



CITY OF SANDUSKY COMMISSIONERS
REGULAR SESSION AGENDA
September 28, 2009 at 5 p.m.
City Hall, 222 Meigs Street

INVOCATION, PLEDGE OF ALLEGIANCE

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

Monday, August 24, 2009

PRESENTATION

P.R.I.D.E. Award Winners

Sue Daugherty, Serving Our Seniors, Annual Report

Stuart Wells, Future Green & Kraig Kutschbach, Centurion Technologies

(Wind & Energy Audit for the City of Sandusky)

AUDIENCE PARTICIPATION

Agenda Items Listed Below Only (3 minute limit)

COMMUNICATIONS

Motion to accept all Communications submitted below

ITEM #1 – Submitted by Edward Widman, Finance Director

Budgetary Information: Amendments are required to adjust the budget for previous actions of the City. The City Commission has approved several contracts that are being added to the budget at this time. These items include grants (Landbank, Trailer Park & HUD), Court Accounts, Hayes Ave., Mills St., and utility improvement projects (Chemical, Intake, Buchanan/Hayes, Cedar Point & WPC, Phase 2).

ORDINANCE NO. ____: It is requested an Ordinance be passed adopting Amendment No. 1 to Ordinance No. 09-012 passed by this City Commission on March 9, 2009, making General Appropriations for the Fiscal Year 2009 and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #2

ORDINANCE NO. ____: It is requested an Ordinance be passed amending Part One (Administrative Code), Title Five (Officers and Departments), Chapter 145 (Employment Provisions) of the Codified Ordinances, in the manner and way specifically set forth hereinbelow; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM #3 - This item was ordered in at the September 14, 2009 City Commission meeting

RESOLUTION NO. ____: It is requested a Resolution be passed acknowledging the importance of Cedar Point and recognizing the vital contributions it makes to the City and its residents and memorializing this City Commission's intention regarding the City's Admissions Tax contained in Chapter 195 of the Codified Ordinances; and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the City Charter.

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

Budgetary Information: The revised project cost based on bids, including engineering, inspection, advertising and miscellaneous costs are \$54,045.00. This project will be paid with Community Development Block Grant (CDBG) funds.

ORDINANCE NO. ____: It is requested an Ordinance be passed authorizing and directing the City Manager to enter into a contract with Ed Burdue & Company of Sandusky, Ohio, for the demolition of 727 Meigs Street, 1217 Ransom Street, 1802 Putnam Street, 228 Cable Street, 617 and 619 Taylor Street and 617 E. Market Street (house only), Sandusky, Ohio; 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/Transit Administrator

Budgetary Information: This grant has a significant impact on the transit system's budget, as it offsets the losses in farebox revenue from offering reduced fares to persons with disabilities and persons over age 65. It is also used as a local match for our Federal Transit Administration grant funding.

RESOLUTION NO. ____: It is requested a Resolution be passed authorizing and directing the City Manager to accept a grant in the amount of \$53,640 from the Ohio Department of Transportation for CY 2010 Elderly and Disabled Transit Fare Assistance Program; and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the City Charter.

CITY MANAGER'S REPORT

OLD BUSINESS

NEW BUSINESS

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

EXECUTIVE SESSION

ADJOURNMENT

MEMO

TO: City Commission
FROM: Ed Widman, Finance Director
DATE: September 15, 2009
RE: Commission Agenda Item

ITEM FOR CONSIDERATION:

Proposed amendment number 1 to 2009 General Appropriations. This amendment appropriates for State and Federal Grants, Court Indigent Driver, Court Computerization, Indigent Telephone, Probation, Capital Projects, Tax Increment, Water, Sewer, General Trust & Cemetery Endowment Funds.

In addition, approval of inter-fund transfers is requested.

BUDGETARY INFORMATION:

Amendments are required to adjust the budget for previous actions of the City. The City Commission has approved several contracts that are being added to the budget at this time. These items include grants (Landbank, Trailer Park & HUD), Court Accounts, Hayes Ave, Mill St, and utility improvement projects (Chemical, Intake, Buchanan/Hayes, Cedar Point & WPC Phase 2).

