

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

The Clerk called the roll and the following Commissioners responded: Dennis Murray, Dick Brady, Steve Poggiali, Dave Waddington, Mike Meinzer, and Wes Poole. Mr. Murray made motion, seconded by Mr. Poggiali to excuse Mr. Harris.

City staff present: Eric Wobser - City Manager, Cody Browning – IT Manager, Don Rumbutis - IT Technician, Brendan Heil – Law Director, Jonathan Holody - Development Director, Jared Oliver – Police Chief, Mario D’Amico – Fire Chief, Aaron Klein – Public Works Director, John Orzech – Asst. City Manager, Nichole Grohe – Community Development Program Administrator, Erin Blair – Chief Planner, Debi Eversole – Housing Development Specialist, Colleen Gilson – Chief Neighborhood Developer, James Stacey – Transit Administrator, Jason Werling – Recreation Manager, 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 July 25 regular meeting and suspend the formal reading. The President declared the motion passed.

PROCLAMATION: President Brady, Drive Sober or Get Pulled Over

WHEREAS, from August 17 through September 5, 2022, law enforcement nationwide will be joining the National Highway Traffic Safety Administration in the high visibility *Drive Sober or Get Pulled Over* campaign; and

WHEREAS, officers in the Sandusky Police Department will show zero tolerance for drunk driving; and

WHEREAS, although it is illegal in all 50 states, the District of Columbia and Puerto Rico to drive drunk (having a blood alcohol concentration of .08 or higher), far too many people across the nation get behind the wheel after consuming too much alcohol; and

WHEREAS, every year, more than one third (38%) of all motor vehicle traffic deaths involve drivers who were drunk and holidays like Labor Day are particularly dangerous; and

WHEREAS, drunk driving takes a particularly heavy toll among young drivers; and

WHEREAS, research has shown that high-visibility enforcement like the 'Drive Sober or Get Pulled Over' campaign reduces drunk driving fatalities by as much as 20 percent and by joining this nationwide effort, Sandusky's roadways will be made safer for everyone throughout the Labor Day period; and

WHEREAS, the Sandusky Police Department wants to remind everyone getting behind the wheel drunk is a terrible idea as it impairs your ability to operate a vehicle safely, impairs your judgment and good sense about whether you can, or should drive; and

WHEREAS, driving drunk is simply not worth the risk.

NOW THEREFORE I, Richard Brady, of the Sandusky City Commission, do hereby proclaim and announce August 17 through September 5, 2022, as “Don’t Pay, Enjoy the Labor Day Holiday: Drive Sober or Get Pulled Over” weeks in the City of Sandusky, and I urge all citizens to travel safely. Dated this 8th day of August 2022.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, inquired about Item A, Fireworks Ordinance, which ethnic groups were excluded in the city legislation compared to state legislation. He wondered if Cinco de Mayo was included. Item H, the easement with Hidden Harbour Lagoons Association for the Sandusky Bay Pathway, in the supporting documents it looks like .6 acre, he remarked that \$150,000 for that small of acreage seems very high, unless that property was able to be developed. Item K, sale of Landbank property at 438 Camp Street, the supporting documents

indicate that \$100 per year will be collected in real estate taxes, how much of that will actually be received by the city? Also, the same question applies for Item L.

Sharon Johnson, 1139 Fifth Street, commented on the four acquisitions for the Sandusky Bay Pathway totaling \$274,000. These items are on the Consent Agenda, she refers to the “rubber stamp”. Maybe those items could be moved to the Regular Agenda for discussion? This money is coming out of Issue 8 Parks and Recreation Fund, this fund has \$345,000 in the budget. When this money is spent, there is only \$70,000 remaining. Unless the city is considering a loan for this. She wants to know how these acquisitions will be funded. She believes Issue 8 Funding has gotten totally out of control. When it was first voted on from the ballot, now it finances many projects, it has morphed into something that is not recognizable anymore, she questions if it is legal to place extra categories for this fund, beyond what was voted on by the taxpayers. Maybe there needs to be an amendment and have it taken back to the taxpayers for a vote. She asked where the rental agreement was for the Monroe Street Health Department property. There seems to be no plans available for this, after paying \$100,000 for the property. She also inquired if President Brady’s company was making the new Health Department sign. President Brady commented that he has not received notice for a bid, but hopes that they do, he is in business to sell signs.

