

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

The clerk called **the roll** and the following Commissioners responded: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown.

**City staff present:** Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Fire Chief, Anna Enderle – Assistant Planner, Carrie Handy – Planner, Thomas Schwan – Transit Administrator, Scott Miller – General Services Director, Tom Whitted – IT Manager, Jaclene Bahnsen – Recreation Program Supervisor, Don Icsman – Law Director & Acting City Manager, Hank Solowiej – Finance Director and Kelly Kresser – Commission Clerk.

**Upon motion of Diedre Cole and second of Dave Waddington, the commission voted to approve the minutes of the May 9, 2011 meeting and dispensed with the oral reading. All Ayes. The presiding President declared the motion passed.**

#### **PROCLAMATION**

Diedre Cole read a proclamation on behalf of **Click it or Ticket Mobilization Week taking place May 23 – June 5, 2011.**

#### **PRESENTATIONS**

Diedre Cole said there were approximately 166 participants in the community this past weekend for the **Cabela's Master Walleye Circuit**. She introduced Darrell Wood and Kurt Doller, two fishermen from the Sandusky area who participated in the tournament. Kurt Doller presented an appreciation plaque to the City of Sandusky on behalf of Cabela's. Diedre Cole said the professional anglers spent a tremendous amount of time with the kids fishing clinic and said free fishing rods and tackle were given away.

Jaclene Bahnsen introduced three school children (Grades K – 6): Allan Lawrence, Kyah Jeffries and Gianna Colatruglio, to read their winning poems from the **Arbor Day Go Green Poem Contest**.

Hank Solowiej presented the **2009 Government Finance Officers Association Certificate of Achievement** to the city commissioners. He said this certificate was awarded to the city for its Comprehensive Annual Financial Report and is the highest form of recognition for governmental accounting. Hank Solowiej said this is the city's 19<sup>th</sup> year to receive this award and thanked the staff and commission for their support.

Thomas Fortin, Thomas Fortin LLC, gave a presentation **for the redevelopment of the Keller Building entitled "The Lofts @ Mariner's Cove"**. Thomas Fortin said he has been in the real estate business since 1981 and his first involvement with Sandusky was when, as a child, his father built a house on Cedar Point Drive. He said the lakeside beauty of Sandusky is a great attraction for people and he has been doing real estate business with the Bob Davis family (developer of Chesapeake Lofts) since the early 1980's. He said approximately 140 of the Chesapeake Lofts condominiums have been sold and because of the city's notable improvements in the Paper District and downtown area, he became involved with renting the unsold condominiums with one-year leases for \$729 – \$1,049 per month. He learned there is an untapped demand for smaller rental apartments in the \$650 - \$700 per month price range loaded with amenities and believes the Keller Building could be filled. He said sometimes the cost exceeds the value and he has done this type of development before using historical preservation credits, Clean Ohio Revitalization grant funds and other similar grants. He said there are retail possibilities for the first floor along with the potential for event space.

Thomas Fortin said he has been involved in many projects in Columbus, Ohio, including the Battleship Building, 328 Civic Center Drive, the Leafy Dale, Lincoln Park West, Greenwich Village, La Vista Townhomes, Appleby Fair, the office building at 6660 North High Street and the Market Shoppes at Cleveland Avenue. Thomas Fortin said there are many young professionals between the ages of 21 - 45 who will be interested in renting these apartments with preserved architectural elements in the Keller Building. He said the Chesapeake Lofts are too expensive for the price market which he plans to go after for the Keller Building and therefore will not be competing with any others markets. He said large institutional and public improvements in one corner of a municipality help cause other types of developments in the immediate area.

Thomas Fortin said the Keller Building is approximately 70,000 S.F. and it is only a matter of time before nature demolishes the building because of the leaking roof. He believes half of the building must be torn down; the Keller Building was built in three phases, all of which were built differently. He said a structural report has been prepared and although he is all about preservation, this may not be possible for half of the building as it is unable to be restored. He has spoken with one of the neighboring property owners, Sandusky International, as this will affect their neighborhood.

Thomas Fortin said there is a retail demand for event space and would propose rental space for birthday and anniversary parties, etc., on the roof. The first level would include a moderately-priced fitness center, a coffee or tea salon, an art café and beauty salon or barber shop and a brew pub. He said there may be a need for a dry cleaners and a shared cubicle/office space available for rent. Thomas Fortin said floors 2 – 5 will consist of one-bedroom apartments overlooking Shoreline Drive and studio apartments. He said Sandusky has one of the prettiest downtowns in Ohio with blocks of original buildings kept intact. He described the roof area which will include a 3,500 SF rooftop glass enclosed area, and would plan for a portion to be made available for rentals. There will be a green area and the rooftop will be the best feature of the Keller Building.