ACTION REQUESTED:

Amendments to the appropriations need to be approved in accordance with Section 14 of the City Charter under suspension of the rules. This avoids delays in the awarding of contracts. A motion and evidence in the minutes of approval is needed by the City Commission to authorize inter-fund transfers.

If there are any questions, please contact the Finance Director.

Attachments

CC09152009

cc: City Manager
Law Director

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AMENDMENT NO. 1 TO ORDINANCE NO. 09-012 PASSED BY THIS CITY COMMISSION ON MARCH 9, 2009, MAKING GENERAL APPROPRIATIONS FOR THE FISCAL YEAR 2009; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this Ordinance has been prepared to cover deficiencies or needs which exist in the State & Federal Grants, Court Indigent Driver, Court Computer, Indigent Telephone, Court Probation, Capital Projects, Tax Increment, Water, Sewer, General Trust & Cemetery Endowment Funds ; and

WHEREAS, amendments are required to adjust the budget for previous or anticipated actions of the City; 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 prevent delays in the use of the funds for an extended period of time and not restrict the operation of City departments; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Finance Department 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. That Ordinance No. 09-012 passed by this City Commission on the 9th day of March, 2009 be amended as hereinafter set forth:

| DEPARTMENT | PERSONAL SERVICES | OTHER | TOTAL |
|--------------------------|------------------------------|--------------|--------------|
| LANDBANK/NSP BZ080211 | - | 10,000 | 10,000 |
| CHIP REVIEW | - | -152,836 | -152,836 |
| REVOLVING LOAN - REHAB | - | 10,000 | 10,000 |
| REVOLVING LOAN-ECO DEV | - | 132,836 | 132,836 |
| STATE GRANTS FUND | - | 0 | 0 |
| EMS | - | 5,000 | 5,000 |
| EPA ASMT PETROLEUM 07 | - | 91,000 | 91,000 |
| EPA ASMT HAZ WASTE 07 | - | 91,000 | 91,000 |
| HUD ENTITLEMENT | - | -100,000 | -100,000 |

| | | | |
|------------------------------|--------|-----------|-----------|
| HUD CDBG B05MC390034 | - | -90,000 | -90,000 |
| HUD CDBG B06MC390034 | - | -340,000 | -340,000 |
| HUD REVIEW | - | 483,582 | 483,582 |
| HUD CDBG B08MC390034 | - | 1,800,000 | 1,800,000 |
| HUD CDBG B09MC390034 | - | 35,135 | 35,135 |
| FEDERAL GRANTS FUND | - | 1,975,717 | 1,975,717 |
| COURT INDIGENT DRIVER | - | 46,269 | 46,269 |
| COURT COMPUTER | 3,000 | 14,164 | 17,164 |
| INDIGENT TELEPHONE | - | 3,000 | 3,000 |
| COURT PROBATION | 8,000 | 29,313 | 37,313 |
| EMS | - | 900,000 | 900,000 |
| PED BIKE PHASE 1 | - | 5,000 | 5,000 |
| SANDUSKY LIBRARY | - | 13,000 | 13,000 |
| PAINT PROGRAM | - | 1,100 | 1,100 |
| SANDUSKY CABINETS | - | 2,000 | 2,000 |
| HAYES UNDERPASS | 30,000 | 1,820,000 | 1,850,000 |
| CAMP ST | - | 1,000 | 1,000 |
| SANFORD TIFFIN SCG | - | 400 | 400 |
| PAPER DIST WATERFRONT | - | 900,000 | 900,000 |
| MILLS ST | - | 1,360,000 | 1,360,000 |
| MUNI COURT | - | 5,000 | 5,000 |
| ADM SUPPORT | - | 50,000 | 50,000 |
| CAPITAL PROJECTS FUND | 30,000 | 5,057,500 | 5,087,500 |
| TAX INCREMENT | - | 10,000 | 10,000 |
| BIWW CHEMICAL | - | 15,000 | 15,000 |
| BIWW WATER INTAKE | | 140,000 | 140,000 |

