

President Craig Stahl called the meeting to order at 5 p.m. and opened with the **Invocation**, given by Craig Stahl, followed by the **Pledge of Allegiance**.

On motion of Dan Kaman second of Julie Farrar, the Commission excused Dave Waddington from the meeting. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

The Clerk called the **roll** and the following Commissioners responded: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6.

On motion of Pervis Brown and second of Bob Warner, the Commissioners approved the minutes of the August 10, August 17 and August 24, 2009 meetings and dispensed with the oral reading of the minutes. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

A Public Hearing was held regarding the 2008 Consolidated Annual Performance & Evaluation Report (CAPER). Carrie Handy, Chief Planner, provided a summary to the City Commission and reported the FY 2008 accomplishments, as required, with our CDBG program for the period July 1, 2008 through June 30, 2009.

Carrie Handy said work was done for single-family rehabilitation, rental rehabilitation, emergency home repair and downtown building assistance under Housing Improvements. Five single-family units were slated for rehab and six were actually accomplished. Five rentals were slated for rehab and one was completed; there was not enough interest generated in this program and the Loan Program being offered by the County may have something to do with this. Fifteen units were slated for emergency home repair and ten were completed. This is still a work-in-progress and it is anticipated that more than 15 will be accomplished when complete. The Building Improvement Program had a goal of assisting three property owners and these were completed to include the Sandusky State Theatre, the Merry-Go-Round Museum and the Port Sandusky Restaurant. Work at one additional business is being performed under this program but is not yet complete.

The goal was to provide assistance for five, and so far, three have been completed in the Down Payment Assistance program. There is a cap of \$2,500 per house which does not seem to be enough money; she is hoping to raise this amount to \$5,000 for the next program year and perhaps redirect Neighborhood Stabilization Grant monies in the future. Under Public Services, emergency housing was to have been provided for 40 families and we have already helped more than this. The Youth Recreation Scholarship, available to qualifying low-to-moderate income families, provided funding for 20 children and the goal was to assist 50. Under Public Facilities, monies were allocated for the next Phase of the Sandusky Bay Pathway and this project is now underway, although not complete. It should be complete by the end of this year. Under Street Improvement projects, 13 streets were milled and repaved and this money is currently being drawn down. The Huron Park Splash Pad project was completed although the contractor will be making corrective work on the site and they will be paid once this has been completed. There is legislation on tonight's Agenda for approval of a contract to provide a Master Plan for Lions Park. It is expected this will be completed by December. The ADA accessible restrooms at the Greenhouse were constructed for under \$10,000. Monies from the CDBG were also earmarked for the wayfinding signage plan as completed by Brady Sign. The Revolving Loan Fund provided \$172,980 to LEWCO of Sandusky for new equipment and within the next year, six new employees will be hired. Technical assistance by Greg Sherman is also provided with CDBG funding. We did not receive many applications for the Micro Enterprise Loan Program and only one loan was completed. This program offers up to \$7,500 for new or expanding businesses and interested parties should contact Carrie Handy for more information. Monies from the Revolving Loan Fund were also repurposed (\$160,000) for the acquisition and demolition of trailers at Lions Park. These are currently being demolished and we are awaiting titles for three other trailers so that they can be cleared from the property. Under clearance and demolition of blighted structures, we had a goal of twenty units and, to date, nine have been completed. Currently, seven of these are out for bid, three more are forthcoming and several others are going through the Housing Appeals process. Carrie Handy said we were hoping to shift Demolition funding into our Neighborhood Stabilization Funding; we have enough to do approximately 20 houses under this program. Our goal in Code Enforcement was to do an additional 250 houses and we actually did another 800 over 2007. This year we drew down about \$757,000; without the RLF monies, this amount was about \$576,000. We did get a bit behind because of the housing problems, but we are working to finish up projects and start new.

Craig Stahl asked if there were any questions for Carrie Handy. Carrie Handy said a hard copy of the full report as presented this evening is available by calling her office. Craig Stahl then declared the Public Hearing to be closed.

A second Presentation was made by Jeff Smith from **Sandusky Proud**. Jeff Smith thanked the City Commissioners for allowing time for this presentation and said he felt the Commissioners were doing a good job. He said it would be hard to listen to complaints and be a 'Monday morning quarterback' from week to week. He then introduced Sandusky Proud, an organization which started up about three months ago with eight persons who were conversing about negativity surrounding the city. At a point, they felt a need to change and be more positive and have since grown to over 88 members with five officers and three sub-committees. The Subcommittees are Marketing, Fundraising and Affiliate Coordination (reps from other organizations). Jeff Smith said the first question to be answered is, "What makes us proud"? He said there were many things about Sandusky that make his members proud, and some examples were the schools, museums, parks, Berardi's french fries, the State Theatre and shared memories such as buzzing the Ave. and our State Champions. Additionally, he has memories of his own about the Cedar Point ferry, the annual Christmas Lighting Ceremony and the Fourth of July celebration and these are great examples of seeing people come together.

Jeff Smith indicated Sandusky Proud has developed a mission statement which says: "Sandusky Proud is an alliance of community organizations and individuals whose purpose is to communicate a positive message about Sandusky's present and future, to encourage development and to foster a positive outlook among Sandusky's residents." This organization is non-partisan and offers no endorsements, has no dues and welcomes anyone – even those who are not positive – they should come to be converted. The Marketing Committee, with the assistance of Cedar Point, developed a logo, has a banner to use at events and sells static stickers and yard signs. Vicki and Terry Wilson have developed a website, Tom Whaley has Sandusky Proud on the Game of the Week and Buckeye CableSystem will have times on the local station for Sandusky Proud moments. Sandusky Proud has an e-newsletter, Facebook and Twitter pages, is on You Tube and offers items for sale at City Bake Shop and The Better Half. The Fundraising Committee will host a fundraiser on the rooftop of LakeView Condos on September 25; they are planning a Color Cruise on October 4 from 4 p.m. – 7 p.m. aboard the Goodtime. The committee has received tremendous support from local businesses and in a short period of time, has grown from eight to 88 members. They are enthusiastic and strong and urge others to get involved. They have over 900 affiliate members through various organizations. Recently, a member of the Sit it Low Car Club called to ask about being a member. The members hope to make a difference through being positive and their next meeting will be held on September 20 at 7 p.m. at the Laborer's Hall on Perkins Avenue.

