

**Dennis Murray called the meeting to order** at 5 p.m. after **the Invocation**, given by Naomi Twine, and the **Pledge of Allegiance**.

The clerk called **the roll** and the following Commissioners responded: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar & Jeff Smith.

**City staff present:** John Orzech - Police Chief, Jim Green – Acting Fire Chief, Aaron Klein – Engineer, Don Rumbutis - IT, Don Icsman - Law Director, Hank Solowiej – Finance Director and Kelly Kresser - Commission Clerk.

**Upon motion of Julie Farrar and second of Naomi Twine, the commission voted to approve the minutes of the May 27, 2014, city commission meeting and suspend the oral reading. The President declared the motion passed.**

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

None.

**CURRENT BUSINESS**

**Upon motion of Scott Schell and second of Wesley Poole, the commission voted to accept all communications. The President declared the motion passed.**

**ITEM #1 – Submitted by Aaron Klein, P.E.**

**PURCHASE & INSTALLATION OF NEW ROOFS AT BIWW PLANT**

**Budgetary Information:** The total cost for this project is \$62,077.41 for materials, equipment, delivery and installation which would be paid from the water fund.

**ORDINANCE NO. 14-063:** It is requested an ordinance be **passed authorizing and directing the City Manager to expend funds for the purchase and installation of roofing systems at the Big Island Water Works plant through the State of Ohio Department of Administrative Services cooperative purchasing program from Tremco, Inc. of Beachwood, Ohio, through Weatherproofing Technologies, Inc., a subsidiary of Tremco, Inc., of Beachwood, Ohio;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Jeff Smith and second of Wesley Poole, the commission voted to approve this ordinance.**

*Discussion:* Dennis Murray asked Aaron Klein to provide a brief accounting of this project. Aaron Klein said several of the roofs at the water plant are older and we have experienced problems with leaking above equipment in the lab. These have been patched for some time, but some of the roofs are well over fifty years old and the contractor came up with a replacement/repair plan. Each roof has a different approach based on their style and the materials to be used and the process utilizes state contract pricing. Dennis Murray said the city uses the State of Ohio's purchasing power through their cooperative purchasing program. Wesley Poole asked how much of the city's roof areas are being repaired and Aaron Klein said one area is being replaced entirely while the majority of the work is sealing off areas which have pulled away over time. Donald Icsman said the state performs competitive bidding through the cooperative purchasing program and the city does not have to repeat this process.

**Roll call on the motion: Yeas: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar and Jeff Smith, 7. Roll call on the ordinance: Yeas: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar and Jeff Smith, 7. The President declared the ordinance passed.**

**ITEM #2 – Submitted by Jane E. Cullen, P.E.****PERKINS AVENUE SIGNALIZATION PROJECT – CONTRACT FOR REPLACEMENT TRAFFIC SIGNALS**

**Budgetary Information:** The engineer's estimate for the total project cost including engineering, inspection, testing, advertising and miscellaneous expenses is \$993,641. The local public authority project will be funded with Federal Highway Administration funds through the Ohio Department of Transportation and the Erie County Metropolitan Planning Organization in the amount of eighty percent of the eligible costs in the amount of \$794,912.80 with the remaining cost of \$198,728.20 being split between the City of Sandusky and Erie County. The city's portion of \$99,364.10 will be split as follows: \$95,489.10 will be funded with street funds and \$3,875 from the EMS fund for the city's portion of alternate 1 pre-emption for the fire department's emergency vehicles.

**ORDINANCE NO. 14-064:** It is requested an ordinance be passed **authorizing and directing the City Manager to enter into a contract with Miller Cable Company of Green Springs, Ohio, for the Perkins Avenue signalization project;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Dick Brady and second of Jeff Smith, the commission voted to approve this ordinance.**

*Discussion:* Dick Brady asked Aaron Klein to explain what the city will get from this project as it is a large amount collectively, but a very small amount for the City of Sandusky. Aaron Klein said in the early 2000's, an application was submitted to upgrade traffic signals and several intersections will now be upgraded along Perkins Avenue. One of the advantages is including a pre-emption for emergency/safety forces. This addresses upgrades to signals at Camp Street, S.R. 4, Campbell Street, Caldwell Street, Columbus Avenue and 52<sup>nd</sup> Street. Wesley Poole asked to define pre-emption for those who do not know what this means. Jim Green said pre-emption allows emergency personnel to access and change traffic lights at intersections and gives them the ability to turn the light green to stop traffic going in other directions. This is another safety factor when responding to emergency calls. Dick Brady said this was fairly well explained and is why a portion of these costs are coming the EMS fund.