Thomas Fortin said there have been other attempts to remodel the Keller Building but financing is only available for certain types of product. He said there are HUD programs pointing developers to residential redevelopment projects and said his proposal is an approximately \$3.5 million project. He said there is about 36,000 SF of finished space and believes he will need a loan for approximately \$1.5 million from HUD, layered with approximately \$1 million in tax credits from the Ohio Historic Preservation Office or grant dollars. Thomas Fortin said he does have interested investors and the numbers have to be right for investor and lender attraction. He said the weather and natural decay is ruining the Keller Building and he believes it should be saved.

Thomas Fortin said the financing must be lined up and may take 6 – 9 months, paralleled with the application process for the Ohio Historic Preservation office and the HUD financing process. He said he is open to discuss real estate abatements on the improved portion of the property and does not believe an undue burden will be placed upon the school system or the emergency service personnel. He would look for a No Further Action (NFA) letter from the city regarding the asbestos in the building and for the Clean Ohio Revitalization Fund process. Thomas Fortin said he has a lot of contractors who he likes to work with and is open to talk to local contractors as well.

Dave Waddington said this may be the last heartbeat for the Keller Building and likes the idea that the units will be affordable and attainable. Dave Waddington said the commission is 'on the clock' as far as the roof and maintenance (repairs) and asked if the burden would get shifted if the city agrees to a NFA letter. Don Icsman said this would be a little premature and said in order to do things right, something needs to happen on a more immediate basis. He said this could be subject to further negotiation and would like to see the city move forward by talking to its attorney. Dave Waddington said it is exciting to hear someone wants to do something with the building and asked if the chimney would come down and if the water tower would remain; Thomas Fortin said this is correct. Thomas Fortin said he and the city need to talk about the roof repairs and is open to stopping the leaks now or he will have to pay for them later. He would like to see a development agreement worked out to place some type of temporary shelter on the roof area. Julie Farrar asked if Don Icsman would sit down and talk to Thomas Fortin about a development agreement; Don Icsman said the next step is to turn this over to Pam Hanover of Squire, Sanders & Dempsey for further consideration. Julie Farrar said she feels good about this potential development.

**Upon motion of Dan Kaman and second of Diedre Cole, the commission voted to allow the acting city manager to contact Pam Hanover from the city's bound counsel office to continue negotiations with Thomas Fortin for the Keller Building redevelopment. All Ayes. The presiding President declared the motion passed.**

John Hancock provided an **update on the Paper District marina project**. He said a number of items, including the office, bathhouse, wiring and utilities are rapidly being finalized. He said the weather has caused the final site work to be delayed, but this will not prevent the opening of the marina. He said the plan is to finish the amphitheatre mound this season by getting the turf established but it will not begin to operate as an entertainment venue until next year. He said it is necessary to build the sidewalks and perform the final grading and seeding even though it will not operate at full capacity in 2011. He said persons will be able to stroll in this area during the summer. John Hancock said work will be wrapped up the first weekend in June although there is still a lot to be done. He said George Poulos is actively working on the staffing and the business setup for the operation of the marina. He assured the

commission when the marina opens, it will be functional and safe, will have an occupancy certificate issued and an inspection completed by the Erie County Health Department. Dave Waddington said he was at the site today but did not see topsoil, only clay. He said several pieces of ceramic were picked up on the site and asked if this needs to be removed before a final layer of top soil could be added. John Hancock said this is correct. Dave Waddington asked if the walkway will be installed and this area will then have to be dug back out. John Hancock said the debris will have to be cleaned up before topsoil and final grading and seeding can be completed and was stirred up because of the utility connection construction. He said the areas actively under construction along the service road and the wall will be part of the final grading and seeding and this has been delayed due to the wet weather. Dave Waddington said there is a retention wall to the south and asked about the back side. John Hancock said the back side of the amphitheatre will be left open as an access way and the next property to the west will determine how this will be finished. He said the plan is for the sidewalk on the outer revetment of the northwest corner of the project to extend southward to Shoreline Drive and connect with the Sandusky Bay Pathway.

