

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

The clerk called **the roll** and the following Commissioners responded:

City staff present: Dave Degnan – Fire Chief, John Orzech – Police Chief, Aaron Klein – Public Works Director, Matt Lasko – Chief Development Officer, Brad Link – Public Services Director, Don Rumbutis – IT Manager, Jeff Keefe – Deputy City Engineer, Trevor Hayberger – Acting Law Director, Hank Solowiej – Finance Director, Eric Wobser – City Manager and Kelly Kresser – Commission Clerk.

Upon motion of Jeff Smith and second of Scott Schell, the commission voted to approve the minutes of the July 13, 2015, city commission meeting and suspend the oral reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, asked why the money is coming from sewer and water funds for the proposed Charter changes (Items #1 and #2) Sharon Johnson asked why the money is coming from the sewer and water funding and capital projects or Issue 8 funding for the purchase of vehicles (Item #7) as this is infrastructure money.

PRESENTATION

Dennis Murray asked Dave Degnan to introduce **Roger Perrin of the Sandusky Elks Club**. **Roger Perrin presented a check in the amount of \$2,000 to the Sandusky Fire Department** for assistance in paying for the purchase of power cots which were approved at the last Commission meeting. The Sandusky Elks provides approximately \$10,000 each year to local organizations through grant funding with their national organization; they are glad to support the community. Dave Degnan said the city had an \$18,000 match with this purchase and these monies will be utilized for that purpose. Dennis Murray thanked the Sandusky Elks Club by supporting many organizations in the city and said we are fortunate they are here to help citizens in the community.

CURRENT BUSINESS

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

ITEM #1

SUBMISSION OF CHARTER AMENDMENTS TO ELECTORS FOR NOVEMBER, 2015 BALLOT

Budgetary Information: The costs associated with the ballot issue, including a mailing to all registered voters in the City of Sandusky's corporate limits, will be paid for through funds in City Commission budget (50%), Sewer (25%) and Water (25%) funds.

A. ORDINANCE NO. 15-097: It is requested an ordinance be passed **providing for the submission to the electors of the City of Sandusky of a proposed amendment to the Charter of the City of Sandusky to authorize the City Manager to appoint the Finance Director with the concurrence of the City Commission and related matters**, and declaring an emergency.

Upon motion of Naomi Twine and second of Scott Schell the commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dennis Murray said this is how we handle funding the positions of Finance Director and Law Director as they both spend a significant amount of time working with these two very large utilities. Hank Solowiej said his position/department handles the Customer Accounting office which is one hundred percent sewer and water and this is accurate. Hank Solowiej said

Don Icsman has communicated this to the commission as historically we look at communications and agenda items as they affect our utility. Trevor Hayberger said this is typical for other areas in Ohio as well and for those where he has been employed. Wesley Poole said he realizes we have done this historically and quite frankly all money is taxpayer money regardless of where it comes from. It is a stretch to suggest changing the charter has anything to do with the water department simply because of dealing with something legal. This is weak even though we have the right to do it, and it should be financed in another way. Dennis Murray said he supports this ordinance for the same reasons as discussed at the last meeting. This makes the City Manager's position more accountable and makes the buck stop with this person. It can be confusing for the commission to understand exactly what the channels of responsibility are sometimes with these positions. This is no slight to anyone who holds or has held these positions and this has been made very clear as the Charter Review Committee has done their work. The Charter was adopted over 100 years ago and it is time to look at this; authorities on the subject have recommended a unified executive as opposed to a splintered executive as a better way to run a government. Wesley Poole said on the issue itself, he is looking for a reason to support this and asked if anyone at the table can suggest what will be done better than it is currently with the Finance Director as the Finance Department is award-winning and he is seeking to know how the service will change for the better by having the Finance Director report to the City Manager. All it appears to do is disconnect the community (the voters) from what is done in the Finance Department and tonight the commission asked Hank Solowiej and he was compelled to answer questions about distribution of funds for a purchase. We are about to separate the taxpayers from control of their money and the persons in these positions cannot serve two masters. Dennis Murray said he has witnessed this and prior commissions wrestle with questions, particularly relating to Human Resources, are answered. We have struggled to understand whether this is through the City Manager, the Law Director or outside counsel. It was not the fault of anyone involved but in the future if there is something like this and we need to hold someone accountable and get clear answers as to what occurred and why, he likes this system better. It is a regular occurrence at commission meetings to ask questions of department heads and it is not required to obtain permission from the City Manager. Wesley Poole said the commission will always have the right to ask questions but he also recognizes a different cause of the problem with not being able to figure out who is responsible. This is a matter of perception and the person responsible has always been the city manager. Reluctance of past commissions to hold the city manager responsible for the decisions made is really the problem. The Law Director simply gives advice; he has no authority to make the city manager or the commissioners take this advice and this is what we have experienced during the last fifteen years. The Law Director, because of lawyer/client privilege, has no ability to defend himself when there is discussion publicly about what he did or did not advise. There have been commissioners who have always tacitly worked for the position we have a CEO/City Manager; the government is not designed for a CEO/City Manager. Commissions have consistently talked about the business model but the fact of the matter is this commission talks to the taxpayers and makes sure the City Manager and staff do what they (the citizens/taxpayers) want done. What has happened in the past is commissioners have hired city managers with no direction regarding what they should do because it was assumed the City Manager was the CEO and was going to tell them what to do. The City Manager struggled along until he or she did enough things wrong and his bosses fired him or her. Wesley Poole said what has happened in the last two years, in his opinion, is a functional commission hired someone who was willing to do what they wanted and the results are what we have seen. Wesley Poole said he went to Cleveland and met with Eric Wobser and watched how he worked and the commissioners were in agreement of what they wanted and a functional commission knew what it wanted rather than an outside company telling the city what it needs. The City Manager knows what the commission wants and we are confident he can provide this and the hiring was done by the commission. If this dynamic is changed, we will not be happy with the outcome. Dick Brady said for him, the answer can be summed up by the word "accountability". He is enough of a realist to understand government does not mirror the model, but in this case, he needs to have one person to be held accountable and if he were to swing in the opposite direction and make every department head report to the commission, they are each just as important as the Law Director and the Finance Director. This narrows it down for a group of part-time elected officials and one person is accountable to measure on a

