

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

The clerk called **the roll** and the following Commissioners responded: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady.

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

Upon motion of Dave Waddington and second of Naomi Twine, the Commission voted to approve the minutes of the July 11, 2016, meeting and dispense with the formal reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, said the grant for Daly's (Item #4) is for windows, doors and lighting and asked why the taxpayers have to be responsible for remodeling this property; this is a lot of money and we have to stop the corporate welfare. Sharon Johnson asked if the proposed agreement for historic preservation services with Marous Brothers (Item #6) is coming from Issue 8 funds and on top of the grant already given to them for consultation. Item #8 is for truck parts and asked if this money is coming from the regular street fund or the Issue 8 infrastructure fund. Item #12 is a contract increase for pavement materials and Sharon Johnson asked if the money is coming from the Issue 8 infrastructure fund. Item #13 is a charter change and asked if the \$10,000 cost will be paid from Issue 8. This is a waste as the city just had a review of the Charter and now the commissioners want to strike out on their own and put a Charter amendment on the ballot.

PRESENTATIONS

Peg Miller and Laurie Keller, on behalf of the Leadership Erie County (LEC) Class of 2016 Rec & Roll Team, presented a check to the City of Sandusky in the amount of \$12,015 for the Amvets Park and scoreboard project. Dennis Murray thanked all of the members of this team for what they are doing for the youth of the community and said this is making a huge difference and is making an opportunity for them to learn about sports and life. Peg Miller said they have had a great relationship and experience working with staff of the City of Sandusky.

Upon motion of Wes Poole and second of Dave Waddington, the commission voted to accept this donation in the amount of \$12,015 for the Amvets Park and scoreboard.

Discussion: Eric Wobser thanked the LEC class for this donation to the city at Amvets Park and Erie Blacktop Field. Eric Wobser also thanked Brad Link and other city staff members who worked closely with them.

The President declared the motion passed.

Dr. Bill Semans, Chairman of the 2018 **Sandusky Bicentennial Commission** (SBC), thanked the City Commissioners for establishing the Bicentennial Commission and acknowledged those SBC members in attendance. Two years ago, a solid core of nine persons, plus additional subcommittee members, began meeting at least monthly to plan a celebration honoring the past and celebrating the future. With the current city momentum, they want to keep the ball rolling and plan to have a great year celebrating our Bicentennial. There will be three pillar events including a Bicentennial Gala in April in conjunction with Cedar Point, a four-day Festival of Sail with Tall Ships in July and a Homecoming Parade and Celebration in the fall focusing on the citizens. SBC members will be part of football games at Strobel Field, a concert and a festival free to the public for all to enjoy. The History Committee is made up of an incredible group of historians and the Erie County Historical Society is helping put together historical architectural walks around the community. There will be a series of speakers in conjunction

with the historic churches in town highlighting the architecture of our local churches. There will be commemorative items available for collection to defray some of the costs including a book and a documentary. Anyone interested in participating, including service club members, is asked to contact members of the SBC to see how they can help. It is also hoped block parties will be held to bring people together. A legacy will be built from this event and the SBC has considered beautifying the Jackson Street Pier and making it more user-friendly although they do not yet know on what scale. There have also been discussions about public art and research is being done for grants available for this purpose. It is important for the marketing committee to be able to help tell a story and good steps have been made in the right direction.

Kevin Zeiher, SBC Member, said Cedar Point used to host dances in their ballroom and this is a great place for a party and the gala ball fundraiser which will take place April 28, 2018. There will be ten to twelve tall ships during the Festival of Sail. There is also one taking place this year in Duluth and 120,000 tickets have been presold. A 6'2" tall duck, weighing 11 tons will be in Sandusky's Harbor to be seen by Cedar Point guests across the Bay and will attract people to the Tall Ships. Geoff Oglesby has been working to get the Ohio Supreme Court to "hold Court" in Sandusky in 2018 at the Courthouse. Thomas Moyer was from Sandusky and the Chief Justice of the Ohio Supreme Court and has a history here. A locally written musical will debut during the Fourth of July and performed by local talent at the Sandusky State Theatre. A Limited Liability Corporation has been formed for the SBC and a contract has been entered into with the Erie County Community Foundation to manage the funds received. It is hoped people from the service organizations and different neighborhoods will get together and coordinate events. Donations will be received from larger organizations in the community and there will be commemorative items available. Dennis Murray expressed his thanks for the leadership on the SBC and said this is an important piece of work for the entire community. It is to celebrate what happened a long time ago as well as to take a look at all of the city's accomplishments and is a moment in time we have to prepare for. This is a great opportunity to secure the momentum the city has been experiencing in recent years and propel ourselves forward.

PUBLIC HEARING

The President announced the opening of a Public Hearing regarding a proposed rezoning for the parcel at 1314 Prospect Street.

Casey Sparks, Assistant Planner, said **Firelands Regional Medical Center (FRMC) has submitted a rezoning request for 1314 Prospect Street which is currently zoned R2F, two-family.** They are requesting this zoning be changed to Public Facility. FRMC purchased the parcel in 2015 and demolished the home with the intent of creating additional parking. Site Plan approval was received at the May 31 Planning Commission meeting and 14 additional parking spaces will be added to serve the hospital.

