

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

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

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

Upon motion of Julie Farrar and second of Pervis Brown, the commission voted to approve the minutes of the December 27, 2011, January 1 and 3, 2012, meetings and dispensed with the oral reading. The President declared the motion passed.

AUDIENCE PARTICIPATION (*agenda items only*)

None.

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

CURRENT BUSINESS

ITEM #1 – Submitted by Amanda Meyers, Paralegal

Budgetary Information: The cost associated with this purchase agreement is the total amount of the title examination, survey, 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 the cost of the expenses from the non-refundable earnest money deposit of five hundred thirty four dollars and fifty cents (\$534.50) required to be paid by the purchasers. The taxing districts will begin collecting approximately thirty seven dollars and fourteen cents (\$37.14) per year in real estate taxes. It would cost the city an average of three hundred and fifty two dollars (\$352.00) a month for a total of four thousand two hundred and twenty eight dollars (\$4,228.00) a year to mow this parcel during the growing season. The sale of this property will enhance surrounding property values and the taxing districts will begin collecting real property taxes.

ORDINANCE NO. 12-002: It is requested an ordinance be passed **declaring that certain real property owned by the city as part of the land reutilization program, 0.2454 acres of parcel #32-63001.000 located at Oakland Cemetery in Perkins Township, 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. Roll call on the motion: Yeas: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 7. The President declared the Ordinance passed.

ITEM #2 - Submitted by Thomas Schwan, Sandusky Transit Administrator

Budgetary Information: The total cost for the purchase and installation of twelve (12) radios and one (1) repeater system is \$19,225.59 and will be paid with funds awarded from the U.S. Department of Transportation through the FTA under the ARRA grant. There will be a one-time licensing fee of \$475.00 and a monthly repeater fee of \$142.50 and these costs will be paid with funds from the Sandusky Transit Systems' operating budget. There will be no impact on the city's general fund.

ORDINANCE NO. 12-003: It is requested an ordinance be passed **authorizing and directing the city manager to purchase twelve (12) Vertex mobile radios and one (1) Kenwood repeater system from VASU Communications, Inc. of Avon, Ohio, through the State of Ohio Department of Administrative Services cooperative purchasing program for the Sandusky Transit System;** 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 Keith Grohe, 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: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and

Jeff Smith, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 7. The President declared the Ordinance passed.

ITEM #3 – Submitted by Carrie Handy, Chief Planner

Budgetary Information: This action will not impact the city operating budget. The loan funds are restricted in use and this loan is within the guidelines of the program. The company must certify hiring a minimum of three (3) new full-time equivalent employees within the first year after receiving this loan. The new hires will result in additional income taxes for the city.

ORDINANCE NO. 12-004: It is requested an ordinance be passed **authorizing and approving an economic development loan in the amount of \$25,000 to the Krunchie Pickle, LLC;** 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 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: Diedre Cole asked how the hiring of three new employees by the end of the first year and nine new employees by the end of the third year will be monitored as it is not referenced in the documents attached. Greg Sherman said the commission received the Promissory note and there is other documentation which spells out the job creation component and other stipulations. Wesley Poole thanked the owners of the Krunchie Pickle for relocating into the City of Sandusky. John Hamilton said new employees will be needed judging by the size of the building.

Roll call on the motion: Yeas: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 7. The President declared the Ordinance passed.

CITY MANAGER'S REPORT

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to accept a donation from the Erie County Prosecutor's Drug Task Force in the amount of \$1,821 for the police department's D.A.R.E. program for prevention and/or educational programs. The President declared the motion passed.

Upon motion of Keith Grohe and second of Diedre Cole, the commission voted to accept a donation in the amount of \$2922.60 from Mr. Don Huntley of Huntley Uniforms in the form of new police uniforms (13 pair of pants, 53 shirts, 6 jackets, 8 ties, 5 pair of bike shorts, 10 turtlenecks and 1 box of epaulets). These items are being donated upon Mr. Huntley's retirement and closure of Huntley Uniforms and the items can be used for the reserve unit and for replacement purposes. The President declared the motion passed.

