

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, Dick Brady, Julie Farrar and Dave Waddington.

City staff present: Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Fire Chief, Carrie Handy – Planner, Scott Miller – General Services Director, Tom Whitted – IT Manager, Don Icsman – Law Director & Acting City Manager, Hank Solowiej – Finance Director and Kelly Kresser – Commission Clerk.

Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to excuse Diedre Cole and John Hamilton. The President declared the motion passed.

Upon motion of Pervis Brown and second of Dave Waddington, the commission voted to approve the minutes of the November 14, 2011 meeting and dispensed with the oral reading. The President declared the motion passed.

AUDIENCE PARTICIPATION (*agenda items only*)

Gary Guendelsberger, 726 Walnut Ridge Lane, commented about the costs for the Lions Park, Phase II project (Item #2). He said the low bid is \$251,245 higher than the engineer's estimate of cost prepared in May, 2011, and asked why there is such a variance in the cost/price. He said the commission is approving \$25,000 each from the sewer and water funds based upon acceptance of the 2011 CDBG funding; he said a similar amount of money was extracted from the city's RLF for use in resurfacing Columbus Avenue. He understands that money must be used for this project. Gary Guendelsberger said the city has been reminded by Dan Kaman the Lions Park revitalization is contingent upon receiving money yet the city is committing funds for Lions Park, Phase II through sewer and water funds; he also asked where the additional CDBG money will come from.

PRESENTATIONS

Paul Ricci said it is an honor and a pleasure to **honor Fire Marshall Rudy Ruiz for his exemplary commitment to the Sandusky Fire Department's (SFD) core attributes of pride, purpose and professionalism**. Paul Ricci said Rudy Ruiz completed the executive fire officer program through the National Fire Academy; he has also helped the SFD with its accreditation program at the fire officer level through the Center for Public Safety and could not have done so without the support of his family. Rudy Ruiz thanked the citizens, the city commission and his family for their support and dedication. Dan Kaman congratulated Rudy Ruiz and said he has always been responsive to questions and concerns. Dick Brady said Rudy Ruiz played an instrumental role in obtaining the SAFER grant at very little cost to the city which helped to increase staffing on the SFD.

CURRENT BUSINESS

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

ITEM #1 – Submitted by Hank S. Solowiej, Finance Director

Budgetary Information: The City of Sandusky has participated in this insurance pool program since 1987. The annual cost has become part of the annual operating budget. Based on the formula to calculate pool membership, Sandusky's total cost for 2011 – 2012 will be \$488,840. The insurance year is December 1, 2011 through November 30, 2012. Based on exposures, the cost is distributed to the general fund (\$285,971), street fund (\$42,529), water fund (\$75,770) and sewer fund (\$84,570). The prior year ordinance was passed by city commission on December 27, 2010 (Ordinance No. 10-160) that covered the period December 1, 2010 through November 30, 2011, for a total amount of \$488,244.

ORDINANCE NO. 11-113: It is requested an Ordinance be passed **authorizing and directing the city manager and/or finance director to make payment for the 2011 – 2012 renewal costs for property, casualty and liability insurance pool membership with Buckeye Ohio Risk Management Association (BORMA) and public entity risk consortium (PERC);** 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 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, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 5. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 5. The President declared the Ordinance passed.

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

Budgetary Information: The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$983,623.30. Community Development Block Grant (CDBG) funds will fund \$752,942.30, the sewer funds will fund \$ \$121,101.20 and the water funds will fund \$109,579.80.

ORDINANCE NO. 11-114: It is requested an Ordinance be passed **authorizing and directing the city manager to enter into a contract with Kelstin, Inc., of Shelby, Ohio, for the Lions Park project, Phase II;** 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: Todd Roth said the proposed contract with Kelstin is \$894,203 and of this amount, \$209,710 is the bid for the site work. Todd Roth said he does not know what the original thought was for the water and sewer, but it was decided the water and sewer lines would be continued throughout the park so that future expansion could be accommodated. The best price would be obtained by doing the work at this time. He said the cost for the splash pad and restroom facilities breaks down to \$684,493 of which \$70,000 is from the land and conservation fund, \$2,894 is from foundation grant monies and the balance is being funded with CDBG monies. Todd Roth said the project cost is much higher than originally estimated, has already been approved for CDBG funding and does not need further approvals; the city will have to look at its CDBG allocation to do this project. He said perhaps some value engineering can be done to hold the contractors down as much as possible. Dick Brady asked about bids for the electrical trades and Todd Roth said this work is included in the combined bid. Dick Brady said it is unfortunate the city does not have the latitude to use the local preference policy because of the funding source for the project. Dan Kaman said this project was initially a beach improvement using all city dollars, but he does not mind spending \$100,000 of sewer and water funds for water lines for a new splash pad and restrooms. He said if the City of Sandusky does not utilize the CDBG funds, another community will.