Dave Waddington asked if Shoreline Drive will be patched and catch basins relocated and John Hancock said there will be an extra expense to do this work as it was never part of this project. He said the roadway is in increasingly poor condition and there are drainage problems. He said there are tentative plans for these improvements for drivability purposes and in keeping with the new marina facility. John Hancock said there is a cost of approximately \$35,000 - \$50,000 for these improvements and is not to be a complete road reconstruction. Dick Brady asked John Hancock if the fill used by the contractor meets the city's specifications and John Hancock said this will be the case when the work is complete. Dick Brady said this is a concern of his and he is suspicious as to what kind of fill has been placed on the property. John Hancock said there may be items in the imported clay material right now, but they will not be there once the work is complete. Dick Brady said he is okay with moving forward and hopes the timeline can be kept. He said this facility was never meant to be used this year and the city was hopeful to benefit from natural compaction from this point forward. Dick Brady said there is an extended warranty on the work performed. John Hancock said the turf must be established so that a lawn-type surface is the end result. Dick Brady said the city finds itself within one week to ten days of the marina opening, yet is still formulating a business plan for operation. Dick Brady said at some point in time, the developer was going to operate the marina but in the end, this was not made part of the agreement. John Hancock said originally the developer (Hoty Enterprises) was interested in a design/build concept to set up and operate the business, but the final contract was different. He said the city then had to figure out another way to operate the marina and this happened some time ago; the city is now down to the wire trying to figure out how to best accomplish this. He said George Poulos could not be present this evening, but has been meeting regarding the details to get the facility up and running. He said Todd Roth has been involved in the setup from a mechanical standpoint and has everything under control. Dave Waddington said workers should be hired soon so that they can be trained and John Hancock said persons have been interviewed and he believes this was decided upon today.

Dave Waddington asked about signage at the marina facility as he believes \$10,000 was included in the original contract for this purpose. John Hancock said the signs are made and ready to go up and the locations are at the harbor entrance, on the marina building and on Shoreline Drive. Dick Brady asked what would happen currently if a boat pulled into one of the docks; John Hancock said they will be told by the contractor to leave as this is still a work site. Dick Brady asked John Hancock if he was optimistic that the marina would soon open for business and John Hancock said he asked this question specifically of Hoty Builders today; they said when it is functional and safe, it will be opened. Dan Kaman said he is confident about the opening of this marina. He said there are a lot of things that have not been able to be accomplished that are weather related. He does not think there is anyone who believes the marina is yet open. John Hancock said there has been much cooperation to bring this project to fruition during the past year. Dan Kaman said this originally was a \$3 million change order which became a \$700,000 project.

Wesley Poole, 1939 East Oldgate, asked what the expected capacity will be for the amphitheatre (once completed) and asked what the parking plan is for the area. John Hancock said this is a transient marina and will not generate a lot of vehicular traffic, but there will be parking along Shoreline Drive and on Decatur Street.

Sharon Johnson, 1139 Fifth Street, asked about deep erosion around the area and asked if more soil will be added. John Hancock said many of these eroded areas have been fixed and more work will be done with final topsoil and seeding in the next couple of weeks.

Tim Schwanger, 362 Sheffield Way, asked if the city has a guarantee regarding the ceramic items contained within the clay/soil. John Hamilton said there is a warranty period for all of the final grading and seeding for one full growing season. He said there are also extended warranties on some of the other construction similar to any other city project. Tim Schwanger said the original designs for the marina included culverts for water circulation inside of the marina. John Hancock said there are culverts according to the permit from the Corps of Engineers throughout the outer revetment that cannot be seen because of the higher water levels this year.

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

Sharon Johnson, 1139 Fifth Street, said if Item #6 passes, two police officers would have to be maintained during the fourth year of the grant at a cost of \$130,000. She said the ICMA study is partially out and may tell the city it has too many officers and it should wait until the study is completed.

#### **CURRENT BUSINESS**

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

#### **ITEM #1 – PASSED FIRST READING 5.9.11**

**ORDINANCE NO. 11-047**: It is requested an Ordinance be passed **amending part one – administrative code, title seven – boards and commissions, by the addition of new chapter 173 – Sandusky Youth Commission, of the codified ordinances, in the manner and way specifically set forth hereinbelow.**

**Upon motion of Dave Waddington and second of Dan Kaman, the commission voted to adopt this Ordinance under second reading, in accordance with the Charter.**

*Discussion:* John Hamilton asked about the ages (11 – 21) of children as listed in the legislation because they do not correspond to the school grades 7 - 12. John Hamilton asked if there would be students 'passing the baton' from one year to the next. Diedre Cole said students in grades 9 – 12 would initially serve a one year term and then would have the option of serving for another year. She said there may be a concern about a 21-year old high school student but Don Icsman could address this issue as he wrote the legislation. John Hamilton asked if a student could stay on after high school graduation and Diedre Cole said she would anticipate that a student will move on once they graduate from high school.