| | | | |
|----------------------------|---|-----------|------------|
| | - | | |
| WATER DIST EQUIP | - | 50,000 | 50,000 |
| FOLLETT TANK | - | 50,000 | 50,000 |
| BUCH/HAYES WATER | - | 250,000 | 250,000 |
| CEDAR PT WATER | - | 10,000 | 10,000 |
| UTILITY CAPITAL | - | 100,000 | 100,000 |
| WATER FUND | - | 615,000 | 615,000 |
| WPC PHASE 2 | - | 6,000,000 | 6,000,000 |
| SEWER MAINT EQUIP REPLACE | - | 50,000 | 50,000 |
| VENICE RD LS | - | 10,000 | 10,000 |
| UTILITY CAPITAL | - | 15,000 | 15,000 |
| SEWER FUND | - | 6,075,000 | 6,075,000 |
| CONTRABAND TRUST FD | - | 15,000 | 15,000 |
| POLICE - FED FORT | - | 4,000 | 4,000 |
| FIRE | - | 1,000 | 1,000 |
| FRIENDS OF GREENHOUSE | - | 1,000 | 1,000 |
| PARK TRUST | - | 5,000 | 5,000 |
| UNCLAIMED | - | 500 | 500 |
| GENERAL TRUST FUND | - | 26,500 | 26,500 |
| PERPETUAL CARE | - | 6,000 | 6,000 |
| CEMETERY ENDOW FUND | - | 6,000 | 6,000 |
| TOTAL ALL FUNDS | | 41,000 | 13,858,463 |
| | | | 13,899,463 |

Section 2. The Finance Director is authorized to draw warrants upon the city treasury for funds appropriated in this ordinance upon presentation of properly approved vouchers and when in conformity with the charter and general laws of the state of Ohio. In addition, the Finance Director is authorized to make transfers between funds, to cover deficiencies in city funds provided said transfers are included in the

general appropriations.

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.

CRAIG H. STAHL
PRESIDENT OF THE CITY COMMISSION

ATTEST:

KELLY KRESSER
INTERIM CLERK OF THE CITY COMMISSION

Passed: September 28, 2009

ORDINANCE NO. _____

AN ORDINANCE AMENDING PART ONE (ADMINISTRATIVE CODE), TITLE FIVE (OFFICERS AND DEPARTMENTS), CHAPTER 145 (EMPLOYMENT PROVISIONS) OF THE CODIFIED ORDINANCES, IN THE MANNER AND WAY SPECIFICALLY SET FORTH HEREINBELOW; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to amend Chapter 145 of the Codified Ordinances and put in place the proposed modification regarding health insurance so as to immediately realize a savings to the City's General Fund; and

WHEREAS, 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 and that it is advisable that the amendment to Section 145.38 of Chapter 145 of the Codified Ordinances be enacted as soon as possible and that this **Ordinance** be declared an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter upon its adoption and, NOW, THEREFORE,

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

Section 1. Part One (Administrative Code), Title Five (Officers and Departments), Chapter 145 (Employment Provisions), Section 145.38 of the Codified Ordinances of the City is hereby amended as follows:

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

145.38 HEALTH INSURANCE.

(a) Any officer or employee who is regularly scheduled to work a minimum of thirty-six ~~(30)~~ **(36)** hours per work week and whose pay is fixed on a monthly basis and who is not covered by a collective bargaining agreement with AFSCME, IAFF, or F.O.P., upon request of such employee, shall be furnished and afforded the protection of the City health benefit plan for such employee and the members of the immediate family thereof no sooner than the first day of the month following their initial date of employment with the City of Sandusky. ~~Assistant Law Directors are also eligible for coverage.~~ The coverage for the employees not covered by a collective bargaining agreement shall equal the coverage provided to the City's existing bargaining units. For an employee eligible for City health benefits and not covered by a collective bargaining agreement, a bi-weekly contribution of \$37 for family coverage or a bi-weekly contribution of \$13 for single coverage shall be withheld from the employee effective the August 14, 2009, pay day and every pay day thereafter. These deductions are withheld before taxes are calculated.

