

President Brady called the meeting to order at 5:00 p.m. followed by the Invocation, given by Mr. Poggiali and the Pledge of Allegiance.

The Clerk called the roll and the following Commissioners responded: Wes Poole, Dennis Murray, Dick Brady, Steve Poggiali, Dave Waddington, Blake Harris, 6. Mr. Waddington made motion, second by Mr. Poggiali to excuse Mr. Meinzer. President Brady declared this motion passed.

City staff present: John Orzech – Interim City Manager, Colleen Gilson – Interim Asst. City Manager, Cody Browning – IT Manager, Don Rumbutis – IT Technician, Brendan Heil – Law Director, Michelle Reeder – Finance Director, Jonathan Holody - Development Director, Jared Oliver – Police Chief, Mario D’Amico – Fire Chief, Aaron Klein – Public Works Director, Arin Blair – Chief Planner, Nicole Grohe – CDBG Administrator, and Cathy Myers - Commission Clerk.

Upon motion of Mr. Waddington and a second by Mr. Poggiali, the commission voted to approve the minutes of the December 21, regular meeting and suspend the formal reading. President Brady declared the motion passed.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, wished to speak about Transit financials in the budget. The budget is 3.8 M for Transit. In 2022 Transit was \$700,000 in the red, which is not sustainable. Transit has been in the red the last eight years. Maybe even longer. Seven out of ten riders go out of the city, for jobs or shopping, boosting Perkins Township’s economy. The ridership has increased fifty percent. Gas has increased, \$100,000 for gasoline. The revenue for Transit comes from State and Federal grants. You cannot always rely on those grants. The Ohio Department of Transportation picks up fifty percent of the operating expenses and eighty percent of maintenance expenses, the city is responsible for the balance. There are user contracts also for revenue, there are seven contracts signed with people who use the service, and there are an additional six contracts in negotiation. She said she was informed that Transit cuts were coming – they were reducing from six routes to five. They are reducing hours of operation, which should save about \$300,000. She went to Erie County to talk to them while they are processing their budget. They have a transparent budget; the public can attend and make comments. She took advantage of that and gave them the Transit statistics. She thought they were a little bit surprised. She did not think they were happy to have a resident come to talk with them about it. She suggests that next Thursday, January 12 at 9:30 a.m., Ms. Reeder take her man (the Transit Director) and present their case. At least have enough respect for the County Commissioners to show up in person and present their case, instead of hearing about it from a resident. It is probably just a matter of asking them for a contribution. She has heard that they may be interested in building a shelter or seating or maybe looking into a grant. We need something more substantial than that. We need an annual contribution from them. They gave \$125,000 to a nonprofit Greater Sandusky and never blinked an eye. But they can not give one penny to the Transit System that serves all of Erie County. What happened to the Regional Partnership? Perkins Township is the same, the city needs to go to their Trustee Meeting and present themselves. You do not do this by phone or send a liaison over. You go in person to show that you are serious about this. We cannot be picking up the tab year after year. She stated she did – now staff needs to do it.

Tom Lamarca, 206 48th Street, stated about the liquor license transfer for Halo Live LLC, at 405 Wayne Street, his concern is that is a heavy residential area with a group home across the street. He does not understand why we are approving a liquor license in the middle of a residential area. It would be like approving a new liquor license inside a home on East or West Adams Street location and turn it into a bar or nightclub. When Halo was first located into the former church it was supposed to be a recording studio, and now it has evolved into a mini nightclub entertainment facility. There is a serious lack of parking in that area for that type of venue. He questions why that is being permitted. He stated he certainly would not want it in his neighborhood, nor does he think Commission would like it on Cedar Point Road or McKinley Street.

Tim Schwanger, 362 Sheffield Way, inquired what the process was for Halo Live to apply for a liquor license. Were the neighbors notified, is there a footage requirement? Is the property owner the applicant or is the business that is renting that facility the applicant? Does the alcohol permit include outside of the premises? He would assume they are not part of DORA so they could not be outside having a party. On social media, someone stated a concern about the MRDD housing across from that location. Were they notified of this license? He also asked about the Erie County Lead Paint abatement for \$95,000, last year it was stated that those funds were used to tear down a house. Is the commitment this year for lead paint removal, or will it be used to demo a house again? He also would like to know the process used to remove the Public Hearing from tonight's agenda. It took a City Commission vote to put it on the agenda, it looks like according to the Journal that the President of Commission decided to take it off on his own. He would think that would take a required vote by Commission to remove it from the agenda.