daily basis and when they do not measure up, the outcome can be termination. Scott Schell said he strongly supports this measure and disagrees about a potential disconnect between these positions and the citizens. Both the Fire Department and the Law Department are professionals and do their jobs wonderfully. They are going to still give this city and the citizens the same amount of service, this is just changing the flowchart and refocuses what we are trying to do here. Naomi Twine said in her experience, she has seen it done both ways and it has been difficult with a splintered reporting structure. Accountability is an important thing. When a Law Director or Finance Director has seven bosses to report to, it can at times make it difficult. Over the past few years, things have been running quite smoothly with the cooperation of this commission and the Law Director and Finance Director. Naomi Twine said she will piggyback on accountability and streamlined operations with the reporting structure and the fact a commissioner has the authority to hire the proper city manager to be accountable and responsible for the things this person is held to. The Law Director and Finance Director are two of these positions which should be accountable to the City Manager. Julie Farrar said she has thought about this a lot and for all the reasons already stated, supports this measure. Julie Farrar said she had the opportunity to sit with a past city manager when this structure was in place and he felt when the Law Director and Finance Director were under the City Manager there was more continuity and this helped her make up her mind. Wesley Poole said the central theme of the comments have been that of continuity and consistency but he simply comes from a different perspective. The citizens should have objective, professional advice from the Finance Director and Law Director. If their advice is going to be subjective to the design of the Charter and a need to comply with the City Manager to keep their jobs, it makes it more difficult for them and impossible for the commissioners to take their word for things. Everything is fine so long as the commission is doing what the City Manager says to do. The City Manager should be doing what the citizens want done and not what the City Manager wants the commissioners to do. Wesley Poole asked Hank Solowiej if anyone on the Charter Review Committee has asked him what the impact will be on his job and Hank Solowiej said "no". Wesley Poole said since he (Hank) may very soon be working for the City Manager, he (Wesley) cannot even ask his opinion about what he thinks about this now because it could have an impact on his job. Dennis Murray thanked Wesley Poole for taking the opposing viewpoint to sharpen the debate and cause the commissioners to think a little more. Dennis Murray said he has been in regular contact with Hank Solowiej and Don Icsman and this idea has been around for many months now and no one expressed any concern to him about it so he assumes there are no concerns. If there were, they would have said so and if this should pass, we will continue to have direct and regular access to Hank Solowiej and Don Icsman and those who follow them in the years ahead just as the commission does now with the Department Heads. This is done in the spirit of cooperation and those issues needing to be brought to the attention of the City Manager are one of the hallmarks of the commission is good communication with the Department Heads in coordination with the City Manager. Dick Brady said it is appropriate to point out the commissioners, by passing this legislation, are allowing the voters in Sandusky to vote on these changes; there are seven opinions and diverse reasons for supporting this, but there are 8,000 – 9,000 registered voters in Sandusky who will get the final say and this is democracy at its finest. Wesley Poole said he has a little different opinion; the commission is not allowing citizens anything, they are entitled to this and it is their right. The Commission should be lending their reasons why this should be passed. It is being presented as something the commission wants done but he is taking a different position. We are not simply lying this on the table and allowing them to vote; they have the right to and this is one of the most important things they will vote on other than reelecting him (Wesley). If there are not strong reasons to support why it is in the citizens best interest to vote for this, we should be voting no. Julie Farrar said answering to one person rather than seven, in her opinion, would make it easier.

