

**John Hamilton called the meeting to order** at 5 p.m. after the **Invocation**, given by Pervis Brown, and the **Pledge of Allegiance**.

The clerk called **the roll** and the following Commissioners responded: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar.

**Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to excuse Keith Grohe. The President declared the motion passed.**

**City staff present:** Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Fire Chief, Thomas Schwan – Transit Administrator, Scott Miller – General Services Director, Tom Whitted – IT Manager, Don Icsman – Law Director, Nicole Ard - City Manager, Hank Solowiej – Finance Director and Kelly Kresser – Commission Clerk.

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to approve the minutes of the January 9, 2012, meeting and dispensed with the oral reading. The President declared the motion passed.**

#### **AUDIENCE PARTICIPATION** (*agenda items only*)

None.

#### **CURRENT BUSINESS**

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to accept all communications. The President declared the motion passed.**

#### **ITEM #1 – Submitted by Amanda Meyers, Paralegal**

**Budgetary Information:** The cost associated with this purchase agreement is the total amount of the title examination, deed preparation, escrow fees and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction. The city will recoup these expenses from the purchase price paid by the purchaser. The sale and rehabilitation of this property will revitalize the neighborhood and enhance surrounding property values.

**ORDINANCE NO. 12-005:** It is requested an ordinance be passed **declaring that certain real property owned by the city as part of the land reutilization program identified as parcel #56-00475.000, located at 821 First Street, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of a purchase agreement with respect to that real property;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Pervis Brown commended Amanda Meyers for the outstanding job she has done with submitting property disposals through the landbanking program. Julie Farrar said she has been working with Amanda Meyers during her first four years as a commissioner and she (Amanda) is vital to the city's land bank program.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

#### **ITEM #2 - Submitted by Amanda Meyers, Paralegal**

**Budgetary Information:** The cost associated with this purchase agreement is the total amount of the title examination, title insurance policy, deed preparation and escrow fees charged by the title company acting as escrow agent for the sale and purchase transaction. Any such costs shall be included in the sale price of the nonproductive land and will be recouped by the city upon sale. The purchasers shall pay the real estate transfer tax, if any, and recording fees upon purchase. Residential development of this nonproductive land will enhance property values in the south side acquisition zone.

**ORDINANCE NO. 12-006:** It is requested an ordinance be passed **declaring that certain real property owned by the city as part of the land reutilization program identified as parcel #58-01506.000, located at 2026 Shelby Street, Sandusky, is no longer needed for any municipal purpose and authorizing the**

**execution of a purchase agreement with respect to that real property;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Julie Farrar and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Wesley Poole asked if the church has indicated what they plan to do with the property. Julie Farrar said there are church renovations, church improvements and parking issues which need to be addressed but a plan was not included. Once the church takes over this property, the neighborhood will be enhanced, cleaned up, and the city will no longer have to cut the grass. Wesley Poole said he is not opposed to the church obtaining this property, but believes the city should have some input or idea what this neighborhood will look like when it is complete. This particular parcel is a block and a half from the church and he does not believe it would be utilized for parking. Wesley Poole said the square block has single family dwellings on the western portion and the strip of land of adjacent properties is zoned multi-family. He hopes not to see more multi-family dwellings on this particular lot. Pervis Brown said he believes the church owns the apartments behind it and are planning future endeavors to enhance this property along with other property which they already own. Diedre Cole applauded the church for adding to their asset base by obtaining this property.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**ITEM #3 – Submitted by Scott A. Miller, Director of General Services**

**Budgetary Information:** Funds for the purchase of bulk rock salt are routinely included in the traffic services operating budget each year.

**ORDINANCE NO. 12-007:** It is requested an ordinance be passed **authorizing and directing the city manager to purchase bulk highway deicing rock salt for the division of traffic services to be used in the CY 2012 from Morton Salt, Inc., of Chicago, Illinois;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Jeff Smith and second of Pervis Brown, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**ITEM #4 – Submitted by Thomas Schwan, Public Transit Administrator**

**Budgetary Information:** The total cost for these projects is \$161,500 of which \$129,200 (80%) will be paid with funds from the Ohio Transit Preservation Partnership Program if awarded. It is anticipated that the required local match of \$32,300 (20%) will be paid with funds from local sources and contract revenue. There will be no impact to the city's general fund.

