

4:00 P.M. - DEDICATION OF SEAVERS WAY AT S. DEPOT STREET

Monday

MARCH 23, 2009

5:00 P.M.

At 5:00 p.m. a Regular Meeting was held by the Sandusky City Commission in the City Building Commission Chambers, 222 Meigs Street, with City Commissioners Bob Warner, Dave Waddington, Dan Kaman, Julie Farrar, Craig Stahl, Brett Fuqua and Pervis Brown in attendance; as well as the Charter Officers of the City Manager Matthew D. Kline, Law Director Don Icsman, Finance Director Ed Widman and the Clerk of the City Commission B. Joyce Brown; and the Administrative Staff of the Director of Engineering Services Kathy McKillips, Fire Chief Mike Meinzer, Interim Police Chief Charlie Sams, Administrative Services Director Warrenette Parthemore, (*Economic Development Specialist Scott Schell-absent*), and Chief Planner Carrie Handy. The meeting was open to the public and the audience and news media were present.

President Stahl asked that Mr. Warner offer the **invocation** and everyone remained standing for the **Pledge of Allegiance to the Flag**.

The Clerk called the **roll** and the following Commissioners responded: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, and Brown.

**Mr. Waddington moved to accept minutes of March 9<sup>th</sup> and March 16, 2009, and dispense with the formal reading of same.** Mr. Warner seconded the motion. President Stahl asked for a vote on the motion and with all Commissioners voting "Aye", the motion carried.

Under **Audience Participation**, Mrs. Sharon Johnson, 1139 Fifth Street, questioned Item 2 on the Hagg's contract that was already approved for \$90,000 not to exceed and they were coming before the Commission with their invoices. She was wondering what the difference was compared to Housing that they passed a couple meetings ago for \$425,000 with no supporting documentation or invoices? Mr. Widman said Housing was an ordinance. The Charter says when paying over \$10,000.

Mr. John Ginty, 5055 Providence Drive, said Item 1 the job that used to be done in-house is going to be awarded to WSOS Community Action Commission, could staff give more information? Items 3 & 4, Transit SPARC System that costs \$1, were they using City funds? People felt if they used it, every time they made a stop they don't have to pay another dollar if they stopped at Walmart and then at Meijers, they should have a transfer pass. If they were visually impaired and needed someone to accompany them, they needed modification of the fare and could the Commission consider that?

Mr. Tim Schwanger, 362 Sheffield Way, said Item #3 a few meetings back it was mentioned that operators of the Transit System would be able to purchase their own vehicle. How had the vehicles been purchased up until now and how do we dispose of them when they are no longer needed?

A Proclamation was read for "**Fair Housing Month**" for April

**President Stahl then declared the public hearing open for The City of Sandusky proposing to amend its U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) for the Fiscal Year 2008 Fifth Program Year Action Plan. Specifically, the City of Sandusky proposes to make the following amendment: Existing Activity: Hayes Avenue Corridor Project \$495,710 (Infrastructure) to Proposed Amended Activity: Street Repair Projects \$495,710 (Infrastructure).** Mrs. Carrie Handy, Chief Planner, said this item that they were proposing is basically to switch projects around more to coincide with the construction of the Hayes Avenue Underpass so that the street is done after the underpass is done. And also hopefully they will see the results of whether they were going to be getting any Stimulus Funds for Hayes Avenue or possibly Issue I Funds for Hayes Avenue. So they may not have to use any CDBG Funds for that project, but we have lots of other space that needs to be repaved; and we have to

spend our money by July 1<sup>st</sup> or as soon as we can or as close to July 1<sup>st</sup> as we can. So they came up with a list of streets and she had copies in back and the Commission already received the list. They also have \$218,000 of additional CDBG Funds that are coming as a bonus as part of the Stimulus Package. So we had a total of around \$700,000 that we can spend for streets. So it would not only substitute the \$495,000 from Hayes Avenue streets, but they proposed to also use that extra \$118,000 for streets as well. She would like to point out on the list of streets that the ones in green were streets where sidewalks, curbs and gutter have already been fixed. So they would like to pave other streets. These are also all located in low- and moderate-income areas. So they all fall under CDBG. The ones in the yellow, whether dark yellow or light yellow, are within our two target areas for our Community Development Block Grant Funds, which is the south side neighborhood and the Old Plat Neighborhood or the Warren Plat Neighborhood. And then the other two are also located in pretty high LMI (low- moderate income) areas as well and she had a map if anybody was interested in where those areas fall. The blue and yellow areas are all LMI areas, with the yellow being the highest. So those are over 60% LMI. You could see a good portion of the City is over 51% LMI. ***She would entertain any questions or comments about the proposal.***

Mr. Warner said it was about time they finally got a chance to do some of these streets that have needed it for some time. It was a great swap if they can get enough money for Hayes Avenue; it was a great swap for doing these streets so fast.

Mrs. Farrar said she also liked the list, but she was wondering if possible, could Elm Street be addressed, the little side street by the parks? Mrs. Handy said she didn't know. They would have to come up with a cost estimate for that to say what it is. If they get the Stimulus Funds for Hayes Avenue or Issue I Funds, they are going to be setting aside a \$400,000 chunk for FY 2009, which starts in July. If they don't use that for Hayes Avenue, they can use it for more streets; it would be set aside for street improvements and they might be able to add it in at that time.

President Stahl said from a very selfish standpoint, Hancock Street between Madison and Monroe has the trolley tracks that haven't been used since 1929 still sticking out. You can see where the center of the road is and then the trolley must have gone over to Madison Street and then gone down. It was since 1929, have they thought about doing anything there? Mrs. Handy said it is in their areas and she would defer to Kathy to see where that would be on our plan as far as repaving the street. That may be more than just resurfacing. Mrs. McKillips said right. Mrs. Handy said so they would have to get the streets prepared to do that work. That would cost a little bit more than the milling and paving to work on that.

Mr. Brown said what was the five-year plan cost for our Street Improvements? Are those streets different from the list we got here? Mrs. Handy questioned what he meant. Mr. Brown said Sycamore Line for 2009, Cove Park Boulevard, King, Osborne Street, Tyler Street, McDonald Street, Warren Street, C Street, Ferndale and Pipe Street for 2009. Mrs. McKillips said that attachment is actually used for the Stimulus Project to the State. Actually that was an old, not an updated street list right there, back in 2006 that was the five-year plan at that time. Mr. Brown asked what was our five-year program now? Mrs. McKillips said all the streets would be backed out, because we didn't do any resurfacing last year or the year before, except for streets that were pertaining to last year, the Sewer Separation Project. Mr. Brown said he's confused. He's sure these Commissioners that came up with this five-year program with a vision that we would periodically be able to cover the City for a time period and this was a plan they set aside and she was not even following close to it? Mrs. McKillips said four years ago they put together a 25-year plan and throughout 25 years they'd look at resurfacing certain streets, the more-populated streets or state routes, Columbus Ave or Perkins Ave, more than one time over the course of 25 years. Neighborhood streets will probably get resurfaced one time during the 25-year period. The life expectancy for a paved street is ten to 15 years, usually more in a residential street where we have no truck traffic in residential neighborhoods, just vehicular traffic. If he looked at that, which she could give him the 25-year list, we would need to be spending over a million dollars a year in order to try to improve our streets up to a point where they could consider them to be accreditable. Now the majority of our streets are in very good condition and the past two winters we have streets that have deteriorated a great deal. And Mr. Waddington mentioned a couple meetings ago that the report that we had produced by the University of Toledo a few years ago, as far as pavement conditions, even needs to be updated or they need to

look at remanding it in-house, because the paving conditions have changed and deteriorated over the past few years. So if they have a five-year program or a 25-year program, even on an annual basis, they need to go back and review it to make sure that it's everywhere they need it to be. And because they didn't do any resurfacing over the last few years, because of lack of funding or lack of additional funding in addition to the money we spent on the three major sections of Monroe Street, which were from Edgewater Drive all the way to Meigs Street. And then a few years ago we did total reconstruction on Seneca and Huntington Avenue; and those three projects right there took basically all of our money we have allocated on an annual basis, which was about \$300,000 to use on those streets. Mr. Brown said so actually we don't have any plan that we are following? Mrs. McKillips said we have a 25-year plan. Mr. Brown asked was this on the 25-year plan? Mrs. McKillips said some of those streets are, but the list that they had for our Street Department crews, those were the streets that they spent quite a bit of time filling pot holes on or they have issues with. As far as the other streets that are on the 25-year plan, they're still there. We still need funding to do our general maintenance on there to do our total resurfacing projects on there and we have several streets in line for total reconstruction. And one of the things they were looking at Mr. Kaman had brought up, were generally more maintenance-driven projects on streets that can be pulled off for being resurfaced. They can get in there and do some thin coating or micro-surfacing, some type of maintenance right now and hopefully they can extend the life of those streets five years, seven years to a point where we can maybe someday have \$400,000 to \$500,000.

Mr. Kaman said Mrs. Handy he could support this tonight as long as she could assure him that Hayes Ave will get done. And that none of these streets that we have on the list, and then two years or three years from now we're going to have to dig up and put in new water lines for the separated sewer lines. As long as that stuff is not going to come into play until this paving will probably be at the end of its lifetime. He strongly feels like Commissioner Brown does on the plan that they don't keep up. Mrs. Handy said they will be coming to them very shortly with the FY 2009 Action Plan for CDBG. Discussion ensued.

***President Stahl asked were there any questions from the public?***

Mr. Wesley Poole, 1939 E. Oldgate, said they had 12 streets on the list, how do they roll out, contract out as 12 separate projects and when will it be done? Mrs. McKillips said she thought the only issue they may have is when they need to have the initial funding done. She sees it as one big project, but again depending on when any additional funding was available. Mrs. Handy said it may have to be two separate projects, because we have not received word on the \$218,000 exactly when the timing is for that money, when it will be here. So we may have to divide it into like a \$500,000 or \$200,000, but the \$500,000 part will definitely be done this year, as early as we possibly can get it done. Hopefully by July 1<sup>st</sup> or somewhere around there, the other, probably yet this year, but like she said she can't guarantee the timeframe yet. Hopefully our HUD representative will be here next week and she was hoping to get an answer from him then exactly how they're going to roll out the \$218,000. Mr. Poole said his reason for the question is that if this was bid out with just one street to do and one company, it just takes longer and if you divide them up, they can be done simultaneously across town.

Mr. John Sprau, Karl Ann Drive, said he would like to know about Mills Street from Perkins to the tracks. Mrs. Handy said that is not being funded with CDBG Funds. Mrs. McKillips said they're currently working on the underground right there by the Golf Course. That section once they're completed with the underground, then they will be digging up the road and hopefully putting down a new road, new asphalt pavement, new concrete curb and gutter, and new sidewalks. Mr. Sprau said this year? Mrs. McKillips said they're currently working on the sanitary and storm sewers right now and as soon as all of the underground was in place, they would be proceeding in a few months or sooner than that, but it will be completed this year.

Mr. John Ginty, 5055 Providence Drive, asked did she have any idea of how many of these streets are covered in that study we paid Toledo University to conduct? Mrs. McKillips said she did not.

Mr. Tim Schwanger, 362 Sheffield Way, said if the extra money doesn't come through to make up the \$800 roughly, what streets are going to get knocked off this list? He noticed the biggest expense is Meigs Street, which leads to the proposed Marina District at \$155,000. Also it's good to see that one of the streets that is listed

to be done was brought up in Mr. Waddington's and Mr. Kaman's coffee house meeting; and that was East Park Street. He personally counted 375 potholes and separate potholes probably had been filled in since 1929. Mrs. Handy said she was not quite sure, but she hoped she could answer his question, the \$495,000 are already there, they're there for sure, they're already here. So we just need to do all the right paperwork, keep it big, get the project done, and draw the funds down. The \$218,000 we did receive notice from HUD that we are getting those funds. So she thinks those funds are pretty sure as well. So there is really no contingency to pull anything at this point, because we're pretty certain that all the funds are there. Probably if we had to pull some, for whatever reason, we would pull those out that aren't in our target areas first. If we would have to do that, but she doesn't anticipate that would have to happen. **President Stahl asked were there further questions for Mrs. Handy? As there were none, he declared the public hearing closed.**

***It was moved by Mr. Kaman that they order in for staff to prepare legislation for the next Commission meeting. Mrs. Farrar seconded the motion.***  
**Discussion** - Mr. Warner said before ordering the legislation in, he would suggest that staff look at bidding this out to one contractor or multiple contractors; and find out which way we get the best bang for our buck and get the job done in a hurry in the shortest amount of time. President Stahl said Mr. Warner could he suggest that they just ask staff to make that decision to put an either/or in our RFP, that they could do it individually or as a group. Mr. Warner said that's fine. As there was no further discussion, President Stahl asked the Clerk to call the roll. **The Clerk called the roll as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. President Stahl declared the motion passed.**

*Mr. Waddington said he would like to make a motion to accept all communications at once for tonight's meeting. Mr. Warner seconded and it carried unanimously.*

**ITEM #1** - Communication – Carrie Handy, Chief Planner/Sharon Evanich, Grants Administrator

**BUDGETARY INFORMATION:** The City of Sandusky will award WSOS Community Action Commission, Inc. \$24,400 to provide homebuyer and fair housing counseling and educational services to low- and moderate income residents in Sandusky under rules and regulations of the U.S. Department of Housing and Urban Development Community Development Block Grant. There is no impact to the General Fund.

