

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: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith.

Julie Farrar arrived to the meeting at 5:17 p.m.

City staff present: Todd Roth – Engineer, Jim Lang – Interim Police Chief, Jim Green– SFD Captain, Carrie Handy – Planner, Thomas Schwan – Transit Administrator, Don Rumbutis – IT Department, Don Icsman – Law Director, Nicole Ard - City Manager, Hank Solowiej – Finance Director and Kelly Kresser – Commission Clerk.

Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to approve the minutes of the October 22 meeting and dispensed with the oral reading. The President declared the motion passed.

AUDIENCE PARTICIPATION (*agenda items only*)

None.

PRESENTATIONS

Breann Hohman, Soil & Water Conservation District, said Erie County has the second most area of shoreline in Ohio and this is very important. Bulkhead and riff raff is needed for stabilization and control. The **Living Shoreline project** was funded through the Lake Erie Protection Fund and is an alternative approach to shoreline stabilization and protection that utilizes native vegetation for erosion control, wildlife enhancement, beautification, reduction of maintenance and control of nuisance species. The goals of the project were to demonstrate erosion control utilizing a technique called living shorelines. This project will also help increase the capacity of the city greenhouse and to build partnerships for enhancing the shoreline. This is a unique opportunity for the city, “friends” groups and the Soil and Water Conservation District. There is vegetation in the summer but is more of a mix of random, sporadic weeds and it is suggested native plants be placed here instead. The group is looking more toward surface treated erosion as rainfall begins to take place, it creates a sheet flow toward the lake. There is turf grass on the slope and there is not much room for root structure. Shoreline Park is made up of loosely, uncompacted, engineered or replacement soils with a top layer of topsoil mix. Switch grass was planted in this area several years ago; turf grass would have a much deeper root system and will help provide stability. As grasses go dormant in the winter, they hold the bank in place much better. There will be erosion control at the site which will decompose over time. Soil will be added as backfill, plants will be added and the area will be seeded. The small patch of switch grass currently in Shoreline Park was planted with the idea it would spread but this never really happened. A more intensive planting must take place. There were about 10 different species of grasses considered and prairie cord grass and switch grass will be planted. This has a fluffier, plume look and can be incorporated into natural landscapes. The grant was awarded to the City of Sandusky by the Lake Erie Protection Fund in the amount of \$12,770 with a match of \$5,254. Project partners are the City of Sandusky, ODNR’s Department of Soil and Water Resources, Lake Erie Soil and Water Conservation District, the Ohio Lake Erie Commission, Friends of Pipe Creek Watershed and the Friends of the Greenhouse. This is a one year project which has already begun (design work) and some of the seeds will be propagated this winter. Planting will take place in the spring and the project should be complete by the end of May, 2013. Diedre Cole asked how people using this area will be prohibited and Breann Hohman said as the plantings go in, goose barrier fencing will be erected and will be the one time people may be prohibited from the area. Open space should be available for fishing. The project does not go all the way to the water’s edge; there is a 2’ – 3’ gravel section before hitting the water. Diedre Cole said the Kids Fishing Derby is in June and this is good to know. Breann Hohman said the fencing will be up so long as it takes to establish the plantings and is to keep the geese out on the western side and a portion of the eastern side. All of the area north of the bridges will remain open.

CURRENT BUSINESS

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to accept all communications. The President declared the motion passed.

ITEM #1 – Submitted by Amanda Meyers, Paralegal

Budgetary Information: The cost of these acquisitions will be approximately \$609 in recording costs, but upon sale, the purchaser(s) shall be required to pay these costs and the city will recoup them in full. The taxing districts will not collect the delinquent taxes, assessments, penalties and interest currently due and owing however, by returning this abandoned nonproductive land to tax producing status, the taxing districts will begin collecting approximately \$6,453.70 yearly in real estate taxes and assessments.

RESOLUTION NO. 031-12R: It is requested a resolution be passed **approving and accepting certain real property for acquisition into the land reutilization program;** and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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

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

Budgetary Information: There is expected to be no significant impact on the general fund. The US EPA Assessment grants require no matching dollars.