Dick Brady said he reviewed the documents submitted and agrees wholeheartedly this is one small piece of the puzzle for one of the city's best corporate citizens. This is a natural for what they are trying to do and commended FRMC for efforts to expand their footprint.

There being no further questions or comments, the President declared the Public Hearing closed.

CURRENT BUSINESS

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

SECOND READING

ITEM #1

ADOPTING A MINIMUM FINE FOR LITTERING

ORDINANCE NO. 16-115: It is requested an ordinance be passed amending Part Five (General Offense Code), Chapter 521 (Health, Safety and Sanitation), Section 521.08 (Littering and deposit of garbage, rubbish, junk, etc.), of the codified ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to approve this ordinance at second reading. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed at second reading.

SECOND READING

ITEM #2 - Submitted by Angela Byington, Director of Neighborhood Development & Planning ADDITION OF DETERIORATING AREA IN CODE OF ORDINANCES

Budgetary Information: There is no impact on the city's general fund, as creating this definition will permit utilization of CDBG funds in lieu of general funds for code inspections.

ORDINANCE NO. 16-116: It is requested an ordinance be passed **amending Part Thirteen (Building Code), Title Five (Additional Local Provisions), by the addition of Chapter 1377 Community Development Block Grant (Code Enforcement), of the codified ordinances,** in the manner and way specifically set forth hereinbelow.

Upon motion of Naomi Twine and second of Nikki Lloyd, the commission voted to approve this ordinance at second reading. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed at second reading.

ITEM #3 - Submitted by Casey Sparks, Assistant Planner ZONE MAP AMENDMENT FOR 1314 PROSPECT STREET

Budgetary Information: There is no impact to the general fund.

PASSED AT FIRST READING: It is requested an ordinance be passed **amending the official zone map of the City of Sandusky to rezone Parcel #58-01725.000 located at 1314 Prospect Street from R2F two-family residential district to Public Facilities district.**

Upon motion of Naomi Twine and second of Wes Poole, the commission voted to approve this ordinance at first reading. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed at first reading.

ITEM #4 - Submitted by Maria Muratori, Economic Development Specialist APPROVAL OF GRANT APPLICATION TO DALY'S, LTD.

Budgetary Information: The city will be responsible for providing \$29,265 in grant proceeds from the economic development capital projects fund on a reimbursable basis at the completion of the project.

ORDINANCE NO. 16-117: It is requested an ordinance be passed **authorizing and approving a grant in the amount of \$29,265 to Daly's, Ltd., in relation to the property located at 104 – 110 Columbus Avenue;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dave Waddington and second of Greg Lockhart, the commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Dick Brady said this is exactly what this grant is all about. It is not corporate welfare, it is assisting a family and business in the heart of our city and an opportunity to provide seed money to enhance a good corporate customer. This is money well spent and will be returned ten-fold. Wes Poole said this is a small town and part of trying to grow it and attract people to move here, it is necessary to invest in the community. We need to be successful in getting people to move downtown and develop the upper floors of these buildings and this is a small-term investment to help make this happen. These people will bring with them taxes paid on salaries, their utilization of the stores and restaurants and we cannot have a successful downtown if we do not meet the threshold of enough people to keep businesses ability to stay open. Cleveland is booming because they moved people downtown who have needs and the businesses are meeting these needs. This is an investment and we will see how our investment works out. Greg Lockhart recognized Daly's as a staple and said they have been

a pillar in our community for a long time. Matt Lasko acknowledged Dave and Lainie Bier's (owners) track record regarding investments made in their property over the years and said they have had a long-term investment in the downtown with their real estate improvements and this is a continuation of this. By investing another \$50,000 into the property, it will help to stabilize and beautify it aesthetically and make people be and walk downtown. The Landmarks Commission was happy to approve the grant application on their behalf and said it is in line with the Economic Development guidelines passed earlier this year. Dennis Murray thanked the Biers for their investment both in Daly's and in the Shore House Tavern and noted it took a lot of imagination to see this potential. One of the toughest things for older cities is to move success from the lower floors to the upper floors and this is a big step forward in doing this. This is a \$29,000 grant relative to a total expenditure of \$48,000 and does not consider all of the other investments made in the building which are much greater than that.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed in accordance with Section 14 of the city charter.

ITEM #5 - Submitted by Matt Lasko, Chief Development Officer

APPROVAL OF GRANT APPLICATION TO OHIO DEVELOPMENT SERVICES AGENCY

Budgetary Information: There is no assumed impact on the city's general fund. It is anticipated these funds would offset entirely the contract cost to create a larger downtown Sandusky commercial historic district.

