

President Dan Kaman 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, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole.

City staff present: Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Acting Fire Chief, Carrie Handy – Planner, Anna Enderle – Assistant Planner, Don Icsman – Law Director, Hank Solowiej – Finance Director, Kelly Kresser – Commission Clerk.

Upon motion of Pervis Brown and second of Dave Waddington, the Commission voted to approve the minutes of the September 27, 2010 meeting and dispensed with the oral reading. All Ayes. The President declared the motion passed.

PRESENTATIONS

John Hancock provided an update regarding construction of the new marina in the Paper District. He said Item #2 on the Agenda will provide for additional funds (\$34,563) to complete the sidewalks for a portion of the Sandusky Bay Pathway near Chesapeake Lofts. He said this work was originally intended to be performed as part of the Chesapeake walkway but was deferred; it is being added to the present work being done at the marina site and will look nice and function well. John Hancock said one additional item has been identified which will allow for finishing the 25' strip between the Paper District marina and the parking lot at Chesapeake Lofts. He said it was not contemplated to complete this work with the Paper District marina contract and was not in the original proposal. Since proceeding with the work, there are requirements of the Voluntary Action Program the city will need to meet including further excavation, seeding, mulching and some drainage alterations. He said this will be approximately \$34,000 worth of work and would be completed by Hoty Builders on a time and materials basis.

John Hancock said he and George Poulos have looked at the area at the foot of Jackson Street and have some recommendations on finishing this area temporarily so that it will look nice and hinder large truck parking. He said the recommendation is to finish off the section with curb and gutter and complete the walkway which is part of the Sandusky Bay Pathway. He said a section will be cabled off to limit access to the area and the westerly half of the stoned area will be excavated, seeded and mulched to look like the east side of Chesapeake Lofts. John Hancock said access must be maintained for Homeland Security as well as access for the new vessel that will be replacing the Pelee Islander. He said some TIF money may be used to complete these street improvements and there are plans for a park in this area at some point in time. Dan Kaman asked if legislation will be brought forth for the southeast corner and Don Icsman said the second item will be brought forth at the next meeting. He said he is not sure of the timing of the third item mentioned, but legislation will be prepared; John Hancock said some costs must be finalized first. Dave Waddington said a walk through was hosted last Saturday and was well received and attended. He said this area looks fabulous and will be an asset to the community; he supports these improvements. John Hancock said he is looking forward to getting the docks in and to be operational next summer.

Julie Farrar introduced Jim Pengelly – President of JRV Management (JRV), Joe Hayberger – community liaison and Carrie Handy – City Planner, to give a presentation regarding the Sandusky sportsplex concept. Julie Farrar said this is the beginning of the process and nothing has yet been decided. Carrie Handy said they will be providing a framework for the concept but there is a lot of work to be done regarding what will go into this facility. Jim Pengelly said JRV has been in existence for 25 years and are in the business of designing recreation and ice arenas having 65 'builds' and performing over 100 feasibility studies around the world. He said JRV responded to a Request for Proposals issued by the City of Sandusky two years ago for an Ice Arena Feasibility study.

Carrie Handy said Joe Hayberger was brought into the project as a community liaison to facilitate numerous presentations to local groups and organizations. She said there have been several studies performed and grant projects that point to the need for additional indoor and outdoor recreation. She said in 2008, the Frost Parker Foundation gave the city \$15,000 to perform an Ice Arena Feasibility study for an ice rink which kicked off the sportsplex concept. Jim Pengelly said this study took six months to complete and resulted in learning there was a great need for a sports complex/recreation facility in the community. He said these findings were presented to city staff and it was felt that members of the community would be more supportive of a recreational sports complex. He said they spoke to a large number of children and community leaders, church leaders and citizens who stated there is little to do in

the winter months. He said there was a need to open up a space to create something for our children to do. He said the school recreational areas were taken up with varsity, junior varsity and freshmen sports and intramural sports had shrunk because of this. He said there is a need for indoor basketball and soccer and other types of events because of a lack of space. Jim Pengelly said he then spoke to Ruth Parker and made a recommendation for a sports complex rather than an ice facility. He said this would attract outside business and provide a large economic impact to the community. Carrie Handy said at the same time the Ice Arena Feasibility study was being completed, the city had a Parks & Recreation Master Plan performed using Pros Consulting, Texas, which pointed to a tremendous need for indoor recreation. The Master Plan indicated, “. . . *there is a clear void in the park and recreation system with no dedicated indoor recreation space. . .unimpeded indoor space represents a tremendous shortcoming in the delivery of recreation services.*” Carrie Handy said the Master Plan identified the need for low cost activities for persons of all ages, year-round programs and activities and more community/special events.