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

*\*Note: Julie Farrar left the City Commission meeting for few minutes and was not present to vote upon the above Ordinance.*

Dick Brady said he was contacted by Tim and Gloria Smith, owners of the local McDonald's franchise, who offered to fund the \$500 scholarship for the Sandusky Youth Commission provided there was broad support for the legislation. Diedre Cole thanked Dick Brady for sharing this information and thanked the commissioners and staff for their support in creating the Sandusky Youth Commission. She said a meeting will be held shortly and applications will be made available for interested students.

#### **ITEM #2**

**ORDINANCE NO. 11-048**: It is requested an Ordinance be passed **authorizing and directing the city manager to enter into a public space recycling agreement with Greener Corners, LLC, of Rutherford, New Jersey, for the implementation of a public space recycling program;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

*Discussion:* Dave Waddington asked Don Icsman when he last had contact with staff from Greener Corners and Don Icsman said Aaron Klein (Greener Corners representative) met with Scott Miller last week to consider potential sites for the containers. Don Icsman said Aaron Klein has been working out of the state but does not feel there will be any issues working within the stipulated timelines. Dave Waddington asked if anyone from Greener Corners has spoken with the local haulers and Don Icsman said he did not know if this has taken place yet, but it will. John Hamilton asked if there will be

exclusivity if curbside recycling is offered in the future. Don Icsman said drop-off recycling is currently offered by haulers and Dick Brady said it is not the city's fault if people do not sign up for it.

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

#### ITEM #3

**ORDINANCE NO. 11-049:** It is requested an Ordinance be passed **authorizing and directing the city manager to establish terms and conditions for the presentation of Ohio Bike Week by Advantage Entertainment LLC from 2 p.m. on June 8, 2011 to 5 p.m. on June 12, 2011, for the event area, and further authorizing the city manager to take such actions as are deemed necessary and proper to implement the presentation of Ohio Bike Week in the city;** 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. Roll call on the motion: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the motion passed. Roll call on the Ordinance: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the Ordinance passed.**

#### ITEM #4 - Submitted by Thomas Schwan, Sandusky Transit Administrator

**Budgetary Information:** The total cost for the annual support fee is \$14,100 and will be paid with funds from the Sandusky Transit System budget. There will be no impact on the city's general fund.

**ORDINANCE NO. 11-050:** It is requested an Ordinance be passed **authorizing and directing payment to Trapeze Software Group, Inc., of Dallas, Texas for the annual software support and maintenance fee for the period July 1, 2011 through June 30, 2012,** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Diedre Cole and second of Dan Kaman, 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: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the motion passed. Roll call on the Ordinance: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the Ordinance passed.**

#### ITEM #5 – Submitted by Paul E. Ricci, Fire Chief

**Budgetary Information:** Through community unity and support, the 14' aluminum boat and trailer was donated to the Sandusky fire department, therefore, it is our intent to give back to the community by donating this vessel to the Maritime Museum of Sandusky. There will be no proceeds from the donation of this vessel.

**RESOLUTION NO. 017-11R:** It is requested a Resolution be passed **authorizing the disposal of a fourteen (14) foot aluminum rescue boat and trailer as being unnecessary and unfit for city use, approving their donation to the Maritime Museum of Sandusky;** and declaring that this Resolution take immediate effect in accordance with Section 14 of the city charter.

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

*Discussion:* Dick Brady commended Chief Paul Ricci for contacting the original donor of this boat, Bob Kreimes, to make him aware of this request and ask his thoughts about the appropriateness of this recommendation. Dick Brady said at the time this boat was donated, it helped to satisfy the need for both shallow water rescues and deep water rescues; the current fire boat satisfies both needs. He said Paul Ricci took the concept further by contacting Mr. Kreimes, establishing trust and being good stewards of donations. He said Bob Kreimes is thrilled this boat will have another life with the Maritime Museum of Sandusky.

**Roll call on the motion: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the motion passed. Roll call on the**

**Resolution: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the Resolution passed.**

**ITEM #6 – Submitted by James Lang, Interim Police Chief**

**Budgetary Information:** The total grant amount requested is \$391,583.40. This grant, if awarded, is 100% funded with no matching monies for the first three years; after the grant runs out (4<sup>th</sup> year) the city must retain the two hired officers for 12 months at the city's expense in the amount of \$130,527.80. There is also some additional cost involved with hiring these officers such as uniforms and physicals.

