

President Dan Kaman opened the meeting at 5 p.m. after the **Invocation** given by Kim Nuesse and the **Pledge of Allegiance**.

The Clerk **called the roll** and the following Commissioners responded: Kim Nuesse, Julie Farrar, Dave Waddington, Pervis Brown, Dan Kaman and John Hamilton.

**Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to accept the resignation of Brett Fuqua. All Ayes. The President declared the motion passed.**

**Upon motion of Kim Nuesse and second of Dave Waddington, the Commission voted to ask Diedre Cole to assume the position of City Commissioner. All Ayes. The President declared the motion passed.**

**Don Icsman asked Diedre Cole to raise her right hand and repeat the following Oath of Office:**

*I, Diedre Y. Cole, do solemnly swear that I will support, protect, and defend the Constitution of the United States and the State of Ohio and the Charter and Ordinances of the City of Sandusky;*

*That I will honestly, faithfully, and impartially discharge the duties of my office as a City Commissioner and not be influenced by any consideration except that of merit and fitness in the appointment or discharge of employees;*

*That I am currently qualified to hold the office and will maintain all of the qualifications throughout my term in office in compliance with Section 4, Section 6 and Section 43 of the City Charter;*

*So help me God.*

**Upon motion of Pervis Brown and second of Dave Waddington, the Commission voted to approve the minutes of the July 26, 2010 meeting and dispensed with the oral reading. All Ayes. The President declared the motion passed.**

**A presentation was made by Catherine Stinson-Petzel on behalf of Red Flex Traffic Systems.** Catherine Stinson-Petzel said attention has been focused on some fatalities in the community at rail grade crossings. She said a speed program encompassing school zones and the running of red lights is problematic in the city. She said she would like to dispel some of the myths of **photo enforcement as a means of supplementing the Police Department in traffic control efforts.**

Catherine Stinson-Petzel said Red Flex will work with the city's Mayor, Law Director and/or Police Chief to establish the criteria and/or set the parameters for the program and determine the amnesty period. She said once a violation occurs, the image is checked three times using set criteria. She said going through an amber light is not illegal nor will these images be sent to the city. She explained once a vehicle hits a stop bar, the light turns red and the vehicle goes through but there is an amnesty period. She said the cameras are to look aggressively and egregiously at drivers breaking the existing laws. There are three sets of eyes that review the information prior to submittal to the City of Sandusky and Red Flex has access to data from the National Law Enforcement Telecommunications System (NLETS) and the Ohio Bureau of Motor Vehicles (OBMV) to match information obtained by the camera to the owner of the vehicle. The legislation allowing photo enforcement in the State of Ohio requires the owner of the vehicle to receive the citation; this does not mean guilt on the part of the owner, rather it means responsibility. Once criteria are met, the image is sent to the Police Department which will have the final and absolute say about whether a violation took place. If a vehicle has gone past the stop bar and is under a traffic light upon its turning red and then proceeds to turn, this is not a cause for violation. Everything that happens in photo enforcement is to supplement Police Departments that have a hard time because of the economy and/or a shortage of manpower to help with drivers following the law. She said there are about 15± communities currently using photo enforcement in Ohio with a couple of others in the works. She said it has yet to be determined by Sandusky whether to utilize a red light or speed enforcement program while encompassing rail grade crossings or if the city will cherry pick items for enforcement purposes. Catherine Stinson-Petzel said Sandusky has a large transient population during the summer months who would have to adhere to the law and be issued citations as well.

She said another myth about photo enforcement is shortening the amber times. Legislation allowing photo enforcement states at intersections with a red light program, one full second must be added to the minimum of the State's amber time.

Catherine Stinson-Petzel said Red Flex is the largest provider of photo enforcement in the United States with over 50% of the market. She said they have seen photo enforcement increase exponentially in the last five years as more communities are adopting it with a great degree of success. She said accident rates have decreased from 15% to 40% in areas where photo enforcement is present and are well documented. Red Flex is headquartered in Phoenix and they would work very closely with the Police Department which will own and operate the program. She said there is a right to face the accuser through an administrative hearing process to review the images and that violations are civil rather than a moving violation. There are six (6) seconds of images during pre-violation and twelve (12) seconds post-violation. She said there have been reports the cameras are unconstitutional, but in a recent Supreme Court decision from a case in the City of Akron, the vote was 6 – 0 that the cameras are constitutional.

Dan Kaman asked if the City Commissioners had any questions for Catherine Stinson-Petzel. Dave Waddington said he collected some data from Los Angeles which stated rear end accidents have increased by tripling at intersections where cameras are located and, in Australia, they have proven to increase the number of rear end crashes. Catherine Stinson-Petzel said information derived from communities with the cameras comes directly from data received by the respective Police Department (pre and post installation). She said rear end crashes happen because someone is travelling too fast and too close to the vehicle in front of them and for every piece of data which says these crashes increase, there is another that says they do not. Diedre Cole asked what the cost neutrality clause means in the majority of the contracts. Catherine Stinson-Petzel said this does not apply in the State of Ohio so as not to place the city in a position of being crash strapped and preventing implementation of this type of system. Red Flex bears the cost of the system in order to receive the benefits of the program. She said the city will determine the amount of money, via Ordinance, for citations and the company will derive some of the money back to fund the costs for hardware and setup of the capital and equipment. She said Red Flex has about 550 employees in Phoenix alone with half being located in the City of Phoenix. In other cities, the municipality pays a monthly fee which equates to a cost neutral scenario. Diedre Cole asked about the relationship between an amnesty period and the yellow timing interval. Catherine Stinson-Petzel said the amnesty period is a "nod" to say we are not intentionally trying to be too aggressive in issuing citations. Once the amber light phasing goes into its red cycle, there is about one/one hundredth of a second of amnesty. Kim Nuesse asked who the administrator would be and Catherine Stinson-Petzel said the administrator is appointed by the City of Sandusky to mediate whether a violation was committed and whether the violation should be paid. Kim Nuesse asked if this would involve the Municipal Court since it is civil in nature and Catherine Stinson-Petzel said initially, it would not. Kim Nuesse asked the real economic impact to the violator if they do not feel they have broken any laws and chose not to pay (i.e. drivers license, credit rating). Catherine Stinson-Petzel said this will be determined by the city. She said some cities request posting the amount of the violation and after an administrative hearing is held, if it is determined a traffic violation did not take place, the money is given back. Kim Nuesse asked what happens if someone fails to pay a citation as far as further enforcement. Catherine Stinson-Petzel said a notice is sent to the violator requesting payment and the city can choose the number of times notices are issued; afterwards, the city decides whether to use a debt collection process. She said some cities have a clamping or towing policy and this would be at the city's discretion. Kim Nuesse asked what most communities choose and Catherine Stinson-Petzel said there are too many to say, but over a given period of time, the ultimate goal is to have the traffic laws obeyed, especially after a second violation may occur. She said she does not know what most communities do and legislation differs from state to state but she would take it upon herself to collect the data and find out. Dan Kaman said the city will continue to explore this idea.