Roll call on the motion: Yeas: Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 5. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 5. The President declared the Ordinance passed.

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

Budgetary Information: The city will have no financial obligation. The owner will be responsible for any application costs and matching funds required for the grant.

RESOLUTION NO. 047-11R: It is requested a Resolution be passed **authorizing and directing the city manager to file a grant application with the State of Ohio to participate in the Clean Ohio Assistance Fund (COAF);** and declaring that this resolution 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 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, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 5. The President declared the motion passed. Roll call on the Resolution: Yeas: Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 5. The President declared the Resolution passed.

ITEM #4 – Submitted by Scott A. Miller, Director of General Services

Budgetary Information: The total cost of the maintenance services for CY 2010 and January 1, 2011 through June 30, 2011 is \$12,226.18 and will be paid with the city's state highway funds (account 217).

ORDINANCE NO. 11-115: It is requested an Ordinance be passed **authorizing and directing payment to the treasurer of state, Ohio Department of Transportation for the maintenance of state route 2; authorizing the city manager to enter into an agreement for the maintenance of state route 2 in the City of Sandusky by the Ohio Department of Transportation for the period of July 1, 2011 through June**

30, 2012; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dick Brady and second of Dave Waddington, 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, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 5. The President declared the motion passed. Roll call on the Ordinance: Yeas: Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 5. The President declared the Ordinance passed.

ITEM #5 – Submitted by Kelly L. Kresser, Clerk of the Commission

A notice has been submitted to the City of Sandusky from the Ohio Division of Liquor Control, requesting a D1, D2, D3, D3A and D6 **liquor permit stock transfer for Daly's Ltd. dba Daly's Pub**, 1st floor basement & patio, 102-04-06 Columbus Avenue, Sandusky. It is requested the clerk notify the Ohio Division of Liquor Control the city has no objections to this request.

Upon motion of Julie Farrar and second of Dave Waddington, the commission voted to request the clerk notify the Ohio Division of Liquor Control the city has no objections to this request. The President declared the motion passed.

CITY MANAGER'S REPORT

Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to accept a donation in the amount of \$6,875 from the Mylander Foundation to be utilized for the maintenance and repair of Schade-Mylander Plaza. The President declared the motion passed.

Don Icsman provided an update regarding the **Apex property on First Street**. He said on November 18, the Clean Ohio Council voted to award the city a Clean Ohio Revitalization Fund grant for the former Apex Manufacturing facility and this 13-acre waterfront parcel contains two vacant manufacturing buildings totaling approximately 130,000 square feet which are in substantial disrepair. He said this grant will fund:

- the complete demolition of all buildings, pads and foundations;
- abatement of all asbestos-containing materials;
- soil remediation;
- removal and disposal of universal wastes;
- removal of underground storage tanks and;
- monitoring and modeling of existing groundwater conditions.

Don Icsman said this project is an excellent example of how the city can successfully apply its federal brownfield assessment grant funds. The city made \$45,000 of U.S. EPA assessment grant funding available to leverage a total of \$323,000 of private funds from Famous Supply and an additional \$1,094,000 of state funding. Work is expected to start as soon as an appropriate grant agreement with the state is finalized. Dick Brady said the city is leveraging dollars for an investment which the residents of the city will ultimately benefit from once the property is improved. He said it does not matter how much the owners of this property make, the tax base will go up. Dan Kaman said previously there was an emphasis on city-owned properties, but there are many non city-owned parcels that need improvement.

Todd Roth said the **Clean Ohio Revitalization Fund applications are due January 20 and would like to pursue moving forward with making application for the Sandusky Cabinets property for removal of the building and cleaning up the site**. He said the city would need to start working with a consultant and the cost associated with making application and getting prepared is approximately \$33,000±. Don Icsman said the city will utilize the firm of Mannik & Smith for this application and Todd Roth will be following up with written information. Dan Kaman said 1.800 BOARD UP did a great job with this property as well.

Upon motion of Dave Waddington and second of Julie Farrar the commission voted to allow Todd Roth to begin the CORF application process and acknowledged legislation will be brought forward regarding cost(s). The President declared the motion passed.

