

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

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

City staff present: Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Fire Chief, Scott Miller – General Services Director, Carrie Handy – Planner, Don Rumbutis – IT Department, 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 23, 2012, meeting and dispensed with the oral reading. The President declared the motion passed.

AUDIENCE PARTICIPATION (*agenda items only*)

None.

PRESENTATIONS

Scott Miller introduced **Victoria Kurt, the city's new Recreation Program Supervisor**. Victoria Kurt said she is a graduate of Margaretta High School and Bowling Green State University where she majored in Event Planning and Tourism.

Lt. Randy Pepitone, **Toledo Police Department (TPD), presented a memorial plaque to the officers in the Sandusky Police Department honoring Officer Andrew Dunn** who was killed in the line of duty in March, 2011. He said donations were gathered from the men and women in the TPD to purchase this plaque and have a similar one hanging in their department for Detective Keith Dressel who was killed in the line of duty in 2006. The Toledo Police Patrolmen's Association and departmental retirees helped raise money for this plaque. Excess monies will be given to Officer Matt Dunn to help with the travel expenses for his family and friends traveling to Washington, DC in May when Officer Andrew Dunn's name is added to the national police memorial wall. John Hamilton commented on how beautiful the memorial plaque is and noted there will hopefully never have to be another one.

Pete Schade provided a **recap of the Erie County Health Department's (ECHD) annual report** and highlighted initiatives for 2012. He said the year 2011 ended to the good of \$120,000 which shows fiscal efficiency. The ECHD dealt with environmental health issues including the harmful algal blooms late last summer and fall and recent samples of algal characterizations were taken. The Lake Erie Protection Fund awarded the ECHD \$15,000 for labor, supplies and sampling expenses. The ECHD provided approximately \$50,000 to the Village of Bay View toward the preliminary engineering and site criteria for a sewer project (approximately 400 homes which flow directly into Sandusky Bay). This is a joint effort with the city and the ECHD. The Phase II storm water work has begun which includes mapping of Sandusky. The ECHD has provided approximately 4,200 flu vaccines this year and flu monitoring services. The public health outreach clinics and senior clinics are doing well and now include behavioral health care. The ECHD also monitors disease in the community and there are about 18 different plans. Staff has been trained through the National Incident Command System and will be planning live drills with the city this year. The ECHD just received another Healthy Homes grant to provide elimination of lead, radon and mercury in their homes. The Federally Qualified Health Center is operating and approximately 1,300 persons are seen each month for primary care upon referral. Wesley Poole asked if there is a role to be played by the city commission regarding disaster preparedness training/drills and Pete Schade said the ECHD is prepared to contact the city at a pre-determined location in the time of an emergency. Pete Schade provided a copy of the community health assessment which was recently completed. Diedre Cole asked about the serious child obesity problem in Erie County and what steps are being taken to address this issue. Pete Schade said through use of the city's CDBG monies, the first community garden was established last year in Churchwell Park and the health educators are working through the school systems to teach good nutrition. An obesity resolution was written by the Board of Health to affirm support for proactive solutions to the problem of childhood obesity. Diedre Cole said the city is working on the Safe Routes to School grant and would like to provide some materials to Pete Schade to incorporate into the ECHD's program.

Naomi Twine, Chairperson for the Human Relations Commission (HRC), said the members of the HRC are volunteers who care about people in the community. Ordinance 90-107 established the **Human Relations Commission** to address issues concerning persons of race, color, creed, national origin or ancestry. The HRC would like to work with the city commission and the city manager to work through issues. A community is only as good as the people in it and this is what the HRC members would like to do in Sandusky. The members are working with the city commission liaison, Diedre Cole, to put together a process to address appropriate issues brought forth by the community. Julie Farrar thanked the volunteers on the HRC who serve the community.

John Bauer, member of the **Police Facility Assessment Committee**, referenced the efficiency and practical use of the facility which has been assessed during the past several months after recommendation by the ICMA. The committee included Pervis Brown, Jerry Garrett, Andrew Gundlach, Jim Lang, George Poulos and Tom Whitted. The police station is an outdated facility desperately in need of renovation and can affect the department's ability to function in a professional manner. The entrance is obscured and the public parking lot is on the opposite side of the police complex. He said when ICMA personnel came to the department, they noted the use of paper signage directing persons to the department where calls made via a phone on the wall went unanswered. The officers write reports in a now vacant communications center and are seated at a poorly lit counter area. The police station is hard to find and not user friendly. John Bauer said the current facility was constructed in the 1950's and has been adapted throughout the years for temporary and/or permanent needs. Because there are budgetary constraints, the committee understood the facility cannot just be taken down and reconstructed. Short and long term goals should be established. Plans should be adopted to enhance the small public areas of the station and those areas used daily. The process should begin to push the facility into the direction it needs to go.