**RESOLUTION NO. 001-12R:** It is requested a resolution be passed **authorizing the filing of a grant application with the Ohio Department of Transportation for Ohio Transit Preservation Partnership Program grant funds for the Sandusky Transit System;** and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to adopt this Resolution under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Resolution: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Resolution passed.**

**ITEM #5 – Submitted by Thomas Schwan, Transit Administrator**

**Budgetary Information:** STS operations and administration are funded in whole by the Federal Transit Administration, State of Ohio, local contributing agencies, local contributing private entities, and the daily fare box collections. No General Fund monies are used in the daily operation of STS.

**ORDINANCE NO. 12-008:** It is requested an ordinance be passed **authorizing and directing the city manager to enter into a lease agreement with MV Contract Transportation, Inc., for the buildings and**

land commonly referred to as the Amtrak Station; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Julie Farrar and second of Jeff Smith, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Diedre Cole asked if there are any plans for expansion with the former Amtrak Station building and Thomas Schwan said there are no plans. John Hamilton said the city does repair work on city vehicles in addition to vehicles for the City of Huron. He asked if the city could also make repairs to the transit vehicles to save on maintenance costs. Thomas Schwan said this is currently paid for through a third party and there is no cost to the city. The city owns twelve of the vehicles and they are repaired at no cost to the city.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**ITEM #6 – Submitted by Todd J. Roth, P.E., P.S.**

**Budgetary Information:** The cost for this work is \$28,270 and will be paid with water funds.

**ORDINANCE NO. 12-009:** It is requested an ordinance be passed **approving the emergency repair work at the Big Island Water Works, ratifying the award of the contract to Underwater Marine Contractors, Inc., of Cleveland, Ohio, and authorizing and directing the city manager to execute the contract in relation thereto;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Jeff Smith and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**ITEM #7 – Submitted by Todd J. Roth, P.E., P.S.**

**Budgetary Information:** The cost for this work is \$19,548.54 and will be paid with water funds.

**ORDINANCE NO. 12-010:** It is requested an ordinance be passed **approving the emergency repair work at the Big Island Water Works, ratifying the award of the contract to Kirk Bros., Co., Inc., of Alvada, Ohio, and authorizing and directing the city manager to execute the contract in relation thereto;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Pervis Brown and second of Wesley Poole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**ITEM #8 – Submitted by Todd J. Roth, P.E., P.S.**

**Budgetary Information:** Change Order #1 and final will increase the contract with C & K Industrial Services, Inc. by \$29,444.54. The revised contract amount is \$328,999.54 and will be paid with sewer funds.

**ORDINANCE NO. 12-011:** It is requested an ordinance be passed **authorizing and directing the city manager to approve the first and final change order for work performed for the eastside and westside interceptors cleaning project in the amount of \$29,444.54 to be paid to C & K Industrial Services, Inc., of Cleveland, Ohio;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Diedre Cole said she is amazed 622 tons of debris was scraped out of the interceptors. In perspective, this is 1.2 million pounds, approximately 500 Honda Civics or 11,000 grown men in weight. She said there should be some public service announcements about refraining from blowing grass into the streets and sewers and about throwing trash into the sewers. John Hamilton said this money could be better spent in other places.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**ITEM #9 – Submitted by Todd J. Roth, P.E., P.S.**

**Budgetary Information:** The total estimated project cost including engineering, inspection, advertising and miscellaneous expenses is estimated to be \$30,000. The city is responsible for the entire project cost and it will be paid for with sewer funds in the amount of \$10,000, water funds in the amount of \$10,000 and street funds in the amount of \$10,000.

**RESOLUTION NO. 002-12R:** It is requested a resolution be passed **declaring the necessity for the City of Sandusky, Ohio, to proceed with the Lions Park concrete removal project, 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.

**Upon motion of Julie Farrar and second of Diedre Cole, the commission voted to adopt this Resolution under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Pervis Brown said originally, the city was going to grind this material and utilize it for other projects. Todd Roth said the city can grind the material and stockpile it for use in the sewer, water and street departments. He said the city may pay \$10/ton for the material created by the process and there is a benefit to each of these departments.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Resolution: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Resolution passed.**

**ITEM #10 – Submitted by Todd J. Roth, P.E., P.S.**

**Budgetary Information:** The project cost based on bids, including advertising is \$36,760.60. A check has been received from the city's insurance carrier and the project will be paid entirely out of those proceeds.

