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

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

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

Upon motion of Pervis Brown and second of Keith Grohe, the commission voted to excuse Wesley Poole. The President declared the motion passed.

Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to approve the minutes of the May 29, May 31 and June 11, 2012 meetings and dispensed with the oral reading. The President declared the motion passed.

AUDIENCE PARTICIPATION (agenda items only)

A.J. Oliver, 1112 Wayne Street, said the proposed Second Street easement (Item #1) it is the only easement he does not oppose since living in Sandusky, but urged the city to scrutinize these requests.

CURRENT BUSINESS

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

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

ORDINANCE NO. 12-065: It is requested an ordinance be passed vacating a portion of Second Street located east of the Austin Street right-of-way and adjacent to lot numbers 587, 588, 589, 590, 591, 592, 593, 579, 578, 577, 576, 575 and 574 Second Street, within the city, as set forth on the vacation plat, a copy of which is marked Exhibit A-2 attached to this ordinance and incorporated herein; and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 of the city charter.

Upon motion of Jeff Smith and second of Pervis Brown, the commission voted to approve this ordinance according to Section 13 of the city charter.

Discussion: Diedre Cole said the city's planning commission reviewed and carefully approved this vacation in March, 2012.

Roll call on the motion: Yeas: Jeff Smith, Julie Farrar, John Hamilton and Diedre Cole, 4. Abstain: Keith Grohe and Pervis Brown, 2. Roll call on the ordinance: Yeas: Jeff Smith, Julie Farrar, John Hamilton and Diedre Cole, 4. Abstain: Keith Grohe and Pervis Brown, 2. The President declared the ordinance passed and effective in 30 days.

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

Budgetary Information: The original contract price was \$30,163 which included a \$4,000 allowance for the decking repair as needed. The final contract cost including the deduct change order in the amount of \$440.05 is \$29,722.95, of which \$21,616 will be paid with the money received from the city's insurance carrier and the remaining \$8,106.95 will be paid with funds from the golf course operating budget.

ORDINANCE NO. 12-066: It is requested an ordinance be passed authorizing and directing the city manager to approve the first and final change order for work performed by Feick Contractors, Inc., of Sandusky, Ohio, for the Mills Creek Golf Course Club House roof repair project and to deduct the contract amount by \$440.05 in relation thereto; 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 Keith Grohe, the commission voted to approve this ordinance according to Section 14 of the city charter.

Discussion: Diedre Cole asked if these repairs were a result of storm damage and Todd Roth affirmed they are.

Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. Roll call on the ordinance: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. The President declared the ordinance passed.

ITEM #3 - Submitted by Scott A. Miller, Director of General Services

<u>Budgetary Information</u>: No general fund money will be required for this agreement. The City of Sandusky will charge the Margaretta Township Fire Department \$64 per hour for labor in quarterly increments.

ORDINANCE NO. 12-067: It is requested an ordinance be passed approving and authorizing the execution of an intergovernmental agreement with Margaretta Township to provide routine maintenance service and repairs for Margaretta Township's Fire Department vehicles beginning July 1, 2012 through June 30, 2013; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Keith Grohe and second of Pervis Brown, the commission voted to approve this ordinance according to Section 14 of the city charter.

Discussion: Pervis Brown gave credit to those in the city's maintenance department who perform services on vehicles and for outstanding work in their field.

Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. Roll call on the ordinance: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. The President declared the ordinance passed.

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

<u>Budgetary Information</u>: No general fund money will be required for this agreement. The City of Sandusky will charge the City of Huron Fire Department \$64 per hour for labor in quarterly increments. <u>ORDINANCE NO. 12-068</u>: It is requested an ordinance be passed <u>approving and authorizing the execution of an intergovernmental agreement with the City of Huron to provide routine maintenance service and repairs for the City of Huron's Fire Department vehicles beginning July 1, 2012 through June 30, 2013; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.</u>

Upon motion of Diedre Cole and second of Julie Farrar, the commission voted to approve this ordinance according to Section 14 of the city charter. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. Roll call on the ordinance: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. The President declared the ordinance passed.

ITEM #5 - Submitted by James Lang, Interim Police Chief

<u>Budgetary Information</u>: The total cost of the twenty (20) vests is estimated at \$12,950 which will be paid with funds allocated from the police department's operating budget. If funds are awarded, the bulletproof vest partnership program will reimburse the city up to 50% of the total cost of vests purchased and delivered.

<u>RESOLUTION NO. 015-12R</u>: It is requested a resolution be passed authorizing and directing the city manager to file an application with the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for funding through the FY 2012 bulletproof vest partnership program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Jeff Smith and second of Keith Grohe, the commission voted to approve this resolution according to Section 14 of the city charter. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. Roll call on the resolution: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. The President declared the resolution passed.