RESOLUTION NO. 034-16R: It is requested a resolution be passed **authorizing the filing of an application with the Ohio Development Services Agency for financial assistance through the Ohio Historic Preservation Tax Credit Pipeline Initiative program;** 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 Dave Waddington, the commission voted to approve this resolution under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Matt Lasko said this initiative is aimed at creating a pipeline of historic properties or districts eligible for redevelopment assistance in the form of tax credits or such things as emergency capital repair grants for properties in historic districts. Municipalities are able to apply for assistance to create registered historic districts for up to \$12,000 on a first-come, first-served basis. Last year, the city started doing some research on the eligibility of downtown Sandusky's ability to create a downtown historic district. We received good feedback from the state and they spoke about the level of our architecture and what remains intact gives us a pretty good shot and support to expand our historic district. The State recommended we look at this pipeline initiative to add to our two other historic districts already established. This will add another 72 buildings into a larger, expanded historic district. This grant request will help offset a contract for professional services and, if awarded, will cover these costs. Dennis Murray said he will vote on this legislation and it includes the area North of Shoreline Drive, but the legislation and map does not. A portion of his property is already included in the historic district and this is not an expansion of it. Wes Poole said this is one more step in the direction we are trying to take the city toward improving downtown and thanked the staff for going out and finding the money to do it.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the resolution: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the resolution passed in accordance with Section 14 of the city charter.

**ITEM #6 - Submitted by Matt Lasko, Chief Development Officer
 AGREEMENT WITH MAROUS BROTHERS CONSTRUCTION FOR HISTORIC PRESERVATION SERVICES**

Budgetary Information: The cost for professional historic preservation services under the proposed agreement is \$12,000. The city is simultaneously, with commission approval, applying for a \$12,000 Pipeline Initiative grant through the Ohio Development Services Agency which could cover the entire cost of the services, if awarded. If unsuccessful, it is proposed the professional historic preservation services would be paid from the economic development capital projects fund.

ORDINANCE NO.16-118: It is requested an ordinance be passed **authorizing and directing the City Manager to enter into an agreement with Marous Brothers Construction of Willoughby, Ohio, for professional services for the creation of an expanded downtown Sandusky commercial historic district;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

Discussion: Matt Lasko said discussions began about expanding the downtown historic district last fall. At that time, the city engaged Marous Brothers, a very well-known and expert organization in this type of endeavor, to help obtain feedback from the state that justification existed before making a formal submission. Marous Brothers did this initial historical documentation and photographic research about whether the city should move forward with a nomination for formal expansion of the historic district; 2015 Capital Project funds were used to pay for that expense. The state has indicated not only is their justification to move forward, but we were thinking too small. The commercial downtown district is significantly larger than what was initially anticipated. A community meeting was then held on June 21 with stakeholders in the downtown district to let them know the benefits and resources which could be made available to them as well as to answer questions about other regulatory hurdles which may be before them in the development process. This was a very positive meeting and we received great feedback. The city then prepared a Request for Qualifications. Seven proposals were received and Marous Brothers had the local expertise and knowledge for this project in addition to what was paid to them in 2015 for their initial consultation. Our expectation is this will be offset one hundred percent by the Ohio Development Services Agency grant although we cannot guarantee receiving it. If it is not awarded, there is rollover in 2015 Capital Development funds to offset the costs. This is a preservation and economic development asset to redevelop our buildings in the downtown district.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed in accordance with Section 14 of the city charter.

**ITEM #7 - Submitted by Dave Degnan, Fire Chief
 PURCHASE OF FIRE EQUIPMENT FOR 2016 SUTPHEN SPH100 AERIAL PLATFORM**

Budgetary Information: This purchase will not negatively impact the general fund. The total amount for these purchases is \$46,562.98. These purchases will be paid with monies from the EMS fund. Below are the vendors and prices from whom we will purchase the equipment. These vendors are the sole source provider and best price for the various types of equipment needed for the new 2016 Sutphen Aerial Platform and the best prices.

Fire-Safety Services, Inc. – Huntsville, OH	\$688.00
Bill’s Implement Sales - Port Clinton, OH	2,583.18
Warren Fire Equipment, Inc. - Warren, OH	11,573.00
Finley Fire Equipment, McConnelsville - OH	28,814.80
RollNRack, LLC - Mukwonago, WI	<u>2,904.00</u>
TOTAL	\$46,562.98

ORDINANCE NO. 16-119: It is requested an ordinance be passed **authorizing and directing the City Manager to purchase fire equipment supplies from various vendors for the Sandusky Fire Department;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Nikki Lloyd and second of Dave Waddington, the commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Dave Degnan said these items are for the new ladder truck which should arrive at the end of August. The equipment being used currently is about twenty years old and needs to be replaced. Equipment from the trucks being sold off was removed for use on other pieces of equipment and we will have three fire engines – one being a reserve engine - one ladder truck, and one as a backup reserve. With some of the recent fires, it was determined these need to be fully stocked and quotes were received with the lowest being recommended for purchase.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed in accordance with Section 14 of the city charter.

ITEM #8 - Submitted by Troy Vaccaro, Fleet Maintenance Chief Foreman

PURCHASE OF TWO GALION DUMP BODIES & EQUIPMENT FROM JUDCO TRUCK EQUIPMENT

Budgetary Information: The cost of these purchases will be split between two sources. The 10.5' long body will be paid by sewer funds and the 14' body will be paid with water funds. The funding for both purchases was included in the utility rate study and for which were appropriately budgeted.