CURRENT BUSINESS

Upon motion of Mr. Waddington and a second by Mr. Poggiali, the commission voted to accept all communications. President Brady declared this motion passed. President Brady asked if anyone would like to move any items from the Consent Agenda, Mr. Poole requested Items A (Liquor License to Halo Live) and Item B (Budget 2023 – Second Reading) be moved to the Regular Agenda.

CONSENT AGENDA ITEMS

ITEM C – Submitted by Nicole Grohe, CDBG Program Administrator

ERIE COUNTY HEALTH DEPARTMENT AGREEMENT FOR LEAD PAINT REMOVAL PROGRAM

Budgetary Information: The City of Sandusky will award the Erie County Health Department a total of \$94,458.02 for the Lead Paint Removal Program for the CDBG Program Year FY2022 (\$26,820.22) and FY2021 (\$67,637.80). This award shall be paid with CDBG grant monies and there will be no impact on the General Fund.

ORDINANCE NO. 23-001: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with the Erie County Health Department for their Lead Paint Removal Program and to expend an amount not to exceed \$94,458.02 from the FY2021 and FY2022 Community Development Block Grant (CDBG) Funds; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Harris, and second by Mr. Poggiali, the commission voted to accept the Consent Agenda and declare all ordinances and/or resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in accordance with the Section reflected in the ordinance and/or resolutions, whether it be in accordance with Section 13 or Section 14 of the City Charter.

Comment:

Robert England, Chief Lead Hazard Control & Healthy Home Officer, Erie County Health Department Community Health Center, stated that the house that was demolished was from Ohio Lead Safe Home Funds not CBDG Funds, which were awarded to their department.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. **Roll call on the ordinance:** Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this ordinance passed.

REGULAR AGENDA ITEMS

ITEM A – Submitted by Cathy Myers, Commission Clerk

TREX LIQUOR LICENSE TRANSFER TO HALO LIVE LLC

Budgetary Information: There is no budgetary impact for this item.

Notice to Legislative Authority for TREX Transfer of D1 (beer only for on premises consumption or in original sealed containers for carry out only until 1:00 a.m.) **and D2** (wine and mixed beverages for on premises consumption or in original sealed containers for carry out only until 1:00 a.m.) **liquor permit TREX transfer FROM: City Barbeque LLC, 24325 Chagrin Blvd., Beachwood, TO: Halo Live LLC, 805 Wayne Street.**

Upon motion of Mr. Harris, and second by Mr. Poole, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Mr. Orzech commented that the TREX transfer was for economic development, Halo Live submitted their document to the State stating that this transfer would create economic development for the city. Then the State goes through the normal process sending a notice to the city to see if we have any objections to this transfer and asking for a hearing. Mr. Heil stated there was no negative input from staff and this is the second time this is coming back to Commission, previously Commission certified it was for economic development. The Division of Liquor Control state controls the process for liquor permits and provides the notices to any relevant parties that under the law are required to be notified for a transfer or liquor permit. What you have before you is the option to object that would then cause a hearing to be scheduled. But we have no control over the granting or denial of a permit. The state agency determines if Halo Live will get this permit at this location. Mr. Poole stated he understood the process. He also stated that the question on the table was does putting a liquor permit at this location create a problem? He asked if anyone from the neighborhood was in attendance. He inquired if the neighbors were aware of this permit. Chief Oliver stated from the Police Department's point of view that there are no documented incidents at this location that would forbid this from occurring. If there were documented incidents, he would bring it to Commission attention. Mr. Poole stated he had no problem with neighborhood bars, we have them all over town. If they become a problem, we have the ability to do something about it. There are no documented incidents at that location per Police, the programs they put on have been positive in terms of community impact. At this point there is no reason to ask for a hearing. Mr. Poggiali stated he agreed with Mr. Poole. He inquired if it was running as a byob operation currently? Mr. Daley, 805 Wayne Street, Halo Live, stated it currently was byob which does not give you control. This license would give us accountability of what happens on our property, the permit process does dictate the footprint where sales and consumption can be specifically. It would not operate as a bar that would open at 11 am and operate until 2 a.m. It is liquor license for events such as open mic, comedy nights, etc. They do have local agreements with local parking lots down the street, and they will be better about identifying those for participants. We hope to work with the city to get proper signage, there are a lot of curb areas painted yellow in the area for no parking. But with no signage – if there is snow on the ground you cannot see the yellow curbs. He has had people move their car in the past. Mr. Poggiali stated if there is byob currently and had no problems, they obviously have done a good job policing that. Mr. Daley stated they are still working through things and would be happy to change anything to accommodate the city. Mr. Harris added that one of the reasons there have not been any issues thus far is probably because of the few events he has attended there, there has been security at the door; keeping a watchful eye on who comes in and what goes on. He sees no issue with this.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the liquor permit: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion for a liquor permit passed.