Roll call on the motion: Yeas: Jeff Smith, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 6. Nays: Wesley Poole, 1. Roll call on the ordinance: Yeas: Jeff Smith, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 6. Nays: Wesley Poole, 1. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

B. ORDINANCE NO. 15-098: It is requested an ordinance be passed **providing for the submission to the electors of the City of Sandusky of a proposed amendment to the Charter of the City of Sandusky to authorize the City Manager to appoint the Law Director with the concurrence of the City Commission and related matters, and declaring an emergency.**

Upon motion of Scott Schell and second of Naomi Twine the commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Wesley Poole said he will vote no on this as he believes the Law Director's opinion should be independent rather than reporting through one voice and this legislation is contrary to that. Dennis Murray thanked the members of the Charter Review Committee and said he hopes they will be part of the debate about the direction of the city with these issues.

Roll call on the motion: Yeas: Jeff Smith, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 6. Nays: Wesley Poole, 1. Roll call on the ordinance: Yeas: Jeff Smith, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 6. Nays: Wesley Poole, 1. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #2 – Submitted by Amanda Meyers, Paralegal

ACCEPTING FOUR PARCELS THROUGH LAND REUTILIZATION PROGRAM

Budgetary Information: The cost of this acquisition will be approximately \$402 to pay for the title exam and transfer fees. The city will not collect the \$4,843.29 owed to the city in special assessments, nor will the taxing districts collect the \$18,542.17 owed in delinquent taxes. However, all of part of this cost may be recouped and reimbursed upon the sale of this property.

RESOLUTION NO. 027-15R: It is requested a resolution be passed **approving and accepting certain real property for acquisition into the land reutilization program;** and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Jeff Smith and second of Naomi Twine the commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Amanda Meyers said in accordance with the Ohio Attorney General's opinion issued earlier this year, the city has been able to acquire forfeited property into the land bank without acquiring delinquent taxes or liens upon them. The Land Bank Committee will have to be more proactive in the future and all of these properties before the commission tonight are in the foreclosure process and we have made it through the delinquent vacant lots. The next ones to be presented will be vacant structures with delinquent water bills. The city is not allowed to take any structures if they are occupied so this will be decided when the foreclosure process is over.

Roll call on the motion: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. Roll call on the resolution: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #3 – Submitted by Amanda Meyers, Paralegal

SALE OF PARCEL THROUGH LAND REUTILIZATION PROGRAM

Budgetary Information: The cost associated with this purchase and sale agreement is the total amount of the title examination, deed preparation and real estate transfer fees. The city will recoup these expenses from the proceeds of the sale. The purchaser's provision of maintenance has saved the city approximately \$10,800 in maintenance fees since 2006 and will continue to save the city from expending taxpayer dollars to otherwise mow and maintain the

parcel. The purchaser's committed maintenance of this parcel as well as her adjoining home has enhanced the aesthetics of the Third Street neighborhood and has helped to stabilize the property values. The taxing districts will once again begin collecting real property taxes in the amount of \$184.66 per year.

ORDINANCE NO. 15-099: 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 #57-02449.000, located on the South side of Third Street, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of a purchase and sale 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 Naomi Twine and second of Scott Schell the commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Wesley Poole thanked Ms. Page for taking care of this property for as long as she has and for sticking with us through this process.

Roll call on the motion: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. Roll call on the ordinance: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #4 – Submitted by Aaron Klein, Director of Public Works

AGREEMENT WITH CT CONSULTANTS FOR PAC DESIGN & FLUORESCENCE EQUIPMENT

Budgetary Information: The not to exceed cost for professional design services is \$285,000 to be paid with water funds. Per Resolution dated July 13, 2015, approval was given to apply for zero-interest loans through Ohio EPA for this project. If awarded, the city would be reimbursed all costs associated with the project and would make debt service payments back to the Ohio EPA over several years. If not awarded, the city plans to seek funding through a low interest OWDA loan for construction activities.

ORDINANCE NO. 15-100: It is requested an ordinance be passed **authorizing and directing the city manager to enter into an agreement for professional design services with CT Consultants of Toledo, Ohio, for the Big Island Water Works new powder activated carbon system improvements and fluorescence equipment for the algal toxin plant optimization 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 Julie Farrar the commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Aaron Klein said this project is the first one considered after our study regarding the algal issue and will have multiple benefits including safety for our employees, better management of the algal toxin concerns, help in managing our chemicals and will potentially reduce the costs for them and we are applying for a zero percent interest loan. We hope this project will be constructed prior to the next algal season. Dennis Murray said he appreciates the meeting with Senator Gardner a couple of months ago and what is being done is very sophisticated to understand the science and how to treat the algal blooms. This affects Lake Erie and other water plants across our region. Because we are doing things much smarter, we will save in the cost of chemicals and in the buildup of TTHM's. Aaron Klein said the EPA is very interested in this project as toxins will not be released into the water; our plant is designed to eliminate odor and taste issues but not the algal issues. This project including design, inspection and bidding services will allow multiple feed points at different locations.

