

The President called the meeting to order at 5:00 p.m. after the Invocation, given by Mr. Meinzer, and the Pledge of Allegiance.

The Clerk called the roll and the following Commissioners responded: Dick Brady, Steve Poggiali, Dave Waddington, Blake Harris, Mike Meinzer, Wes Poole and Dennis Murray.

City staff present: Eric Wobser - City Manager, Stuart Hamilton - IT Director, Don Rumbutis - IT Technician, and Cathy Myers - Commission Clerk.

City staff via teleconference: John Orzech - Assistant City Manager, Michelle Reeder - Finance Director, Aaron Klein - Public Works Director, Jonathan Holody - Development Director, Brendan Heil - Law Director, Jared Oliver - Police Chief, Mario D’Amico - Fire Chief, Josh Snyder - Public Works Engineer, Jason Werling - Recreation Superintendent.

Upon motion of Mr. Waddington and second of Mr. Poggiali, the commission voted to approve the minutes of the January 10 regular meeting and suspend the formal reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

Clerk, Cathy Myers read several emailed agenda comments. Tim Schwanger, 362 Sheffield Way. Item 5, Feick Building Grant Agreement Amendment, he is concerned this agreement will place \$1.3 million of Sandusky’s direct income tax dollars in jeopardy in terms of guaranteeing the Feick Building Project. He inquired; if under ownership of Marous Brothers, will the Feick Building be completed as per the existing building’s amenities and specifications. Will the bank, if transfer of ownership goes to them, finish the project as it is currently approved.

Sharon Johnson, 1139 Fifth Street. The unfinished Feick Building project has been in the works since signing the contract on April 2020 for the \$1.3 million City grant. It appears that the grant was approved with no financing in place since a bank has just now come forward asking for a guarantee of the \$1.3 million grant to compliment the loan, if there should be a default. She inquired if the City paid Marous Brothers any increment money since the project started. According to the grant contract, increment payments over a three-year span were to be paid. She also inquired if the City has taken out any bonding on the \$1.3 million grant so far; and if there is a default, where does that leave the City paying the bonding back when the bank has taken possession of the \$1.3 million. She is concerned the City will be left empty handed if the bank is guaranteed the grant money.

Thomas Lamarca, 206 48th Street. He is concerned with Item 1 that the only source for the UV lighting and hardware per the bidding is a company in the province of Ontario, Canada. Trojan Technologies bid of \$118,360 has no true delivery date or time frame specified, it simply states no urgency, so he guesses that they could just deliver them in 3-5 years. Items 4 and 5; it appears that they are also asking for the project to be extended through 2026 to complete 42 apartment in the Feick Building. The gross income expected of tenants exceeds the median income of Sandusky residents by nearly double with the Sandusky resident median income of \$38,380 vs the national median of \$65,712 or of a City employee. He supports measures to keep the Feick project moving forward, however, the developers keep coming back asking for more things. They should have had the financing in place long before the \$1.3 million grant was approved.

COMMUNICATIONS

Mr. Waddington made motion to accept communications, seconded by Mr. Murray. Hearing no discussion, President Brady declared the motion passed.

CONSENT AGENDA ITEMS

ITEM A – Submitted by Aaron Klein, Public Works Director

OHIO ENVIRONMENTAL PROTECTION AGENCY 2022 RECYCLING AND LITTER PREVENTION GRANT

Budgetary Information: City staff are requesting grant funding of a do not exceed cost of \$30,000.00, of which will initially be paid with City funds and then reimbursed through the grant program of 80% (\$24,000) and the City shall be responsible for a 20% (\$6,000) to be paid out of the Horticulture Division’s operational budget. The City’s portion is already approved in the 2022 annual budget.

RESOLUTION NO. 007-22R: It is requested a resolution be passed authorizing and directing the City Manager to file an application with the Ohio Environmental Protection Agency for 2022 Community Recycling and Litter Prevention Grant Program Funds; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM B – Submitted by Aaron Klein, Public Works Director

AMENDING ORDINANCE 21-122

Budgetary Information: There is no budgetary effect.