ITEM B – Submitted by Michelle Reeder, Finance Director

BUDGET 2023 – SECOND READING

ORDINANCE NO. 23-002: It is requested an ordinance be passed making general appropriations for the fiscal year 2023; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Waddington, and second by Mr. Poggiali, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Mr. Poole stated that in addition to Ms. Johnsons questions, he has a few issues with the budget. He inquired what Commission's feeling was about approaching the County about the Transit issue. Is it time to go out and make a pitch? President Brady stated he would like the Interim City Manager to share what he shared with him this morning regarding an outreach to the County. Mr. Orzech stated that Ms. Johnson always sends some great suggestions. He did not feel it was

very professional for us to show up at their commission meeting and blindsides the County Commissioners. So, he reached out to Hank Solowiej, County Administrator, on Friday, and he is aware of the Transit budget since he worked here for a number of years. He shared Ms. Johnson and the Commissioners concerns; we have talked about reaching out to local municipalities for several years. Mr. Solowiej notified him that the County Commissioners and they are in support and would entertain us approaching them for some capital needs for the Transit System. They asked that we contact Huron and Perkins Townships as well since they are a beneficiary of our services. Mr. Stacey, Transit Administrator and Mr. Holody, Department Director and they are going to have scheduled meetings prior to the end of the month to start those conversations. They will then report back to the Commission. Mr. Poole thanked Ms. Reeder for her work on the budget, she spent some time with him explaining the things that he has issues or concerns about. The issue is not that the numbers balance, it is rather a matter if he is satisfied with how the money is being spent. Regarding Transit, it is great that we are going to talk with the County to provide some assistance. But the 2023 budget is \$600,000 less than the 2022 actual budget. He is not supporting that we cut the funds we spend on Transit. There are no shelters at most of the stops. He recognizes that ODOT sent us a little less than in the past. The issue is that Transit provides transportation for people to jobs from the city of Sandusky. He does not agree with Ms. Johnson that it is a terrible thing, especially since we keep the rates down at the golf course, so folks do not have to pay an extra fifty cents for a round of golf. The concept of supporting Transit when it takes people to jobs, when it takes them off public assistance, which also provides us with income tax, some – not a lot. To have our community to grow means people have got to want to move here, people who actually have jobs. Currently we have lots of money to spend on grants and for many different things, some of which are very good, some are questionable. But the idea of cutting Transit is not something he is comfortable with. Additionally, he wants to look at the reduction in Fleet Maintenance. His background is from the military, and the success of what they do is tied to the equipment that they use. We are down to three mechanics from five to take care of all the vehicles and equipment that we have. We were reduced in 2020 to four, and we have had only three since April 2021. And there is only \$5000 added to next year's budget. He is not on board with that. Other issues Building Maintenance likewise, we have a lot of buildings – how can we cut back on maintenance staff? We only have enough people to take care of emergencies as they arise, like a flat tire, but we lose out on preventative maintenance. When he looks at the number of emergency purchases, we have spent on equipment that broke down, he says wait a second, if you do not change the oil, yes you can drive a lot of miles before it finally breaks down. He does not see the ability to run the City machine with three, the same as he felt it was not good to run the fire department short on fire fighters. He does not think the budget needs approved today until those things are fixed. He also thinks we cannot set a budget on water until we approve a contract with the county. Mr. Murray echoed Mr. Poole's thoughts on Transit. Transit is like many other services we provide like parks, roads, lighting; it is an expenditure that is well worth it. He does believe we need to trim the budget a little bit as proposed. He thinks conversations with the Townships is a good idea. Mr. Orzech's approach is the most appropriate way. Mr. Orzech explained that Fleet Maintenance has had four staff budgeted the entire year of 2022, and four for 2023. The issue and cause of not filling that position currently is because we cannot get any applicants to apply. HR reached out to other jurisdictions, and everyone seems to be having the same problem. He has met with both mechanics for suggestions, and it seems everyone's position is the same; it is the trade. Everyone is down mechanics. We have reached out to all local trade schools and have made conditional offers to two individuals that never showed. We are continuing on the path to fill that position. Mr. Poggiali stated he agreed with Mr. Murray and his comments on Transit. He believes anyone would be hard-pressed to find any transit operation in the country that makes any money. And they all probably need a subsidy to stay alive. He believes the only approach that might work if we had some sort of a regional effort; where we got everyone around a table to see if we could get some buy in. That includes the business community because they may be able to offer some financing for transit. Short of that it will be difficult to fill that gap. President Brady stated he shared most of their concerns about transit, his concern is human nature being what it is, it may well take some type of a calamity to get buy in. He is not advocating that, sometimes we do not appreciate what you have until you are about to lose it. He does not think it is fair to all the people who use transit, to immediately pull the plug on it. If others are not willing to support this system, the reality is we cannot