Maryanne Shiff, Harbour Homeowners Association President, commented about the Sandusky Bay Pathway going through their community. She has been involved since 2018 and it has been a stellar process. The board was notified that they had to have 2/3 homeowners’ approval to sign an easement agreement. Of 188 unit owners, 164 voted, with 148 votes being yes. She stated they very strongly support this project. Prior to the vote they had meetings on the property showing residents where it would be located. At least 6 different groups went out and asked questions about the design. She stated that only four trees would be taken down for the project. The thirty-seven-year-old front entrance will be redesigned and landscaped after this project is complete.

PUBLIC HEARING, Milan Road Rezoning, Arin Blair, Chief Planner

Ms. Blair stated this is a public hearing to address the rezoning of four parcels on Milan Road 57-03542.000, 57-03541.000, 57-03374.000, and 57-00159.000 located at 2609 and 2613 Milan Road. This was considered at the May 25 Planning Commission meeting, and they recommended approval of the rezoning. These parcels currently zoned R1-40 – single family residential to GB - general business. The owner would like these combined as one site.

Comments:

Mr. Poole inquired if this property was considered blighted, or what was the property going to be for when it is rezoned. Ms. Blair said this was considered an under-utilized site because it is largely utilized for parking. The Planning Department is unaware of any business plans currently. This would extend the business district on a high traffic corridor, which is less desirable for single family housing. Mr. Wobser commented that across from this property it has been announced is the future site of the new Starbucks. He sees this as a positive that this site would open some additional investment, and often on the northside of Perkins Avenue there is not as deep property lines as residential properties. Mr. Meinzer stated that these properties are underutilized and as long as there is proper entry and egress, he was all for it being developed. **Hearing no objection, President Brady declared this Public Hearing closed.**

CURRENT BUSINESS

Upon motion of Mr. Waddington and a second by Mr. Murray, the commission voted to accept all communications. President Brady declared this motion passed.

President Brady stated that he was adjusting the agenda slightly by moving the 13 Consent Agenda items to be acted upon after the New Business portion of the meeting. At that point any Consent Items can be heard as Regular Agenda items.

REGULAR AGENDA ITEMS

ITEM 1 – Submitted by Arin Blair, Chief Planner

REZONE SANDUSKY HOLDINGS 2609 AND 2613 MILAN ROAD

Budgetary Information: The proposed rezoning is expected to create a potential for additional income tax revenue for the city.

ORDINANCE NO. 22-152: It is requested an ordinance be passed amending the official zone map of the City of Sandusky to rezone Parcel Nos. 57-03542.000, 57-03541.000, 57-03374.000 and 57-00159.000 located at 2609 and 2613 Milan Road from “R1-40” single family residential district to “GB” general business district; and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 of the City Charter.

Upon motion by Mr. Waddington and a second by Mr. Poggiali, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 13 of the City Charter. Roll call on the motion: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole 6. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole 6. The President declared this ordinance passed.

ITEM 2 – Submitted by Nicole Grohe, CDBG Program Administrator

ERIE COUNTY LAND REUTILIZATION MOU AT 3201 W. MONROE STREET

Budgetary Information: There will be no impact on the budget.