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

Sharon Johnson, 1139 Fifth Street, asked where the \$130,000 will come from for the greenhouse solar panels outlined in Item No. 1. Hank Solowiej said the plan is to use the Income Tax monies earmarked for 2010 capital; he said the city learned just today the grant from the State of Ohio was approved for approximately \$64,000.

Tim Schwanger, 362 Sheffield Way, asked about the cameras which have already been installed at Hayes Avenue and West Osborne Street and at Hayes Avenue and Taylor Street. Dan Kaman said these cameras were installed by Erie County for timing purposes and are not being used for ticketing or enforcement. Tim Schwanger asked if the city's police force was still down or is back to full staffing.

Charlie Sams said currently, there are 48 officers working with two on extended leave; previously, there were 53 officers. He said currently, only one officer is laid off who will return to work upon a pending retirement of another.

John Ginty, 5055 Providence Drive, asked if it would be possible to identify the requested dollar amounts and account numbers on Agenda items where money will be expended. He said the solar energy project (Item # 1) has a 120-day completion period and the inverter panels are only guaranteed for ten years. John Ginty asked how much money the city has put in to Cedar Point with reference to the \$896,000 water looping project. John Ginty asked how much time will be spent to enact Item #5 regarding parking in front of a church or funeral home. John Ginty asked what happens to the assault coat and pant sets being discarded by the Fire Department. John Ginty asked what the term is for the contract with the City of Huron Fire Department (Item #7). John Ginty asked if the blacktop materials in Item #11 were bid out. John Ginty asked if the vendors who come to Sandusky for Ohio Bike Week, and other special events, pay income tax to the city.

Darlene Armour, 1007 Wayne Street, stated Red Flex has 550 employees in Phoenix and asked how many of these employees are U.S. citizens. Catherine Stinson-Petzel said she did not have information from her company's Human Resources Department. Darlene Armour said she felt it would be important to know how many of their employees working in the U.S. were on Australian work visas.

A.J. Oliver, 1112 Wayne Street, said Red Flex operates cameras in Garfield Heights, Ohio, and over 5,000 tickets were issued there during the month of June (for fines over \$600,000) which people of Cleveland feel is excessive. He said people in this community run red lights and he sees a lot of out of town people, including bus drivers, running red lights.

Dannie Edmon, 319 East Madison Street, asked how much of the administrative cost would go to Red Flex and Catherine Stinson-Petzel said this differs from community to community. She said typically, for a \$100 fine, the city would receive \$60 and Red Flex would receive \$40. Dannie Edmon said it seems we are doing our jurisprudence in reverse as in this country we are innocent until proven guilty, while this would seem to say the opposite.

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

#### **ITEM #1**

**ORDINANCE NO. 10-067:** It is requested an Ordinance be passed authorizing and directing the city Manager to enter into an Agreement with Edison Solar & Wind, Ltd., of Milan, Ohio, relating to the solar energy project at the city's greenhouse; 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 approve this Ordinance under immediate effect and in accordance with Section 14 of the City Charter.**

*Discussion:* Dave Waddington said David Miller, Edison Solar & Wind, is in the audience to address questions. He said the city received word today of a \$64,000 grant award for this project which will reduce the payment for this expenditure. Diedre Cole said there was some discussion in June, 2010, regarding the structural integrity of the roof at the greenhouse and asked the status. Kathy McKillips said a complete engineering review will be performed once the final plan is submitted, but preliminary information reviewed by the engineer shows this will not cause a problem. Kim Nuesse asked if there is a timeline for expending the grant money and David Miller said once the city receives it, there is a one year window of time to expend it. Kim Nuesse said this is being requested under Section 14 of the City Charter so that the agreement can be executed and work can begin prior to winter weather setting in.

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

#### **ITEM #2 – Submitted by Kathryn K. McKillips**

**Budgetary Information:** The total estimated project cost including engineering, inspection, advertising and miscellaneous expenses is \$896,000.00. The city received an OPWC grant for 35% of construction

costs only. The Water Fund will pay for the remaining balance of the project cost. The current distribution based on the estimate is OPWC \$261,100.00 and Water Fund \$634,900.00.