Upon motion of Wesley Poole and second of Keith Grohe, the commission voted to accept a donation in the amount of \$250.13 from Harlequins Theatre to the fire department's trust fund. The President declared the motion passed.

Upon motion of Pervis Brown and second of Keith Grohe, the commission voted to accept a donation in the amount of \$150 from the International Association of Fire Fighters, Local 327, for the fire department trust fund for the department's appreciation dinner. The President declared the motion passed.

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to accept a donation from Mary Anne Ehrhardt in the amount of \$50 for the fire department's 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 from Barbara Hanck in the amount of \$100 for the Friends of the Greenhouse. The President declared the motion passed.

Upon motion of John Hamilton and second of Pervis Brown, the commission voted to accept a donation in the amount of \$150 from Dean Howman for the Green Fund to have a tree planted in the boulevard at 1410 Shelby Street. The President declared the motion passed.

Nicole Ard distributed a **written report regarding current and recently closed activity for the division of code enforcement.**

Nicole Ard reported **she met with the owners of Adrienne's Foods on December 30, along with Greg Sherman and Carrie Handy, to sign paperwork for the city's \$150,000 revolving loan.** She was delighted to meet the owners and learn more about Sandusky's new employer and producer of fine, organic food products; she acknowledged Wesley Poole who also stopped in to welcome the owners.

Nicole Ard thanked the past and current commissioners for taking time during the recent holidays to meet with her and share feedback about the community, the city, and also for sharing meals. She thanked the department heads for helping to arrange tours and meetings, including a visit to the Erie County Sheriff and dispatch center. Nicole Ard said additional meetings, ride-alongs and staff shadowing are being scheduled over the next several weeks and thanked her co-workers who have helped her to find her way around city facilities.

Nicole Ard said she attended the **December meeting of the Planning Commission** and received a warm welcome. She said the members of the Planning Commission expressed their interest in working together with the owners of Margaritaville and the adjoining neighbors to solve their issues. She also **attended a regular session of the Erie County Commission.**

Nicole Ard thanked Chief Lang, Chief Ricci, Connie Nicholson and Don Icsman for their representation regarding the police and fire dispatchers with the AFSCME representatives.

Nicole Ard said **State Representative Dennis Murray contacted her regarding an upcoming meeting with two individuals who are generating housing rehabilitation and revitalization activities in the Cleveland area.** Nicole Ard said other invitees include a representative from Erie County and former city commissioner Dick Brady; she would be glad to attend and represent the city unless a city commissioner would rather attend.

Nicole Ard said **she had a wonderful opportunity to ride a carousel at the Merry Go Round Museum during the Toast of the Town event on December 31.**

OLD BUSINESS

Diedre Cole said the upcoming **proposed charter change amendment requires the city to mail a letter to all registered voters.** Don Icsman said he believes there is a deadline for the printer at the end of the week in order for the mailing to be postmarked by February 5 and distributed copies of a letter prepared about ten years ago when the mayor/ward system of government was proposed. He said there is an obligation under the law to forward a copy of the amendment itself to the registered voters. This is different from the last time the commission prepared a letter to the voters which was a change initiated by the city through the Charter Review Committee. This current change was brought forth by voters and residents of the city and the majority of the commission may not agree with this proposal. The last letter was prepared indicating the commission (at that time) was not in favor of the proposed charter change and, similarly, can be expressed at this time. He said a letter was prepared by Kelly Kresser which included the ballot language, but there is no obligation for the city to do this. Section 82 of the city charter requires the amendment itself be mailed, not necessarily the ballot language, although this is legal and permissible. When the previous letter was sent to the voters, the commission chose to note the distinction between changes they were in favor of and those they were not. Julie Farrar asked if the letter should be included with the charter change language or mailed separately and Don Icsman said that would be up to the commission and should be considered from a cost standpoint. There is not a lot of time and the commission should want to get the message right. Don Icsman said there is not much time to debate the content of the letter as not much can be done about the deadline. Kelly Kresser said she sent out a request for quotations (RFQ) and is awaiting return of only one. The letter to the voters should get to the printer by Friday of this week to allow a two-week period for the job to be set up and proofs approved. The RFQ is for one, 2-sided, 11" x 17" piece of paper folded to 5½" x 8 ½". Wesley Poole said at a minimum, a letter should be provided which includes the information stated by the city's attorney at the last meeting (substance issues for the amendment). The letter needs to be put together and approved by the city commission.