ORDINANCE NO. 22-005: It is requested an ordinance be passed amending Ordinance No. 21-122, passed on July 26, 2021, to correct a scrivener’s error; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM C – Submitted by Stuart Hamilton, IT Manager

OFFICE 365 FOR GOVERNMENT ANNUAL AGREEMENT RENEWAL 2022

Budgetary Information: The cost for this service for a 12-month period will be \$26,054.40 and will be paid by the IT’s operating budget in the amount of \$13,027.20, by the Water Fund in the amount of \$6,513.60, and by the Sewer Fund in the amount of \$6,513.60.

ORDINANCE NO. 22-006: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the subscription licensing for Microsoft Office 365 for Government from Insight Public Sector of Hanover Park, Illinois, for the City’s e-mailing and Office 365 systems; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Meinzer and second by Mr. Murray, the Commission voted to approve the Consent Agenda and declare all ordinances and resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in full accordance with Section 14 of the City Charter. Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. Roll call on the ordinances and resolution: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. President Brady declared the ordinances and resolution passed.

REGULAR AGENDA ITEMS

ITEM 1 – Submitted by Aaron Klein, Public Works Director

PURCHASE OF UV TROJAN LAMPS FOR THE DISINFECTION SYSTEM AT THE WWTP

Budgetary Information: The total amount of \$118,360.00 shall be paid with Sewer Funds and has been appropriated for the O & M budget for 2022.

ORDINANCE NO. 22-007: It is requested an ordinance be passed authorizing and directing the City Manager to purchase 24” and 28” lamps and associated hardware for the Trojan UV 4000 and UV Plus Disinfection Systems at the Wastewater Treatment Plant from Trojan Technologies Group of London, Ontario, Canada; and declaring that this ordinance shall take immediate effect with Section 14 of the City Charter.

Upon motion by Mr. Harris and second by Mr. Murray, the Commission voted to approve the ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Discussion:

Mr. Klein advised that these lamps are specific to the UV Trojan system. When this system was installed fifteen to twenty years ago, the decision was made that this system was the most relevant system for the City. We do have to purchase replacement bulbs from Trojan, because any other manufacturer does not make them. The reason it was stated there was no emergency is that we requested them in the usual purchase and delivery time line. Mr. Poole inquired what the life expectancy was of this system. Mr. Klein replied that we have received notification that they will stop making replacement parts for this system this year. We have been looking at the best cost effective product to replace this system in the next couple of years. Mr. Poole inquired what would be the approximate cost of a new system. Mr. Klein replied that the new system they were currently looking at was about \$2 million.

Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. Roll call on the ordinance: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. President Brady declared the ordinance passed.

ITEM 2

AFSCME COLLECTIVE BARGAINING AGREEMENT WITH THE CITY

ORDINANCE NO. 22-008: It is requested an ordinance be passed ratifying, accepting and approving a collective bargaining agreement between the City of Sandusky, an Ohio Charter Municipal Corporation, and the American Federation of State, County and Municipal Employees Local #1519, the collective bargaining unit for certain employees of the City of Sandusky, for the period January 1, 2022, through December 31, 2024, a copy of which is attached to this ordinance; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Waddington and second by Mr. Harris, the Commission voted to approve the ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Discussion:

Mr. Murray inquired as to what the raise increases were that are outlined in this legislation. Mr. Heil responded that the raises are 2, 3, and 2% annual increases.

Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. Roll call on the ordinance: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. President Brady declared the ordinance passed.

ITEM 3 – Submitted by Jason Werling, Recreation Superintendent

AGREEMENT WITH LANGE TRUST OF THE SANDUSKY LIBRARY

Budgetary Information: The Lange Trust will provide \$50,000 to the City of Sandusky to assist with the curation of these cultural events at the Jackson Street Pier. These dollars will go into the programming fund.

ORDINANCE NO. 22-009: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a sponsorship agreement with the Library Association of Sandusky, Ohio, for programming events at the Jackson Street Pier in 2022; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Discussion:

President Brady thanked the Lange Trust for their generous and continuing donations and support. Mr. Murray echoed Mr. Brady’s comments and stated he believed the Trust has been contributing through this Trust for nearly 30 years.