Carrie Handy said the city's Weed and Seed committee identified an awareness of a need to combat juvenile crime, delinquency and recidivism. She said in the past three years, there were over 2,300 juvenile crimes with only 177 of these being committed by first-time offenders. She said this would create a safe, drug-free place for children and adults to go which are identified as “safe havens”.

Jim Pengelly said the elements of this proposed facility have yet to be identified by the City Commission, the City Manager and members of a committee to be appointed by the city. He said the concept identified is for a multipurpose events center with ball sports on a hard surface - basketball and volleyball - and another area with a turf for activities such as soccer and lacrosse. He said community meeting rooms would be available for activities hosted by entities such as Erie MetroParks for archery, fly fishing and teaching programs and overnight camping which currently is not offered in the community because of space constraints. He said community meeting rooms would be available in the larger spaces which would be collapsible. Outdoor playfields for football, soccer or other activities would be utilized in the green space constraints. He said the parking lot could also be used for events such as basketball tournaments, car shows, etc. He said the building would be very flexible in its use. The space could be utilized by many other civic organizations such as the YMCA. Jim Pengelly said this would be great for use of available hotel space in the off-season. He said the area has over 5,000 hotel rooms which are not utilized during the off or winter season and tournaments would bring families for overnight stays on the weekends. He said this would have a great economic impact to the community and would help keep people employed year-round in the hotel industry.

Carrie Handy said the proposed site currently has a building/structure which would be turned into a non-profit facility. She said contact has been made with several local non-profit agencies about sharing space to save on expenses. She said this would be more of a one-stop-shop for families and for those agencies sharing a customer base. Carrie Handy said several sites were reviewed including the former Memorial Hospital property, the former Sandusky Cabinets property, the Tracey farm property on Cleveland Road, the former Campbell and Madison Schools and the Stierhoff property on Cleveland Road. She said the property behind the Sandusky Plaza was ultimately the site selected. The project site is at the intersection of Sycamore Line and Milan Road and is approximately 12 ½ acres. Jim Pengelly said each of the sites were walked through and looked at in great detail. He said the impact to the surrounding homes and businesses was also considered. He said this was difficult and research has been done so that the City Commission can make a decision. He said the proposed site allows visibility for those driving into the community and is easily accessible to the hotels and the Sandusky Plaza. Jim Pengelly said the former Memorial Hospital site would have worked, but there is more area at the proposed site.

Carrie Handy said this site provides easy access from outside the community (from S.R. 250, S.R. 6 and the turnpike) and would help to reutilize some property which is currently vacant. She said the appearance of the Milan Road corridor would be improved and the site is centrally located for Sandusky residents. It would be an opportunity for revitalization for Cleveland Road and S.R. 250. Jim Pengelly said the next step is to look for form, function and direction from the City Commission and the City Manager. A virtual interpretation of the site was then presented via visual medium. Jim Pengelly said this will become a regional center for different sporting and entertainment events and is an ideal location.

Jim Pengelly said there are about 65,000 children who are playing roller hockey on a nationwide basis and organizers are always looking for winter tournament locations. He said Erie MetroParks would like to bring their programs into the community so that more children can get involved. He said they would like to have an educational room to teach classes. He said church activities, craft shows, pet shows,

fundraisers, family reunions and small trade shows and conventions could be held at this complex to help bring the community together.

Joe Hayberger said recently, a gentleman who lives in Perkins Township and formerly from Novi, Michigan, contacted him about the center in Novi where his son played baseball. Joe Hayberger said he was told people traveled from all over to attend sporting events at this facility and was invited to travel to Novi and visit the facility. Joe Hayberger said one of his neighbors contacted him whom is very involved with wrestling and believes this type of facility could accommodate wrestling tournaments which are currently held in large college venues. Joe Hayberger said his son is involved with Sandusky Fast Pitch and they currently pay to rent a facility; he said they would be interested in knowing how this facility may be able to accommodate them.

