

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

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

**City staff present:** Dave Degnan – Fire Chief, John Orzech – Police Chief, Aaron Klein – Public Works Director, Matt Lasko – Chief Development Officer, Angela Byington – Director of Neighborhood Development & Planning, Brad Link – Public Services Director, Don Rumbutis – IT Manager, Stuart Hamilton – IT Manager, Trevor Hayberger – Acting Law Director, Hank Solowiej – Finance Director, Eric Wobser – City Manager and Kelly Kresser – Commission Clerk.

**Upon motion of Scott Schell and second of Naomi Twine, the commission voted to approve the minutes of the September 28, 2015, city commission meeting and suspend the oral reading. The President declared the motion passed.**

**Dennis Murray welcomed Dr. Stephanie Walls and her students from Firelands/BGSU campus who are learning about civic engagement.**

### **AUDIENCE PARTICIPATION**

Sharon Johnson, 1139 Fifth Street, asked for an in-depth explanation regarding Items #3 and #4. Two grants are being given away tonight (for the State Theatre and Berardi's) and Sharon Johnson asked how much money is budgeted for the grants in 2015 and to explain the grant criteria.

### **PRESENTATION**

**Bob England, Director of Environmental Health for the Erie County Health Department (ECHD)** said he would like to share information about a few things being worked on at the ECHD to protect the public and ensure the risks of exposure are minimized. The food service program is for food operators and grocery stores to conduct regular and complaint-based inspections. In the 2014 and 2015 licensing period, no foodborne illnesses were found in Sandusky. The ECHD offers low level or beginning training for food operators so they know what is being looked at prior to their first day of operation. This has been beneficial as a lot of practices taught in the course have been put into practice by the operators. The ECHD also offers advanced training and is nationally-certified supervisor training and the knowledge base must be greater. This is important to Sandusky as thirty percent of this activity is in Sandusky with year-round festivals. The nuisance programs are for refuse complaints, odor, housing, garbage and trash complaints and the ECHD tries to respond as quickly as possible issuing notices of violation. In situations where the nuisances are abated, they may involve the court process. The goal is to address these issues in a timely manner so they do not lead to disease or illness and this is a partnership with the city. The ECHD also plays a support role with Job & Family Services when issues may rise to a community health hazard; this is unfunded, but situations which can lead to immediate harm or injury to the public must be acted upon immediately. There are four beach sites or locations in Sandusky with signage pertaining to water testing. The harmful algal bloom program and its monitoring is piggybacking on the beach program. The results are read and reported to the public through signage at each site from Memorial Day through Labor Day. Dennis Murray thanked Bob England for addressing the City Commissioners and for periodically providing these types of updates. Dennis Murray said he would like to have an offline discussion with the ECHD regarding refuse and hauling in the City of Sandusky.

Aaron Klein, Director of Public Works, provided a presentation with the results of the Pavement Condition Rating report as prepared for the City of Sandusky by Transmap. Aaron Klein provided a history regarding the funding sources available to the city for paving projects including: capital fund (recently increased through Issue 8 funding), CDBG funds, Metropolitan Planning Organization/Ohio Department of Transportation funding, Ohio Public Works Commission funding and monies available through the ODOT urban paving program. These