continue to fund this on our own. It is not sustainable. Our effort to reach out for contributions, whether as a regional effort as Mr. Poggiali suggests, or whether the businesses and townships that benefit from it. We have to move forward on that. As much as it is a service to have transit, it is a disservice to the residents that we foot the bill for those not benefitting our community. Keep this on the front burner and provide the Commission with updates on a monthly basis.

Roll call on the motion: Mr. Poole-No, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 5. Roll call on the ordinance: Mr. Poole-No, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 5. President Brady declared this ordinance passed.

ITEM 1 – Submitted by Colleen Gilson, Chief Neighborhood Development Officer/Interim Asst. City Manager

RIGHT TO SELL AGREEMENT FOR MARKET STREET PARCELS WITH RUSSELL REAL ESTATE

Budgetary Information: After execution of a City Commission approved purchase and sale agreement with an approved buyer and upon closing of the transaction, the City will be responsible for paying Russell Real Estate Services a broker commission of 8% of the gross sales price. The funds will be paid to Russell Real Estate through closing. Once per calendar year while agreement is active, the City also agrees to pay a one-time fee of \$265 payable upon initial sale. The balance of funds will be deposited into the Real Estate Development Fund.

ORDINANCE NO. 23-003: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an exclusive right to sell agreement with Russell Real Estate Services of Sandusky, Ohio, for the marketing and sale of portion of Parcel No. 56-00983.000 located at the southeast corner of E. Market Street and Warren (formerly part of the Sandusky Cabinets property); and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Waddington, and second by Mr. Poggiali, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the ordinance: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this ordinance passed.

ITEM 2 – Submitted by Jane Cullen, Assistant City Engineer

AWARD EAST MONROE STREET RESURFACING PROJECT TO ERIE BLACKTOP

Budgetary Information: The total construction cost shall not exceed \$769,134.27. ODOT will fund 80% eligible costs in the amount of \$615,307.42. The City's 20% share of \$153,826.85 will be funded with Issue 8 Street Funds from the Capital Projects Fund.

ORDINANCE NO. 23-004: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the East Monroe Street Resurfacing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Harris, and second by Mr. Poggiali, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Mr. Murray stated this project is overdue. President Brady asked Mr. Klein what the start and finish date of this project is. Mr. Klein stated he will put it in the City Manager's Report as soon as it is slated, hopefully as soon as possible.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the ordinance: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this ordinance passed.

ITEM 3 – Submitted by Jane Cullen, Assistant City Engineer

AWARD HEALTHY HAYES PROJECT TO MILLER CABLE CO.