Craig Stahl thanked Jeff Smith for attending and for presenting this evening and asked the Commissioners if they had any questions. Dan Kaman asked if the city could put the Sandusky Proud logo on signage similar to what Perkins Township has done and Matt Kline was directed to look into this. Brett Fuqua thanked the members of Sandusky Proud and stated he had gotten into politics for the same reasons and believes all seven City Commissioners are Sandusky Proud. Craig Stahl recognized some members of Sandusky Proud in the audience: Ruth Parker, the daughter of a former Ex-Officio Mayor, George Mylander and Frank Valli, both former Ex-Officio Mayors and Suanne Brown, former City Commissioner. Julie Farrar stated if the Sit it Low Car Club was interested in bringing back buzzing the Ave., this would be great. Jeff Smith clarified the date of the next meeting as Tuesday, September 22.

A second Presentation was made by Dave Rengel of Engineered Process Systems and Charles Newcomb of NexGen Energy regarding **wind turbines**. Dave Rengel said there is a newly-formed Wind Turbine Action Team with countywide representation. Currently, the Team's interest is to locate turbines at the city's **Water Treatment Plan (WTP) and Wastewater Treatment Plant (WTP)** and bring support to the table from the Sandusky-Erie County Community Foundation. Wind assessments for each municipality in Erie County have been performed in an effort to attract businesses and create jobs for our area. Dave Rengel has had support from Scott Schell and Matt Kline and has worked with the Guerra's from LEWCO, a local company, which has manufactured parts for six turbines in Ohio. Dave Rengel then introduced Charles Newcomb of NexGen Energy to provide some additional information about their proposal.

Charles Newcomb introduced himself as the Chief Technological Officer for NexGen and stated he previously worked with the Department of Energy's Technical Center. He recently worked on a project in Colorado which has provided \$3 million in savings to ratepayers and said wind energy is a way of the future; however, there are significant financial hurdles for new equipment purchases and large technical barriers which is where NexGen comes in. He said it is tough for public utilities to leverage available incentives and his company can act as a bridge to these incentives. NexGen is a confluence between a

group of technical people that came out of one company, and three who came out of [National Renewable Energy Laboratory](#) (NREL), a nationally recognized lab in the West dedicated to renewables. NexGen employees have their roots in engineering with a strong financial background; they are vendor and technology neutral, but tend to purchase equipment that will 'fit' in a certain area. They offer a very simple turn-key business model and work with partners, like EPS, to predict the cost of energy and develop a future cost of energy through renewables with little risk to the customer (the city). Following the engineering and design efforts, an agreement will be signed to take care of the installation.

NexGen also has deep educational roots with Curriculum Specialists on staff to tie in with educational institutions in the area to leverage educational benefits for the project.

To date, the company has identified the 400 kWh towers for Sandusky. They have steel on order for another order and Charles Newcomb said these models are very quiet and productive. They are 2-speed, 50 meter towers erected above ground clutter, although the height will make it more visible. These will be able to be seen offshore. What is being proposed is approximately 400 times the size of a wind turbine to power a garage. The predicted rate is \$.099/kWh which is very competitive. This rate is considered a bundled rate and this equipment cannot touch the demand portion. The same turbine is currently being recommended for the WTP and the WWTP although the recommendation may change once they get into the design phase.

A site map was shown with an approximate location for the tower(s). Charles Newcomb said sound and pressure level measurements will have to be performed to be sensitive to residents around the sites in determining background noise. Plants like the ones in Sandusky already have certain sound levels which would mask some of the noise made by the turbine.

There is a limited window of 14 – 16 months to receive the incentives offered for the turbines currently being suggested with the Federal Government's Production Tax Credit; this is offered as a grant, so the cash could be obtained at the front end. Charles Newcomb said NexGen is proposing a long-term agreement and relationship in order for the city to save money on its utility costs. Energy will be free and delivered on-site and he stated we need to grab opportunities like this when they come up.

Craig Stahl asked if there were any questions for Charles Newcomb. Julie Farrar asked about the diameter of the base of the tower and Charles Newcomb stated it would be in the range of 12' – 14'. Dan Kaman said he has the same concerns as stated previously about turbines concerning the noise they make. He said he is not sold on this and has had conversations with Dave Rengel about the one currently in town which is very loud. Charles Newcomb said he previously worked for Integrity (the company which built this turbine) and said the gearbox is not a quiet one. The turbines proposed for the city's plants have a clean tip, are of European/Belgium design and are much, much quieter. He spoke about performing noise abatement testing prior to installation as there is no benefit to doing anything simply to upset people. Dan Kaman stated he knows there are things being done to make the current site better, but said sound does carry over water and if we erect one at the WTP or at the WWTP, once it is up, we are done, and he would be concerned for the nearby residents. Charles Newcomb said the Commissioners should not set their expectations on this currently installed machine. Two of the turbines being proposed by NexGen have already been installed in McGuffey, Ohio, at a school district just East of Lima, and he knows firsthand they are much quieter.

Pervis Brown asked about using local talent and creating jobs for local people. Charles Newcomb said the service and maintenance of the equipment can be performed with local talent, although not at the beginning. There are hydraulics and electrical equipment which will require regular maintenance and this can be performed locally by mechanics and electricians.

Matt Kline stated he was charged by the City Commission to move forward with green energy and the installation of wind turbines. He is cautious of public money expenditures and of high capital costs; further, he stated he is not a believer that government should drive the economy, rather private interests who would sell us the power should. Matt Kline said he felt there was very little risk for the city and the engineering work will be done for the two locations proposed which make a lot of sense. He said the 400 kWh turbines proposed would provide 20 percent of the power at the WTP and 10 percent of the power at the WWTP. Currently, we are paying \$.179 - .18/kWh and it is projected this would drop to \$.099/kWh. It makes financial sense to move forward, but we need to perform some groundwork first. The engineering study proposed to locate the turbine in accordance with our zoning codes is \$9,500 per turbine. If the City Commission agrees to move forward, a contract will be prepared to move forward.

On motion of Pervis Brown and second of Brett Fuqua, the Commissioners moved to authorize the City Manager to sign a letter of intent with NexGen Energy for this study.

