

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

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

City staff present: Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Acting Fire Chief, Carrie Handy – Planner, Scott Miller – General Services Director, Anna Enderle – Assistant Planner, Don Icsman – Law Director, Hank Solowiej – Finance Director, Kelly Kresser – Commission Clerk, Judy Nagy – Recreation Program Supervisor.

Upon motion of Pervis Brown and second of Diedre Cole, the Commission voted to approve the minutes of the September 13, 2010 meeting and dispensed with the oral reading. All Ayes. The President declared the motion passed.

PRESENTATION

Greg Schmid, Poulos & Associates, stated he was representing Diane and Gary Ackerman regarding the potential purchase of city-owned property at 129 Columbus Avenue, Rear. Greg Schmid said the Ackermans are interested in purchasing this parcel which backs up to a building they own and is formerly known as the Byer building and the By Design building. He said the Ackermans would like to improve the property through construction of arbors and a dumpster enclosure along with providing a general cleanup of the area. Dan Kaman said this proposed purchase has been discussed with the City Manager's committee on purchase or sale of city property. He said the Jackson Street parking lot will be an entrance to the new restaurant and will bring more people in for another downtown dining option. Dave Waddington said this will also clean up the site line in the area. Kim Nuesse said she welcomes another business moving into the City of Sandusky.

Upon motion of Dave Waddington and second of Diedre Cole, the Commission voted to order in legislation for the purchase of selling 129 Columbus Avenue, Rear, to the Ackermans at the next City Commission meeting. All Ayes. The President declared the motion passed.

PUBLIC HEARING

A Public Hearing was held regarding the FY 2009 Consolidated Annual Performance Evaluation Report (CAPER). Carrie Handy said a copy of the document being submitted to Housing & Urban Development has been distributed to the City Commissioners. Carrie Handy outlined all of the projects for 2009 as well as those projects from 2008 which carried into 2009. She said the city spent just over \$1.5 million for FY 2009 for programs including: the 2-1-1 information and referral system, a contract with WSOS for fair housing classes, down payment assistance, an emergency home repair and accessibility improvement program, downtown building improvements, community wellness and prevention programs, emergency housing payments and utility assistance, the citizens circle program, public facilities and improvements, development of a master plan for Lions and Huron Park, the splash pad at Huron Park, direct financial assistance for local business, code enforcement, youth recreation scholarships, expansion of the Sandusky Bay Pathway from the boat launch to Mills Street, resurfacing of portions of 13 city streets in low- to moderate income neighborhoods, a way finding signage Master Plan, RLF funds for the purchase and demolition of the trailer park on West Monroe Street, the single-family rehabilitation program and the clearance and demolition program.

Dave Waddington thanked Carrie Handy for the detailed report and asked if a home ownership workshop was held; he asked about the \$25,000 earmarked for this program but not utilized. Carrie Handy said financial fitness classes and homebuyer counseling classes were held but none of the attendees actually applied for the loan; she said this program needs to be marketed more. Kim Nuesse asked Carrie Handy to explain the Neighborhood Stabilization Program (NSP) and Carrie Handy said the NSP is run by Erie County and is designed to stabilize neighborhoods by removing blight and promoting new or rehabbed housing options. Kim Nuesse asked if this money could be used by businesses and Carrie Handy said the residential component is a requirement, but the home does not necessarily have to be owner-occupied. Julie Farrar asked how many homes have been demolished through the NSP program to date and Carrie Handy said 53 have been demolished; when complete, there will be almost 90.

The President declared the Public Hearing for the FY 2009 CAPER closed.

A Public Hearing was held for three applications for renewal of farmland in agricultural properties within the City of Sandusky's corporate limits including:

- A) Sunnybrook Conference Center & Trout Club, LLC, 1104 Fremont Avenue
Parcel No. 60-00304.000**
- B) Robert G. Schoen, Cleveland Road
Parcel No. 57-04915.000**
- C) Second Baptist Church, Venice Road
Parcel No's. 60-01380.001 & 60-01380.000**

There being no comments regarding the renewal applications, the President declared the Public Hearing closed.

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

John Ginty, 5055 Providence Drive, said he did not believe the land at Sunnybrook is in Sandusky's municipal corporation. He said Item #2 requests the city to pay \$20,000 for CY 2007 through August, 2010 for services rendered by Firelands Regional Medical Center for treatment of persons under arrest but he did not understand why this dates back three years. He asked if the lots identified in Item #4 were appraised. He asked why the city would contract to plant new ash trees (Item #10) in light of the problems with the Emerald Ash Borer species.