The Police Facility Assessment Committee recommends the following short-term goals:

- Improve the public's first impression to be of a modern, professional facility by renovating the waiting area, the records office and the report writing room
- Need new paint, ceiling tiles and flooring in the entire first floor area
- Install bullet proof glass in the records office to make safe and protective
- Make technology improvements to the surveillance camera in the waiting area and the hallway in the first floor
- Replace television monitors in the report writing room with flat screen monitors attached to the walls
- Add proper lighting, flooring and furniture in the training and classroom area, locker rooms and fitness area

The rough estimate for these short-term goals is \$39,000 - \$48,000 although formal written estimates have not yet been obtained.

Long-term goals:

- Replace building signage
- Replace single pane metal windows
- Replace antiquated HVAC systems
- Rework the parking lot areas and change some of the building flow

The long-term goals are in the range of \$700,000 and should be considered during the next few years.

Pervis Brown said the city has been putting off some of these renovations but it has been decided the municipal court and police department will stay in its current location. Pervis Brown said the city needs to comply with taking care of some of these items while keeping the budget in mind and would like the city manager to move forward with appropriating \$39,000 - \$48,000 to make these necessary

improvements. At a later date, the whole building should be looked at including the administrative offices and municipal court offices. Wesley Poole said he would like to see improvements made and asked if there are plans for the improvements; he asked if the city engineer has looked at these proposed renovations.

Upon motion of Keith Grohe and second of Wesley Poole, the commission voted to have the city manager look into the recommendations made and more clearly define the project to get the ball rolling by bringing specific proposal to the city commission.

Discussion: Pervis Brown said the city's architect helped set six priorities for the police department and there is a plan. Diedre Cole said she supports improvement of the police department facility but noted the city's budget has not yet been approved for 2012 and this is putting the cart before the horse. After the budget has been approved, a plan should be put together as to how to proceed with improving the entire city building. John Hamilton said this is broken out in several phases and new windows should be placed in the whole building; the windows addressed by the facility committee are interior only. Nicole Ard said more details can be provided and George Poulos has helped to identify improvements for the city building in its entirety, not just for the police area(s). The committee is trying to put good information together and this work will have to be done by outside entities rather than utilizing city staff. John Hamilton said it would not hurt to go out to bid for items discussed this evening. He recalled an energy grant received by the city for \$200,000 - \$300,000 and asked if any of this money could be used for window replacement. Hank Solowiej said this grant money has already been spent. Diedre Cole asked what items are most critical and Pervis Brown said this is a package which all ties together and needs to be fixed now. There have been a lot of complaints about the department and the officers need to be made comfortable in order to do their jobs and be given something good to work with. Jeff Smith asked if some estimates can be gathered and placed with a timeline for consideration to make a more informed decision. John Hamilton said he had to visit the Huron Police Department last winter and it was a much more comforting place as compared to Sandusky. Wesley Poole said he would like to look at specific items and their costs before voting for anything.

All Ayes. The President declared the motion passed.

CURRENT BUSINESS

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

ITEM #1 – Submitted by Carrie R. Handy, Chief Planner

Budgetary Information: There is no cost to the city for this proposed amendment to the official zone map.

ORDINANCE NO. 12-015: It is requested an ordinance be passed **amending the official zone map of the City of Sandusky to rezone sixteen (16) parcels from "R2F" two-family residential district to "PF" Public Facilities District;** and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 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 13 of the city charter. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Julie Farrar and Pervis Brown, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Julie Farrar and Pervis Brown, 7. The President declared the Ordinance passed.

ITEM #2 - Submitted by Victoria Kurt, Recreation Program Supervisor

Budgetary Information: There is no budgetary impact. These grants require no matching funds from the city and will be used as partial funding for the costs of the projects. If grants are denied, the Take the Kids Fishing event and Summer Playground program will still occur, but will cause downsizing of activities, equipment and supplies in order to fit the recreation department's budget.

