

President Dan Kaman **called the meeting to order** at 5 p.m. after the **Invocation**, given by Diedre Cole, and the **Pledge of Allegiance**.

The clerk called **the roll** and the following Commissioners responded: Diedre Cole, 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, Thomas Schwan – Transit Administrator, Anna Enderle – Assistant Planner, 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 Pervis Brown and second of Dave Waddington, the commission voted to excuse John Hamilton. All Ayes. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Dick Brady, the commission voted to approve the minutes of the April 11, 2011 meeting and dispensed with the oral reading. All Ayes. The President declared the motion passed.**

#### **PROCLAMATION**

Dan Kaman read a proclamation on behalf of **American Bikers Aimed Toward Education, Inc. (ABATE) in recognition of Motorcycle Awareness Month**. Brian Jordan accepted the proclamation on behalf of ABATE and stated it will be presented to the governor's office.

#### **PRESENTATIONS**

Diedre Cole and Dr. Kirk Halliday gave a presentation regarding the creation of a **Sandusky Youth Commission**. Dr. Halliday said young persons in Sandusky are an important part of the city and believes they should be involved in various aspects, particularly the areas of community service, government public policy and other decision-making which affects their lives. He said young people need to grow up with positive family and community examples and perceive the need for strong, positive youth and adult role models within their community. He said neighborhoods and public places where youth meet and recreate are safe and are perceived as such. He said youth have opportunities at both the local and regional levels to share leadership and participate fully in decisions that affect them. He said youth engagement in civic activities continues to increase. Dr. Halliday said the youth in Sandusky are in contact with young people from other communities in the region and work together to address regional youth issues. Dr. Halliday said youth have plenty of educational, social, civic and recreational opportunities that provide life skills and have sufficient resources to learn and apply essential life skills. He said teens are knowledgeable about job opportunities in their community, they feel they are equipped with the proper skills to succeed in a job, and should have access to employment opportunities that provide training and work skills. Dr. Halliday said youth must have places to go and things to do to entice them that Sandusky is a place to live. He said our youth need to be brought back to Sandusky and made aware of the benefits of returning here. He said Sandusky needs to make certain there are ample and diverse job opportunities as well as activities that appeal to young people. He said young people are aware of their environmental impact and incorporate environmentally-friendly practices into their everyday lives. He said young people actively support the maintenance and improvement of Sandusky's natural resources and green practices in the places which they frequent. Dr. Halliday said only about 20% of the youth in Erie County feel adults care about them which is about half of the statewide average. He said this is a great opportunity to begin a partnership.

Dennis Muratori, educator in the City of Sandusky, said the youth commission is an opportunity for the children in Sandusky to participate in leadership activities. He said this can be done through the engagement of civic responsibilities and can be made available to all school-age children.

Diedre Cole thanked Dr. Halliday, Dennis Muratori, Thomas Schwan, Richard Koonce and others for supporting this idea. She said the city currently has 34 boards and commissions which do not address the needs of the youth. She said the Sandusky Youth Commission would give them a voice in their government and make them feel they are part of us. Diedre Cole said sample legislation has been distributed for the creation of the Sandusky Youth Commission and asked for a motion of support so that the process can begin for the fall of 2011. She said a city commissioner will be appointed to act as a liaison and an oversight board will be created made up of residents and educators. She said there are

some incredibly bright, talented youth in Sandusky and she would love to be able to provide a platform to showcase their talents.

**Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to order in legislation to adopt the Sandusky Youth Commission. All Ayes. The President declared the motion passed.**

#### **PUBLIC HEARING**

**A (second) Public Hearing was held regarding the annual Action Plan and the CDBG Consolidated Plan.**

Carrie Handy said the action plan is posted on the city's website, is available at the Sandusky Library and can be sent electronically, upon request. She then outlined the proposed list of programs and projects for the new fiscal year which begins July 1, 2011, and included in the draft action plan:

- 1) administration
- 2) 2-1-1 information & referral human services call center
- 3) fair housing activities
- 4) housing programs: down payment assistance
- 5) housing programs: emergency home repair/access improvements
- 6) public services: community wellness prevention program
- 7) public services: emergency housing payments and utility assistance
- 8) public services: citizens circle
- 9) public facilities & improvements: sidewalks
- 10) public facilities & improvements: streets
- 11) public facilities & improvements: parks and recreation
- 12) other: code enforcement
- 13) economic development: technical assistance
- 14) economic development: direct financial assistance to for-profits
- 15) economic development: micro-enterprise loan program

Dave Waddington asked about funding for a gang assessment and other youth recreational activities. Carrie Handy said there have been comments about youth engagement during the planning process. She said the community wellness and community gardening programs have some youth elements; she said the weed and seed grant is being utilized for youth activities as it is the most appropriate means of providing some of these programs and activities. She said more grants are forthcoming through the Ohio Department of Juvenile Justice & Delinquency Prevention which the city may be able to use. She said the city approved applying for an anti-gang grant, but she has since learned the funding for this program has been pulled. Carrie Handy said a meeting was held with professors from BGSU who may help to do the assessment without the funding. She said this is the third year for the weed and seed grant and should be the city's largest funding year. Dave Waddington said the streets in Sandusky are a big item and the cost to resurface five blocks of Meigs Street is \$150,000. He said a plan needs to be implemented for future repairs to our roads. Carrie Handy said the reason for resurfacing Cedar Point Drive is so that funds can be leveraged through the Erie Metropolitan Planning organization. She said this project was programmed four years ago and the city needs to take funding as it is available. Pervis Brown asked what the 2011 carryover is and Carrie Handy said this is shown in the handout distributed and also includes some monies from 2009 due to some projects which were under budget. She said not all of 2010's allocation is available to reallocate. Carrie Handy said some money was left from the 2010 street projects but because of the timing of the ODOT approval process, some money was moved into the 2011 budget. Dick Brady asked Carrie Handy what kind of time she puts into the CDBG program and she indicated this can be anywhere from 25% to 100% of her time from week to week. Dick Brady said it looks as if CDBG money continues to be dwindling and these hours equate to dollars. He commended Carrie Handy for the time and effort she puts into this program and said she gets \$1.50 out of every dollar paid to her by the city and is a great benefit to the community. Julie Farrar asked what the total cut to CDBG is for FY 2011 and Carrie Handy confirmed this is 16 ½% or just over \$150,000. Dan Kaman said there is less money, but the project list continues to grow. He said Carrie Handy juggles all of these funding options and thanked her for the work which she does. He said unfortunately the city is required to have studies performed in order to obtain monies for a lot of grants.

**Members of the public were then invited to offer comments.**

Gary Guendelsberger, 726 Walnut Ridge Lane, asked Carrie Handy to elaborate on the selection criteria used for determining the Columbus Avenue resurfacing. Carrie Handy said comments were made during

the planning process about paving main routes coming into town. She said other projects are occurring on main streets and that the condition of Columbus Avenue, especially south of the railroad tracks, would have the most impact with the dollars available. Gary Guendelsberger asked about the work being planned for Sprau and Amvets Park. Carrie Handy said the city was contacted by a community member with concerns about handicapped accessibility at these parks. She said handicapped parking spaces will be added, a pathway to walk between the ball parks and some of the benches and/or gates will be relocated for wheelchair accessibility.

Sharon Johnson, 1139 Fifth Street, said \$557,000 is a lot of money to be carried over; she asked if this money could be used for road resurfacing. Carrie Handy said it is possible to reallocate this money but if this were done, payments could never be received back into the revolving loan fund and it would be shrunk permanently. Dick Brady said this could be described as a depreciating asset vs. an appreciating asset. He said money loaned out to help a business grow is an appreciating asset and will help money to come back in and help another business to grow. He said using this money would create a depreciating asset and if reallocated for road resurfacing, the blacktop would begin to depreciate once the construction has been completed. He said he would be a tough sell on reallocating economic development money for roads. Sharon Johnson said she is disappointed only four blocks of Columbus Avenue will be resurfaced; Carrie Handy said streets are expensive to resurface and the city is doing what it can.