Jim Pengelly said the Novi, Michigan facility is a multi-recreational complex and this past weekend, their ice arena was turned into a wedding chapel to accommodate weddings on [10.10.10]. He said the concept of artificial ice is easier to take care of as it consists of interchangeable plastic sheets. He said batting cages and baseball events could also take place because of the changeability of the space.

Carrie Handy said this complex would have an economic impact, a real estate impact, potential educational impact, a crime prevention impact along with youth and family benefits and amenities for residential living. Carrie Handy said she googled hotels along S.R. 6 and S.R. 250 and the proposed location would have the most economic impact. She said this facility would be an amenity that people look for when searching for a place to live. Carrie Handy said there are millions of people within a reasonable driving distance from Sandusky and the potential to attract persons to our area is enormous.

Jim Pengelly said there are enough parents in the room to understand the concept of traveling to attend tournaments with children. He said a family participating in an out-of-town tournament spends an average of \$265 per night. He said the demographics of the local resorts are a good indicator of how far people are traveling from, why they are here, etc. He said this is why the hotel rooms in the area have been built up and how other resorts have come in. He said hotels are slow in the wintertime and this type of complex attracts people to attend tournaments and also helps athletes to elevate their play and helps in recruiting for colleges.

Carrie Handy said she looked at the statistics for a basketball tournament recently held in Norwalk, Ohio with 234 teams in one tournament, most from out of town. She figured the potential economic impact would be approximate spending of \$249 per family which equates to \$682,000 for one weekend (if each team had ten kids being accommodated by two adults per child and staying over one night).

Jim Pengelly said the space could be rented by a church organization, a charity or even the YMCA for fundraising purposes. These types of tournaments and activities would give the community a way to raise dollars. He said the City Commission and the City Manager should now give direction to move forward with the concept. Jim Pengelly thanked those who have been part of the process to date including the county, the schools (and colleges) and most especially, Mrs. Ruth Parker.

Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to continue to further explore the sportsplex concept further with Don Icsman - City Manager, Hank Solowiej - Finance Director and Carrie Handy – Planner.

Discussion: Julie Farrar said she appreciates the motion and would like to get this going in the right direction. She said this will allow for the City Manager to move forward. Diedre Cole said she is not a big fan of “build it and they will come” and this has not worked in the past. She cautioned the city to move judiciously and to make sure to research and to provide documentation and data on the feasibility of the idea and the types of sports to be included. She said wintertime travel and logistical things such as the airport being 60 miles away are to be considered; she feels this is a viable idea and would like to see where it goes. Julie Farrar said these questions will be answered in further work on the project. She said she has traveled for 14 years for different sporting events with her sons and has spent a lot of money as a soccer mom.

Kim Nuesse asked what the next step would be and Julie Farrar said a public meeting will be scheduled for Wednesday, October 27 at 7 p.m. at Sandusky High School, Room 300. She said this will be to garner input from the public, especially the kids, about what things to include in the center before moving forward.

Kim Nuesse asked if it would be more prudent to allow for Julie Farrar to get public input and report back to the City Commission. She asked the City Manager, the Finance Director and the Planner to sit in on these meetings so that all of the information can be gathered from the public. Dan Kaman opened the floor to anyone from the community who wished to speak about the proposed sportplex concept.

Gene Hawk, 401 West Shoreline Drive, said he believes this project is one hundred percent positive and in addition to the benefits mentioned, he said many construction jobs will also be realized.

John Feick, 629 Columbus Avenue, Board Chairman of the YMCA, said although the board has not formally met to discuss this concept, he believes it looks fabulous. John Feick said he is concerned about its impact for the YMCA. He is concerned about an overlap of the YMCA's programs and does not want to see anyone put out of business.

Darlene Armour, 1007 Wayne Street, said this would be a tremendous asset for the city and mentioned there are 10 – 15 kids living in her neighborhood who could benefit from having something to do. She said there are a lot of kids who fall through the cracks and cannot afford to go to the YMCA. She hopes this will address the needs of these kids.

Dana Newell, 1212 West Larchmont Drive, said he hopes this project works and cautioned for a need to coordinate with other existing agencies so that they are not affected. He said he too is one of the local parents who have traveled to numerous sports complexes with his children for sporting competition(s). He said Union, Ohio is a small city with a similar complex and how it has helped their city to blossom.

Courtney Alexander, 1413 Lindsley Street, said she thinks this is a good idea and the facility could be used by the schools because they get crowded with track conditioning, cheerleading practices and basketball. She said this will help the community and thanked Ruth Parker for thinking of the kids.