ORDINANCE NO. 16-120: It is requested an ordinance be **passed authorizing and directing the City Manager to expend funds for the purchase and installation of two Galion stainless steel dump bodies and equipment from Judco Truck Equipment of Elyria, Ohio, through the State of Ohio Department of Administrative Services cooperative purchasing program for the Water Distribution and Sewer Maintenance Divisions;** 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 Wes Poole, the commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Brad Link said these are to outfit the trucks recently purchased for the Water and Sewer Divisions a couple of weeks ago. The stainless steel bodies are more durable, lighter and will last longer. They also should require less service. City staff will remove the dump body and scrap it to save costs. Dick Brady said the amounts we are spending were accounted for in our sewer and water rate studies and have been built into our budget.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed in accordance with Section 14 of the city charter.

ITEM #9 - Submitted by Troy Vaccaro, Fleet Maintenance Chief Foreman

PURCHASE OF REPLACEMENT GALION DUMP BODIES FROM KALIDA TRUCK EQUIPMENT

Budgetary Information: The cost of this purchase is \$26,040 and will be paid with street funds.

ORDINANCE NO. 16-121: It is requested an ordinance be passed **authorizing and directing the City Manager to purchase one Galion stainless steel dump body from Kalida Truck Equipment, Inc., of Walbridge, Ohio, for the Street Department;** 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 Nikki Lloyd, the commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: The dump body has been under repair for several years and cannot be repaired any longer. It is a very specialized item and there were three companies which bid. This is being paid through the Traffic and Street Division's budget.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed in accordance with Section 14 of the city charter.

ITEM #10 - Submitted by Jane Cullen, Project Engineer

ACCEPTANCE OF BIDS FOR BIWW EMERGENCY INTAKE REHABILITATION & CHEMICAL FEED LINE INSTALLATION

Budgetary Information: The estimated cost of the project, including engineering, inspection, advertising and miscellaneous costs is \$449,229 and will be paid with water funds.

RESOLUTION NO. 035-16R: It is requested a resolution be passed **declaring the necessity for the city to proceed with the proposed Big Island Water Works emergency intake rehabilitation and chemical feed line installation 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.**

Discussion: Dave Waddington said the emergency intake system is for frazzle ice or when the city has problems with the water intake coming into the plant and this has been in need of repair since 2011. Aaron Klein said this intake is used ten to fifteen times per year. Because of the carbon application being expanded to treat harmful algal blooms, the carbon will eat up all of the permanganate in the system if it stays at the current location. Extending this location to the emergency intake will allow the permanganate to have more contact time with the water and be treated. Permanganate also removes toxins from the water prior to the carbon being applied. Dennis Murray said he also understands this will allow for less use of chemicals to treat our water. A study was conducted to better address the algal blooms and our plant received accolades from the Ohio EPA about pushing the permanganate out further from the plant which is another step in implementing the long-term plan. Dick Brady said it is important to speak to the future about a real secondary intake and why we cannot neglect what we are doing now. Aaron Klein said the Sheldon's Marsh or Rye Beach intake is something the county recently obtained and is required to be operational by the end of 2017, but there are a lot of unknowns at this point. The intent is for the intake to be the full-time backup intake for our Water Treatment Plant; until this happens, it is vital to complete this project to ensure we have flexibility. \$120,000 to \$150,000 of this project is to repair the emergency intake and gives us a tertiary intake; many communities would pay \$150,000 for a secondary intake and this gives us a lot of options for the future.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the resolution: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the resolution passed in accordance with Section 14 of the city charter.

ITEM #11 - Submitted by Jeffrey Keefe, Assistant Engineer

CHANGE ORDER #1 FOR CALDWELL STREET RECONSTRUCTION, PHASE I

Budgetary Information: Change Order #1 and final will increase the contract with Erie Blacktop, Inc., from Sandusky, Ohio, by \$8,919.96. The original contract amount was \$177,173.61 and the revised contract amount would be \$186,093.57. The costs associated with the change order will

be paid from the capital projects fund through Issue 8 since it is too late to pay for it using CDBG funding as was previously anticipated.

ORDINANCE NO. 16-122: It is requested an ordinance be passed **authorizing and directing the City Manager to approve the first and final change order for work performed by Erie Blacktop, Inc., of Sandusky, Ohio, for the Caldwell Street reconstruction project, Phase I, in the amount of \$8,919.96;** 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 Dave Waddington, the commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Aaron Klein said this is for the north end of Caldwell Street and the original design was to complete the pavement just shy of the Spoerr Precast Concrete facility. After review, it was decided extending the project an extra fifty feet would help preserve the long-term quality of the pavement. The heavy trucks carrying precast vaults will not have to pull out of the driveway onto a gravel dirt road and the asphalt pavement which would make it deteriorate very quickly. This is a long-term investment for this pavement costing less than \$10,000.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed in accordance with Section 14 of the city charter.