Budgetary Information: The total construction cost shall not exceed \$809,400.00. ODOT will fund through the Highway Safety Improvement Program (HSIP) 90% of eligible costs in the amount of \$722,700.00. The City's share of \$86,700.00 will be funded with Issue 8 Street Funds from the Capital Projects Fund.

ORDINANCE NO. 23-005: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Miller Cable Co. of Green Springs, Ohio, for the Healthy Hayes Safety Improvements Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Murray, and second by Mr. Waddington, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the ordinance: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this ordinance passed.

ITEM 4 – Submitted by Aaron Klein – Public Works Director

MILLS STREET HIGH-RATE TREATMENT PROJECT PDS AMENDMENT #2 WITH STANTEC

Budgetary Information: The current contract price for Stantec is \$2,031,311.84. Amendment #2 is estimated at \$1,642,466.88 for Mills HRT and UV Disinfection Replacement. If approved, the total contract price for Stantec including both amendments would be \$3,673,778.72. These two construction contracts are estimated to total approximately \$38M. The City has submitted a formal application for reimbursement through a low-interest loan from the Water Pollution Control Loan Fund (WPCLF). Erie County would be required to pay their fair share of both projects, which is assumed to be 13.9% of the Mills Street HRT project and 46.18% of the UV Disinfection project, including design and construction administration services.

ORDINANCE NO. 23-006: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a second amendment to the agreement for professional design services with Stantec Consulting Services, Inc., of Cleveland, Ohio, for the Mills Street High-Rate Treatment Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Harris, and second by Mr. Poggiali, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

President Brady stated this cost figure would blow him away if he did not read that this is a 33M project. He asked if Mr. Klein was confident that these engineering fees were in line. Mr. Klein stated that they spent a year and a half on both projects trying to keep costs inline as much as they possibly could still meeting the intent of reducing the overflows and the general plan through the EPA. Unfortunately, when you do a project like this the costs do get up there a bit. These are both something that we have no choice but to do. We will be coming back to Commission with permission to bid the replacement of the UV system. We were informed that they no longer will be making parts for our current one. We are still in the process of working through the water pollution control to get a low interest loan through them, that is better than the OWDA. We are also anticipating getting principal forgiveness on this. We have not been officially announced approval on that. We are doing the best we can in keeping the costs low and we will come back to Commission and present those rates once we know what they are. We are coupling this project with the UV system so that we can get that low rate for both projects. Mr. Murray noted especially regarding this piece of legislation how essential it is that we contract administration services to make sure the project goes as it is supposed to. It is a significant dollar amount that we are spending, and a significant amount of work that we are undertaking. It is only prudent that we have an engineer overseeing this to make sure that it is done according to specifications and any legal requirements that apply. For the next legislation, I know that 33M is an enormous contract. I am not sure if we have approved a larger contract in the past. We are all here for a period of time and we are stewards of the environment for the time that we are here. These assets we put in place, these systems, are meant to serve generations to come. This is a good example of that. Long before most of us were on the Commission, the negotiation of the general plan with the EPA to 2012 and 2015. Mr. Klein has been one of the constants through this period, and of that he is grateful. This is the deal we struck with the EPA under consent decree. It is an order; we have no choice about doing this work. We want to do this work because our economy and the quality of life that we have here is dependent about the quality of water, healthy Lake Erie, healthy Sandusky Bay. We are doing our part to fulfill the legal requirements

and protect the environment as we should. This will be paid for many years by generations to come and hopefully the loan forgiveness that is out there and indicated kicks in, in an appropriate way that cities like ours must make so these substantial investments are relieved. Cities like ours that are immediately on the water has some greater expenses that other communities do not have. But we all see the increases in water and sewer bills. We do not want those to occur, this is a nationwide issue. We as a nation have long neglected our water and sewer infrastructure, we are catching up with that. We have cruised too long, and we are now paying what is an appropriate price given what it is we are required to maintain. He is appreciative of all the work Mr. Klein and his department has put into this project. It is one he supports because it is necessary.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the ordinance: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this ordinance passed.