Doug Lamb, owner of Sunnybrook Trout Club, 1104 Fremont Avenue, said two of the parcels owned by Sunnybrook are in Sandusky's corporate limits while two parcels are in Margaretta Township.

Tim Schwanger, 362 Sheffield Way, asked if the city advertised the parcels in Items #3 and #4 in the newspaper.

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

ITEM #1 – Submitted by Kelly L. Kresser, Clerk of the City Commission

Notices have been submitted to the City of Sandusky from the Erie County Auditor's Office regarding the applications for renewal of farmland in agricultural properties within our corporate limits including:

- A) Sunnybrook Conference Center & Trout Club, LLC, 1104 Fremont Avenue
Parcel No. 60-00304.000**
- B) Robert G. Schoen, Cleveland Road
Parcel No. 57-04915.000**
- C) Second Baptist Church, Venice Road
Parcel No's. 60-01380.001 & 60-01380.000**

It is requested the Clerk be authorized to return the Applications for Renewal of Farmland in an Agricultural District with a letter indicating the applications have been filed with the City of Sandusky, and that the City of Sandusky has no objections to the properties remaining as farmland in an agricultural district.

Upon motion of Dave Waddington and second of Diedre Cole, the Commission voted to authorize the Clerk of the City Commission to notify the Erie County Auditor that the City of Sandusky has no objection to these properties remaining as farmland in an agricultural district. Roll Call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the motion passed.

ITEM #2

ORDINANCE NO. 10-096: It is requested an Ordinance be passed **authorizing and directing the City Manager and/or Finance Director to make payment to the Firelands Regional Medical Center (FRMC) and to execute an agreement between the city and FRMC;** 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 pass this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Julie Farrar asked Hank Solowiej to explain this \$20,000 payment. Hank Solowiej said the city had options how to pay for this with one option to use funds from the police department's operating budget. Other options included using a portion of the money on deposit from John Eyman or using funds from the FirstEnergy grant. Julie Farrar asked about the dates for service which go back to 2007. Don Icsman said this is not a contract award. He said there is a state requirement that persons in custody be provided medical treatment by the jurisdiction having custody, when necessary. He said some calls are difficult to determine - i.e., a person who is found passed out in the street but is not in custody. He said this has been the subject of debate and discussion and the city and FRMC arrived at this figure as well as a future plan or agreement for medical treatment. Dave Waddington asked about payment responsibility for an individual when transferring or in the custody of the Erie County Sheriff. Don Icsman said this agreement and the forms initiated by the officer will cover these instances and will clarify financial responsibility. Diedre Cole asked if the form is a chain of custody form and Don Icsman said the form and the agreement will clarify who pays the medical bill while in custody. Dan Kaman said this has been discussed for the past few years but has been a "gray" area and one of the items which the city is making continuous improvement upon. Diedre Cole asked who is responsible for someone who is taken to the Erie County jail and subsequently needs treatment and Don Icsman said once they are at the Sheriff's office, the county is responsible.

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

ITEM #3 - Submitted by Amanda Meyers, Paralegal and Carrie Handy, Chief Planner

Budget Impact: The cost of these acquisitions will be approximately \$1,900 in title fees, title insurance, escrow fees, deed preparation, closing costs and transfer fees, but upon sale the purchaser(s) shall be required to pay these costs and the city will recoup them. The taxing districts will not collect the delinquent taxes, assessments, penalties and interest currently due and owing in the amount of \$91,388.47, of which \$60,058.37 is owed to the city for assessments. However, by returning this abandoned nonproductive land to tax producing status, the taxing districts will begin collecting approximately \$1,054.32 yearly in real estate taxes and assessments, which will eventually increase with development of the vacant lands.

FIRST READING: It is requested a Resolution be passed **approving and accepting certain real property for acquisition into the land reutilization program.**

Upon motion of Kim Nuesse and second of Pervis Brown, the Commission voted to pass this Resolution at first reading. Roll Call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. Roll call on the Resolution: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the Resolution passed.