RESOLUTION NO. 003-12R: It is requested resolution be passed **approving and ratifying a grant application submitted to the Sandusky/Erie County Community Foundation for the Take the Kids Fishing Fun Day; approving the submission of grant applications to the Wightman Wieber Foundation and the Ohio Eagles Charity Fund, Inc. for the summer playground program for the recreation department and, if awarded, authorizing the city manager to execute any required agreements; and**

declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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

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

Budgetary Information: The cost for the replacement parts based on the attached quote is \$276,597, and with shipping and including a five percent (5%) contingency, is a total cost of \$291,133. The purchase will be paid with sewer funds.

ORDINANCE NO. 12-016: It is requested an ordinance be passed **authorizing and directing the city manager to purchase replacement parts for the Trojan UV 4000 disinfection system at the waste water treatment plant from Pelton Environmental Products, Inc., of Broadview Heights, Ohio;** 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 for an explanation of this purchase and Todd Roth said beginning May 1, the UV system will start up again and there are 112 bulbs in the system. These bulbs will be completely replaced along with the hydraulic system. The parts can be refurbished and then used for replacement purposes during the next ten years. The system was installed in 1999 to disinfect waste before it is discharged; true Trojan replacement parts will be used for the system.

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

CITY MANAGER'S REPORT

Upon motion of Pervis Brown and second of Wesley Poole, the commission voted to accept two donations: \$20 from Larry and Loretta Koepp for the Friends of the Greenhouse and \$20 from Jeff and Glenda Lindquist for the Friends of the Greenhouse. All Ayes. The President declared the motion passed.

Nicole Ard said unless there are objections, she will make the following **board appointments based upon staff recommendations:**

- King Baer to the **Fire Prevention Code Board of Appeals** for a term ending January 1, 2017
- Mark Dunn, John Luipold, John Zoellner and Dave Swander to the **Plumber Examining Board** for terms ending December 31, 2012
- John Luipold to the **Residential Building Code Board of Appeals** for a term ending December 31, 2016

Nicole Ard provided a copy of the **activity report/update issued by the Code Enforcement Division.**

Nicole Ard said **value engineering costs and materials for Lions Park** are being prepared by Todd Roth and George Poulos to yield some savings.

Nicole Ard said the **preconstruction meeting for Cedar Point Drive** was held recently.

Nicole Ard said George Poulos and Todd Roth are coordinating meetings with **Tom Fortin regarding his most recent proposal for the Keller Building.**

Nicole Ard said she recently attended the **Fire Department Annual Awards dinner** and appreciates the opportunity to meet with fire fighters and their families. Nicole Ard congratulated newly sworn fire

officers - Lt. Pete Zimmerman and Captain Matt Lesch - and said service awards were presented at this dinner.

Nicole Ard said a letter was received recently by Jim Lang regarding the **quick response provided in answering a burglary call.**

Nicole Ard said she has performed some research about the upcoming **Police Chief Selection Committee** and companies which can perform assessment services. It is hopeful this process will take place in the next six months.

Nicole Ard distributed a copy of **a report from the manager of Oakland Cemetery, Dan Hedberg.**

Nicole Ard recapped the **plowing and salting efforts this winter season** and noted the city has plowed and salted 1,191 miles of street using 104 tons of salt.

Nicole Ard forwarded a message received regarding the **courteous work done by Jacki Jesberger in the Finance Office.**

Nicole Ard provided **a recap of the organizations she has visited and people she has met** since the last city commission meeting.

Nicole Ard asked the city commissioners to read through **the proposed parking study as submitted by the Sandusky Main Street Association.**

Nicole Ard said the city received **a grant in the amount of \$9,600 from the Emergency Management Agency which will be utilized to help purchase ten new radios for the police department.**

Wesley Poole thanked **Dan Hedberg at Oakland Cemetery for making use of the warmer weather by leveling headstones.**

Nicole Ard asked the city commissioners and staff to set aside Saturday, **March 10 for a potential date for a strategic planning session** and will be following up with details about this session to be held at the Sandusky Library. Jerry Garrett will help by facilitating.

