

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

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

City staff present: John Orzech - Police Chief, Dave Degnan – Fire Chief, Aaron Klein – Engineer, Angie Byington – Chief Planner, Don Rumbutis – IT Manager, Don Icsman - Law Director, Hank Solowiej – Finance Director, Kelly Kresser - Commission Clerk and Eric Wobser – City Manager.

Dennis Murray welcomed Boy Scout Troop #7, and students from Ohio Business College to the meeting.

Upon motion of Jeff Smith and second of Julie Farrar, the commission voted to approve the minutes of the October 14, 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 Julie Farrar, the commission voted to accept all communications. The President declared the motion passed.

ITEM #1 – Submitted by Victoria Kurt, Recreation Program Supervisor

GRANT APPLICATION TO LAKE ERIE SHORES & ISLANDS FOR FISHING TOURNAMENTS

Budgetary Information: There is no budgetary impact. These grants require no matching funds from the city and will be used as partial funding for the costs of the fishing tournaments.

RESOLUTION NO. 044-14R: It is requested a resolution be passed **approving the submission of grant applications to the Lake Erie Shores and Islands for financial assistance with fishing tournaments for the Recreation Department and, if awarded, authorizing the city manager to execute any require agreements;** and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Jeff Smith, the commission voted to approve this resolution.

Discussion: Eric Wobser said the city partners with Shores and Islands to help attract events to the area. We are fortunate to sit on Sandusky Bay which is a natural resource for fishing. The City of Sandusky is looking to partner for two fishing tournaments in 2015 and ultimately will receive funding to help subsidize the cost of hosting these tournaments as they will bring several hundred persons to the area and provide visibility for Sandusky and the surrounding area.

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

ITEM #2 – Submitted by Jane E. Cullen, P.E.

RESOLUTION OF NECESSITY FOR WATER STREET REHABILITATION & PAVING PROJECT

Budgetary Information: The engineer's estimate for the total project cost including engineering, inspection, advertising and miscellaneous expenses is \$1,630,252.67. The Metropolitan Planning Organization will fund 80% of the eligible costs in the amount up to \$993,053.20. The sewer funds will cover \$145,523.42, the water funds will cover \$115,651.16

and community development block grant funds will cover \$69,507.89. The city received an Ohio Public Works grant in the amount of \$306,517 which will cover the remaining expenses.

RESOLUTION NO. 045-14R: It is requested a resolution be passed **declaring the necessity for the city to proceed with the proposed Water Street rehabilitation and paving 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 Julie Farrar and second of Wesley Poole, the commission voted to approve this resolution.

Discussion: Aaron Klein said this is a resurfacing project including new streetscape and bike paths, and work on sewer and water lines on Water Street from Shelby to Wayne Streets. The streetscape will be a section of this street and the bike path will be on the west end of the project. Funding will come from the sewer and water fund, the Metropolitan Planning Organization, block grant money and an Ohio Public Works state loan rather than any capital expenditures by the city. Dennis Murray said these capital funds will now be available for other uses.

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

Dennis Murray announced he would like to wait to get additional input before considering Item #3 (BELOW).

ITEM #3 – Submitted by Aaron M. Klein, P.E.

LICENSE FOR ENCROACHMENT WITH RFP PROPERTIES, INC.

Budgetary Information: There is no budgetary impact with this item.

It is requested an ordinance be passed authorizing the city manager to enter into a license agreement with RFP Properties, Inc. to provide for the use of a certain portion of the city's rights-of-way as described in the grant of a license for encroachment, a copy of which is attached to this ordinance, marked Exhibit "1" and incorporated herein; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

ITEM #4 – Submitted by Hank S. Solowiej, CPA & Finance Director

TWO-YEAR AGREEMENT WITH STATE OF OHIO FOR COMPREHENSIVE ANNUAL FINANCIAL REPORT

Budgetary Information: The total cost will be an amount not to exceed \$28,000 for each year. The cost will be distributed to the general fund (\$14,000), water fund (\$7,000) and sewer fund (\$7,000). The prior ordinance was passed by the city commission on December 26, 2012 (Ordinance #12-137) that covered the 2012 and 2013 Comprehensive Annual Financial Reports. There is no increase in the cost.