ITEM #4 – Submitted by Amanda Meyers, Paralegal and Carrie Handy, Chief Planner

Budget Impact: The cost associated with this purchase agreement is the total amount of the title examination, title insurance policy, deed preparation and escrow fees charged by the title company acting as escrow agent for the sale and purchase transaction. Any such costs shall be included in the sale price of the nonproductive land and will be recouped by the city upon sale. The purchaser shall pay the real estate transfer tax, if any, and recording fees upon purchase. Development and use of this nonproductive land for its intended purpose will enhance property values and the taxing districts will once again begin collecting real property taxes.

ORDINANCE NO. 10-097: It is requested an Ordinance be passed **declaring that certain real property owned by the city as part of the land reutilization program identified as Parcel No's. 56-00716.000 and 56-00717.000, located on Anderson Street Extension are no longer needed for any municipal purpose and authorizing the execution of a purchase agreement with respect to that real property;** 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 pass this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Amanda Meyers, Paralegal, said these properties were advertised twice in the Sandusky Register as legal advertisements and three bids were received. She said a market analysis was performed with the smaller parcel valued at \$8,000 and the larger parcel at \$9,000. She said when the

city requests these types of properties, it is assumed the request is automatically granted, but this is not the case. She said the city has requested 44 properties but have only 10 have been obtained. She said there are 12 which are unobtainable and a lot of work must be done during this process.

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

ITEM #5 – Submitted by Ruth S. Haag, Haag Environmental Company

Budgetary Information: There is expected to be no significant impact on the general fund. The USEPA Assessment grants require no matching dollars. The RLF grant requires a 20% match over five years, which may be supplied by in-kind work, CDBG funds or interest earned from the monies loaned out. The grant applications will be prepared by a combination of staff and consultant efforts. The consultant efforts will be charged to the Battery Park Marina TIF.

RESOLUTION NO. 032-10R: It is requested a Resolution be passed **authorizing the filing of applications with the United States Environmental Protection Agency for the FY 2011 Brownfields Assessment Grant and Brownfields Revolving Loan Fund (RLF) grant;** 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 Dave Waddington, the Commission voted to pass this Resolution under Section 14 of the City Charter.

Discussion: Dan Kaman said he is hopeful the city receives both of these grants. One will give the city money to help private individuals with cleanup of Brownfield properties.

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

ITEM #6 – Submitted by Hank S. Solowiej, CPA, Finance Director

Budgetary Information: The city is required to accept the tax rates as determined by the Erie County Budget Commission before October 1, 2010. Approval establishes initial funding for 2011. The total amount for 2011 is 2.9% (or \$78,489) lower than the total amount certified for 2010.

RESOLUTION NO. 033-10R: It is requested a Resolution be passed **accepting the amounts and rates as determined by the Erie County Budget Commission; authorizing the necessary tax levies and certifying them to the County Auditor;** and declaring that this Resolution 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 pass this Resolution under Section 14 of the City Charter. Roll Call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. Roll call on the Resolution: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the Resolution passed.

ITEM #7 – Submitted by Hank S. Solowiej, CPA, Finance Director

Budgetary Information: There is no budgetary information at this time. The Finance Department will be responsible for determining the dollar amounts by fund that will be needed for the "Payroll Stabilization Fund" special revenue fund. The Finance Department will consult with other municipalities and the State Auditor's Office for guidance in establishing funding.

FIRST READING: It is requested a Resolution be adopted **authorizing the Finance Director to establish a special revenue fund designated as the "Payroll Stabilization Fund" for the City of Sandusky, Erie County, Ohio.**

Upon motion of Kim Nuesse second of Diedre Cole, the Commission voted to pass this Resolution under first reading.

Discussion: Kim Nuesse said the purpose of the Payroll Stabilization fund would be to separately fund and calculate pending retirement pay rather than using a 'rainy day fund'. Dan Kaman said this would be for the payout of accrued sick or vacation time upon retirement.

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

ITEM #8 – Submitted by Hank S. Solowiej, CPA, Finance Director

Budgetary Information: Appropriation amendments are required to update the budget for previous actions of the city. Examples include: purchase of a Kubota excavator with Cemetery endowment funds; installation of solar panels at Greenhouse; purchase of eight Transit vehicles with ARRA funds; Bardshar Road Water Main project; Cedar Point Water Main Looping project; Wastewater Treatment Plant Phase II expansion project; Big Island Water Works Chemical project; Sewer Interceptor Cleaning project; Paper District marina project; Municipal Court video conferencing equipment; NSP, Landbank, Weed & Seed, EMS and HUD grants.