RESOLUTION NO. 032-12R: It is requested a resolution be passed **authorizing and directing the city manager to file an application with the United States Environmental Protection Agency for FY 2013 Brownfields Assessment Grant funding;** 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 Wesley Poole, the commission voted to approve this resolution according to Section 14 of the city charter. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 6. Roll call on the resolution: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe and Jeff Smith, 6. The President declared the resolution passed.

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

Budgetary Information: The city is administering the grant and has no financial obligation. The owner is responsible for any additional funding that is necessary to complete the project.

ORDINANCE NO. 12-104: It is requested an ordinance be passed **authorizing and directing the city manager to enter into a Clean Ohio Assistance Fund Redevelopment agreement with BSL Holdings, Ltd., of Sandusky, Ohio, in relation to the former D.C. Filter property located at 1517 – 1617 Fifth Street in Sandusky;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

Discussion: Diedre Cole asked if there is a timeline and Todd Roth said the next step is to secure the services of a consultant and this will be brought back for commission approval.

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

ITEM #4 - Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The city will receive \$3,750 for the sale of this property. There will be minimal closing costs associated with the sale of this property which will be paid by the new owner.

ORDINANCE NO. 12-105: It is requested an ordinance be passed **declaring that certain real property owned by the city located at Lot #135 on Wilson Street, Parcel #58.64003.000 is no longer needed for any municipal purpose and authorizing and directing the city manager to enter into an agreement to sell the real property to Edward A. Zeigler;** 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. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. Roll call on the

ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the ordinance passed.

ITEM #5 - Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The engineer's estimate for the total project cost including engineering, inspection, advertising and miscellaneous costs is \$215,714.50. The project will be funded with FHWA funds through ODOT and the MPO for eligible costs in the amount of \$149,880 with additional funding available in the amount of \$65,834.50 from Community Development Block Grant funds.

RESOLUTION NO. 033-12R: It is requested a resolution be passed **declaring the necessity for the city to proceed with the proposed Lions Park bicycle and pedestrian path project; approving the specifications and engineer's estimate of cost thereof; and directing the city manager to advertise for and receive bids in relation thereto;** and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Jeff Smith and second of Keith Grohe, the commission voted to approve this resolution according to Section 14 of the city charter.

Discussion: Pervis Brown said it is nice this is moving forward and will reap dividends in the future for Sandusky.

Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. Roll call on the resolution: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the resolution passed.

ITEM #6 – Submitted by Thomas Schwan, Transit Administrator

Budgetary Information: The state grants have a significant impact on the Sandusky Transit System's (STS) budget, as they comprise approximately 10% of the total operating budget. These funds are also used as matching funds, which allows the city to draw down its funds from the U.S. Department of Transportation for the Federal Transit grant. Without this state funding, service would have to be restructured or reduced. The Elderly & Disabled program provides state funds to reimburse STS reduced fares, no greater than one half (1/2) the regular adult fare, to the elderly and people with disabilities in the City of Sandusky, Perkins Township and the City of Huron, These funds offset the farebox loss incurred by STS as a result of offering this reduced fare.

RESOLUTION NO. 034-12R: It is requested a resolution be passed **authorizing and directing the city manager to accept a grant in the amount of \$16,462 from the Ohio Department of Transportation FY 2013 Elderly and Disabled transit fare assistance program for the Sandusky Transit System;** 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 Wesley Poole, the commission voted to approve this resolution according to Section 14 of the city charter.

Discussion: Wesley Poole asked for the concept of what is being done with this money and how this is an improvement to the program. Thomas Schwan said money is obtained each year to offset fare rates (\$2 and \$3 for elderly and disabled). This is reimbursement from the State and the money goes back into the general operating budget for STS.

Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. Roll call on the resolution: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the resolution passed.

ITEM #7 – Submitted by Carrie R. Handy, Chief Planner

Budgetary Information: The City of Sandusky will award the Center for Cultural Awareness \$21,000 to implement the Citizens Circle program. Funds will be used for administrative management and marketing of the program to assist ex-offenders to become acclimated back into society. The Center for Cultural Awareness is providing \$4,718 of an in-kind match to support the program. There is no impact to the city's general fund.