funds are very competitive and it is extremely difficult to meet all of the parameters. Aaron Klein said staff from Transmap physically drove each street in the city with a mobile mapping vehicle using 2D/3D imaging to measure surface distresses. Each street was broken into segments and assigned a score; digital mapping was created for our use. A five-year outlook was then generated based on information provided with city budgets, available technology and the desired level of service. Imaging was performed during the survey for items which do not directly pertain to resurfacing such as street lights, signs, culverts, catch basins, manholes, signals, trees, guardrails, bridges, sidewalks, ditches, pavement marking and striping. The project generated full 360° imagery including curb and gutter, ADA ramps and shoulders. MicroPAVER software was utilized to develop values for the Pavement Condition Index (PCI), to determine average rut depth and International Roughness Index. Information was input for MicroPAVER analysis including unit costs on recent local projects, historic treatments for asphalt and concrete, historic routine maintenance activities and a local budget of \$1 million per year of funding was arrived at with \$700,000 for asphalt streets and \$300,000 for concrete streets. Streets in Sandusky are almost ninety percent asphalt by square footage, but costs for repairs to them are significantly higher. Each street was rated on the PCI ranking system to determine its condition, remaining life and rehabilitation options. Aaron Klein said this report can be utilized as a tool, along with other factors, to develop a plan for resurfacing. One million dollars spent annually for road repairs or resurfacing is not sufficient to maintain our roadways and the city needs to utilize outside funding sources to supplement local funds. Other technologies such as fiber mats or microsurfacing can be investigated to gain longer useful life and a capital improvements plan should be developed along with an annual maintenance plan for city staff. It is recommended this report be updated every three to five years because of outside influences such as underground infrastructure repairs, plow damage and freeze/thaw cycles which can modify the rankings.

### **CURRENT BUSINESS**

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

#### **ITEM #1 – Submitted by Matt Lasko, Chief Development Officer**

##### **APPROVAL OF GRANT AGREEMENT WITH SANDUSKY STATE THEATRE, INC.**

**Budgetary Information:** The city will be responsible for providing \$12,800 in grant proceeds from the economic development capital projects fund.

**APPROVED AT FIRST READING:** It is requested an ordinance be passed **authorizing and approving a grant in an amount not to exceed \$12,800 to Sandusky State Theatre, Inc. in relation to the business located at 107 Columbus Avenue;** and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 of the city charter.

**Upon motion of Julie Farrar and second of Wesley Poole, the commission voted to approve this ordinance at first reading and in accordance with Section 13 of the city charter.**

*Discussion:* Julie Farrar said she is in favor of this legislation and is happy to see the city able to help small businesses with Issue 8 dollars. This may not seem like a lot of money in the business world, and is small amount to help improve a small business improve and part of Issue 8 was for economic development and to be business-friendly. Dennis Murray said he continues to support this and the State Theatre is an incredible economic engine which brings a lot of people to Sandusky and take advantage of what we have as a community.

**Roll call on the ordinance: Yeas: Julie Farrar, Wesley Poole, Dennis Murray and Scott Schell, 4. Abstain: Dick Brady, Naomi Twine and Jeff Smith, 3. The President declared the ordinance passed at first reading.**

#### **ITEM #2 – Submitted by Matt Lasko, Chief Development Officer**

##### **APPROVAL OF GRANT AGREEMENT WITH M-TL, INC. DBA BERARDI'S FAMILY KITCHEN**

**Budgetary Information:** The city will be responsible for providing \$15,000 in grant proceeds from the economic development capital projects fund.

**ORDINANCE NO. 15-139:** It is requested an ordinance be passed **authorizing and approving a grant in an amount not to exceed \$15,000 to M-TL, Inc. (dba Berardi's Family Kitchen) in relation to the business located at 1019 West Perkins Avenue;** 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 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:* Dick Brady said Berardi's has been a stalwart of this community for over 60 years and the Berardi name is synonymous with great food and a well-run operation in our city and urges his colleagues to vote positively on this item. Matt Lasko said when Issue 8 was passed along with the increase in admissions tax with Cedar Point, \$400,000 per year was allocated for economic development activities while \$250,000 per year was allocated for housing, development and blight elimination. When these budgets were set there was not a specific amount set aside for grant proceeds, loan proceeds or municipal expenses because this was the initial year and we needed to do pilot projects. It was unrealistic to set guidelines by the first of the year after the November election and it was important to use 2015 to respond to pilot blight elimination projects. There will be set, formalized guidelines for 2016 regarding the types of projects and levels of available funding, eligibility and ineligibility criteria. The city has looked at job increases and community benefits with the pilot project in 2015. This funding provides flexibility in the administration of dollars to help make the city more business friendly. Eric Wobser said we are still in the process of adopting guidelines through a strategic planning and comprehensive planning process for future years. One is a small business program to provide small grants and loans to new businesses as well as existing business wanting to reinvest and this grant will incentivize the business. The façade restoration program is the other side of this program and we need to continue to reinvest in older buildings. Dennis Murray said this is a great program and appreciates the re-investment from Berardi's which is an anchor institution to Sandusky. These kinds of small scale investments are very important to the community.