ORDINANCE NO. 10-098: It is requested an Ordinance be passed **adopting Amendment No. 1 to Ordinance No. 10-027 passed by this City Commission on March 22, 2010, making general appropriations for the fiscal year 2010;** 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 pass this Ordinance in accordance with Section 14 of the City Charter. Roll Call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. Roll call on the Ordinance: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the Ordinance passed.

ITEM #9 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: The city will receive up to \$50,000 in grant funds with in-kind contributions which include tree removal by city crews and the planting of non-host species trees from the city's nursery to make up the required 100% match.

ORDINANCE NO. 10-099: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a contract with Tree Experts of Huron, Ohio, for the removal of ash trees in the City of Sandusky;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Julie Farrar and second of Kim Nuesse, the Commission voted to pass this Ordinance in accordance with Section 14 of the City Charter. Roll Call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. Roll call on the Ordinance: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar and Dave Waddington, 7. The President declared the Ordinance passed.

ITEM #10 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: The city will receive up to \$50,000 in grant funds with in-kind contributions which include tree removal by city crews and the planting of non-host species trees from the city's nursery to make up the required 100% match.

ORDINANCE NO. 10-100: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a contract with Barnes Nursery of Huron, Ohio, for the supply and planting of non-host species trees in the City of Sandusky;** 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 pass this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Julie Farrar asked what species of tree will be used to replace the Emerald Ash trees and Scott Miller said the replacement trees will be a non-host species rather than Emerald Ash trees. Don Icsman stated there was a typo in the legislation and the trees to be planted will **not** be Emerald Ash trees.

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

ITEM #11 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: The total estimated project cost including engineering, inspection, advertising and miscellaneous expenses is \$1,026,800.00. The city will receive federal funds from a discretionary earmark for \$550,000.00 (55% of construction cost) from the U.S. EPA. The city's share (45% of construction cost plus other costs) is \$476,800.00, to be paid with Sewer Funds.

RESOLUTION NO. 034-10R: It is requested a Resolution be passed **declaring the necessity for the city to proceed with the proposed East side and West side interceptors cleaning 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 Diedre Cole, the Commission voted to pass this Resolution under Section 14 of the City Charter.

Discussion: Dave Waddington asked for a more detailed explanation for this project and Todd Roth said the city must be in operation by the year 2013 and the interceptors must be cleaned so that they perform as they are supposed to.

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

ITEM #12 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: The total revised estimated project cost based on bids including inspection, advertising and miscellaneous expenses is \$177,482.00. \$15,000 is being funded with a Lake Erie Commission grant. The remaining balance of the project cost will be funded with CDBG and CDBG RLF funds.

ORDINANCE NO. 10-101: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a contract with Mark Haynes Construction of Norwalk, Ohio, for the Lions Park project, Phase I;** 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 pass this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Diedre Cole thanked Dave Waddington, Carrie Handy and members of the Lions Park Master Planning Committee for the work they have done for this project.

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

CITY MANAGER'S REPORT

Don Icsman said Scott Miller has provided a written **update for the members of the Dorn Foundation regarding the \$15,000 grant to provide assistance with hiring part-time employees for the mow grass and weeds on the city.** This report will be forwarded to the board members of the Dorn Foundation.

Don Icsman said the city has received **notification from the Ohio Department of Natural Resources Office of Coastal Management that the additions/revisions to our application requesting modifications to the shore structure permit and submerged lands leases were received on September 13, 2010.**

Don Icsman said a request has been made by **Acting Fire Chief Paul Ricci to attend a conference in Boston, Massachusetts from November 14 – 16, 2010.** He said the Sandusky Fire Department has been awarded an all expense paid scholarship to attend this conference.

Upon motion of Dave Waddington and second of Julie Farrar, the Commission voted to authorize this trip. All Ayes. The President declared the motion passed.

Don Icsman said the city received a **check in the amount of \$25,733.80 from our insurance carrier for a claim made by James Pietrangelo and also involving the Sandusky Library.** He said when the city is sued, payment for legal counsel must initially come from the legal department's budget. He said after this suit was filed, he read the policy for insurance coverage and disputed payment for the claim with the city's insurance company as they did not initially agree the city had coverage. He said this is just one thing that his department takes care of and wanted to bring to the attention of the City Commission.