**ORDINANCE NO. 09-021 - Enter into a Subrecipient Agreement with WSOS Community Action Commission, Inc. substantially in the same form as attached hereto, and to expend funds in an amount not to exceed \$24,400.00 from the FY 2008 Community Development Block Grant.** It was moved by Mr. Warner and seconded by Mr. Waddington that this Ordinance be passed under suspension of the rules in full accordance with City Charter Section 14. Thereupon the Clerk called the roll on the motion and the vote was as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Ordinance as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. The Ordinance passed.

**ITEM #2** - Communication – Scott J. Schell, Economic Development Specialist

**BUDGETARY INFORMATION:** Of the \$10,560.00 total invoiced services submitted by Haag Environmental Company for February 2009, \$9,420.00 was specifically for Construction Assessment and Management Services for the Chesapeake Walkway Project. This will be paid through a Capital Account set up for the project which can be reimbursed to the City through the Chesapeake TIF. The remaining \$1,140.00 balance pertained to Brownfield Committee and Communication related expenses for the month of February 2009, and will be paid through Economic Development Funds generated through the Battery Park TIF.

**ORDINANCE NO. 09-019 - Make payment to HAAG Environmental Company, for Professional Services incurred in relation to the City's Brownfields Program and the Chesapeake Walkway Project.** It was moved by Mr. Kaman and seconded by Mr. Warner that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Kaman said he also found this weird that they have to do this every invoicing period. But he wanted to bring up that they have other contractors working for the City and this is the first time in five years he has ever gotten complete breakdowns of what they did for the day, for the week, for the month. And we have a lot bigger contracts with a lot other companies. It was a shame they had to do it every month like this, but at least they

got all the information. And if they're going to do it, they might as well do it for all of the other contractors also. Mr. Warner said he was comfortable doing it this way, passing an ordinance when it's up over \$10,000. If they're asking for payment over \$10,000, he believes an ordinance should be brought to the Commission. If they're asking for a payment of \$2,500 a week, that can go through Manager Kline in his office. If it was over \$10,000, he believed the City Charter says they have to do an ordinance. Mr. Widman said they originally set this program up on purchase orders at he thought \$7,500 a month. They might have been over a little bit, but they would have been fine. They would have issued them a single check. Mr. Kaman said he was not saying it was a problem. He was saying he can't wait to get the one from Partners Environmental do a lot of work for us and these attorneys we spend money on. He can't wait to get those line by line, day by day who they did work for. He looked forward to it, he was fine with it. Discussion ensued. Thereupon the Clerk called the roll on the motion and the vote was as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Ordinance and the vote was as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. The President declared the Ordinance passed.

**ITEM #3 - Communication – Rosanne Bodner, Public Transit Administrator**

**BUDGETARY INFORMATION:** The FTA 5307 Urbanized Area Apportionment Program accounts for approximately 60% of STS annual operating budget. The remaining 40% is received from Ohio Department of Transportation Grants and local agency support, most notably MR/DD - Erie County Board of Mentally Retarded and Developmentally Disabled. No City of Sandusky General Funds are expended. The ARRA Funds are a one-time award of money intended to stimulate the national economy to alleviate the current recessive climate. ARRA are 100% federal funds requiring no local matching dollars. No City General Funds will be expended.

**RESOLUTION NO. 006-09R - Authorizing the filing of applications with the Federal Transit Administration, an Operating Administration of the United States Department of Transportation, for Federal Transportation Assistance authorized by 49 U.S.C. Chapter 53, Title 23 United States Code, and other Federal Statutes Administered by the Federal Transit Administration.**

It was moved by Mr. Waddington and seconded by Mr. Warner that this Resolution be passed under suspension of rules in full accordance of Section 14 of the City Charter.

**Discussion** – After a question from the President, Mrs. Bodner said this particular resolution was for how they had purchased vehicles in the past; and actually Sandusky Transit has not purchased vehicles in the past. It is part of our Service Provider, whereas our third-party Service Provider, that part of their current bid is for a five-year program, five-year contract. Those vehicles are part of that contract. So Sandusky Transit has not in the past purchased or owned vehicles. This was our first opportunity being able to do so, to be in better control of our own system.

Mr. Warner said the last he read about this she was buying this from a state agency, can't we buy those vehicles local to keep some people working and keep money in our community? Mrs. Bodner said that is a possibility. The use of the state term contract has been very standard operation for transits throughout the State, because it cuts through a lot of the procurement mandate side of federal transit industries. There are many, many clauses that are strictly for the transit that many times preclude local people from even bidding it, because of that. And the state term has supposedly negotiated with all the different companies of the State and they would get the better price, but that is not 100% sure. But the state term contract has been typically the way most transit systems go. Discussion ensued.

President Stahl said the contract with MV would be substantially altered and he would assume would have to be renegotiated. He sent her an e-mail, and Mr. Icsman and Mr. Kline; and there was no comment needed other than the next time they sit down with MV he believed it was important for the Law Director and the City Manager be at that meeting in the discussions. Let them start with them at a legal perspective, because they would be substantially altering all of the operations with MV. Mrs. Bodner said she would. Thereupon the Clerk called the roll on the motion as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Resolution and the vote was as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. President Stahl declared the Resolution passed.

**ITEM #4** - Communication – Rosanne Bodner, Public Transit Administrator

**BUDGETARY INFORMATION:** The state grant, if awarded, will allow Sandusky Transit System to increase service to our residents. The project will have no impact on the City's budget as all moneys for the additional service will be provided through State of Ohio JARC Grant Funding and matching local sources.

**RESOLUTION NO. 007-09R - Authorizing the filing of a Grant Application with the Ohio Department of Transportation through the U.S. DOT Federal Transit Administration (FTA) for a Job Access Reverse Commute (JARC) Program Grant for the Sandusky Transit System.** It was moved by Mr. Kaman and seconded by Mrs. Farrar that this Resolution be passed under suspension of the rules in full accordance with Section 14 of the City Charter. **Discussion** – Mrs. Bodner said to address Mr. Ginty's question, actually it's the perfect time for the question to be asked, because she has worked closely with Serving Our Seniors and their Board has authorized \$1,000 a year for purchase of rides from the SPARC System. And that would be done by tickets that are disbursed to seniors through the Serving Our Senior organization. So they would be free, because they would be paid by them.

Mr. Warner asked if they were going to the Mall for a \$1 and then to Walmart for a \$1, and then you come back and is it going to cost you another dollar to get back home? Mrs. Bodner said each boarding is \$1. Mr. Warner said that could get expensive, was there any plans in the future for a daily or weekly bus pass, you buy 20 bucks worth and you get extra punches? Mrs. Bodner said they don't have that in the works at the moment. Actually with someone, their normal fare would be \$3 for each one of those trips. So the \$1 is actually two-thirds savings on each of those trips. So it is a substantial savings, but it could be a possibility of a bus tab with built in savings. Thereupon the Clerk called the roll on the motion and the vote was as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Resolution and the vote was as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. President Stahl declared the Resolution passed.

President Stahl said Item #5 is considered a walk-in item.

**Ordinance No. 09-020 – Authorizing and directing the City Manager to enter into a memorandum of Understanding with the Erie County Sheriff and The Board of Erie County Commissioners for the Relocation of the City's Police and Fire Dispatchers to the Erie County Sheriff's Office; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.** It was moved by Mr. Fuqua and seconded by Mr. Brown that this Ordinance be passed under suspension of rules in full accordance with Section 14 of the City Charter. **Discussion** – Mrs. Farrar said she liked the idea when it was brought to them Monday and she was anxious to see it get started and take baby steps to get it going. Thereupon the Clerk called the roll on the motion and the vote was as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Ordinance and the vote was as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. The President declared the Ordinance passed.

Under the **City Manager's Report**, Mr. Matt Kline said he was requesting **donations be accepted for Friends of the Greenhouse** from Julie and Paul Keech for \$30; James A. Arthur \$30; Jim Corso \$20; Senior Women Members for \$15; and Cedar Point Gardeners in honor of Susan Schultz for \$50. Mr. Fuqua said he would move to accept; Mr. Brown seconded the motion and it carried.

Mr. Kline said a **\$200 donation from Western Basin Sport Fishing Association to purchase prizes for the Youth Fishing Derby**, which will be held on Saturday, May 2<sup>nd</sup>. Mr. Fuqua said so moved, seconded by Mr. Brown, carried.

Mr. Kline said a **\$100 donation from Daly's Irish Pub for the Sandusky Fire Department's Explorers Program**. Mr. Fuqua said he would move to accept; Mr. Warner seconded the motion and it carried.

Mr. Kline said a **\$50 donation from John and Peggy Scherer for EMS equipment in honor of John Scherer's 100<sup>th</sup> birthday**. Mr. Fuqua said he would move to accept; Mr. Warner seconded the motion and it carried.

Mr. Kline said several meetings ago they put out a **Fee Schedule for the Golf Course** and one item they did last year with great results, but inadvertently left off. **He was asking via a motion to approve adding a punch card that contains 20**

**punches for a single rider golf cart for \$108, which reflects a 10% discount. Mr. Fuqua said he would move to accept; Mr. Warner seconded, the motion carried.**

Mr. Kline said there would be a **Landlord/Tenant Fair Housing Seminar** on Wednesday, April 1<sup>st</sup> from 5:30 p.m. to 7:00 p.m. at the Erie County Office Building at 247 Columbus Avenue, Third Floor.

Mr. Kline said the topic of discussion and the discussion with many of them was on **our current budget, with naturally our plans for reducing our expenditures.** As he has said many times, our expenditures do reflect a cut from last year's budget. We are working very hard holding down the expenditures and our budget was still being projected as being in decline. They were doing a complete evaluation of every department and viewing what is necessary and what is not and the roles of each position. Are there responsibilities that can be shared amongst other employees, are there responsibilities that we will no longer be taking care of.

Mr. Kline said obviously they would not be making any decisions that would be affecting individuals' lives and positions without talking in very specific details with the Commission. **When they talk about any certain position, he would make recommendations and he would prefer doing it in executive session.** They're also looking at where they can do operational savings. He has had suggestions from all of the Commission, especially Mr. Kaman had a long laundry list of about 25 items; they will go over each one with strong consideration.

Mr. Kline said he has brought items to them for consideration, in particular he had passed out a **draft of the study of a local company here in town, and it was a LED light.** It was a more advanced light system, but it burns quite a bit less in kilowatt hours and one of the ideal locations for them would be for the 200 lights in the downtown area. He recommended and suggested that because all of those lights were based on a meter, so it would be an easy experiment to see good savings. They are much more expensive; and with approximately over 200 lights, they were looking at an expenditure of around \$9,000. Those numbers quickly add up in just energy savings alone. It was projected that energy savings of these lights bulbs for one year would be in excess of a \$15,000 savings. The useful life is projected to be a little over 11 years; so that quickly adds up to over a \$200,000 savings. It is something that they will probably be pursuing, but an example of what they are trying to do in our operations to make our cuts and to lessen our expenditures on a daily basis. He was working through the Law Director's office to make sure that any of those cuts happen to meet with the City Commission before doing the process.

Mr. Kline said to get some sort of sense to **Brush & Leaf Pick Up for this year.** They had a brief discussion last meeting and we did put out our regular program that we had been doing in the past out for bid; we have only had one participant, which is the same company that provided us that service last year. That's FSI. The bids were pretty much or exactly the same as they were last year. We did do one twist; **we asked for a bid on a Citywide Leaf Pickup.** That bid came in around fifty cents less per household. His recommendation, that with the manpower cuts that we've experienced this year, three less divisions than last year, that the City follow actually the lead of the City of Huron and get out of the Leaf Pickup Business. It takes at least 10 weeks or more to get 100% manpower participation. Our Vac Truck is always in need of repair. In fact the Leaf Pickup this year, he's not sure if the Vac Truck even picked up half the leaves most of the time we were doing it manually with rakes and back hoes. He was just looking for some direction. If you add up the manpower alone, plus the equipment costs, Leaf Pickup operationally probably costs us close to a \$100,000 a year. Now not doing it does not necessarily mean we're going to be saving \$100,000 a year. Now we are three people down, but it has and it will take us away from quite a few other activities that just didn't get done last year such as street repairs. And they've already approved the list of those types of streets that need to be paved, but there is also on that list, streets that will be scheduled for our own crews to be working on in repairing that's not listed in the paving letter. It's getting increasingly more difficult with less manpower to provide 100% of what we have done in the past. So he was looking for some sort of direction. Now he did speak with FSI and Leaf Pickup would be either bagged or bins. They did the idea of providing a 90-gallon tote. Now to do that would be an additional \$3 cost and the only way to provide that additional \$3 cost would be to have a contractor go at least three years. Now to do that, we would have to rebid it out. He was looking for some sort of direction. They have a little over 500 homes that have participated in it and

he assumed would be willing to participate this year and our Brush Pickup, which would be the same price as last year.

