

John Hamilton called the meeting to order at 5 p.m. after the **Invocation**, given by John Hamilton, and the **Pledge of Allegiance**.

The clerk called **the roll** and the following Commissioners responded: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole.

City staff present: Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Fire Chief, Carrie Handy – Planner, Scott Miller – General Services Director, Don Rumbutis – IT Department, Don Icsman – Law Director, Nicole Ard - City Manager, Hank Solowiej – Finance Director and Kelly Kresser – Commission Clerk.

Upon motion of Wesley Poole and second of Keith Grohe, the commission voted to excuse Diedre Cole. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole. The President declared the motion passed.

Upon motion of Pervis Brown and second of Jeff Smith, the commission voted to approve the minutes of the September 24 and October 1, 2012 meetings and dispensed with the oral reading. The President declared the motion passed.

AUDIENCE PARTICIPATION (*agenda items only*)

None.

PRESENTATIONS

Peter Schade, **Health Commissioner for the Erie County Health Department (ECHD)**, provided an **update on activities and programs at the ECHD** including: expansion of the community health center into the dental arena by the hiring of a new full-time dentist, wrapping up the budget at the end of this year, the prescription drug drop box program (a new one will be added in the lobby of the SPD soon), public health outreach clinics, the flu shot program and the algal bloom issue. Pervis Brown asked how citizens can dispose of excess sugar testing strips and Peter Schade said Serving Our Seniors takes some of these items if unopened. John Hamilton asked if there currently is a prescription drug drop box set up and Peter Schade said Perkins Police Department has a portable one. Wesley Poole thanked Peter Schade, the members of his board and employees of the ECHD who help identify the needs of the community to determine the providing of additional services accordingly. Peter Schade said the community health assessments provide a lot of good information. Julie Farrar said there was a complaint made recently about black mold in a residence and asked if the ECHD has a program to test for this. Peter Schade said a sanitarian can assess these types of problems and there are thousands of types of black mold. There is a healthy homes protocol to abate mold which is a cleanup followed by good ventilation.

LaMont Robinson, **Hall of Fame Sports Dome**, said he has been here for about one and one half years **working to create a national sports museum and sports hall of fame in Sandusky**. LaMont Robinson shared a DVD production showing this new complex. LaMont Robinson said he has taken his time to make sure things were done right and the building was configured by General Steel and will fit perfectly on the land (located on Fremont Avenue). LaMont Robinson said he is looking to the city for support and believes this will happen. There have been others who have built sports complexes, but people will come to stay overnight because of the different uses at the facility including a state hall of fame. Julie Farrar said she has not spoken with LaMont Robinson for quite a while and is impressed with what she has seen. Julie Farrar asked how many people and how much revenue this will bring to the area because of the sports tournaments. LaMont Robinson said the hall of fame portion of the project is expected to bring in about \$4.5 million and the debt ratio is under \$2 million. Even after the recession in the 1990's, sports are still viable and people put money into them and Sandusky is tailor-made for this type of activity as people already come here to spend money. The Hall of Fame Sports Dome will be interactive and the tournaments will bring people. Julie Farrar asked if the hockey rink is official. Jim Pengelly, JRV Management, said tournaments will bring children in the wintertime after the hotel industry closes up for the season which will help fill rooms. Jim Pengelly said the tournaments will have a \$4 - \$6 million impact back into the community and families suffer when summer income goes away. This type of facility can host two or three sports tournaments at one time and the average family will spend about \$265/night in overnight stays which is significant considering they may be here for two or three nights. Jim Pengelly said kids in this area are looking for school and gym space and Dr. Eugene Sanders, Sandusky City Schools Superintendent, stated they do not have gym space left. This means every high