OLD BUSINESS

Dave Waddington said earlier in the year, he and Kim Nuesse took a **walk in the Hancock Street neighborhood.** He said on Tuesday, September 28 at 6 p.m., Diedre Cole will join him, Kim Nuesse and Chief Jim Lang to take another walk in the neighborhood to garner a different perspective. Diedre Cole said since the first walk, a community block watch group has been set up in conjunction with the police department and the members are trying to eliminate the misconception that residents in this area are causing the problems.

Dan Kaman asked Todd Roth for an **update on the west end overpass project.** Todd Roth said this project is still scheduled for 2011 and the Ohio Department of Transportation is still in the property acquisition phase.

Diedre Cole asked for an **update on the grant money received from FirstEnergy Solutions earlier this year.** Hank Solowiej reported there is approximately \$30,000 - \$40,000 left after using portions of this money for the Honeywell energy audit and the ICMA study. Diedre Cole asked if the windows on the north side of the city building could be replaced. Todd Roth said the city has been working with the university on this project and recently discussed their role to determine if they would be able to complete it or if the city should look for a different source. He said he will have a recommendation at the next meeting.

NEW BUSINESS

Dan Kaman said he and Don Icsman recently spoke with **Ed Ryan, President of Sandusky International, regarding the potential buyer for the company.** He said the city is willing and able to help Sandusky International in any way that it can with this sale as these are the types of jobs needed for Sandusky. He said this will help Sandusky International to increase employment and increase its presence in the market.

Kim Nuesse acknowledged **Acting Chief Paul Ricci will be published in the near future in a national fire magazine** and said it is important to recognize employees for these types of accomplishments. Paul Ricci said he and two other members of the Sandusky Fire Department will be providing chapter review and information for an upcoming fire chief handbook through the International Association of Fire Chiefs. He said Captain Dave Degnan has also been asked to write for this publication.

Julie Farrar said she would like to address a recent article in the newspaper regarding a **proposed sports or recreation center.** She said all of the Commissioners, with the exception of Diedre Cole, were briefed in Executive Session and made aware of this project. She said as the liaison to Planning and Development, she was directed by the mayor to put together a small committee to work on this project and did not intend to slight anyone or make them feel left out. She said the purpose of forming this committee was to get the best price for the properties because if a seller knew that the city or a person with money was looking at a property, the price would immediately go way up and is the reason land acquisition is discussed in Executive Session. She said the committee is getting ready to expand and Joel Sehlmeier will be joining as a representative of the Recreation Board as well as Judy Nagy and possibly Diedre Cole. Julie Farrar said this is a great project which was identified six years ago as a community need and she hopes people will get on board with it. She said if this project is kept public, the cost for the children of the community can be controlled. She said this proposal does not include a gym, tennis courts, a pool, racquetball courts, tutoring or daycare which is already provided by the YMCA and/or Nehemiah Partners and those services will not be duplicated. She said this would be to form partnerships, not to put anyone out of business.

Julie Farrar said in 2007, an \$80,000 study was performed which concluded this center is a community need as well as a study performed in 2009 concerning the ice arena feasibility study. She said Alex MacNicol, Director of Erie Regional Planning, has documents which state this type of a facility is needed. Julie Farrar said at the next city commission meeting, a presentation will be made regarding this

proposed recreation center and she invites persons to come and learn about this facility which will serve the entire county. She said another public meeting will be held in Room 300 of Sandusky High School after this presentation to garner input from members of the community. Julie Farrar said the city has received a check for the \$22,500 in consulting fees spent to date for this project. She said Joe Hayberger was not the city's realtor for this project; rather, Scott Biechele was representing the city. She said Joe Hayberger was acting in a totally different capacity for this project.

Dave Waddington said on **Saturday, October 9 at 8:30 a.m., staff from Hoty Builders will host a walk through at the site of the new marina in the Paper District.**

Dave Waddington said the **solar panels are being installed at the greenhouse and hopes the commissioners will agree to host a short dedication when the project is complete as this will be the largest solar panel array in the State of Ohio.**

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

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

Upon motion of Pervis Brown and second of Julie Farrar, the Commission voted to have an Executive Session regarding Personnel, City Manager. Roll Call on the motion: Yeas: Pervis Brown, John Hamilton and Julie Farrar, 3. Nays: Diedre Cole, Dan Kaman, Kim Nuesse, Dave Waddington, 4. The President declared the motion failed.

Upon motion of John Hamilton and second of Julie Farrar, the Commission voted to have an Executive Session regarding Collective Bargaining. Roll Call on the motion: Yeas: Pervis Brown, John Hamilton and Julie Farrar, 3. Nays: Diedre Cole, Dan Kaman, Kim Nuesse, Dave Waddington, 4. The President declared the motion failed.