Mr. Warner asked have we asked anybody how much this would cost to just pick up leaves, leaves only October, November, December, the same time that the City used to do it all the time? And raking to the curb, does Huron rake theirs to the curb at the end of the season; and nobody has the vacuum truck and sucks them up like the City did? Mr. Kline said no, the only company like he's said, that participated was FSI and they do not own a vac truck. They will recall that, he has not actually confirmed it, but it has been indicated to him that Barnes Nursery would be providing the same service that they did last year and the year prior to that where they would have three City drop off days for residents who want to drop off their brush and/or leaves. They usually do that two or three Saturdays in the fall. Mr. Fuqua said if we did contract with FSI, it's all or nothing, we have to have bins? Mr. Kline said you do not have to have the bins. That was just something that was at a recycle meeting that was brought up to him as an option, because they would be requiring you to provide your own bin and/or bag your leaves and bring them up to the curb. The only part that has changed is that the Solid Waste District will be announcing removal of the recycling bins throughout the County. Discussion ensued.

Mr. Waddington said they have had four meetings now with FSI, and what he heard was that they were looking at three months, October, November, December, and maybe like two passes. The leaves they were looking at that and that was one option and that could be bid out for two passes in those months. And Sharon Barnes, when we started the Brush Program four or five years ago, assuming they had the option of opt in/opt out this coming fall, they were looking at, that conversation has yet to take place, which she'd bag leaves. And he would bring over his brush over in the fall in October, November, then in the spring she has a free drop off, which we have a City grant for that he thought, isn't that where they left off? Mr. Kline said yes, we would have to rebid it out, the Citywide Leaf Pick Up. If he was not mistaken, they were all under the assumption that it would be under \$10,000, but if it was going to be over, we would definitely have to bid it out. Discussion ensued.

Mr. Brown said he thinks that is a huge mistake for them to turn our Leaf Pick Up over to anybody besides the City? Our trees in our City has been our pride and our joys; and every time we used to do a street, we replanted trees. And for us to now turn it over and say citizens, especially go down Columbus Ave where you got those huge trees that we planted years ago and when they shed their leaves, there's tons and tons of leaves. So you're asking those citizens on Columbus Ave, now you might go out there with a bag and you're going to bag and rake all them leaves up and put them in bags and you're going to put them in totes, we can no longer afford to clean our own streets. Because you say this program is always slowing down, the leaves is getting in the streets, is the citizens going to go in the streets and drag all these leaves out? But what he's saying is we still owe a responsibility to the citizens to at least clean our streets. Mr. Fuqua said he thinks he's misunderstanding. Mr. Brown said no, let him finish. He thinks that we can find somebody to make sure that our leaves are picked up in the same manner we used to do, take them out to the curb and vacuum up our streets. There's two ways that we're assured that we can keep our streets, that's the last 20 years we go around this City and pick up our leaves and clean our streets up and help beautify it. And for the turnover and the citizens to take their responsibility, which a lot of them are not going to do anyway, a lot of their leaves are going to be out in the street anyway, all of these citizens are not going to do this. Mr. Fuqua said he thinks he was totally misunderstanding Mr. Brown. It's not that we're not going to clean the streets, but he did believe that don't they all rake their leaves in their yards and bag them and still take them to the curb? He don't think anybody is talking about not cleaning the streets. Again, Assistant Chief Sams isn't it illegal to put grass clippings and things like that in the street; can't you be cited for that? He meant it's still our responsibility to keep our part of the street clean. The truck used to vacuum the leaves is in constant repair. They're not getting picked anyway. And the City Manager just said that the truck was in service more than it was on the street. Mr. Kline said that was correct. Discussion ensued.

Mr. Warner said he didn't believe Mr. Brown was too far off the mark, except that when he was in that meeting they discussed that they would be charging the citizens on a pass-through account for the three months, October, November, December, whatever it cost FSI or whoever gets that contract to come in and pick up the leaves for the three months of the Leaf Pickup. That was it. And they are going to pass that

on to the citizens, because the City can't afford it. We've laid off people and we can't afford to have people come out and the City is not going to make a dime, it's just going to be a pass-through account. That was the way it was explained to him. President Stahl said that's the way he understood and he left the meeting happy.

**Mr. Kline said the only Commission consideration he would ask for tonight is that April 1<sup>st</sup> is around the corner and when we start our regular Brush Pickup Program. Again, that's been reported, we only had one bid from FSI at the same price as last year. So that would be our regular monthly Brush Pickup, April through December contract. If the Commission would consider entertaining a motion to allow us to proceed with that so that we could get started on April 1<sup>st</sup> and on April 13<sup>th</sup> they would follow up with proper legislation. Mr. Brown said he would so move. Mr. Waddington seconded the motion. Discussion** – Mr. Kaman said his concerns are he agreed with Mr. Warner that something had to change in the City and he agreed with Mr. Brown that we were looking a big problem in the eye. We're hitting our residents. We're going to hit them for recycling, and then turn around and hit them for Brush Pickup and Leaf Pickup eventually. He hoped there was more discussion and a middle road has to be found. We did get grants in the past for our Brush Pickup and we have a grant person on board now and maybe that should be a priority finding grants to do this Leaf and Brush Pickup. The Recycling, it sounds like we're just going to be hitting our residents a couple times on the water bills and he was concerned about that. It's just like they follow Huron's lead, but Huron doesn't have the amount of rental property that we have in the City of Sandusky. They keep saying they're starting to enforce our Codes, but he thinks they're other issues that we have other than grass and leaves. We have to cite people for littering right along with the weeds and the brush. He don't think anybody up there right now has the answers, so he was looking forward to future meetings.

Mr. Kaman asked how many people are signed up for this now and are using this program? Mr. Kline said they had about 700 signed up and about 8,000 homes.

Mr. Warner said he had that service and he went to Barnes a week ago and he had three cans in the back of his pickup truck and one little brush and it cost him \$10 for one trip. And he paid \$8 and they come once a week to pick up his grass, his brush, his leaves, whatever he's got. It just doesn't make any sense to him that if he can get it done for 8 months, it doesn't cost him any gas; he's got to drive over to Barnes once a month to pay \$10 and pay for gas to get there and back. Everybody's talking about saving money and cutting costs, cut some costs folks, sign up for that Yard Waste Pickup and save some money. If you go to Barnes once a month, you're still paying more than what this thing costs. President Stahl asked the Clerk to call the roll. **The Clerk called the roll as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. President Stahl declared the motion passed.** *President Stahl asked were there any questions of Mr. Kline?*

**Mr. Waddington said this was to Mr. Kline and Mr. Icsman, he would like to make a motion to support in letter form for Lisa Beurksten of Erie County Solid Waste for Sandusky's Curbside Recycling Program. We need a letter for the County so that they can apply for a grant application. Mr. Warner seconded.** Mr. Icsman said they had a meeting a week ago and basically the letter of support for her grant application will say that they are supporting the efforts to reform the recycling. And at some point in the future there will be mandatory recycling; that we have programs and goals that we are trying to reach together with the Solid Waste District that Lisa is the Coordinator of. He talked to her today and he was prepared to send it to her tomorrow morning. **President Stahl asked for a vote on the motion and with all Commissioners voting "Aye", the motion carried.**

Mr. Waddington said the **second part of this is on Recycling they were looking at opt in/opt out for the first year and then June of 2010 it would be a Citywide Curbside Recycling.** We have an ordinance from 1995 that is not being followed and things in it that aren't even around anymore. So there's language that needs to be changed and they were going to go through that in the next few months.

**President Stahl said Mr. Kline or Mr. Icsman would they also write a letter tomorrow on behalf of Mr. Wilson of the Erie County Community Health Center, a non-profit.** He had invited him to come and talk at a presentation and his information was in their packet. He was a pretty dynamic guy.

Mr. Kaman said the night of the budget meeting they talked about the Boat Ramp, and he said he had a plan to have that as a **free Boat Ramp?** Mr. Kline said it was

just a recommendation in going along with what ODNR originally intended it to be. The costs far outweigh the revenues, so that would be the intentions in this year. Mr. Kaman asked were they going to have it staffed at all? Mr. Kline said the only time that we would have it staffed would be on those fishing tournament weekends, which our staff actually staff. Mr. Kaman said not disagreeing with the plan, but the Boat Ramp to him is an asset to the City. Cities all along the water are fighting to get one of these, and we have a very nice one that we have been improving over the years, and he just didn't want to see it tore up and unstaffed.

Under **Old Business**, Mr. Waddington said they had been meeting on **Lions Park, what they were going to do at the entrance, the park itself, and then looking at developing a simple beach**. And Scott is on holiday, but he talked to Carrie. Mrs. Handy said there is going to be a public hearing at the City Commission meeting on the acquisition of the Trailer Park Property, which is in the front of Lions Park. The estimated purchase price is \$130,000, which would be purchased using Revolving Loan Fund dollars. The Revolving Loan Committee has already approved spending up to \$160,000 for this project. Some demolition work would also be included in the expense, because they would have to get rid of the trailers that are on there and there is also a small building that they would have to decide what to do with as well. But they feel this is a good way to add to the park. It would increase its visibility, hopefully making it safer, because you would be able to see a lot more from West Monroe Street, and the opportunity to get it at a good price, because the price on this property was a lot worse in the past. So they thought this was a good opportunity for them to expand Lions Park.

Mrs. Handy said a Lions Park Committee has been formed to discuss the future improvements of Lions Park. There are facilities in the park that need to be upgraded, including some play equipment, the parking lot, the beach area. She has developed a packet of a request for proposals by the development of a Master Plan for Lions Park; and they were reviewing it internally right now and she hoped to send that out to landscapers, plus urban planning firms here in the very near future to get quotes on how much it would cost to do new Master Plan for Lions Park. It's time to really take a really good look at this park. They would like to make it an official piece on our waterfront. So it's time to take a comprehensive look at what they need to do at the park. They are also looking at setting aside some of our Community Development Block Grant dollars for FY '09 and probably into the future to be able to improve Lions Park. It is in a low- moderate income area.

Mrs. Handy said they also had a preliminary meeting with ODNR regarding the doctrine for establishing some type of beach area on the west end of the park. In the past, it was always looked at as that we would be adding to the beach area, as far as bringing in additional soil, building lots of shoreline structures, building the breakwall. It was a very expensive project. What they're looking at now, is a much smaller beach area towards the west end where there is some beach there now and cutting back the slope, cutting back into the park and filling that in with sand or whatever, determining what engineering to get that area that way. ODNR said they thought that was very possible to do. We don't have any cause or anything like that yet, but that's probably what we are going to do; and then possibly expanding that as we get funds and stuff we can expand that down the line. They also met with Erie County Soil & Water Conservation District staff to talk about the reestablishing a more natural shoreline area. Right now they were pouring concrete curbs and things trying to shore up the shoreline along Lions Park, but they would like to make that a more natural area, possibly regrade it and plant more natural plants in that area. They also talked about the drainage in the park. There are some areas that are very wet in the middle, which don't make it a very nice place to play. So they talked about what they could do for drainage and possibly planting some additional trees to help take up that water in the park. So Soil & Water can help us with those as well. She was also getting quotes on the cost of a survey for the park, a new survey so they will have a good survey to work with when they start doing their Master Plan.

Mr. Warner asked just how close they are to a partnership with Erie Metro Parks on Lions Park? Mr. Kline said Mr. Schell could probably answer that a little better than him, but he's working with Stephen Dice. How close it is, he hasn't seen the first draft yet. Discussion ensued.

Mr. Warner said he would like the **report from Hagg Environmental on where they're at, what they have been doing and where they're headed.** Mr. Ruth Hagg said this was an **update on the Brownfields Program.** The Brownfield is a piece of property that is suspected to be contaminated with hazardous waste. The waste generator company or person is missing, they've been gone for a long time; and there is nothing on the property, and there's nothing on the property that triggers any Ohio EPA or U.S. EPA regulations. So this is essentially a site that has fallen through the cracks of the regulations. So they know it is contaminated and they have to do something about it. We have a lot of Brownfields sites down by our shore. The City has several grants to pay for Brownfields cleanup and that's what she and Bob work on coordinating. And all they need to do in order to get more grants is to manage their money well. They started out last year talking to Commissioners and saying what do you want to have happen and the main thing they heard from each Commissioner was get something done. This is what they hear from Commissioner Warner most often and most loudly, definitely the angle was to get something done.

Mrs. Hagg said they have a couple other rules, and one is do something once and do a little bit of a clean up or a little bit of a patch up. In ten years they don't want to later find out they have to go back and do it again. They want to make it safe and they don't want the public to be hurt by any of the contaminants on the properties.

Mrs. Hagg said and then from the Brownfields Committee itself, is no surprises is what they keep telling them, they don't want to start construction on a property and then find contaminations. So they want to assess the property first, clean it up, and then hand it over to the developers to develop.

Mrs. Hagg said the current Brownfields Projects that they're working on is the Paper District, The Walkway around the Chesapeake Property, and the Marina, also the Chesapeake, Tricor and Keller Properties Cleanup, and then in the Paper District they were going to be working on doing some further assessments.