school in the area is without a gym space and that intramural programs are down and need to be developed. In addition, space is needed for area adult recreation programs. Jim Pengelly recalls seeing a basketball program in a church on Route 4 in which the sanctuary was converted into a basketball court for about 200 kids. This new complex will be a great, safe and clean refuge and parents can use the entertainment center while the kids are playing sports. This is a sports training center with people who know how to train athletes and not a fitness center. The intramural programs will become even more important and will help to get kids off of the street. This will be good from a business side with the potential for 45+ weekends of tournaments which is about \$3.5 million of economic impact for one sport. Jim Pengelly said this is exciting and he hopes the city will participate, going forward, as the facility is built and grants are obtained. LaMont Robinson said he has had good conversations with the Cleveland Port Authority and they love this project; this will be the first African American they have dealt with and they are very excited. The State of Ohio does not have a hall of fame, yet it is one of the richest, broadest states for sports in the world. LaMont Robinson said families will come to this and will set Sandusky aside from anyone in the world. Tickets will soon go on sale for an inaugural event to be held on May 19 and the legends will be on hand to be honored. LaMont Robinson said he is now going out to raise the rest of the money, the signs are up and there is a trailer on the site which looks like the museum on the inside. The feasibility study has been performed as well as soil testing and he has obtained his 501-C-3 status in less than one year as well as a lot of encouragement and assistance. LaMont Robinson said he is accessible and he needs the city's support. He is right next door to a senior citizen building and will have a walking track. LaMont Robinson said Dr. Eugene Sanders is a personal friend and has offered anything he can to assist with the project including helping to write grants. LaMont Robinson thanked Ruth Parker who believed in his dream and is the guardian angel; he asked for applause for her. The city provided a letter of support which has been included with the business plan. The governor is interested in this because of honoring state athletes and he has had to set himself apart. This will be in place next to the national football hall of fame in Canton. People already come to Sandusky to spend money and this makes his job easier. Wesley Poole asked for a hand to be given for Julie Farrar.

Upon motion of Pervis Brown and second of Wesley Poole, the commission voted to support Lamont Robinson and his endeavors for the Hall of Fame Sports Dome in Sandusky. The President declared the motion passed.

CURRENT BUSINESS

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

ITEM #1 – Submitted by Hank S. Solowiej, CPA, Finance Director

Budgetary Information: This formula provides a level percentage share of local government distribution funding for the next two years. This will provide for the same share of this funding for the years 2013 and 2014.

RESOLUTION NO. 027-12R: It is requested a resolution be passed **approving the alternative distribution formula for the undivided local government funding for Erie County for the calendar years 2013 and 2014 as proposed by the Erie County Budget Commission;** and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to approve this resolution according to Section 14 of the city charter. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. Roll call on the resolution: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. The President declared the resolution passed.

ITEM #2 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The revised contract amount with change order #3 is \$535,430.68. The breakdown of the revised contract costs is as follows: \$428,344.54 from the Federal Highway Administration funds through the Ohio Department of Transportation and the Erie County Metropolitan Planning Organization, \$44,129.67 from Community Development Block Grant funds and \$62,956.47 from the street fund.

ORDINANCE NO. 12-101: It is requested an ordinance be passed **authorizing and directing the city manager to approve the third change order for work performed by Erie Blacktop, Inc., of Sandusky, Ohio, for the Cedar Point Drive improvement project and to deduct the contract amount by \$14,877.91 in relation thereto;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Discussion: Wesley Poole said Todd Roth did a good job in managing this.

Upon motion of Wesley Poole and second of Pervis Brown, the commission voted to approve this ordinance according to Section 14 of the city charter. Roll call on the motion: Yeas: Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 5. Abstain: Keith Grohe, 1. Roll call on the ordinance: Yeas: Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 5. Abstain: Keith Grohe, 1. The President declared the ordinance passed.