ORDINANCE NO. 14-125: It is requested an ordinance be passed **authorizing and directing the city manager to enter into an agreement with the State of Ohio, Office of the Auditor, for the preparation of the December 31, 2014, and December 31, 2015, Comprehensive Annual Financial Reports;** 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: Hank Solowiej said this is a two-year agreement with the Local Government Services Division of the State Auditor's office to provide consulting for preparation of our Consolidated Annual Financial Report. This is a two-year contract with no increase in cost. Dennis Murray asked if these services can be provided by others and Hank Solowiej said other accounting firms can do this work, but the city has been with this firm for a couple of years and they have a lot of

our history, files and spreadsheets and can do things a lot quicker with this history. Hank Solowiej said he has an assistant in his office and this helps keep costs a lot lower as well.

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

CITY MANAGER'S REPORT

Eric Wobser introduced and welcomed Angie Byington, Interim Chief Planner, who has re-joined the City of Sandusky after spending several years with the City of Elyria. This is a homecoming for her and her family is from the area.

Upon motion of Jeff Smith and second of Naomi Twine, the commission voted to accept a donation in the amount of \$20 from the PEO Sisterhood Chapter for the K-9 Fund.

Upon motion of Naomi Twine and second of Wesley Poole, the commission voted to accept a donation from the Sandusky Erie County Community Foundation for glass block and its installation at the greenhouse facility (\$2,835 - Dorn Foundation, \$1,690 – Access to Recreation Fund & \$4,875 – Friends of the Greenhouse).

Upon motion of Jeff Smith and second of Naomi Twine, the commission voted to accept a donation in the amount of \$100 from John and Ann Arnold for Friends of the Greenhouse.

Upon motion of Naomi Twine and second of Jeff Smith, the commission voted to accept donations from Robert Hime, Lynette Hime, Valerie Randall, Lee Hurme and Jill & James Fuchuck (\$345.80 each) for a new park bench in Washington Park near the Popcorn Wagon.

Upon motion of Naomi Twine and second of Jeff Smith, the commission voted to accept a donation from Barbara Sprague in the amount of \$500 to purchase three trees to be placed at Oakland Cemetery.

Eric Wobser said the rear wall of the building at 109 East Water Street has partially collapsed and the building is now insecure and this is evident from both Shoreline Drive and Water Street. The city is taking this matter very seriously and he, Aaron Klein, George Poulos and Don Icsman have all been looking at options for the structure and the condition of the building to determine the next steps. It has been determined by George Poulos the building is in very dangerous condition and we should move as quickly as possible to remove the structure as it will be further in jeopardy of collapsing during the winter months because of bearing additional weight from heavy snow. We are fortunate a purchaser has stepped forward and was in contract prior to the partial collapse; his name is Rick Semersky and he is the owner of VIP Restoration in Cleveland, Ohio. This is scheduled to close November 10, but unfortunately, it is the opinion of the Building Official, the Law Director, City Engineer and City Manager we do not want to wait this long and ultimately it is too much risk to the public to wait any longer to demolish it. Eric Wobser said a local contractor, Ed Burdue, had the lowest cost for the demolition and he would like to move forward with this. The city's cost for demolition will be reimbursed by Rick Semersky upon completion of the demolition and when the city receives billing from Ed Burdue. Dick Brady said as a point of order, the commission does not need to provide permission to move forward with this and it is in the city manager's realm of responsibility. Eric Wobser said because of the emergency nature of the project, it is in his purview to move forward with this and, ultimately, it will take several days for the city to be under contract and he does not want to waste another day if possible. Dick Brady said the city will be moving forward to take the building down and we will be made completely whole by the developer and this is an excellent resolution. Wesley Poole said moving forward, he would like more details about the report designating this is an emergency as he is not really on board with tearing down private property unnecessarily and will not vote to do this. Before the building is torn down, he would like to know definitively we will not have a problem taking it down and a guarantee the city will be reimbursed. Wesley Poole asked if the city manager will come back