Mrs. Hagg said they'll note the focus is on the Paper District, which is part of that goal to get something done. What will happen next on the Walkway is they will be able to complete it to the northwest corner of the Chesapeake Building by May 25<sup>th</sup> and then beginning July 1<sup>st</sup> after the fish spawning deadline is over, they will be able to complete that Northwest Plaza and they're telling them that it will be done probably the week of September 7<sup>th</sup>. Either concurrent with that or right on the heels of that will be the marina. At the same time as they're building the remainder of the Walkway, they're going to be renegotiating the milestone and the reglobalization for Hoty Builders that are working on it. And Matt Kline and Scott Schell, with a little bit of their input and a few other people, are working on the request for proposals for a design/build operate of the marina. They are going to be obtaining public input and they started that yesterday with meeting the Chesapeake Homeowners Association. They are going to probably have to amend the Army Corp permit, and it probably won't be a very big amendment, but it's probably not going to look exactly like the marina that has been approved. And they are going to be making design decisions regarding the two Plazas. What is going to happen next on the Tricor Property, right next to the Chesapeake, is that they are working with the City staff to sort some piles of debris that are there and sometime this week or next week some of those piles are actually going to finally start moving and they'll be put in as the base of the walkway. But in the end they should be able to have nice orderly piles.

Mrs. Hagg said there's a CORF Grant for the cleanup of the Chesapeake, Tricor, and Keller Properties. They've spent about \$2 million of it. They have to find match money of \$2,600,000 and they were going to have to find some more match money in order to use the rest of the grant of the \$3 million grant. They were hoping to use the balance of that grant on some of the marina excavation and some of that will actually be for remediation of contaminated soil. They've got a possible use of it on some asbestos remediation on the Keller Building with the TC Interceptors. The U.S. EPA Assessment Grant is what the Brownfields Committee has been focusing on mostly. That grant is \$400,000 and they've been working on prioritizing sites and this is to assess sites to see if they have contamination. They've developed some criteria to prioritize the sites. The first one is the ability of the City to take control of the site, because a lot of the future follow on grants require that the City be a part owner of the site. They evaluate the degree in places for contamination. One of those goals is to preserve, secure and to enhance existing businesses, which means they don't want to go and to find that there're contaminations and force a business out of town. They want to keep all businesses here, here. And that they are able to come along and

partner and make a good economic agreement. Then they want to make it the kind of sites that want to make the City safe.

Mrs. Hagg said the Brownfields Committee decided to focus on the Paper District, which is part of that first goal of getting something done. So they're focusing all of their efforts on that. The Brownfields Committee has come up with some sites that they want to start on, that they're recommending to the Commission that they start on and first is doing some Phase I and some Phase II studies. The first one would be that they finish the parking lot where they have suspected TCE and the Coal Docks they're hoping to move part of the Gradel operation down there. So they want to make sure that they protect those. They want to do some work first on the Tricor Property, on Sandusky Cabinets where we have applied for a grant to remove some underground storage tanks, but they want to do a little more Phase II work on that and on the coal tar plume. There are some backup sites that they're going to be working on when they find out how much money we have left after they've done the first ones. These are the backup sites and they have not been prioritized by the Brownfields Committee, because they're not ready to look at them yet.

Mrs. Hagg said they have their budget and they were looking at their invoices for the month of February. It went a little bit over \$10,000 and they thought they would bring them up to date on this, the Hagg Environmental Company budget. They're about 33% through their contract timeline, four months out of 12, and they're about 36% through the contract budget. The draft, that will show them how that happened. They had estimated that Ruth and Bob would average a 15 hour a week bill and they have averaged that. But in the last month it went a few more hours than the average of that because of their work on the Chesapeake Walkway. So logically in another couple months it should go down again. They also averaged about four hours a week that they don't charge and they probably saw that in that invoice. So those are times where they see Bob and she out at the Chesapeake Walkway gathered. And it could really be done by either one of them, but they both felt they could get the benefit of two sides looking at the whole thing and project managers looking at the whole thing. But they only pay for one, because logic would dictate that you only need one person. They also note that Bob and she volunteer one to four hours a week on other City causes and they keep the hours all up there so they can see how much time people are using. The Brownfields Committee has volunteered approximately 140 hours so far and they wanted to thank the Brownfields Committee for having done that for them.

Mrs. Hagg said so the immediate next step, there's completing the Chesapeake Walkway to the northwest corner, clean up the Tricor piles, start Phase I on the first two sites, start the Northwest Plaza Plan, start the Northwest Plaza in July and then balance out the use of the funds from the U.S. EPA Grant, the CORF, the potential COAF Grant in order to finish up the Paper District. That is it. **Any questions?**

Mr. Warner said he had a couple, one the Tricor site, she wants to dig some more? Mrs. Hagg said what they're talking about is sampling some more on the Tricor site and this was brought up by Brownfields Committee members. And they pointed out that when they sampled the Tricor site originally, when she thought it was Partners Environmental who sampled it... President Stahl said that was before then. Mrs. Hagg said sorry, a different company. They sampled down into the silt and then they sampled way down to the bedrock, but they didn't sample a layer of material that used to be at the bottom of the marina, there used to be a marina there. And so the Brownfields Committee's concern is that we don't know what's in that layer, and so they would like to at a minimal expense just go down and get a sample there and make sure, and that's part of their thought of no surprises. They don't want to dig the marina and then be surprised by finding something there. So they'd rather just take a look at that, take a sample down there or maybe three and see what's there.

Mr. Warner said he did research in that area and from old photographs and some other people he's talked to, the 30 feet that the Homeowners Association owns, that's right next to the parking lot and that part of the parking lot, that covers just about the whole slip that used to be there. If you look at the old photographs and the old maps, that does cover that slip. We don't own it. We don't dig in there. Why would we want to dig in there again? That is not going to be part of our Marina. That old slip is not going to be part of our new Marina area out there, so why are we taking on the private property there to find out if we can take that dirt up? It doesn't make any sense to him. Mrs. Hagg said well it doesn't to her either. Her understanding was that they were going to be sampling a little bit further to the west, but maybe they

better... Mr. Warner interrupted and said she said the slip and he had been looking at the... Mrs. Hagg interrupted and said okay, well let's go look at those... (both parties talking, inaudible) Mr. Warner said if you look at that slip and they own that 30 feet west of that parking lot... Mrs. Hagg said well then let's go back and look at those again and take it back to them. Mr. Warner said he would suggest she do that.

Mr. Warner said and the second thing is the cold tar plume. He had a problem with that, digging around in that coal tar plume. We've spent thousands and thousands of dollars to check on that coal plume. We know where it's at, we know what it is, and we've spent thousands of dollars; and he's seen a book that thick upstairs on the plan and RFP to fix that out there, to contain that and to work on it. And this Commission's been hollered at and beguiled several times before for doing something and then having to go and do it again and then do it again. If we had a plan (Hull & Associates) and we spent thousands of dollars on it, follow the plan, make that plan work. We've got good people we paid good money to that are reputable folks and he believed they were here tonight and he would like to get them to speak up to their plan. Tell him that their plan is the right plan for Sandusky and its going to work and that's the way they should go. **He would make a motion that they go with that plan (Hull & Associates) and they don't need to do any other plans on the coal tar.** Mrs. Hagg said okay, now unfortunately she thinks he was at the meeting when Karla Auker with the U.S. EPA came... Mr. Warner interrupted and said he had been in contact with Karla too... President Stahl interrupted and said Mr. Warner has made a motion. Mr. Warner said and she (Karla Auker) seems to agree with that, with him. She says... President Stahl interrupted and said excuse him, he made a motion, can we have a second and continue discussion? **Mr. Fuqua seconded the motion. Discussion** – Mrs. Hagg asked could she answer this? President Stahl said yes. Mr. Warner said he did make contact with Karla. He's e-mailed some questions back and forth and she's not saying that you have to reevaluate the whole thing. She's says you may have to look at it, you should have a plan. We got a plan there (Hull & Associations). You got any solid proof that anything else has changed down there? We don't have solid proof of that. Mrs. Hagg said if she could speak to that then? Mr. Warner said okay. Mrs. Hagg said Scott Schell called a meeting with Karla Auker, who is the person who oversees the EPA Assessment Grant and they (Hagg's) went to that, and Matt Kline was there, and Kaman and Bob Warner. And when they were there, she went over all of the sites that they just talked to them about and they decided what the Brownfields Committee was wanting to do with them. When they talked about the coal tar plume, what her conclusion was, it was two-fold. One was she said you need to take another sample before you put in sheet piling; and then the other was that she wanted us to talk to Sandusky International. Then within about a week they got an e-mail saying have you done those things. Mr. Warner said in an e-mail to Karla last week, those questions he posed to her, she sent back a different answer. Mrs. Hagg said okay, and she understands that. Mr. Warner said he believed he had Mr. Hull here, he would like to hear about his plan that we paid him thousands of dollars. He don't know exactly how much it was, but he knows it was expensive because that stuff is not cheap. He would like to hear about his plan, it was approved by the EPA, he could take from it and tell him what's prudent, what he needs to know.

Mr. John Hull, Hull & Associates, said he was at a little bit of a disadvantage, he was going to give it a shot. They were part of a team with Partners Environmental and they had been working sub-cult to them, helping them gather data, come up with different concepts and approaches. And some of these concepts and approaches vary depending upon what the City wants to do and how they want to see the development end, end up on the property. The most days that he works with a number of projects that deal with coal tar contaminations and sediments, very similar to this and they can be accommodated in situ, as long as they are more or less encapsulated in conjunction with the completion of the project that you are trying to build out. You have a material that is a contaminant, it's a known contaminant, it's not a good actor. You want to be very careful how you approach it, but for it to be a risk, you have to have a pathway for that material to reach a receptor. So the concept of any final development plan there is, is to make sure that the pathways are cut off, as there are no receptors that can be endangered by the materials that may be left on the property. That goes for any type of contamination and how they address any cleanup level. There has been a heavy amount of effort and time expended on understanding the position of the coal tar plume on those

properties. And the means of addressing those exist within the general plans that have been provided, but the specifics of those will be determined based on the final development plans of the property. So he's confident they can be addressed and they can accommodate development on the property, but the specifics are required to give them that final assurance that the Ohio EPA and the US EPA will require before they can give final blessing to any development or reused the property.

Mr. Warner said then his point is, the City does not have a development partner for that area at this point in time. We have a plan and if the development comes in, and that fits his development structure, his plans, we can use that. If that changes, if we have a developer come in to partner with the City on those projects, then his whole development scheme changes. Then we may have to do some different things, different than what the original developer thought it was going to be. If there's something new that comes in, then we have to change it. But for this point in time, right now where we're at, he sees no sense in wasting any more money just for something that we don't have a partner with. It's a private area. If they don't want us in there, they haven't invited us in fact for anything else, he sees no sense in wasting more money going on this when we don't have a development partner to work on it right now. If we have a good plan in place, leave it go, let it lay there until we get a decent development partner and see what he wants to do.

President Stahl asked his name. Mr. John Hull, Hull & Associates, Toledo, Ohio, said their firm had been providing services to help with the Voluntary Action Program aspects of a redevelopment of the property and also they've helped with the packaging if you will, of getting the various COAF and CORF Grants and U.S. EPA. President Stahl said he had been active in that role; could he ask what his background was? Mr. Hull said his personal background, he's a Registered Professional Engineer. President Stahl said he is an engineer did he have any additional certification? Mr. Hull said yes he did, he was Board Certified Environmental Engineer, certified by the American Academy of Environmental Engineers. President Stahl said Ruthie has been consulting with them, he's our consultant, they've been working together besides that relationship he would assume or he would hope? Mrs. Hagg said oh yea. President Stahl said so if you have a good relationship, and what Mr. Warner says makes a little bit of sense. Mrs. Hagg said they... President Stahl said he just didn't want this thing to turn into a, you know, a love canal thing for no reason. Mrs. Hagg said okay, but that's a good analogy, because if they remember, one of their priorities was making mistakes. And what they were working on tonight, she doesn't care how they vote or do it personally, it doesn't bother her, she doesn't live there, she lives a few blocks away so she's okay, but to make it safe. And then what Commissioner Warner had originally said is, let's get these things clean, so that when a developer does come, they're ready. And so otherwise a developer comes and now we have to clean it. So they've even developed at the last Brownfields meeting a concept that Commissioner Warner came up with, that we could use our own City property and actually have them extract and try to get that out. The other thing is, and she doesn't know if Hull & Associates know this, but they have had a release and they called to the EPA about that and she said either it would an emergency or she felt confident that they (Hagg's) could take care of this right through our Brownfields Program. So that's... President Stahl interrupted and said meaning of public information related? Mrs. Hagg said no of coal tar. President Stahl said coal tar related. Mrs. Hagg said so that kind of changes the picture a little bit, and so to make it safe to get it ready for a developer so when a developer wants to come in. She is repeating things, and she doesn't want them to think that she is the person that came up with all of these things. Lance Warner is the one that said if you get a developer and then you say okay now we're going to have to take five years cleaning up the property and then you can go. That's not going to be very good. And so the Brownfields Committee keeps focusing on get it clean, make it safe, get it ready. And so what they're proposing, the Brownfields Committee, is proposing with this coal tar plume, is not to throw tons of money at it, but to put in above three wells to see if we can delineate where it is. They don't necessarily know how deep it is and they don't necessarily know how far it's gone. But they were just working on how deep is it; and that was the question and that's what they proposed to Karla Aufer at U.S. EPA. Because the question is, if it is in the bedrock, then the remediation plan that's planned is... President Stahl interrupted and said just a second, anybody that has a Blackberry would then turn it off or go out into the lobby please. Go ahead. Mrs. Hagg said the anti-coal tar plume is in the bedrock and the

key is the drill goes through the bedrock, then the coal tar plume could come out and that would be a good remedy. But she wanted them to remember that, another thing that she keeps talking about, they don't necessarily have to spend any money to clean this up. They have not gone back to the utilities to say hey guys can you clean this up, the people that put it in there. And so that is still another option to find the people that put it there and ask them if they can clean it up for us.