ITEM #3 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: This grant is 100% funded by the Ohio Department of Natural Resources. **RESOLUTION NO. 028-12R:** It is requested a resolution be passed **authorizing and directing the city manager to file an application with the Ohio Department of Natural Resources Navigational Aids grant program on behalf of the Cedar Point Property Owners Association to replace ten (10) existing “No Wake” buoys;** 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 Pervis Brown, the commission voted to approve this resolution according to Section 14 of the city charter. Roll call on the motion: Yeas: Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 5. Abstain: Keith Grohe, 1. Roll call on the resolution: Yeas: Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 5. Abstain: Keith Grohe, 1. The President declared the resolution passed.

ITEM #4 – Submitted by Scott A. Miller, Director of General Services

Budgetary Information: Proceeds from the sale of the items from the police department will be placed into the police department’s general trust account. Proceeds from the sale of all other items will be placed into the city’s general fund.

ORDINANCE NO. 12-102: It is requested an ordinance be passed **authorizing and directing the city manager to dispose of surplus personal property and equipment as having become unnecessary and unfit for city use pursuant to Section 25 of the city charter;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Pervis Brown and second of Keith Grohe, the commission voted to approve this ordinance according to Section 14 of the city charter.

Discussion: Pervis Brown asked if there is a date for the auction and Scott Miller said it will be Saturday, October 13 beginning at 9 a.m. at the city service center. Wesley Poole asked if the items on the list will be included in the auction and Scott Miller said they will. Wesley Poole asked if these items are also listed on line and Scott Miller said they are.

Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. Roll call on the ordinance: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. The President declared the ordinance passed.

ITEM #5 – Submitted by Scott A. Miller, Director of General Services

Budgetary Information: The City is responsible for the disposition of unneeded personal property to promote operational efficiency. Using public internet auction for the disposal of unneeded vehicles and equipment will generate more revenue and make items available to a larger community of potential buyers.

RESOLUTION NO. 029-12R: It is requested a resolution be passed **declaring the intent of the City of Sandusky to dispose of personal property and equipment as having become obsolete, unnecessary or unfit for city use through internet auctions during the calendar year 2012;** and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to approve this resolution according to Section 14 of the city charter. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. Roll call on the resolution: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. The President declared the resolution passed.

ITEM #6 – Submitted by Kelly L. Kresser, Clerk of the City Commission

A request has been received from the Ohio Division of Liquor Control requesting a **new D5 liquor permit (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 Three Brothers Brew LLC, dba Brick Oven Bistro, 1012 Cleveland Road, Sandusky. 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 to request the city commission clerk notify the Ohio Division of Liquor Control the city has no objection to this request. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. The President declared the motion passed.

CITY MANAGER'S REPORT

Upon motion of Pervis Brown and second of Wesley Poole, the commission voted to accept a grant in the amount of \$2,500 from the Sandusky Erie County Community Foundation for fitness equipment in the Sandusky Police Department.

Discussion: Nicole Ard said this grant application was authorized through legislation passed previously by the city commission.

The President declared the motion passed.

Nicole Ard said Jim Lang has requested approval for **Sgt. Danny Lewis to attend the national FBI Academy** which is a ten-week session. Travel expenses would be paid by the FBI while the city will continue to pay for his wages. Sgt. Lewis will be provided use of an unmarked vehicle and will join officers from around the world for the Academy.

Upon motion of Pervis Brown and second of Jeff Smith the commission voted to support **Sgt. Danny Lewis to attend the national FBI Academy**. The President declared the motion passed.

Upon motion of Jeff Smith and second of Keith Grohe, the commission voted to pay dues in the amount of \$100 to the Sandusky Main Street Association.

Discussion: Nicole Ard said it has been customary for the commission to approve this type of expenditure.

The President declared the motion passed.

Nicole Ard said **Peter Zaehring from the Erie County Economic Development Corporation** will attend the October 22 meeting to provide an update about things he has been working on for the City of Sandusky.

Nicole Ard thanked Carrie Handy for her efforts with **recent activities, along with Erie County regarding economic development**. Carrie Handy said the materials developed for the **global economic forum** with visitors from China have started to pay off during the last two weeks. Tours were provided of the area and the visitors enjoyed the vacationland aspect. An informal committee has been formed to begin talking about how to increase investment between international investors and companies in Sandusky and Erie County. Jeff Smith said he heard good feedback about Carrie Handy and the information presented about Sandusky.