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

Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #5 – Submitted by Aaron Klein, Director of Public Works

AMENDMENT TO AGREEMENT WITH THRASHER GROUP FOR EMERGENCY WATER INTAKE & PIPELINE

Budgetary Information: The cost for services in the original signed agreement was \$54,389 and the additional work required will cost an additional \$20,395 and will be paid with water funds. This would bring the total contract amount to perform the design work to \$74,784. Per Resolution 024-15R dated July 13, 2015, approval was given to apply for zero-interest loans through the Ohio EPA for the design cost. If awarded, the city would be reimbursed all costs associated with the project and would make debt service payments back to the Ohio EPA over several years. If not awarded, the city plans to seek funding through a low interest Ohio WDA loan for construction activities.

ORDINANCE NO. 15-101: It is requested an ordinance be passed **authorizing and directing the city manager to enter into an amendment to the agreement for professional design services with Thrasher Group, Inc., of Canton, Ohio, for the 2014 emergency intake evaluation and improvements project;** 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 Wesley Poole the commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Aaron Klein said this is another project dreamed up by CT Consultants regarding the harmful algal blooms. One of the advantages for the sodium permanganate is the contact time with the raw water and potentially reducing algae and harmful toxins. The emergency intake project was already approved at the edge of the ODNR diked area. We are dealing with the ODNR, the Corps of Engineers, the Ohio EPA's regulatory agencies and to do this project, we would have had to go through the exact same steps and contact the exact same people and this would have drawn this out. It was in the best interest to save time and money. Dick Brady said Aaron Klein negotiated this \$20,000+ number from a considerably higher number.

Roll call on the motion: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. Roll call on the ordinance: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #6 – Submitted by Brad Link, Director of Public Services

RATIFYING SUBMISSION OF GRANT APPLICATION TO GREAT LAKES RESTORATION INITIATIVE

Budgetary Information: There is no budgetary impact. These grants require no matching funds from the city.

RESOLUTION NO. 028-15R: It is requested a resolution be passed **approving and ratifying the submission of a grant application to the U.S. Forest Service Northeastern Area State and Private Forestry for financial assistance under the FY 2015 Great Lakes Restoration Initiative to support the City of Sandusky reduce runoff project;** 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 Scott Schell the commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Brad Link said this is a \$50,000 grant for a \$100,000 project which will allow the city to remove 85 trees and replace them with 100 trees during the next two years. Dennis Murray said he was excited to see this as the answer to the question about when the best time is to plant a tree, the answer is always "last year". The fact the city can get out ahead of this and

replace trees at the same time as removing others is a great investment in our urban forest. This is important for generations ahead of us and we need to do our part today to make sure they have this in the years to come. Eric Wobser commended Brad Link and his staff, particularly Kelly Kromer from Public Works. This was an opportunity with a tight deadline turnaround and they worked closely with Thriving Communities Institute and Congresswoman Kaptur's office to assist with this process. Wesley Poole asked if there is a completed plan as to where the trees will be planted and what species so as not to create issues on our boulevards like we have currently. Brad Link said quite a few of the trees will go to Oakland Cemetery as there have been several which have died and are scheduled for removal. Our entire County is in the watershed and we will be able to strategically place trees along Mills Creek and Pipe Creek using those which we know will have the ability to thrive depending on soil type. We will use our knowledge base through Tom Speir and Ken Jensen, along with the U.S. Forestry Division throughout this process. Dennis Murray said as he recalls, the Tree Commission keeps a list of desirable trees to plant in light of certain conditions and we go about this in a very intentional way ensuring we are using stock which is disease resistant and making sure we have a good healthy mix of trees. Brad Link said the city has an overabundance of Maple trees currently so we will try to stay away from them. We will also pay attention to how trees in other communities are affected by disease and other things to determine how we will choose species in specific areas.

Roll call on the motion: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. Roll call on the resolution: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #7 – Submitted by Troy Vaccaro, Fleet Maintenance Chief Foreman

PURCHASE OF VEHICLE FOR DEPARTMENT OF PUBLIC WORKS

Budgetary Information: This purchase will be paid with water funds in the amount of \$7,982.83; sewer funds in the amount of \$7,982.83 and capital projects funds in the amount of \$7,982.84. The capital projects fund portion will be covered by Issue 8 money.

ORDINANCE NO. 15-102: It is requested an ordinance be passed **declaring a 2000 Ford 4WD Excursion, VIN No. 1FMNU41S7YED45828 as unnecessary and unfit for city use pursuant to Section 25 of the city charter; authorizing and directing the city manager to purchase a 2015 Chevrolet AWD Equinox from Taylor Chevrolet, Inc., of Lancaster, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing program for the Department of Public Works; 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 Jeff Smith the commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dennis Murray said he attends the meetings of the Audit/Finance Committee and they have had a discussion generally about what expenditures are appropriate for infrastructure and vehicles used in the city everyday are legitimately considered part of the infrastructure and this is how we get the work done. We have fixed infrastructure and a great deal of money is spent on police cars and fire trucks and other vehicles; this is an appropriate balancing of how to fund this. Eric Wobser said in a previous position working in the Mayor's Office in the City of Cleveland, one of his responsibilities was to coordinate the capital planning process which is currently being done here by Aaron Klein. According to best practices, capital projects have a useful life of approximately five years and sometimes with technology can be three years or less. These vehicles service our infrastructure and we currently have vehicles which are over 20 years old and we need to replenish our fleet over time because we cannot provide the services or maintain our infrastructure without these vehicles. These are long-term investments financed through these mechanisms. Eric Wobser said as to the question of utilizing water or sewer funds with general fund for this particular vehicle, these are for our Engineering Technician who inspects construction sites and ensures the contractors are complying. These are water and sewer line projects as well as road projects which are general