ITEM 5 – Submitted by Aaron Klein – Public Works Director

AWARD THE MILLS STREET HIGH-RATE TREATMENT PROJECT TO GREAT LAKES

Budgetary Information: The total base bid shall not exceed \$33,570,075.00 and will initially be paid with Sewer Funds. The City has submitted a formal application for reimbursement through a low-interest loan from the Water Pollution Control Loan Fund (WPCLF). Erie County would be required to pay their fair share of both projects, which is assumed to be 13.9% of the Mills Street HRT project and 46.18% of the UV Disinfection project, including design and construction administration services.

ORDINANCE NO. 23-007: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with the Great Lake Construction Co., of Hinckley, Ohio, for the Mills Street High-Rate Treatment Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Poole, and second by Mr. Waddington, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the ordinance: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this ordinance passed.

CITY MANAGER’S REPORT

DONATIONS

- A donation of \$100 was received from Richard Woods for the Sandusky Police Department. **Motion by Mr. Poggiali and second by Mr. Waddington to accept this donation. President Brady declared this motion passed.**
- The City of Sandusky Recreation Department would like these businesses for providing lunch for Winter Break Camp: Lee’s Famous Recipe, Berardi’s, Pizza House East, Bay Bell Restaurant, Sandusky Munchies, and Cindy Franketti.

NEW & OLD BUSINESS

POLICE

- The police department was recently awarded \$11,760.00 through the Body Worn Camera Grant Fund from OCJS. These funds will be used to purchase new BWC’s for new officers.

PUBLIC WORKS

- Curbside Christmas tree collection started today and will occur in each zone throughout this week. Residents may also drop-off their trees at the Shelby Street Boat Launch overflow parking lot or the Kiwanis Park parking lot through the end of the day this Friday. Please refer to CityofSandusky.com/ChristmasTrees or call 419.627.5884 for further information.

- The City is accepting qualification packages at the beginning of February for the redesign of Butler Street. Design and estimated construction timeline will be incorporated into the Capital Improvement Plan.
- A final reminder that bagged leaves can still be dropped off near the Marquette Drive entrance on the east side of the City Service Center until Friday, January 20.

SANDUSKY TRANSIT SYSTEM

- A public hearing to discuss proposed service changes for the Sandusky Transit System fixed route lines was held on January 3rd at the Sandusky Library. The proposed service changes include consolidating the Orange and Yellow fixed route lines as well as introducing new service hours based upon the time of year. The changes are proposed to be effective February 1st, 2023. The proposed changes are expected to reduce operating costs by roughly ten percent (\$300,000) per year. The full list of changes is posted at SanduskyTransit.com.

RECREATION

- Winter Break Camp was a huge success with 60-80 kids attending each day, participating in fun and educational activities.
- Yoga at the Greenhouse started January 4 from 5:30-6:30 pm. Attendees can register for all sessions for \$60 or do drop-in classes for \$10 each. This will run Wednesdays in January and February.
- Tai Chi started January 4 at 11am at the Mylander Pavilion and will be Wednesdays in January and February. Thank you to Susan Lowell Mental Health & Counseling Services for her sponsorship of this program.
- Yoga on the Pier is back again for January and February. Class starts at 10 am Thank you to Bayshore Counseling Services for their sponsorship.
- Winter Out of School Program registration is open. This is a free 12-week program. Doors open at 3:30 pm and it runs until 7:00 pm.
- Midtown Supper Club starts January 9. The theme this year is Midtown Supper Club meets New Orleans. The chefs are all in place and ready to go. Sewing, dance, theater, and music programs will be incorporate along with the chefs to make this a whole themed performance and dinner on February 21.

Comment:

Mr. Murray stated that he and President Brady have been informed, as President and Vice President of Commission, that they had been provided notice that they had made an administrative mistake by sending out notice in regarding the proposed zoning change to the Battery Park area. Therefore, we could not have a hearing today, because it had to be properly placed in the newspaper thirty days in advance of the hearing. We made a mistake in that regard. He asked Mr. Orzech to confirm. Mr. Orzech stated that was correct along with the other public hearing that was scheduled for the transient rental overlay district for Washington Street, both were not posted properly, so those public hearings could not happen at this date. Mr. Murray stated that with the upcoming special election that we wait to reschedule the Battery Park hearing and see how the process plays out. Let us see what people want to do and then move forward if we still have that authority. He would recommend that we do not reschedule that one at this time. Mr. Poole stated he respectfully thinks that they should hold the hearing. The reason for the hearing is for people to understand what is going on with it. There will be people that misunderstand the zoning change, what is at stake, it only makes sense for us to clear that up. Mr. Murray stated the reason he thought they should not hold the hearing is given the fact that there is a public vote and what it is that we are proposing to do and what the developer Marous has proposed to do at Battery Park has been very well said in great detail. I do not see where an additional hearing at this point anything would be but a