ORDINANCE NO. 12-106: It is requested an ordinance be passed **authorizing and directing the city manager to enter into a subrecipient agreement with the Center for Cultural Awareness, substantially in the same form as attached hereto, and to expend an amount not to exceed \$21,000 from the FY**

2012 Community Development Block Grant funds; 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 Jeff Smith, the commission voted to approve this ordinance according to Section 14 of the city charter.

Discussion: Pervis Brown said he would like to give emphasis to this vital program in order for it to continue. People do make mistakes in life and this program helps those who have to 'get back to reality' and become useful citizens once again.

Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 6. Abstain: Diedre Cole, 1. Roll call on the ordinance: Yeas: Pervis Brown, John Hamilton, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 6. Abstain: Diedre Cole, 1. The President declared the ordinance passed.

ITEM #8 - Submitted by Carrie R. Handy, Chief Planner

ORDINANCE NO. 12-107: It is requested an ordinance be passed **amending part eleven (Planning and Zoning Code), title one (Zoning Administration), chapter 1107 (Definitions) of the codified ordinances, in the manner and way specifically set forth hereinbelow;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

Upon motion of Julie Farrar and second of Keith Grohe, the commission voted to approve this ordinance according to Section 14 of the city charter. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. Roll call on the ordinance: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the ordinance passed.

ITEM #9 - Submitted by Jim Lang, Interim Police Chief

Budgetary Information: The total cost to replace the server is \$12,824.11. The grant, if awarded, covers \$11,541.70 (90%) of the proposed expenditures and the required matching share of \$1,282.41 (10%) will be provided by funds from the city's capital improvement fund.

RESOLUTION NO. 035-12R: It is requested a resolution be passed **approving and ratifying a grant application submitted to the Ohio Office of Criminal Justice Services for funding through the Edward Byrne Memorial Justice Assistance grant program for law enforcement for the Sandusky Police server project;** and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Keith Grohe and second of Julie Farrar, the commission voted to approve this resolution according to Section 14 of the city charter.

Discussion: Diedre Cole said she thought the purchase of a new server was already part of the police department's 2012 budget. Jim Lang said this is a different server and is for the cameras in the cruisers. The other server is for the computers. Wesley Poole asked if this server will be dedicated to cameras in the cruisers and Jim Lang affirmed it will. Pervis Brown asked about updating the station to move forward into the 21st century and mentioned the recent open house. The renovations helped to make a prize out of something that was a disgrace. Pervis Brown said he applauds anything that moves the city and the SPD forward. Wesley Poole asked how much space is on the servers and what the plan is for their utilization. Don Rumbutis said the average life span of a server is approximately five years after which time they will become obsolete. Wesley Poole asked if the video recording will be erased over a period of time and Don Rumbutis said the video server archives as space becomes available. Wesley Poole asked the general cycle for archiving and Don Rumbutis said the current video server was full in less than 30 days and he believes the new one will be the same. These are stored in DVD format according to the city's public records retention schedule.

Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. Roll call on the resolution: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the resolution passed.

CITY MANAGER'S REPORT

Upon motion of Pervis Brown and second of Jeff Smith, the commission voted to accept a donation in the amount of \$2,500 from the Wightman Wieber Foundation which will be used to fund the second half of the police department's purchase of the new treadmills. The President declared the motion passed.

Nicole Ard said Kelly Kresser, her son Jordan Sternberg, and officials from the Sandusky Police Department have been working on designing donated billboard spaces from Lamar to support public outreach. **Upon motion of Jeff Smith and second of Julie Farrar, the commission voted to accept this donation from Lamar (\$3,000 maximum in-kind value) and Jordan Sternberg (pro bono graphic design work) to allow staff to work on this project. The President declared the motion passed.**

Nicole Ard said **a corrected and updated demolition list** was provided to the city commission. Staff from engineering, planning/development and law helped to put this together.