fund projects so capital dollars are appropriated to fund vehicles and the allocation among funds is appropriate. Dick Brady said it is appropriate to point out the last time the city had a vehicle replacement plan was in 2002; the city has done this because of a lack of funds and this is an appropriate use of these additional funds and he supports it. Wesley Poole said he hopes we will visit this again; two thirds of this vehicle are being paid for from sewer and water funds and it does not appear this amount of the vehicle use has to do with sewer and water. We should revisit how we structure the payment of a lot of these vehicles and this is a stretch. Eric Wobser said we have significantly more within our roads for water and sewer than we do for general fund. Aaron Klein said not only for the vehicle itself, but for the cost and the time vehicles are used on projects. The water line on First Street took four to six months and another four weeks for the sewer lines; the Water Street rehabilitation, the Camp Street underpass project and the Warren Street improvements all have both sewer and paving and two thirds is a decent number to go by. Eric Wobser said Ed Dayringer, the Engineering Technician, is on these projects every day and this vehicle will be for his use and we want to make sure we do not have cost overruns and he is on site every day in this vehicle and a disproportionate amount of his time is spent on sewer and water projects. Dennis Murray said as we get into the process of replacing various capital items which have not been addressed for quite some time, these will all be taken on a case-by-case basis and the funding for each particular item is going to be justified by its use as opposed to setting up a template for all future vehicles.

Roll call on the motion: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. Roll call on the ordinance: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #8 – Submitted by Kelly Kresser, Clerk of the City Commission

A request has been received from the Ohio Division of Liquor Control for a transfer of D5A (*spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30 a.m. for hotel or motel with 50 or more rooms for transient guests*) and D6 (*sale of intoxicating liquor on Sunday between the hours of 10 a.m. or 11 a.m. and midnight*) liquor permits from J.M. Sciarappa, Inc. dba South Shore Inn to S.S. Inn, LLC, 2014 Cleveland Road. It is requested the Commission Clerk be authorized to notify the Ohio Division of Liquor Control the city has no objection to this request.

Upon motion of Julie Farrar and second of Jeff Smith, the commission voted for Kelly Kresser to notify the Ohio Division of Liquor Control the city has no objection to this request. Roll call on the motion: Yeas: Jeff Smith, Wesley Poole, Scott Schell, Dennis Murray, Julie Farrar, Dick Brady and Naomi Twine, 7. The President declared the motion passed.

CITY MANAGER'S REPORT

Upon motion of Naomi Twine and second of Scott Schell, the commission voted to accept a donation in the amount of \$75 from the Sandusky Memorial Day Association for the Fire Department. The President declared the motion passed.

Upon motion of Naomi Twine and second of Julie Farrar, the commission voted to accept a donation in the amount of \$75 from Sandusky Memorial Day Association for K-9 fund. The President declared the motion passed.

Upon motion of Scott Schell and second of Naomi Twine, the commission voted to accept a donation in the amount of \$114 from Arthur Shoe Tree for the K-9 fund. The President declared the motion passed.

Upon motion of Scott Schell and second of Naomi Twine, the commission voted to accept a donation in the amount of \$2,000 from the Sandusky Elks Club for the Fire Department to utilize toward its match for the grant to purchase power cots. The President declared the motion passed.

Upon motion of Jeff Smith and second of Scott Schell, the commission voted to accept the donation of a donor plaque for Facer Park.

Discussion: Eric Wobser said the beautification of Facer Park have been made possible through the efforts and donations made by the following and organizations: the Ohio State University Alumni Club of Erie County, the Frost – Parker Foundation, Elinor Sider, Jeff and Lauralee Krabill. Dennis Murray said Jeff and Lauralee Krabill have watched over this beautiful waterfront park and thanked them for their patience in getting all of the history together to have this plaque made for Facer Park.

The President declared the motion passed.

Eric Wobser **introduced the new Assistant City Engineer, Jeff Keefe.** Eric Wobser said this position is badly needed and the commission understood the magnitude of the projects being taken on in filling this position with a long-time Sandusky resident. Aaron Klein said Jeff has over 33 years of experience in civil and storm water management including 16 years with KS & Associates of Elyria. Aaron Klein said Jeff Keefe has a P.E. License, a Surveyor's License and two Storm Water certifications. The city has many storm water issues needing to be taken care of and he will be getting involved in the Jackson Street parking lot project and the pavement condition rating report. Jeff Keefe said he grew up in Huron Township and went to CSU to obtain his engineering degree and has lived in Sandusky for the last 20 years previously working for John Hancock.