Upon motion of Diedre Cole and second of Jeff Smith, the commission voted to have two city commissioners work on preparing a letter, to be reviewed in its draft form by all commissioners, and then signed by all commissioners once in its final form.

Discussion: Pervis Brown asked for assurance that anything sent out be approved by the law department and recommended the letter indicate all commissioners are in favor of retaining the city's current form of government. Diedre Cole said the public does not have the opportunity to see what the entire commission is looking at and read aloud the letter prepared by the city commission in 2002. Don Icsman suggested having the new city manager involved to speak about the benefits of professional city managers. Nicole Ard deferred to the ICMA because of the nature of the topic. Julie Farrar said the city's attorney saw a problem with the proposed new charter language regarding the date of the election as municipal elections are held in odd years according to Ohio's Constitution, yet the petitions call for an election be held in 2012. She said if this ballot issues passes, it may need to go to court to be amended which ultimately would cause the city taxpayers to pay for this change twice. If the city's attorneys are correct and an amendment needs to be made, the city will have to pay for this to go on the ballot twice. John Hamilton asked Diedre Cole and Jeff Smith to be part of an ad hoc committee to help write this letter.

Roll call on the motion: Yeas: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 7. The President declared the motion passed.

Diedre Cole said Wesley Poole was previously on the **Safe Routes to School steering committee** for the city and because he is now a city commissioner, should be replaced as a citizen volunteer. Diedre Cole asked Bob Haag to serve as the city's representative on this committee as the first meeting is scheduled for January 11. Bob Haag said he would like to learn more about this before making a commitment and said he will talk to Diedre Cole about it.

Julie Farrar asked Nicole Ard when the **land reutilization meeting** is scheduled with State Representative Dennis Murray as she would also like Amanda Meyers to attend. Nicole Ard said she would mention this to Amanda Meyers and it is scheduled for Saturday, January 21.

NEW BUSINESS

Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to authorize Kelly Kresser to be the designee, on behalf of the city commission, for the annual Sunshine Law training as required by the Ohio Revised Code educational requirement for elected officials.

Discussion: Wesley Poole and Jeff Smith said they are both registered to attend training offered by the Ohio Attorney General's office but will vote for the motion. Diedre Cole asked Wesley Poole and Jeff Smith to share information learned after they attend. Diedre Cole asked Don Icsman if the city typically provides this training and Don Icsman said it is wise for the new commissioners to attend (especially initially), but it would be permissible to vote for Kelly Kresser to be the commissions' designee.

Roll call on the motion: Yeas: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 7. The President declared the motion passed.

Pervis Brown said he would **like to introduce obtaining the opinion of other city commissioners about the concept of going paperless**. He asked Kelly Kresser for a cost analysis of the paper used and the effectiveness of "modernizing" the commissioners. Kelly Kresser provided costs for the past three years for paper/copy costs for the agendas (exclusively), but said this does not include costs for copying other documents made for the commissioners: 2011 - 17,350 copies, 2010 - 13,374 copies, 2009 - 9,620 copies, for a total cost over the last three years of just over \$2,000 in paper/copying only. She said going paperless can be accomplished through purchasing iPads or a similar device which would be in the range of \$400 – \$700 per unit per commissioner. This could be done through a stipend or through a direct purchase. If done as a stipend, the units would be the commissioners' property at the end of their term, but to consider there have been commissioners who have not fulfilled their term and this could become costly. Julie Farrar said she believes these devices should be purchased by the city and then turned over to the next city commissioner(s). John Hamilton asked if this could be a tool or instrument gleaned for emails. Don Icsman said he would be worried about a stipend as the commissioners are only permitted to make or be paid for what is in the charter and would favor these units belonging to the city. His concern is there will still be costs with producing copies as there will not be devices distributed to everyone who attends a commission meeting. Don Icsman said he is in favor of upgrading the city's email system and is concerned about commissioners using their personal email for city business; he would like to focus on **this** issue to identify a more functional and up-to-date method. Currently, there is a request for ten years of city emails and this is not a small issue. Diedre Cole said she uses the city's email system for all city business and it can be accessed through any internet connection. The concept of going paperless is on target and a means of standardizing the city's online communication is a necessity. She asked for input from Tom Whitted, the city's IT manager, and John Hamilton suggested