Nicole Ard provided an **estimate received from George Poulos for renovation of the city building including additional items beyond the mechanicals, as well as an estimate for renovations in the municipal court.**

Nicole Ard said she provided the commission with a copy of **training materials to be considered by the police department.**

Nicole Ard **welcomed two new police officers to the department: Troy Dillinger and Cameron Greenawalt.**

Nicole Ard said **an advance was made from the general fund to help support transit funding.** The city switched from an urban system to a rural system. Todd Roth and Thomas Schwan are working on a cost savings and developing programs to plan accordingly. The city has received good news from ODOT in terms of funding for 2013. There were funding changes which were severe and made in accordance with the county's population, and subsequently, the city's change in population.

Nicole Ard said information will be distributed toward the end of the month **regarding focus groups.**

Nicole Ard said she has **information from Columbia Gas about energy savings programs for residents in need of support.**

OLD BUSINESS

Pervis Brown provided an update regarding the status of the **police chief selection committee.** The city received the investigation report back regarding the accusations about his involvement or influence on the committee and copies are available for anyone who would like to read it. There was no evidence of bias on the part of Pervis Brown nor was there evidence of any illegal or unethical conduct. The committee did outstanding work and all have agreed to continue the process to find a new chief to lead the police department and will provide up to three names to consider for selection by the city manager. Pervis Brown said it is time to move on with this process and another component came out of the committee. Pervis Brown said some things were overlooked which should have been in place and will be corrected. There will be more involvement with the legal department to ensure the process is correct and without any fault as much as humanly possible. The position has been re-advertised and the deadline to apply is November 16. The next selection committee meeting is scheduled for November 27 at 5 p.m. at city hall. The committee will review the candidates and expedite the process as quickly as possible in order to have a candidate as soon as possible. The upcoming holidays may slow the process down a little but Pervis Brown said he hopes to have someone in place by February, 2013. Pervis Brown said to date, the city has expended \$17,851.16 on the search. This position will not be advertised in any of the local newspapers this time around as there was not a great result the first time. Rather, there will be internet postings and advertising on the Ohio Association of Chiefs of Police website. The major costs will be eliminated as they were mostly for advertising the first time. There will be costs for the assessment after the candidates are chosen. Pervis Brown said there will be additional costs encountered after the candidates have been narrowed down and this will be determined according to how many candidates are assessed; some assessments have already been completed so this will be a lesser price. Wesley Poole said there are approximately 45 applications still unaddressed and asked what happens to them. Pervis Brown said each of the previous applicants was contacted via email regarding their interest in being considered now and some have indicated they are still interested, while others are not.

NEW BUSINESS

Keith Grohe said this Saturday from 9 a.m. – 12 p.m., **Care & Share will hold its annual food and money drive**. State Representative Dennis Murray, former commissioner Dave Waddington, John Hamilton and Keith Grohe will be attending. Keith Grohe congratulated Dennis Murray and Dave Waddington for hosting this for the past six years and for their pride in the community.

John Hamilton said because today's meeting falls on a Tuesday, **the airing on Buckeye CableSystem Channel 81** will be Tuesday, November 13 at 9 p.m., Monday, November 19 at 7 p.m. and Tuesday, November 20 at 9 p.m.

Upon motion of Keith Grohe and second of Diedre Cole, the commission voted to scheduled a public hearing on Monday, November 26 to consider the vacation of a portion of Pleasantview Place, west of Bennett Avenue and adjacent to Lot #3 Pleasantview Place. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the motion passed.

John Hamilton said a **ribbon cutting ceremony will take place on Friday, November 16 at 12 p.m. at Schade-Mylander Plaza for the recycle containers being provided by Greener Corners. NOTE: The date for this event was changed after the meeting to November 20, 2012.**

John Hamilton said he would like to **reappoint Vince Rhodes to the Civil Service Commission** as his current term will be expiring. **Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to reappoint Vince Rhodes to a new term on the Civil Service Commission which will expire November 22, 2018. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the motion passed.**

Upon motion of Diedre Cole and second of Keith Grohe, the commission voted to appoint Dave Waddington to the Oakland Cemetery Board for a term which will expire January 31, 2016.