**RESOLUTION NO. 023-10R:** It is requested a Resolution be passed declaring the necessity for the City of Sandusky, Ohio, to proceed with the Cedar Point Road Water Main Looping project approving the specifications and engineer's estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto; 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 Pervis Brown, the Commission voted to approve this Resolution under immediate effect and in accordance with Section 14 of the City Charter.**

*Discussion:* Kim Nuesse asked about the status of replacing the water tower on Cedar Point Road in conjunction with this project and Kathy McKillips said it is not included in this cost estimate. Kim Nuesse asked if it would be more expensive to do these projects separately and Kathy McKillips said specialized contractors would be required for the construction of a water tower. She said even if these were bid together, a separate contractor specializing in this type of work would have to be hired. She said if the general contractor were to subcontract work for the water tower, there would be additional money added to the contract. Kim Nuesse asked when the water tower might be bid and Kathy McKillips said Arcadis is currently reviewing the existing site and tower. She said the size of the property is an issue and one of the companies contacted has advised the city not to build a new tower on this site. She said another company has been contacted to obtain another opinion. Dave Waddington said he would like to see the 100,000 gallon water tower replaced to provide 2.1 MGD of water which he believes the EPA would like to see. He said this will make a difference with backup pressure and availability of water during an emergency situation. He said there are several miles of property owners in this area and the water tower services more than just Cedar Point Amusement Park. Dan Kaman said this is a water looping project and the water tower project is a separate issue. He said the water tower and lines were originally built to service cottages and this is no longer the case. He said this is a liability for sufficient water pressure necessary to fight a fire. Kim Nuesse said this is being requested under Section 14 of the City Charter because of the timeliness of the project and the start time.

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

**ITEM #3 – Submitted by Carrie R. Handy, Chief Planner, Transit Administrator**

**Budgetary Information:** The state grants have a significant impact on the transit system's budget, as they comprise approximately 10% of the total operating budget. These funds are also matching funds which allow the city to draw down its funds from the Federal Transit Administration. Without this state funding, service would have to be restructured or reduced.

**RESOLUTION NO. 024-10R:** It is requested a Resolution be passed authorizing the filing of applications with the Ohio Department of Transportation for FY 2011 Elderly & Disabled Transit Fare Assistance Program (EDTFAP) and the Ohio Urban Transit Grant Program (OUTGP) 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 Diedre Cole and second of Kim Nuesse, the Commission voted to approve this Resolution under immediate effect and in accordance with Section 14 of the City Charter.**

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

**ITEM #4 – Submitted by Carrie R. Handy, Chief Planner, Transit Administrator**

**Budgetary Information:** The total cost of the vehicles is \$162,808.00 and will be covered by the city's transit capital American Recovery and Reinvestment Act (ARRA) grant. There will be no budgetary impact on the city's General Fund. No local match was required for this grant.

**ORDINANCE NO. 10-068:** It is requested an Ordinance be passed authorizing and directing payment to the Braun Corporation of Winamac, Indiana for the purchase of four (4) converted vans for the Sandusky Transit System; 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 Julie Farrar, the Commission voted to approve this Ordinance under immediate effect and in accordance with Section 14 of the City Charter.**

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

**ITEM #5 - Submitted by Charlie Sams, Acting Police Chief**

**Budgetary Information:** The cost associated with this request for legislation is the total amount of administrative staff time utilized for any necessary enforcement by the Police Department.

**ORDINANCE – PASSED FIRST READING:** It is requested an Ordinance be passed amending Part Three – Traffic Code, Title Seven – Parking, by the adoption of new Section 351.03.1 – parking in front of a church or funeral home, as set forth herein below.

**Upon motion of Kim Nuesse and second of Dave Waddington, the Commission voted to approve this Ordinance at first reading.**

*Discussion:* Dan Kaman asked if this Ordinance is really necessary and Charlie Sams said there was a recent issue when three funerals were all scheduled in the downtown area at one time and he, along with Amanda Meyers from the Law Department, met with the local funeral directors to come up with this plan. Don Icsman said there was also a recent problem with a funeral scheduled near a school during school hours. He said there are no written rules about this and the Ordinance will create objective criteria. Dave Waddington asked what amount of administrative staff time will be spent and Charlie Sams said it will be minimal.

**Roll Call on the motion: Yeas: Kim Nuesse, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. Roll call on the Ordinance: Yeas: Kim Nuesse, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Ordinance passed at first reading.**

**ITEM #6 – Submitted by Paul R. Ricci, Assistant Fire Chief**

**Budgetary Information:** The total amount of this expenditure is \$17,844.75 for the coats and pants. This purchase has been budgeted for and approved in the 2010 Fire Department budget under line item 110 1310 540 00. There is no trade-in value for the current safety gear.

**ORDINANCE NO. 10-069:** It is requested an Ordinance be passed authorizing and directing the City Manager to purchase nine (9) Fire DEX PBI Assault Coat and Pant sets for use in the Fire Department from Fire Safety Services of Huntsville, Ohio; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to approve this Ordinance under immediate effect and in accordance with Section 14 of the City Charter.**

*Discussion:* Kim Nuesse said this is being requested under Section 14 of the City Charter due to timeliness and safety. Diedre Cole asked if this gear is on an annual replacement schedule and Paul Ricci said it is on a five-year replacement schedule. He said gear is serviceable for six to seven years; the current gear is no longer serviceable and has exceeded its useful life. Paul Ricci said once a Fire Fighters' gear is replaced, the first set becomes their "B" set and is used when the new set is taken out of service for cleaning, etc. He said with the current fiscal situation, we are bumping the five-year schedule out to six or seven years. Paul Ricci said this used equipment cannot be made available to the National Fire Service as it does not meet the national standard; however, the city does work through the International Fire Service network to donate it to third world countries.

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

**ITEM #7 - Submitted by Scott A. Miller, Director of General Services**

**Budgetary Information:** No General Fund money will be required for this agreement. The City of Sandusky will continue to charge the City of Huron Fire Department \$58.00 per hour for labor in quarterly increments.

**ORDINANCE NO. 10-070:** It is requested an Ordinance be approved authorizing the execution of an Amendment to the Intergovernmental Agreement with the City of Huron to provide additional routine maintenance, service and repairs for the City of Huron's Fire Department vehicles; 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 Kim Nuesse, the Commission voted to approve this Ordinance under immediate effect and in accordance with Section 14 of the City Charter.**

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

**ITEM #8 – Submitted by Scott A. Miller, Director of General Services**

**Budgetary Information:** No General Fund money will be required for this purchase. This purchase has been budgeted for in the Water Fund and sufficient funds are available to purchase the vehicle.