**RESOLUTION NO. 018-11R:** It is requested a Resolution be passed **approving and ratifying the grant application submitted to the U.S. Department of Justice, Office of Community Oriented Policing Services for FY 2011 COPS hiring program grant funds 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 Dave Waddington and second of Dan Kaman, the commission voted to adopt this Resolution under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Dan Kaman said he is concerned about the third year of this grant although the legislation is for approval to make application for a grant. He said the number of police officers (at 47) is worrisome to him because of the dollar amount. He said if the city receives this grant, the commission will have some tough decisions on funding for the fourth year. Dick Brady said although everyone has concerns about the 47 police officers and he does not wish to minimize the concerns, it appears the city will get two police for \$16,300 per officer, per year, and this is a terrific bargain. He said it will cost the city \$130,000 in year four, but does not know how the city *cannot* do this for the value it will receive. Dick Brady said everything runs on a budget and comes down to dollars and cents but it does not make sense to *not* do this. Dan Kaman said his point is if it comes to the day the city cannot afford 47 police officers and two have been hired under this grant, there will be a union issue. Dick Brady said this is something the city will have to deal with when the time comes.

Diedre Cole said she also would like to know how this would relate to the pending report from the ICMA study. Diedre Cole said she has not yet seen the results of this study, but is extremely concerned with the \$130,000 expense in the fourth year when the city does not know what it needs right now. Diedre Cole said grant money is not free, it is taxpayer dollars and there must be an applicable reason and purpose for its use; realistically, she does not know how the city can say "no" given the current mood of the community. Diedre Cole said she is torn about this legislation. Julie Farrar said the concerns raised are all valid, but she agrees about the value and about the union issues. She said the police union stepped up when the city was ready to cut its budget and asked for reserve officers so that there would be two officers in a car. She said the city commission can talk to the union and does not need to leave them out of the mix.

Don Icsman said this grant application was previously authorized by motion so that application could be made before today's meeting. He said there has been speculation about the ICMA report which is a shame. He said this city has operated on gossip and speculation and this is outrageous and is a shame. Don Icsman said Leonard Matarese from the ICMA will not be intimidated by anyone nor will he let anyone write his report, contrary to what is out on the street. He said Leonard Matarese will send another police officer to Sandusky in the next week to confirm the data as there were two records systems in place during the study period. Don Icsman said the city also had a tragedy which delayed a visit from the ICMA. Don Icsman said it has been made clear to the union officials the city did not know anything about what these studies would say. He said there is another study pending regarding regional dispatch and these will be used as planning tools along with the opinion(s) of the chiefs. He said the city does not know if the recommendation may be to have 30 less - or 30 more - police officers, and this was made clear going in. Don Icsman said after the death of Officer Andy Dunn, the reserve officer program was reestablished with cooperation of the union and the requirement to have 47 full-time officers was waived. He believes it is shameful to speculate with this professional, international organization performing a study for the city. He said some of the items in the fire report were valuable while others were not deemed as valuable and recommendations for change have been made accordingly. Dan Kaman said he met with Don Icsman and Jim Lang as there was information in the newspaper stating the report was being tailored or altered which he has defended as no one has seen this report. He said the city is not writing its own report. Don Icsman said Leonard Matarese indicated that once the data is confirmed as it relates to the regional dispatch, both studies will be tied together. Dave Waddington said he understands there was only an exchange of information with Tom Whitted, Charlie Sams and Don Icsman – no actual documents. Don Icsman said he was part of a conference call on March 11 with Tom Whitted, Jim Lang and Charlie Sams and the data portions of the report were put up on a screen relating

to their validity. He said a visit was initially scheduled on March 19 but was delayed due to the death of Officer Dunn. He said there were then conversations about only the data portion of the report with Tom Whitted. He said the foundation of the report will be based upon accurate data and this needed to be confirmed at both ends. John Hamilton said for the same cost for the two police officers, the city has invested an equal dollar amount for two ICMA studies. He hopes the results of the ICMA study will be as valuable.

**Roll call on the motion: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the motion passed. Roll call on the Resolution: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the Resolution passed.**

#### CITY MANAGER'S REPORT

**Upon motion of Dave Waddington and second of Diedre Cole, the commission voted to accept a donation in the amount of \$20 from Beniot and Katharine Schneider for the Friends of the Greenhouse fund (Acct. #863 3483 485 00).**

Don Icsman said **a press release was issued recently regarding the opening of the Red Wagon in Washington Park beginning next Tuesday, May 31.** He said the Red Wagon has been a Sandusky landmark in Washington Park since 1910 and was entered into the National Register of Historic Places by the National Park Service in 1982. He said in 2002, the Red Wagon was donated to the City of Sandusky and completely refurbished using grant dollars. Since unveiling the renovations on July 4, 2003, member agencies of the United Way of Erie County have provided volunteer staff to sell fresh popcorn and other refreshments each season. He said the Red Wagon will be open between 11 a.m. – 2 p.m., Monday through Saturday and during special events, and thanked Citizens Bank and Sandusky Packaging for their substantial contributions to make this work.