Joyce Jackson, 807 Old Mill Place, said as a parent and former Sandusky High School employee, there are a lot of children who need things to do in the afternoons. She said the high school and junior high school facilities are used by intramural and varsity teams and said the YMCA could be included in this facility to help students. She said when her daughter was in high school, she and many other students did not have a place to play in Sandusky and were on traveling teams.

Kim Nuesse said she would like to reiterate to the community this center would not be a 'free' center. She said there will be costs associated with its use, and the city cannot afford to run it without fees. She said the concept being discussed will hopefully be at a low cost. Don Icsman said he appreciates the confidence and said the public input will be important. He said there is no one who could say they are not in favor of this. There is no greater asset to the community than the local foundations and the philanthropic activities that they engage in. He said given who we are trying to serve, he wishes to articulate the concern as to how we are going to get this done with the other agencies involved and the financial viability and impact. He said this will be driven by the public input and he would like to see a model of where this has worked. He said this cannot be done without significant funds to build, maintain and sustain and these are some tough questions which need to be answered. He does not want to see hope being built up and then have to bring a dose of reality to the project.

Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the motion passed.

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

John Ginty, 5055 Providence Drive, recapped the information contained in Agenda Items #1, #2, #5, #6, #7, #9, #11 and #12 (listed below).

Dennis Timple, 553 Bimini Drive, asked why Item #1 is requested for passage under Section 14 of the Charter and requested consideration for approving this item under two readings. Dennis Timple suggested when passing the emergency home repair legislation under Item #7, all work should be subject to the Ohio Building Code and all permitting requirements and inspections performed. Dennis Timple said consideration should be given to providing more transportation options for persons on the west end of town. He said Tyler Street is listed in the legislation for resurfacing (Item #12) but he said this street in good shape and others should be considered first.

Upon motion of Pervis Brown and second of Dave Waddington, the Commission voted to accept all communications. All Ayes. The President declared the motion passed.

ITEM #1 – Ordered in 9.27.10

ORDINANCE NO. 10-102: It is requested an Ordinance be passed **declaring that a certain portion of real property owned by the city located at 129 Columbus Avenue Rear, 0.0955 acres of Parcel No. 56-61203.000 is no longer needed for any municipal purpose and authorizing and directing the City Manager to enter into an agreement to sell the designated portion to Gary and Diane Ackerman, dba Old Platt LLC;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Kim Nuesse and second of Diedre Cole, the Commission voted to pass this Ordinance under Section 14 of the City Charter. Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll Call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Ordinance passed.

ITEM #2

ORDINANCE NO. 10-103: It is requested an Ordinance be passed **approving, ratifying and amending the fourth and final change order for work being performed by Hoty Builders, LLC, of Sandusky, Ohio, for the Paper District public waterfront improvements project “Chesapeake Walkway project” in the amount of \$34,563.00;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to pass this Ordinance under Section 14 of the City Charter. Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll Call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Ordinance passed.

ITEM #3 – SECOND READING - Submitted by Hank Solowiej, CPA, Finance Director

Budgetary Impact: There is no budgetary information at this time. The Finance Department will be responsible for determining the dollar amounts by fund that will be needed for the “Payroll Stabilization Fund” special revenue fund. The Finance Department will consult with other municipalities and the State Auditor’s Office for guidance in establishing funding.

RESOLUTION NO. 035-10R: It is requested a Resolution be passed **authorizing the Finance Director to establish a special revenue fund designated as the “Payroll Stabilization Fund” for the City of Sandusky, Erie County, Ohio.**

Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to pass this Resolution under Second Reading. Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll Call on the Resolution: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Resolution passed under second reading.

ITEM #4 – SECOND READING - Submitted by Amanda Meyers, Paralegal and Carrie Handy, Chief Planner

Budgetary Information: The cost of these acquisitions will be approximately \$1,900 in title fees, title insurance, escrow fees, deed preparation, closing costs and transfer fees, but upon sale the purchaser(s) shall be required to pay these costs and the city will recoup them. The taxing districts will not collect the delinquent taxes, assessments, penalties and interest currently due and owing in the amount of \$91,388.47, of which \$60,058.37 is owed to the city for assessments. However, by returning this abandoned nonproductive land to tax producing status, the taxing districts will begin collecting approximately \$1,054.32 yearly in real estate taxes and assessments, which will eventually increase with development of the vacant lands.