**ORDINANCE NO. 10-071:** It is requested an Ordinance be passed declaring the 1996 Ford F-150 Truck, VIN No. 1FTEF15N5TLC07209 as unnecessary and unfit for city use pursuant to Section 25 of the City Charter; authorizing and directing the City Manager to purchase one (1) 2010 Ford F350XL, full size Pickup Truck from 32 Ford Mercury of Batavia, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program; 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 Julie Farrar, the Commission voted to approve this Ordinance under immediate effect and in accordance with Section 14 of the City Charter.**

*Discussion:* Diedre Cole asked the reason for switching from an F-150 truck to an F-350 truck. Scott Miller said there is a machine that is utilized in the back of this truck which has a lot of weight. He said after using the F-150 truck with this machinery for a number of years, it has worn the truck out. He said utilizing an F-350 truck will help with the life cycle. Pervis Brown commended the City Commission for taking the necessary steps in evaluating the city's equipment and coming up with a replacement schedule. Julie Farrar said the vehicle being traded in has been out of service since April. Kim Nuesse said this is being requested under Section 14 of the City Charter because of the timeframe for the Ohio Cooperative Purchasing program.

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

**ITEM #9 – Submitted by Scott A. Miller, Director of General Services**

**Budgetary Information:** No General Fund money will be required for this purchase. This purchase has been budgeted for in the Water Fund and sufficient funds are available to purchase the vehicle.

**ORDINANCE NO. 10-072:** It is requested an Ordinance be passed declaring the 1983 C-20 Chevrolet Pickup Truck, VIN No. 2GCEC24D4E1217505 as unnecessary and unfit for city use pursuant to Section 25 of the City Charter; authorizing and directing the City Manager to purchase one (1) 2010 Ford F250, full size pickup truck from 32 Ford Mercury of Batavia, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing 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 Dave Waddington, the Commission voted to approve this Ordinance under immediate effect and in accordance with Section 14 of the City Charter.**

*Discussion:* Julie Farrar said the old truck will be transferred to the Golf Course.

**Roll Call on the motion: Yeas: Kim Nuesse, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. Roll call on the Ordinance: Yeas: Kim Nuesse, Julie Farrar, Dave**

**Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Ordinance passed.**

**ITEM #10 – Submitted by Scott A. Miller, Director of General Services**

**Budgetary Information:** No General Fund money will be required for this purchase. This purchase has been budgeted for in the sewer fund and sufficient funds are available to purchase the vehicle.

**ORDINANCE NO. 10-073:** It is requested an Ordinance be passed declaring the 1996 Ford F-150 truck, Vin No. 1FTEF15N3TLC07208 as unnecessary and unfit for city use pursuant to Section 25 of the City Charter; authorizing and directing the City Manager to purchase one (1) 2010 Ford Econoline E1E Flex Fuel Cargo Van from Germain Ford of Columbus, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Kim Nuesse and second of Dave Waddington, the Commission voted to approve this Ordinance under immediate effect and in accordance with Section 14 of the City Charter.**

*Discussion:* Julie Farrar said the truck being replaced has been out of service since February. Dan Kaman pointed out all of these vehicles (Items #8 - #10) are being purchased with sewer and water funds. He said he is looking forward to the street sweeper coming up shortly.

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

Don Icsman said local dealers were contacted and given the opportunity to meet the pricing for these three vehicles and they were unable to do so.

**ITEM #11 – Submitted by Scott A. Miller, Director of General Services**

**Budgetary Information:** The estimated material cost of this paving and all anticipated paving (trenches and potholes) for the remaining calendar year 2010 is \$50,000.00. The cost of this material will be paid with Street Funds which have been budgeted for and are available.

**ORDINANCE NO. 10-074:** It is requested an Ordinance be passed authorizing and directing the City Manager to make payment to Erie Materials, Inc., of Sandusky, Ohio, for asphalt and paving material to be supplied for street resurfacing projects; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to approve this Ordinance under immediate effect and in accordance with Section 14 of the City Charter.**

*Discussion:* Dave Waddington asked about the \$100,000 left over from the Hayes Avenue underpass project and Kathy McKillips said this money may be earmarked for another project. Dave Waddington asked about the paving of Meigs Street and First Street; Kathy McKillips said the Meigs Street project is scheduled next year and the First Street project is scheduled for 2012. Dan Kaman asked how the decision was made to pave Meigs Street before First Street and Kathy McKillips said Meigs Street is being funded with CDBG funds earmarked through the 2010 program. She said the First Street project was submitted to the Erie County Metropolitan Planning Organization two or three years ago for resurfacing and approved for funding. She said with ODOT scheduling, the money is allocated for in 2012. Dan Kaman asked if the city has a schedule for the next streets to be resurfaced and Kathy McKillips said the city has been working from the street list contained in the study performed by the University of Toledo. Dan Kaman said Caldwell Street is in terrible shape and Kathy McKillips said the concrete streets within the city are the hardest to deal with for maintenance. She said in the past, the city has done some projects to remove the concrete but this is very costly and labor intensive. Dan Kaman said the city lobbied to keep the post office in Sandusky because of the new street (at that time), but now it is in poor shape and he feels something should be done about it. Kim Nuesse asked about bidding the blacktop material and Scott Miller said Erie Blacktop is the closest source for this material and it must be used while it is hot and before it cools down. He said Erie Materials is the only/closest vendor in the area.

**Roll Call on the motion: Yeas: Kim Nuesse, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. Roll call on the Ordinance: Yeas: Kim Nuesse, Julie Farrar, Dave**

**Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Ordinance passed.**

**ITEM #12 – Submitted by Hank S. Solowiej, CPA, Finance Director**

**Budgetary Information:** This Resolution authorizes the Finance Director to work with the Regional Income Tax Agency (R.I.T.A.) and administer a subpoena program to contact non-complying individual taxpayers living within the City of Sandusky. R.I.T.A. has estimated that the total cost of implementing a subpoena program will not exceed \$39,000. The last subpoena program was authorized in 2008. This amount of income collected more than covers the cost of the program. The Audit/Finance Committee unanimously recommended this program at their July 23, 2010 meeting.

