

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

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

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

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to approve the minutes of the February 27, 2012, meeting and dispensed with the oral reading. The President declared the motion passed.

AUDIENCE PARTICIPATION (*agenda items only*)

Tom Pascoe asked the commission to pass a resolution supporting the Great Lakes Harbor Coalition (Item #4). The mission of the Great Lakes Harbor Coalition calls for equitable, sustainable and needs-based harbor maintenance funding processes. The Great Lakes shore is not considered a priority with the Army Corps of Engineers and the harbor maintenance trust fund will have over \$7 billion by the end of 2012, but these monies are not getting to the places in Ohio most in need.

Sharon Johnson, 1139 Fifth Street, said the ordinance regarding vacant and abandoned buildings is restrictive and is concerned the city may be spending a lot of time in court, especially with their own buildings not up to par (Item #1).

Tim Stookey, 1307 Fifth Street, asked if the yard waste collection program is voluntary or mandatory (Item #2).

PROCLAMATION

John Hamilton presented a proclamation to Lisa Guliano and clients of the Erie County Board of Developmental Disabilities announcing March 24, 2012 as **Developmental Disabilities Awareness Day** in the City of Sandusky. He announced a pancake breakfast will be held on Saturday, March 24 from 9 a.m. – 11 a.m. at the Board of Developmental Disabilities, 4405 Galloway Road.

PRESENTATIONS

Todd Roth presented information on behalf of Mannik & Smith regarding a **Clean Ohio Revitalization Fund (CORF) grant application for the Sandusky Cabinets property, 513 East Washington Street**. The grant application has been available to the public for the past 30 days and this public meeting is part of the grant application criteria. Notes and comments made at the meeting will be added to the application. Todd Roth said Sandusky has a strong industrial history in the heart of its residential neighborhoods and this particular site is within the Kilbourne Plat. The 1.7 acre site has had different uses and the environmental conditions include two underground storage tanks, a historic rail spur, transformer and an elevator pit. Tests have confirmed asbestos materials and soils have some arsenic, lead and other semi-volatile organic compounds above the residential action level. The earliest known use of the property was as a lumberyard and the site was destroyed in 1924 by a tornado. Sandusky Cabinets operated on the property until April, 2002 and built high quality steel cabinetry and is separated into two parcels.

The city has requested close to \$1 million in its CORF application to remediate and prepare the property for future development. A mixed-use redevelopment of the site is anticipated. This is vacant, under-utilized land has hazards that need to be removed in order to enhance nearby developments. There is a 25% minimum match requirement with the grant and the city proposes to use money spent previously for Phase I and Phase II toward the match to remove out-of-pocket costs by the city. It is proposed improvements be made to Warren Street as it adjoins the site and would be the best use of the monies which must be spent as the city's matching funds. A conceptual plan was shown with potential future use of the area. Awards will be made in May or June, 2012, for the CORF grant applications and the project could begin yet this year, but will carry into 2013.

John Hamilton asked if materials will be salvaged or recycled and Michael Momenee from Mannik and Smith said one of the grant restrictions is to reuse as much of the building as possible including brick, wood beams, flooring and duct work. Todd Roth said this will be a competitive round and the city's application is a good one.

Nanette Guss, representing the Old House Guild, said this building is on the Ohio historic inventory and this information should be made part of the application.

Sharon Johnson, 1139 Fifth Street, is concerned about the Warren Street area improvements and Todd Roth said anyone who develops this parcel in the future would have to provide ample parking through the site plan approval process.

Tim Stookey, 1307 Fifth Street, asked who owns the former railroad track spur as this project will abut that area. This could be used as an access for sewer or water lines to the shoreline. Todd Roth said using a boulevard concept is a storm water management process and would provide a natural filter system and a separated sewer system.

Mike Zuilhof, 243 East Market Street, said he is happy this project includes the Warren Street segment which was part of the Port Redevelopment Plan. He is curious how this would connect to Huron Avenue but Todd Roth said the northern end has been of deeper consideration.

Bob Haag, 315 East Market Street, said the Brownfields Committee introduced the concept of developing Brownfields as park-linking corridors and this area is one of them. He is pleased the city chose to include the Warren Street improvements.