ITEM #12 - Submitted by Jeffrey Keefe, Assistant Engineer

CHANGE ORDER #1 FOR 2015 STREET RESURFACING PROJECT

Budgetary Information: Change Order #1 and final will increase the contract with Erie Blacktop, Inc., from Sandusky, Ohio, by \$42,734.13. The original contract amount was \$289,521.86 and the revised contract amount would be \$332,255.99. The costs associated with the change order will be paid from the capital projects fund through Issue 8.

ORDINANCE NO. 16-123: It is requested an ordinance be passed **authorizing and directing the City Manager to approve the first and final change order for work performed by Erie Blacktop, Inc., of Sandusky, Ohio, for the 2015 street resurfacing project in the amount of \$42,734.13;** 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 Wes Poole, the commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Aaron Klein said engineers try to weigh quality with cost on every project. With this project, there were some soft spots fixed and resurfaced along the curve. Shortly after the street was completely resurfaced, the edge of the pavement started failing again outside of the areas we had resurfaced. Since it had been less than two months since completion and just before winter, it was a good idea to wait for the asphalt plants to reopen in the spring and view the extent of the failure. The city met with officials from Erie Blacktop and determined this was unavoidable and not clear in the field with the engineers and inspectors. The street could not be left in this condition right after resurfacing and we do not now expect problems for the foreseeable future. Dick Brady said this is not the norm and is not a reflection of the contractor. Erie Blacktop put down base on a surface which turned out to be faulty. When this failed, they had no responsibility to make the repairs free of charge. We go into these contracts with set costs for blacktop and Erie Blacktop was paid for what they put down both times. Wes Poole said the staff in engineering has a long record of bringing very well engineered projects which have been thought through and when dealing with the amount and complexity, they will not all be perfect. The additional work would have needed to be done to begin with and this money would have been spent regardless and he is impressed staff looks at the long-term effects of projects as opposed to just getting things done. Dennis Murray said someone may not have

done things quite right years ago and we are paying for this shortcut; we could do borings every six inches, but would pay a fortune for them in advance. There is a cost benefit analysis we constantly juggle and the test borings did not catch this, but this was a reasonable trade-off.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the ordinance passed in accordance with Section 14 of the city charter.

**ITEM #13 - Submitted by Dennis Murray, City Commission President
SUBMISSION OF PROPOSED CHARTER CHANGE TO THE ELECTORS**

Budgetary Information: The costs associated with passage of this legislation would include a chargeback for a portion of the ballots, as well as a portion of the advertising costs from the Erie County Board of Elections. In addition, Section 82 – Amendment of Charter, requires the city to mail a copy of the proposed amendment to each elector not less than 30 days prior to the election. It is estimated the total costs will be less than \$10,000 and will be charged to the City Commission budget (60%), Sewer fund (20%) and Water fund (20%).

PASSED AT FIRST READING AS AMENDED: It is requested an ordinance be passed **providing for the submission to the electors of the City of Sandusky a proposed amendment to the Charter of the City of Sandusky to allow a City Commission member to serve more than eight years in a twelve year period of time, if the City Commission member seeking to serve more than eight years in a twelve year period of time was or would be the result of the City Commission member filling an unexpired term of less than two years;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Wes Poole and second of Nikki Lloyd, the commission voted to amend this ordinance to incorporate a third term into the legislation and to pass it at first reading.

Discussion: Wes Poole said he proposed this amendment as he believes the citizens will benefit greatly by adding a third term. As he observed during his years on the commission, and prior to, some of the things which we see going very well are as a result of the experience of the members on the commission. The two-term limitation has translated into a continuous revolving door of having three or four new commissioners each time there is an election. The time it takes to learn this job never allows for institutional memory and turnover is not always good. When this was changed in the 1980's, it was a different time, thought and generation regarding what it took to get a change in commissioners. Over the past few years, the electors have shown they are perfectly capable of evaluating the work of individual commissioners by the work they do and to vote them out if they want them gone. Dave Waddington had to sit out for four years and the city went without his service and this does not make sense. In the long term, we are much better off keeping the commissioners we want and ensuring we have folks with experience. Wes Poole said he is currently term-limited and will be affected by this legislation; if his running again is an issue, he is willing to not run again. We need to change this because the city needs experienced commissioners. Dennis Murray said this could be phrased in such a way that it would not apply to any sitting commissioners. Wes Poole said he is not looking for another amendment; the citizens should decide who they wish to be their commissioners. Naomi Twine said she understands the reasons for wanting to go to three terms, but is opposed to doing it this way. The 2015 Charter Review Commission made suggestions to the City Commission. Naomi Twine said she is more comfortable with the language as presented on tonight's agenda and agrees with allowing a person to run again if they were appointed to fill an unexpired term, but is opposed to totally changing the language to three consecutive terms. This should go to the Charter Review Commission to allow them to work through the process and involve the public. Nikki Lloyd said she served on the Charter Review Commission and said term limits were discussed and options for them. Nikki Lloyd is in agreement with Wes Poole about extending this to add a third term. They also discussed getting rid of term limits altogether and trust people to vote and put people in the right position. If this is the change, she is in support of it as they simply were unable to decide what to recommend; the majority of the members did agree two terms was not enough. Dave