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

**ITEM #3 – Submitted by Matt Lasko, Chief Development Officer  
AMENDMENT TO CHAPTER 917 (NUISANCE TREES & SHRUBS)**

**Budgetary Information:** There is no budgetary effect of the proposed amendment to Chapter 917 of the City of Sandusky's codified ordinances.

**PASSED AT FIRST READING:** It is requested an ordinance be passed **amending Part Nine (Streets, Utilities and Public Services Code), Title One (Street and Sidewalk areas), Chapter 917 (Trees) of the Codified Ordinances of the City of Sandusky in the manner and way specifically set forth hereinbelow.**

**Upon motion of Jeff Smith and second of Scott Schell, the commission voted to approve this ordinance at first reading.**

*Discussion:* Matt Lasko said we are utilizing a Code Enforcement Officer to deal with issues pertaining to trees and shrubs. The existing Codified Ordinance is being edited to increase the members of staff who can take care of nuisance shrubs on private property. Dennis Murray said dead and dying trees on private property are a threat to neighbors decrease property values and residents should take note of this. This legislation is an example of where staff is taking a look at our existing ordinances and determining how we can do better and encourages this type of discussion.

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

**ITEM #4 – Submitted by John Orzech, Chief of Police**

**AMENDMENT TO CHAPTER 531.16 (NUISANCES GENERALLY)**

**Budgetary Information:** There is no budgetary effect of the proposed amendment to Chapter 531.16 of the City of Sandusky's codified ordinances.

**PASSED AT FIRST READING:** It is requested an ordinance be passed amending Part Five (General Offenses Code), Chapter 531 (Nuisances generally), Section 531.16 (Criminal Activity as a Nuisance; User Charge for Excessive Consumption of Public Services) of the Codified Ordinances of the City of Sandusky in the manner and way specifically set forth hereinbelow.

**Upon motion of Naomi Twine and second of Jeff Smith, the commission voted to approve this ordinance at first reading.**

*Discussion:* John Orzech said this ordinance has been on the books since 2004 and the members of the Land Bank Committee have been discussing ways to make property owners responsible and the quality of life has been at the forefront since the start of Issue 8. The Police Department now has the ability, through the hiring of an Administrative Assistant, and the current records management system, to fairly and accurately chart and ensure properties in the city with multiple nuisance calls are monitored in a fair way. John Orzech thanked Amanda Meyers for working on this legislation and one recommended change is to eliminate domestic violence charges as well as unruliness of juveniles from the definition of nuisance. This will be rolled out tentatively on January 1 and the city will prepare press releases and notifications so questions can be answered prior to beginning. Dennis Murray said this is another great example of something we can now take care of because of Issue 8 funding; we have not had the capacity to take these important steps previously and implement this.

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

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

**UPDATES TO CHAPTERS 933 (SEWER REGULATIONS & RATES) AND 939 (WATER REGULATIONS & RATES)**

**Budgetary Information:** There is no budgetary impact. The fees in Section 933.27 have been rounded slightly for the ease of calculation.