Under Discussion, Dan Kaman asked if we could perform one study now and a second one later, based upon his concerns. Matt Kline said if both feasibility studies could be performed simultaneously, we could move forward with installation of the one which would affect the least amount of residents first and if it works out, we would then sign another contract for implementation. He also stated in years 6 – 10, the cost of this study (\$9,500/plant) would be credited to the city. Craig Stahl said this would all have to be cleared through our Legal Department first with respect to any Agreements.

Pervis Brown then amended his motion (seconded by Brett Fuqua) to have NexGen perform the study for both locations and move forward with the turbine installation one at a time. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Under **Audience Participation**, the following offered their comments on Agenda items:

Tim Schwanger, 362 Sheffield Way, asked about the air conditioning work for the bond issue on Item #3. Ed Widman said this work was already done and he will look up the timeframe the work was performed. Tim Schwanger stated he may have a difference of opinion which should not be construed as negativity as Jeff Smith alluded to.

Diedre Cole, 807 Hancock Street, asked if the City Commissioners planned to “walk in” any other items for the Agenda tonight.

Gary Gundlesberger, 422 East Parish Street, said he was concerned about Item #7, the Hayes Avenue Corridor Project, as new curb and gutter work is not planned for the area between the underpass and Perkins Avenue. John Hancock indicated it would have been his preference to perform this work on the entire project area, but funding did not allow for this. Further, John Hancock stated the North side was more in need of curb and gutter than the south side, thus the decision was made to perform work in this section only.

Jeff Smith, 415 Shelby Street, said Sandusky Proud does not endorse candidates or issues and does not want to be associated with any one specifically.

Craig Stahl then asked **John Eymann (The Marina District project)** to address the City Commission. John Eymann first apologized to the City Commissioners for having aired some dirty laundry recently in the local newspaper regarding a shareholder contractual dispute within his company. He said this has been an ongoing debate which he and his partners have been trying to resolve since 2007 as one partner feels he is owed more money from the company for the shares he owns. He has worked with one of his ex-partners and has come to a verbal agreement which he understands will be written and signed by the ex-partner. He said the other ex-partner is ‘throwing rocks’ to force a resolution.

John Eymann felt he must respond when people file erroneous suits and although he wants to fire back, he cannot as this will only perpetuate the problem. He can only apologize and work hard to resolve the dispute. He is very regretful this came out into the open and was made public and apologized for the damage between the City Commissioners and their constituents. He must deal with the matter at hand and how he deals with potential resolution is what matters. He does not feel this should be of any harm to anyone in Sandusky. Sharon Johnson asked John Eymann if he notified the city of this lawsuit when it was filed and he indicated, “No”. John Eymann stated he was caught off guard as well and stated the suit was frivolous and without merit.

On motion of Brett Fuqua and second of Bob Warner, the Commissioners moved to accept all communications. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

ITEM #1 – Communication – Submitted by Kathryn K. McKillips, Deputy City Engineer

BUDGETARY INFORMATION: The city will receive 50% of the payment for the finalized lease each year.
RESOLUTION NO. 023-09R – It is requested a Resolution be adopted pursuant to Section 1506.11 of the Ohio Revised Code finding and determining that based upon the representations and application filed by

Virginia C. Taylor for property located at 2033 Cedar Point Road, the use and development of the territory so described, a Submerged Lands Lease may be entered into by the State's Director of Natural Resources and declaring that this Resolution take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dan Kaman and second of Julie Farrar, the Commission authorized the passage of this Resolution under suspension of the rules in full accordance of Section 14 of the City Charter. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Resolution: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Resolution passed.

ITEM #2 – Communication – Submitted by Kelly L. Kresser, Interim City Commission Clerk

BUDGETARY INFORMATION: The cost of the revisions of the Codification supplements and the Code in Folio VIEWS for internet reinstallation will be taken from the Contractual Services line item in the Commission Clerk's budget. This item was previously appropriated.

ORDINANCE NO. 09-071 - It is requested an Ordinance be adopted approving the current replacement pages to the Sandusky Codified Ordinances and declaring that this Ordinance take immediate effect in accordance with Section 14 of the City Charter.

Discussion: Pervis Brown asked if any of this work could have been done in-house. Don Icsman responded by saying this codification is performed by one of two national codification companies and not only codifies local legislation passed, but also incorporates changes in the State Law into our Code of Ordinances.

Upon motion of Dan Kaman and second of Julie Farrar, the Commission authorized the passage of this Ordinance under suspension of the rules in full accordance of Section 14 of the City Charter. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Ordinance: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Ordinance passed.

ITEM #3 – Communication – Submitted by Edward A. Widman, Finance Director

BUDGETARY INFORMATION: This note sale includes both renewal and original issues. \$6,915,000 in notes will mature on October 21, 2008. New notes are in an amount of \$2,500,000 (retire \$5,500,000) for Bay Front Urban Revitalization, \$205,000 (retire \$230,000) for City Building, \$200,000 (retire \$225,000) for Fire Boat, \$475,000 (retire \$500,000) for Fire Truck and \$320,000 (original) for Hayes Avenue Underpass. Outstanding notes for Monroe Street Phase III will be retired with bonds.

ORDINANCE NO. 09-072 - It is requested an Ordinance providing for the issuance and sale of \$880,000 notes, in anticipation of the issuance of bonds, for the purpose of: acquiring a Fire Boat and Appurtenant Equipment for the Fire Department; improving the City Municipal Building by replacing the air conditioning unit, modifying the roof at the air conditioning unit location, upgrading ductwork where necessary, and otherwise improving the same, all together with the necessary appurtenances thereto; and acquiring a triple combination Fire Pumper Truck and appurtenant equipment for the Fire Department and declaring that this Ordinance take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Pervis Brown and second of Bob Warner, the Commission authorized the approval of the Fiscal Officer's Certificate. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Upon motion of Bob Warner and second of Dan Kaman, the Commission authorized the passage of this Ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Ordinance: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Ordinance passed.