**ORDINANCE NO. 12-012:** It is requested an ordinance be **passed authorizing and directing the city manager to enter into a contract with Wilkes & Co., Inc. of Huron, Ohio, for the Big Island Water Works (BIWW) HVAC repair project;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Jeff Smith and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**ITEM #11 – Submitted by Paul E. Ricci, Fire Chief**

**Budgetary Information:** The total amount of this expenditure is \$16,528.80 for the fire coats and pants. This purchase will be paid with funds from the fire department's 2012 proposed operating budget.

**ORDINANCE NO. 12-013:** It is requested an ordinance be passed **authorizing and directing the city manager to purchase eight (8) fire DEX assault style PBI Matrix fire coat and pant sets for use in the fire department from Fire Safety Services of Huntsville, Ohio;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Pervis Brown asked what will happen to the older sets of fire coats and pants. Paul Ricci said these are on a seven year replacement schedule and are cycled out accordingly. There are fire departments in the United States who do not have the ability to purchase protective clothing and they are donated "as is".

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**ITEM #12 – Submitted by James F. Lang, Police Chief**

**Budgetary Information:** The Community Police Station lease is for one dollar (\$1.00) per year and will come from the police department's proposed operating budget.

**ORDINANCE NO. 12-014:** It is requested an ordinance be passed **authorizing and directing the city manager to enter into a three (3) year license agreement with Foxborough Commons for a community oriented police station at 2012 Fox Run Trail, Apt. #10, Sandusky, Ohio;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the Ordinance passed.**

**CITY MANAGER'S REPORT**

**Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to accept a donation in the amount of \$5 from Robert and Ruth Haag for the Friends of the Greenhouse fund. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of John Hamilton, the commission voted to accept a donation in the amount of \$10 from Barbara Berg for the Friends of the Greenhouse fund. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Jeff Smith, the commission voted to accept a donation in the amount of \$50 from Judith Pflieger for the Greenhouse endowment. The President declared the motion passed.**

**Upon motion of Wesley Poole and second of Diedre Cole, the commission voted to accept a donation in the amount of \$400 from George Mylander for the police department trust fund. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to accept a donation in the amount of \$400 from George Mylander for the fire department trust fund. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Wesley Poole, the commission voted to accept a donation in the amount of \$1,000 from the Home Sprinkler Coalition for the fire department's fire prevention bureau for the demo sprinkler prop. The President declared the motion passed.**

Nicole Ard provided a copy of a **report regarding the code enforcement activities.**

Nicole Ard said the **city police department has recently worked on joint operations with other area departments including the border patrol and the state highway patrol.**

Nicole Ard said the land bank meeting scheduled in Cleveland this past weekend was cancelled and noted she attended other **meetings and events** since the last commission meeting including the Brownfields Committee, Rotary Club, Erie MetroParks, Erie County supervisors, Main Street Association and the Erie County Chamber of Commerce. In addition, Nicole Ard said she has met with representatives of the Dorn Foundation, the NAACP, Firelands Board of Realtors, Sandusky Register, Sandusky City Schools, Erie MetroParks, Lake Erie Shores and Islands, Ohio Edison, the Erie County Health Department and Firelands Regional Medical Center. She met with Congresswoman Marcy Kaptur

at the Office of Recovery for Auto Communities and Workers. She attended Dr. Martin Luther King, Jr. Day programs at St. Stephens AME Church, Sandusky High School and Ebenezer Baptist Church.

Diedre Cole said the **property at 432 Decatur Street, which is mentioned in the report from the code enforcement division**, has been problematic for almost a year. A violation notice was again issued on December 29 and is the most recent activity noted. She asked how many times the city needs to go through this before the situation is remedied. Nicole Ard said there has also been some communication from the property owner and this will come to resolution. Todd Roth said the process has changed to bring properties into compliance. Diedre Cole asked if this is the property where the back is open and bricks are falling out and Todd Roth said he believes this to be correct and the division is trying to reduce the compliance timeframe.

Nicole Ard said some **performance measures will be provided in the future for the departments**. Additionally, she is working to schedule a **retreat session with a facilitator for the city commission**.