Discussion: John Hamilton said this vacancy is due to the resignation of Ruth DeHenning.

Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the motion passed.

Upon motion of Pervis Brown and second of Wesley Poole, the commission voted to reappoint Ted Huston to the Human Relations Commission for a term which will expire October 10, 2017. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the motion passed.

Upon motion of Julie Farrar and second of Pervis Brown, the commission voted to reappoint Dora Grant to the Human Relations Commission for a term which will expire October 10, 2017. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the motion passed.

John Hamilton said there still is one vacancy on the **Human Relations Commission (HRC)** due to the resignation of Rev. Dan Miller. There are several people who have indicated an interest in serving on the HRC and he would like to consider these persons at the next meeting: Jennifer Washington, John Poole, Patricia Howard, Richard Johnson, Shelia Gillespie, Daniel Leavell, Sr. or Jessica Ginty.

Julie Farrar asked the status of the **leaf collection efforts** and Nicole Ard said as far as she knows, staff is working on this.

Pervis Brown said **he was recently in an office in city hall and it was a cold, windy day and the winds made him feel like he was outside and the windows are pathetic.** The city should be ashamed for letting this go on and asked what the city paid in heat last summer as we are losing thousands of dollars and acting like this is a third rate city. This has been sitting for years and was discussed the first year he became a commissioner; many surveys have been done and the city is losing money daily. Julie Farrar said at one time, the city had \$300,000 in money from FirstEnergy that was supposed to be used for windows but this never happened as it was spent on other things. The squeaky wheel got the grease and it was not this one.

Upon motion of Pervis Brown and second of Jeff Smith, the commission voted to hold an executive session regarding the purchase and sale of personal property. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the motion passed.

Upon motion of Jeff Smith and second of Pervis Brown, the commission voted to hold an executive session regarding personnel, police department. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the motion passed.

Upon motion of Pervis Brown and second of Jeff Smith, the commission voted to hold an executive session regarding the purchase and sale of real property. Roll call on the motion: Yeas: Pervis Brown, John Hamilton, Diedre Cole, Wesley Poole, Keith Grohe, Jeff Smith and Julie Farrar, 7. The President declared the motion passed.