Waddington said he sat out four years and it was a long four years sitting in the sidelines as there was a lot going on and in the right direction. He has watched numerous commissioners leave prior to their terms expiring and it is tough to get more candidates to run and when they step down, this is also a concern. Dave Waddington said he thought the commission would be more inclined to let people run for another term if they had previously served less than two terms. There is a learning curve and if someone is not doing their job, they should be voted out. Dennis Murray said he proposed the original change so as not to end up with odd situations where people resign and leave a seat to fill. Sometimes there are not candidates the commission may want to appoint to the position. There may be instances where someone may be qualified and willing to serve but if there is only a year left in the term, they would not be able to serve. There may also be people unwilling to take such a position because it would preclude them running for a second term and for all of these reasons, continues to support the legislation as initially suggested. It is incredibly important to the community to have all of the available candidates to consider making these decisions for ourselves and is well worth the investment not place this issue on the ballot. This language is consistent with the Ohio Constitution. The amendment, as proposed, is the right policy result and outcome; term limits are foolishness and are a way for people to vote today to prevent voters from being able to select who they want tomorrow and/or twenty years from now. Dennis Murray said he first served starting in 2006 and at the time, Dave Waddington was a senior member. There were four members with two years of experience and three members with no experience and they struggled without institutional knowledge. Periods of time where there is not a lot of experience on the commission are challenging and Dennis Murray said he supports the amendment, along with the original legislation, as well as voting on this at two meetings/readings. Dave Waddington said to be clear, at the end of twelve years (three terms), someone would have to sit out four years (one term). Dennis Murray said he has no intention to run for a third term either. Justin Harris said the intent was for the legislation to be consistent with the Ohio Constitution. In the wording for the amendment, the caveat for someone filling a vacancy less than two years and not have it counted against them would remain. In Ohio's Constitution, if someone is appointed, even for as short as three weeks or three months, they would not be limited to one full term after. The amendment would be to keep the same language with a twelve-year limit.

Roll call on the motion to amend: Yeas: Dave Waddington, Nikki Lloyd, Dennis Murray, Wes Poole and Dick Brady, 5. Nays: Naomi Twine, 1. Abstain: Greg Lockhart, 1. Roll call on the ordinance, as amended: Yeas: Dave Waddington, Nikki Lloyd, Dennis Murray, Wes Poole and Dick Brady, 5. Nays: Naomi Twine, 1. Abstain: Greg Lockhart, 1. The President declared the ordinance passed at first reading.

CITY MANAGER'S REPORT

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept a donation in the amount of \$25 from the Pinewood Condo Association for the Sandusky Fire Department. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept a donation in the amount of \$20 in memory of Bob Beatty from Joe and Karen Voight. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept an in-kind donation of fitness equipment from the YMCA for the Sandusky Fire Department: one Cybex 700R recumbent stationary cycle, three Matrix Ultimate Deck MTX-13 Fitness treadmills and one Precor EFX546 Elliptical trainer. The President declared the motion passed.

Eric Wobser said the **Police Department's new K9 arrived in country** on July 21. The K9 and his handler, Officer Ed Ohlemacher, will immediately begin working together. They are expected to be State certified the second week of September. Eric Wobser thanked everyone who helped make it possible to get the new K9.

Eric Wobser said the **National Night Out and Touch a Truck event** will be held at the Paper District Marina on August 2 from 4 p.m. until 8 p.m. There are over 80 vehicles on display including several new attractions such as a wall climber, K9 demonstrations, Snoopy from Cedar Point, and the return of the Oscar Mayer Wienermobile. We are looking forward to a family friendly night out and the movie *Zootopia* will be played around 9 p.m.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to approve emergency action to begin work on the combination fuel engine for the Waste Water Treatment Plant.

Discussion: Eric Wobser said this fuel engine is the main pump and engine used for daily operations and is no longer operational. Some monies have been allocated for this work in the 2016 capital budget in anticipation of doing a preventative maintenance project. However, we are now accepting three quotes on an emergency basis for a full rebuild of the pump, exhaust system and engine. We would like to move immediately on the work to ensure we have proper redundancy at the Waste Water Treatment Plant, and will ask the commission for appropriate legislation once those numbers are finalized. Aaron Klein said this is the main pump used at the plant and has been in the budget for a few years to develop a plan, but is no longer operational. The pump and exhaust system will be repaired as well.

Roll call on the motion: Yeas: Dave Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the motion passed.

Upon motion of Naomi Twine and second of Nikki Lloyd, the commission voted to accept a donation in the amount of \$346.20 from O'Rielley Auto Parts for the K9 Fund. The President declared the motion passed.