Eric Wobser said the **National Night Out and Touch A Truck event** is being held August 4 from 4 p.m. to 8 p.m. at the Paper District Marina on Shoreline Drive. Many prominent city officials will be in the dunk tank. John Orzech said the Oscar Meyer Weinermobile is coming along with Slider from the Cleveland Indians, Ronald McDonald and the photo of all participants will be taken at 6:30 p.m. Eric Wobser said children enjoy seeing the first responders and their equipment and this connects families with our police and fire department employees.

Eric Wobser said the **Bicentennial Visioning Process is continuing** as we finish up our neighborhood meetings this week. On July 29 at 6 p.m. we will be taking a closer look at the south side neighborhoods. The meeting will take place at Churchwell Park with Conestoga. On August 12 at 6 p.m. there will be a downtown meeting at the Sandusky State Theatre. In mid to late August, we will take the feedback received and put a plan together for next year and beyond with the commissioners.

The Walk A Mile in Her Shoes event will be held in Shoreline Park this Saturday and is a fundraiser for mitigating domestic violence in the community. John Orzech said he is excited to participate in this event and he has been practicing how to walk in high heels in his living room; there are 75 men signed up to walk and this fundraiser is for Safe Harbour Domestic Shelter in Sandusky.

Eric Wobser said there are several **small-scale economic development projects and monies** have been allocated to aid in the expansion or façade and signage of the following small businesses: Soda Pops, Red Shamrock, Great Lakes Grinders, Brick Gallery and Erik's Clothing. These were made possible with Issue 8 Funds and other monies provided to the city to be dedicated to economic development projects.

Eric Wobser said the **Sandusky Transit System has submitted its second Quarter Invoices to ODOT;** we remain on budget, and are confident in our ability to remain on course through the rest of the year.

Eric Wobser said the **CDBG FY 2014 has been closed and staff is working on the Consolidated Annual Performance Report.**

Eric Wobser said the next **Board of Zoning Appeals meeting** is scheduled for August 20, 2015, and the next **Planning Commission meeting** is scheduled for August 26, 2015.

Eric Wobser said **80 tons of ballfield dirt were added at Sprau and Amvet Parks** and thanked the Grounds Maintenance crew for their hard work on preparing those fields. Eric Wobser and Brad Link met with volunteers at the park and are analyzing opportunities for other physical improvements and how to better communicate prior to the leagues starting each season. Dennis Murray thanked Eric Wobser and Brad Link for getting on the issue at Amvets Park and for considering a longer-term plan for the future. There are capital improvements that need to be done at some of our parks and we need a plan, working along with our partners, to make a significant difference and this is an important part of the fiber of our community.

Eric Wobser said **the movie "Frozen" is featured at the Paper District Marina tonight** at approximately 9 p.m.

The city received a letter from the **Sandusky Library thanking the Department of Public Services for their assistance in installing several Free Little Libraries**. This is an in-kind donation of time and these are a nice public art element and service for residents.

Eric Wobser said **the city received a grant from the Ohio Department of Public Safety EMS Training and Equipment** in the amount of \$3,500.

Eric Wobser said the **Sandusky Fire Department will be hosting a 5K Run/Walk during their Open House** on Saturday August 29, 2015 and registration starts at 8 a.m. This will be held at the central fire station at 600 West Market Street. There will also be a 1K Fun Run/Race for the kids and all proceeds benefit the Sandusky Firefighters Shoe Fund. More information on our open house and 5K run/walk can be found on the city's website also on the Sandusky Fire Department Facebook page.

OLD BUSINESS

Julie Farrar said Dennis Murray had inquired about the commissioners' **liaison assignments** and during her time on the Sandusky City School Board, there was an opportunity at the end of each board meeting to provide reports to the other board members and feels this would be informational. Dennis Murray said the city used to do this and it morphed into something it was not intended to be, especially around campaign season, but any commissioner is free to raise or bring up issues with regard to the boards and departments which they serve at any time during New Business or Old Business.

NEW BUSINESS

Upon motion of Julie Farrar and second of Jeff Smith, the commission voted to appoint Joey Cassel as a regular business representative member of the Revolving Loan Fund Committee.

Upon motion of Julie Farrar and second of Scott Schell, the commission voted to appoint Christine Mack as an alternate business representative member of the Revolving Loan Fund Committee.

Upon motion of Naomi Twine and second of Scott Schell, the commission voted to appoint Diane Corso to the ADA Advisory Board for a term ending December 31, 2015.

Discussion: Dennis Murray said Ms. Corso will replace Dr. Anthony Linz on the ADA Advisory Board.

The President declared the motion passed.

Upon motion of Jeff Smith and second of Julie Farrar, the commission voted to appoint Trevor Hayberger as the Acting Law Director.