## **OLD BUSINESS**

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to form a group/committee to begin the process of hiring a new, permanent police chief.**

*Discussion:* Pervis Brown said the city's administration has been redesigned over the last couple of years and different department heads have been put into place. He said a permanent police chief is one last piece of unfinished business which needs to be taken care of. Diedre Cole said Section 3.01 of the Rules of Order state it is within the purview of the President of the City Commission to appoint two commissioners to serve on an ad hoc committee for this purpose and she volunteered for the committee. Wesley Poole asked if the city manager or the city commission hires the police chief and John Hamilton said the city manager is responsible to appoint the police chief. Wesley Poole asked who is driving the train, the city commissioners or the city manager. John Hamilton asked the law director for clarification and Don Icsman said there currently is an interim police chief who was selected in a way other than as outlined in the charter. He said the city should follow Section 27 of the charter if it desires to hire a permanent police chief. Section 27 outlines the process to hire a permanent police chief but if the city desires to find another interim chief, this poses a different question. He said Section 27 calls for a selection committee to be made up of the President of the city commission (or his designee), the Civil Service Commission chairperson, and three resident electors of the city who are not officers or employees of the city. He said the names of eligible individuals are given to the city manager for her appointment and this process was most recently utilized to hire a new fire chief. John Hamilton said the city is looking for a permanent police chief and he and the other commissioners would like to get more familiar with Section 27 of the city charter. Don Icsman said there is a process which should be followed regarding notification and is a cooperative effort. Jeff Smith said he understands the city will begin looking to move forward with hiring a new police chief and the city commission is directing Nicole Ard to move forward with starting this process.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Jeff Smith, the commission voted for Julie Farrar and Amanda Meyers to represent the city on the county's land bank committee.**

*Discussion:* Julie Farrar said a discussion was held earlier today regarding the land banking program with Erie County and requested that she (Julie) and Amanda Meyers be appointed to this committee. Wesley Poole said the request from Erie County was to appoint one person to this committee and suggested the city wait to find out the details of the committee and its intent before making an appointment. Julie Farrar said in order to know what the committee is going to do and consist of, the city needs to be invited to the meetings and as the county seat, Sandusky represents the largest amount of people in Erie County. She would like to know if the city commission is going to stand behind the appointment of two representatives and if only one person is to serve on the committee, our representative should be Amanda Meyers. Julie Farrar said the city needs to know Sandusky's role to ensure it is represented appropriately. Diedre Cole said there was a discussion about this earlier in the week and the city's response should be "thanks, but no thanks" until some questions have been answered. She said there was some apprehension and miscommunication/misunderstandings and questions should be answered before proceeding. She would like to hear more from the county about Sandusky's role and how it fits before committing to anything. Pervis Brown said the city has already committed to participate and brings more to the table as it already has an existing land bank program. Julie Farrar said the city was to enter into an MOU with Erie County which has not yet taken place. She said in her conversations with

Jim Rokakis, who will be running the program, there is not a rush for this and the city can move forward. Julie Farrar said this may help the city to continue and obtain more money and is an opportunity to enhance our neighborhoods. Wesley Poole said when this presentation was made, he understood the county's land bank program would not address properties in Sandusky. He said the city has a request from the county to send one person to join them in this endeavor and the city does not have a horse in the game. He said the city should send one person, as requested, rather than claiming it is entitled to two representatives and that a permanent solution can be made at a later date. Julie Farrar said this program does address properties in the City of Sandusky, otherwise she would not want anything to do with it. Jeff Smith said he believes when Jim Rokakis made a presentation to the city, it was suggested the city have two representatives on the county land bank committee and John Hamilton said he believes it included all properties within Erie County. Wesley Poole said statute will dictate who sits on this committee and suggested everyone take a moment to look at how this reads.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Jeff Smith and Julie Farrar, 5. Nays: Wesley Poole, 1.**

John Hamilton said he has been in touch with Steve Ernst regarding **Ohio Bike Week** and will be scheduling a meeting with Hank Solowiej, Nicole Ard, Jeff Smith and Pervis Brown to go over this contract. Don Icsman said he has kept himself out of this conversation as Steve Ernst is a relative of his. Nicole Ard said she will be working with the department heads and bringing staff recommendations forward.

#### **NEW BUSINESS**

Julie Farrar said the city received a **letter from the Ohio Rail Development Corporation about bringing crossings within the city's corporate limits up to certain standards.** Scott Miller said the signage and reflective materials are in good condition and the city needs to ensure the proper paint markings are on the road and are legible. This will be done during the paving season.