Dan Kaman said the procedure set up at the beginning of the year for holding an Executive Session requires notification to be provided to Don Icsman and all City Commissioners so that everyone knows what is to be discussed.

Julie Farrar said she wished to discuss something publicly if the Commission did not want to discuss it in Executive Session. Julie Farrar distributed copies of **a decision recently rendered by the State Employment Relations Board (SERB)**. Julie Farrar said Kim Nuesse recently brought this decision up as it relates to collective bargaining and city union personnel approaching an elected official directly rather than speaking to Don Icsman or Hank Solowiej. Julie Farrar said she went online and read this decision to understand it and she knows enough about dealing with unions that this has not been done (elected officials helping to solve a grievance or trying to negotiate a contract). She said the fire fighters in this SERB case were wrong, but she did not believe this has happened in the City of Sandusky, nor has it been a problem for her. Kim Nuesse said she brought this up to request that Don Icsman render an opinion and she will wait for his decision; she thanked Julie Farrar for researching the matter.

Diedre Cole said she was at the new Paper District marina on Saturday. She is aware of **a program in other cities called Zipcar which is a ride sharing program using rental cars (by the hour or the day)**. She said these are smaller vehicles which could be used by transient boaters to get around town and would be a great addition to the community for visitors and residents.

Diedre Cole said on Saturday evening, Kim Nuesse participated in a community event called **Dancing with the Stars**. Diedre Cole presented Kim Nuesse with a bag of locally-made hot spicy pretzels for her cha cha dance and a bottle of aspirin.

Upon motion of Dave Waddington and second of Julie Farrar, the Commission voted to accept a check from the Frost-Parker Foundation in the amount of \$22,500 for use in paying consultant fees associated with the proposed sports or recreation center. All Ayes. The President declared the motion passed.

Don Icsman said the recent **problem with people placing trash in public dumpsters is being handled and those who are doing this should be careful**. Dave Waddington said persons with large bags of trash have been identified for dumping and arrests have been made. Dan Kaman said he and his wife were recently walking near Shoreline Park early in the morning and observed someone take a large bag of trash out of their vehicle and place it into the dumpster. He said the city cannot continue to allow this and also asked about removing some of the dumpsters during the winter months that may not be necessary.

Hank Solowiej said he wished to update the Commissioners on **the status of the city's urban renewal temporary revenue bonds**. He said the city has not been able to find an investor willing to purchase up to \$2.7 million of these bonds with a one year maturity as approved at the August 23, 2010 meeting. He said there a variety of reasons for this: economic conditions are generally still down since the 2008 nationwide economic 'meltdown', recovery has been slower than expected and buyers have tightened their internal credit criteria. He said PNC Bank has agreed to purchase \$100,000 of these revenue bonds for 6 months which will cover the October 1 debt service payment under the terms of what was approved at the August 23 meeting. Hank Solowiej said he, the city's financial advisor and bond counsel all have agreed the best option is to move to "Plan B" which, at this point, they believe is in light of expected grants, to continue to keep this issue short (i.e. - one year maturity). He said to do this, the city will need to market the bonds with a general obligation backing. This provides additional security for the investor. A general obligation backing means the bonds are secured by the full faith and credit of the issuer. Investors consider general obligation backed bonds to be one of the highest quality bonds and they would be repaid from revenues generated by the TIF (over \$500,000 is coming in per year from the TIF) with a general obligation backing.

Upon motion of Dave Waddington and second of Julie Farrar, the Commissioners voted to direct Hank Solowiej to continue marketing up to \$2.6 million of these bonds with a one year maturity with a general obligation backing and also approve the 6-month term with PNC bank for \$100,000 of the revenue bonds with closing on October 1, 2010.

Discussion: Hank Solowiej said the Commission will then have the opportunity to formally approve the necessary legislation for up to \$2.6 million of bonds at the October 12, 2010 meeting.

All Ayes. The President declared the motion passed.

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

Jackie Collins, 211 Hendry Street, said she deals with the youth of Sandusky every day of the year. She said our kids need as much as we can give them as their main place to hang out during the summer months is Amvets Park. She said when persons are willing to step up to the plate to give something to our youth, we should grab it. She said the city should do what it can to bring a recreation center to the city for our children.