front to the process and would offend people. Mr. Poole and I look at it differently. The documents are available for anyone to look at online. President Brady stated when he was advised that we did not get the notice out in the proper time, he was convinced it was the proper thing to do to cancel this public hearing for many of the reasons Mr. Murray has stated. **President Brady made a motion to cancel the public hearing for January 9th, and for the zoning map and transient overlay as well, Mr. Murray seconded that motion.** Mr. Heil was asked to rule if both could be cancelled in one motion. Mr. Heil stated for a procedural motion such as this both could be combined if they wanted to. If one was going to be rescheduled it might be easier to do them separately. Since they are two separate issues. It is up to Commission how you want to form that motion. Mr. Poole inquired if Commission was going to change zoning for transient rentals, you are suggesting we are not going to give the public the opportunity to speak at the hearing, is that what we are saying? Mr. Heil stated cancelling the hearing would just cancel both hearings for tonight. A new motion would have to be made to schedule those hearings in advance both require a 30-day notice provision to hold them. President Brady stated to be clear we are not denying anyone their say at the hearing, we are simply cancelling two public hearings that were not appropriately advertised in the correct amount of time. Mr. Poole stated he agreed with that motion because in the confusion people who may have wanted to come speak at the public hearing are not here today. Mr. Poole stated for that reason he has no problem agreeing with this motion, he does recognize though, that spending this money needs to be transparent.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed.

Upon motion of Mr. Poggiali, and second by Mr. Waddington to schedule a public hearing for a vacation of right of way for February 13. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed.

Upon motion of Mr. Poggiali and a second by Mr. Harris to appoint Commission Clerk Cathy Myers as the Ohio Public Records Designee for the City Commission. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed.

Upon motion of Mr. Poggiali and a second by Mr. Harris to appoint 2023 Boards and Commissions.

Comment:

Mr. Poole inquired if anyone who wanted a Boards or Commissions appointment were able to do so. Ms. Myers stated that all Board open positions were given applications since 2015.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed.

Upon motion of Mr. Waddington and a second by Mr. Harris to appoint 2023 Liaison Commission appointments.

Comment:

Mr. Murray wanted to clarify that the same appointments were being made of those currently in effect. President Brady stated he was correct.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed.

OLD BUSINESS

Mr. Poole made motion to reschedule the two public hearings that were just cancelled. President Brady asked for a second, being none, motion dies.

NEW BUSINESS

President Brady asked for a discussion for the former Kreimes property on Washington Street. Several years ago, we awarded a grant \$139,000 to this developer. In November Commissioner Poggiali and President Brady met with the developer. At the conclusion of his presentation,