Don Icsman said **the city's fire marshal, Rudy Ruiz, has announced the city will distribute information and enforce laws about the use of grills according to relevant sections of the Ohio Fire Code** which were adopted in the city's codified ordinance. He said this may not make everyone happy, but according to the draft press release, it will be enforced. Dave Waddington said the concern was raised because a resident was roasting a pig on the second floor of an apartment unit. Don Icsman said this is for multiple tenant homes.

Don Icsman said **the Sandusky Fire Department recently coordinated training efforts with Sandy Waggoner from Resource Solutions, LLC to host a "rail car incident response" course and a "port vessel security" course for Erie County.** He said these courses were provided by the Rural Domestic Preparedness Consortium and the University of Findlay at no cost to the city.

Don Icsman said **the final payment has been received for the \$100,000 revolving loan made to Dreffer, Hicks and Demos - Family Eye Care - for the expansion of their offices at 2331 Columbus Avenue.** He said the city commission actually helped to make improvements to this facility and it is now being paid back allowing this money to be utilized again.

Don Icsman said **the final land reutilization public education series session will take place on May 25 at 5:30 p.m.** and the topic will be the sale and disposition process. He said the information from previous educational sessions is available on the city's website.

Don Icsman said **the city received communications from the Village of Ottawa Hills and the City of Shaker Heights regarding their opposition to the proposed repealing of the estate tax.** He said the State of Ohio is considering the elimination of this funding source without providing any alternatives. He asked if the commission would like a letter or a resolution prepared for the next meeting. Don Icsman said he would like to get figures from the Erie County Auditor first as to what has been received over the past few years from this funding source as it has unexpectedly helped the city quite a bit. Hank Solowiej said the city has budgeted approximately \$150,000 for the past couple of years while the actual amount received was \$300,000 - \$400,000. He said the amount is hard to guess and therefore should be budgeted at zero and the city will pocket what it can. Diedre Cole asked Don Icsman or Hank Solowiej to get these numbers together and return with them at the next meeting. Don Icsman said persons do not determine where they will live as they get older based upon this tax and he does not anticipate changing his mind on opposing this issue. Julie Farrar said the city should send a letter to the State of Ohio opposing the repealing of the estate tax. She said the city may need this money for emergency services

and is another thing proposed to be taken away by the state. She said Senate Bill 5 is supposedly going to fix this type of thing, but it may be repealed.

Don Icsman distributed copies of **the Lake Erie Shore Erosion Management Plan received at a recent informational meeting with Mark Cencer from the Coastal Management office in Sandusky. He said this is a non-regulatory initiative to get information to property owners along the shoreline.** He said they plan to concentrate on the Cedar Point Road property owners along the shoreline to make better decisions about erosion control, not those in the back bay area.

Don Icsman said **there are ash trees being removed at Battery Park Marina.** He said there is no choice but to remove these trees and he does not know what the plan may be for their replacement.

Don Icsman asked Jim Lang to report on two other items. Jim Lang said **on May 25 at 3 p.m., the Sandusky-Erie County Community Foundation will be presenting the City of Sandusky with a grant in the amount of \$14,650 to complete the new cruiser lights.** He said the new lights are much brighter and will be safer for the officers.

Jim Lang said he received information this afternoon about **an available federal grant, the Justice Assistance grant.** Jim Lang said he would like to make application through this grant to purchase ten (10) new laptop computers for the cruisers at a cost of \$4,000 each. He recommends switching to the Touch Books rather than continuing to use the Dell laptop computers, but has not been able to make this change through the city's budget.

**Upon motion of Dan Kaman and second of Diedre Cole, the commission voted to allow the interim police chief to make application for the Justice Assistance Grant in the amount of \$40,000 to purchase new laptop computers for the police cruisers. All Ayes. The presiding President declared the motion passed.**

#### OLD BUSINESS

Diedre Cole **recognized several city employees for their efforts during the past weekend at both the KidsFest event and the fishing tournament** including: Kaye Conway, Scott Miller, Tim Hinton, Jeremy Straub, Doug Wahl, Tom Speir and Jaclene Bahnsen. Don Icsman said both of these events were well attended and the staff did a great job.

Julie Farrar asked about **the flooding problem in the backyards along Venice Road** and Todd Roth said he has spoken with Scott Kromer in Sewer Maintenance about this problem, but the city cannot get to these areas right now because of the rain/weather.