Mr. Warner said at this point in time we don't have a development partner. Mrs. Hagg said right. Mr. Warner said the City can't afford it, do you understand? The City cannot afford to go in there, to buy that property, clean it up for a developer. The City cannot do that job without a development partner. That's what's changed the whole thing on him. Like they clean something up and give it to a developer and say here, pristine for you, have a go at it. The City cannot afford to do that. Mrs. Hagg said she totally agreed. And so they've got a couple options... Mr. Warner said so that's why they stop and wait for a development partner to help us out and get it done. Mrs. Hagg said okay, then we don't have to make it safe, but that's okay and she's telling him, she's arguing on behalf of the Brownfields Committee and what they've said to them. But the thing is, they can either remediate it on our own property with she thinks a COAF Grant. Mr. Warner said well, if they don't. President Stahl said a COAF Grant was more for investigative work. Mrs. Hagg said well okay, they'll find a grant. Okay, they'll find a grant.

President Stahl asked if John could he confirm all these discussions that he's hearing? Mr. Hull said well he's into this pretty new as the Environmental Engineer or Certified Engineer. Mrs. Hagg said they haven't sat down and talked. Mr. Hull said no, they haven't sat down and talked. He would be happy to sit down. Their staff people have been doing what they have been asked to as resources to the City. This is kind of a new topic to him, but they would be happy to spend that time and sit down and talk to about those issues.

President Stahl said her plan he thinks is they are all looking for development of that area and right now they seem to be doing a lot of wheel spinning. It's not good for economic development for what they're trying to look for. So maybe he could ask Mr. Warner to pull his motion off for tonight, ask for it to come back in two weeks, and then... No, he wants to vote on it? Mr. Warner said he does not believe we need to work further on the coal tar plume, for the simple reason that we do not have a development partner at this time. We do not have control of that area down there... President Stahl interrupted and said we do not, and they don't want to sell it. Mr. Warner said and we can't afford to buy it. President Stahl said we don't have the money. Mr. Warner said we can't afford to buy it. Flat out people, we ain't got the money okay, it ain't there. So why are we spinning our wheels and spending money that we don't have on something that we don't own. It doesn't make good sense. I'd love to have it and own it. You want to sell it to him for a dollar, then we'll stick every nickel we got left over here in here to clean it, but that ain't gonna happen. So he made his motion to, everything else that they're (Hagg's) doing is just great. They're beating up this coal tar thing and we just can't afford to go there right now.

President Stahl said John he had given us an assessment that is good, correct? Mr. Hull said they have done assessments to delineate the plume to the level of detail necessary, he sounded like a lawyer here, that are required by the grants that the City has received. The Ohio EPA, in his experience and opinion, is pretty thorough on property assessment investigations and the steps you have to go through in order to follow the Results Reaction Program and clean up the property for a prescribed use. They audit everything they do. And Mr. Warner he thought he talked about a very big book. Mr. Warner said right. Mr. Hull said when you get done with a project like this, you will have a big stack before the EPA is ready to say here's a Covenant Not to Sue on the property. They have to be satisfied and they are very diligent taskmasters when it comes to public real estate, reused Brownfields. President Stahl asked and they've done that? Mr. Hull said yes. President Stahl said they've given us the right not to sue? Mr. Hull said no, not yet. They've done it on other projects. President Stahl said one thing he learned, and he has questioned when he don't understand the answers, not for enjoyment of the audience, but rather so he that he knows he's making the right decisions. Mr. Hull said sure. And the program that is in place under the Voluntary Action Program, which is the program they're in, the EPA will give you a Covenant Not to Sue on a property once it has been cleaned up and redeveloped. That program has been fairly successful. There have been projects that they have worked with communities like themselves, take them from the start to

the finish and where a Covenant Not to Sue has been issued and the property has been prepared for redevelopment. You know the clean table that a developer likes to see, maybe he will come in and put utilities and foundations and build something on it from residences to commercial endeavors to new industrial uses all on properties. And they do that all the time and the waterfront is a valuable commodity. The waterfront is the type of Brownfields project that gets a lot of attention and there are a number of them that are going forward in the State of Ohio. And he thinks the Ohio EPA has a pretty good program and they understand their program and it seriously works. It's a torturous route if through it all you got to have a lot of good public hearings, public information, dissemination information for it to really be successful, having a good dialogue on what you're doing and why and what redevelopment objectives are and how you're going to address the risks. That's all really important. So he thinks the City is doing it right from that aspect.

President Stahl said so we don't have a willing partner to help us out per se in the Deep Water Marina. Mrs. Hagg said no, but we do own property that has the coal tar plume under it. So the City owns property over the coal tar plume. So what the Brownfields Committee, she just speaking they've done a lot of work and a lot of studying on this, and what they feel is that since Commissioner Warner actually proposed a system where we would get grant money and we could remediate it ourselves or the other option, is we can get the original generator to clean it up. And the original generator is the Power Company. Mr. Warner said but all of the testing that she wants to do, is not on City property, it's on private property. Mrs. Hagg said no, she believes... Mr. Warner said all that we own is a street that goes down there. (Mr. Warner, Mrs. Hagg and Mr. Stahl were speaking at same time, inaudible comments) President Stahl said this discharge will happen on City property? Mrs. Hagg said no, okay there are two things going on; one is that the investigation that they were proposing, they were proposing to do on City property she believed. Mr. Hagg said they proposed three holes, one on City property, a second hole probably on City property, and the third hole to get a triangular pattern, would be on private property. Where Mr. Schell was going to inquire whether we might get access, because they want a triangular pattern for reasons that they don't have to go into right now. Mrs. Hagg said yes, and this would be paid for with the grant money.

Mr. Warner said his whole point, they know exactly where this thing is, we have a plan to remediate it, we paid it and we got a VAP (Voluntary Action Plan) that's in place. He don't believe we need to spend money on another one. Mrs. and Mrs. Hagg in unison said we do not know exactly where it's at. Mr. Warner said we know where it's at. Mr. Hagg said if they know how deep it is. He thinks they'll have trouble answering that. Mr. Warner said the book's that big and it shows you that. President Stahl asked do they have that? Mr. Hull said they have the information gathered sufficient to put together a Voluntary Action Plan for many types of redevelopment for those properties. That does not mean to say that someone couldn't come up with a different configuration for roles that they needed to cut deeper or move a channel or something that would require them to rethink that. And maybe at that point, get additional information so that the remedy could address the new Commission that might be encountered. President Stahl said so he does have a VAP in line for some sort of use for the property? Mr. Hull said yes. President Stahl said it was a condo, residential type that was the Voluntary Action Plan that was in place? Mr. Hull said yes. The President said any questions from this side of the table?

Mr. Kaman said he would like to invite all of the Commissioners at any time to come to the Brownfields meetings. A lots to discuss, he's kind of surprised by Bob's tone of voice tonight and it was his plan that he brought up at the last meeting to drill that well and now he's changed gears. He looked forward to having Karla Auker back in the room with the Brownfields Committee, because it's definitely opposite of what he's saying tonight. It's definitely the opposite of what she told Mr. Kline, Mr. Schell and yourself (Mr. Warner), himself and the Hagg's upstairs. And it's different from what she told the Brownfields Committee about the coal tar plume. She suggested very strongly in both of those meetings that since it's there, and like Sandusky International says, it is the elephant in the room, the coal tar plume is the City of Sandusky's elephant in the room. They need to address it. She strongly advised us to address it. They know it's been there since he has been a Commissioner, probably before that also. He thinks we finally actually got Sandusky International to meet with the Brownfields Committee and they are involved with them. Mr. Kline has had conversations with their attorney. He believed Mr. Schell

has had conversations with them. Hopefully those are all documented. Hopefully we can get them as a partner, part of them are on their partner, but they are not the generator. They don't need to be absolutely petrified that we're going to make them clean up what's theirs, it was previous owners. He looked forward to further discussion on it. He did not support Mr. Warner's motion, because as this Commissioner has been involved in the Brownfields from day one on this, he wants to continue to find out what we can do to fix the problem, what we can do to save jobs. He agrees with Mr. Lance Warner on our Brownfields Committee that property and Tricor is our best bang for the buck. So if you want to develop a property, that's the one we need to clean up pretty quick so we can offer like Mr. Warner wants to do, clean them up, turn them over to developers, we got to get it cleaned up first. We don't have an EPA department office, this is all for now, but you do one, two or three wells, isn't going to break the bank. It's exactly what the EPA advised us to do in two meetings, now if it's changed in e-mails Mr. Warner, that's fine, but they have to see. He looked forward to having her back in the room. Mr. Warner said again, we don't have a developer, we can't afford to do it on our own. We can't do it without a development partner. Once we get a partner or whatever he wanted to put on that property, that's what we set our VAP for. President Stahl said we have a VAP to do something. Mr. Warner said right, he (Mr. Hull) said when a developer comes up with something different, we may need a different. President Stahl said right. And he don't see the City has the money to buy Deep Water Marina. Mr. Kaman said that's not in the discussion at this time. That's a whole separate property not even in discussions.

Mrs. Hagg said she thinks that's her concern, and she thinks this is part of the Brownfields Committee's concern, is to make it the safe part. It's a question they have to weigh in their own mind, the Commissioners, they definitely take the direction from them, but are they willing to risk an excess death or an excess cancer because you didn't have a development partner. And it's not that we don't have money, they can find the money that won't be City money to use, but that's what you really weighing. And so they make their decision and they certainly will follow it. President Stahl said it's a pretty tough analogy when a guy is standing next to you claims to be a Board Certified Engineer in Environmental Engineering correct? Mr. Hull said yes. President Stahl asked did he agree with what Ruth just said? Mr. Hull said the characterization of the site, as per the Ohio EPA requirements, are set to assure public health and safety and protection of the environment, which are different things, different degrees of effort. And if they can meet the requirements of the Voluntary Action Program, for a particular type of development, then the State of Ohio is saying this is safe and we're going to give you a Covenant that says it's safe and they don't anticipate any type of environmental liability legal activity in the future as a result of your planned use of the property. So as long as you maintain it like that, and that's one of their parts, you have the Covenant Not to Sue and that it is being safe. If someone comes up with a planned configuration that doesn't follow the original assumptions or they change something or they dig a hole where they shouldn't or they put a well in where they shouldn't, then that changes the game. When you put a piece of property into the Voluntary Action Program, the requirements that mirror the assumptions made to address safety issues, have to be put on the deed and filed as a Covenant of the Deed. So that anybody that owns that property in the future, understands the limitations. And any change in the property use, has to meet the Voluntary Action Program at that time going forward. If somebody wanted to change the use of the property 50 years from now, then they would have to go back to the Ohio EPA and say I want to do it this way is that okay, and they'd have to get their blessing to do so. And that's a long-winded answer, but he didn't understand the comparison necessarily having been brought into this a little bit late here.

Mr. Bob Hagg said one of the things that they've advised this Commission for about four years, starting back when they were simply working as volunteers, and do not be driven by grants and do not be driven just by programs. So the Voluntary Action Program can work really well in certain circumstances; however, it has some weaknesses. One of the big weaknesses of the Voluntary Action Program is that it requires operating and maintenance after the remedy is installed. So these guys designed a valid remediation plan that was installed by contractors under their oversight, then it was turned over. So let's take the Chesapeake Project as an example. The Chesapeake Project itself was subject to an NFA, cleared by Partners,

probably supported by Hull he imagined. And that property was then turned over, the No Further Action Letter and the Covenant Not to Sue was initially with the City and then it was turned over to MidStates, who turned it over to the Condo Association. Now they are engaged in constructing the Walkway and find that the Condo Association members, except when they tell them, don't realize that they're supposed to maintain a two-foot part step in the area where they're presently constructing the Walkway. It's entirely up to them, Ruth and himself, who have the memory on the project, to tell the owners that they have to maintain this patch. This is an important weakness in VAP Projects, to put in something that is not a total solution and it's going to be okay as long as you maintain it. And there is nothing wrong with their plan as long as it's maintained, monitored and works. From what they advised the Commission, and have been for years, is you need to make your own decisions. You don't just say who's certified at what level and you don't even say if why the Committee says it's okay. You decide yourself if it's okay. That's the point of having a Brownfields Committee with citizens. They present data to and then they decide if it's okay, they present it to you guys and you all vote. So it's something where you just don't get to say is his certification better than her certification. It's something where you have to understand what you're doing and decide what you want to do, and that's all they want you guys to do with coal plume, understand it and then deal with it the way that you want to.