Paul Ricci presented information regarding the proposed **commercial and industrial vacant and abandoned building legislation** and thanked Amanda Meyers from the Law Department, Rudy Ruiz and Steve Rucker from the Fire Department for their assistance in writing the draft. This program is a risk reduction initiative to manage buildings which have been identified as vacant and abandoned due to a fire tragedy in Worcester, Massachusetts in 1999. Each year, 31,000 fires occur in vacant or abandoned buildings with an average of 50 fire deaths and 6,000 firefighter injuries. The United States Fire Administration took action for cities to develop legislation for vacant and abandoned buildings in an effort to identify the owners and require the property be secured, inspected, classified and visibly identified and provide demolition, if necessary. There are approximately 158 vacant and abandoned buildings in Sandusky and these buildings are hazardous because they are unsecured, are not maintained, have no working fire protection system(s), promote illegal activity and vagrancy and are dangerous to those who must enter them and to the surrounding neighborhoods. Impacts to the community have been well documented in the form of increased violence, vandalism and fires, increased vagrancy and transient activity, an increased demand on community services and a decrease in property values and taxes. As an example, the impact area around the former American Crayon property would have far reaching effects. This legislation is aggressive, but the longer these buildings sit, the more chance they will become abandoned and unsecured. The city will then be tasked with managing the sites at an enormous cost including manpower hours and human life. The legislation would require registration of these buildings, identification of the owners and/or occupants, a hazard inspection conducted by the building, general services, fire and police departments, securing of the property and the development of funding sources for sustained enforcement. The hazard identification process includes three options:

- 1) Red Field - Structure has normal stability at the time of marking and interior operations are acceptable.
- 2) Red Field with white slash - Interior hazards exist to such a degree that interior operations may be conducted only after examination and with extreme caution.
- 3) Red Field with white "X" - Make every effort to conduct operations from the exterior. When absolutely necessary to enter the building, approval by command staff. A known life hazard exists and personnel should operate at very minimal time necessary to facilitate rescue.

The legislation is being proposed today at first reading and if passed, will be presented a second time at the March 26 city commission meeting.

Diedre Cole asked if there is a plan to deal with any environmental hazards present in the buildings and Paul Ricci said the task force inspection process would identify safety and code enforcement, the

structural integrity of the building and an evaluation for health hazards (brownfield elements). There is a diverse group of owners and the costs are unknown for some of these properties. The ability for the city to manage these buildings may be based upon the owners' ability to pay for repairs and securing of properties and ultimately will fall back to the City of Sandusky. Keith Grohe said this legislation is long overdue and is worried about sending safety service personnel into these types of buildings. Julie Farrar said she was approached by a resident who asked why safety service personnel would even enter an abandoned building. She spoke with Paul Ricci who said the city cannot just let a building burn down because of adjoining homes and property; she supports the legislation. Jeff Smith said 60% of these buildings are owned by people who do not have to look at them and those who live here **do** have to look at them.

A Public Hearing was held regarding a request to amend the zone map for property owned by Dimitrios and Violeta Lenos, 2216 – 2222 Milan Road. Carrie Handy said this request to rezone is from R160 – Residential District, to RRB – Residential Business District, for a mini-plaza operation allowing small businesses to serve the neighborhood. The property is located immediately adjacent to the Milan Road overpass (east side) and currently has two single-family dwellings and two small out buildings. Julie Farrar asked if there were any objections from staff and Carrie Handy said there were none; additionally, the Planning Commission has recommended approval of the request.

John Hamilton asked if any members of the public would like to speak for or against the request.

Sharon Johnson, 1139 Fifth Street, asked if correspondence was sent to the nearby residents and Violeta Lenos said letters were sent and there was only one question pertaining to the traffic. She said multi-family units or apartments would generate more traffic than a small plaza for businesses.

Tim Stookey, 1307 Fifth Street, said it is a blessing someone is proposing to do something with the property.

John Hamilton then declared the public hearing closed.

CURRENT BUSINESS

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

ITEM #1 – Submitted by Paul E. Ricci, Fire Chief

Budgetary Information: The cost associated with the adoption of this proposed legislation is the added workload that will be absorbed by the current administrative staff and the registration fees collected will be used exclusively for the administration and enforcement of this chapter.

PASSED FIRST READING: It is requested an ordinance be passed **amending part fifteen (Fire Prevention Code), by the addition of Chapter 1505 (registration of vacant commercial and industrial buildings)**, of the codified ordinances, in the manner and way specifically set forth hereinbelow.

Upon motion of Julie Farrar and second of Diedre Cole, the commission voted to adopt this Ordinance at first reading.

Discussion: John Hamilton asked if rental housing is included in this ordinance as buildings with more than four units would be considered commercial. Paul Ricci said this proposed code change does not include any residential properties whatsoever. Don Icsman said the city has the ability, under the environmental health housing code, to deal with the residential component. Wesley Poole asked Paul Ricci about the perception gathered from others in the community who have had an opportunity to hear about this program. Paul Ricci said the information was well received. One concern brought up by the realtor group was the process by which someone would not pay a registration fee and believes this issue has been resolved.