ORDINANCE NO. 09-073 - It is requested an Ordinance providing for the issuance and sale of \$2,500,000 Notes, in anticipation of the issuance of Bonds, for the purpose of Revitalizing the Bayfront Urban Revitalization Area by acquiring, clearing and improving certain properties in that area, undertaking the environmental clean-up and remediation of certain properties in that area,

constructing road improvements and related utility and infrastructure improvements in that area, and otherwise improving that area and declaring that this Ordinance take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Julie Farrar and second of Pervis Brown, the Commission authorized the approval of the Fiscal Officer's Certificate. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Upon motion of Dan Kaman and second of Bob Warner, the Commission authorized the passage of this Ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Ordinance: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Ordinance passed.

Ordinance 09-074 - It is requested an Ordinance providing for the issuance and sale of \$320,000 Notes, in anticipation of the issuance of bonds, for the purpose of paying a portion of the cost of improving Hayes Avenue between certain termini by replacing sidewalks, rehabilitating the related underpass, including abutments, retaining walls and stairs, installing lighting and handrails, and otherwise improving the same, all together with the necessary appurtenances thereof, and declaring that this Ordinance take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Julie Farrar and second of Brett Fuqua, the Commission authorized the approval of the Fiscal Officer's Certificate. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Upon motion of Bob Warner and second of Brett Fuqua, the Commission authorized the passage of this Ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Ordinance: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Ordinance passed.

ITEM #4 – Communication – Submitted by Edward A. Widman, Finance Director

BUDGETARY INFORMATION: This sale is an original issue. The proceeds from this sale will reimburse the City for improvements made in accordance with the Bayfront Urban Revitalization Plan which includes property near the Chesapeake Condominiums. The related costs for improvements include but are not limited to shoreline protection, water front walkways and infrastructure enhancements.

ORDINANCE NO. 09-075 - It is requested an Ordinance be approved providing for the issuance and sale of \$1,200,000 Urban Renewal Temporary Revenue Bonds, in anticipation of the issuance of definitive Urban Renewal Revenue Bonds, for the purpose of paying costs of City Urban Renewal Project Activities in the Bayfront Urban Revitalization area, and declaring that this Ordinance take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Brett Fuqua and second of Julie Farrar, the Commission authorized the approval of the Fiscal Officer's Certificate. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Upon motion of Dan Kaman and second of Julie Farrar, the Commission authorized the passage of this Ordinance under suspension of the rules in full accordance of Section 14 of the City Charter. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Ordinance: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Ordinance passed.

ITEM #5 – Communication – Submitted by Edward A. Widman, Finance Director

BUDGETARY INFORMATION: This sale will allow the city to retire outstanding special assessment notes. This bond issue will cover Monroe Street Phase III. These bonds are for the property owner's portion of this project which are not paid in full. The City Commission has previously levied the special assessments for this project.

ORDINANCE NO. 09-076 - It is requested an Ordinance be approved providing for the issuance and sale of bonds in the aggregate principal amount of \$84,400 for the purpose of paying the property owners'

portion, in anticipation of the collection of special assessments heretofore levied, of the cost of improving Monroe Street between certain termini by grading, paving, resurfacing, constructing curbs, gutters, sidewalks, driveway approaches and curb ramps, and adjusting manholes, catch basins and water valve boxes to grade, all together with the necessary appurtenances thereto, and declaring that this Ordinance take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Julie Farrar and second of Dan Kaman, the Commission authorized the approval of the Fiscal Officer's Certificate. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Upon motion of Brett Fuqua and second of Dan Kaman, the Commission authorized the passage of this Ordinance under suspension of the rules in full accordance of Section 14 of the City Charter. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Ordinance: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Ordinance passed.

ITEM #6 – Communication – Submitted by Edward A. Widman, Finance Director

BUDGETARY INFORMATION: The city is required to accept the tax rates as determined by the Erie County Budget Commission before October 1, 2009. These amounts are within \$525 of the amount certified for 2009 for the General, Fire and Police Pension Funds. The Finance Director recommends the City Commission accept the recommendation of the Erie County Budget Commission. Approval establishes initial funding for 2010.

RESOLUTION NO. 024-09R - A Resolution accepting the amounts and rates as determined by the Erie County Budget Commission; authorizing the necessary tax levies and certifying them to the County Auditor; and declaring that this Resolution take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dan Kaman and second of Julie Farrar, the Commission authorized the passage of this Resolution under suspension of the rules in full accordance of Section 14 of the City Charter. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Resolution: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Resolution passed.

ITEM #7 – Communication – Submitted by Kathryn K. McKillips, Deputy City Engineer

BUDGETARY INFORMATION: The total estimated project cost including engineering, advertising and miscellaneous expenses is \$1,108,401.70. CBDG will fund \$400,000.00 from the regular CDBG allocation and an additional \$218,407.00 from American Recovery and Reinvestment Act (ARRA). The Water Fund expense will be \$7,675.00, the Sewer Fund expense will be \$34,600.00, the City Capital fund will be \$47,719.70 and the Ohio Public Works Grant expense will be \$400,000.00.

RESOLUTION NO. 025-09R - A Resolution declaring the necessity for the City of Sandusky, Ohio, to proceed with the Hayes Avenue Corridor Project – Perkins Avenue to Columbus Avenue approving the specifications and Engineer's Estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this Resolution take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Bob Warner and second of Brett Fuqua, the Commission authorized the passage of this Resolution under suspension of the rules in full accordance of Section 14 of the City Charter.

Discussion: Bob Warner asked if there was anything the city could do to complete the sidewalk, curb and gutter work for this project even if we have to assess property owners so this looks like a gateway into Sandusky. John Hancock said the street will be considerably improved after the street milling and repaving and the funding received was stretched to make the reconstruction being proposed. Dan Kaman agreed with Gary Gundlesberger's comments that we should not do the street work and then in two or three years go back and do the sidewalk, curb and gutter work. He would like to see us do the curbs in the area by the high school, the park across the street and the Care Center. Bob Warner said with the recent multi-million dollar facelift done at the Providence Care facility, the city should do a fine job in the whole area. He asked if there was grant money available somewhere for this purpose. Matt Kline stated our CDBG funding was used up to its max and this is a stimulus project. Further, Matt Kline said he would prefer the Commission consider passage of the legislation as a first reading rather than not pass anything to figure out if we can do something more before the next meeting. John Hancock