**Roll call on the motion: Yeas: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar and Jeff Smith, 7. Roll call on the ordinance: Yeas: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar and Jeff Smith, 7. The President declared the ordinance passed.**

**ITEM #3****TERMINATION OF AGREEMENT BETWEEN CITY OF SANDUSKY AND LAKE ERIE WELDING & FABRICATING, INC.**

**ORDINANCE NO. 14-065:** It is requested an ordinance be **passed authorizing the termination of agreement between the City of Sandusky and Lake Erie Welding and Fabricating, Inc.;** 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 Scott Schell, the commission voted to approve this ordinance.**

*Discussion:* Dick Brady asked for an explanation about this item and Dennis Murray said he would read from an email sent to the commissioners in February about this. Dennis Murray said Ron Guerra contacted him regarding an agreement made with the city by his father (Ron's) and LEWCO in 1983. LEWCO owned the land on both sides of Ogontz Street and in 1983, they were thinking about adding a building on the opposite side of the street, but this never happened and the company instead built on the south side of First Street and is where they remain today. LEWCO wanted to acquire property which is in the city right-of-way on Ogontz Street and entered into a swap where the city would temporarily give up the property (on a lease basis) which was between properties owned by LEWCO on both sides. In exchange, LEWCO made a small triangle of land available at the end of McEwen Street to use as a turnaround. The lease, by its own terms, was supposed to be null and void under Section 7 if

LEWCO did not substantially move forward with its plans within three years and this would have been in 1986. No one ever caught up with this and it now presents the Guerra family with the question of what they could do with the property which they own. The lease is probably void and Don Icsman agrees with this and shares this conclusion. There are only two ways to undo this: one would be for the commission to take formal action to undo the lease - or the second - for the Guerra's to sue the city to clear up the title. Dennis Murray said the Guerra's are very proactive in the community and do not want to sue and asked if the city would consider this route. Dennis Murray said he did not receive any questions and asked Don Icsman to prepare this legislation.

**Roll call on the motion: Yeas: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar and Jeff Smith, 7. Roll call on the ordinance: Yeas: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar and Jeff Smith, 7. The President declared the ordinance passed.**

#### **CITY MANAGER'S REPORT**

**Upon motion of Julie Farrar and second of Jeff Smith, the commission voted to accept 1,304 bags of calcium and rock salt from Wal-Mart for the street division. The President declared the motion passed.**

**Upon motion of Naomi Twine and second of Scott Schell, the commission voted to accept a donation of juice and cups for the Recreation Division which were utilized for the Easter egg hunt. The President declared the motion passed.**

**Upon motion of Julie Farrar and second of Dick Brady, the commission voted to accept the following donations for the Police Department's K-9 Fund: Judy Kraus (\$20), Shaun Bickley – Shepherd's Shoreline Construction (\$1,690), Fireland's Plumbing [donating 10% of new work orders through June] (\$1,080), Arthur's Shoe Tree (\$138.79), KidsFest Event (\$65), SPD employees [from pop fund for three weeks] (\$47.14) and loose donations (\$26.65). The President declared the motion passed.**

Don Icsman said the **employee luncheon held on Friday was a terrific event to welcome the new city manager to Sandusky** and thanked Connie Nicholson and Deb Leslie for organizing it. Dennis Murray said this luncheon was for city employees to meet and greet the new city manager and was funded through proceeds from the vending machines.

Dennis Murray said there has been discussion regarding the **comprehensive plan** and where the city is going with this. Dennis Murray said he urged a little bit of caution as we await the arrival of Eric Wobser, the new city manager, and he would not like the city to get itself into a position where we cannot change some of this direction. He realizes this is a long process and we do not have all of the funding in place, but urges caution. Don Icsman said this is what he is trying to do and is walking the line with things that cannot wait and things that should wait, and is using his best judgment until the new city manager starts. Don Icsman said he does not want to see anything done which boxes the new manager in and does not want to do anything inappropriate regarding the future. Wesley Poole asked the deadline for the Comprehensive Plan and Aaron Klein said he would have to check this.