(b) The City Manager and the Finance Director are authorized to contract for health insurance coverage with firms or organizations licensed to provide insurance coverages within the State.

(c) The City Manager and the Finance Director are authorized to contract with firms or organizations licensed to provide pre-tax options for employee out-of-pocket expenses associated with health insurance programs. Employees are afforded the option of participating in such programs.

(d) The City Manager and the Finance Director are authorized to provide life

insurance coverage in an amount equal to an employee's base salary as part of the health benefit package. Additional insurance may be obtained by individual employees with the total cost paid by the employee.

(e) To be qualified for health insurance coverage pursuant to this section, an employee shall be on active pay status as part of the first working day of each calendar month during which coverage is to be provided. In the event an otherwise qualified employee is not on active status of the same, the City shall reimburse the employee for the health insurance premium which he or she has paid to maintain health insurance coverage during such calendar month.

~~(Ord. 09-069. Passed 8-17-09.)~~

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.

CRAIG H. STAHL

PRESIDENT OF THE CITY COMMISSION

ATTEST: _____

KELLY L. KRESSER
INTERIM CLERK OF THE CITY

COMMISSION

Passed: September 28, 2009

RESOLUTION NO. _____

A RESOLUTION ACKNOWLEDGING THE IMPORTANCE OF CEDAR POINT AND RECOGNIZING THE VITAL CONTRIBUTIONS IT MAKES TO THE CITY AND ITS RESIDENTS AND MEMORIALIZING THIS CITY COMMISSION'S INTENTION REGARDING THE CITY'S ADMISSIONS TAX CONTAINED IN CHAPTER 195 OF THE CODIFIED ORDINANCES; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission recognizes the importance of the partnership forged between the City and Cedar Point that began in 1870 and the essential and indispensable contributions Cedar Point has and continues to make to the City and its residents displayed through a myriad of generous and charitable actions; and

WHEREAS, the devastating economic conditions occurring in this community, across this State and the Nation have resulted in unprecedented belt tightening measures by the City, other governmental entities and nearly all businesses including Cedar Point and as a direct result this City Commission voted to place a one-quarter percent (0.25%) income tax increase on the November, 2009, ballot, for the voters to consider; and

WHEREAS, acknowledging the difficult financial circumstances faced by the City and in furtherance of the long standing partnership between the City and Cedar Point, Cedar Point publicly stated at this City Commission's September 14, 2009, regularly scheduled meeting that if the voters approve the one-quarter percent (0.25%) income tax increase, Cedar Point would not object to an equivalent one-quarter percent (0.25%) increase in the City's admissions tax; and

WHEREAS, this City Commission desires to memorialize its intention regarding the City's admissions tax by indicating that if the voters approve the one-quarter percent (0.25%) income tax increase this City Commission shall modify the admissions tax to an equivalent increase of one-quarter percent (0.25%); and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to immediately express the clear and unequivocal intention of this City Commission; 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. If the voters approve the one-quarter percent (0.25%) income tax increase, Issue #5 on the November, 2009, ballot, this City Commission shall, upon certification of the election results by the Erie County Board of Elections, take the necessary action to increase the admissions tax by an equivalent one-quarter percent (0.25%).

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

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

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

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

CRAIG H. STAHL
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 28, 2009

TO: Matthew D. Kline, City Manager
FROM: Kathryn K. McKillips, P.E., Director of Engineering Services
DATE: September 18, 2009
SUBJECT: Commission Agenda Item

ITEM FOR CONSIDERATION: Ordinance authorizing and directing the City Manager to enter into a contract for the demolition of 727 Meigs Street, 1217 Ransom Street, 1802 Putnam Street, 228 Cable Street, 617 & 619 Taylor Street and 617 E. Market Street (house only). Four of the houses were ordered to be demolished by the City of Sandusky because they are vacant and dilapidated properties. The other three properties were authorized by the property owner to proceed with demolition.