RESOLUTION NO. 036-10R: It is requested a Resolution be passed **approving and accepting certain real property for acquisition into the land reutilization program.**

Upon motion of Kim Nuesse and second of Dave Waddington, the Commission voted to pass this Resolution under Second Reading. Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll Call on the Resolution:

Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Resolution passed under second reading.

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

Budgetary Information: The City of Sandusky will award the Center for Cultural Awareness \$21,000 to implement a program entitled the Citizen Circle. Funds will be used for administrative management and marketing of the new program to assist ex-offenders to become acclimated back into society. The Center for Cultural Awareness is providing \$4,718 of an in-kind match to support the program. There is no impact to the city's general fund.

ORDINANCE NO. 10-104: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a subrecipient agreement with the Center for Cultural Awareness, substantially in the same form as attached hereto, and to expend an amount not to exceed \$21,000.00 from the FY 2010 Community Development Block Grant funds;** 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 Dave Waddington, the Commission voted to pass this Ordinance under Section 14 of the City Charter.

Discussion: Diedre Cole said she sits on the Steering Committee for the Weed and Seed grant and stated she will recuse herself from discussion on this item.

Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 6. Abstain: Diedre Cole, 1. Roll Call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 6. Abstain: Diedre Cole, 1. The President declared the Ordinance passed.

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

Budgetary Information: The City of Sandusky will award Volunteers of America \$65,000 to provide homeless prevention services including emergency rental, mortgage and utility assistance to low- and moderate income residents in Sandusky under the rules and regulations of the Community Development Block Grant. Emergency rental, mortgage and utility (gas, water and electric) assistance will be provided for maximum of three months. The maximum assistance is \$1,500 per family. Volunteers of America Northwest Ohio is providing \$182,445 from other local and government program funding sources and \$14,500 of in-kind rent assistance. There is no impact to the city's general fund.

ORDINANCE NO. 10-105: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a subrecipient agreement with the Volunteers of America Northwest Ohio, substantially in the same form as attached hereto, and to expend an amount not to exceed \$65,000 from the FY 2010 Community Development Block Grant funds;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dave Waddington and second of Julie Farrar, the Commission voted to pass this Ordinance under Section 14 of the City Charter.

Discussion: Julie Farrar asked Carrie Handy how long the city has provided this service and Carrie Handy said we provided it last year and this will be the second continuous year. Dan Kaman said as a property owner, he will abstain from this vote. He has worked with this organization before and looks forward to working with them again.

Roll Call on the motion: Yeas: Pervis Brown, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 6. Abstain: Dan Kaman, 1. Roll Call on the Ordinance: Yeas: Pervis Brown, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 6. Abstain: Dan Kaman, 1. The President declared the Ordinance passed.

ITEM #7 – Submitted by Carrie R. Handy, Chief Planner

Budgetary Information: The City of Sandusky will award Erie-Huron Counties Community Action Agency, Inc. \$130,000 to provide emergency home repairs and accessibility modifications to low- and moderate income single-family homeowners in Sandusky under the rules and regulations of the Community Development Block Grant program. The maximum assistance is \$7,999 per household. Erie-Huron Counties Community Action Agency, Inc. is providing \$65,703 from other local and government program funding sources. There is no impact to the city's general fund.

ORDINANCE NO. 10-106: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a subrecipient agreement with the Erie-Huron Counties Community Action**

Commission, Inc., substantially in the same form as attached hereto, and to expend an amount not to exceed \$130,000 from the FY 2010 Community Development Block Grant funds; 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 Dave Waddington, the Commission voted to pass this Ordinance under Section 14 of the City Charter.

Discussion: Julie Farrar asked if permits are required for work being performed in these homes and Carrie Handy said this is a requirement. Julie Farrar asked if our Code Compliance Officers provide information to persons about where they may obtain assistance if they do not seem to have the money to fix up their property. Carrie Handy said the Code Compliance Officers do try to encourage persons to contact some of the numerous organizations available to provide services and assistance. Diedre Cole asked if this information could be provided on the city's website as well as referral information and Kelly Kresser indicated it could be added. Pervis Brown said he will sustain from this vote as he sits on the CAC Board.