Jim Lang said one of the recommendations in the **comprehensive analysis performed by the ICMA for the Sandusky Police Department** is to provide training for the records system which was completed in January, 2011; more training has been scheduled. Jim Lang said the records system needs to be

revamped and combined with the Erie County Sheriff's Office (ECSO). He said the TAC records system has been upgraded since relocating with the ECSO.

OLD BUSINESS

Dave Waddington asked what is going to be done about boarding up **the Keller Building**. Don Icsman said Thomas Fortin is working with the city's bond counsel regarding this project and Dan Kaman said he thought Mr. Fortin was going to board up the building. Don Icsman previously said the city will need to spend significant money to either demolish or mothball the building so that it does not continue to deteriorate, but then Mr. Fortin came to the city. He said this problem cannot be fixed for \$25,000 and the city has almost run out of the money earmarked. Dave Waddington said he stopped by the Keller Building and believes if one of the boards were to fall, they could cause serious harm to a person. Todd Roth said the city can have a company provide an estimate to board up and secure the windows (they are secured from the interior).

Julie Farrar asked about **flooding on the west end of Sandusky**. Todd Roth said he placed another call to the Venice Road property owner and believes there is one concern yet to be addressed and a determination made for location of the easement. Todd Roth said materials have been ordered and the line will be installed by the city. He said there is a second flooding issue with drainage from the farm fields at Pinewood Condominiums which is a private site. Todd Roth said the engineering department is trying to come up with solutions to help solve the problem but not obligate the city for any of the work. He said there is not a quick solution to this issue and they have tried other things which have not worked. Todd Roth said there are flooding issues at Portland House and the city is trying to ensure the lines are working as best as they can. Dick Brady said he believes the residents at Pinewood would like to know there are some concepts or ideas to move forward, and they understand this will be at their cost.

Julie Farrar asked about the **Memorandum of Understanding (MOU) with Erie County regarding the land banking program**. She asked if there were any objections to having the law department work toward drafting an MOU. Don Icsman said this would be a bit premature as the email from Jim Rokakis, Director of the Thriving Communities Institute, indicated the form was provided by the State of Ohio but once established by his company, Sandusky will receive an MOU. **Upon motion of Dick Brady and second of Pervis Brown, the commission voted to have Commissioner Julie Farrar act as a liaison to see this process continues to move forward. The President declared the motion passed.**

NEW BUSINESS

Julie Farrar said **the city commission will be sending letters to state legislators regarding the potential cuts to CDBG funding.**

Upon motion of Dick Brady and second of Dave Waddington, the commission voted to hold an executive session regarding personnel, city manager. Roll call on the motion: Yeas: Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington. The President declared the motion passed.

Pervis Brown said the **Bayfront Corridor committee** met recently and asked the city commission to consider their recommendations; he asked the staff to look at these.

Pervis Brown said the city commission received **recommendations from the county auditor, Rick Jeffrey, according to the Tax Incentive Review Council**, and after reading through them, is impressed with the city's program. He highlighted Cedar Point for providing two scholarships each year for residents of Sandusky. Dan Kaman said there are approximately 22 TIF agreements with the city and are all going well.

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

Rudy Ruiz, 1419 Sandusky Street, said this is the time of year clocks are turned back and reminded residents to also change the batteries in their smoke alarms. He said the last two fire fatalities in Sandusky were in homes with smoke alarms, but without batteries. Rudy Ruiz said members of the Sandusky Fire Department can help residents with batteries, smoke alarms and installation. Rudy Ruiz said a senior couple recently contacted the fire department as they were approached by a company offering fire protection at a cost of \$1,400 (for a smoke alarm, fire extinguisher and other safety devices). He said this is quite costly and was able to secure a refund; members of the SFD can provide these services for those in need in the community.

November 28, 2011

P A G E | 5

Julie Farrar reminded residents to **put their trash in an enclosed container** when placing it at the curb for collection.

Andy Ouriel, Sandusky Register, asked if Lions Park is now a \$984,000 project and Todd Roth said the contract approved with Kelstin is for \$894,203. Dan Kaman said this is not the complete project cost and it will be a moving figure.

At 5:47 p.m., Dan Kaman announced adjournment of the open session. One executive session held beginning at 5:55 p.m. At 6:44 p.m., Dan Kaman announced adjournment.

Kelly L. Kresser
Clerk of the City Commission

Daniel J. Kaman
President of the City Commission