**RESOLUTION NO. 025-10R** It is requested a Resolution be passed approving the City of Sandusky's participation in the delinquent administrative subpoena program offered by the Regional Income Tax Agency (R.I.T.A.) for tax liability; authorizing and directing the City Manager and/or Finance Director to execute any necessary agreements including the establishment of mutually agreeable specific dates for commencement of the program; and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to approve this Resolution under immediate effect and in accordance with Section 14 of the City Charter.**

*Discussion:* Dave Waddington said members of the city's Audit/Finance Committee anonymously recommended this program at their June meeting. Pervis Brown said this program will allow for better tracking of money returned in the future.

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

**CITY MANAGER'S REPORT**

**Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to accept a donation in the amount of \$500 from Lyman Harbor to the Sandusky Fire Department Trust Fund.**

*Discussion:* Don Icsman said this donation was made as a positive statement about recent efforts made by Acting Chief Paul Ricci and Fire Fighter Jeff Danevich.

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

**Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to accept a donation in the amount of \$250 for the rental costs associated with the North Coast Animal Expo to be held at the Sandusky Bay Pavilion from the following donors:**

Pervis Brown	\$15.00
Dan Kaman	\$20.00
Rick Scheel	\$10.00
Glenn Szatala	\$10.00
Dave Waddington	\$195.00

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

Don Icsman said the City Commission **authorized the Sandusky-Erie County Community Foundation to proceed with the foundation restoration at the City Greenhouse on May 24, 2010, and the work has been completed.** Don Icsman requested this be formally accepted as a donation.

**Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to accept a donation in the amount of \$14,640.00 from the Sandusky-Erie County Community Foundation for the foundation restoration work at the city's greenhouse.**

*Discussion:* Dave Waddington asked for a thank you letter to be issued and Don Icsman indicated he would send one.

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

Don Icsman said the City Commission voted to invest **\$3,000 toward the purchase of trash cans for the downtown area on June 14, 2010.** The Sandusky Main Street Association placed the order for 20 new black metal trash receptacles on July 29, 2010 and delivery will be made to the City Service Center on Cement Avenue within 6 – 8 weeks. He said this purchase was paid for with donated funds from Firelands Regional Medical Center, the Frost Parker Foundation, the Sandusky Main Street Association and the City of Sandusky.

Don Icsman said **a letter was received from Hoty Enterprises, Inc., expressing their appreciation for the efforts of Acting Fire Chief Paul Ricci and Luke Lewis, Water Department, during a recent water main break at the Son Rise Marina.**

Don Icsman said the City of Sandusky's Street Division will be hosting a **Winter Maintenance Workshop** on Wednesday, September 15, 2010 at the City Service Center. He said this workshop will be conducted by a vendor and offered for surrounding areas to learn about best practices for handling winter weather and road conditions.

Don Icsman said he received notification today of a **Prescription Medication Collection** being hosted by the Erie County Sheriff's Office and the Erie County Health Department on Saturday, August 28, 2010. He said notice of this event has been posted on the city's website and flyers are being distributed by the county to notify the public. He said this collection is for expired, unwanted or unneeded prescription medications or unused syringes.

Don Icsman said **a complete listing of general and specialty contractors is maintained by the city's Engineering Aide/Permit Technician, Becky Smith, and a listing of approved (and not approved) Solicitor Licenses are maintained in the Customer Accounting Office by Carol Roth.** He said residents should be sure to contact the city if they would like to confirm whether a contractor is registered or not.

Don Icsman said the city received word before today's meeting **the Army Corps of Engineers has granted our request for modifications for our permit and work on the Paper District Marina can proceed according to schedule.**

Julie Farrar said she would like to have a donation accepted which was received today. **Upon motion of Pervis Brown and second of Diedre Cole, the Commission voted to accept a grant in the amount of \$15,000 from The Randolph and Estelle Dorn Foundation to be utilized to hire part-time employees to mow grass and weeds on parcels of land within the city when the city determines that such activity can and should occur.**

*Discussion:* Julie Farrar said members of the board of The Dorn Foundation would like a written report concerning the city's implementation in September and have indicated their interest in making additional grant dollars available in the future. Don Icsman said he believes this was mentioned previously by Julie Farrar and a plan has been developed to help in the backlog for cutting properties. Julie Farrar said the city only has three employees who mow grass and maintains 483 acres of park area and 192 acres of turf area and this does not include all of the nuisance properties that the city cuts when vacated or ignored.

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

Dave Waddington said **the city has a contract with FSI Disposal to provide trash collection six days each week, Monday through Saturday, from May 1 – October 31.** He said he is concerned about the frequency of collection for the containers in the downtown area. He said he has put items in the containers and gone back two days later and they are still in the bins. He said he has personally taken trash bags to some areas and scooped up trash and left them for FSI. He said if we have a contract requiring daily pickups, it should be adhered to. Scott Miller said he spoke with a representative from FSI who was supposed to be at the meeting tonight but he is not here. Don Icsman said the bid specifications are scheduled in this fashion and he will write a letter to FSI. He said if they do not begin adhering to the provisions of the contract, we can cancel it. Dan Kaman suggested sending FSI a letter tomorrow (8.10.10) notifying them their contract will be terminated in three weeks if they do not follow the written specifications. Dave Waddington said this is an embarrassing situation for persons using the

ferry boats and for local folks. Dan Kaman said this is an example of one of the reasons we are dragging our feet on a one hauler system.