ORDINANCE NO. 22-153: It is requested an ordinance authorizing and directing the City Manager to enter into a memorandum of understanding (MOU) with the Erie County Land Reutilization Corporation for the demolition of a structure located at 3201 W. Monroe Street, Sandusky; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Meinzer and a 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:

Mr. Poole inquired if this was the project for putting up a sign for the Erie County Health Department. He has been opposed to it from the beginning, and for that same reason he will vote against it again. He believes it is an inappropriate use of \$100,000 of CDBG funds and it is a stretching of the regulations, because that area is not an area eligible for CDBG funds. He understands there is a loophole that allows public projects, but this is not our project. This project seems to be circumventing safety mechanisms for the use of taxpayer money. In terms of priority, there is a property on Adams Street, the Doghouse Bar, that neighborhood has been waiting a long time for the blight to be removed. For us to ignore that and move forward with this project at the drop of a dime he feels is inappropriate. Mr. Heil stated that they are working with the Health Department and will be bringing subsequent pieces of legislation, if Commission approves, memorializing a lease that would repay the city for the \$100,000 which is 100% of the outlay for the purchasing of this property. This piece of legislation is the first of a couple partnerships that we are working on for demolition of the land through the Land Bank, one of which is an MOU for the Doghouse Bar. These things take a bit of time. Mr. Poggiali wished to add that the demolition will be completed through a partnership with Erie County by the Erie County Land Bank at their cost. It is partnerships like this that make our relationship with Erie County stronger and allow us to take on activities like this. Mr. Murray added that the Erie County Health Department provides tremendous services for our residents. This design is to make it more visible and to get more people in there. It makes a huge difference to the quality of people’s lives. He believes this is a smart project. Mr. Poggiali asked that Mr. Holody refresh our memory because this is more than a sign project. Mr. Holody stated that was correct, the removal of the building and erecting a sign would increase visibility of the facility and we intend to partner with them to install better public access, whether it is a sidewalk or walking path.

Roll call on the motion: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-Nay 5. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-Nay 5. The President declared this ordinance passed.

ITEM 3 – Submitted by Jane Cullen, Assistant Public Works Engineer

AWARD CONTRACT FOR TIFFIN AVENUE 12" WATERMAIN LINING PROJECT TO FER-PAL CONSTRUCTION

Budgetary Information: The total construction cost of the project based on bids is \$374,984.00 and will be paid with Water Funds.

ORDINANCE NO. 22-154: It is requested an ordinance authorizing and directing the City Manager to enter into a contract with FER-PAL Construction USA, LLC., Precision Paving, Inc. of Taylor, Michigan, for the Tiffin Avenue 12" Watermain Lining Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Meinzer and a 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. Roll call on the motion: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole 6. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole 6. The President declared this ordinance passed.

ITEM 4 – Submitted by Aaron Klein, Director of Public Works

WPCLF LOAN APPLICATION WITH OEPA FOR MILLS STREET PROJECT

Budgetary Information: There is no budgetary impact for submitting the application.

RESOLUTION NO. 042-22R: It is requested a resolution authorizing and directing the City Manager to file an application with the Ohio Environmental Protection Agency (OEPA) for a loan through the Water Pollution Control Loan Fund (WPCLF) Program for the design of the Mills Street High Rate Treatment Project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

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

ITEM 5 – Submitted by Josh Snyder, Public Works Engineer

OPWC APPLICATION MILAN ROAD CONCRETE REPAIR PROJECT

Budgetary Information: There is no cost to submit the application. Notification of award would be in December 2022. If awarded, the project would be constructed beginning early in 2024, per ELLIS. If awarded, any matching funds required would be incorporated into the 2024 budget. The cost of the project is currently estimated at \$600,000. ODOT has already committed 50% (\$300,000) toward this project. The City is planning to apply for \$175,000 of OPWC funds to leverage these funds, reducing the City's obligation to \$125,000.

RESOLUTION NO. 043-22R: It is requested an ordinance authorizing the submission of an application by the City Manager for financial assistance and to enter into a project agreement with the Ohio Public Works Commission in order to participate in the Ohio Public Works Commission's State Capital Improvement and/or Local Transportation Improvement Programs authorized by Chapter 164 (Aid to Local Government Improvements) of the Ohio Revised Code for the Milan Road Concrete Repair Project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Poole and a 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. Poggiali commented that he is glad to see that this is getting accomplished. Many people thought this was going to be done with the Route 250 project, for some reason ODOT came up short on the funding.