#### **OLD BUSINESS**

Naomi Twine said members of **the Fire Chief Selection Committee** interviewed five candidates; three were internal and two were external. Subsequent to the interviews, two names will be given to the city manager once he comes: Captain David Degnan and Captain Matthew Lesch. Naomi Twine thanked the members of this committee: Dan Kaman, Dave Waddington, Chris Sims and John May. This was a good search committee with great candidates two of which were chosen. Dennis Murray thanked Naomi Twine and the members of the committee for the time they put in to making these selections.

**NEW BUSINESS**

Upon motion of Dick Brady and second of Wesley Poole, the commission voted to hold an executive session regarding personnel, Recreation Program Supervisor. Roll call on the motion: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar and Jeff Smith, 7. The President declared the motion passed.

Upon motion of Dick Brady and second of Jeff Smith, the commission voted to hold an executive session regarding pending litigation, sale of water. Roll call on the motion: Dick Brady, Wesley Poole, Naomi Twine, Dennis Murray, Scott Schell, Julie Farrar and Jeff Smith, 7. The President declared the motion passed.

Dennis Murray thanked Aaron Klein for a very long weekend with regard to **the work done by him and the employees in Water Distribution due to the water main break at Cedar Point.** This was unexpected and difficult and a timeline was shared, and it was impressive how the city responded. From media accounts, both the city and Cedar Point will be working together to ensure this does not happen again.

Dennis Murray said **John Orzech and members of the police department had a full weekend with traffic and Ohio Bike Week which went off pretty well considering the number of people in the area. Members of the fire department** also contributed to this event and downtown Sandusky was the place to be this weekend.

**AUDIENCE PARTICIPATION**

Dave Waddington, 1446 McKinley Street, asked what the city can do about code enforcement and citywide litter cleanups. He and other residents have organized fifteen scheduled cleanups in parks and underpasses between now and November. Dave Waddington said Planet Aid containers in town have trash around them and he is a member of the Friends of Pipe Creek group who picks up tires. The Pipe Creek pathway and trash in other areas is out of control with box springs and mattresses. This needs to be tightened up with code enforcement and something needs to be done differently as this does not look good and is not the Sandusky he wants to see. Dennis Murray thanked Dave Waddington and the Friends of Pipe Creek for all of the work they do. Dennis Murray asked for a schedule of the cleanups so they can be placed on the city's website. Dave Waddington said these cleanups help and he recently picked up a bag of trash from the city's marina and litter is a problem. Dick Brady said the city gets a lot of help with these cleanups using the Growing Responsible Environmentally Educated Neighborhoods Bean (G.R.E.E.N. Bean) trailer offered through Erie County. This trailer offers supplies for cleaning up.

Dennis Murray said a couple of months ago, the city was looking at legislation regarding a proliferation of drop-off boxes which turn in to dumping areas. Dennis Murray asked if there are options the commission may consider as to how we might address the situation. Kelly Kresser said the person who contacted the city was from Planet Aid and they were requesting to place more containers in Sandusky and have exclusivity; Dennis Murray said this legislation was not perhaps the model we would like to adopt. Dennis Murray said these collection boxes are exploding in communities in Ohio and he does not know if they are trespassing, but something needs to be done about them. Don Icsman said it dovetails into other initiatives we have been talking about and this could be part of transitioning with the new city manager. This is related with other manpower, funding and focus issues. There were ideas discussed previously regarding yard sales, but the city did not have the ability to enforce them, so passing laws without the ability for enforcement implicates a broader discussion as we are already stretched. Wesley Poole said he is not particularly interested in waiting another month to take action; perhaps we can provide a brief overview and inform the new manager. There are staffing issues in code enforcement, we have one planner and one assistant planner and folks are ignoring our code, not just the trash, and waiting until summer is over is not a good idea. Dennis Murray said he would like to start looking at some legislation for options as to how other communities have handled this issue to determine whether we wish to do the same, or

not. Don Icsman said he has examples of this and other things we have talked about doing which all inter-relate to this particular issue. There are more issues than the Planet Aid boxes. Naomi Twine said the city should research legislation and present information so that when the new city manager gets here, he has this to review and provide input. Don Icsman said he can make a presentation about this at the next meeting and will touch base with Eric Wobser.