Nicole Ard thanked staff in the SPD, Paul Ricci, Carrie Handy and Anna Enderle for attending **Chamber of Commerce events**. Nicole Ard said Jim Lang attended a **Senior Expo** at the fairgrounds and staff from the general services department hosted the **Boo at the Bay** event. Nicole Ard said Pervis Brown also recently attended the **CAC luncheon**.

OLD BUSINESS

Jeff Smith asked if the city has received any information from George Poulos regarding **the city hall/municipal court remodeling**. Nicole Ard said she will forward information to the city commission once it is received.

NEW BUSINESS

Julie Farrar said she would like to attend the **Thriving Communities Land Bank Conference** in Independence, Ohio on November 27 – 28. She attended the last conference which was held in

Cleveland and would also like Carrie Handy to attend as she is the alternate on the County's Land Bank Committee. Julie Farrar said she would like to stay overnight on November 27 as the program begins early in the morning on the 28th.

Upon motion of Pervis Brown and second of Keith Grohe, the commission voted to support Julie Farrar and Carrie Handy attending the Thriving Communities Land Bank Conference and for the city to pay for hotel rooms for this conference. The President declared the motion passed.

Upon motion of Pervis Brown and second of Wesley Poole, the commission voted to hold an executive session regarding personnel, fire department. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. The President declared the motion passed.

Upon motion of Pervis Brown and second of Julie Farrar, the commission voted to hold an executive session regarding the purchase and sale of personal property. Roll call on the motion: Yeas: Keith Grohe, Jeff Smith, Julie Farrar, Pervis Brown, John Hamilton and Wesley Poole, 6. The President declared the motion passed.

Wesley Poole said he attended the **Boo at the Bay event** this past weekend which was an excellent time. The city has had a good year in terms of downtown activities and at the Paper District Marina. The city now has a proposal from LaMont Robinson, the potential for international investment, and should take a moment to acknowledge this has been a decent year. One of the foundations to bringing more people here is all of the amenities discussed tonight. Another piece is the city school levy on the November ballot and Wesley Poole said he hopes everyone votes; he personally supports the levy. People should also want to move and live here and the foundation for this is the schools. The city has done well during the new city commissioners first ten months as well as Nicole Ard's first ten months. John Hamilton said he likes going downtown and not being able to find a parking spot.

Jeff Smith asked if there is any word regarding **a new city engineer** and Nicole Ard said there is not.

John Hamilton said because today's meeting falls on a Tuesday, the **airing on Buckeye CableSystem** Channel 81 will be Tuesday, October 9 at 9 p.m., Monday, October 15 at 7 p.m. and Tuesday, October 16 at 9 p.m.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, asked what properties the foreign investors looked at during the recent global forum. Nicole Ard said various areas of town were highlighted and she can provide a list of specific properties. Tim Schwanger said in the future, the commission will be presented with a proposal to increase charges for rental of picnic shelters to \$40 - \$50 for residents. Huron and Port Clinton charge \$25 for the same service and Tim Schwanger is opposed to this increase unless another individual is hired to take care of the parks. There was a recent situation with persons renting a shelter who spent more time cleaning it than setting up for their party. Nicole Ard said there is preparation work done for special events and those using facilities are provided contact information so if there is an unfortunate situation, they know who to call. Nicole Ard said she did a quick search and the City of Sandusky's rates are much lower than other communities (Huron charges \$25/hour) and she will be happy to look at others before making a recommendation to the city commission. Tim Schwanger said this used to be considered a taxpayer service and a citizen could rent a facility for \$35 and if left in the same condition, this money would be returned. Nicole Ard said there are measures in place for staff to respond if citizens arrive at an area which is in need of attention. Wesley Poole said when this issue comes before the city commission, usage of individual parks should be submitted to help justify the increase.