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

CITY MANAGER'S REPORT

Mr. Wobser welcomed back John Orzech who was out for a few meetings. We are all happy to see him get back in that chair.

NEW & OLD BUSINESS**PUBLIC WORKS**

- The intersections of Barker and Broadway streets will transition to a four-way stop, starting on August 16. Advanced warning signs have been posted to give motorists early notice. This was in response to several residents who petitioned for this change because of high-speed conditions in this area. Chief Oliver worked closely with Public Works monitored that intersection to determine that it was in fact a dangerous intersection, before this change went into place.
- The contractor installing concrete at Shoreline Park and the marina plans to mobilize on Monday, August 15, 2022.
- The sidewalk program's contractor will mobilize to begin work on Monday, August 15, 2022.
- The resurfacing contractor continues work on adjusting castings and intends to begin paving additional streets, including CDBG streets by the end of the month.
- Two Requests for Qualifications have been advertised. The first is for design of a second natural wetlands system in Sandusky Bay and the second is for design of Sheldon's Marsh so it can finally be used as a secondary intake. Staff will bring both contracts to a future commission meeting for your consideration after consultant selection is complete.

COMMUNITY DEVELOPMENT

- The Rental and Mortgage Assistance Program has processed ten more mortgage applications. Up to three months of rental or mortgage assistance can be covered through the program. Applicants must be able to show a hardship stemming from COVID. If you are interested in applying, please go to www.cacehr.org. Paper copies are available at the Community Action Commission of Erie, Huron, and Richland Counties, Inc. or at City Hall.

Charter Amendment Petition: The city is required to review the petition to see that it complies with all the procedural requirements. Upon review by our Law Department, it was determined that the petition was flawed, and that the city cannot submit this petition to the Board of Elections for the November ballot. He asked the Law Director for a more detailed explanation. Mr. Heil responded that on August 3, 2022, the city received petitions for the submission of a proposed Charter Amendment from appearances seeks to change the process for how the city uses park property to benefit our residents. The city is required to do two things at this time. It is required to submit the signatures for verification to the Board of Elections, and we are in the process of doing that. That gives us the total number of verified signatures. Additionally, the city has to review the submission of the petitions to make sure they follow all the procedural requirements laid out by the Ohio Constitution, Sandusky's Charter, and Ohio statutory law. We reviewed those in the Legal Department and asked outside legal counsel to take a look to make sure we were covering everything. Both the Legal Department and outside legal counsel have come to the same conclusion and that is upon review the petitions do not meet the legal requirements necessary to submit the proposed Charter amendment to the Board of Elections for the ballot. Specifically, the petitions do not contain a full and correct copy of the text which is required by Ohio law and our Charter. Petitions must strictly comply with this requirement to be placed on the ballot. The petitions received by the city do not, as they only include two sentences of potential new language and not a full text of the proposed change. This legally binding requirement is to make sure a proposed amendment fairly and substantially presents the issue to electors to avoid misleading them. The law incorporates basically the commonsense way that voters can understand, showing current ballot language and the proposed changes to the legislation by the proposed amendment. The proposed amendment

clearly violates this requirement, as written it is unclear if this amendment is meant to add language or repeal language or to replace language, it is unclear of what if anything is supposed to be included. Therefore, the city will not be submitting these petitions for inclusion on the ballot. Obviously, the city welcomes and encourages active citizen participation in our local self-governance, including submissions by citizen groups of charter amendments. The city also has a Charter Review Commission and process specifically for this purpose. The city encourages residents interested in changes to our charter to engage in that charter review process as it is the best way to ensure that the amendments achieve the goals of the community and that they also comply with any necessary legal requirements in order to actually be placed on the ballot.