Dave Waddington said a ruling will be issued by Judge Schreck later this month concerning the former Police Chief, Kim Nuesse. Dave Waddington asked Don Icsman when the city made a decision about appealing the ruling (or not) as stated this weekend on a show hosted by The Sandusky Register. Dave Waddington said he would have liked to have seen the city decide not to appeal two years ago and asked where the city attorneys stand. Don Icsman said when Matt Kline was the City Manager, there was a big impediment to the problem. He said there is a lot of speculation about what might happen, but his opinion is that if Kim Nuesse is awarded her job back, he (Don) would recommend that the city not appeal and this decision is within the City Commission and the Law Director's control. He said the defense of the current situation is not. He said the city attorneys are in charge of the issue of an award of back pay and that the insurance company would not pay this unless they are ordered to pay it or if there were some type of settlement. He said the city would be forced to pay this if not awarded through a settlement. Dave Waddington said when Matt Kline was still here, he (Matt) made the decision to fight this and he (Dave) was not in a meeting where this was decided. Dave Waddington said he would like to have closure with this and is asking if the City Commission will make this decision; Don Icsman said he feels this way, this is what he has expressed, and he stands by it.

#### OLD BUSINESS

**Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to direct the Acting City Manager, Don Icsman, to enter into an agreement with the International City-County Management Association (ICMA) to provide a comprehensive analysis of the city's police and fire services for the City of Sandusky.**

*Discussion:* Dave Waddington said the quotation fees and compensation remain in effect for 90 days from May 24 and this is a timely matter. He said the ICMA works with the practices of police and fire whereas the Commission on Accreditation for Law Enforcement Agencies (CALEA) is more for model policies and procedures. He said Police Officers have returned to work and this would be a good time to do this while also looking for a new City Manager. Julie Farrar said this would cost \$64,500 + \$5,000 for travel expenses. She asked why we would not look at the accreditation process which is cheaper, is an ongoing process, and addresses a lot of the issues which the public complains about including race relations. She asked if the ICMA would address race relations and/or how to fix these problems. Kim Nuesse said the ICMA will look at the delivery of police and fire services. She said policies and procedures would be reviewed and at some point ICMA would recommend the CALEA process when the city is able to do so. She said ICMA offers a lot more in a comprehensive analysis than we could possibly get elsewhere.

Diedre Cole said she has read the ICMA documents and asked Assistant Chief Sams about statistics from Police Department's Annual Report regarding red light violations. She said for the first six years of this decade, the city had fewer than 150 violations per year; as of 2007, there was a 50% increase, per year, until 2009. She asked if this is a problem and if ICMA can address these issues. Charlie Sams asked for more specifics of the problem/issue. Diedre Cole said in 2007, 2008 and 2009 there was a 50% increase in red light violations but she did not see an analysis about the specific intersection(s) or time of day; Kim Nuesse said ICMA does do this type of analyses.

Pervis Brown said he has serious reservations about doing this study at this time. He said we are still in the process of putting a team together; we are searching for a City Manager, we have an Interim Police Chief and an Interim Fire Chief, and believes we should wait until everything is in place in our organization and then do a study if we find it necessary. He said if we have this much money available, we should bring back the last Police Officer who was laid off instead of waiting for a retirement. He said there is no urgency and it is not vital that this be done now and it should be postponed until our own team is together.

Dave Waddington said just eight miles to the East, the City of Huron, under the direction of City Manager Andy White, was able to save several hundred thousand dollars (after having their study performed) and had a major impact right away; he cannot imagine it would not have that type of impact here. Julie Farrar said she would like to go to the City of Huron and ask some of the employees exactly how much they saved and if it was not just a 'number jumble'. She said if we have \$68,500 to throw around, we should start CALEA and Fire Accreditation and bring in part-time employees since we now have that option to fill in the holes during the process. She said she is also against this if ICMA comes

back and says we should hire a Public Safety Director which would add another bureaucratic layer to pay high dollars to. She said in every study she has looked at, this conclusion has been part of the final report and she does not believe the public would support this. Kim Nuesse said this is misinformation and in the preliminary proposal review, Mr. Matarese from the ICMA was specifically told that hiring a Public Safety Service Director would not be an option because of the way our Charter is set up and it is not in the scope of work. She said they will look at potential savings through how many positions we need in our safety service areas, our service delivery, calls for service and how efficiently and effectively we are operating. Kim Nuesse said she cannot think of a better time to look at this and the city needs a plan to attract good people to the community who want to work here and that it is up to the City Commission to do this. She said it would be better to have a plan to give to the team to work with and this is what the voters put us (City Commissioners) here for. Julie Farrar said this can be voted up or down, but this is not her politicizing, it is her doing her job. She suggested going to the City of Huron and looking at their books to find out how much they really saved or if it was all through attrition.

John Hamilton said he would be voting "no" again on this issue. He said he would first like to see the size of the city after the census; he said he believes there are some things we can do, but he would like to see the management team in place first. Diedre Cole said the size of the city will be determined on December 31. She said we are anticipating a downsize of our city and it would behoove us to be ready for this and have a plan in place and ready to implement once these numbers are in. She said at some point, we need to take an objective look at ourselves.

Dan Kaman said since the Commission last talked about this issue, members of the Fire Department have made several changes to help or improve and they are willing to look at themselves again. He said under contract, we must keep 47 full-time Police Officers. He said in October, we will not be able to keep this many officers and he has not yet heard one idea, from a Patrolman to the Acting Chief in the Police Department, on how to keep these officers. He said the ideas for red light cameras and paid parking behind the State Theatre were his and he has not had input from anyone about these ideas. He said we have the \$100,000 check from FirstEnergy Solutions to use for this expenditure and we are waffling when saying "we are waiting for our team". He said since January, the city has made some pretty tough decisions and we did not have a full-time City Manager then, we did not have a Police Chief or a Fire Chief, but we worked together to make tough decisions. He said members of the Sandusky Fire Department are not resting on their contract and said people do not want him (Dan) telling us how to run the Police Department, rather, we need someone to come in and show us what to do and what changes to make regardless of population. He said if anyone has ideas from outside sources, the city needs to hear them and he is changing his vote to support this. John Hamilton said he thought the FirstEnergy money was spent to make improvements to the city building and Hank Solowiej said we have not yet spent any of this money. John Hamilton said if we really want to do well for the city, we need to know the size of our city and we will have this information in a couple of months. Diedre Cole said we absolutely must know what it is we need to do and that it does not matter what the numbers are - we need to know what actions need to be taken. She said there are other issues that can be addressed and this needs to be done prior to the end of the year and cannot wait.