Discussion: Dennis Murray said Don Icsman has been out on medical leave for three weeks and he is anxious to return to work. It is not clear how long Don Icsman will be out of the office and requested Trevor Hayberger be appointed to the position of Acting City Manager until Don

lcsman returns, so that contracts and other legal issues which regularly require a Law Director to sign off on can be addressed.

The President declared the motion passed.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, said she is a “no” vote on the charter changes as the checks and balances will be destroyed and asked how a person can whistle blow on their boss if there is any corruption going on. Sharon Johnson said an amendment was approved regarding the hiring process for the Finance Director and the Law Director, but the firing for these two positions was left out. It looks like this will be left up to the City Manager. Sharon Johnson said she is concerned the city is taking money out of infrastructure funding from Issue 8 for vehicle replacement and if there are a lot of vehicles to be purchased, this will withdraw money from what it was voted for. The liaison reporting is a good idea and should be made every two weeks to let people know what is going on. Dennis Murray said with respect to the appointment of the Law Director and Finance Director, one can look at the Governor’s Cabinet as an analogy. Many of the positions need approval by the Senate, but the Governor is free to dismiss a Cabinet member once they are confirmed and this is not an unusual structure and this would be the case here. Sharon Johnson said the city has gone through a lot of City Managers who come in and want to put their own team together. These two positions (Finance Director and Law Director) are too critical to be swinging in and out every time we want a new City Manager.

Sue Daugherty, 1016 Third Street (owner of 1221 Franklin Street), said she is here to explain, not complain, and would like the city to set a standard to maintain their property. Sue Daugherty maintains the property she owns at 1221 Franklin Street and it is currently up for sale, but she will remain a landlord because the neighbors do not maintain their property and she is surrounded primarily by renters who have no requirement to maintain it. Sue Daugherty showed pictures of a boat in the driveway, more toys in one yard than there is even room for storage, garbage cans on the side of a house with a rug lying on the porch railing through rain and sun, and dead trees on one lot which all add to the blight of the neighborhood. Sue Daugherty applauded the leadership of the city and said it is clear they are not slackers but another problem is this has become a neighborhood where people do not want to live and she understands why. Because of the surroundings, Sue Daugherty said she cannot find a buyer and her request is to craft legislation so individuals who rent or own are held responsible to a standard. Sue Daugherty spoke with the neighbor who rents one property and asked if he could do something, but he said he uses this stuff and has no place to store it. She then spoke with the property owner about cleaning up the yard and was told there is no ordinance about having too many toys and asked her to go by the property and see if she would live next to this and left it up to her (the landlord) to do the right thing, but has heard nothing since. This seems to be the inherent standard and is the city’s normal for the Franklin Street neighborhood which has been slowly deteriorating. Dennis Murray said this is something a lot of staff is concerned about and the city has hired an additional Code Enforcement Officer and noted we are looking at our housing ordinances. There is a lot more work to be done and this is a multi-faced problem and a lot of code inspection are yet to be performed. Dennis Murray asked for an update on where we will be in six months and/or one year from now and what additional resources we may need to tackle some of these issues. This is a big task and this sometimes holds people by ransom in their own home. The city is unanimous in its resolve to deal with these problems and deal with code enforcement and it is not popular but it is absolutely necessary.

Dr. Marty Brasch, 300 Lane Street, said he is here to address the commission about parking lot issues on the north side of the building at Washington and Wayne Streets. Dr. Brasch said he moved into this building eleven years ago and there are six parking spaces which were marked for two-hour parking and one for handicapped parking. There were no problems with the parking at that time, tires were chalked and two-hour violations used to be given to those parking beyond this time. When the Parking Enforcement Officer position was eliminated, the