Comments:

Mr. Poole asked if Mr. Heil could be more specific about what was incorrect on the petition. Mr. Heil stated the Ohio Revised Code, which is incorporated specifically by our charter, requires that there be a full copy of the text seeking to be amended included in a proposed amendment to a charter. This does not include a full copy of the text of Section 25, as required by law. Mr. Poole stated, so, they did not restate the charter. Mr. Heil stated we do not review for the actual policy change; we only review for procedural requirements. Mr. Poole asked, so they are supposed to repeat Section 25 of the charter, and they did not do that, is that what you are saying? Mr. Heil stated that they would have had to include a full text of whatever amendment they are seeking to change. Mr. Poole asked that Mr. Heil read an example of what he is talking about, and state what is missing, if he would. Mr. Heil stated he was a little loathe to get into specific details and provide legal counsel in this public meeting. Mr. Poole stated that Mr. Heil could loathe all he likes, the point is, that Mr. Heil is telling us this is something that the citizens presented, and it was insufficient. Mr. Poole stated that he has not seen it, so he does not know what it says. He is not even aware of how many signatures are on it. But Mr. Heil is asking Commission to accept what he is saying without a synopsis. What are you talking about, he stated he did not understand. President Brady further explained that Mr. Heil stated that the petition had to cite the entire section they wanted to have repealed and they did not do that. Mr. Poole asked Mr. Heil if that is what he said. Mr. Heil stated yes, that was what he said twice.

OLD BUSINESS

None.

NEW BUSINESS

Mr. Waddington made motion for a proclamation for Susan Weber Zeier for the burn pit healthcare legislation in honoring Heath Robinson, her son-in-law. When everyone else gave up, she kept battling. She went to Washington and to Toledo with Representative Marcy Kaptur. He feels she should be recognized at a public meeting, she did something that many people could not withstand. She walked through some fire. President Brady agreed and asked the Commission Clerk to put that proclamation together.

Mr. Poole asked that the staff look into what it would cost to upgrade the railroad crossings so that the trains would be silenced through town. Vermilion has this measure, and he believes it would be an improvement to the quality of life for our citizens. IF we need to do one at a time or all at once, depending on costs, it is something he would like to see happen. Mr. Murray stated he thought this issue came up once before and would guess Mr. Klein has a cost estimate for the four gates instead of two. He recalls it was quite costly but looking at it again does make some sense. Mr. Poggiali believes the areas are called railroad quiet zones. Vermilion got funding a few years ago for that, maybe through Marcy Kaptur's office. He believes there is available funding through ODOT and federal highway funds. Maybe Mr. Klein could investigate it. There are a lot of requirements going through the city.

Mr. Murray made motion to set an Executive Session regarding real estate purchases, Mr. Poole seconded the motion. Roll call on the motion: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole 6.

Mr. Murray made motion for a second Executive Session for litigation, Mr. Poggiali seconded the motion. Roll call on the motion: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole 6. President Brady declared both Executive Sessions are set.

The Commission moved into Executive Session at 5:42 pm. The Commission returned to the Regular Meeting from Executive Sessions at 6:26 pm.

President Brady asked the Commission Clerk to present the Consent Agenda minus Items E, F, G, and H, which will be moved to the Regular Agenda.

CONSENT AGENDA ITEMS

ITEM A – Submitted by Marcus Harris, Diversity and Economic Opportunity Manager (SECOND READING)

AMENDMENT OF FIREWORKS CODIFIED ORDINANCE

Budgetary Information: There is no budgetary impact.

ORDINANCE NO. 22-142: It is requested an ordinance be passed amending Part Fifteen (Fire Prevention Code), Chapter 1519 (Fireworks), Section 1519.04 (Possession, Sale or Discharge Prohibited; exceptions) of the Codified Ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

ITEM B – Submitted by Mario D’Amico, Fire Chief (SECOND READING)

PERMISSION TO SELL ONAN GENERATOR

Budgetary Information: Funds received from the sale of the Onan 7.5 KW Gen Set Generator will be placed into the EMS fund.

ORDINANCE NO. 22-143: It is requested an ordinance be passed authorizing and directing the City Manager to dispose of an Onan 7.5 KW Gen Set Generator as having become unnecessary and unfit for city use pursuant to Section 25 of the City Charter.