to the commission before tearing the building down and Eric Wobser said there will not be another commission meeting before moving forward. Eric Wobser said George Poulos has been in this building several times and has determined because of the partial collapse, this area has to be cut out as it will get worse much more quickly. This building was condemned two years ago and George Poulos stated it would collapse then; now there has been a partial collapse of the wall. Ed Burdue has been in the building twice and said the building has moved significantly within the last week and because of this it should be demolished as soon as possible. Wesley Poole said this is fine so long as the engineering report supports the conclusion it is harmful to the public. Dennis Murray said he will abstain from this discussion because this building is immediately across from his office building. There is no particular benefit to him, but it is close enough to his office he will not participate in this discussion. Don Icsman said the significance of the emergency nature of the demolition is what obviates the necessity for competitive bidding and this has been established and stated. At the next commission meeting, the ordinance will be presented for passage as anything in excess of \$10,000 requires legislation. The building is in such a state the process has to begin now and it could not be formalized tonight, but it will be ratified. Eric Wobser said the contract with Rick Semersky will include the costs to take down the building. Jeff Smith asked the responsibility of the current owner and Eric Wobser said the current owner has determined they deeply discounted the purchase price of the property to allow for the valuation to be in line with what it will cost Rick Semersky to take down the building. In their view (the current owner), they have already borne significant losses related to this property and are deeply discounting the value to make the demolition possible. If they were not to be transitioning out of ownership, the city would probably be recommending the demolition be done without the developer coming into title and placing a lien on the property to recoup the costs from the current owner. The city has a better situation in this case and our costs will be reimbursed immediately rather than a situation without an end user for the property. Dick Brady said it is important to point out in this situation the city is not adverse to any of these parties and we have had discussions with the current owners who have placed a value on the property which was then discounted, taking in the costs of demolition, which was acceptable to the new owner. The city was acting as a middle person only to get this property down so it does not jeopardize life and limb of residents and people in this area. It is almost the best of all worlds for immediate action and alleviation of harm coming to someone and it does not cost the city any money.

Eric Wobser said **leaf collection** begins October 27 in the city and the dates and zones are listed online on the city's website: www.ci.sandusky.oh.us. Inclement weather may require adjustments to this schedule.

Eric Wobser said last week was the last week for **public restrooms to be open at city parks and facilities** and they are now closed for the season.

Eric Wobser said **Direct Energy is the current supplier for the city's gas aggregation program** and effective with the December, 2014 billing cycle, participants in our program are paying a fixed price of \$.542/Ccf, excluding taxes and transportation charges, through November, 2015. The rate is \$.532/Ccf for eligible Seniors (65 years or older). This is a modest increase from last year's program and price.

OLD BUSINESS

Aaron Klein said when Erie County put out the bid for **road salt** on behalf of several communities, the bids were triple what they were last year and it was decided these would be rejected. The contract went out for re-bid but no bids were received and all of the communities in Erie County were left to try and figure out how they were going to provide salt. Aaron Klein said he made several phone calls to agencies which sell road salt and they said there was no interest in additional contracts for this winter season and there was little to no concern about what these municipalities were going to do. Aaron Klein said he had a conversation with Cedar Point and they found a place where we could pick the salt up ourselves and this was near Philadelphia. Aaron Klein said Cedar Point was gracious enough to allow the city to utilize their employee parking lot to place 1,400 tons of the city's salt under tarp. The

city currently has approximately 2,100 tons and last year we utilized 1,700 tons; 1,100 the season before; 400 one year prior to that. At this point, we have 2,100 tons which we intend to utilize this winter and are purchasing brine tanks to retrofit on two vehicles which pre-wets the roadway and makes it so ice does not form on the roadway. This also cuts down on the salt spread on the side of the roads when pre-treated. The brine solution will help to break up the ice and will help the salt go further than it would have previously. The additional salt purchased places an additional burden on the 2014 budget. The burden for this year is about \$20,000, but is a savings in 2015 in the \$130,000 range with the pricing. Dick Brady said the key point is two people involved with this issue have been the county engineer and our partnership with our largest corporate partner, Cedar Point, who have allowed a place for us to store the salt. Aaron Klein said Dave Borsick, our acting superintendent of the traffic division, has spent numerous hours coordinating and making sure all the requests from Cedar Point are in compliance.

NEW BUSINESS

Upon motion of Dick Brady and second of Scott Schell, the commission voted to hold an executive session for personnel, charter officer evaluations. Roll call on the motion: Yeas: Dick Brady, Scott Schell, Wesley Poole, Dennis Murray, Julie Farrar, Jeff Smith and Naomi Twine. The President declared the motion passed.