Mark Norman, 1016 Third Street, said the recycle containers are still a problem going into the weekend, are full on Friday, and there is also a lot of trash. They are still full today (Monday) and they do not get to them until Tuesday and the city needs to find a different plan of attack. Aaron Klein said they are supposed to be picked up Monday, Wednesday and Friday and he will contact FSI. Dennis Murray said there is commercial use of these containers and the police chief has indicated clear signage needs to be erected in order to enforce this point. Dick Brady said there is not signage yet at the site indicating this area is for residential use and *until or unless* we have this, the police cannot enforce this. Dick Brady said he checks this every day and some of the anchor institutions in the community dump cardboard at the sites and he will continue to notify them this is inappropriate. In the contract for the containers, signage is the responsibility of FSI. Aaron Klein said he has communicated with the Erie County Solid Waste District to see if there are programs for non-residential users and they have provided him with options for three companies which would be willing to work out an agreement. Mark Norman said the signage indicates cardboard is accepted but wonders if newspaper is accepted and Dick Brady said they are designed for newspapers and this also needs to be clarified on signage. Wesley Poole said some of these things are operational issues which need to be cleared up by staff, not by the hauler. Each bin needs to be defined better as far as what they accept, but the acceptance of commercial items or residential items should not cause a spitting contest as far as who is responsible for this and the city is asking for this; FSI is not responsible for policing these areas. Mark Norman said he appreciates what the city commission has accomplished since the first of the year and getting a new city manager and balancing the budget are both big items, but asks the city to turn the direction to code enforcement. Mark Norman said what is being dragged into his neighborhood on a weekly basis is extremely frustrating. If the city is to ever get to its potential, we have to start turning our focus to this.

Sharon Johnson, 1139 Fifth Street, said there has been improvement with the recycle bins. She asked for clarification about the executive session and Dick Brady said this is regarding the sale of water with Erie County. Sharon Johnson asked who the second candidate is for the position of fire chief and if he was local. Naomi Twine said it is Matthew Lesch and he is currently on the fire department. Sharon Johnson asked how many employees are in code enforcement currently and Jim Green said there are two full-time employees and one seasonal employee working twenty hours per week. Sharon Johnson asked about the offer made by BGSU Firelands regarding the Sandusky Bay Pavilion and where we stand with it; Dennis Murray said we are making good progress, but does not have any information other than this. Sharon Johnson said she heard a rumor they were turned down.

Barbara Linden, Muirwood Village, said this year was the best Ohio Bike Week yet. Barbara Linden said the people who live on the west side of town do not believe or trust the commissioners anymore and is turning in a petition with 139 names of persons who wish to keep the fire station open 24/7 as seconds count when people call 9-1-1. When she had to call 9-1-1 for her husband the fire station was open, but this was not enough time and less is not acceptable.

Fred Farris, 1114 C Street, held up an article from the newspaper regarding the recent closure of DJ's on Cleveland Road and said it was sickening and it should have stated "black people deserve better than this". He wrote a letter addressing citizen concerns about the constant threat to public safety in this black neighborhood; closure notification came after seven persons were shot. Fred Farris said Michael Green questioned the commissioners about this being a problematic spot and asked why it was not closed sooner as the people who live in this area have to put up with it for the rest of their lives. Fred Farris said Dennis Murray stated this community deserves better than this, but he believes it deserves better representation. Fred Farris said Dick Brady apologized for the incident, but Commissioners Twine and Poole did not

voice their opinion; they knew where the bar was and someone should have voiced their opinion. Fred Farris said his personal opinion is if all of this shooting was to happen on the Cedar Point Chaussee, Bogart Road or Galloway Road, Dennis Murray and Dick Brady would have ensured closure of the bar in a heartbeat. Ever since Dennis Murray and Dick Brady have been in office things have gone pretty bad for the black neighborhoods and they treat them (black people) like second class citizens and this is wrong. Fred Farris said he is concerned about the black people in Sandusky. When Rev. Darden spoke about the previous city manager he said black people need to be treated equal. Fred Farris said the incident at Ohio Bike Week was offensive and the President of the United States does not look like a gorilla and it is not fair to President Obama. Ohio Bike Week should have been cancelled as President Obama is the most powerful man in the world and this guy made him look like a gorilla; this is a disgrace to the black people of the United States.

The President announced a recess of the regular session at 5:45 p.m. Two executive sessions were held beginning at 5:55 p.m. The President announced adjournment of the meeting at 7:04 p.m.

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Kelly L. Kresser, CMC  
Clerk of the City Commission

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Richard R. Brady  
Vice President of the City Commission