having a "listen and learn" session to get the commission on the same page with this issue. Julie Farrar said she is in favor of this for another reason; when the commissioners go through paperwork at the table, the paper shuffling is evident to the television viewers. If the commission begins to use an electronic device, they can simply click on each item and scroll through its content. Julie Farrar said she does not use her personal computer for city business and would like to hear what Tom Whitted has to say. John Hamilton suggested this item be tabled and discussed by the commission at another time and with input from staff in IT. Diedre Cole said if the commission is trying to go paperless and work toward efficient communication, a path must be defined. She asked Tom Whitted to suggest his availability so this can be discussed at a future work session. Wesley Poole said this would be convenient (going paperless) although he does not yet support it as the cost savings would only be approximately \$2,000 over three years. He is not opposed to this concept but does not believe purchasing devices to save a couple of thousand dollars justifies the expenditure, especially if they may be outdated in four years. Wes Poole said he currently gets this information (for the agendas) online and has for quite some time and is sufficient.

Upon motion of John Hamilton and second of Diedre Cole, the commission voted to table this topic for future discussion. The President declared the motion passed.

Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to hold an executive session regarding personnel, city commission. Roll call on the motion: Yeas: Julie Farrar, Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 7. The President declared the motion passed.

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

Rudy Ruiz, 1419 Sandusky Street, provided winter tips for residents to stay fire safe including: never leave a fire unattended, have chimneys inspected annually, burn only dry and well seasoned wood, do not burn trash, keep 36" of empty space between portable heaters and combustible materials, do not use extension cords on portable heaters, and to have furnaces or other heating devices cleaned by a qualified person once each year. He cautioned against using blow torches or other devices with an open flame for frozen pipes or using an oven or range to heat a home. The city has an Adopt A Hydrant program to keep fire hydrants free and clear of snow and debris.

Sharon Johnson, 1139 Fifth Street, said she is not in the petition group to change how the city manager is chosen for the City of Sandusky and wishes to set the record straight. She asked if Nicole Ard is eligible to run for this position and Nicole Ard said she is not permitted to do this according to the ICMA Code of Ethics. Wesley Poole said there is a three-year residency requirement to be eligible for the position of city manager according to the petitions submitted.

Andy Ouriel, Sandusky Register, 314 West Market Street, asked if a response has been provided to the NAACP regarding their question about racial profiling by the Sandusky Police Department. John Hamilton said there will be a meeting January 10 about this letter. Andy Ouriel asked for an update about the Ohio Bike Week proposal and Hank Solowiej said drafts of an agreement with Advantage Entertainment have been submitted and he hopes this will be addressed at the next city commission meeting, or at the first meeting in February. Andy Ouriel asked for an update about the flooding on Venice Road and Todd Roth said at the last meeting he attended with the condominium association, they were investigating the water and sewer lines which service the residents. Todd Roth said catch basin installation was also discussed with the owner of the Cold Creek subdivision.

Upon motion of Diedre Cole and second of John Hamilton, the commission voted to adjourn at 6 p.m. John Hamilton declared the motion passed.

Kelly L. Kresser
Clerk of the City Commission

John F. Hamilton
President of the City Commission