Dennis Murray said last week, his pastor, Father Joe Steinbauer, delivered a sermon about cognitive dissonance, or the ability for people to hold contradictory ideas at the same time. He applied it in the context of elections, and particularly the desire and even demand for improved government services and the logically contradictory desire to pay less in taxes. As adults, we resolve the tension caused by these competing ideas by either reconciling them (accepting either degraded services or paying taxes) or by avoidance or self-delusion. That is to say that we accept reality or, alternatively, we kid ourselves by either pretending that the problem does not exist or with mental tricks, declaring that we must do ever more with ever less instead of realizing that at some point we are doing less with less, or myopically focusing on flaws instead of accepting the challenge of viewing the big picture. Dennis Murray said he has generally been struck very positively by the reaction of residents, business owners and visitors to the quality and friendliness of Sandusky city services. But if “no” is the answer you want to give, you can always find fault and ignore the larger good. Sure, the city occasionally spends money on something we do not like or even makes a mistake. But how many times have our spouses or loved ones spent money on something that we did not like? How many times have we ourselves carelessly wasted a few dollars such as a late fee on a bill we were careless about paying on time or food that spoiled before we cooked it? And sometimes the mistakes unfortunately are larger or more hurtful. When these things happen, do we look upon our spouses or family members or friends with scorn or ourselves with self-loathing? Of course not. Among our families and friends we look for reasons to say “yes”, to support each other in love and respect, nonetheless with clear eyes about mistakes made. It is a basic tenet of sociology that we come together to form communities and governments to achieve that which we could not achieve alone, to provide for our mutual safety and to do the big things that only government can do – streets, safe drinking water, courts, parks – the list goes on. And yet for some reason, we too often revert to thinking of government as the “them” and not as an extension of ourselves. True, government at the national and even state levels can be daunting in scope and scale and challenges us at times in terms of understanding how we fit into such a massive enterprise. But at the local level, in little old Sandusky, Ohio, with just 25,000 people, it is much easier to see that government really is “us”. It is the neighbor who needed care from EMS. It is the safe walk that we always want to be able to take in the city’s parks and around our city blocks. It is the road in front of our homes and churches and workplaces. It is the park around the corner or the vacant and decaying home next door. This is not “them”, but “us”. We – the “us” here – have been declining for decades. We can find lots of causes and point lots of fingers from the construction of the mall to cuts in funding in Columbus, none of which does us any good today. If we are soberly looking at the cold, hard facts, we know that Sandusky has cut to -- and past the bone. We have lost our ability to provide services through the loss of over a third of our workforce. Today the voters have before them a plan constructed and supported by a once-in-a-generation coalition of grass roots activists, our largest employers, one of the

best administrations in many years and a unanimous city commission. Between the proposed increase in admissions and income taxes, Cedar Point and its visitors will pay over half of the new taxes. And my personal conclusion is that residents likely pay no more than half of the rest, due to income taxes on those who work but do not live here. By the way, most of those folks who work but do not live here are happy to pay the additional one quarter percent to restore Sandusky as the economic engine for our region. This is the bargain of a century and, if embraced, will impact Sandusky's trajectory for the next century, for our third and perhaps our brightest century yet.

Dennis Murray said the proposal before the voters is both simple and yet complex. The plan for spending new monies is multi-faceted, disciplined and strategic. It calls for shoring up basic services, but also investing in the future, through investments in economic development, streets, parks and trees, infrastructure and our neighborhoods. The new monies, if approved by the voters, are modest. We will not see immediate results in 2015, but in three years, we will see a difference. In five years we will be able to measure the difference. In ten years we will look back and know that 2014 was the year that Sandusky re-awoke, that we again believed in ourselves and, with optimism and courage, embraced a future every bit as bright as our past.

Jeff Smith said the **Sandusky Crime Prevention Council will host a community summit regarding crime prevention and drug awareness** on October 28 from 6 p.m. – 9 p.m. at the Sandusky State Theatre.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, asked if there is a cost estimate for the collapsed building, if this item was not bid because it has been determined an emergency and if the city will be getting something in writing indicating it will be paid back. Dennis Murray said the estimate is approximately \$55,000 and this is an emergency; he has seen the contract requires the prospective developer to pay the city back. Eric Wobser said the basics of the contract have been outlined and is being reviewed to require Rick Semersky to pay the city back within 60 days of the city expending funds to demolish. Sharon Johnson asked if this money will come from the city's general fund and Dennis Murray said there may be a couple of day gap between when the money is spent and receipt of the reimbursement. Sharon Johnson asked when this work will commence and Dennis Murray said it will commence as soon as the agreement is executed.

John Hartman, 533 East Perkins Avenue, thanked all of the emergency service personnel for the city and the commissioners for doing a great job and said the city is pointed in a good direction.

Scott Russell, 1601 Central Avenue, asked if tree services will be reinstated if Issue 8 passes and Dennis Murray said trees in the rights-of-way have been neglected for a very long time and used to be the city's legal obligation but are now our moral obligation. Trees do a lot to improve the quality of life and property values in Sandusky. This is one area how we intend to spend this money (from Issue 8).