Eric Wobser said the **Trust for Public Land (TPL) and National Oceanic and Atmospheric Administration (NOAA) have finalized a scope of work for their Great Lakes Restoration Initiative grant.** This is the project mentioned a couple of months ago where Sandusky and Cleveland were chosen as key communities along the Great Lakes to demonstrate how green infrastructure planning can benefit communities on multiple levels, including storm water management, improved water quality in Lake Erie, reduction of urban heat island effect, multi-modal connectivity and improved greenspaces. The scope in Sandusky includes conducting a green infrastructure assessment throughout the city, hosting community design charrettes in targeted neighborhoods to envision prototype projects, best practices exchange with Cleveland and sharing the lessons learned with other cities across the Great Lakes to inspire their planning and infrastructure investments. We look forward to working with the TPL, NOAA and local stakeholders on this project.

Eric Wobser said repair locations are being developed for the **2016 sidewalk program** based on the current list of complaints and will be presented at the first commission meeting in August.

Eric Wobser said during excavation, two issues were discovered on the **Jackson Street Parking lot construction project** specific to the concrete-encased duct banks which are 100+ years old and owned by external businesses. Their locations are in conflict with the underground storm piping and design of the rain gardens. The site is extremely non-uniform in terms of the soil which was not portrayed by the soil borings performed at the onset of the project. Paving on the existing material would significantly reduce the pavement life so we are working on developing a plan moving forward which is the most cost effective and efficient. Aaron Klein said he has been working very closely with the contractor and it is hoped we will see activity commence quickly.

Eric Wobser said a team of city officials met today with the **Pipe Street residents** who submitted a petition about the roadway. Aaron Klein said four main concerns were identified: 1) *truck and commercial bus traffic* – a proposed sign indicating “No Commercial Vehicles” with a truck and bus struck through and it will be placed at different locations on Pipe Street, Cleveland Road, Perkins Avenue and Merriweather Drive; 2) *speeding* – analysis showed 1,230

citations were issued in the east end since January, 212 of which were from Pipe Street which amounts to approximately 17% of enforcement in this entire zone and well in excess of anywhere else in town; it increases to 25% if Remington Avenue is added and a speed sign has been installed to collect statistical speed data on Pipe Street; 3 & 4) *traffic signals at Cleveland Road and Perkins Avenue* – the contractor with the East End sewer project cut through loops at several intersections and these will be put back up and made operational and the timing can then be adjusted.

All of these will be journalized once decisions have been made and lead time will be provided so proper notification is done first. It is anticipated we should probably increase the timing of the signal on Cleveland Road during high traffic times. Dennis Murray thanked staff for meeting with the citizens so quickly and noted this is an important issue to everyone involved.

Eric Wobser said in the **tax abatement agreement for Hotel Kilbourne**, the project completion date is April 30, 2016. In order to stay compliant with the agreement, we formally extended the date to December 31, 2016. The completion date will now be in line with the effective date of the abatement which is January 1, 2017 and we are looking forward to the opening of the hotel.

Eric Wobser said the **Erie County Land Reutilization Corporation (ECLRC) recently was awarded \$1,043,178.97 in demolition funding through Round 1 of the Neighborhood Initiative Program administered by the Ohio Housing Finance Agency.** It is the single largest level of demolition funding ever awarded to Erie County. This award is much higher than that of other comparably sized and larger counties across the State of Ohio. This is likely attributed to both the new forged relationship between Erie County, the City of Sandusky and ECLRC, coupled with the increased pipeline of properties needing to be demolished by Sandusky and other cities and townships throughout Erie County. With these funds, it is anticipated between 52 properties (assuming an average demolition expense of \$20,000 per home) and 69 properties (assuming an average demolition expense of \$15,000 per home) could be demolished.

Eric Wobser said **the city auction** will be held on July 30 at 9 a.m. and questions can be directed to Kelly Kromer at 419.627.5884.

Eric Wobser said **Erie County was awarded \$1.5 million for a lead-based paint hazard control grant and \$150,000 in healthy homes supplemental funding.** This will help provide safer homes for low income families and we are excited for the Health Department to address this important issue. The city has a modest amount of money committed for this purpose and we are happy to have been successful. Dennis Murray noted his appreciation to the Erie County Health Department for securing this grant and said homes built before 1978 by and large contain lead-based paint which is a tremendous hazard to children who grow up in them. Lead-based paint is known to get into their bodies, is sometimes digested in the form of dust or paint chips and has a profound impact on their learning ability and the cost to our school systems to educate them. These dollars will bear returns many, many times over in avoided costs for everyone. The City of Cleveland implemented changes in dealing with lead-based paint and should be watched as a model and an example.

OLD BUSINESS

None.

NEW BUSINESS

Upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted to hold a Public Hearing on August 8 at 5 p.m. regarding the proposed street name change for Grant Street to Orlando Pace Drive between Hayes Avenue and Camp Street. The President declared the motion passed.

Upon motion of Dick Brady and second of Naomi Twine, the commission voted to hold an executive session regarding imminent litigation. Roll call on the motion: Yeas: Dave

Waddington, Nikki Lloyd, Naomi Twine, Dennis Murray, Greg Lockhart, Wes Poole and Dick Brady, 7. The President declared the motion passed.

Dave Waddington asked if it is possible to place a **sprinkler system at MacArthur Park for kids** during hot summer weather. Dennis Murray said this park is included in the Master Plan at some time in the future and there is intent to build a splash pad. Eric Wobser said he believes this is in the Capital Plan for 2019 but we can look at doing something to bring water into the park between now and then.