Roll Call on the motion: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 6. Abstain: Pervis Brown, 1. Roll Call on the Ordinance: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 6. Abstain: Pervis Brown, 1. The President declared the Ordinance passed.

ITEM #8 – Submitted by Carrie R. Handy, Chief Planner

Budgetary Information: There is no additional cost associated with this memorandum of understanding. It is an agreement to cooperatively plan for the future of transit services in the Sandusky area and outline each organization's responsibilities in that cooperative planning effort. Funding is already in place for the staffing/work described in the agreement.

ORDINANCE NO. 10-107: It is requested an Ordinance be passed **authorizing and directing the City Manager to execute the memorandum of understanding for cooperative transportation planning between the City of Sandusky and the Erie Regional Planning Commission Metropolitan Planning Organization for the Sandusky Transit System, substantially in the same form attached hereto;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to pass this Ordinance under Section 14 of the City Charter. Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll Call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Ordinance passed.

ITEM #9 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: Funds for the payment of this service are routinely included in the operating budget of the Water Pollution Control Plant. The estimated amount of sludge for the first half of 2010 was 5,550,000 gallons at a price of \$.0273 per gallon. Therefore, the cost for the first six months was \$150,150.00. To date, \$144,471.60 has been spent on sludge disposal. The estimated amount of sludge for the second half of 2010 is 5,500,000 gallons at a price of \$.0273 per gallon for a total amount of \$150,150.00.

ORDINANCE NO. 10-108: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a six month contract extension with Maple View Farms, LLC, of Castalia, Ohio, for the land application of sewage sludge from the Water Pollution Control Plant for calendar year 2010;** 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 Dave Waddington, the Commission voted to pass this Ordinance under Section 14 of the City Charter.

Discussion: Diedre Cole said the city currently is spending \$294,000+ for removal of sludge. She said she understands the WWTP has a centrifuge which will reduce the amount of waste. Todd Roth said currently, 5% - 10% of the sludge is solid versus liquid; this will increase the solid to approximately 25% - 30% and will reduce the volume. Diedre Cole asked if there is a plan to rebid this after six months. Todd Roth said after this has been put into operation and the city knows what the product is, this can be bid properly. Diedre Cole asked when this will be operational and Todd Roth said currently the timeframe is being pushed to after the first of the year and this may have to come back again for approval.

Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll Call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Ordinance passed.

ITEM #10

ORDINANCE NO. 10-109: It is requested an Ordinance be passed **approving the application of Benjamin Byington to expand the existing Community Entertainment District #1 within the city to include Parcel No. 56-00577.000 located at 434 West Market Street;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dave Waddington and second of Julie Farrar, the Commission voted to pass this Ordinance under Section 14 of the City Charter.

Discussion: Kim Nuesse asked Carrie Handy about the recommendation from staff and Kelly Kresser said this was included in the packets.

Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll Call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Ordinance passed.

ITEM #11 – Submitted by Hank Solowiej, CPA, Finance Director

Budgetary Information: The new Urban Renewal Temporary Bonds are for an amount not to exceed \$2,600,000 and to provide monies to pay a portion of additional costs of the city urban renewal project activities in the Bayfront Urban Revitalization area (the Paper District marina project).

ORDINANCE NO. 10-110: It is requested an Ordinance be passed **providing for the issuance and sale of urban renewal temporary bonds in the maximum principal amount of \$2,600,000, in anticipation of the issuance of definitive urban renewal bonds, for the purpose of paying costs of city urban renewal project activities in the Bayfront Urban Revitalization Area, providing for the pledge of the full faith and credit of the city to pay debt charges on the temporary bonds and the definitive bonds, and declaring an emergency.**

Upon motion of Diedre Cole and second of Julie Farrar, the Commission voted to accept the Fiscal Officer's Certificate. Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the motion passed.

Upon motion of Pervis Brown and second of Dave Waddington, the Commission voted to pass this Ordinance under Section 14 of the City Charter.

Discussion: Diedre Cole asked Hank Solowiej if there is a threshold on the amount of bonds for a city. Hank Solowiej said cities are restricted by the Ohio Revised Code to \$10 million and currently, Sandusky is at \$7.8 million. He said the city does pay this down with our notes which helps to open up this capacity.

Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Ordinance passed.

ITEM #12 – Submitted by Kathryn K. McKillips, Engineer

Budgetary Information: The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$182,056.95, to be paid with Community Development Block Grant Funds. The funds available are \$250,000.00.