Carol Hay, 1024 Hayes Avenue, said there was a building torn down many years ago by Musician's Alley and we are losing historical value and asked if we can document some of these historical things for our youth and visitors. Perhaps a foundation rock, mantle or piece of fireplace could be salvaged and erected outside or in a park to show people some of our history. Eric Wobser said the Sandusky Main Street Association has been actively involved in moving this deal forward and would be a great partner.

Fred Farris, 1114 C Street, said the citizens of Sandusky have some serious problems with the Sandusky Register. His great granddaughter was pictured in a recent issue and the caption noted she was the granddaughter of Willie McCarty and this is a lie. There was a rally on Meigs Street about one month ago and the reporter asked why there was a protest and was told because the newspaper was not printing letters to the editor because of him (Fred). The newspaper is hurting his friends and destroying his family. Dennis Murray said he is struggling

to understand how this relates to an item of city business as the newspaper is an independent entity. Fred Farris said he tried to contact the managing editor about the picture and this girl is not Willie McCarty's granddaughter and they write lies in order to sell newspapers. This is about a vendetta with him (Fred) and Jeff Smith. The newspaper does not care who they hurt and a certain club has regular meetings this is all over the paper but when the N.A.A.C.P. has their annual banquet there is no coverage. The newspaper attacked Jeff Smith about the unsafe condition of his building and hurt one of his tenants by their coverage. Fred Farris said he is not afraid of retaliation.

Linda Monegan, 2618 Pioneer Trail #502, is a free, sovereign, indigenous person wanting restitution, justice and peace. Linda Monegan said she stands here today in reference to the rape trial of 2008 of Herbert C. Hill who passed in February. The Erie County Prosecutor, Kevin Baxter, told the Toledo Blade she was his (Herbert's) wife. Dennis Murray said these are things about the Erie County Prosecutor and this has nothing to do with the City of Sandusky. Linda Monegan said when this rape case happened, Dennis Murray was involved in the situation and Dennis Murray said he has only done civil litigation. Joseph Fraley from Columbus Ohio was called to represent her in this trial and she is here because this attorney was dishonest and disloyal. Dennis Murray said this grievance is with other governments or individuals and has nothing to do with the City of Sandusky.

Vicki Bird, 2114 Wilbert Street, showed pictures of her family and said she stands in support of Issue 8; the Committee to Rebuild Sandusky worked very hard to come up with additional revenue to rebuild this city and maintain our safety services which are very important, the trees sidewalks and streets, buildings needing to be torn down and we cannot all live in the past and some things need to be taken care of. Vicki Bird said she supports this for 25,000 reasons for the elderly and the children and this is a diverse and multi-cultural city and she would like to see growth through revenue. She was asking for signatures on their ballots but a lot of persons refused because they felt persons who live here should help and contribute. This amounts to less money than the cost of a postage stamp. Her neighborhood was developed in the mid-1940's and there are very modest homes but there are trees, streets and potholes needing attention. There are buildings where roofs are collapsing and children are ransacking them and throwing items in the park. This is our city and we should take pride in it or move. We have a jewel in the lake and we should invest in our homes, ourselves and our families and not vote no for all of the wrong reasons so people will want to grow up here and then stay, or return here.

The President announced a recess of the meeting at 6:05 p.m. At 6:08 p.m., the commission recessed into executive session.

At 6:15 p.m., the commission returned to open session.

Upon motion of Julie Farrar and second of Naomi Twine, the commission voted to adopt a new evaluation form for the Charter Officers.

Discussion: Wesley Poole said this is a good form and evaluation tool, and appreciates the efforts made by Naomi Twine in preparing it. Dennis Murray said they looked at what other commissioners did in the past and this is a reflection of the best of what has been done previously. Julie Farrar thanked Naomi Twine and said not having a human resource background, it is helpful to have categories broken down. Dick Brady said this evaluation will take place for all charter officers except for the city manager.

The President declared the motion passed.

Upon motion of Dennis Murray and second of Scott Schell the commission voted to provide this form to the charter officers, with the exception of the city manager, and ask them to provide the commission with a self-evaluation - using this form - at the next commission meeting for consideration.

Upon motion of Julie Farrar and second of Scott Schell, the commission voted to adjourn at 6:19 p.m. The President declared the motion passed.

Kelly L. Kresser, CMC
Clerk of the City Commission

Dennis E. Murray, Jr.
President of the City Commission