Dave Waddington **thanked the city staff on behalf of Darlene Wightman and Karlene Wieber for their help with the Kidsfest event which drew over 4,500 persons.**

Diedre Cole said the **financial impact of the fishing tournament this weekend was significant with an average of \$1,300 spent per person in the community.**

Dave Waddington said **there will be two kickoff meetings for the Conestoga program.** The first is for the south side neighborhood on May 24 at 6 p.m. at Mills School. The second is for the Kilbourne plat neighborhood on May 26 at 6 p.m. at Adams School.

Julie Farrar asked **the status of the RFP for the city's managed print services** and Tom Whitted said this will go out sometime next week.

Diedre Cole asked for an update on the **revolving loan issued to the owners of Markley's Restaurant.** Carrie Handy said the Revolving Loan Fund (RLF) committee needs to meet with the owners to nail down what they wish to do with this property. Carrie Handy said one of the owners may want to sell while the other does not. She said a \$60,000 loan was issued but, to date, only \$13,000 has been drawn and the deadline to spend the money has passed. Carrie Handy said the city has not been told of an opening date although more work has been done toward completion. She said the owners have been making the payments on the amount of money which has been drawn and they are open to selling the property. Diedre Cole said she is sympathetic for the problems experienced by the owners, but believes other persons might be interested in this property; Carrie Handy said the interested person or persons should contact the present owners or contact her office. Don Icsman said he believes the time is up and does

not believe good money should be thrown after bad; he said this money should be freed up and everyone should move on.

Dave Waddington asked if there has been any movement to schedule a meeting about the **water rate study with officials from Erie County**. Don Icsman said he understood this meeting was to be scheduled in June, but he has not heard a firm date as yet.

Dick Brady asked **the status of the funding agreement with the city and the Erie County Economic Development Corporation**. Don Icsman said the agreement has been drafted, sent for review, and he has not received any other feedback. He said the funding agreement has also been sent to Pam Hanover of Squire, Sanders & Dempsey to make sure nothing has been missed. Don Icsman said this agreement should be brought back to the city commission at their next meeting. Dick Brady said he was not aware this was still in the vetting process with the city's bond counsel and looks forward to it being approved. He suggested the city perform similarly to how Erie County is paying ECEDC by making 25% quarterly payments for its annual contribution of \$30,000.

**Upon motion of Dick Brady and second of Diedre Cole, the commission voted to fund the city's \$30,000 annual contribution to the Erie County Economic Development Corporation by paying 25%, or \$7,500, quarterly, once the legal document has been returned and approved. All Ayes. The presiding President declared the motion passed.**

#### **NEW BUSINESS**

Julie Farrar said she attended the **ribbon cutting ceremony today for Fox Cycle Works**. She said the Fox family is very excited about their new location and is appreciative of the city working with them to open before Ohio Bike Week begins. Julie Farrar said it was wonderful working with the city staff on the landbanking committee and this is a success for Sandusky.

Dick Brady said approximately two months ago, the commission chose to set aside **the search for a new city manager** and he supported the decision at that time. He said this position is critically important to the city and believes it will be the most important decision the commission will make in the next decade. He said he has spoken to most of the commissioners privately, and would like to lobby them publicly to restart the search for a new city manager by utilizing a professional consulting firm with people who do this for a living. He said the city needs to find a way to reach out across the United States utilizing a professional search firm rather than utilizing part-time commissioners to perform the search. He said the reality is that the city is a \$15 million company without a CEO. Dick Brady said this is not an indictment of Don Icsman who has done an unbelievable job by wearing two hats for two years, but he does not want to contribute to his (Don's) demise. Dick Brady said the accomplishments made by the city in the last couple of years have been many, but it needs to look at the future. He said Sandusky has a city manager form of government, but has no city manager. Dave Waddington said he has spoken with Dick Brady about this issue several times and agrees a professional recruitment firm can provide uniform and comprehensive screening for the candidates as he does not feel qualified to make this determination.

**Upon motion of Dan Kaman and second of Diedre Cole, the commission voted to allow Dick Brady to head a committee to perform the search for a new city manager.**

*Discussion:* Dick Brady said he appreciates the comments made by the commissioners. He said his wife has raised three beautiful children who are now adults and have always been encouraged to be engaged and involved. He said this is a chance for the commission to step up and be involved. Dick Brady said he will be here until December 31 and he would like to look back and see this as an accomplishment.