Jason Singer, Sandusky Register, asked if the \$150,000 lost from last year would go toward Huron Park. Carrie Handy said the city was considering the erection of play equipment and building a small shelter near the splash pad with these monies. Jason Singer asked if this is because of the state budget cuts and Carrie Handy said this was due to the federal budget cuts.

**The President declared the public hearing closed.**

**AUDIENCE PARTICIPATION** (*agenda items only*)

John Ginty, 5055 Providence Drive, said there is a budgetary impact to renaming Shelby Street to Henry Way (Item #1), but this is deserving. He said there is a Hendry Street in Sandusky and suggested there are changes to be made with the U.S. Post Office, emergency personnel and in changing maps for GPS purposes. John Ginty asked if the cost is for the EPA paperwork requirements (Item #2). He asked about the asbestos issues with the Keller Building as outlined in the proposal from Malcolm Pirnie for the Chesapeake TIF (Item #3). He said the proposed contract with John Hancock allows for payment of \$60/hour for clerical help (Item #4) and this should be considered. John Ginty said the ordinance to enter into a contract with Herbst Excavating, LLC for the Hayes Avenue waterline should be reconsidered as this is a limited liability corporation (Item #5). John Ginty asked why Serving Our Seniors will be contributing to the transportation if the grant is awarded (Item #6).

Herman Robinson, 1601 Oakmont Lane, commended the city commission on their consideration to rename a street after Rev. Dr. Eddy Henry. He said there is a street named Hendry Street which is similar and suggested renaming this portion of Shelby Street to "Eddy Henry Way". Don Icsman suggested this may involve too many characters for the street sign but said the city commission could pass the legislation in any fashion they wish. He said the proposed name change is Henry **Way** rather than Henry **Street**.

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

**ITEM #1 – Submitted by Todd J. Roth, P.E., P.S.**

**ORDERED IN 4.11.11**

**Budgetary Information:** This item has no budgetary impact.

**ORDINANCE NO. 11-039:** It is requested an Ordinance be passed **changing the name of Shelby Street, extending from Pierce Street to Buchanan Street, in the city, to Eddy Henry Way;** 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 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:* Dick Brady said he did not have the pleasure of knowing Rev. Eddy Henry, but this street name change is significant as it has only been done one other time in the community (for Clarence

Seavers). He said the city is not the one to thank, rather, the members of New Jerusalem Baptist Church are to thank for making the effort on behalf of the impact Rev. Henry has had on the parish and the community. Diedre Cole said there is a distinction between Hendry Street and Henry Way and does not believe this will cause a mix-up. She thanked Don Icsman for taking the ball and running to complete this legislation. Pervis Brown asked that the street name change be approved as "Eddy Henry Way" so there is a distinction with Hendry Street. **Dave Waddington agreed to amend his motion to include the first name (Eddy) and Diedre Cole agreed with seconding this revised motion.** Diedre Cole asked if the members of New Jerusalem Baptist Church had an opinion about this since they brought the petition to the city.

Rev. Curtis Johnson, Jr., New Jerusalem Baptist Church, said he concurred with renaming this section of Shelby Street to "Eddy Henry Way".

**Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the Ordinance passed.**

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

**Budgetary Information:** The fee for this work is \$29,750 and will be paid with a U.S. EPA Brownfield Petroleum Cleanup Grant.

**ORDINANCE NO. 11-040:** It is requested an Ordinance be passed **authorizing and directing the city manager to enter into an agreement with Arcadis U.S., Inc./Malcolm Pirnie, Inc., of Columbus, Ohio for certified professional services in conjunction with the U.S. EPA Brownfield Petroleum cleanup grant for the completion of the Bureau of Underground Storage Tank Regulations (BUSTR) Tier 1 source investigations at the Sandusky Cabinets property;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Dick Brady asked Todd Roth to elaborate on a few of the bullet points associated with this item as it is not just for \$29,000 worth of paperwork. He said there are wells being bored and tested and other labor costs. Todd Roth said this work will be done in accordance with BUSTR guidelines. He said wells will be created while existing wells will be utilized. Dick Brady said three tanks have been removed, one of which required no further action. More work was deemed necessary to be performed with the two other tanks according to BUSTR and the city is responding to EPA requirements. Todd Roth said additional work needs to be performed in order to close these projects.

**Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the Ordinance passed.**

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

**Budgetary Information:** The total cost for the out-of-scope services is \$39,186 of which \$12,220 is covered within the existing contract budget and the remaining balance of \$26,966 will be paid with proceeds from the Tax Increment Financing (TIF) arrangement on the Chesapeake Lofts condominiums.

**ORDINANCE NO. 11-041:** It is requested an Ordinance be passed **authorizing and directing the city manager and/or finance director to make payment to Partners Environmental Consulting, Inc., of Solon, Ohio, for certified professional services for the bay front paper district redevelopment project;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Diedre Cole asked Todd Roth about the asbestos and how it relates to this item. Todd Roth said this was just one of the tasks asked of Partners Environmental. He said not all of the tasks are associated with the marina project, but Partners Environmental was asked to perform this work. Dan Kaman said this pertains to three different properties: Chesapeake, Tricor and Keller.

**Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the Ordinance passed.**

**ITEM #4 – Submitted by Todd J. Roth, P.E., P.S.**

**Budgetary Information:** The engineering consultant fee is not to exceed \$22,500 to be paid with water funds.

**ORDINANCE NO. 11-042:** It is requested an Ordinance be passed **authorizing and directing the city manager to enter into an agreement for professional design services with John Hancock & Associates, Inc. for the Thorpe Drive, Dorn Drive and Ferndale Drive waterline project;** 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 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:* Pervis Brown asked if the city is capable of performing this work in-house and Todd Roth said the city can perform the design work, but does not have adequate staff to perform the survey work. Todd Roth said he would be worried about meeting the deadline(s) if the work were performed in-house. Dick Brady asked for a breakdown of this work and Todd Roth said the survey work would be approximately 1/3 of the total amount of work and would have to be collected and provided in a usable format in order to proceed with the design work. Pervis Brown said this is a replacement line and is the reason for his concern; Todd Roth said typically, the new water line is not placed in the same location. He said the existing line will have to be kept in service while the new line is installed and tested. The service connections are made prior to abandoning the old line. Diedre Cole asked Todd Roth explain how deviating from this plan would impact those who live in this area. Todd Roth said this has been scheduled for quite some time because of water line breaks that are occurring. He said these residents will continue to have their water placed out of service. Dan Kaman said he recalls several years ago, this line broke in the middle of a farmer's field and this definitely needs to be identified. Julie Farrar said she understands the concerns, but believes this contract should be approved. She said the clerical staff is referenced at a pay rate of \$40/hour and is John Hancock's prerogative. Todd Roth said the construction cost is approximately four percent and is fair in today's market. Dick Brady said this will be a very busy summer for the engineering department with all of the ongoing projects and does not feel a \$22,000 job should be done in-house and is a competitive price for the work to be performed. Todd Roth said the city held off on this project as long as it could and cannot wait any longer.

**Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the Ordinance passed.**

**ITEM #5 – 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 \$269,174. The city is responsible for the entire project cost and it will be paid with the city's water funds.

**ORDINANCE NO. 11-043:** It is requested an Ordinance be passed **authorizing and directing the city manager to enter into a contract with Herbst Excavating, LLC, of Sandusky, Ohio for the Hayes Avenue waterline improvement project;** 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 adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Dick Brady said the contractor, Herbst Excavating, provides a bid bond and a performance bond as protection for the city and the bonding company stands behind the performance of a contractor. Don Icsman said forming an LLC is a recent development in the law and ensures protection to a business owner for personal liability and protection of their assets. Dick Brady said Herbst Excavating is a local contractor and was the low bidder by a small amount of money; they also have subcontractors with locations in Sandusky which will benefit including Kreimes Construction. Kreimes Construction, in turn, will purchase cement from Huron Cement which is located in Sandusky and this is a win/win situation for Sandusky. Don Icsman said the city is able to use its local preference policy on these types of jobs but is prohibited from using a geographical preference for jobs involving state or federal monies.

**Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the Ordinance passed.**

**ITEM #6 – Submitted by Thomas Schwan, Public Transit Administrator**

**Budgetary Information:** The City of Sandusky received Job Access Reverse Commute (JARC) funds in 2009, 2010 and 2011 from the Ohio Department of Transportation for the operation of the Sandusky-Perkins Area Ride Connection (SPARC) route. This point deviation route travels throughout the city and to centers of employment along U.S. Route 250. The SPARC route has been very popular and ridership has increased significantly in 2009, 2010 and 2011. In 2009, the SPARC route carried 20,250 passengers. In 2010, the SPARC service, with the addition of a second route in June, transported 46,870 passengers, an increase of 131% over 2009. Ridership for the first quarter of 2011 on SPARC 1 and 2 is 15,540 passengers. The increase of ridership is estimated to be 33% for 2011. (JARC) dollars are designated for those projects that provide transportation from urban areas where job opportunities have been lost to suburban areas where job opportunities are being created. The City of Sandusky originally applied for and was granted a \$100,000 grant in July of 2008 to fund the SPARC project. It began operation on March 16, 2009. ODOT then awarded continuation funding to STS to sustain SPARC in 2010 and 2011, giving the route sufficient time to prove its effectiveness. A local match is required for award of funds. If granted the full amount requested of \$120,763, a local match of \$60,381.50 will be required. It is anticipated that this match will come from dollars from Serving Our Seniors and contract revenue.

**RESOLUTION NO. 014-11R:** It is requested a Resolution be passed **authorizing the filing of a grant application with the Ohio Department of Transportation through the U.S. DOT Federal Transit Administration (FTA) for a job access reverse commute (JARC) program grant for the Sandusky Transit System;** and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Julie Farrar and second of Dave Waddington, 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: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the motion passed. Roll call on the Resolution: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the Resolution passed.**

**CITY MANAGER'S REPORT**

Don Icsman announced there will be a **ribbon cutting for the Conestoga project** on May 12 beginning at 6:15 p.m. at the Sandusky State Theatre. Dave Waddington said the areas designated for this project are the south side, Hayes Avenue and the Kilbourne plat area.

**Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to accept a donation in the amount of \$400 from the Western Basin Sportfishing Association for the recreation department. All Ayes. The President declared the motion passed.**

**Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to accept a donation in the amount of \$7,000 from the Wightman Wieber Foundation for repairs and improvements to Wightman Wieber Park. All Ayes. The President declared the motion passed.**

**Upon motion of Dave Waddington and second of Diedre Cole, the commission voted to accept a donation in the amount of \$5,000 from the Wightman Wieber Foundation for electrical upgrades at the Sandusky Bay Pavilion. All Ayes. The President declared the motion passed.**

**Upon motion of Dave Waddington and second of Diedre Cole, the commission voted to accept a donation in the amount of \$1,700 from the Wightman Wieber Foundation for the tire recycling program. All Ayes. The President declared the motion passed.**

**Upon motion of Dave Waddington and second of Julie Farrar, the commission voted to authorize disposal of two police cruisers through [www.govdeals.com](http://www.govdeals.com) as they are unnecessary and unfit for city use.**

*Discussion:* Dan Kaman asked if a report could be provided showing how the city has made out with the items sold on this website previously. Don Icsman said Kelly Kresser works with personnel from Erie

County to have these items placed on the [www.govdeals.com](http://www.govdeals.com) website. He said the city will also be hosting a live auction in the near future as well.

**All Ayes. The President declared the motion passed.**

Don Icsman said a **letter of support has been provided for Nehemiah Partners, Sandusky City Schools and WSOS Community Action Commission as they are applying for a 20<sup>th</sup> Century Community Learning Center grant** to provide comprehensive after school programming to 100 students in Grades 6 – 12.