reminded the Commissioners there are seasonal limitations to doing this work and in spending the money and we need to move forward with this project. Don Icsman said if the street and sidewalk, curb & gutter were done as separate projects, new plans and specifications would need to be done as a first step. If we are to change direction, we will not be able to move forward with the current project as designed. Brett Fuqua asked if this project would be set back if we did a first reading rather than emergency. John Hancock said we would need to find a funding source first and this could not be done in two weeks. Bob Warner asked how long the new road surface would last and John Hancock indicated 5+ years, more realistically, probably more like 10 – 20 years. Julie Farrar reminded the Commissioners about a group of people from Sandusky who made a trip to Columbus to help us get these monies and that 'we have what we have' and we are doing what we can do with the monies available. She said she would rather see us do something rather than nothing. Pervis Brown said we have committed ourselves and planned this and not to delay it at the last hour; we have the money, we took a lot of heat about this and we should do it. Bob Warner said he would be a yes vote, but if there is more cash to allow 'finishing' the project, he would be for it. Julie Farrar stated she agrees it would be nice to do the curb and sidewalk work now but delaying would not make us look good to the people we asked for the money. Dan Kaman said he still believes there needs to be accountability and doing a street, then two years later digging it up, is not what we should be doing and he will be a no vote.

Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner and Julie Farrar, 5. Nays: Dan Kaman, 1. The President declared the Motion passed. Roll Call on the Resolution: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner and Julie Farrar, 5. Nays: Dan Kaman, 1. The President declared the Resolution passed.

ITEM #8 – Communication – Submitted by Carrie R. Handy, Chief Planner and John Hancock, Director of Planning, Engineering & Development

BUDGETARY INFORMATION: The cost of this contract is covered by Community Development Block Grant (CDBG) Program funds not to exceed \$25,000. There will be no impact on the City's general fund.

ORDINANCE NO. 09-077 – An Ordinance authorizing and directing the City Manager to enter into an Agreement for Professional Design Services with The Collaborative, Inc., for the Lions Park Master Plan Project; and declaring that this Ordinance take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Bob Warner and second of Dan Kaman, the Commission authorized the passage of this Ordinance under suspension of the rules in full accordance of Section 14 of the City Charter.

Discussion: Dan Kaman asked if this would include a financial plan for entrances, the beach and shore protection. Carrie Handy indicated this would be part of the Master Plan.

Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Ordinance: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Ordinance passed.

ITEM #9 – Communication – Submitted by Michele Hall, Recreation Program Supervisor

BUDGETARY INFORMATION: There is no budgetary impact. These grants require no matching funds from the City and will be used as partial funding for the costs of the event.

RESOLUTION NO. 026-09R – A Resolution approving the submission of Grant Applications to the Frost Parker Foundation and the Schade-Mylander Foundation for the 2010 Arctic Ice Festival for the Recreation Department and, if awarded, authorizing the City Manager to execute any required Agreements; and declaring that this Resolution take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dan Kaman and second of Bob Warner, the Commission authorized the passage of this Resolution under suspension of the rules in full accordance of Section 14 of the City Charter.

Discussion: Dan Kaman said he hoped for another cold winter although last year it was warm on the day of the Arctic Ice Festival.

Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed. Roll Call on the Resolution: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the Resolution passed.

ITEM #10 - A communication was read from the Ohio Department of Liquor Control, submitting an application for a new request of **D3A Liquor Permit for Cheap Seats Bar & Grill LLC, 1504 Milan Road, Sandusky, Ohio 44870.**

Upon motion of Dan Kaman and second of Brett Fuqua, the Clerk was requested to notify the Ohio Department of Liquor Control that the city has no objection to this request. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Matt Kline then gave his **City Manager's Report.**

Matt Kline said city staff members have been meeting with Ruth Parker of the Frost-Parker Foundation regarding the **construction of a pergola at Shoreline Park.** She visits the park frequently and was concerned about the lack of cover from the sun for parents with small children playing at the park. It is proposed we accept a donation to build a pergola, near the ODNR building and West of the play equipment. The pergola Ruth Parker has chosen is tan in color with an old granite color and stamped concrete flooring.

Upon motion of Dan Kaman and second of Brett Fuqua, a donation in the amount of \$9,700 was accepted from the Frost-Parker Foundation for the installation of a pergola at Shoreline Park.

Discussion: Dan Kaman said Shoreline Park is the best used park in the city and without trees for shade, he is thankful to Mrs. Parker.

Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Matt Kline said he received an email from Carol Roth and Hank Solowiej, both of whom work in the Finance Office. They have volunteered to take one 8-hour furlough day per pay period through the end of this year. This equates to a total of 112 unpaid hours and will save the city about \$3,300.

Matt Kline mentioned calls he has received about **Trick or Treating** in Sandusky and said this has been scheduled for Saturday, October 31 between 5 p.m. – 7:30 p.m.

Matt Kline provided an update **on the proposed marina project for The Paper District** with Hoty Builders. He stated there is still much legal work to be done to bring an Agreement before the City Commission. There are rules to follow for the financing of the project. First, a contract will be prepared and brought to the City Commission with Hoty's for the design and engineering of the marina. Next, a Resolution will be prepared and if approved, these documents will then be filed with the Clerk who will have the documents on record for the public to review. The next step will be the preparation of an Agreement with Hoty's for the construction of the marina. Approvals will be obtained from ODNR, adjustments made to the Corps of Engineers Permit and application will be made for a CORF Grant. After completion of the construction, a Management Agreement will need to be drafted with Hoty's. Kula Lunch, attorney for Hoty Enterprises, is working with our attorney to draft the first of these agreements and we are not yet ready for the City Commission approvals.

Matt Kline then gave an update on the **Chesapeake walkway project**, including the Northwest corner of the property. He presented a visual artist's conception of the project and explained there is a "knuckle" on the NW corner which will be filled and constructed as part of the marina project so as not to be driving heavy trucks over the area after completion. Matt Kline said this area will need to be filled and then need time to settle which will actually help to quicken the process of completing the Northwest corner as well as giving the city opportunity to show our full commitment to finishing the project.

Matt Kline then explained to the City Commission Bid Specifications were released, which mirror the City of Huron's, for **garbage collection and include recycling and yard waste collection.** He said Lisa Beursken and Jack Meyers from Erie County Solid Waste District notified the city of their intention to eliminate the three recycle containers in Sandusky by the end of the year. The one previously located at our Greenhouse is already gone and the two others will be removed soon. Matt Kline was given direction to obtain pricing for curbside collection and in a meeting earlier this year, some of the smaller hauling companies indicated they may be able to bid if the city were broken out into smaller zones rather than an entire city-wide service. He said this was done and recycling will be bid as an addendum.