Pervis Brown said the commission will need to determine how to search for a firm to perform this task and what the costs will include. Dick Brady said as chairman of this committee, he will figure this out. Diedre Cole asked about a timeline and Dick Brady said he would like to hire a consultant within the next three weeks and then provide a timeline to reach out to potential candidates. He said he would like weekly reports and a narrowing of the field of candidates to approximately three persons by August 1.

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

**Upon motion of Dan Kaman and second of Pervis Brown, the commission voted to hold an executive session regarding personnel, general services. Roll call on the motion: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the motion passed.**

**Upon motion of Dan Kaman and second of Julie Farrar, the commission voted to hold an executive session regarding the purchases of personal property. Roll call on the motion: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the motion passed.**

**Upon motion of Dan Kaman and second of Dave Waddington, the commission voted to hold an executive session regarding purchase of real property. Roll call on the motion: Yeas: Dan Kaman, John Hamilton, Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole and Pervis Brown, 7. The presiding President declared the motion passed.**

Dan Kaman said **American Quality Stripping has broken ground for their second expansion in five years and wished them the best of luck.**

Dan Kaman said much has been written **about Cedar Fair and Q Funding**. He said he is not a voter on this issue, but Dick Kinzel is involved with Cedar Point and is taking a beating from Q Funding. Dan Kaman said from his position, Dick Kinzel and Cedar Point has been great for Sandusky. He urged the shareholders to do what they have to, but asked them to remember Sandusky when they vote.

Julie Farrar said she attended **the ribbon cutting for Karma Salon on Friday which is a great use of another old building in downtown Sandusky.**

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

Wesley Poole, 1939 East Oldgate, asked if an outside group was needed to perform the city manager search and asked if a candidate could not be found through another means. He asked if the candidates who applied previously would be considered. Dick Brady said it would be relevant to share these applications with the lead agency performing the search. He said he believes a broader focus must be taken rather than only for a born and bred Sandusky. Wesley Poole asked if this new process will have had a different end result other than the process which was to be used previously. Wesley Poole asked what change was made with regard to the fire department and open burning. Paul Ricci said one and two-family residences will be exempt from the new regulation which disallows the use of combustibles within 4' of a combustible surface. Wesley Poole asked which ICMA recommendations are going to be implemented in the Sandusky Fire Department. Paul Ricci said a spreadsheet is available with this information and copies can be made available upon request.

Tim Schwanger, 362 Sheffield Way, said the city manager search should have been performed several months ago and it is very difficult to juggle two fifty (50)-hour per week jobs. He said there are a lot of projects being worked on, but Sandusky has become stagnant with the exception of the new project presented tonight for the Keller Building. Tim Schwanger said there are only 18 parking spaces in the rendering and asked if additional parking will be created for the loft apartments. Thomas Fortin said he will approach adjacent property owners about leasing parking spaces for his future tenants. Tim Schwanger asked about the trees marked for removal at Battery Park Marina. He said there are three trees in the Battery Park portion which he does not believe should be removed; he asked if the city has any input in this decision. Scott Miller said he will be meeting with officials from Battery Park about this situation. Tim Schwanger asked about the emergency phone behind city hall. Tom Whitted said he was told two years ago by Matt Kline not to replace this particular phone which would have cost \$1,500. He said it has not been vandalized. Tim Schwanger asked if the city had done an inventory for hail damage on the roofs at city-owned facilities and Scott Miller said an assessment was performed and there was some damage at BIWW. Tim Schwanger said at Shoreline Park, a couple of shingles were missing as well as some on the bathhouse at the Sandusky Bay Pavilion. Tim Schwanger said there has been some damage to the sidewalks at the property next to city hall and should be looked into by the city.

Sharon Johnson, 1139 Fifth Street, thanked Dick Brady for making the motion to move forward with filling the position of city manager and Dick Brady said all of the commissioners made this decision. Sharon Johnson asked how the Erie County Port Authority will help the city in relation to the sportsplex and Julie Farrar said she is not at liberty to discuss anything at this point, but the port authority will not be involved (she was referring to the Toledo Port Authority previously). Julie Farrar said this private company has already exercised options and will have to come to the city for any further vetting. She said Sandusky has told this company that it has nothing to offer and nothing has been signed by the city.

Nanette Guss, 420 East Jefferson Street, said the Keller Building is a prominent Sandusky landmark and she has looked forward to its redevelopment. She said this building is architecturally and historically

significant and provides breathtaking views of Sandusky Bay and Lake Erie. Nanette Guss endorsed and encouraged this project to move forward and thanked Thomas Fortin for his vision.

**At 7:38 p.m., Pervis Brown announced adjournment of the open session. Three executive sessions were held beginning at 7:45 p.m. At 9:20 p.m., Pervis Brown 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