- A. **ORDINANCE NO. 15-140:** It is requested an ordinance be passed amending Part Nine (Streets, Utilities and Public Services Code), Title Three (Utilities), Chapter 933 (Sewer Regulations and Rates), Sections 933.07 (Definitions), 933.08 (Definitions – Industrial Pretreatment), 933.19 (Prohibited Wastes), 933.20 (Limitations on Wastewater Strength), 933.21 (Industrial Reporting Requirements), 933.22 (Monitoring Requirements), 933.25 (Rates), 933.27 (High Strength Surcharges), and 933.33 (Enforcement and abatement) of the Codified Ordinances of the City of Sandusky in the manner and way specifically set forth hereinbelow; and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 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 13 of the city charter.**

*Discussion:* Aaron Klein said there are annual inspections at both plants and the EPA provided recommendations and requirements which must be implemented. This legislation is to update language and to meet these new requirements.

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

Brady, Wesley Poole, Dennis Murray, Scott Schell, Naomi Twine and Jeff Smith, 7. The President declared the ordinance passed in accordance with Section 13 of the city charter.

- B. **ORDINANCE NO. 15-141**: It is requested an ordinance be passed amending Part Nine (Streets, Utilities and Public Services Code), Title Three (Utilities), Chapter 939 (Water Regulations and Rates), Section 939.13 (City Rates) of the codified ordinances of the City of Sandusky in the manner and way specifically set forth hereinbelow; and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 of the city charter.

Upon motion of Wesley Poole and second of Jeff Smith, the commission voted to approve this ordinance under suspension of the rules and in accordance with Section 13 of the city charter. Roll call on the motion: Yeas: Julie Farrar, Dick Brady, Wesley Poole, Dennis Murray, Scott Schell, Naomi Twine and Jeff Smith, 7. Roll call on the ordinance: Yeas: Julie Farrar, Dick Brady, Wesley Poole, Dennis Murray, Scott Schell, Naomi Twine and Jeff Smith, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 13 of the city charter.

**ITEM #6 – Submitted by Kelly Kresser, Commission Clerk**

A request has been received from the Ohio Division of Liquor Control for the transfer of **D2** (wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1 a.m.), **D2X** (grandfathered permit - Beer only for on premises consumption or in original sealed containers for carryout only until 1 a.m.), **D3** (spirituous liquor for on premises consumption only until 1 a.m.) and **D3A** (extend issued permit privileges until 2:30 a.m.) liquor permits from **JBRINCO, INC. dba Sail In** to **Slim Willys LLC dba Sail In, 627 & 631 Meigs Street**. 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 Wesley Poole, the commission voted for the commission clerk to notify the Ohio Division of Liquor Control the city has no objection to this request. Roll call on the motion: Yeas: Julie Farrar, Dick Brady, Wesley Poole, Dennis Murray, Scott Schell, Naomi Twine and Jeff Smith, 7. The President declared the motion passed.

**CITY MANAGER'S REPORT**

Upon motion of Naomi Twine and second of Jeff Smith, the commission voted to accept \$1,473 for a bench in memory of Bill Werner, Sr. which was presented by Glenda Lindquist on behalf of numerous donors including a portion from the Ontario School staff members. 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 \$1,000 for the K-9 Fund from Remember Cruisin' Car Club and Jeff Hall from Snap on Tools. The President declared the motion passed.

Eric Wobser said the kickoff "**Discovery Day**" meeting took place today for the wayfinding signage project. The steering committee of stakeholders and community members gave feedback and the consultants began mapping and traversing the main thoroughfares used by residents and visitors.

Eric Wobser said **Dawn Meyers is retiring from the Waste Water Treatment Plant after thirty years of service** and thanked her for her productive years and union leadership with the City of Sandusky.

Eric Wobser said on October 7, Police, Fire, EMS and Hazmat personnel from multiple counties participated in a **mass casualty drill**. This was held in conjunction with Cedar Point, Firelands Regional Medical Center and the Erie County Emergency Management Agency. There were 110 acting patients and it was an interesting opportunity to see how our safety service personnel would mobilize in the event of mass casualty.

Eric Wobser said personnel in the **Police Department attended firearms, Taser, ASP and defensive tactics training during** the month of October.