**Upon motion of Wesley Poole and second of Julie Farrar the commission voted to adopt the Rules of Order as presented. The President declared the motion passed.**

John Hamilton said the city received a **request from Tim Schwanger to include a letter in the city's mailing from Move Sandusky Forward regarding the proposed charter changes;** he believes this goes against the way the law is written based upon a conversation with Don Icsman. Don Icsman said he understood the deadline (for the letter) to be last Friday. When the commission discussed preparing its letter, they discussed the fact they did not have to do a letter, but could. Don Icsman said a letter which was written approximately ten years ago was used as an example and a deadline established for this mailing. Two city commissioners were appointed to write the letter and then it was prepared for signature to meet the deadline. Don Icsman said the law does not allow government to spend money on someone else's message. The content of the letter is the city's speech and message and said government is allowed to spend funds to communicate its own message. It cannot spend money on private organizations, individuals or issues. Previously, funds were expended after approval at a public meeting for projects such as the Marina District and an income tax increase to further a message to the citizens which was unanimously indicated by the city commission. This is a form of government the city commission is in favor of and the city commission is allowed to communicate it is not in favor of the proposed change and this is a permissible expenditure of funds. Ohio law requires this type of change be decided at the ballot and the city commission is allowed to indicate their position and why. Money cannot be spent to do what Tim Schwanger is asking as this would be compelled subsidy and is not a first amendment of free speech claim. Wesley Poole asked if the city met its print deadline and Kelly Kresser said the document is at the printer.

Don Icsman said **the names and terms of each individual being appointed to the city's boards and commissions** should be stated, by motion. He suggested those who may be named for a new appointment should meet all criteria established for the particular board or commission. Wesley Poole suggested handling the reappointments this evening and waiting until the next commission meeting to vote upon new appointments. Diedre Cole said as the liaison for the Human Relations Commission, she would like to have the reappointments made this evening for this particular commission.

**Upon motion of Wesley Poole and second of Diedre Cole the commission voted to reappoint Don Roesch, Carol Steele, Dr. Anthony Linz and Gary Guendelsberger to the ADA Advisory Board for terms ending December 31, 2013.**

*Discussion:* Wesley Poole said he is the new liaison to the ADA Advisory Board and thanked the members for devoting their time to the city.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Julie Farrar and second of Pervis Brown, the commission voted to reappoint Dave Hoffman, Brent Gardner and Al Nickles to the Audit/Finance Committee for terms ending December 31, 2013. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to reappoint John Mears to the Board of Zoning Appeals for a term ending December 31, 2016. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Jeff Smith and second of Julie Farrar, the commission voted to reappoint Thomas Darden, Kevin Zeiher and Matt Leser to the Oakland Cemetery Board for terms ending January 31, 2015. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Jeff Smith and second of Pervis Brown, the commission voted to reappoint Dan Fresch, Dan Hartleib and Kenneth Tunnell to the Electrician Examining Board for terms ending December 31, 2012. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Julie Farrar and second of Diedre Cole, the commission voted to reappoint David Miller (regular member) and John Panzer (alternate member) to the Erie Regional Planning Commission for a term ending December 31, 2012. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to reappoint John Jacobs and Ruth DeHenning to the Fair Housing Board for terms ending December 31, 2016. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Jeff Smith and second of Julie Farrar, the commission voted to reappoint Kenneth Lilje (alternate member) and Daniel Dix (regular member) to the Housing Appeals Board for terms ending December 31, 2014. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Jeff Smith and second of Julie Farrar, the commission voted to appoint Ted Huston to the Human Relations Commission for a term ending October 10, 2012.**

*Discussion:* Diedre Cole respectfully requested this appointment be made so the Human Relations Commission can conduct business at its meeting later in the week. John Hamilton said there were five persons interested in this commission: John Poole, Ted Huston, Richard Johnson, Jennifer Washington and Patricia Howard. Diedre Cole said the current members of the Human Relations Commission have asked to recommend Ted Huston for this appointment.

**Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to reappoint David Miller to the Planning Commission for a term ending January 18, 2018. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Jeff Smith and second of Julie Farrar, the commission voted to reappoint Jason Werling and Barbara Rose to the Recreation Board for a term ending December 31, 2014. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

**Upon motion of Wesley Poole and second of Diedre Cole, the commission voted to reappoint John Parker and Cynthia Ball to the Sandusky Tree Commission for terms ending December 31, 2014. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

John Hamilton said those **boards and commissions which have vacancies include the Audit/Finance Committee, Cemetery Board, Erie County General Health District, Planning Commission and the Solid Waste Collection Review Board (2 seats).**

Nicole Ard said she met today with **Congresswoman Marcy Kaptur along with staff from the City of Huron, the director of the Office of Recovery of Auto Communities and Workers** at Kalahari. She said the importance of tourism was noted and the good works already performed in the community.