AUDIENCE PARTICIPATION

Marvin Martin, 2008 East Oldgate, said he likes the way the City Commission conducts business and learned a lot sitting here tonight and appreciates it. There is a city ordinance regarding parking on property owned by someone else and a city employee came out and told him he was doing this and asked how he knew. Marvin Martin said he has come to the conclusion through satellite images that the property line was not where the main line was and knows about surveys; this one is completely wrong. If he indeed is parking on someone's property, it is the city's responsibility to prove him wrong. This area needs to be surveyed to eliminate the problems he is having. Another issue in his neighborhood is several residents are concerned about rodents, high grass and bushes needing to be cut. They are being held accountable for parking on another person's property and they, as homeowners have been taking care of it for years. The city issues citations after grass is nine inches high, but there are groundhogs and snakes and this grass should be trimmed around the fencing which is housing these rodents. Dennis Murray thanked Marvin Martin for being here and for having his business and home in Sandusky. As to the issues mentioned, the city always has the burden of proof when taking enforcement action. Marvin Martin said the problem is with Mr. Didion and properties he owns in this neighborhood. There are four lots to the rear of his (Marvin Martin) property, two to the side and four on the other side, plus a slew of them before his so his house is wrapped around these empty lots. The Planner informed him the city has new money and is asking residents to move their boats and automobiles temporarily parked on this property. Mr. Didion saves money because the other residents have been using the property by parking on it and cutting it. They were given 72 hours to remove these items and Mr. Didion is getting rewarded for getting everything taken care of around him and kept in immaculate condition. Now there are cans, beer and whiskey bottles around and this is a deterrent to taking care of the property. Angela Byington said the Zoning Inspector (Dave Trent) cited the property owner (Mr. Didion) for the parking violation on an unimproved surface. Angela Byington and Casey Sparks would be happy to meet with the residents about this issue.

Henry McGill, 2052 Heritage Drive, said the city came out to stop him from parking on a lot owned by Mr. Didion. The city waits until the grass gets eight inches high before cutting it yet he (Mr. McGill) has been keeping it cut to three or four inches and likes his lot and the adjoining lot to be cut shorter so groundhogs do not come through it.

Myra Aaron, 2053 East Oldgate, said years ago she made the front page of the newspaper about properties owned by Mr. Didion, Mr. Waldock and the railroad behind her house and she has been taking care of them for over twenty years. People take care of their homes and want to keep things around them beautified and is why they cut these lots. Kids have a path and cross the railroad tracks on Mr. Didion's property and she now has poison oak from cutting weeds down. The cotton trees blow out and are also not cut. Barnes Nursery was spraying and said they needed a contract to get everything off of the fence which is being damaged. There was a large hole in this property which Myra Aaron said she filled so a child would not fall in it because Mr. Didion did not. It has been suggested to give this property for a Habitat house rather than letting it grow like this.

Jerry Burke, 1945 East Oldgate, said most of the residents received letters and he had two boats parked on the grass which is a temporary situation. A lot of residents taking care of the Didion property have boats, cars and trailers parked on his property. Mr. Didion received a letter from the city asking for these to be removed and he, in turn, asked his neighbors to

remove the vehicles from his property. The city was good to work with when he contacted them.

Dennis Murray thanked these residents for coming and sharing their concerns and although he does not have an immediate answer, will be providing one.

Frank Cox, 2028 Heritage Drive, said he lives one street over from Oldgate and there are empty lots on each side of his home and he cuts two lots. If these do not get cut, rodents run from his house into the tall brush.

Sharon Johnson, 1139 Fifth Street, said she had a neighbor who called her about another who was not cutting their grass nor are they taking out their garbage and she told them to call Code Enforcement to take care of it rather than trying to do it himself. It is Mr. Didion's responsibility to clean up this lot and people should call Code Enforcement to take care nuisances. It is a shame people can take advantage of others like this.

Wes Poole said it is obvious we have folks in a neighborhood going out of their way to maintain their standard of living and are stuck taking care of another person's property if they want their homes to be nice to be around. The city, by ordinance, has limitations on what it can do and an ordinance calling for grass and weeds to not be more than 8" in height may stretch to 12" and this is too long. We have complicated this with a letter indicating if a hard surface is not installed the city will start fining them and it is understandable people are upset with this. The problem is we not only have to enforce the ordinance, we need to figure out a way for these folks to be provided with time to work out a plan to improve the neighborhood and comply with the ordinance, and not leave them in a position to have to cut another person's field just to keep rodents out of their yards. We are here to problem solve, not just enforce ordinances. Greg Lockhart asked what an approved surface is and Angela Byington said it must be a paved or hard surface, although there may have been variances granted in the past for gravel.

At 7:11 p.m., the President announced a recess of the regular session. At 7:15 p.m., the commission went into executive session. At 7:56 p.m., the commission returned to open session and the President announced the meeting was adjourned.

Kelly L. Kresser, CMC
Clerk of the City Commission

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