Matt Kline talked about the 2009 Fall **Leaf Pickup** which is performed by city crews. In recent years, the weather has not been cooperative in these efforts and the same equipment is used for both leaf collection and snow removal/road salting. He is recommending if we continue to collect leaves, to require residents to bag them or put them into containers rather than raking to the curb. TSC is a local store which sells bags but because they were out, he had a sample from another out-of-town store. He showed the City Commissioners the type of compostable bag he recommends using which would help us to clear the streets of leaves quicker and consume less of our time and resources. Matt Kline said the job of collecting leaves, as it is performed now, is labor intensive.

Matt Kline said on September 25, these bids will be opened and by the next City Commission meeting, he will have a cost update for the City Commissioners. He then strongly recommended the City Commission agree the city should continue to provide leaf collection, but require residents to bag leaves rather than rake them to the curb. The bags are five for \$1.99 at Menards and five for \$2.99 at TSC, but the Manager at the local store said if there was more demand, this price could be lowered.

Brett Fuqua said he was bombarded over the weekend with calls from local trash haulers and he was glad we were not going to consider putting them out of business as, for many, hauling garbage is their sole source of income. If and when we send this bid out, he hopes it excludes trash and only includes yard waste and recycling. Matt Kline said we did recycling only as an option. Further, he said we only included the leaf pickup for this year; the other part of the bid is a combination of garbage, recycling and yard waste. Brett Fuqua supports the concept of bidding for yard waste only but cannot support putting these small hauling companies out of business. Julie Farrar stated we cannot be putting people out of business. She said she believes there are a lot of people who do not recycle nor do they rake their leaves to the curb. Julie Farrar said she supports the concept of bagging leaves and does not want to see our sewers clogged by them. She said this would help eliminate the problem of using the same trucks for both leaf collection and snow plowing/salting. Bob Warner said he agrees but stated we are only looking at numbers right now and legislation is not being considered to put anyone out of business. Bob Warner said the City Commission asked for numbers from the haulers to recycle months ago and this is what we are getting. Pervis Brown said we have many older neighborhoods and elderly people with tons of leaves and he did not think we should require the elderly citizens to do this (bag leaves). Brett Fuqua said this makes sense (bagging) and we do not have the equipment to continue collecting in the same way. Brett Fuqua said he knew Pervis Brown had a big strong grandson; his own parents are elderly and their grandkids will be doing this for them. Matt Kline said he was looking for some direction on bagging based upon the costs to repair our equipment and the man hours spent on this task which, last year, was upwards of \$100,000. He said the same employees who perform leaf collection are the ones responsible for infrastructure work to preserve our streets, perform crack sealing and do maintenance on manholes, etc. He strongly urged the City Commission to consider the use of bags or containers because our equipment is so ancient. Dan Kaman said he agrees something has to be done but said we are not Huron. He said Sandusky has a lot of rental properties and his own tenants do not rake leaves and they will lay there until spring if bagging is required. He also said a lot of people cannot afford to purchase bags. Pervis Brown said all of our equipment is old and if we decide it is no longer useful, we should discontinue its service. He said we should be replenishing and buying new equipment but Brett Fuqua asked, "With what"? Brett Fuqua said he believes we repair as best we can. Brett Fuqua said the City Commission is constantly accused of not making a decision and they are being asked to make one tonight by requiring residents to put leaves in bags and said we should be doing just that. Julie Farrar stated she also has concerns for the elderly, but whoever has raked their leaves in the past, they will now use the bags. She said the weather is too unpredictable to continue raking leaves into piles. She also said some people will not rake nor bag their leaves, but feels it is a good move to go to bagging. Craig Stahl stated he has neighbors who are 85 years of age and he still cuts their grass out of respect for them and said we should all stand up to help our neighbors.

Upon motion of Bob Warner and second of Brett Fuqua, the Commissioners voted to require citizens to bag or place their leaves into containers this year. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Bob Warner, Dan Kaman and Julie Farrar, 5. Nays: Pervis Brown, 1. The President declared the motion passed.

OLD BUSINESS:

Under Old Business, Dan Kaman asked if there were results from **Honeywell**. Ed Widman said we have a 10-year guarantee for savings with our utility bills and he will get back to the City Commission in two weeks with where we are. He also said our usage varies. Dan Kaman asked if the recent **street lighting** change downtown made a difference. Matt Kline said we have not completed a billing cycle yet with

these new lights, but believed Stuart Wells with FutureGreen will be at the next City Commission meeting with some other ideas for savings. Ed Widman also said earlier in the evening a question was asked about the air conditioning project at City Hall and he indicated this work was completed in 2001 – 2002.

Dan Kaman asked about **paid parking for the Jet Express patrons on the Jackson Street Pier**. Matt Kline said he has shared some emails with the representative from the Jet Express, but did not have a report yet. Dan Kaman said we should figure out a way to improve the parking in this area as sometimes the machine does not work correctly. Matt Kline said the Jet Express representative asked to give him until the end of the season and they will then meet to look at options.

Dan Kaman asked about the Northwest corner of the **Chesapeake Lofts**; he wondered if the sewer line has been extended and if the sheet piling work has been completed. John Hancock said the sewer line has been extended and the sheet piling is completed; the filling is currently taking place. John Hancock also said there are some adjustments to be made to the piling wall which should be made in the next few days. Dan Kaman said the city extended the deadline for this work and the deadline is September 11. John Hancock said we will have to extend this deadline again as the work has not been able to progress as expected. Bob Warner said he was at the site today with Angelo Hoty and indicated if the work cannot be done by the end of the month, he (Angelo) is going to put it off. He was told the mud needs to be spread out and then dry out and we have no choice but to let it go until the end of the month. Dan Kaman said he feels like this is starting to drag out. Bob Warner said he did not believe we anticipated all of the mud which had to be drug out.