CITY MANAGER'S REPORT

Upon motion of Julie Farrar and second of Diedre Cole, the commission voted to accept a donation in the amount of \$5,000 from Cedar Point for the fire department's combat challenge taking place at Cedar Point on July 27 – 28. Abstain: Keith Grohe. The President declared the motion passed.

Upon motion of Diedre Cole and second of Julie Farrar, the commission voted to accept a donation in the amount of \$500 from Catholic Health Partners for the fire department's combat challenge. The President declared the motion passed.

Upon motion of Diedre Cole and second of Julie Farrar, the commission voted to accept a donation in the amount of \$500 from Buckeye Cable System for the fire department's combat challenge. The President declared the motion passed.

Upon motion of Julie Farrar and second of Jeff Smith, the commission voted to accept a donation in the amount of \$500 from Ruth Parker for the Knox Box loaner program. The President declared the motion passed.

Nicole Ard said the staff in the Sandusky Municipal Court has been working on the design for an addition and within the next couple of weeks, information will be distributed about the design/development costs for this addition and for the city hall side of the building. Nicole Ard said the previous city commissioners expressed interest in allowing the court to expand over the grassy area in front of the city building and asked for confirmation whether this is still acceptable to the city commission.

Upon motion of Jeff Smith and second of Pervis Brown, the commission voted to continue the offer to the municipal court to expand into the grassy area in front of the city building. The President declared the motion passed.

Nicole Ard said the city commission will be discussing the **sale of city property** in an executive session this evening.

Nicole Ard requested the city commission set a public hearing on July 9 regarding accommodation for larger ships on the Meigs Street Pier.

Upon motion of Pervis Brown and second of Jeff Smith, the commission voted to hold a public hearing regarding large ships mooring on the Meigs Street Pier. The President declared the motion passed.

Nicole Ard said the **ADA Advisory Board members have discussed vehicular access to the Meigs Street Pier since** installation of new ballasts at this location.

Nicole Ard said the **staff is reviewing the current budget** to identify issues for next fiscal year and looking at impacts regarding expenditure levels and trends.

Nicole Ard said she learned today the Sandusky Main Street Association received a donation from Thor Works, whose parent company is Seal Master, to resurface the parking lot at Hancock and East Market Streets where the Farmer's Market is held. Diedre Cole asked if porous asphalt can be considered at this site and Nicole Ard said she believes it is too late for this location, but there are other lots the city can consider.

Upon motion of Pervis Brown and second of Deidre Cole, the commission voted to accept a donation from Thor Works (Seal Master) to repave the city's parking lot at Hancock and East Market Streets. The President declared the motion passed.

Nicole Ard said 20 slips within the Paper District Marina will be used during the upcoming youth regatta hosted by the Sandusky Sailing Club. The Paper District Marina, along with the Sandusky area, is being advertised as a result. There have also been a couple of groups expressing interest in hosting events at the Paper District Marina and will be paid events. Diedre Cole asked the status of the amphitheatre and Nicole Ard said this is not in use at this time.

Nicole Ard thanked the staff in General Services (and other divisions) for their efforts in helping with the Coaster Classic softball tournament at Dorn Community Park and the fishing tournament at the boat launch facility.

Nicole Ard said she met recently with the **Ohio Department of Transportation about changing the funding system for the Sandusky Transit System from an urban system to a rural system.**

OLD BUSINESS

Diedre Cole asked if the **damages to the roof at the Sandusky Bay Pavilion** were related to storm damage and Nicole Ard said the estimate was for approximately \$10,000 and Scott Miller is looking into grant funding to make the necessary repairs. Todd Roth said the roof is in disrepair from age, not from storm damage.

Diedre Cole said she has looked through the **unfinished business list** and would like to have items removed which have been taken care of so the list does not continue to grow.

NEW BUSINESS

Julie Farrar asked to be excused from the next meeting as she will be working out of town.

Diedre Cole said she received a call last week from Senator Sherrod Brown about participating in a teleconference regarding small business and its importance to communities which went very well. She was asked to meet again this week to discuss what can be done locally and hopes a small business symposium will be hosted in Sandusky with Senator Brown.

Upon motion of Julie Farrar and second of Diedre Cole, the commission voted to hold a public hearing on July 9 at 5 p.m. regarding the 2013 tax budget. Roll call on the motion: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. The President declared the motion passed.

Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to hold a public hearing on July 9 at 5 p.m. regarding the proposed vacation of a portion of Huron Street. Roll call on the motion: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. The President declared the motion passed.

Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to hold an executive session regarding the purchase and sale of real property. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Diedre Cole, 6. The President declared the motion passed.

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

Sharon Johnson, 1139 Fifth Street, asked the status of the submerged lands lease for Battery Park Marina which is on the unfinished business list. Diedre Cole asked for an opportunity to first update the unfinished business list in order to answer questions. Sharon Johnson asked for an update on the dredging materials taken from the Paper District marina. Todd Roth said a sample analysis plan was submitted to the EPA and was accepted. Proposals will be accepted in the next few weeks and the work will be scheduled. Sharon Johnson asked if George Poulos is doing plans for the municipal court's addition and Nicole Ard said the city is awaiting the release of funds for the design/development phase. Sharon Johnson asked if George Poulos will be in charge of this project and also performing the design work. She asked if there is a conflict as he (George) already works for the city. Nicole Ard said this question should be posed to the municipal court clerk and her (Nicole's) understanding is George Poulos has been involved with this project for several years. Todd Roth said another person would review the plans if there are conflicts for George Poulos. Sharon Johnson asked what restrictions were given to the city regarding the Paper District marina in the agreement (i.e.: Can the city give seasonal dockage?). Don Icsman said the city does not provide seasonal dockage and has followed the rules for the grant since the marina was built. He does not know why this question is being asked based upon an assumption. Sharon Johnson asked if the city can sell the marina. Don Icsman said the city has followed the law since construction began at the marina. This is a transient marina which was built with public funds and must remain as such (transient) based upon the non-taxable debt. Don Icsman said the city's bond counsel was named the #1 bond counsel in the country and provided advice to the city regarding the marina. Don Icsman said Sharon Johnson complained because the city was taking so long to prepare the lease but the city listens to their bond counsel and follows their advice.

Andy Ouriel, <u>Sandusky Register</u>, asked if he could obtain a copy of the unfinished business list and Kelly Kresser said she would email an electronic copy.

Barb Pitsenbarger, 1313 Columbus Avenue, said she was not aware the city passed a vacant building ordinance and received a letter regarding compliance for a building which she owns. The fine for vacant buildings is \$400 for the first year and increases thereafter, up to five years, at an annual cost of \$6,400. Barb Pitsenbarger said she could not pay this and her building has been for sale for two years and feels this is unfair. John Hamilton said he drove by the building owned by Barb Pitsenbarger and the property is well maintained and is not run-down nor is it dilapidated. Barb Pitsenbarger said she understands getting property owners to do something with run-down buildings but her property is properly maintained. Paul Ricci said staff from the fire department has met with Mrs. Pitsenbarger and sympathizes with her. This ordinance was presented at several venues prior to its passage by the city commission. Paul Ricci said there is a resolution to this issue and it pertains to the zoning of the property on Edgewater Avenue. This particular property is zoned general manufacturing and if it is used for storage (a garage-type use), it would no longer be vacant but considered occupied according to the definition in the ordinance. Paul Ricci said this property is service oriented and has the power to run a garage and secure or store vehicles. The city is working with Mrs. Pitsenbarger as well as staff from the Erie County Economic Development Corporation to sell or lease the property. Diedre Cole asked Mrs. Pitsenbarger if she would be amenable to leasing the property and she (Barb Pitsenbarger) said she tried this once but had a bad experience and would prefer to sell it. Diedre Cole said she would talk to Barb Pitsenbarger after the meeting to see if she could help with leasing the building.

Eric Weiss, 1005 Putnam Street, said he did not know the city passed this vacant and abandoned legislation until he received a letter regarding property which he owns. Eric Weiss said he called the fire department and was told he could not utilize his building at 1710 Tiffin Avenue for storage. Paul Ricci offered to meet with Eric Weiss and research this as it is a gas station and may have a different use.

A.J. Oliver, 1112 Wayne Street, said he is concerned about the investigation regarding the housing scandal and said there was a recent case in Dixon, IL where a controller stole millions of dollars from the community. He called the ombudsman for the HUD office and was basically told to "get lost". A.J. Oliver said the four new commissioners made a point of saying they would like to improve the quality of buildings and housing stock in Sandusky and he agrees with this. A.J. Oliver said he is concerned about the former Dixon Ticonderoga property on Hayes Avenue as it is a hazard and it is an outrage companies can do business in the USA and not take care of their properties.

John Hamilton announced a recess of the regular session at 5:47 p.m. One executive session was held beginning at 5:57 p.m. Upon motion of Keith Grohe and second of Jeff Smith, the commission voted to adjourn the meeting at 6:15 p.m. The President declared the motion passed.

Kelly L. Kresser

Clerk of the City Commission

John F. Hamilton

President of the City Commission