228 Cable Street was ordered to be demolished at the March 24, 2009 Housing Board of Appeals meeting. 1217 Ransom Street was ordered to be demolished at the November 18, 2008 Housing Board of Appeals meeting. 1802 Putnam Street was ordered to be demolished at the October 21, 2008 Housing Board of Appeals meeting. 727 Meigs Street was ordered to be demolished at the January 20, 2009 Housing Board of Appeals meeting. The property owners of 617 and 619 Taylor Street and 617 E. Market Street signed Authorization and Release forms to have the houses demolished.

The following bids were received on September 17, 2009:

| | | | |
|-------------------------|------------------|-------------|---------------------|
| Ed Burdue & Co. | Sandusky, OH | \$48,700.00 | 100% Bond |
| Barnes Nursery | Huron, OH | \$48,911.00 | 100% Bond |
| All Aspects Contracting | Elyria, OH | \$52,534.00 | 100% Bond |
| Paul Fox & Sons | Sandusky, OH | \$54,585.00 | 10% Cashier's Check |
| Herbst Excavating | Sandusky, OH | \$59,450.00 | 100% Bid Bond |
| Baumann Ent. | Garfield Hts, OH | \$90,060.00 | 100% Bond |

Ed Burdue & Company of Sandusky, Ohio was determined to be the lowest and best bid.

BUDGETARY INFORMATION: The revised project cost based on bids, including engineering, inspection, advertising and miscellaneous costs are \$54,045.00. This project will be paid with Community Development Block Grant (CDBG) funds.

ACTION REQUESTED: It is recommended that the Ordinance awarding a contract to Ed Burdue & Company of Sandusky, Ohio for the Demolition of 727 Meigs Street, 1217 Ransom Street, 1802 Putnam Street, 228 Cable Street, 617 & 619 Taylor Street and 617 E. Market Street (house only) in the amount of \$48,700.00 be approved. It is requested that the legislation be passed under suspension of the rules in accordance with Section 14 of the City Charter in order to move forward with the project and eliminate potential hazards from our neighborhoods. These properties have been an issue for many neighbors over the years.

John Hancock, P.E., P.S.
Director of PED

I concur with this recommendation:

Matthew D. Kline
City Manager

KKM/cal

cc: Don Icsman, Law Director
Ed Widman, Finance Director
Kelly Kresser, Interim Clerk of City Commission

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & COMPANY OF SANDUSKY, OHIO, FOR THE DEMOLITION OF 727 MEIGS STREET, 1217 RANSOM STREET, 1802 PUTNAM STREET, 228 CABLE STREET, 617 AND 619 TAYLOR STREET AND 617 E. MARKET STREET (HOUSE ONLY), SANDUSKY, OHIO; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission previously approved a Resolution of Necessity to proceed with the demolition of 727 Meigs Street, 1217 Ransom Street, 1802 Putnam Street, 228 Cable Street, 617 and 619 Taylor Street and 617 E. Market Street (House Only), Sandusky, Ohio, by Resolution No. 017-09R, passed on August 10, 2009; and

WHEREAS, the following vacant and dilapidated properties were ordered to be demolished by the Housing Appeals Board: 1802 Putnam Street, ordered on October 21, 2008; 1217 Ransom Street, ordered on November 18, 2008; 727 Meigs Street ordered on January 20, 2009; 228 Cable Street, ordered on March 24, 2009; and

WHEREAS, the owners of the properties located at 617 and 619 Taylor Street and 617 E. Market Street (House Only) signed consent forms for the demolition of these structures; and

WHEREAS, upon competitive bidding as required by law for the demolition of the properties located at 727 Meigs Street, 1217 Ransom Street, 1802 Putnam Street, 228 Cable Street, 617 and 619 Taylor Street and 617 E. Market Street (House Only), Sandusky, Ohio, six (6) appropriate bids were received and the bid from Ed Burdue & Company of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the revised project cost based on bids including engineering, inspection, advertising and miscellaneous costs is \$54,045.00, and will be paid 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 move forward with the demolition of these properties which have been an issue for many neighbors for years and eliminate potential hazards from City neighborhoods; and

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

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

Section 1. The City Manager is authorized and directed to enter into a contract with Ed Burdue & Company of Sandusky, Ohio, for the demolition of the properties located at 727 Meigs Street, 1217 Ransom Street, 1802 Putnam Street, 228 Cable Street, 617 and 619 Taylor Street and 617 E. Market Street (House Only), Sandusky, Ohio, in an amount **not to exceed** Forty Eight Thousand Seven Hundred and 00/100 Dollars (\$48,700.00) consistent with the bid submitted by Ed Burdue & Company 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.