Diedre Cole said she was contacted by **Tom Pascoe, former Perkins Township Trustee, who provided information about the Great Lakes Small Harbors Coalition.** She provided written information to Nicole Ard for follow up.

Diedre Cole said the commissioners have been invited to the Sandusky Artisans Coop for a **Citizens Circle Meet and Greet** on January 31.

Pervis Brown asked the city commission to schedule a **workshop to set its goals and objectives for 2012.** Nicole Ard said she will be submitting a timeframe and schedule to have a facilitator work on this task.

Don Icsman asked for the **departmental liaison appointments to be discussed and ratified.** Diedre Cole said she believes having city commission departmental liaisons poses a problem with micro management. She said commissioners have been perceived as interfering with staff and the city manager controls and oversees the bulk of the departments. Diedre Cole said Nicole Ard should be the interface between the departments, not individual department heads. This puts department heads in an awkward position with commissioners who have no control. She asked to engage Nicole Ard in conversations directly related to staff. Diedre Cole has been the liaison with the law department and will stick with this, but prefers to interface solely with the city manager. Julie Farrar said the appointments are for the commissioners to act as a liaison between the community and the respective department. Julie Farrar said the commissioners need to keep in mind the city manager is in charge, but if she has a development question, she can speak with Carrie Handy. There are other meetings outside of the city liaison appointments which commissioners attend and represent the city such as Erie Metro Housing, Erie County Economic Development Council and the Erie County Council of Governments. Julie Farrar said these liaison positions were created for a reason and should continue. Diedre Cole said the liaisons to external committees should continue and will refer liaison questions internally to department heads. Don Icsman said if the city commission is to continue having liaison appointments for each department, this needs to be discussed publicly. Some appointments are actually regular members of committees rather than liaisons and using this term interchangeably is misleading. Wesley Poole requested to be appointed as the liaison to the engineering department. John Hamilton said the city commission liaisons for 2012 – 2013 will be: Administrative Services – Keith Grohe, City Manager – John Hamilton, Development – Julie Farrar, Engineering – Wesley Poole, Finance – John Hamilton, Fire – Jeff Smith, Law Department – Diedre Cole, Municipal Court – Jeff Smith and Police Department – Pervis Brown. Wesley Poole suggested Diedre Cole not interact with the law department for about six months and let the commission know how it works. Diedre Cole said she was referring to non-charter officer department heads and Wesley Poole apologized and said he misunderstood.

**Upon motion of Wesley Poole and second of Julie Farrar, the commission voted for the above-mentioned liaison appointments to be approved. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Wesley Poole, Jeff Smith and Julie Farrar, 5. Nays: Diedre Cole, 1. The President declared the motion passed.**

**Upon motion of Pervis Brown second of Jeff Smith, the commission voted to hold an executive session regarding personnel, police department. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Jeff Smith and Julie Farrar, 6. The President declared the motion passed.**

Under **Audience Participation**, the following persons offered their comments:

Sharon Johnson, 1139 Fifth Street, asked what is happening with the job specialist position with the Erie County Economic Development Corporation. Diedre Cole said this position was left vacant suddenly and unexpectedly and the position is being advertised. Sharon Johnson asked for results of the dredging and

Todd Roth said there were six samples taken and he understands the content is not hazardous. There are still some discussions to take place and copies of the results are available. Sharon Johnson asked about the replacement for a new police chief in light of Kim Nuesse filing an appeal and Diedre Cole said the city needs to move forward. Sharon Johnson asked if Jim Lang's contract will be bought out if a new police chief is hired prior to its end. John Hamilton said the commission would like a committee put together to start a search and does not know the timeframe for the search. Jeff Smith said the city does not want to wait until Jim Lang's contract is completed to begin a search and this is to get the ball rolling.

**At 6:25 p.m., John Hamilton announced adjournment of the open session. One executive session was held beginning at 6:30 p.m. At 7 p.m., John Hamilton announced adjournment.**

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Kelly L. Kresser  
Clerk of the City Commission

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John F. Hamilton  
President of the City Commission