Sharon Johnson, 1139 Fifth Street, said she has concerns about this sports/recreation center. She said we may assume the service debt and we may own the property and/or building which will lead to maintenance costs and costs associated with hiring employees. She said it has been mentioned we may get money from the Toledo Port Authority and did not understand how this was part of the concept. Dan Kaman said there will be a public meeting on October 13 and encouraged Sharon Johnson, and any other interested person, to attend. He said a subsequent meeting will also be scheduled in Room 300 of Sandusky High School for the benefit of the general public. Carrie Handy said the Toledo Port Authority has been approached as a potential source of bond financing for a portion of the project. She hopes the project will be made attractive enough to be a standalone project and not a liability for the city. She said there are other sources the city is looking into. Julie Farrar said if this could not be done without grants, foundation support, fundraising or other types of backing, the city will not do this. Julie Farrar said the center could pay for itself and these types of facilities pay for themselves. Tournaments for soccer and other sports are scheduled with teams who stay, eat and shop in the sports or recreation center locations and over \$300,000 could be made per year; green energy facilities are also being considered. Sharon Johnson said the country is not out of its economic recession and the first thing cut by families is recreation. Sharon Johnson asked if a budget was set for this project and Julie Farrar said the Frost Parker Foundation agreed to pay up to \$37,500 for the costs associated with paying the consultants.

Tim Schwanger, 362 Sheffield Way, said the option of using the check from John Eyman for the \$20,000 agreement with FRMC should not be considered as this project (the marina district) would have impacted public access to the waterfront and should be used to develop a master plan for Surf's Up (the Sandusky Bay Pavilion).

Gene Hawk, 401 West Shoreline Drive, said the concept of a sports or recreation center is a great idea and believes the general public understands some of these things must be dealt with or discussed in private. He offered his assistance with the project.

John Ginty, 5055 Providence Drive, asked how much refinancing the bonds will cost. Hank Solowiej said the City of Oberlin did something similar for a project and was able to get an interest rate of less than 1% for one year. He said to do a one-year TIF note without a general obligation note, the rate would be 6% or approximately \$140,000 in interest. John Ginty said he understood the city paid an invoice for the sports/recreation center without specific details listed and stated this sets a bad precedence. Dan Kaman said the detailed billing issue was handled at the last City Commission meeting in an Executive Session. He said the Frost Parker Foundation had agreed to pay for the consultants but it came to light that the city was actually paying them directly; the check was received today from the Frost Parker Foundation. Julie Farrar said she made the statement that the Frost Parker Foundation would be reimbursing the city for these costs but perhaps was not being recalled this way by other City Commissioners. Dan Kaman said on Friday, an Executive Session was held with members of the Audit/Finance Committee regarding policies and procedures and hopefully this type of thing will not happen again. Julie Farrar said both gentlemen were talked to about making their invoices more detailed.

A.J. Oliver, 1112 Wayne Street, said if TIF's are considered in the future, he recommends they be granted at 50% so that some money goes to the schools and to fire and police protection. He said the city's safety service forces spend a lot of time and resources at the current TIF facility and these persons should be kicking in something for these services.

Andy Ouriel, Sandusky Register, 314 West Market Street, asked the Commissioners their reaction to the coal tar reaching Sandusky Bay. Dan Kaman said the Brownfields Committee will be looking into this, along with the EPA, and will be trying to obtain grants to clean it up. Andy Ouriel asked about making a determination about coal tar in Sandusky Bay and Don Icsman said he believes it would be premature to discuss this as it is simply speculation at this point until the city hears from the persons who prepared the report. Andy Ouriel asked Julie Farrar what she meant about not duplicating services already provided by other recreational-type venues and Julie Farrar said there are no plans in the proposed sports/recreation center for a workout room, weightlifting, tennis courts, daycare center, tutoring programs or faith based programs and there would be other programs offered such as indoor soccer, volleyball, wrestling, basketball and space offered for craft shows, animal shows or sportsman shows. She said there is no intention to duplicate any of the programs currently provided. She said a batting cage may also be provided. Dan Kaman said this center is a goal of the CAPER but a plan and budget needs to be in place first.

At 6:50 p.m., Dan Kaman announced adjournment of the regular session for a three minute recess. Two Executive Sessions were held beginning at 6:55 p.m.

At 7:35 p.m., Dan Kaman declared adjournment.

Kelly L. Kresser
Clerk of the City Commission

Daniel J. Kaman
President of the City Commission