Upon motion by Mr. Murray and second by Mr. Poggiali, the Commission voted to approve the ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. Roll call on the ordinance: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. President Brady declared the ordinance passed.

ITEM 4 – Submitted by Jonathan Holody, Community Development Director

FEICK BUILDING ENTERPRISE ZONE AGREEMENT AMENDMENT

Budgetary Information: The percentage and number of years of real property tax abatement provided to the project will remain the same. The project will have an ongoing positive impact on the General Fund due to increased income and property taxes.

ORDINANCE NO. 22-010: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a first amendment to the Enterprise Zone Agreement with Feick Building LLC, relating to property located at 158-160 East Market Street, and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Murray and second by Mr. Poole, the Commission voted to approve the ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Discussion:

Mr. Murray remarked on how fortunate the City is to have a partner in Marous Brothers who are able to adapt and to continue to have the wherewithal to continue to proceed with this project given the climate we are living in. Any outcome with the Feick Building that does not involve us tearing it down is a good one. The opportunity to have that many more residents residing in the City is a great thing as well. It shares the burden in terms of cost of city services. Mr. Meinzer commented that he thought apartments were more viable as opposed to office or retail space, and was happy to see another 90 residents residing in the City and saving a landmark building. Mr. Poggiali inquired if the legislation was just a change in the makeup of the building and the timeframe, that the financial pieces were already approved and in place. Mr. Meinzer inquired if the school board has already approved this. Mr. Holody replied that the school board has already been notified when the change was first being considered. He stated it was important to note that the abatement percentage and number of years is not changing. Mr. Poole stated just to be clear for the public that the change was just changing from office space to residential space. President Brady stated giving the opportunity for 40 more families to reside in our city was a great thing. For Marous Brothers to continue to invest in our city was a win, for every business – they will all be selling more meals and goods to the additional residents this building will bring.

Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. Roll call on the ordinance: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. President Brady declared the ordinance passed.

ITEM 5 – Submitted by Jonathan Holody, Community Development Director

FEICK BUILDING GRANT AGREEMENT AMENDMENT

Budgetary Information: The total grant amount and conditions for disbursement (i.e.: completion of project benchmarks) will remain the same. The project will have an ongoing positive impact on the General Fund due to increased income and property taxes.

ORDINANCE NO. 22-011: It is requested an ordinance be passed authorizing and approving a first amendment to the grant agreement with Feick Building LLC, in relation to the property located at 158-160 East Market Street; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Murray and second by Mr. Harris, the Commission voted to approve the ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Discussion:

Mr. Holody explained that the City's financial commitment does not change with this amendment, and that funds will only be released upon completion of specific benchmarks. The grant agreement allows for the assignment of the project in case of default, to the bank. The bank would come in and complete the project, and our financial commitment would remain at the same level. Mr. Poole asked if Mr. Holody would go over the benchmarks. Mr. Holody stated that the benchmarks established in 2020 are remaining the same, the first has already been met, essentially the developer's acquisition of the property, the second benchmark is the completion of the envelope of the building, including all windows and doors, and exterior, the final benchmark is the completion of the project including the interior and mechanics of the building. Mr. Meinzer inquired what the estimated total valuation of the project is. Mr. Spear with Marous Brothers stated the estimated investment cost of the project would be \$8 million. Mr. Poole stated he was uncomfortable with the way the agreement was written. It does not make sense that if the bank has a problem, the money will be potentially dispersed long before the building is completed. The written contract protects the bank and not the City. Mr. Murray wanted to express three observations: This is the same contract that was approved in 2020 when it was presented without any change other than assignability. The second being the assignability, there is nothing unusual about that. Banks require assurances, guarantees and assignments, and this is not out of the ordinary and is consistent with their requests. The third point is that if something unfortunate should happen with the finances and the developer went bankrupt, very similar to what happened at the Harbor, we continued to have the benefit of that project. He stated he certainly hopes the Marous Brothers can continue to make strong margins on their project, but should something befall them, we still have a building that is enclosed and has tremendous value at that point. The bank will have to do something with it. They will not allow the building to just sit there. He is comfortable with the risk the City is taking at \$1.3 Million – the bank would have a much bigger problem in that scenario than the City. Mr. Poole agreed with Mr. Murray, but does not want any loophole with the bank because we changed the agreement. Mr. Meinzer stated he believed the City should retrieve their grant money if the developer should default. Mr. Poggiali agreed that in the future we should look at making that clause in a building agreement. Mr. Wobser stated that the downtown reinvestment climate has changed, we have many developers working in the downtown area, and there is much interest with many different developers. He also stated that this was very conventional language from the bank in this agreement. This contract was written in the best interest of the City of Sandusky. Mr. Meinzer wanted to clarify that he is happy about the progress with City and has been waiting his whole life for the opportunity to serve in a capacity to improve our City, and wants to be sure good decisions are made. Mr. Spear stated that this is not so much a bank concern. Typically, with any development deal it is equity money in first, bank dollars in last. The developer was able to get release of bank monies earlier because of the progress that had been done, and this was the language required to give the bank some protection. The big change is more that it is residential spaces and not office space. Mr. Poole