Mrs. Farrar asked was she getting the idea that she's saying that we agree to a VAP and he was thinking that the new owners wouldn't take care of it per the agreement? Mr. Hagg said his personal opinion, absolutely not. What she said is correct. Mrs. Hagg said she thinks a good example would be that shopping center, City View in the Garfield Heights. Where they built a shopping center on top of a landfill and it was totally followed by the Ohio EPA, everything was you know one of these sites where the ONM had not been taken care of, they had methane in their sewers. The newspaper said that someone put a match down and that it burned and now a lot of the stores have backed out. Walmart has backed out because they said they had concerns about their employees' health and safety. And so here is kind of an example of the same thing that they're talking about. They were talking about putting people on top of hazardous waste and telling them be very careful and don't do this, don't be here, don't put a plant there. And that's actually what they're telling you guys, at the Chesapeake you can't have a garden, because of what's in your soil. As opposed to the direction that they were going with the Brownfields Committee was hey, why don't we just clean it up, then we won't have to discuss it again. And then we won't have to in 20 years say uh oh, there's change and now we have to go back. So they wouldn't have to do this and that was the goal of this and working just kind of inching baby steps towards that to delineate just a little bit more so they could discuss how we could get money to do the final solutions instead of doing these interim things.

Mrs. Farrar said well they can't sit here and say they're 100% sure that the developer isn't going to follow the VAP. Can they sit here and say they'll (Hagg's) be able to get 100% funding through grants, you're positive? Mrs. Hagg said well, they could say that. They have the grant money now to do the further investigations. So the money just for that and they could say that they won't take another step unless they have it all funded. You know they can say that. She don't know, you know they've got a couple different ways of getting the money, but if they give them the direction of clean that thing up without anymore City money, they would go out with that goal.

Mr. Warner said again he says Mr. Chairman, they don't what development's coming in there and they don't know what they want developed; they're not sure what kind of a VAP we'd have to follow at that point in time. He don't mind cleaning it up, but he wants to do it with a development partner and he wants to clean it up as well as his plan that needs to be with his plant. Whatever he plans to do with that thing, that's how they'll need to clean it up. He don't have to make this pristine. It does not have to be pristine. The Chesapeake's not pristine. The Tricor's not going to be, his backyard is not pristine, he lives on Third Street. You could probably dig down and find some stuff about four or five inches down there that ain't good for you. Half the backyards in this town aren't real good for you. We need to know whose going to develop, what they're going to do with it, and develop what kind of VAP. The one we have will work or are we going to develop a new one. He just don't see doing it without a development partner. Again, we can't afford it. You're going to run the

City in the ground, you're going to break us. Mr. Kaman said he loves the drama, but this isn't to clean it up. This is to do further testing so we know what the elephant in the room is. Love the drama though, it makes for good t.v., but we already know what is there in the ground. It's a coal plume site, it's there in the grant. The money is there for testing, it's not going to cost us any more money to do it, the grants are there. He knows from experience, when he had his boat at a nearby marina, what was there. We have another member of the audience tonight who has his boat there and we know what's there, what happens. So the elephant is in the room. We can either look the other way or we can do further testing so when we do get a developer, the Brownfields Committee agrees, that is our best shot at future development. They would like to know what's there, that's all they're asking.

President Stahl asked that the Clerk read the motion before she does the roll call vote. **The Clerk of the City Commission, B. Joyce Brown, read, "It was moved by Mr. Warner to go with that plan and don't mess with the coal tar plume, and then Mr. Fuqua seconded the motion." Thereupon the Clerk called the roll on the motion: Yeas: Warner, Stahl, Fuqua, 3. Nays: Waddington, Kaman, Farrar, Brown, 4. President Stahl declared the motion failed.** He stated so they were still working on it. He hoped they would get some period reports, Ruth and Bob they were very good about that. Mrs. Hagg said they would.

**President Stahl said he would like to make a motion that since this has now failed, that they spend no additional City money upon this project, no General Fund money. Mrs. Farrar seconded the motion. Discussion -** Mr. Kaman said he would like to invite all the Commissioners again to come to the Brownfield meetings, learn what you have in your own backyards. **Thereupon the Clerk called the roll on the motion: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. President Stahl declared the motion passed.**

Mr. Kaman said going back on the Budget, Chief Sams told them about the **Police Boat and he said he would get back to him when they have a plan to operate that; and second, what are we going to do about the Dock Tax since we're not going to have a Police Boat?** Interim Chief Sams said as he said before, he hoped we do have a Police Boat and they're having a meeting Thursday with the MEI to discuss that. So that's what the holdup has been. Mr. Kaman said the Dock Tax then would go towards the sharing of that boat correct? Interim Chief Sams said no, he said they're going to have a Police Boat, but the Police Boat as he said before, would only cost us at most, four hours of man-hours per week, nothing more. Mr. Kaman said he thought he said he was getting rid of our Police Boat. Interim Chief Sams said we got rid of our State Police Boat, but as a Federal Homeland Security Boat that would be a regional boat. It won't be a Sandusky Police Department. It will be Erie County Sheriff's, Huron, Perkins, Sandusky; they'll all have this boat.

Mr. Kaman said he got contacted this weekend, he'll give him the name, he guessed he e-mailed him, he never heard back from him. **So he asked Mr. Icsman earlier, can he give the City an update on Mr. Murray's Ethic's Ruling?** President Stahl said he's certainly not a lawyer, well public relations. Mr. Icsman said we did cooperate with them (Ohio Ethics Commission). Those matters are confidential. We have not heard back, but we did, right before the end of the year, an investigator came and talked to us about that and we answered questions from our information and whatever they requested. That's all you do. They're confidential and you can't call them. Whenever they do or don't do something, they'll let us know. That's how they leave it, if they have any questions. He doesn't know any more than basically he does. Mr. Kaman said he was asking how Mrs. Farrar's came back right away. Mr. Warner's came back right away, it was public. Mr. Icsman said he would only be speculating to see the difference. Mr. Murray is not on the Commission anymore and that alleged conflict is removed could be a reason.

Under **New Business**, President Stahl said before when he ran for Commission, there used to be an **off-week meeting**. The off-week meeting was used, the way he understood it, Mike Kresser would come in with three Commissioners. Mr. Fuqua said two. **President Stahl said they would meet with the City Manager to discuss issues that were going on in the City.** He kicked it around and he had talked to some of the Commissioners. The parameters he would like to use is a meeting not to exceed 45 minutes, not to have staff be required unless they were requested to be there. There would be no public participation, but the public would

be invited to hear what was going on. There would be no Pledge of Allegiance, there would be no prayer, but an informational session that would be open to the public not to exceed 45 minutes in length, to do it on the off Mondays, and do it at 4:30 p.m. so they would be able to spend some time with their families. And that was the way he envisioned it and his vision started next Monday at 4:30 p.m. **He would like to make that a motion. Mr. Warner seconded the motion.** And of course Mr. Kline would have to be here, Mr. Widman and Mr. Icsman. The Chiefs would not have to be here or Kathy unless they requested it. **Discussion** – Mr. Waddington asked what about like work schedules, he gets off like 5:30 p.m.? He would have to take vacation or make up time. They can go without him, he was fine with that. President Stahl said yea, it was just an informational session and he can get here when he gets here, it's not going to last. At 5:45 it's over. But he thinks it's important that they do this. Mr. Waddington said it should be made so that all of them can attend. Someone said they agreed. President Stahl asked what time can he get here Monday? Mr. Waddington said if it is an off-week like quarter to six, he's got to make the time up or vacation time. It doesn't matter to him, let's make it four in the morning. You're fine, just forget about the rest of them. Mr. Fuqua said he thinks these little snide remarks and all this garbage is getting to be a little too much. It's not what we're here for. If there's a problem with the time and we discuss the time, all of these personnel attacks and these snide remarks, and he would say he is as guilty of it as the next person, because he knows he made them, but it's getting out of hand. It really interferes with the business that they were trying to do and that was to make Sandusky a better place to work, live and play. So let's please, he's not chastising any one person, but please let's cut it out and just discuss what's on the table. Mr. Waddington said Mr. Fuqua, he was not contacted. This was the first that he's heard of the 4:30 off-week Monday. He would rather hold everybody to what would work for their schedule. That's his problem. He thinks just to be fair, if in fact this is going to be a one hour or 45 minute work session, he thinks you should have gotten a hold of everybody. President Stahl said so he apologized. It was no slight intended. It just seemed like it was just the right time to do this. After discussion, it was decided the meetings would start at 5:45 p.m. on March 30<sup>th</sup> in the Commission Chambers. **The Clerk called the roll: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. The motion passed.**

**President Stahl said next week he thought about having a short meeting after that meeting to discuss their goals and objectives for the remainder of this year so they can all get on the same page as where they're at. Mr. Brown said he would second that.** President Stahl said that would start at 6:30 p.m. next Monday, required by all staff that's sitting here today. As there was no discussion, **the Clerk called the roll as follows: Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. The President declared the motion passed.**

Mrs. Farrar said they all received a **correspondence about the Governor's ideas about 20 extra school days in the school year.** And then after receiving the pretty thorough leaflet from Cedar Fair, since they sent two letters out for support earlier, would the Commissioners consider sending a letter to the Governor's Office and the State Representative Dennis Murray, asking the Governor and his staff to reconsider how they were going to get those 20 days so that they didn't come into those 20 days the last four weeks of August. Because that last four weeks in August is taking away, number one jobs from people who work seasonal, and she was just not talking of French Fry makers. She's talking about ride mechanics, horticultural people of that nature maybe, people who rely on that money; and also for our benefit in the City, the tax revenues that we'll lose in those four weeks. Just an idea and she would like to see if we can get a letter on our letterhead. **President Stahl asked was that a motion? Mrs. Farrar said yes sir. Mr. Brown seconded. President Stahl said send Mr. Kinzel a letter supporting his stance that he sent to them. Mrs. Farrar said send it right to the Governor as well from this Commission. President Stahl asked for a vote on the motion and with all Commissioners voting "Aye", the motion was carried.**

President Stahl said he had a **letter from the Finance Committee** where a motion was made for him to read this paragraph. **It stated that Mr. Stahl of the Finance Committee, liaison to the City Commission, is to inform all City Commissioners that the Finance Committee is recommending the City Commissioners give**

**their full support to the City administration as the leadership of the City plan and implement cost savings and revenue enhancement initiatives during this time of economic challenges.** The Finance Committee believes in the spirit the politics should not be played out at the risk of the City losing valuable time in moving forward with opportunities that will put the City in more stable financial footing and help ensure its long-term viability. This was unanimously passed Friday, March 20<sup>th</sup>.

Mr. Kaman said he wanted to thank staff for getting a jump start for painting the yellow curbs around town. He would like to ask Mrs. McKillips about the **Mills Street Construction** that came up Saturday. The residents were told that even though there would be curbs and gutters there, there would be no parking on either side of the street. **What is the plan once that is done, parking on one side or both sides of the street?** Mrs. McKillips said they had a few of those residents ask about parking, with one request for no parking. They were telling residents they don't know. They're going to have to take, she wouldn't say a poll, but the road is wide enough to have parking on one side or they could have parking on both sides. Parking on one side would possibly slow traffic down. But right, they don't have anything on the books as far as parking or no parking, so they have told residents it could go both ways.

Under **Audience Participation**, Mr. Jason Singer, Sandusky Register Reporter, questioned the City Manager on the LED Lights and his reticence about putting these in now and savings money? Mr. Kline said he was still checking information. ¶ Mr. Singer said for Commissioners Stahl, Fuqua and Warner, Julie Farrar and Ruth Hagg were discussing they wouldn't have to spend any money in further investigations into the coal tar plumes. Why would they vote against this if it would make the community cleaner and they were given the direction they would not have to spend any City money? Mr. Fuqua said because the study had already been done, so why do it over. It was just like the Street Study from the University of Toledo, a waste of time and money. It was the same thing here. He thought it was a waste whether it was coming out of City money or from a grant. That was grant money we could use in another direction or another area. Mr. Singer asked did they hire the Hagg's because they're experts? Why wouldn't they trust their, what makes their opinions more qualified than their opinions, if they say that there is stuff that they don't know? If they say they don't know how deep the coal tar plume is, they don't know where it's seeping into, why would they not trust their opinion if they hired them for that purpose? Mr. Fuqua said well to be perfectly honest, he was the only one who voted not to hire the Hagg's, and it's not personal against the Hagg's, but he thinks that type of thing should be opened up for Requests For Proposals from other companies as well. So he was not going to answer that question because he voted not to hire them anyway. Mr. Singer said that was a fair answer. Bob. Mr. Warner said he would answer that question. Because he had Partners and Hull that we've been working with for a long time, people we've paid to come up with the plan and test that area down there. Experts, experts, six of one, a half dozen of the other, which one do you believe and which one don't you believe. We've already spent a lot of money on that project down there to tell you what you need to do to clean it up. You (Mr. Singer) were one of the people that chastised them quite a bit for spending money then spending it again and spending it again. The Housing thing, the Register and the reporters, have beat them up left and right about doing and doing it again. The Register, not him personally, they beat them up for doing this before, but you're going to say it's okay for the City to spend more money and spend some more. Is it okay this time, is it okay that time, how many times is it okay or is it only okay when you say it's okay? Mr. Singer said he was very caught up on they were going to run the City into the ground, that they just said a couple times. Mr. Warner said if you keep spending that money out there cleaning that up, you will. Mr. Singer said they clarified that they wouldn't spend City money. Mr. Warner said that was for the testing, not the clean up. The City can't afford to clean that up. Discussion ensued. Mr. Singer said they had the money for the testing and they would only go forward if they had the money for clean up, was that correct? Mr. Warner said if you can go without spending another dime of the City's money, but you can't. He meant you're spending more of the City's money. You're spending more of our grant money on that. You say it's not costing the City money, but you're spending more of our grant money. He don't understand that. President Stahl said his feeling is, we hired

Partners and Hull, they came up with it, a approved Voluntary Action Plan, was suitable for a developer that was looking at it and it was suitable to the State EPA, the Brownfields remediation containment deal. And the other thing that scares him is that if we keep digging, we have it, there's the proof. And do we trust these guys? He quizzed them on their backgrounds because he needs to know what they are. They have to stand by the report Jason that they gave us, and the City paid a lot of money. You people have impressive credentials, he don't know what his (Mr. Bill Burkett) background is, but what is it? Mr. Burkett said he had a Master's Degree in Biology. President Stahl said and Mr. Hull had a Master's in Engineering and he's Board Certified in Environmental Engineering. They're smart guys. And the other people (Hagg's) from the other organization are smart people. The Hagg's are consultants. We listen to consultants, sometimes we do things, sometimes we don't do them. What he don't want this thing, and this will print real well for him Jason, we don't want this thing to turn into a love canal when he don't think that's what it is. And this would all be bad for business and at the end of the day they have to make this project sellable to someone that would come in and develop it, because the City of Sandusky as Mr. Warner says, it doesn't have the money to buy it. So he hoped that answered his question. He's being totally honest.