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

ITEM #2 – Submitted by Scott Miller, Director of General Services

Budgetary Information: Based on service for a one day per week pickup at \$10.50 per month per residence and a contract for nine (9) months, the estimated amount for the 2012 yard waste collection service is \$57,739.50 based on last year's figure of 611 customers. This amount is subject to change due to additions and deletions of customers to the program. The cost of this service will be charged back to the customers in addition to a charge of \$.50 per month for administrative costs.

ORDINANCE NO. 12-022: It is requested an ordinance be passed **authorizing and directing the city manager to enter into a contract with Browning Ferris Industries, Inc. dba Allied Waste Services of Sandusky, Ohio, for the 2012 yard waste collection service which is available for the period of April 1, 2012 through December 31, 2012;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Keith Grohe 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: Scott Miller said this is a subscription program and optional to the residents.

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

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

Budgetary Information: The revised project cost based on bids including engineering, inspection, advertising and miscellaneous expenses is estimated to be \$31,845, of which \$10,615 will be paid with sewer funds, \$10,615 will be paid with water funds and the remaining \$10,615 will be paid with street funds.

ORDINANCE NO. 12-023: It is requested an ordinance be passed **authorizing and directing the city manager to enter into a contract with Ed Burdue & Company of Sandusky, Ohio, for the Lions Park concrete removal project;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Jeff Smith and second of Keith Grohe, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Wesley Poole, Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: Wesley Poole, Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 7. The President declared the ordinance passed.

ITEM #4 – Submitted by Nicole Ard, City Manager

Budgetary Information: There is no fee to join the Coalition or commitment for future payment. The Coalition has helped support grants and/or appropriations in Michigan and New York. However, some funds in Fiscal Year 2011 were not received given changes in congressional appropriations policy (earmarks were discontinued).

PASSED FIRST READING: It is requested a resolution be passed **in support of the Great Lakes Small Harbors Coalition.**

Upon motion of Diedre Cole and second of Julie Farrar, the commission voted to adopt this Resolution at first reading. Roll call on the motion: Yeas: Wesley Poole, Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 7. The President declared the motion passed. Roll call on the Resolution: Yeas: Wesley Poole, Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 7. The President declared the resolution passed at first reading.

CITY MANAGER'S REPORT

Nicole Ard said there is currently **an internal investigation underway involving disciplinary matters in the Sandusky Police Department. A criminal investigation has also been arranged through the Erie County Sheriff's Office.**

Nicole Ard said the **CDBG action plan public hearing** will take place on March 14 beginning at 5 p.m. and will be televised live. It will also be aired on Channel 81 on March 19 after the replay of the city commission meeting.

Nicole Ard asked the city commission to consider having a **budget public hearing** on March 26 at the regular city commission meeting.

Nicole Ard asked the city commission to consider scheduling a **training session for the National Incident Management System (NIMS)** on either April 16 or 30 beginning at 4 p.m.

Nicole Ard said city employees recently met with staff from the Sandusky Sailing Club about hosting of the **2012 USODA National Youth Regatta** on July 22 – 29. This program will bring national attention to the community and a request has been made for in-kind support by the city (from the police, fire and general services departments). Wesley Poole asked if a presentation can be made for the benefit of the public once the details have been worked out for the USODA National Youth Regatta. Nicole Ard said meetings will take place as this event gets closer and there have been discussions about helping to market the new Paper District marina during the event. Diedre Cole asked if in-kind use of the marina is in addition to costs which will be incurred by the Sandusky Fire Department and Nicole Ard confirmed it is. Nicole Ard said the request is for members of the Sandusky Sailing Club to utilize slips at the paper district marina during the event.

Nicole Ard said the **Sandusky Police Department's annual banquet** was held recently and recognized officers for lifesaving awards and Officers of the year: Ken Gautschi and Erik Mohr. Additionally, Officer Andrew Dunn was recognized posthumously.

Nicole Ard said research has been done to help provide information and resources to the **Police Chief Selection Committee** once members have been appointed.

Nicole Ard said there is a proposal from the **Sandusky Main Street Association regarding the placement of planters in the downtown area**. There is private donation support but some city funding may also be required.

Diedre Cole thanked Nicole Ard for delivering a spotless **State of the City address** to members of the Sandusky Rotary Club.

OLD BUSINESS

Pervis Brown said the city has received a proposal from Feick Contractors with estimated cost(s) to **upgrade the Sandusky Police Department facility**. He said this provides some guidelines for the cost of making certain upgrades. Jim Lang said the proposal has been prepared "room by room" so that the city can pick and choose which items it would like to complete and in what order. In addition to being a morale builder, this will allow work to be done which has been needed for several years. Wesley Poole said this information provides a general idea of what improvements need to be made and the police chief should first prioritize the items. Don Icsman said formal competitive bidding must be done for any items over \$10,000. Todd Roth said a bid document will need to be prepared first. He will need to know which items should be included specifically in the bid documents. Pervis Brown said the purpose was to provide an initial estimate for work which needs to be performed in the facility and up to a certain amount of money. Diedre Cole asked where the money will come from for this project and reiterated a warning about how this should be done (bidding process). John Hamilton said this work needs to be competitively bid. Pervis Brown said the city commission should approve doing the work first and is what he is asking for. John Hamilton asked where the money will come from for this project and Pervis Brown said he spoke to Hank Solowiej. Hank Solowiej cautioned everyone to slow down until a budget is passed. There are a lot of capital projects for which resources have already been committed. John Hamilton said this should be placed on the shelf until the budget is passed.