Julie Farrar said she recently talked with Rachel Luttmann about placing a ½ page ad in the **upcoming SHS Fram** and if each Commissioner were to donate \$17, she would take care of this. Julie Farrar asked about proposed **legislation for garage/yard sales**. Don Icsman said he had done some research and sent it out, but feels a meeting should be scheduled about this first. He stated he would be concerned about enforcement for this type of permit and Julie Farrar asked to wait until Dave Waddington returned to meet. Don Icsman said there were concerns about how the city would enforce violations and who would issue the permits. Julie Farrar asked about personnel from the SPD responding to calls and Don Icsman explained there would be criminal charges if a violation occurred which the police would have to enforce.

NEW BUSINESS:

On motion of Brett Fuqua and second of Bob Warner, the Commissioners voted to hold an Executive Session regarding personnel, Law Department. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

On motion of Brett Fuqua and second of Bob Warner, the Commissioners voted to hold an Executive Session regarding personnel, Administrative staff. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Bob Warner said in recent weeks, city officials have talked with employees at Cedar Point regarding the **tax situation (Admissions Tax increase and Income Tax increase)**. He asked John Hildebrandt to address the City Commission about this.

John Hildebrandt, One Cedar Point Drive, thanked the Commissioners for the opportunity to speak. He considers himself 'half' a native Sandusky having lived here for 35+ years. He has been the General Manager at Cedar Point for the past five seasons. John Hildebrandt spoke of Cedar Point's long history, having been operational since 1870. He believes most people in the community have either worked or visited the park to relax and play. He gave several examples of Cedar Point's good corporate citizenry, e.g. the lease of Farwell Park to the city for \$1/year since 1985, the donation of \$55,000 in play equipment for the park in 1999, \$4,000+ in donations to Sandusky charities in 2009, the largest of which is the donation of park tickets to the Erie Huron CAC for low income families, an upcoming Community Service Award and the donation of \$182,000 for local children's charities from their lost change revenue; overall, during the past 10 years, the park has donated \$1.6+ million to Sandusky-based organizations such as Sandusky High School, the State Theatre, the Sandusky Concert Association, the YMCA, the NAACP Freedom Fund, the Sandusky Library, the American Red Cross, Victory Kitchen and Erie County Special Olympics. The staff at Cedar Point is encouraged to be active in local boards and charitable

organizations including Firelands Regional Medical Center, Leadership Sandusky, Goodwill, United Way of Erie County, the Sandusky Central Catholic School Board, the Erie County Chamber and Providence Care Center. Cedar Point opens its facilities for special tours and park visits and, since 1998, has hosted Trick or Treat for Sandusky children in Grades K-6, providing Halloween treats to over 3,000 children each year. In 2008, Cedar Point purchased \$13 million in goods and services from over 228 Sandusky-based companies putting money back into the local community and helping to provide jobs for local residents and revenue for local expansion. Cedar Point hosts 3+ million visitors annually, employs 365 full-time employees, and provides 6,000 seasonal jobs annually including six city Firefighters. John Hildebrandt stated all of these employees pay Sandusky income taxes even though they may not all live in the city.

In addition, John Hildebrandt stated 2,300 seasonal employees are housed here who all help contribute to the Sandusky economy for six months each year. In 2006, Cedar Fair acquired Paramount parks and doubled the size of their organization. Sandusky is now the home of Cedar Fair Entertainment Company with the construction of new corporate offices and new corporate jobs here.

For 35 years, Cedar Fair has been consistently against an increase to the Admissions Tax rate. In 1972, when the tax was first initiated, John Hildebrandt said the 3% Admissions Tax generated approximately \$330,000. In 2008, this same percentage generated \$2.5 million, an annual compounded growth rate of nearly 6%. Between increased attendance and increased ticket prices, John Hildebrandt stated the city has greatly benefitted. He said Cedar Point already pays its fair share and is the number one taxpayer generating 29% of the city's general revenue. This issue is one of fairness; Cedar Point is responsible for one third of the revenue generated for the city but does not consume one third of the city's resources, i.e. fire, ambulance, police and park visitors use a fraction of the city's streets. He said this is a targeted tax aimed directly at Cedar Point.

John Hildebrandt said Cedar Point is well aware of city's financial problems and their Vice President of Corporate Tax, Dave Hoffman, is with him tonight and on the city's Audit/Finance Committee. He said we are all facing tough times, especially in Ohio, and all businesses are tightening their belts. They have had layoffs at Cedar Point and it is no longer 'business as usual'. He stated it is a difficult time to be a City Commissioner and tough decisions are being made to address the current financial challenges. John Hildebrandt said the City Commission recently approved the consideration of increasing the Income Tax by one quarter of a percent for the November ballot. Informal discussions have also taken place to increase the Admissions Tax by one quarter of a percent. For 35 years, Cedar Point has opposed any targeted tax (Admissions Tax) and said Income Tax is a broad based tax which everyone pays. John Hildebrandt then stated if the voters approved the one quarter percent increase to Income Tax in November, Cedar Point would not object to increasing the Admissions Tax by the same amount. The burden would then be shared by all residents and businesses in Sandusky and fair to all concerned. As a business, Cedar Point will be impacted by an increase in Income Tax as well as Admissions Tax. John Hildebrandt thanked the Commissioners for the opportunity to speak and stated the city and Cedar Point have been partners for a long time; he feels Cedar Point is 'Sandusky Proud' and is housed in a wonderful community. In closing, he said the city and Cedar Point's futures are linked and there is hope for the future. Craig Stahl then asked if there were any questions for John Hildebrandt, keeping in mind there are some things John Hildebrandt cannot say because of Security & Exchange Commission rules.