Mr. Wesley Poole, 1939 E. Oldgate Road, said he assumed that the testing they did and the plan they proposed, meets the EPA criteria for the grant. Based on the depths of the holes you drill, where you make some assumptions and if nothing changes, life is good, correct? That's essentially what he said and he's not trying to tie him down. Mr. John Hull said that's pretty accurate. Mr. Poole said let's assume on when he did this, it was accurate. If the coal tar plume has moved or the coal tar plume is now in the bedrock, which is different from what he found, and after we put in the Voluntary Action Plan that he proposed and develop the property, and coal tar comes out into the bay from the bedrock, technically we did everything correctly, what's the worst case scenario? Because really that's what he thinks we're arguing about here. It's not asking to do this over again, except we're not real sure because of the depth that we did was appropriately legitimate and the studies done, does it still stand? And what will happen if you find out that it was in the studies we did, just didn't find something else that was there, in terms of where the coal tar plumes is and if it has moved since he last studied, what bad happens? Mr. Hull said very well put, a good question. What they understand from the investigation of the State, is that there is a coal tar plume, that there is sediment at the bottom of the water that has been contaminated with coal tar. Coal tar doesn't move very fast, it's like molasses, it's very thick. It's what they call a dnapl, dense not aqueous phase liquid, and it will sink until it hits something that makes it stop. And testing that has been completed to date indicates that the bedrock under that area, the water and the bedrock is clean, and that there is a layer of low permeability clay-tilled soil on top of bedrock. And in all probability, that coal tar has gone down over the years, through the sediment, through the more permeable soils, so it has hit that very hard clay till and it stops at that point. Now, if that is on an angle, it will start moving downhill and it will follow the incline if you will, of any occlude, is the term for something that would stop the flow. But the speed at which it moves is all relative on what's driving it, is there a continued source uphill, making more, adding more, pushing more. No, if you don't have a continued production of coal tar adding to it. You have an old deposit of material that when it gets weathered and ages it, gets a little more stiff, it doesn't move as fast. Now, he hoped he did not make that sound like it's just real benign and just not a problem at all. Tars have a number of chemicals associated with them that do present risks if they come into contact with water you drink, food that you eat or dermally if you're contacting the material on a regular basis. It's not a good thing. So they think they've characterized it that where it is, to be the approximate extent, relative extent, and if the developments that have been reposed or anticipated or conceptualized out there are completed, they could be done in such a fashion as to address the remaining coal tar in those areas in place, in situ.

Mr. Hull said now, he asked a really good question after that. What happens if after the fact we find that is a problem, you still have some migration? When you put barriers in and stuff tends to back up behind it, it's like water seeking its own level, it may start to move around the barrier, but you haven't anticipated all that. They've worked in a number of situations where there have been combinations of approaches, some removal, during a remediation project. Extraction systems can be put in.

Sometimes a coal tar type material is really tough to get out of the ground, especially when it has been there where the weather is very cold. And when you have an area that it flows and your material comes out, then maybe that material isn't so weathered and you can possibly put in a well, a recovery well or something in that time to remove materials after the fact. Systems can be modified, retrofitted, like they do that kind of thing all the time.

Mr. Hull said one of the things that they are, he guessed a little concerned with is, and they need to have probably a little bit of a professional dialogue here, what is the direction from the Brownfields group as far as relative safety, how safe, and what is the community willing to pay for something upfront that is more safe or a better remedy. Better assurance of not necessarily reducing from a health standpoint, but reducing those risks she talked about, about what the future if something fails or starts doing whatever. Is it more efficient to put that remedy in upfront now or to address if something should happen in the future? Those are discussions that the general public can weigh in. Professionals have different opinions of how best to do it. The contamination poses a risk if there's no receptor, but if somebody blocks or fixes that pathway, if there is no pathway or no receptor, there's no risk. So all of this is very relative and if the community wants to spend money and has dollars to further reduce potential future risks, fine they do that all the time. The biggest risk is that your program sort of flounders or you go off in different directions and you study more. And you don't do anything, and while you're studying, characterizing, and discussing it, it moves, more people are exposed. And he doesn't mean to sound real negative about that, but he has unfortunately been involved in programs where there has been literally 20 years of study and nothing done in the interim. That means 20 years of exposure to the eco-system, to the fish, things getting bigger, moving farther, and he'll tell them this, he don't have to be wishy-washy about this. You take the concentrated material and you don't contain it or address it, and you let it move for 20 years, the cost dollar per pound for addressing it 20 years in the future, will be a lot more expensive than a dollar on the basis of keeping it contained or addressing it as the community wishes. That's always a real big problem. If the City has a Waste Water Treatment Plant, if you look at removing contaminants from the wastewater at a very dilute basis on a dollar per pound basis and the EPA tells you to go from 95% removal to 97% removal, that extra 2% probably costs more than the previous 50%. So waiting, whatever you decide, waiting if you have the opportunity, it's going to cost more in the future. Conversely, if you have something contained and you know where it is, it's always a great idea of knowing what you have and where it is. There's new technologies that are being developed all the time that are becoming more and more efficient and cost efficient for in situ treatment of contaminants. There are things that can be injected ranging from micro to chemicals to pics and trigs to help break down contaminants in place; and they've made a lot of progress in those areas. So he's a technician, you know he has some certifications and things, but he's a technician. The community tells them what they want, why, they'll tell you what it costs and how to get there. And he's happy with that role.

Mr. Poole asked was it a reasonable discussion for them to have whether or not theirs, they've tested it before, can they guarantee there is no pathway or is it possible that this could slide, in terms of is it worth them having that discussion, because that's really what this has been about? Mr. Hull said well he thinks it's always worth having a discussion to make sure everybody is understanding of the data at hand is clear. And maybe they don't understand the City's goals for the Brownfields Program. Mr. Poole said maybe he would rephrase that. From the studies he did before, did he believe that the coal tar plume isn't going to slide any further if we put in the VAP that they have with them now? Mr. Hull said right. They were talking about sheet piling walls, caps, shut off walls, etc. that would be appropriately anchored in material that would provide a good barrier. A 100%, no; some of this is underground and some of this is sediment and how you handle this is two different areas of it, which are different. Mr. Poole said the point is, everybody did everything in good faith and the discussion one way or another, it's not a slam dunk that we're wasting money. If we're comfortable, as the Hagg's say, we need to make that decision what we're willing to risk and not just about money. President Stahl said if we didn't love this town, none of them would be in this room. Discussion ensued.

Ms. Rachel Loftman, Sandusky High School Year Book Staff, said with the economy they decided to upgrade and to sell ads to support their year book. And right now businesses and who they normally went to in the past aren't buying, so she was asking if the City of Sandusky would purchase an ad and separately if each of the Commissioners would do so? She gave the pricing for the ads. (Commissioners, staff and audience members said they would help out.)

Mr. John Eymann, Sandusky Marina District Development, said he was here to give an update and they were constantly moving forward on the project. The best news was that they were taking deposits. The worst news is the economy today, everybody realizes what it is, but he's thankful, he's blessed and he thinks the project is blessed in the sense that there are people out there that are very interested in the project and are actually putting deposits down on the project. So that is a huge compliment in today's project. They're also actively working on the hotel site, with one successful meeting and he was working to set up a second meeting in the near future with a second totally separate hotel development team. They have hired a Public Finance Advisor and the role of that person is to assist them in the financial tact team for not only the private side, but the public side. And they felt it was very important to have their own representation looking at all of the avenues on how to create the financial models necessary to make the entire project happen. So they were actively working on that and talked to Matt and Scott on a weekly basis, but they don't see the Commission weekly or even bi-weekly, but as part of their agreement they're obligated to give them updates. He doesn't have a real formal report to give them, but he thought he would stop up and give them some face time and let them know how things were going with the project and where they're at. And in Mr. Warner's words, they're working to get things done. And this economy was very hard, but they were pressing forward. Any questions?

Mrs. Farrar asked how far was he on selling the first portion of the 89 units? Mr. Eymann said they've sent out to date roughly of about 125 packages to interested parties. We've got roughly seven cash deposits at this point, which they've got about 23 other people that they're negotiating with. Given the fact that they really didn't even start sending packets out till the first of February, that's a pretty strong response; and that was very positive to make despite the way things are looking today, people are looking through this. You know this will get better; every so often in our world there is a recession. This happens to be a little more than the people want because of the duration and also obviously the credit world with the banks, it's very difficult, but it will get better. And this time next year, just as in today as opposed to last year, it's significantly different. So he sees things changing a lot the second half of this year, he sees next year being a lot better than this year. That's his personal opinion for what it's worth. He feels we're doing very well despite the economy.

Mrs. Barbara Linden, 349 Landrush Street, said she appreciated what everybody has been talking about, but not to invest in because nobody is saying a word, Sandusky is dying and it is dying fast. And all the condos you build don't mean nothing. They need jobs in this town. People are leaving. Her kids are grown, they've left. We don't have anybody here anymore unless you're rich and can buy a condo. We need jobs, real jobs, not condos. These people come in, are you going to rent a building that's been built over a factory, are you telling her its safe and they're charging how many millions of dollars for these places? Open your eyes, we need jobs for us. Not cleaning rooms, we need factory jobs. We need to keep them here, they're leaving, we need to hold them here. Both her husband and she both lost their jobs several years ago; they had to retire. Their kids, they went to school here, she had one in Florida, one in California, one in Kentucky, they can't come home because there's nothing here. They make it look so sweet to have these people come in and buy these condos. It's going to be a tourist town. Why would they come here when there's nothing here? There's nothing downtown to draw people down there, because they don't go down there. They can't bring stores into downtown and it's not going to stay because it's year round. All you got is the summer. Companies are not going to move in downtown. We are going to have to face the facts; we need jobs, real jobs.

Mr. John Ginty, 5055 Providence Drive, questioned Mr. Stahl's off-week meetings, are they regular meetings and are the Commission trying to get paid? President Stahl said no more money, and it's going to be open to the public, but Q&A unless the Commission wants to banter with the public before or after the meeting. It's

informational so they know what's going on. No pledge, no prayer and it will not be video-taped either; they were not costing the City any more money. Discussion ensued. ¶ Mr. Ginty said he asked about SOS and they went ahead and approved it without discussion. The question he had was this was a job that had been done by the City and now we're contracting it out to somebody? If so, who is that somebody and what will happen to the person in the City that used to do that job? Mrs. Handy said the vast majority of the funds that were in that ordinance that were going to go into SOS, were going to go for homebuyer counseling. We have never had staff here to do homebuyer counseling. We were contracting it out to Bay Area Neighborhood Development Corporation, which they are really no longer able to do that. Plus we would like to go with a HUD certified counseling agency. They've taken the HUD certification classes and WSOS is the closest agency that is HUD certified and they have been doing it for a number of years. So they will be doing a Taking Care of Housing Event, but for the most part it's going to the homebuyer counseling that we will have them do. ¶ Mr. Ginty said he still had questions about the Meigs Street Dock and if it was available for disabled people to go out on the dock. Mr. Kline stated that nothing had changed.

Mr. John Sprau, Karl Ann Drive, said his remarks tie into the lady's. Years ago there was a program the Commission had once a month, one or two Commissioners would go to a small business to try to help them resolve any problem they might have in their business. He realized that you don't have to pay your taxes or anything like that, but with the Revolving Loan Fund they could give the ice cream man a new mixing machine or something. He could come to the Commission and borrow some money if he offered to pay it back. The Arthur Treacher's on Venice Road had closed down for some time now, Northcoast Hardware on W. Washington was closing down, Yesteryear's Restaurant closed down last year, Gallagher's Feed was in the paper the other night, they're closing down, Cedar Villa Restaurant closed down. All of these on Perkins Avenue they're going out on 250. Pat Caatan's they went out in Perkins Township too. The Salvation Army Store he understood they're closing down. Now there's a rumor that Bay Meats on Perkins Avenue will be moving south of the border from Perkins Avenue. And he didn't know what they did when that program was in effect, but it sure couldn't have hurt anything. He's just wondering if it is worthwhile on the part of the Commission to even think about putting that back into affect. It certainly can't hurt. He thought this was just as important as moving City Hall or talk about raising taxes all the time.