Don Icsman said **the city will be hosting a land reutilization program educational series** during the month of May from 5:30 – 6:30 p.m. at city hall. These sessions will be held on May 4 – Land Reutilization Law & Misconceptions of Landbanking, May 11 – Property Research, May 18 – Acquisition Process and May 25 – Sale & Disposition Process.

Don Icsman said the city received an **informational notice from the U.S. Postal Service about their intentions to conduct an Area Mail Processing (AMP) study of mail processing at the Mansfield processing and distribution facility** for possible consolidation of some operations into the Columbus and Cleveland processing and distribution centers. He said they are soliciting the public's input as part of the process. Don Icsman said the postmaster has said he currently has more equipment, personnel and facilities than needed for the volume of mail being processed. He said this happened before and this is not a precursor for closure, but it is alarming as there are a lot of people who use this facility. Don Icsman said the city previously prepared a resolution but nothing came of that AMP study.

Don Icsman said there will be events held this Saturday in conjunction with **Go Green Sandusky** including a free **tire recycling** between 9 a.m. – 1 p.m. at city hall and a free **yard waste drop-off** at Barnes Nursery, 1630 Camp Road, Huron. Dave Waddington said there will also be a cleanup of the shoreline area beginning at 7:30 a.m. at city hall. Dick Brady said the city will have use of the "green bean" trailer and cleanup supplies will be made available for the volunteers. He said this will be used between city hall, the greenhouse and Shoreline Park.

Dave Waddington said a resident contacted him about **flooding issues on Fifth Street** and there is a sway along the curbing on Fifth Street and has caused a 3' – 5' gap at the sidewalk. He said the resident is concerned about a vehicle running the curb and hitting a pedestrian.

Julie Farrar asked Don Icsman about the **flooding issues in the yards along Venice Road**. Todd Roth said staff from the sewer maintenance department is looking into the problems. Dan Kaman said it would be good for the staff to look at this while flooding is occurring.

Pervis Brown asked when the **paving project will begin for Cedar Point Drive** and Todd Roth said this work will be performed in the fall and after the regular season at Cedar Point. Pervis Brown asked if the potholes could be patched on Cedar Point Drive and Dan Kaman said the traffic crews usually do this prior to the start of the season.

## **OLD BUSINESS**

Julie Farrar provided a recap of the current status of the **sportsplex project**. She said this project is still moving forward with some positive news. Julie Farrar said a private investment group has come forward regarding an economic development project which would include different venues. She said the needs of Sandusky, the sportsplex and the under-served youth of the community have been discussed with this company and they were open to addressing these needs. She said this group will be going back to the drawing board to propose a sports complex envisioned by the City of Sandusky and they would like to form a public/private partnership with the city; they are currently working to secure land within the city. She said this is all that can be said now about the meeting which took place last week with city staff. She said everyone is on the same page as far as what needs to be done and believes the city will see a nice public/private partnership down the road. Julie Farrar said she hopes the city will help them to obtain grants as the city cannot provide money for this project. She said nothing further will happen until the private investor is ready to announce who they are and what their plan is. Dave Waddington asked if the venue is going to change and if the location is in the same proximity; Julie Farrar said the company is looking to secure property. Dick Brady said it would be appropriate for Julie Farrar - and this group - to set a timeline since the Frost-Parker Foundation made a monetary commitment for this project just a little over three months ago. Julie Farrar said she believes this is workable; Carrie Handy agreed this would be reasonable and believes the company would like to work on a fast track with the project. Dick Brady said the city has an obligation to respond to the foundation because of their offer to provide \$1

million toward this project. He said there is not anyone who does not support the concept and this could be the best idea the city has ever had, but it needs to get to this conclusion.

## **NEW BUSINESS**

Dave Waddington said he will be hosting a **'Coffee with Commissioners' meeting** on Thursday, April 28 at 7 p.m. at city hall.

**Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to hold an executive session regarding the purchase and sale of personal property, water. Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to hold an executive session regarding the purchase and sale of real property. Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington, 6. The President declared the motion passed.**

**Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to hold an executive session regarding personnel, street department. Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, Dick Brady, Julie Farrar and Dave Waddington 6. The President declared the motion passed.**

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

Jason Singer, Sandusky Register, said it was stated tonight BUSTR is pushing cleanup for the Tier 1 source investigations at the Sandusky Cabinets property (Item #2). Jason Singer said his understanding is the city would have had a 24-hour window when the contaminated materials were discovered to remove the dirt with their own equipment. He said the city decided not to do this within the 24-hour window and is now paying \$29,750 for the Tier 1 assessment. Todd Roth said BUSTR is the agency which determined the necessity for the city to perform this Tier 1 investigation at two locations. Jason Singer said Malcolm Pirnie sent their closure report to the city noting the contaminated material on January 24 and BUSTR sent a letter to the city on February 8. Todd Roth said after the evaluation was performed, BUSTR informed the city what needed to be done. Jason Singer asked why the city did not take the option to dispose of these materials on their own rather than pay \$29,750 and Todd Roth said he does not know that an answer could have been provided about the contamination within the first 24 hours. Todd Roth said the city utilized the services of Haag Environmental, Malcolm Pirnie and an on-site contractor to evaluate the soil and this (legislation) is the end result. Todd Roth said the final report was sent to BUSTR much later than 24 hours after first digging. Jason Singer said it would be in Malcolm Pirnie's best interest to advise the city to wait so that they can get a \$30,000 contract and he does not understand the city's thought process. Todd Roth said Malcolm Pirnie is trusted by the city, by the EPA and by the communities they perform work for and he believes a lack of trust has been developed here. He said Malcolm Pirnie is a certified professional and there is value to this.

Lewis Knight, Lewis Knight Hauling, 311 Hendry Street, asked to be grandfathered in with regard to the city's solid waste ordinance. Lewis Knight said he was advised by the police department he cannot store his recycling in the City of Sandusky and he does not understand why. Lewis Knight said he is 79 years old and his livelihood has been taken away from him; he is trying to make an honest living and is not asking for public assistance. Dan Kaman said this has been discussed for over a year and a one-year grace period was granted for haulers to obtain compactor truck(s) and comply with the law. Dan Kaman said this is coming from the EPA and from Erie County and is happening all around us.

Dannie Edmon, 319 East Madison Street, said Lewis Knight is not being unfair with his question and asked how a compactor makes the environment safer as it only serves to make fewer trips to the dump. Dan Kaman said the county was pushing an EPA mandate to haul using compactor trucks; Dannie Edmon said he did not believe the city should have passed this as it only served to push people out of business. Dannie Edmon said the county cannot tell the city how to vote on city business and Dan Kaman said the haulers knew this was coming for the past two years and was a hard decision to make. He said Perkins Township will be dealing with this issue on Monday night. Julie Farrar asked if Lewis Knight could request the Erie County Commissioners to grandfather him and then come back to the city. Diedre Cole said she is terribly sorry for Lewis Knight but knows he was aware this was transpiring for at least three years. Diedre Cole said Lewis Knight has been involved in discussions and negotiations about this issue and does not see how he was unable to resolve his situation. Diedre Cole said she is personally and

adamantly opposed to grandfathering and that Lewis Knight is not the only person who has been hauling trash for a long time. Diedre Cole said: "change you must or die you will" and he (Lewis Knight) did absolutely nothing; she said Lewis Knight continues to haul in violation of the ordinance, receive citations and go to court. She said Judge O'Brien indicated he should ask the city commission to grandfather him but things do not go this way. Diedre Cole said she would be happy to personally help Lewis Knight to retool his business as far as recycling.

John Ginty, 5055 Providence Drive, asked about handicapped accessibility at the Meigs Street Pier and that the removable bollard meets the ADA requirements. He said persons with handicapped parking permits should be able to access the Meigs Street pier. John Ginty asked what is happening to the groundwater from the grade separation once it is built. He said water is being channeled down the creek at the west end of Perkins Avenue. He said the runoff cannot be placed into Sandusky Bay prior to being treated.