Julie Farrar said Cedar Point paid \$2.5 million in Admissions Tax this past year and asked if John Hildebrandt could tell the Commissioners what was paid in 2008 in Income Tax. Dave Hoffman said he did not believe they could talk about individual park results for Income Taxes paid, but that added together, employee withholdings approach \$900,000. Julie Farrar then asked about foreign workers at Cedar Point and if there was a shortage of people who live here for employment purposes. John Hildebrandt stated there were fewer foreign workers this year and it is anticipated there will be even fewer next year, although they (foreign workers) help to fill in the gaps. He mentioned 250 locals were recently hired as Screamsters for Halloweekends and 100 more will be hired in the fall through a local job fair. Julie Farrar stated Cedar Point stock has been up and down and they (CP) are facing the same thing everyone is facing. She said the city 'is where it is' and we need ask the voters for an increase in Income Tax and ask Cedar Point for an increase in the Admissions Tax which mirror each other and she considers this fair. She also said there are people who do not want an increase in the Admissions Tax and there are people who don't want an increase in the Income Tax. Forty-one years ago, the Income Tax was implemented at 1% and it is still this rate; for the past 37 years, the Admissions Tax has been 3% but costs 41 years ago vs. now have increased, and in order to move through hard times, she appreciates Cedar Point coming here and putting their hand in partnership with the city. Julie Farrar stated both entities need to do this together but she does not agree the Admissions Tax is a targeted

tax. She does not think we should ask the citizens for something yet not be willing to ask the same of Cedar Point. Julie Farrar also said the services the city provides are not the same as they were; we provide 5,000+ ambulance calls each year now and have a lot of elderly citizens utilizing EMS. She stated working people should be compelled by a sense of duty to help those who no longer work. Bob Warner thanked John Hildebrandt for being here today. He said he has been approached by citizens who feel the city should double the Admissions Tax but he feels this is way too much. He said we need to be partners with corporate businesses in order to right the ship. He hopes, with help, we will grow as the economy grows and without one, you cannot have the other. Bob Warner said if the citizens agree to a one quarter percent hike in the Income Tax and Cedar Point agrees to a one quarter percent hike in the Admissions Tax, it will help to put the city on an even keel and allow us to grow. He does not know what the economy is going to do, but he hopes it will turn around.

Dan Kaman thanked Cedar Point for this good gesture and he has concerns, as do other Commissioners. It is a unique time in history to run the city like a business and believes we have to change the way City Hall is run. Dan Kaman does not feel we can still operate like we have 36,000 people here. Craig Stahl asked if it would be appropriate to order in legislation.

Upon Motion of Bob Warner and second of Julie Farrar, legislation was ordered in to state if the citizens pass the increase in the Income Tax, the city will move forward with increasing the Admissions Tax by one quarter percent. Roll Call on the motion: Yeas: Craig Stahl, Brett Fuqua, Pervis Brown, Bob Warner, Dan Kaman and Julie Farrar, 6. Nays: 0. The President declared the motion passed.

Pervis Brown stated he was still troubled about the city's old equipment and had a recent conversation with an employee about the **street cleaner**. He said something needs to be put into motion to replace this as at some point, the mechanics will not be able to make the repairs and will we then abandon cleaning our streets. Bob Warner said he thought this was a great opportunity to think about the way the city is operated and to have some discussions about regionalizing equipment purchases and sharing equipment with nearby municipalities. Julie Farrar said she agrees with Bob Warner and does not know why we have not done this sooner.

Under **Audience Participation**, Diedre Cole, 807 Hancock Street, applauded Cedar Point for their gesture but felt it was tricky to tell voters Cedar Point does not pay the Admissions Tax, their guests do.

Tim Schwanger, 362 Sheffield Way, Save Our Shoreline Parks, mentioned the recent article about the Marina District project and asked why John Eymann did not tell the city about the lawsuit if it was of no significance. He had asked previously about resumes and credentials for the developers and pointed to key dates regarding the lawsuit and countersuit. He also had good word a lawsuit was filed in Federal Court for Fair Housing Act violations and a trial date is set for late 2010. He said it would be irresponsible of the city to extend the deadline for the project.

Sharon Johnson, 1139 Fifth Street, asked if there were penalties assessed against Hoty's for the lateness of the Chesapeake Walkway project. Dan Kaman said there were provisions in the contract but we have not exercised them. Sharon Johnson asked about overruns, change orders and a not-to-exceed clause in the contract. Don Icsman said there are always not-to-exceed provisions and if costs go beyond budget for a project, they would need to be brought back to the Commissioners for approval. Sharon Johnson asked what would happen with John Eymann's contract if he were not honest now. Don Icsman said the contract is with Sandusky Waterfront, LLC and Sandusky Marina District Development, LLC, separate entities than the one which the lawsuit was filed against. Don Icsman also said lawsuits are claims, allegations and assertions and the city needs to be careful about what it says in response to these. Bob Warner stated frivolous lawsuits are brought all the time.

Dennis Timple, 553 Bimini Drive, said he spoke to John Eymann in the hall this evening and John Eymann confirmed there are 14 paid reservations for condominiums. Dennis Timple asked who did the vetting on the city's behalf when this contract was signed and why did we not know about this lawsuit at that time. He also stated he does not believe Cedar Point pays the Admissions Tax, rather, their guests do. He said Cedar Point does not pay 29% they only pay about \$3.5 million, which is about 17% of the city's budget.

Harry Kresser, 2227 Pipe Street, thanked the Commissioners for the vote of confidence in not putting him out of business. He said his company is offering recycle services and taking care of their own customers and free enterprise should take care of itself. His business has been in Sandusky since 1932.

Glenn Szatala, 713 Kingfisher Court, and President of the local IAFF Local #327, said the proposed Income Tax increase will be Issue #5 on the November 3 Ballot and a Political Action Committee has been formed called "Citizens for a Stronger Sandusky" to support this issue. There will be a rally and fundraiser on September 26 from 12 p.m. – 2 p.m. at Shoreline Park and he invited interested persons to come and learn more about the issue and volunteer.

Gary Gundlesberger, 422 East Parish Street, asked the Commissioners the point of inviting residents to speak if their opinion is not what they (Commissioners) are looking for. He said Hayes Avenue is a major artery into the city and it does not make sense to do a haphazard job. He then asked if the questions posed at a recent meeting about the Venice Road overpass were answered by ODOT officials. John Hancock said he was not aware we had received these responses yet but when they are received, they will be published. Gary Gundlesberger also said the city has regulations for storage of campers and boats on private property and they should be stored appropriately.

Dennis Timple, 553 Bimini Drive, said Ogontz Street was milled in July but not yet paved and inquired about the status. Bob Warner said he was on this street today and the work was being done.

Craig Stahl adjourned the regular session of the Sandusky City Commission meeting at 8:01 p.m.

An Executive Session was held on personnel, Law Department.

An Executive Session was held on personnel, Administrative staff.

At 8:35 p.m., the City Commissioners returned to the table and the meeting adjourned.

Kelly L. Kresser
Interim Clerk of the City Commission

Craig H. Stahl
President of the City Commission