**Roll Call on the motion: Yeas: Kim Nuesse, Dave Waddington, Diedre Cole and Dan Kaman, 4. Nays: Julie Farrar, Pervis Brown, John Hamilton, 3. The President declared the motion passed.**

#### **NEW BUSINESS**

Dan Kaman said he would like to address the **seats vacated by the resignation of Brett Fuqua**. He said **Julie Farrar will be vacating the ADA Advisory Board and will be replaced by Diedre Cole. Diedre Cole will be the new liaison for the Board of Zoning Appeals, the Human Relations Commission and the Planning Commission. She will also be the liaison for the Law Department. Dave Waddington will now be the liaison for the Police Department. Julie Farrar will be the city's representative on the Erie Metropolitan Housing Authority Board.**

Dan Kaman said he has received **an application from Benny Byington who is applying to expand the Entertainment District**. He encourages this and looks forward to it being approved.

**Upon motion of John Hamilton and second of Pervis Brown, the Commission voted to have an Executive Session regarding Personnel, Charter Officers. Roll call on the motion: Yeas: Kim Nuesse, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed.**

**Upon motion of Kim Nuesse and second of Dave Waddington, the Commission voted to have an Executive Session regarding Security, Water Plant. Roll call on the motion: Yeas: Kim Nuesse, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed.**

**Upon motion of Kim Nuesse and second of Dave Waddington, the Commission voted to have an Executive Session regarding Pending Litigation, CHIP program. Roll call on the motion: Yeas: Kim Nuesse, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed.**

**Upon motion of John Hamilton and second of Pervis Brown, the Commission voted to have an Executive Session regarding the Purchase and Sale of Personal Property – Sewer Department. Roll call on the motion: Yeas: Kim Nuesse, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed.**

**Pervis Brown said he recently attended the 50<sup>th</sup> anniversary celebration for Sunnyside Acres which was the city's first black housing development in Sandusky.**

Pervis Brown said he has a concern about **tracking sexual offenders in Sandusky**. He said Sandusky does not have a local Ordinance or any laws on the books and we follow the laws of the State of Ohio which say that sexual offenders cannot reside within 1000 feet of a school. He said state law does not cover or include city park areas (non-school property). He said the City of Lorain has a local Ordinance covering this and believes the City of Sandusky should have legislation to include municipally-owned parks. **Upon motion of Pervis Brown and second of Julie Farrar, the Commission voted to have the Law Director draft an Ordinance regulating the distance whereby a sexual offender can live in proximity to our parks and schools.**

*Discussion:* Don Icsman said parks, when associated with a school system, are covered under state law; parks under the municipal domain are not (if not connected with a school). He said this would mean taking the initiative to include areas within 1000 feet of municipally owned parks. He said he tried to dissuade Pervis Brown to some extent because of problems experienced by the Sheriff's Office in Lorain regarding the administrative tasks associated with enforcement. Dave Waddington said he has spoken with State Representative Dennis Murray as there is a fight at the state level and going in another direction - and they are pushing off as far as incorporating park areas. He said we should contact the school system to see what their boundaries are. Don Icsman said he believes a bill may be pending at the state level to allow the ability to include parks that may not be related or contiguous to school property in the definition. He said other places that have done this have not necessarily had smooth sailing.

Diedre Cole asked if the city actually has a problem related to this issue. She believes we have a high number of registered sex offenders per capita. Diedre Cole said she believes the law includes school owned property and questioned the need for such an aggressive step. Charlie Sams said this would be a matter of opinion, but there are not a lot of reported incidences (involving proximity to municipally-owned parks). He said there are probably a lot of sexual offenders that do come into these areas and people who are not comfortable with it. He said the Sheriff's Office tracks sexual offenders and has the statistics.

Diedre Cole asked if Megan's Law would allow for posting signage in our parks for sexual offenders living in close proximity to a park and Charlie Sams said he would have to ask someone at the Sheriff's Office. Pervis Brown indicated he spoke with someone in the Sheriff's Office about the parks and presently, they have no mechanism or law to bar this activity and cannot do anything without the city putting something on the books. He said he is asking for parks that our children play in to be included as we need to protect them. Kim Nuesse said Don Icsman indicated this may be difficult to administrate and asked if it would fall upon the local municipality. She asked what this law would accomplish. Don Icsman said this would widen the net of parks and properties by including those not owned by the school system and it would be enforced by the Sheriff's Office. He said the Lorain County Sheriff's Office had problems tracking the local Ordinance passed and it depends upon what the City Commission is trying to accomplish. Don Icsman said we would have to relay what we are trying to accomplish to the Sheriff. Kim Nuesse asked if the purpose is to prohibit sex offenders from being near a park or living near a park and Don Icsman said this would be to prevent sex offenders from living near municipal park properties. Kim Nuesse asked if Sheriff Lyons or his representative could attend an upcoming City Commission meeting to provide some information and insight and Don Icsman said this would be good

so as to prevent creating expectations that cannot be fulfilled. Dan Kaman asked Don Icsman to work on preparing the Ordinance while talking with the Erie County Sheriff's Office and he (Don) indicated that he would.

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

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

Jason Singer, 314 West Market Street, The Sandusky Register, asked if the Police Department would have access to the footage provided by the photo enforcement cameras, as outlined by Red Flex, for crimes that may occur around the camera area. Jason Singer asked what the name of the other company is the city has talked to about the cameras and also asked Charlie Sams what his opinion is on using these cameras. Charlie Sams said the other company is American Traffic Solutions (ATS) and their proposal is similar to RedFlex. He said they are making inroads into Ohio and he does not have a preference to either company. He said criminal conduct could be picked up on the cameras and the city would have access to it.