agreed that with this good developer and plans we are justified in taking this risk. He requests that any further amendments be brought to Commission, and not be made only by staff. Mr. Heil stated there was a slight confusion; the contract is not written to say that staff can make further amendments; it is that the assignment can be approved without coming back to the Commission. There will be no further amendments should there be a default. This allows the City Manager to sign the authorization to assign the grant agreement to the bank. If another amendment were made, it would have to be brought to Commission.

Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. Roll call on the ordinance: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. President Brady declared the ordinance passed.

CITY MANAGER’S REPORT

DONATIONS

- The City of Sandusky Recreation Department would like to thank Tricia Patten for her \$100 donation to the Kids Fishing Derby in honor of Dr. Cameron Ditty. **Motion by Mr. Waddington, seconded by Mr. Meinzer to accept this donation. President Brady declared the motion passed.**

NEW & OLD BUSINESS

ADMINISTRATION

- I would like to request a motion for approval to submit a grant application to the State of Ohio TechCred program. TechCred helps Ohioans learn new skills and helps employers build a stronger workforce with the skills needed in a technology-infused economy. City would be able to receive a reimbursement from the State, up to \$2,000 per credential, for employees who complete credential-training areas such as Smart Transportation, Business Technology, Cybersecurity, Construction Technology and Information Technology. **Mr. Meinzer made motion to submit the application, seconded by Mr. Poggiali. President Brady declared the motion passed.**

FIRE

- After 31 years of service, Firefighter Jeff Danevich worked his last shift for Sandusky Fire Department January 18, 2022. Most recently, he functioned as the Fire Department’s community impact officer where he volunteered many hours at community events and OHgo. He is known for breaking down barriers between the fire department and children within our community by interacting with them at our city parks and community events. We would like to thank Jeff for his dedicated service and wish him good luck in retirement.
Comments:
Mr. Brady and Mr. Meinzer told stories expressing their appreciation of Jeff Danevich.

PUBLIC WORKS

- **Annual snow removal reminders:**
Property owners are required to clear their sidewalks and adjacent sidewalk ramps during or immediately following winter storms. We strongly urge residents to assist their neighbors who may not be physically capable of snow removal.

Property owners who handle snow removal of parking lots and driveways are reminded not to push snow into the street or opposing tree lawn.

Motorists are asked to pay close attention to Snow Emergency Routes throughout the city. In the event of heavy snowfall, a parking ban may be implemented and any vehicle parked on these streets may be ticketed or towed.