laws were still in place and these are still legally two-hour spaces and are in place to protect the business flow of the downtown. The last couple of years, new tenants have moved in and the signage was taken down because the width of the parking was changed to get the tail end of cars off the street. Marty Brasch said he went to the new tenants who moved in and explained the situation and they continue to park here as if they are their personal parking spaces. He is sure he has the largest flow of customers coming through his business; however, he went to work last Thursday and four of these six parking spaces are now signed "All Day Parking" which leaves two 2-hour parking spaces and one handicapped space for four businesses and is not sure why this change occurred. During the winter, Marty Brasch said he spoke with his landlord and asked him to speak with the other tenants and he (the landlord) said he did not want to get involved. Marty Brasch went to the Police Department and they looked through the records which showed this area is indeed two-hour parking and signs were put back up. At that time the tenants were unhappy because they could no longer park here all day and he believes the city commission received a letter from the Board President stating everyone in the building was okay with this, but he is not. He sees two to five persons every hour and is trying to work with the other businesses and rotate these cars with them but if one drives by here, they would never know it. His patients are in and out and when this parking is full, they cannot get access to the office. Chiropractors are nerve-based doctors and work on extremities to help people heal and when patients come into his office, they are injured. A couple of months back, he was told the Police Department does not have the manpower to enforce a two-hour parking restriction but if it became a problem, to call and they would respond. Recently, a patient had to walk from Hancock Street to the office with a herniated disc and was in tears when she got in. Most of the tenants' cars were parked here and he called the Police Department and Sgt. Youskievicz responded and spoke with those in the building and asked them not to park more than two hours in these spaces. In the past, other businesses at this location agreed where they would park as there is ample parking on Wayne Street by the Social Security Office as well as the drive behind the building, but they do not use it. If the city officials are here to protect the downtown businesses, he needs four parking spaces just for himself but he realizes this is not possible and has to share this with the other tenants. Marty Brasch said he parks in the parking garage or in the parking lot at Hancock and Market Streets. Dennis Murray said these are some rather legitimate points and asked Eric Wobser to follow up and have vehicles marked and/or cited for two-hour violations. Dennis Murray said he does not recall receiving any communications and this is the first he is hearing about this and asked Eric Wobser to follow up with Dr. Brasch. Eric Wobser said this has crossed his desk and Wesley Poole has had some conversations with Angela Byington about it. This is a challenge because the property owner, who is Dr. Brasch's landlord, is the one petitioning to make the change and Angela Byington and Casey Sparks from the Planning Department have been working very closely with the building owner and tenants. There is conflict here and they were being lobbied fairly aggressively by the landlord to make the changes. They tried to balance the needs between the tenants and the landlord and hoped a compromise solution was arrived at but obviously this has not made everybody happy. This is not something that was done without a lot of conversation internally and we would be happy to sit down with Dr. Brasch and see if there is a better way to accomplish what he is looking for. Eric Wobser asked Dr. Brasch to try to come to terms with his landlord who seems to have a very different opinion of what he would like to see with these spaces. Wesley Poole suggested downtown parking is shared parking and as a city, we have an obligation to make the policy to decide, in spite of all the lobbying, to make the hard decision. The fact is, he cannot imagine because of lobbying the city would go into the first block of Market Street and decide one or two business owners have personal private parking and the city would sign it "All Day Parking" so this is not an enforcement issue for two-hour parking, it is about what our policy is and how to treat everyone fairly. The city's ordinances require private businesses outside of the business district to provide parking on-site, but all of the businesses downtown share parking and it is the city's responsibility as a commission to give everybody a fair shot at it and the only way to do this is with time limits. As long as all the businesses in this building have the same fair access to the parking, we have done what we are supposed to do. Wesley Poole made a motion to direct the City Manager to remove the "All Day Parking" signage and to continue discussing this with Dr. Brasch and the landlord, this is fine. Dr. Brasch's patients should not be treated differently than any other customers in the downtown. The President declared this motion died for lack of a second. Dennis Murray said he disagrees and

said it is a mistake when the commission starts getting into negotiating for parking spaces. We have done this in the past and it has not worked out well and the commission is not on the ground enough to work out all of the different configurations. Dennis Murray said he agrees with the sentiment expressed and said this is the outcome he would like to see, but it is not a good precedent to get involved in operational issues like this. Wesley Poole said his intentions are misunderstood and he is not the least bit interested in operations. All of the customers should have access to the parking they are entitled to and this should be changed back to the way it belongs and operations can be discussed afterwards; Wesley Poole said he is not telling anyone to do something other than to put this back to the way the policy has been written forever. Wesley Poole asked if the Journal Entry has been changed to make this all-day parking. Eric Wobser said he knows Angela Byington's recommendation was to change the Journal but he does not know if it has been changed and asked for clarification because he thinks many would argue that the character of the first block east of Wayne Street on Washington Street is primarily single-family residential. Eric Wobser said he would like to know with the downtown parking policy spoken of where the beginning or end of the downtown is defined and Wesley Poole said it is two-hour parking now. Eric Wobser asked the last time Dr. Brasch recalls it was signed as two-hour parking and Marty Brasch said he does not recall but it has been several years. Marty Brasch said years ago there were four businesses in the building trying to be viable and he has been in it for 17 years. There was space here which was protected and vehicles would not be permitted to park here all day. There are three other businesses with ample parking for their customer base which was rotated. This request is for people who do not have that much of a rotation like his business. They want to park their personal vehicles in their spaces when there is ample space nearby. Marty Brasch said he does not want a parking space personally and has walked from two blocks away since he has been here and he would like to keep his business here. There is a lot of space in the back and he would like to increase the space but he will not go forward if this stays the way it is as he cannot grow his business and may consider moving it. This will be changed back to the way it should be to be fair to everybody and it sounds like someone made a phone call and it sounds like a good old boy thing to him. Dennis Murray said Eric Wobser will follow up. Marty Brasch said there is going to be a lot of trouble and there are commissioners who have businesses and if their parking were taken away, their business would go away and this is wrong. Dennis Murray said an opportunity was given to express concerns and Eric Wobser will look at the issue and the question is not answered yet and there will be an effort made to balance the differences of the parties involved.

Upon motion of Naomi Twine and second of Jeff Smith, the commission voted to adjourn at 6:44 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