CRAIG H. STAHL
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 28, 2009

TO: Matthew D. Kline, City Manager
FROM: Carrie R. Handy, Chief Planner/Transit Administrator
DATE: September 22, 2009
SUBJECT: CY 2010 State of Ohio Elderly and Disabled Fare Assistance Program for the Sandusky Transit System Program

ITEM FOR CONSIDERATION: Request for Resolution of Authorization to accept a grant from the Ohio Department of Transportation for the CY 2010 Elderly and Disabled Fare Assistance Program and for the City Manager to execute a grant agreement after the grant is awarded.

BACKGROUND INFORMATION: The City of Sandusky is required to pass a resolution in order to accept funding from the Ohio Department of Transportation for the above-referenced transportation grant. The Ohio Elderly and Disabled Transit Fare Assistance Program (E&D) is used to offer discounted fares for STS rides to persons with disabilities and persons over age 65. The City has been notified by the ODOT Office of Public Transit that its allocation for 2010 will be \$53,640. The funds cannot be granted without a Resolution from the Commission.

BUDGET/STRATEGIC PLAN IMPACT: This grant has a significant impact on the transit system's budget, as it offsets the losses in farebox revenue from offering reduced fares to persons with disabilities and persons over age 65. It is also used as local match for our Federal Transit Administration grant funding.

ACTION REQUESTED: Resolution authorizing the acceptance of E & D Fare Assistance from the Ohio Department of Transportation and upon approval for the City Manager to execute any necessary grant agreements. It is further requested that this legislation take immediate effect in full accordance with Section 14 of the City Charter in order to meet the Ohio Department of Transportation submission deadline of October 9, 2009 for the resolution to accept allocated grant funds from the Ohio Elderly and Disabled Transit Fare Assistance Program.

I concur with this recommendation:

Matthew D. Kline
City Manager

Carrie Handy
Chief Planner

cc: Donald Icsman, Law Director
Joyce Brown, Commission Clerk

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT A GRANT IN THE AMOUNT OF \$53,640.00 FROM THE OHIO DEPARTMENT OF TRANSPORTATION FOR CY 2010 ELDERLY AND DISABLED TRANSIT FARE ASSISTANCE PROGRAM; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the State of Ohio, Department of Transportation, has made funds available through its CY 2010 programs to assist Public Transportation Systems in Ohio; and

WHEREAS, the Sandusky Transit System is the transit operator for the City of Sandusky and is presently providing transit service and observing all Federal and State rules regarding these programs and is required to submit a yearly Resolution in order for funds to be granted; and

WHEREAS, the Ohio Department of Transportation has allocated \$53,640.00 in Ohio Elderly and Disabled Transit Fare Assistance Program funds for CY 2010 to the Sandusky Transit System; and

WHEREAS, this legislation should be passed under suspension of the rules as an emergency measure in accordance with accordance with Section 14 of the City Charter in order to meet the Ohio Department of Transportation's deadline of October 9, 2009, to submit a Resolution to accept allocated funds from the Elderly and Disabled Transit Far Assistance Program; 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, 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 authorizes and directs the City Manager to accept a grant in the amount of \$53,640.00 for the CY 2010 Elderly and Disabled Transit Fare Assistance Program from the Ohio Department of Transportation and to execute any required contracts or agreements on behalf of the City.

Section 2. The Clerk of the City Commission is hereby directed to furnish a certified copy of this Resolution to the Ohio Department of Transportation to be utilized for financial assistance for the CY 2010 Elderly and Disabled Fare Assistance Program..

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.

CRAIG H. STAHL
PRESIDENT OF THE CITY COMMISSION

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

Passed: September 28, 2009