Sharon Johnson, 1139 Fifth Street, asked for an update on the municipal court and if the Chinese looked at the city hall property and Carrie Handy said this property was not on the list. Nicole Ard said the architect is reviewing the mechanicals for the city building to determine what repairs are needed in order to continue using this building in a safe manner. Sharon Johnson said not moving was voted down. Jeff Smith said his motion to do research was voted down and there was never a motion made about moving. Sharon Johnson asked why the city is wasting its time on moving city hall as the votes are not there. Nicole Ard said the building is being evaluated to know what to budget and Todd Roth said the building needs to be evaluated regardless. Sharon Johnson asked what is going on with the former Apex property and Todd Roth said the agreement has been signed with Partners Environmental. Todd Roth said this is all according to the ODOD agreement. Additional testing has been performed for the construction documents (demolition and remediation). Sharon Johnson asked when this work might begin and Todd Roth said there may be some activity this winter or in the spring. Todd Roth said this

was allowable even into 2013 by the ODOD. Sharon Johnson asked where 'we' are with financing for the Hall of Fame Sports Dome. LaMont Robinson said he has raised about \$1 million and this is a private entity. LaMont Robinson said he bought the land in December and it is paid for. Sharon Johnson said there is \$1 million out of \$12.5 million that must be raised and LaMont Robinson said there will be sponsorship, naming rights and other investors. He has a great relationship with PNC Bank and is working with the city as well. Sharon Johnson asked how much will be asked of the city and LaMont Robinson said he has not talked dollars with the city and has not asked for one dime so as to put that burden on the taxpayers. He has asked for a tax abatement or TIF, but not for \$12 million.

Andy Ouriel, Sandusky Register, asked when the former APEX building will be demolished and Todd Roth said as soon as the construction documents are completed; this is in the hands of the consultant. Andy Ouriel said he was told this would begin prior to the end of 2012 and Todd Roth said this is possible but it will have to be put out for bid in following with the ODOD agreement. Andy Ouriel said he looked over the Recreation Board minutes regarding the increase in fees for the shelters and Scott Miller said these are only proposed at this point and the final decision rests with the city commission. Nicole Ard said she has asked this to be placed on hold and it will be advertised prior to implementation. Andy Ouriel asked what the extra funds will be used for and Scott Miller said the parks are being used more and more each year and this money will provide an additional person to come in on weekends to perform maintenance issues. Andy Ouriel said the commission held an executive session two weeks ago and asked what miscue or mishap led to the rehiring of Officer Mark Gilliam. Don Icsman said this was written in the judgment entry and was very clear. A date was missed in terms of serving the union with a copy of the appeal and the service to the union was not made regarding the filing of the appeal. Andy Ouriel asked what repercussions will result from this occurring and what answers will be given to residents about the situation. Wesley Poole said this is done and there is nothing more to **be** done about it. Wesley Poole said Marc Fischel acknowledged this occurred; it was a simple mistake and is over and done with. There is nothing more to explain; it is what it is and notification was not made in an appropriate amount of time; the officer is back to work and has not created any problems. Wesley Poole said he is sure adjustments will be made by Marc Fischel to make sure this does not happen again. Andy Ouriel said he has been told for months that a new police chief will be hired in October and a lawyer is looking into the police chief search committee; he asked if there are any results. Pervis Brown said as soon as the information has been received from the background checks, the police chief selection committee will be meeting and will provide names to Nicole Ard. Andy Ouriel asked if the investigation will halt the selection process and Pervis Brown said it will not.

The President announced a recess of the regular session at 6:19 p.m. Two executive sessions were held beginning at 6:40 p.m. Upon motion of Jeff Smith and second of Keith Grohe, the commission voted to adjourn the meeting at 7:47 p.m. The President declared the motion passed.

Kelly L. Kresser
Clerk of the City Commission

Diedre Y. Cole
Vice President of the City Commission