COMMUNITY DEVELOPMENT

- 2022 Housing Development and Beautification Program applications will be available this week. The program has a budget of \$400,000 to assist current residential property owners with improvements to their property, development of new residential structures and assistance to purchase a home in our City. For applications and more information on the program, visit www.cityofsandusky.com/housing. Applications will also be available for pick up in the lobby at City Hall. Please contact Community Development at 419-627-5832 for more information. Mr. Wobser commented that we will be making our 1,000th grant available through this program this year and thanked the Commission for their support in this program. He also thanks Community Development for their hard work in continuing to make this grant available to our residents.

Discussion:

Mr. Waddington inquired if the Painting Program could be re-established for the painting of resident homes. The program was implemented years ago and he would like to see it again. Mr. Wobser said Community Development was investigating the possibility that the work going through charitable organizations would insure that liability would not be placed on the City. Possibly CDBG monies would be used to help provide the paint.

OLD BUSINESS

Mr. Waddington was happy to report the improvement with the recycling center. In addition, Erie County has recycling at the landfill.

NEW BUSINESS

Mr. Murray made motion, seconded by Mr. Waddington to appoint the Commission Clerk as Records Designee for the Commission. Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. President Brady declared the motion passed.

Mr. Murray made motion for Committee Liaison Appointments for 2022-2024, seconded by Blake Harris.

BOARD/COMMISSION

ADA/Fair Housing Board	Wes Poole
Audit/Finance Committee	Dennis Murray
Bayfront Corridor Committee	Blake Harris
Board of Zoning Appeals	Dave Waddington
Cemetery Board	Blake Harris
Community Relations Committee	Blake Harris
Erie County Council of Governments	Dick Brady, Regular Member
Erie Regional Planning Commission	Steve Poggiali
Land Bank Committee	Steve Poggiali
Landmark Commission	Mike Meinzer
Planning Commission	Steve Poggiali
Public Arts & Culture Commission	Blake Harris, Ex-Officio Member
Recreation Board	Dave Waddington
Regional Water Advisory Board	Dick Brady
Sandusky Tree Commission	Dave Waddington
Tax Incentive Review Council	Dennis Murray

DEPARTMENT/DIVISION

Administrative Services	Mike Meinzer
City Commission Clerk	Dick Brady

Development	Steve Poggiali
Finance	Dennis Murray
Fire	Blake Harris
Law	Dennis Murray
Planning	Steve Poggiali
Police	Blake Harris
Public Works	Dick Brady
Recreation	Dave Waddington

Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray, 7. President Brady declared the motion passed.

AUDIENCE PARTICIPATION

Clerk, Cathy Myers, read emailed Audience Participation comments. Tim Schwanger wrote another Economic Development Group has formed representing Sandusky and our area called the Greater Sandusky Partnership. He inquired what anticipated dollar amount the City Manager and City Commission is considering donating to this new organization. He also submitted that on January 1st, he provided the Recreation Department with an extended weather forecast with below freezing temperatures indicating an opportunity to fill the Wightman/Weiber Ice Rink beginning Wednesday, January 5th, allowing ice to begin setting up. The answer he received back was “rain was expected on Sunday, January 10th, and the ice rink would not be filled until after Sunday”. In his experience with recreational ice, one day of rain does not significantly affect established ice. He also stated that a resident has shared additional information after speaking with a city employee, that a member of city staff has decided not to fill the Wightman/Weiber/JC Park Ice Rink until the day the Jackson Street Pier Ice Rink is closed for the season on January 18th. The Jackson Street Pier may be the City’s pride and joy, but it should not be used as a gauge for what happens in other city neighborhoods.

Sharon Johnson wrote that the Economic Development Grant Committee has had difficulty trying to get a quorum due to many conflicts of interest in order to process the grants in a timely manner. The committee has discussed adding one or two more board members from the City staff. She is very concerned about adding any more city staff members to the board or even business people who carry conflict baggage with them. Please consider a couple of residents as board members who can provide the proper checks and balances and who do not have potential conflicts. Residents should have some input when distributing tax dollars.

ADJOURNMENT

Upon motion of Mr. Murray, the Commission voted to adjourn at 6:03pm. President Brady declared the meeting adjourned.



Cathleen A. Myers
Commission Clerk



Richard R. Brady
President of the City Commission