they asked for three things: a start date, a finish date, and a letter of funding for that project. Mr. Murray stated it is an ambitious project and he hopes that it comes to fruition, but given the lack responsive responses, he thinks it is time to free up that grant money and cancel that award which is now many months past which it was to be used. We have been patient with this developer, and they have an interesting concept. And he hopes it happens and maybe with a local partner, which would be more welcome, if someone comes forward and wants to buy in and can meet the requirements, then we could reconsider a grant. But currently, I think we need to rescind the grant and terminate that contract. Mr. Heil stated that yes, they could exercise their option to rescind the grant. President Brady stated that he too read the correspondence that came regarding this issue. Two things he was not happy about; the start date indicated June of 2023, which was a departure from their meeting. The completion date was set to be the end of 2023. This money has been tied up for almost four years. He does not think that is fair to a lot of other businesses perhaps could have made use of those funds. The most important part, he did not know if anyone could have viewed the funding letter he provided as a true commitment of funds. It was a letter requesting five or six additional items that were needed to be provided to be considered for funding. We have an obligation to put those funds to work somewhere in our community. This developer is certainly welcome to reapply sometime in the future if he has his ducks in a row. Mr. Harris asked if there was an opportunity for anyone to speak from the public regarding this. President Brady stated no. Mr. Poole asked Mr. Heil since this developer has not met the requirements set, is that correct? Mr. Heil stated that should be directed to the City Manager. Mr. Poole stated he just wanted to be sure that legally we were in the right place and could terminate this contract without any legal repercussions. Mr. Poggiali stated that it was made clear in the meeting with the developer that he did not meet the requirements within a certain timeframe that we would pull back the funding. That is what has transpired. Mr. Poggiali said he would defer to Mr. Holody as to what that agreement states. The developer has reached out to some local talent, and I believe in them, but the developer has not given us a strong feeling that he could accomplish this project. He was aware of what the ramifications would be. He can certainly come forward and apply once again down the road if he can pull everything together. Mr. Poggiali asked Mr. Holody if Commission was on strong ground rescinding this grant. Mr. Holody stated the grant agreement established a completion date, that completion date was not met, the grant agreement did stipulate that the City Manager can extend the completion date. What I think I am hearing today is that City Commission considering advising the City Manager to advise the developer that the completion date will not be extended. If that is done, then yes, we are on solid ground. **Mr. Harris made motion, seconded by Mr. Poggiali to instruct the City Manager to inform the developer that the completion date will not be extended. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed.**

Mr. Murray made motion for Executive Session to discuss Personnel – City Manager, seconded by Mr. Poggiali. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed and Executive Session set.

Comment:

Mr. Poole stated that he would like to make comment on the City Manager Report. Sandusky High School has an automotive program, and we could look to them to perhaps have an intern in the maintenance department.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, wanted to clarify something on the Transit System. She does not want to hear any excuses on this, for years and years we have been kicking the can down the road. There is no excuse for a \$700,000 over run. You have to get creative and think outside of the box, how to approach these people to help us out here. Why she suggested that they to go Thursday at the county commission meeting was when you get them all together in one room, all three, because of the open meetings law all three need to know this. There is nothing inappropriate about that. They want to hear from you. It needs to go to them directly all at once. The Market Street collective, she stated she was glad it was rescinded. We waited too

long; we gave him so much time on that. They can always reapply. But to hold up \$139,000 for four years is ridiculous.

Katie Korobkin, 634 Columbus Avenue, She spoke on behalf of the Foodhall that is going into Cardinal Grocery. She wished they would have been given an opportunity to speak ahead of the vote. She appreciated Mr. Poggiali expressing his sentiment about local talent. She is very new to this project to speak to the length that it has taken to where they are. They are moving forward in a very positive direction. She knows they were asked for proof of funding which they were not able to give at this time because there were a few things that needed to come together. The proof of funding would have come after the extension, but she cannot speak to that. The reason the project has taken so long is because the developer originally went into an agreement with an operating company that was not local, things were drawn out, there were some disagreements, and in the end the developer decided to part ways with that management company, which is why I was brought in. We have another local talent as well from the area. She has just joined this project in the last two months. We hope to apply for the grant again and move forward in an expedient manner.

EXECUTIVE SESSION:

The Commission moved into Executive Session at 6:18 p.m.

The Commission returned to Regular Session at 6:46 p.m. Mr. Murray stated that we have had the benefit of some wonderful applicants for the City Manager position, from all over the country, a few from Ohio. There was something odd about how we cast the net. We would have expected to receive a healthy number of applicants from the region, and we did not. We did not receive any from the Toledo area and but one from the Cleveland area. He stated he was concerned that maybe because of the holidays or because of the school year they cast the net wrong. After reflecting on the lack of dispersal of applicants we received, we may need a recruiting firm to help us ferret out who should be applying for the position. **Mr. Murray made motion, seconded by Mr. Poggiali to send out an QRFP to hire a recruiting/headhunting firm to assist with this process. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed. HR will advise all applicants of the hiring process. Applicants will be reviewed in Executive Session, vote for hiring will be at open meeting.**

ADJOURNMENT

Upon motion of Mr. Waddington, the Commission moved to adjourn at 6:50 p.m. President Brady declared the meeting adjourned.



Cathleen A. Myers
Commission Clerk



Richard R. Brady
President of the City Commission