Eric Wobser said the city is planning to submit requisite paperwork to the Ohio Department of Commerce's Division of the State Fire Marshal, **Bureau of Underground Storage Tank Regulations to designate the abandoned and former Sunoco Gas Station as a Class C site.** The property located at 1651 Tiffin Avenue is adjacent to the soon to be acquired former Hopper's Mobile Home Park. Through achieving the designation as an orphaned site, the former gas station is likely to be eligible to apply for funding in the near future through the State's Abandoned Gas Station Clean-up Program – funding which could be used for assessment and clean up through the Governor's office. Dennis Murray said there were a lot of gas stations previously in the city and asked if we have a list of sites which still have underground storage tanks. Dave Degnan said the city does have a comprehensive list of these sites. Some of the tanks have been sealed in although this is one site where the tanks need to be removed.

Eric Wobser said **Community Housing Improvement Program (CHIP) applications** are now available at the city for assistance with rehabilitation of homes and are due November 10.

**Eric Wobser said a citywide fall cleanup will take place** Saturday, October 17 from 9 a.m. until 2 p.m. at the Shelby Street Boat Ramp overflow parking lot and all city residents are welcome to attend. The city will accept tires, appliances, batteries, electronics and other general household items (mattresses, couches, chairs, etc.). We will not take brush, leaves, paint or any other type of chemical product. Eric Wobser thanked all who invested their time and resources to help beautify the city, especially Brad Link and Eric Costante.

Eric Wobser said the city will begin its **leaf collection efforts** on October 26 and continuing through December 23, weather dependent. The city website lists a complete schedule.

Eric Wobser said the **Sandusky Fire Prevention Bureau has been conducting many tours and going into the schools during Fire Prevention month (October).** Persons wanting to bring children into the station are encouraged to call 419.627.5822 to set up a time.

Eric Wobser said **Gary Zakrajsek and Joe Jachym retired from the Fire Department in September** after 28 and 26 years respectively. **Fire Fighters Jack Felter and Jonathan Secue were recently hired** and will be joining the team in October.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

**Upon motion of Jeff Smith and second of Naomi Twine, the commission voted to schedule a public hearing on November 23 regarding the formation of the Landmark Commission and accompanying legislation. The President declared the motion passed.**

**Dennis Murray said there is a citywide clean-up on Saturday at the Shelby Street Boat Launch facility from 9 a.m. – 2 p.m. Residents can drop off old furnishings, tires, car batteries and other items and the major contributors are Barnes Nursery, Sandusky Steel, Lowe's, Ohio Tire Terminal, Goodwill Industries, Sandusky Register and the City of Sandusky. Many staff members have participated to pull this together and urged residents to take advantage of this cleanup.**

#### **AUDIENCE PARTICIPATION**

Sharon Johnson, 1139 Fifth Street, asked if there are guidelines for the grants given out already and Dennis Murray said the criteria is being looked at and stated this is a pilot program to assemble criteria for the future. Sharon Johnson said the city is up to \$77,500 of free giveaways

while we are short on money and this is corporate welfare. Wesley Poole said this is not a free giveaway, it is money leveraged with private investment for improvements to be made to draw people into the community. The ultimate goal is for people to want to live here, move here and stay here. These are the kinds of things to give people reason to stay here.

Terry Burton, 2212 Milan Road, said he purchased a home through the land bank program and has been rehabilitating it but recently had an electrical fire. The members of the Sandusky Fire Department were professional and excellent in putting out the fire, protecting the neighbor's property and minimizing the damage to the house. There is a feeling of helplessness watching smoke and flames grow and hopelessness afterward but the members of the department helped minimize this.

**Upon motion of Julie Farrar and second of Dick Brady, the commission voted to adjourn at 6:35 p.m. The President announced adjournment of the meeting.**

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Kelly L. Kresser, CMC  
Clerk of the City Commission

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