AUDIENCE PARTICIPATION

Randy Glovinsky, Milan, Ohio, said he is seeking assistance to resolve a **personnel issue involving his son, Ross Glovinsky**, who was hired as a reserve police officer on the Sandusky Police Department (SPD) in 2011. Prior to his termination in April, 2012, Ross had taken a test to become a full-time police officer and was given a conditional job offer which was withdrawn; his employment was then terminated. Randy Glovinsky said this was appealed to the Civil Service Commission as it was his (Ross's) lifelong dream and he was highly recommended by members of the SPD. The Civil Service Commission (CSC) rendered their decision last week and stated Ross was improperly terminated and is entitled to some back wages. He was not reinstated because the CSC did not have that authority but left him (Randy) believing they felt this was unfair and should be taken to the next level. Randy Glovinsky said he would not be here if the members of the police department did not feel strongly about the situation. Ross is highly recommended by current Chief Jim Lang, past Chief Charlie Sams, current Assistant Police Chief John Orzech, retired Lieutenant Max Jarrett, Lieutenant Phil Frost, Lieutenant Danny Lewis and several Sergeants. The training officers and several senior officers in the department have all expressed their support for Ross and have said he is a good officer and would be a good addition to the SPD. Randy Glovinsky said if he had heard Ross was not cutting it or had done something wrong, he would not be here. He is not here to cast judgment or ridicule anyone working for the city and he worked for the City of Huron for over 30 years and knows what city government is like. He proposes mediating the situation to reach a reasonable agreement and save both parties a lot of money while helping a young man in the City of Sandusky reach a resolution without further court action. Randy Glovinsky said his son is a good person and at the time of his termination, he is sure it was felt there was a good reason why, but circumstances change and he hopes this can be resolved. This was addressed internally through the city's process – the Civil Service Commission - and he would like to work with the city to help by forming a mediation board to resolve this and he (Randy) will serve on the other side. John Hamilton said he does not understand all of the details or know all of the history with what has happened but the city has a labor relations attorney and it sounds as if a decision was made and he does not know if this will be reopened at this stage of the game. Don Icsman said there is a process that has to be followed; he does respect what Randy Glovinsky is doing as a father, but this is not the process and it would be inappropriate for anything to be done with the city commission as this is a personnel decision. There is a process for appellate rights and for redress but it is not "here" unfortunately. Jeff Smith asked if there is anything the city or the city commission can do so this does not end up back in court. Don Icsman said he is not saying there is **not** anything the manager cannot do, at her discretion. Don Icsman said he is the attorney for the Civil Service Commission normally and Marc Fischel was representing the city and Nicole Ard's position in this case. It became necessary for the Civil Service Commission to receive legal guidance and Don Icsman said he recused himself as he knows Randy Glovinsky and his wife. Don Icsman said he has a great relationship with Marc Fischel and felt it would be inappropriate for him (Don) to have given advice to the Civil Service Commission. Don Icsman recused himself and John Reulbach agreed to provide advice to the Civil Service Commission but he (Don) is just hearing this Civil Service ruling now for the first time. Don Icsman said, in addition, technically he appointed Ross Glovinsky as a reserve officer when in the position of acting city manager and that is sufficient reason for recusal to avoid potential built-in criticism. Jeff Smith asked if the Civil Service Commission is saying Ross Glovinsky was improperly terminated and Don Icsman said he is not disputing what is alleged to have been said by the Civil Service Commission as he was not there due to the recusal and he has not and will not receive a written report. It is inappropriate for Mr. Glovinsky to ask for intervention by the city commission and he (Don) can objectively say it is not appropriate regardless of what someone may think is right or wrong. Jeff Smith asked if the only other action is court and Don Icsman said absent of some exercise of discretion, it is the city manager's decision as the appointing authority. The city manager appoints them (police officers), the commissioners appoint the charter officers, and in this sense, the

commissioners have some authority and input. City Commission intervention at this time would be something that has never been done, it would set a precedent and people would be here all of the time asking for the same or similar treatment by the city commission. Wesley Poole said guidance is provided from the attorney and he appreciates Randy Glovinsky coming to the city commission to hear what has been said. Hallie Glovinsky asked if this has ever happened to anyone before like this and asked Nicole Ard to explain. Nicole Ard said she has not been briefed, but was told Ross Glovinsky has an upcoming hearing and does not believe a decision was reached and she would have hoped legal counsel would have been able to provide this. Hallie Glovinsky said Ross Glovinsky had asked to see Nicole Ard a couple of times after he was let go; Nicole Ard said there is an upcoming hearing as she understands it, is the place for this. Randy Glovinsky said in the city charter and rules and regulations for the Civil Service Commission, it is mentioned to be fair, to treat employees fairly and to make them feel wanted; the city should be a good place to work and he hopes to meet with the city manager to discuss this for consideration.

Sharon Johnson, 1139 Fifth Street, asked for an update regarding the Keller Building water tower and Todd Roth said the city has been working to obtain pricing for this. At the same time, there is still discussion with the potential developer. Sharon Johnson asked if the developer gets a cutoff date, that the window looks bad and unstable under the water tower. Todd Roth said the city met with a company to put a cradle under the tower to lift it off in one piece, but has not yet received a secure price for this. Sharon Johnson asked if there is a deadline with the city hall assessment and Nicole Ard provided a copy of the information from George Poulos.

