code. This district permits "the sale and serving of all beverages and eating places of all types permitting dancing and live entertainment." Therefore, the proposed bar/restaurant operation would be a permitted use and the Planning Division has no objections to this request.

Carrie Handy
Chief Planner

>>> Kelly Kresser 4/29/2011 11:46 AM >>>

Attached is a liquor license transfer request for River Avenue Enterprises, LLC dba Louie's Sportsmans Lounge & Patio, 2331 River Avenue.

Please provide comments to me by Tuesday of next week so that I can add this to the May 9 agenda.

Thank you!

From: Charlie Sams
To: Kelly Kresser
Date: 5/3/2011 8:02 AM
Subject: Re: Reminder

Kelly,

I have no objections to the liquor license transfer.

Assistant Chief Charlie Sams
Sandusky Police Department
222 Meigs Street
Sandusky, Ohio 44870
(419)627-5870 - direct
(419)627-5862 - fax
csams@ci.sandusky.oh.us

>>> Kelly Kresser 5/2/2011 4:07 PM >>>

Please provide comments for the liquor license transfer request for Louie's Sportsmans Lounge by tomorrow (Tuesday).

From: Rudolfo Ruiz
To: Kresser, Kelly
Date: 5/3/2011 10:10 AM
Subject: Re: request for license transfer

After reviewing the Fire inspection file on Louies Sportsman Lounge 2331 River Ave. transaction number: B TRFO 7403227 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, CFI-I
Bureau of Fire Prevention & Risk Reduction
Sandusky Fire Department
419-627-5823 office
419-557-1145 cell

The United States Fire Administration recommends everyone should have a comprehensive fire protection plan that includes smoke alarms, residential sprinklers, and practicing a home fire escape plan.

>>> Kelly Kresser 4/29/2011 11:46 AM >>>

Attached is a liquor license transfer request for River Avenue Enterprises, LLC dba Louie's Sportsmans Lounge & Patio, 2331 River Avenue.

Please provide comments to me by Tuesday of next week so that I can add this to the May 9 agenda.

Thank you!