Fred Farris, 1205 Wamajo Drive, said there are rules to live by, but people need to eat and he agrees with Lewis Knight. He said the haulers are being driven out of business and this will cause or create more drug trafficking for the young people who have families. Fred Farris said Lewis Knight is not able to afford a trash compactor and advised the city commission to think about the rules they are making.

Gary Guendelsberger, 726 Walnut Ridge Lane, said as the city begins to discuss the proposal for the sale of the coal docks to Erie Blacktop and for the King Street improvements, he would like to call attention to the condition of McDonough Street between Water and Market Streets. He said this street is in terrible condition because of many years of truck traffic. Gary Guendelsberger asked what became of the managed print services proposal and Dan Kaman said this is being re-bid. Gary Guendelsberger said Caldwell Street is an entryway into Sandusky and is in much worse condition than Columbus Avenue. Gary Guendelsberger asked if the Cleveland Road delineator project is moving forward and Scott Miller said they will be installed and working properly before Cedar Point opens. Gary Guendelsberger asked if the city has considered the installation of fencing at the transit building to protect the new vehicles and Thomas Schwan said this discussion has just begun. He asked if anything can be done to help residents along West Perkins Avenue (west of Camp Street) because of sidewalk flooding.

Sharon Johnson, 1139 Fifth Street, asked what is meant by the term public/private partnership in relation to the **sportsplex project**. Julie Farrar said there are many things that still need to be worked out with the new private investor who may be interested in Sandusky. Sharon Johnson asked if the city's role will be only to help with available grants and Julie Farrar said she hopes to get to this point. Sharon Johnson said when the city gets to securing land, the public should know and Julie Farrar said the city is not purchasing land. Sharon Johnson asked if the city will perform maintenance on the facility and Julie Farrar said if a private investor owns the building, the city would not maintain it. Julie Farrar said the previous proposal was released prior to its coming to fruition. Sharon Johnson asked if this should be vetted first and Dan Kaman said this is what is currently being done by Julie Farrar. Sharon Johnson said the sportsplex was ranked as a low priority project; Dan Kaman said this project will probably be discussed for the next several months. Sharon Johnson said this should not be done behind closed doors and then voted upon as emergency legislation. Dan Kaman said, as an example, the proposal with Erie Materials was negotiated, brought forward at a public meeting and legislation was ordered in. He said it is a shame this has been talked about for more than one year and nothing has yet happened. Dan Kaman said the proposal to redesign Lions Park was not initially feasible, but Carrie Handy and Dave Waddington sought grant money and made it possible. Don Icsman said one of the first things he did after being appointed acting city manager was to inform the city commission he will continue to talk to staff from Erie Materials and negotiations cannot take place during a public meeting. He said a policy was reinstated regarding a committee for development projects in the city and this was announced publicly. Dick Brady said governments have to go down a lot of roads and cross a lot of bridges and they do not all work out; he said the city cannot afford to burn bridges with companies having money to invest and this is not fair to the citizens. Dick Brady said the city is patient and may not always hit home runs. Don Icsman said last year the city facilitated an agreement for Gene Hawk to apply for grant money which, unfortunately, did not work out for him. He said the city protects the assets of the citizens.

Pervis Brown said he believes it is unfair to ask Lewis Knight to secure a compactor and his heart is saying the city should do something to help him. He said Lewis Knight is 78 years old and will not be hauling much longer and there may be a way to make provisions for him to use his senior years. He asked if the commission could talk about this with their legal counsel to allow Lewis Knight to exist as best as he can.

Fred Farris, 1205 Wamajo Drive, asked about the young men in the community and their future (who haul solid waste for a living). He said this is a trick and the EPA does not run Sandusky. He said Dan Kaman asked the police chief at a previous meeting about ticketing the haulers.

**At 7:20 p.m., Dan Kaman announced adjournment of the open session. Three executive sessions were held. At 8:35 p.m., Dan Kaman announced adjournment.**

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Kelly L. Kresser  
Clerk of the City Commission

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Daniel J. Kaman  
President of the City Commission