Sharon Johnson, 1139 Fifth Street, said she is concerned when she hears the word "free" and she said Red Flex is offering to provide the cameras at no cost to the city. Dan Kaman said this was a presentation and the city is looking at two different companies to consider the placement of photo enforcement cameras in Sandusky. He said Sandusky has recently experienced shootings and cameras could be an option to help look at or deter this type of crime. Sharon Johnson said she was pulled over because of running an amber light and Charlie Sams said for photo enforcement purposes, there is an extra split second of time allowed. Sharon Johnson said the passage of a study costing \$63,000 right after completing collective bargaining, in good faith, is a dirty trick. She said contractual changes cannot be made until the next contract period; Dan Kaman said the contract will only need to be changed if there are 'contractual' changes to be considered or made. Sharon Johnson said the budget is not looking good and this is like robbing Peter to pay Paul.

Jason Brake, 118 East Mason Road, Clyde, said we need to protect our children, one at a time. He read a statement about a situation involving his son who was reported abducted in 2008. He said children who are victims of family abduction are uprooted from their homes and deprived of the other parent. Jason Brake said he reported this to the Sandusky Police Department and they had a mandatory federal duty to enter information about the missing child into the Federal Bureau of Investigation National Crime Information Center (NCIC) for Missing Persons within two hours upon receipt of the report. He said a custody order is not needed to enter information into the NCIC. He said the Sandusky Police Department wrote a report when this incident was brought to their attention, but information was not put into the NCIC system until 19 months after it was originally reported. He said he received a redacted report when he requested information about this. The local county courthouse was subpoenaed and the Michael Kaufman law firm squashed the subpoena on behalf of the City of Sandusky. He said he did receive a report from another law enforcement agency and asked the Sandusky Police Department to do what is federally mandated by the Adam Walsh Act.

Dennis Timple, 553 Bimini Drive, questioned the \$50,000 payment to Erie Blacktop for road improvements. He said he has serious concerns about where we are putting this money and when we are doing it as some roads are horrible. He said the minimum standard for a street should be Mills Street or Hayes Avenue even if it takes a five percent (5%) increase in the Admissions Tax to solve this problem.

Tim Schwanger, 362 Sheffield Way, Save Our Shoreline Parks, said the boat ramp overflow parking lot has been paved, but has not yet been striped. He said there are plans to someday replace the parking spaces lost through the Sewer Plant expansion project. He said money was used from the ODNR for the parking lot and he would hate to see this money have to be sent back. Dan Kaman said the city has been working on and discussing this since it was brought up. Tim Schwanger said at the May 24 City Commission meeting, it was stated the \$1.056 million CORF grant was to pay for a portion of the Paper District marina. A recent article in the newspaper stated the ODOD stated the entire amount could not be used for this purpose. He said he has had conversations with ODOD and the city was well aware of this prior to the May 24, 2010 City Commission meeting and the CORF money can only be used for only about two and one half feet of contaminated soil. He said he gets a sense the city may have realized this and has been, behind the scenes, knowing they could not use this money but believing the TIF money

would be available instead. He said TIF money would be for public improvements but the marina basin and docks are highly questionable and this has not yet been approved by the School Board.

John Ginty, 5055 Providence Drive, asked if the vendors who attend Ohio Bike Week and other events pay income taxes. He asked what is happening with the coal tar plume. He said he believes Sandusky is selective in enforcement of laws regarding ADA and EPA regulations, although they are federal law.

A.J. Oliver, 1112 Wayne Street, said Australia respects labor rights, has a social safety net (retirement systems), invests in the environment and that many American companies and jobs depend upon our trade with them (Austria). He said some Ford products have zero American content and would ask questions about the vehicle purchases made by the city. A.J. Oliver said complaints about substandard housing have been made about the downtown area and residential areas and asked what happens when a citation is received by a property owner but ignored. Carrie Handy said she can follow up on these inquiries if addresses are provided. She said if a violation is made but ignored, there are administrative penalties issued. A.J. Oliver said he believes Streetsboro has a new policy where photographs are posted on the city website of properties not in compliance with the nuisance laws. A.J. Oliver suggested the engineering studies performed by Matrix and Hull & Associates indicating the turning radius at the Meigs Street Pier is acceptable is like rewriting the laws of physics and is not honest. He suggested the city place buoys in the water and have the Goodtime see if it can maneuver them. Kim Nuesse said a motion was made at the last City Commission meeting to make nuisance citations a priority in the City of Sandusky and Don Icsman and the city staff is working on a plan for how this is going to be accomplished with current staffing levels.

Darlene Armour, 1007 Wayne Street, said she believes it is outstanding that Red Flex employs 550+ persons who are mostly American citizens and not here on work visas. She said when she moved back to Sandusky, she was jolted by the number of people who run red lights and speed within the city. She said cameras can also document crimes and other activity and possibly could have assisted with the recent shootings. Darlene Armour said she is a poll worker and is happy the City Commissioners did not place proposed raises for City Commissioners on the November ballot. Darlene Armour said the \$2,000 reward offered for information about the shootings was laughed at and the city should consider creating a Stop Crime Reward Fund as was established in the City of Cleveland. Julie Farrar said she disagreed about the effect of the reward offer and Charlie Sams said one arrest has been made and more arrests should be made directly related to the reward.

Barry Riddle, 1338 Fifth Street asked how many bus lines were in the city and Carrie Handy said the Sandusky Transit System (STS) offers two fixed routes through the Sandusky-Perkins Area Ride Connection and she is not aware of any local private bus transportation companies. Barry Riddle asked about transportation for the west end of town and Carrie Handy said the demand responsive service offered by STS is offered anywhere in the City of Sandusky and we are looking at other expansion opportunities for transportation in the city. Barry Riddle said he was at Lions Park this weekend and two of the trash cans were full while there was trash on the ground in other areas.

**At 7:35 p.m., Dan Kaman announced adjournment of the regular session for a five minute recess. Four Executive Sessions were held beginning at 7:40 p.m. At 8:56 p.m., the City Commission returned to the table and declared 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