ORDINANCE NO. 10-111: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the 2010 City of Sandusky resurfacing program;** 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 Dave Waddington, the Commission voted to pass this Ordinance under Section 14 of the City Charter. Roll Call on the motion: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. Roll Call on the

Ordinance: Yeas: Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington and Diedre Cole, 7. The President declared the Ordinance passed.

CITY MANAGER'S REPORT

Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to accept a donation in the amount of \$150.00 from Judith A. Pflieger for the Green Fund. All Ayes. The President declared the motion passed.

Upon motion of Julie Farrar and second of Dave Waddington, the Commission voted to accept a donation in the amount of \$25.00 from the Chapter BE, P.E.O. as a thank you for the presentation given on the drug enforcement program in Sandusky by Officer Ritterbach and the police dog, Justice. All Ayes. The President declared the motion passed.

Don Icsman said Carrie Handy recently authored an article for the front page of the *North Coast Business Journal* entitled "City of Sandusky: Great Living on the Great Lakes", and distributed a copy of the article.

Upon motion of Pervis Brown and second of Diedre Cole, the Commission voted to allow Acting Fire Chief Paul Ricci to attend a conference in Boston, Massachusetts, on October 25 – 26 and waive the out-of-state travel restriction in the city policy.

Discussion: Don Icsman said the entire cost of this training will be paid by the National Fire Protection Association.

All Ayes. The President declared the motion passed.

Don Icsman said the **Rev3 Triathlon** will be returning to Sandusky next year and is scheduled to be held on Sunday, September 11, 2011.

Upon motion of Dave Waddington and second of Julie Farrar, the Commission voted to accept a donation in the amount of \$300 from "Save Our Shoreline Parks" to be used for Christmas lights at the Sandusky Bay Pavilion (SBP) property.

Discussion: Dave Waddington said this idea came up about six weeks ago for some exterior lighting only (because of power restrictions) after a meeting at the SBP.

All Ayes. The President declared the motion passed.

Upon motion of Dave Waddington and second of Pervis Brown, the Commission voted to keep the season pass fees for Mills Creek Golf Course at their current rate for the year 2011.

Discussion: Dave Waddington said this will allow for the sale of season passes in time for purchase during the Christmas season. Diedre Cole said this is a great idea as the Social Security Administration announced yesterday that cost of living increases will not be given next year; she asked if all of the golf fees at Mills Creek could remain the same for 2011. Hank Solowiej said this would be up to Scott Miller, the Director of General Services, but he would not anticipate a recommendation for increases.

All Ayes. The President declared the motion passed.

Don Icsman asked for clarification on **payment of invoices involving the remainder of the money from the Frost Parker Foundation for the sportsplex.** Dan Kaman said he requested the Audit/Finance Committee develop a policy for the city when dealing with money from foundations to either run it through their (the foundation) own books, or, a procedure for how the city should render payment(s). Julie Farrar said now that this is public, she suggests contacting the Frost Parker Foundation for the remainder of the \$15,000 so that the city can pay additional invoices as they come in. As an alternative, the city could send a copy of each invoice as they are received, and ask for the checks each time. Kim Nuesse asked if there is a recommendation from the Audit/Finance Committee or from the Finance Director and Hank Solowiej said he would recommend the city invoice the Frost Parker Foundation for the remaining \$15,000 and go from there. Dan Kaman concurred and said to invoice the Foundation.

OLD BUSINESS

Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to accept bids for an energy audit for the city building.

Discussion: Dave Waddington said the city needs to act soon to update and repair the city building as it looks as if it is not going to be relocated. He said the colleges would take upwards of one year to perform this study. Pervis Brown asked where the city would get the money to do a study and Dave Waddington said his motion is to take bids. Dave Waddington said the city does still have some of the FirstEnergy Solutions grant money and Hank Solowiej said there is approximately \$45,000 left from this grant. Dave Waddington said the city recently completed the solar array project at the greenhouse and that this may be something to look into for city hall.

All Ayes. The President declared the motion passed.

Kim Nuesse said **the development of a mission statement, goals and plan is still listed on the unfinished business list**, but the city has not been able to complete this task because of other burning issues. She asked Don Icsman if there is a facilitator who could plan a session before the next budget meeting so that priorities are set for the staff.