ITEM C – Submitted by Nicole Grohe, CDBG Program Administrator

ERIE COUNTY SENIOR CENTER MEALS ON WHEELS PROGRAM AGREEMENT

Budgetary Information: The City of Sandusky will award the Erie County Senior Center a total of \$46,000 for the Meals on Wheels Program for CDBG Program Year FY2022. This award shall be paid with CDBG grant monies and there will be no impact on the General Fund.

ORDINANCE NO. 22-144: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with the Erie County Senior Center to assist with their Meals on Wheels Program and to expend an amount not to exceed \$46,000.00 from the 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.

ITEM D – Submitted by Nichole Grohe, CDBG Program Administrator

FATHER’S HEART FAMILY CHURCH YOUTH AFTER SCHOOL CARE PROGRAM AGREEMENT

Budgetary Information: The City of Sandusky will award Father’s Heart Church a total of \$16,000 for the After School Care Program for CDBG Program Year FY2022. This award shall be paid with CDBG grant monies and there will be no impact on the General Fund.

ORDINANCE NO. 22-145: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with the Father’s Heart Family Church to assist with their Youth After School Care Program and to expend an amount not to exceed \$16,000.00 from the 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.

ITEM E – Submitted by Aaron Klein, Director of Public Works

EASEMENT WITH SANDUSKY STAR LANES FOR SANDUSKY BAY PATHWAY

Budgetary Information: There will be no impact on the City’s budget to accept this easement other than recording fees.

ORDINANCE NO. 22-146: It is requested an ordinance be passed approving a permanent easement granted to the City by the Sandusky Star Lanes Inc. for the Sandusky Bay Pathway as part of the Landing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM F – Submitted by Jane Cullen, Assistant Public Works Engineer

ACCEPTING PARCELS DONATION FROM FIRELANDS REGIONAL MEDICAL CENTER FOR HAYES AVENUE PROJECT

Budgetary Information: There will be no cost for the donation of these parcels and the recording fees are included in the design contract with Carpenter Marty.

1. **ORDINANCE NO. 22-147:** It is requested an ordinance be passed accepting a donation of a portion of real property located at the northeast corner of Hayes Avenue and Pierce Street, Parcel No. 57-05208.000, from Firelands Regional Medical Center for public right-of-way relating to the Healthy Hayes Safety Improvements Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.
2. **ORDINANCE NO. 22-148:** It is requested an ordinance be passed accepting a donation of a portion of real property located at the southwest corner of Hayes Avenue and Tyler Street, Parcel No. 58-60610.000, from Firelands Regional Medical Center for public right-of-way relating to the Healthy Hayes Safety Improvements Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM G – Submitted by Debi Eversole, Housing Development Specialist

LAND BANK SALE OF 438 CAMP STREET

Budgetary Information: The cost associated with this purchase & sale agreement is the total amount of the title search, closing costs, deed preparation, property maintenance and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction. The City will recoup the cost of these expenses from the sale and any proceeds of the sale shall be dispersed in accordance with the provisions of Chapter 5722 of the Ohio Revised Code. The taxing districts will begin collecting approximately one hundred dollars (\$100.00) per year in real estate taxes, which will increase after the land is redeveloped.

ORDINANCE NO. 22-149: It is requested an ordinance be passed declaring that certain real property owned by the City as part of the Land Reutilization Program identified as Parcel No. 59-60589.000, and located at 438 Camp Street, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of a purchase agreement with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM H – Submitted by Debi Eversole, Housing Development Specialist

LAND BANK SALE OF 527 MCDONOUGH STREET

Budgetary Information: The cost associated with these purchase agreements is the total amount of the recording and transfer fees, survey and legal descriptions and deed preparation. Any such costs shall be recouped by the City from the nonrefundable earnest money deposits required to be paid by Purchasers upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting real property taxes in the amount of approximately one hundred fifty dollars (\$150.00) per year.