Andy Ouriel, Sandusky Register, said two new officers were hired and asked if these are full-time or part-time and Jim Lang said they are full-time. Andy Ouriel asked the current number of officers on the roster and Jim Lang said the department is currently at 45 officers. Andy Ouriel asked what created the vacancies and Jim Lang said these were due to ten retirements this year. Andy Ouriel said he knows there has been some dissent regarding the Police Chief Selection Committee and is trying to figure out why this committee, led by a city official and monitored by the law director and one human resource director, should be given another chance when time and money has been wasted and charter rules violated. John Hamilton said it was decided to utilize the commission liaison to the police department and does not know who else would have taken over and the city needs a police chief. Andy Ouriel asked if this is a concern for John Hamilton or Nicole Ard as mistakes were made that are causing this to occur. Jeff Smith said the report stated there was no illegal or unethical conduct and is more accurate than the story in the newspaper. Jeff Smith said the story done by Andy Ouriel was filled with mistakes and he feels Pervis Brown did an outstanding job. It was not reported the fact the allegations against Pervis Brown were unfounded. Andy Ouriel said he did report this and Jeff Smith said this was one little sentence from a six page report. Andy Ouriel asked why the search is being done over if nothing was done wrong and Jeff Smith said the search is not being done again, the city is looking for more applicants. Pervis Brown said this can be considered unfinished business as the committee did not find what it was looking for the first time. Wesley Poole said committee makeup is determined by the president of the city commission and he has not shown any indication he wishes to change it and there are not four votes on the commission to suggest changing it. There is no purpose in arguing about whether the committee did an outstanding job or not and a lot of money was spent; criteria (the charter) was not followed but Jeff Smith and Pervis Brown seem to be ignoring this. The charter will have to be followed and it is a shame this was not done earlier in the process. As one of the folks who recognized the process was not running the way it should have, he is prepared to see how this plays out and the same evaluation will be used and he is going to stand down and watch. Julie Farrar said this whole issue came about because a couple of commissioners thought individuals from Perkins Township were not considered for the job and this was the initial complaint. It did not come about because someone did not follow the charter. Julie Farrar said she does not have a problem with the current committee or Pervis Brown continuing on. The error made was the fact they did not have legal advice in place at the time and Pervis Brown said the law director will be more involved with this selection process and how it runs. Julie Farrar said when people from the community are brought in to help with committees, they cannot be expected to know everything inside and out. The commissioners look to the law director many times to get advice and must rely on him to advise what is legal. Julie Farrar said the issue of people not being selected because of where they are from was the initial issue and should not lose sight of this. Wesley Poole said history has been rewritten. Wesley Poole said Don Icsman did provide instructions on the front end and without going into all of the details which have been excluded, it is not fair to put this on Don Icsman for not providing advice. Wesley Poole said he was at the last Police Chief Selection Committee meeting where this was explained and an end zone celebration cannot be held when it is obvious there were significant errors made in the process. Keith Grohe said at this point, everyone needs to look at what happened, regroup, and do the best with the decision in front of the commission and quit bickering. Keith Grohe said he does not know what Andy Ouriel wants the commission to do, but the city is trying to get the best person possible for the job. Keith Grohe said he

has the utmost confidence that Pervis Brown will do a good job this time; he did a decent job last time and he (Keith) did not have a problem. To keep tearing a community apart because mistakes were made is counterproductive; we should look forward and this will be corrected. Julie Farrar said she is not talking about Don Icsman in any way, but the committee needs more direction and they will have it.

Tim Schwanger, 362 Sheffield Way, representing Save Our Shoreline Parks, asked how the city is coming along with funding for a master plan for the Sandusky Bay Pavilion property. Carrie Handy said the city has been looking for funding but has come up dry with the ODNR as they are not funding these types of plans this year. Carrie Handy has had discussions with staff from the National Trust for Public Lands and is waiting to hear back from them as they may be able to offer free assistance. Nicole Ard said she would like to be able to do this as part of the comprehensive plan update and there is a section which deals with downtown and Lions Park. The last update to the comprehensive plan was done in 2005. Tim Schwanger said this past Saturday, volunteers put up Christmas lights at the SBP. One of the things discussed was running an electrical line from the SBP to the sign in front and requested someone put together an estimate to look for funding to get this done rather than messing with electrical cords.

The President announced a recess of the regular session at 6:15 p.m. Three executive sessions were held beginning at 6:26 p.m. Upon motion of Diedre Cole and second of Pervis Brown, the commission voted to adjourn the meeting at 7:12 p.m. The President declared the motion passed.

Kelly L. Kresser
Clerk of the City Commission

John F. Hamilton
President of the City Commission