Upon motion of Dave Waddington and second of Julie Farrar, the Commission voted to have the City Manager locate a facilitator and set up a session. All Ayes. The President declared the motion passed.

Julie Farrar said she and Diedre Cole recently attended the Ohio Municipal League annual conference and sat in on numerous sessions including media relations, conducting productive meetings, green energy and networking and obtained a wealth of information. She said the session on conducting meetings was great and could be a resource for Sandusky in the future, if there is interest. Diedre Cole said she missed Sandusky while she was away and she listened to many horror stories which other communities are facing financially. She said she brought many things back for staff and will be preparing a report about the things she learned.

NEW BUSINESS

Julie Farrar said she was asked about the **letter mailed regarding Issue 5 (proposed Charter change regarding the publication of legislation)** by an elderly resident. She said this resident does not have access to a vehicle or a computer and asked if she could obtain information about legislation via U.S. mail. Kelly Kresser said if this ballot issue passes, legislation will be printed in the newspaper by title only and a request can be made to have the full text mailed to the requestor.

Kim Nuesse said she reviewed **a section of the minutes from the June 14, 2010 meeting with Kelly Kresser. She said she would like to clarify information contained in these minutes where the Surf's Up property came up in discussion.** Kim Nuesse said she asked if the Surf's Up property could be added into the Parks Master Plan and Carrie Handy indicated she could not begin to look at this until sometime this winter. Kim Nuesse said this got mixed up with the downtown market study. She said she asked at the last City Commission meeting if this could be incorporated into the revised Master Plan which is going on right now. She said these are separate issues, one involving parks master planning and one involving the downtown market study and how the downtown component could be incorporated into our overall Master Plan.

Upon motion of John Hamilton and second of Pervis Brown, the Commission voted to have an Executive Session regarding Pending Litigation. Roll Call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the motion passed.

Upon motion of Pervis Brown and second of Kim Nuesse, the Commission voted to have an Executive Session regarding Pending Litigation. Roll Call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the motion passed.

Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to have an Executive Session regarding Personnel, Human Resources. Roll Call on the motion: Yeas: Diedre Cole, Pervis

Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the motion passed.

Upon motion of Julie Farrar and second of Pervis Brown, the Commission voted to have an Executive Session regarding Personnel, City Manager. Roll Call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the motion passed.

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

Sharon Johnson, 1139 Fifth Street, asked how much the options are for the proposed sportsplex. Julie Farrar said the city does not have the options, rather, the realtor does. She said there are two options and the total is \$1.4 million for all properties and that land acquisition takes place in executive session. One property option is \$450,000 but was listed at \$689,900; the second option is \$269,000 and was listed at \$525,000. Sharon Johnson asked which properties have options and Julie Farrar said the first is the former doctor's office and the second is the Orioles Cub. Dan Kaman said these are for options on the properties, no purchase has been made. Sharon Johnson asked if the windows at city hall could be replaced before this winter rather than waiting for a study. Dan Kaman said the city is trying to do this through bids and the engineer is looking at the bids received previously for this project.

Gary Guendelsberger, 627 Walnut Ridge Lane, complimented the city and Hoty Builders on the new marina in the Paper District. He said this will produce a marvelous view of Cedar Point and the fireworks. Gary Guendelsberger said there is a parking problem at the intersection of Jackson and Water Streets because of a square backed van which parks on the north side of Water Street. He said if proceeding south up the ramp from Shoreline Drive, drivers nearly have to enter the intersection to see oncoming traffic.

Dan Kaman said in 2011, the amphitheatre mound will be kept off limits so that a good root system can take place.

Darlene Armour, 1007 Wayne Street, said the Neighborhood Advisory Committee is accepting nominations for P.R.I.D.E. Awards and the deadline is this Friday. Darlene Armour said Cedar Point made Fox 8 news last evening regarding a complaint filed by the National Association of the Alliance for Mental Health. She said Cedar Point was asked to dismantle a display which is offensive on a national level. She said Sandusky has made the news for some of the wrong reasons and encouraged persons from the city to request this display be removed. She asked of Cedar Point: "What would Disney do?"

At 7:02 p.m., Dan Kaman announced adjournment of the regular session for a three minute recess. Four Executive Sessions were held beginning at 7:15 p.m.

At 8:55 p.m., Dan Kaman declared adjournment.

Kelly L. Kresser
Clerk of the City Commission

Daniel J. Kaman
President of the City Commission