ORDINANCE NO. 22-150: It is requested an ordinance be passed declaring that certain real property owned by the City as part of the Land Reutilization Program identified as Parcel No. 59-01204.000, and located at 527 McDonough Street, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of purchase and sale agreements with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM I – Submitted by Josh Snyder, Public Works Engineer

2022 SEWER LINING PROJECT FIRST AND FINAL CHANGE ORDER

Budgetary Information: This final agreement amendment is an increase of \$1,939.70, which will revise the original total contract amount of \$316,615.00 to \$318,554.70 and will be paid from the Sewer Funds.

ORDINANCE NO. 22-151: It is requested an ordinance be passed authorizing and directing the City Manager to approve the first and final change order for work performed by United Survey, Inc., of Oakwood Village, Ohio, for the 2022 Sewer Lining Project in the amount of \$1,939.70; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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

REGULAR AGENDA ITEMS**ITEM 7 (formerly item E) – Submitted by Aaron Klein, Director of Public Works****EASEMENTS WITH STANLEY T. AND TODD M. RUNKLE FOR SANDUSKY BAY PATHWAY**

Budgetary Information: The cost of the temporary easement is \$305.00, and the total cost of the permanent easement is \$24,075.00 for a total acquisition price of \$24,380.00. This will be paid from Capital Projects Issue 8 Funds. Todd Runkle asked that the payment be made directly to Stanley, his father.

1. **ORDINANCE NO. 22-156:** It is requested an ordinance be passed approving a temporary easement granted to the City by Stanley T. Runkle and Todd M. Runkle for the Sandusky Bay Pathway as part of the Landing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Murray and a 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.

Discussion:

Mr. Poole stated he believes the amount of money we are paying for these easements is high, since it is for property that is not being used by the owners, with the exception of Star Lanes that is donating their land. When this was a state project, they were going to provide us with grant money for do this, it was a grand idea. Taking money from Issue 8 and our general fund – capital funds to fund a project that a minimum of citizens is going to benefit from, he believes is unwise at this point. For those reasons he will be voting no on all these easements.

Mr. Murray wished to share a couple of thoughts on these easements. There is no way to measure the utilization of this project until it occurs. He has watched the Pathway explode in usage in front of his office building, it is phenomenal. You have to be very careful when leaving the parking lot anymore because there are so many cyclists, scooters, walkers utilizing it. Compared to when we built that building 28 or 29 years ago, it was dead, no one was walking downtown. Many things account for that, but the Pathway is one. Yes, this is a significant amount of money, but it needs to be put in some context. We have paid almost 2 million to design and engineer this project, and it is a long and tedious process. He is thankful for the people who have done this work. We are at the verge of having something truly incredible. The staff and the voters have worked for years to get us to this point. It is not something that happens overnight. It is a long-term commitment. The talks began in 2006, and many discussions about it happened before that. He believes we are proceeding in the right direction with this. Yes, we could carve out a piece of the highway and put a bike lane there, but that is not where people want to ride their bikes. It is not something that attracts people to the area, and homeowners alike to live here. This is the right thing for Sandusky's future. I will vote in support of it.

Mr. Poggiali remarked that he thought Mr. Murray said it well. We brought in someone professional to determine land value. That is the deciding factor in his mind.

President Brady stated that this has been a give and take venture on the part of many businesses and homeowners. It has been a lot of work on Mr. Klein and his staff and the professionals we have paid to engineer this. We are not there yet, but we are inching forward on this commitment. It is a commitment, maybe all of us will not be here to see that end, but hopefully when looking back we will be judged on making wise decisions by providing this for residents and tourists alike.

Roll call on the motion: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. The President declared this ordinance passed.

ORDINANCE NO. 22-157: It is requested an ordinance be passed approving a permanent easement granted to the City by Stanley T. Runkle and Todd M. Runkle for the Sandusky Bay Pathway as part of the Landing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Murray and a 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. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. The President declared this ordinance passed.