OLD BUSINESS

Upon motion of John Hamilton and second of Wesley Poole, the commission voted to appoint Craig Stahl to the Audit/Finance Committee for a term expiring December 31, 2013. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Wesley Poole, the commission voted to reappoint Andy Martin to the Oakland Cemetery Board for a term expiring January 31, 2015. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Wesley Poole, the commission voted to appoint Juanita Sherrills to the Oakland Cemetery Board for a term expiring January 31, 2015. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Jeff Smith, the commission voted to appoint Rudy Ruiz to the Electrician Examining Board for a term expiring December 31, 2012. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Keith Grohe, the commission voted to appoint Darwitt Garrett to the Erie County Board of Health for a term expiring December 31, 2016. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Keith Grohe, the commission voted to appoint Jim Jackson to the Planning Commission for a term expiring January 18, 2015. Roll call on the motion:

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

Upon motion of John Hamilton and second of Keith Grohe, the commission voted to appoint Dave Waddington to the Solid Waste Collection Review Board for a term expiring December 31, 2013. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Pervis Brown, the commission voted to appoint John Poole to the Solid Waste Collection Review Board for a term expiring December 31, 2013. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 6. Abstain: Wesley Poole, 1. The President declared the motion passed.

John Hamilton said the city is putting together a **Police Chief Selection Committee** and citizens interested in serving on this committee should make application in the commission clerk's office.

Upon motion of John Hamilton and second of Wesley Poole, the commission voted for Diedre Cole to continue as the liaison to the Human Relations Commission. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Keith Grohe, the commission voted for Diedre Cole to continue as the liaison to the Planning Commission. Roll call on the motion: Yeas: John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith, Pervis Brown and Julie Farrar, 7. The President declared the motion passed.

Pervis Brown asked Don Rumbutis to provide a report regarding **the purchase of electronic devices for the city commissioners in an effort to go "paperless"**. Don Rumbutis said a meeting was held last week to discuss reducing the city's printing costs and looked at several devices. Netbooks seem to be the best option for reading pdf documents, reading and sending emails and would cost approximately \$300±. These devices could be utilized wirelessly in the commission chambers and would be connected or set up prior to distribution. Julie Farrar asked if there will be enough memory in the Netbooks for storing documents such as the city's charter. Kelly Kresser said the city's charter is currently available through the internet but could also be provided as a pdf document. Don Rumbutis said the commissioners can connect through any wireless connection. Julie Farrar said she is in favor of technology and is not opposed to paper, but has a lot of it (paper) from the city. She is able to read the agendas online and said the paper shuffling will be eliminated during the meetings if wireless devices were used. John Hamilton said he uses Verizon and asked if this is an option; Don Rumbutis said up to five devices would be able to connect to Verizon simultaneously. John Hamilton asked about extension cords and/or outlets and Don Rumbutis said the laptops have an approximate battery life of nine hours but could provide electrical extensions in the chambers if necessary. Wesley Poole said he had some reservations previously but believes at \$300± per unit, there is enough value for those commissioners who feel they have a use for this device. Diedre Cole said the cost may be a bit off and there were also discussions about different skill sets/levels of each commissioner. She uses every facet and option available on whatever computer she touches and adding things such as Word would add to the cost. Julie Farrar asked if these computers will be city property and Don Rumbutis said they will. Don Rumbutis said no particular brand has been recommended, but he will be shopping them. Jeff Smith asked if this could be tabled for more research and Don Rumbutis said formal quotes will be obtained if the city commission would like to pursue this purchase. Jeff Smith said it seems like iPads are more user friendly and Don Rumbutis said this really depends upon the user; the cost has been a main consideration. Jeff Smith asked what would make it easier to skim through a document and Don Rumbutis said this is really a personal preference and use of certain devices would get into monthly costs per unit which he does not believe the city commission would like to do. The initial purchase of iPads would be upwards of \$700 per unit. Diedre Cole said it is about personal preference and skill levels and suggested holding a demonstration of each device being considered and letting each commissioner decide for them self what is best for them. The Apple is intuitive and can do a lot of things if it is a matter of efficiency; if looking solely at cost, the Netbooks would be the solution. An overall goal needs to be established first. Don Rumbutis said there are a lot of devices and it would be difficult for a vendor to come in and demonstrate different ones. He said if the purpose is to only have the ability to read pdf files and utilize the city's email, the Kindle may be an option and costs only \$200. John Hamilton said he understands the life expectancy may be only about four years and this is a way to get started. Wesley Poole asked if the staff could set these units up and have the commissioners stop in the office to see them; John Hamilton said there was one set up before today's meeting and Kelly Kresser said she will set these sessions up with the city commissioners. Wesley Poole said there is a limit to what he will be willing to

spend to "carry this around in his hand". Nicole Ard said part of what staff discussed was providing technical service for the devices. If the commissioners do not want to participate, they do not have to and there is value in terms of dollars with getting Netbooks. Keith Grohe said this issue should be tabled and revisited at a later date. John Hamilton said he thought he may stick with paper, but believes there would be a benefit to viewing and reading the agenda while he is traveling out of town on business.