Mr. Bob Zoellner, 1401 Ogontz Street, said in some local blogging he said he would bring this tonight, Mr. Stahl would he answer... President Stahl said he can't answer. He read his blogs. (inaudible, both parties talking) Mr. Zoellner said he would like for them to continue to dialogue. He thanked them for his suggestion of his off-week meetings. He thinks that's an excellent first step. The more dialogue they had as Commissioners and the more they talked and get their ideas out and set their goals and their priorities where they're headed, he thinks they can try to keep this City strong. Just to piggy-back what Barb and Mr. Sprau just said, he came across a Sandusky Register article that says "City Sees Epidemic of Empty Houses" and three to five houses suddenly vacant every week in Sandusky. Foreclosures lead the list of reasons, and part of the body of the story says there are fewer jobs, more foreclosures and a rapidly growing number of abandoned homes in Sandusky. He pulled this off of the Marina District background, when he googled that was on the City's website PDF file at one time in August 2007. So they were facing this issue well before they entered into the worst economic crisis we've had since the Great Depression. In the 2000 Census there were 27,844 residents in Sandusky; as of 2007 there are 25,851, almost a 2,000 person drop. He had a 21 year old son that has chosen to live out of state in New York. There was nothing here for him. He came to visit a week ago and he said he forgot how depressing it was to be around here. That's not anything having to do with this Commission. Many things happening are beyond their control, but the issues are we do need to find creative ways to find what works in an economy like this and see what we can do to get these kinds of businesses to Sandusky or we will continue to lose people. He has already made predictions to some people, and he hopes it doesn't come true, but if this keep going, we will be under 20,000 people within two years in this town. And that worries him, because we will never be able to support a City government if we continue to lose jobs and people like this. So as part of what they do in part of their goal setting and part of what they talk about in their off weeks, he hopes they brainstorm. And as other

ideas give them ideas, throw as much as they can on the table and find out what works in this kind of economy. Just see what we can get that may not be here yet, but would be willing to come here because as some of these other things happen, as we have a park like Lions Park and what it can be, and hopefully some of these developments happen is what that can be. We will draw some of these people that have the capital to invest in this area and bring some of their own businesses here, because they will choose to come live in Sandusky.

President Stahl said he knows what everybody here at this table drives and nobody here drives a foreign car, and that's one thing they can all do, is buy American. The second thing they can do is buy Sandusky. The third what they can do is buy Erie County. And he feels so darn bad when these little businesses close up, when he sees some of us going to Cleveland or Toledo to buy something. You buy in Norwalk, Sandusky, Bellevue, it does matter, Pt. Clinton, close that triangle, buy locally because it is for all of us. When he was on the Board for the Chamber of Commerce, John Moldovan is gone but he said seven times dollars turn around in this three-county area before it left. Don't go buy a car at Ed Mullinex or Lorain for example. Let's buy these busses locally that we're trying to buy because these are our jobs. There are no jobs here so we've got to change the corporate culture of this whole thing. It's not a Sandusky problem, it's a nationwide mid-west problem and we got to change it by working on the same thing, not by picking on each other.

Mr. Zoellner said he has reviewed the Chief Nuesse evidence, what is out there already, and he does have some areas to address regarding our Police Chief. President Stahl said a long-standing comment Bob, he would tell him, we don't comment on pending litigation. Mr. Zoellner said well, he would still like to finish his time if possible. He agrees there have been some areas of untruthfulness in this matter; however, he believes they are not with Chief Nuesse. When this was addressed in the local media, there were some concerns even of several Commissioners regarding our current City Manager. He does not have a personal vendetta against Mr. Kline. He really don't know Mr. Kline. He can't even form an opinion whether he dislikes him or likes him, and he don't mean that to sound harsh, but he just does not know him. This has nothing to do with him personally. The problem is that when they ask for information regarding Chief Nuesse, specifically the sexual harassment charges that were brought against Mr. Kline, you did tell them as he just said, that he can't comment, it's in litigation. But on the other hand, again, the one who is right in the middle of that, our City Manager, brought that up in his State of the City Address approximately one month ago. He addressed it openly in public without any kind of opportunity for rebuttal or any kind of reprimand from this City Commission. He was going to take a moment to read that paragraph from the City Address, but in the interest of his time, he would move on. Then at the last meeting, yet he began to apologize. He thought finally for a moment in the sense of what's right he was going to at least apologize for bringing that up in a public setting. And realizing that that probably wasn't the form that he should have addressed that and it should have been left alone. The problem was his apology was for a parking ticket that he did not receive. And then too in his opinion, he made a show of it by paying for it with a donation, again for a parking ticket that wasn't even received. He believes this was political grandstanding at the worst and it was a back-handed slap at Chief Kim Nuesse. And he just didn't appreciate that. He thought they were actually getting an apology for something that deserved an apology. Regarding this issue with Kim Nuesse, he sent two of our Commissioners e-mails about a week and a half ago. One Commissioner responded back on a Friday night in an hour and a half; it wasn't even City time or time when he might have been able to you would think, checking City business. That Commissioner was Dan Kaman. Thank you for responding to his concerns. The other one Mr. Stahl was him, and he still has not received back a response to his e-mail. Two months ago when he addressed this Commission, he encouraged citizens to write them e-mails with their concerns. And he's wondering why, because they don't receive the response. Here is his e-mail, in part they were similar. I'm requesting answers to all the questions Jason Singer posted at the 3-9-09 Commission meeting regarding the Kim Nuesse hearings. Please send me those responses because I would like to review all the invoices for the time and money that has been spent on the attorneys, judges and any other expenses the City has incurred. And he reserved the right to pay for copies of those invoices at the standard City rate. Also he wanted to know what the current costs are that we pay for the insurance that's in place and what our

insurance costs may go to once this litigation is done and the City incurs some potentially enormous expenses. So those are his questions and he would close by asking again, he has reviewed the evidence and he would ask that they reinstate our former Police Chief and our future Police Chief Kim Nuesse.

Mr. Michael Hacker, 510 Neil Street, said he had a few issues and one pertained to, they said earlier that possibly leaf collection would be ending. Mr. Kline said it's just one of our recommendations for trying to cut the costs. Mr. Hacker said one of the better causes for cutting costs would be not having your workers sitting in people's driveways for 20 minutes at a time when front-end loaders are sitting there running unattended while the workers are in their house. Another thing is snow removal, City workers plowing family member's driveways, salting their driveways, salting the streets in front of their house. He's sent pictures, videos, probably for the last year and a half and had no response from his office, no response from the Commissioners, and no response from the City garage, and the Sandusky Register did not respond. And that's one of his major concerns, why are these tax dollars being wasted by the City employees with no discipline for these actions? This was a waste of our dollars and it needs to be addressed; and he had more copies. Discussion ensued. President Stahl said drop it off to his attention downstairs.

Mrs. Sharon Johnson, 1139 Fifth Street, said last meeting there was \$500,000 mentioned that we are being offered for the Chesapeake TIF and she would like to know the breakdown of that, how much is going to pay off the bonds and how much is coming to the City for economic development? Mr. Widman said it's not exactly \$500,000. The first half settlement is about \$240,000. He understands that TIF, the only expenditures from that TIF Fund would be for debt service. So what the City is doing right now with the improvements around the Chesapeake Condominiums, those costs would be eligible for the financing. And he believed communications had come to the Commission for the work, as well as right now we're charging all the Hagg's work for that. Some of that may not be eligible, but at the end of the day the bond counsel is supposed to look at that to see what's eligible for financing per provisions of that 725 Ohio Revised Code reference to the package. The City will use notes in situations where we can arrange things, pay for the improvements then when everything is done, sell bonds. As long as there's bonds in existence to spend those dollars, we're fine until the payment of the debt service. That's his understanding. Mr. Schell is not here, but other than lawyers and people we have to pay for opinions we try to do it on staff. He would e-mail her the information as soon as he could verify that it was accurate. Mrs. Johnson asked were we expected to take some of that TIF money to build that Chesapeake Marina? Mr. Kline said that is yet to be determined as to what the RFP produces. ¶ Mrs. Johnson said she had a called on the Transit Bus on this new route that this may not be ADA compliant. Mrs. Bodner said it is handicap accessible. ¶ Mrs. Johnson said she sees we're moving along finally, work session and goals, great. The 45 minutes, that's pretty short to get anything accomplished. She would go for a couple hours at least. She meant we got a lot of problems in this City and 45 minutes, like she said it's a start. ¶ Coal tar, she's scared to death of this coal tar. And Bob (Warner) he sat in the same meeting she did and that's just protecting, we're getting a grant for those three holes, it doesn't hurt anything to get that testing done. It's a grant. We've thrown other grants away on other stupid things. Mr. Warner said his point exactly keep throwing money away Sharon, whatever she likes. Mrs. Johnson said they were going to give \$40,000 to the YMCA on a CDBG Fund. Come on, this is not important? Mr. Warner said go for it. Mrs. Johnson said she goes with Stahl here, this could be a love canal thing if they start letting that seep out when they start messing with it. You don't know what's down in there, nobody does. And that guy whose sitting right here (Mr. Hull) says he can't give us a 100% guaranteed. We've already spent \$90,000 on the Hagg's here, and we have these people (Hull & Associates) step up too. She's getting confused here, who's in charge here? We just spent \$90,000 on the Hagg's. It's like you're throwing their information away.

Mr. Fuqua said he should have done this under new business, but he needs to request three executive sessions. One is an **executive session on Personnel, Housing Department**. Mr. Brown seconded the motion. The Clerk called the roll. Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. President Stahl declared the motion passed.

Mr. Fuqua said he would request a second **executive session on Personnel, Engineering Department**. Mrs. Farrar seconded the motion. The Clerk called the roll. Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. President Stahl declared the motion passed.

Mr. Fuqua said he would request a third **executive session on Pending Litigation, Sandusky Yacht Club**. Mrs. Farrar seconded the motion. **Discussion** – Mr. Kaman said he would just like to make sure that these all go through the Law Department before they approve them. The Clerk called the roll. Yeas: Warner, Waddington, Kaman, Farrar, Stahl, Fuqua, Brown, 7. Nays: 0. President Stahl declared the motion passed.

Mr. Tim Schwanger, 362 Sheffield Way, said a couple meetings ago when they approved the contract with Metro Parks for Mr. Pisarsky, the Horticulturist, a \$20,000 savings, the issue he has is it doesn't explain where that \$20,000 savings is going to. Is it the General Fund or to hire someone to drag the ball diamonds, because we used to have 13 seasonal people here working for the City at an expense of \$62,000. We may be able to hire a couple of those folks back to maybe manage the Boat Ramp or to drag the fields at the ballpark or has the money gone to the person taking over the other half of Mr. Pisarsky's duties within the City? That's what they're hearing off the street, that we're actually saving \$5,000 and \$10,000 has been allocated to somebody else's salary to help them. ¶On the Paper District with the Marina, he prefers to call it the Paper District Marina, the Chesapeake Marina, because it was a transit marina and now there's talk that it may be a private marina, which if we're going to use City dollars for that or an ODNR Grant, it should be transit. If it's going to be private, then it should be private funds. ¶The third item is on the Marina District, he went through some old papers on the Paper District and it showed that the City estimated a thousand man-hours on that project and also a projection of \$50,000 for attorney work. Their Treasurer of Save Our Shoreline Parks, several weeks ago, asked for information on how much the City spent on the Marina District and they have yet to hear any information on that. So he would appreciate an update on that. ¶Mr. Kline said he would address the first comment, \$20,000 is the way we budgeted it. The \$20,000 goes to the General Fund, which goes to help pay for Mike Pisarsky's salary. That's it. ¶Next, if ODNR money is used, which is that Recreational Boating Facility Grant, it has to be transient or that portion of the marina, but that's all from the RFP. Private development can come in here and say I'm just going to use it for this. It all depends upon the market for the marina. Mr. Schwanger said was he right when he says that MidStates had promised a million dollars towards that marina also for the breakwater? Mr. Kline said not while he has been here. President Stahl said he's correct on the transient marina too, he agreed Mr. Schwanger said last meeting he said to the Chesapeake folks you're going to get your marina and that kind of concerned him. President Stahl said transient. Mr. Schwanger said okay. President Stahl said this isn't the Wheel of Fortune down here. Mr. Schwanger said in addition to the Marina District comment, they have been asking for updated plans from the City for several weeks now, he thinks two meetings ago Mr. Kline had said he had talked to Mr. Eymann that very day and there were updated plans available. Are those here now or did he maybe drop some off today? Mr. Kline said he hasn't spoken to John at all today. He thinks there was an artist conception drawing, but he doesn't have it in his possession. Mr. Schwanger said but he had been asking for it too, right? Mr. Kline said yes.

At 8:30 p.m. the President said they would take a ten-minute recess and return for executive sessions. At 8:40 p.m. the City Commission returned to the table.

- An executive session was held on Personnel Housing Department.**
- An executive session was held on Personnel Engineering Department.**
- An executive session was held on Pending Litigation, Sandusky Yacht Club.**

President Stahl returned to the table and entertained motions for adjournment.

ATTEST: \_\_\_\_\_  
 B. JOYCE BROWN  
 CLERK OF THE CITY COMMISSION

\_\_\_\_\_  
 CRAIG H. STAHL, PRESIDENT  
 SANDUSKY CITY COMMISSION