ITEM 8 (formerly item F) – Submitted by Aaron Klein, Director of Public Works

EASEMENTS WITH ONE PERKINS PLACE FOR SANDUSKY BAY PATHWAY

Budgetary Information: The cost of the two temporary easements is \$835.80, and the total cost of the permanent easement is \$58,864.20 for a total acquisition price of \$59,700. This will be paid from Capital Projects Issue 8 Funds.

1. **ORDINANCE NO. 22-158:** It is requested an ordinance be passed approving temporary easements granted to the City by One Perkins Place for the Sandusky Bay Pathway as part of the Landing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Waddington and a 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. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. The President declared this ordinance passed.

2. **ORDINANCE NO. 22-159:** It is requested an ordinance be passed approving an easement granted to the City by One Perkins Place for the Sandusky Bay Pathway as part of the Landing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Poggiali and a 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. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. The President declared this ordinance passed.

ITEM 9 (formerly item G) – Submitted by Aaron Klein, Director of Public Works

EASEMENTS WITH HARBOUR HOMEOWNER’S ASSOCIATION FOR SANDUSKY BAY PATHWAY

Budgetary Information: The cost of the temporary easement is \$15.00, and the total cost of the permanent easement is \$40,885.00 for a total acquisition price of \$40,900. The City will additionally pay for attorney fees which shall not exceed \$4,000.00. These costs will be paid from Capital Projects Issue 8 Funds.

ORDINANCE NO. 22-160: It is requested an ordinance be passed approving an easement agreement granting a perpetual permanent easement and temporary easement to the City by the Harbour Homeowner’s Association Inc. for the Sandusky Bay Pathway as part of the Landing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Meinzer and a 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 asked the cost for this legislation. Mr. Klein stated it was \$40,900.

Roll call on the motion: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. The President declared this ordinance passed.

ITEM 10 (formerly item H) – Submitted by Aaron Klein, Director of Public Works

EASEMENTS WITH HIDDEN HARBOUR LAGOONS ASSOCIATION FOR SANDUSKY BAY PATHWAY
Budgetary Information: The cost of the two temporary easements is \$30.00, and the total cost of the two permanent easements is \$149,970.00 for a total acquisition price of \$150,000. This will be paid from Capital Projects Issue 8 Funds.

ORDINANCE NO. 22-161: It is requested an ordinance be passed approving an easement agreement granting permanent and temporary easements to the City by the Hidden Harbour Homeowner's Association D.B.A. Hidden Harbour Lagoons for the Sandusky Bay Pathway as part of the Landing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Waddington and a 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. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. Roll call on the ordinance: Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole-nay 5. The President declared this ordinance passed.

ITEM 6

SEWER SERVICES SETTLEMENT AGREEMENT WITH ERIE COUNTY

ORDINANCE NO. 22-155: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a settlement agreement with releases of the parties and Third Amendment to the Sewer Services Agreement with Erie County and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion by Mr. Meinzer and a 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. Poggiali wanted that thank those for their hard work in getting this accomplished and knows it will improve relations with Erie County and hopes we continue on this same path. President Brady wanted to point out that one of Mr. Poggiali's campaign promises was to begin dialog with Erie County. He believes that his visits with them with Mr. Waddington got the ball rolling in this direction.

Roll call on the motion: Mr. Murray-abstain, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole 5. Roll call on the ordinance: Mr. Murray-abstain, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Meinzer, and Mr. Poole 5. The President declared this ordinance passed.

AUDIENCE PARTICIPATION

Tom Lamarca, 206 48th Street, inquires why an additional \$85,000 is being spent for a portion of the Pathway that is already finished. He also asked who Carpenter Marty is.

Comment:

Mr. Poggiali stated he believed the bike path was a project that was submitted to the MPO, that is part of the costs that went along with the 20% the MPO had improved. And Carpenter Marty are consultants in Columbus, retained by ODOT, for the Route 4 corridor.

ADJOURNMENT

Upon motion of Mr. Murray, the Commission voted to adjourn at 6:44 p.m. The President declared the meeting adjourned.



Cathleen A. Myers
Commission Clerk



Richard R. Brady
President of the City Commission