John Hamilton said eight persons have expressed interest in serving on the **Police Chief Selection Committee** and these appointments will be made soon. John Hamilton said Pervis Brown will be working with the committee once it has been put together. Diedre Cole said the chairperson of the Civil Service Commission and three city residents will serve on the committee; John Hamilton said he has not yet had the opportunity to go through the applications and make a decision as to who will serve. Julie Farrar asked if a decision will be made as to who will serve on this committee by the next city commission meeting and John Hamilton answered in the affirmative. Don Icsman affirmed the city commission will make this decision at the next meeting.

NEW BUSINESS

Upon motion of Julie Farrar and second of Diedre Cole, the commission voted to hold a public hearing for the budget on Monday, March 26 at 5 p.m. Roll call on the motion: Yeas: Wesley Poole, Keith

Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Deidre Cole, 7. The President declared the motion passed.

John Hamilton said the city received a request to **name the new Venice Road overpass in memory of Officer Andrew Dunn**. Julie Farrar said she has received feedback about this and also thinks of Charles Odums who was killed in the line of duty while serving overseas. It may be appropriate to use both names as they are Sandusky High School graduates who laid their life on the line for their country and their city. Pervis Brown said the city commission should back up a little bit and discuss whether naming bridges after someone who died in action is the most fitting. John Hamilton said a couple of citizens have approached him about this and was asked specifically about including a fire fighter who was killed in the line of duty in 1969. Jeff Smith said he does not see a problem naming the bridge after Officer Dunn. Diedre Cole said this is a monumental decision and should not be made in haste. The city received correspondence from several persons about naming the overpass after Officer Dunn but it would be more fitting to allow the citizens to select a name for the new road through some sort of voting process. Wesley Poole would like the community to take a look at how to properly memorialize Officer Dunn as well as Charles Odums. Nothing has been presented other than what was in the newspaper and he asked if there have been conversations with the wife or family. This bridge will not be substantial (like the Edison Bridge) to represent what the community would like to use to memorialize him. Wesley Poole said no one has had personal contact with the family and suggested starting a committee to do something meaningful. Julie Farrar said she did not believe the families suggested would mind having both names co-exist on the sign. John Hamilton said this needs further thought and discussion and can be discussed at the next meeting, perhaps with input from the families.

John Hamilton said there will be a **public hearing for the 2012 action plan** on Wednesday, March 14 at 5 p.m.

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

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

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

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

Rudy Ruiz, Sandusky Fire Marshal, reminded residents it is time to change the batteries in their smoke detectors now that the spring time change has taken place. The last two fatalities in Sandusky were due to the fact there were no batteries in the smoke detectors. He urged people to help their neighbors, especially those who are senior citizens.

Sharon Johnson, 1139 Fifth Street, asked about the current assessment of the Keller Building and the closure of Shoreline Drive. Todd Roth recommended keeping Shoreline Drive closed until the stack is addressed as this is not something he wants to rush. Sharon Johnson asked if the slips at the Paper District would be donated as in-kind for the Sandusky Sailing Club national event and Nicole Ard said this has not yet been brought forward for commission approval. Sharon Johnson said she would be interested in hearing the recent State of the City address given by Nicole Ard at the Sandusky Rotary Club.

Tim Stookey, 1307 Fifth Street, thanked the city commission for opening their retreat (March 10 special meeting) to the public. He appreciated the opportunity to listen to discussion(s) by the city commission and staff. Tim Stookey suggested the city consider offering alternative means of viewing their meetings including video on demand through the internet as the only ones who can view it are those with cable television. Tim Stookey said many streets in the city are a hazard and are falling apart. When streets are redone, there is a lot of loose stone and potholes which are simply paved over.

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Mike Zuilhof, 243 East Market Street, encouraged the city to offer any assistance it can for the Sandusky Sailing Club's USODA National Youth Regatta this summer.

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to adjourn the meeting. At 6:42 p.m., John Hamilton announced adjournment of the regular session.

Three executive sessions were held beginning at 6:55 p.m. At 8:30 p.m., John Hamilton announced adjournment.

Kelly L. Kresser
Clerk of the City Commission

John F. Hamilton
President of the City Commission