NEW BUSINESS

Diedre Cole said Nicole Ard distributed a memorandum regarding membership in the **National League of Cities (NLC)** and asked if the city commissioners had a chance to review the materials. Diedre Cole said the NLC has several programs which would be beneficial to the community and membership dues are based upon population; the cost of membership for Sandusky would be approximately \$1,500. There are significant cost advantages to membership including a prescription discount card for residents, coverage for water and other utility lines on personal property and a showcase video program to spotlight the community on the internet for economic development purposes. Julie Farrar said she has attended some NLC training and believes this would be a beneficial and worthwhile membership. John Hamilton asked to look at this information before the next city commission meeting at which time it can be discussed again.

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

Fred Farris, 702 Wayne Street, said there was a recent article in the Sandusky Register about the Freedom of Information Act and public records. It seems like there is a problem with public records and the Supreme Court has ruled on this and the city's police department is not abiding by it. He asked how to obtain public records through the Police Department. Jim Lang said Fred Farris has requested records pertaining to Officer Andrew Dunn and these records cannot be released because of a gag order issued by Judge Tygh Tone. Julie Farrar said arrest records can be obtained through the Sandusky Municipal Court's website. Fred Farris said he is looking for the number of arrests made in a certain period of time and Wesley Poole said he believes there are activity reports or information which can be provided. Don Icsman said public record requests are made to the custodian of the records and if it is available and can be produced, it will be.

Andy Ouriel, Sandusky Register, asked when the city will move forward with the Police Chief Selection Committee and Nicole Ard said the city is currently looking for interested residents/volunteers to serve on the committee. Andy Ouriel asked the status of the request made by the NAACP for a review of police practices and procedures and Nicole Ard said she has not formally met with members of the NAACP about this issue although she has spoken with two co-chairs of the chapter. Andy Ouriel said Jim Lang indicated the complaints were unfounded and asked Nicole Ard if she believes this to be true. Diedre Cole said this is inappropriate and if Andy Ouriel would like to have a press conference, it should be done after the meeting. She said this is the public's opportunity to ask the commission about tonight's business and told Andy Ouriel he has been cautioned about this before. Andy Ouriel said he had one more question and John Hamilton said this is not a press conference.

Wesley Poole said the commission needs to discuss, perhaps in executive session, **how to deal with the audience participation section of the meetings**. He is not sure about the rules for a press conference or about excluding members of the press from asking questions. Don Icsman said the audience participation portion of the meeting is addressed in the Rules of Order. This is a designated public forum and a reasonable time, place and manner of restrictions are placed upon participants and personal attacks are not permitted. The commission has a right to make a choice about whether it can be deposed, but answering questions is typical of what elected officials do. There is no law that says the public must be allowed to participate; they must be permitted to attend and listen to how the commission conducts business. Once permitted to participate, however, constitutional protections are invoked and everyone must be treated fairly. This cannot be based upon how the elected officials feel about a specific topic. This is a discussion worth having and if the public is not going to be permitted to participate, it would not break any laws, but reasonable rules can be established about how the public participates to avoid liability. Wesley Poole said he recognizes the public does not have to be permitted to go to the podium at all, but would like to try making this a little less tense. He recognizes the questions posed by Andy Ouriel were more in line with a deposition, but is uncomfortable with the city refusing to allow him to speak. The public needs to think the commission is open to scrutiny and using the podium and the cameras to ask pointed questions (to which someone already knows the answer) makes him as unhappy with the questions as he is with the commissions' reaction. Both sides need to give and take on this issue. John Hamilton said he has been approached by citizens in the community who wish to address the commission but do not want to be on camera. He suggested consideration of having alternating meetings where the camera is off during this the audience participation portion of

the meeting. Diedre Cole suggested the city commissioners revisit the Rules of Order regarding the audience participation portion of the meeting and discuss them at the February 27 meeting.

At 6:47 p.m., John Hamilton announced adjournment of the open session.

Kelly L. Kresser
Clerk of the City Commission

John F. Hamilton
President of the City Commission