

OCTOBER 22, 2007

5:00 P.M.

At 5:00 p.m. a **regular meeting was held by the Sandusky City Commission** in the City Building Commission Chambers, 222 Meigs Street, with City Commissioners Dannie Edmon, Dan Kaman, Dennis Murray, Brian Crandall, Brett Fuqua, Dave Waddington and Craig Stahl in attendance; as well as the Charter Officers of the Interim City Manager (James L.) Don Miers, Law Director Don Icsman, Finance Director Ed Widman and the Clerk of the City Commission B. Joyce Brown; the Administrative Staff of the Director of Engineering Service Kathy McKillips, Police Chief Kim Nuesse, Fire Chief Mike Meinzer, and Administrative Services Director Warrenette Parthemore. It was an open meeting with the audience and the news media present.

Mr. Edmon offered the **prayer**, everyone stood for the **Pledge of Allegiance to the Flag**; and the Clerk called the **roll** with all Commissioners present.

Audience Participation – Mr. James Ziss, Commander Sandusky Sailing Club, said their club was happy they were voting on the lease tonight and they were entering into a new era of a new partnership to provide the community with quality sailing.

Ms. Nancy Bettridge asked the Commission to consider giving them a forever lease as long as they need because our Sandusky Bay is a gift that has been given to everyone that has ever lived in this town, lives here now and generations to come.

Mr. John Ginty questioned and commented on agenda items.

Mr. Don Schwanger said on the Sailing Club's lease Page 6, they can put fences on Springer's Wharf and also on the Washington Street Pier and that would be unsightly and it would look like private property to the public.

PRESENTATION – Sandusky Elks Lodge 285 presented a \$274.25 check to Fire Chief Mike Meinzer for the City Fire Department for the purchase of Rescue Diving Equipment

PRESENTATION – Marina District Project – Consultant Don T. Iannone & Associates Feasibility Study by the Sandusky Erie Community Foundation

President Kaman then opened the public hearing for a change of name of Cooke Street to Decatur Street between Hayes Avenue and the current Decatur Street. He asked was there anyone that wanted to speak in favor of this change? As there was no one, he asked was there anyone opposed to the name change? As there was no one forthcoming, **Mr. Murray said I would move that we request that staff bring in legislation to the next meeting to follow through with the name change. Mr. Fuqua seconded the motion.** The President asked for discussion and as there was none, the Clerk called the roll as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. **The motion passed. The President declared the public hearing closed and returned to the table.**

CURRENT BUSINESS

Mr. Crandall moved to accept all communications in their packets from tonight's agenda. Mr. Waddington seconded, motion carried.

ITEM #1 – Communication – Carrie R. Handy, Chief Planner and Rosanne Bodner, Public Transit Administrator

BUDGETARY INFORMATION: These grants have a significant impact on the Transit System's budget, as they comprise approximately 10% of the total Operating Budget. Without this funding, service would have to be restructured or reduced.

RESOLUTION NO. 029-07R - Filing of applications with the Ohio Department of Transportation for FY 2008 Transportation Grants which may include the Ohio Elderly and Disabled Transit Fare Assistance Program and the Ohio Public Transportation Grant Program. It was moved by Mr. Waddington and seconded by Mr. Murray that this Resolution be passed under suspension of rules in full accordance of Section 14 of the City Charter. Thereupon the Clerk called the roll on the motion as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. Thereupon the Clerk called the roll on final passage as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. The President declared the Resolution passed.

ITEM #2 – Communication – Don Miears, Interim City Manager

BUDGETARY INFORMATION: Proceeds from the sale of these items will be placed into the Police Department's General Trust Account, with the exceptions of the proceeds for the traffic lights, which will be placed into the Traffic Services Budget and the bicycle proceeds which will be placed into the City's General Fund.

ORDINANCE NO. 07-071 - Disposal of surplus personal property and equipment as having become unnecessary and unfit for City use pursuant to Section 25 of the City Charter. It was moved by Mr. Stahl and seconded by Mr. Edmon that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Murray said the auction is scheduled for Thursday, October 25th and the agenda is on the City's website. Chief Nuesse said it should take place at our Service Center. Thereupon the Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. The Ordinance passed.

ITEM #3 – Communication – Kathryn K. McKillips, P.E. Engineering Director

BUDGETARY INFORMATION: Proudfoot's lump sum fee for design is currently \$180,485.00. With the approval of the Fourth Amendment in the amount not exceed \$13,900.00, the revised agreement will be \$194,385.00. The additional service fee will be paid with City Capital funds.

ORDINANCE NO. 07-072 - Execute a fourth amendment to the contract with Proudfoot Associates for additional services for the Hayes Avenue Underpass Rehabilitation Project. It was moved by Mr. Murray and seconded by Mr. Waddington that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Waddington asked was the project on schedule for the sidewalks? Mrs. McKillips said we're currently planning on bidding the project out in 2008.

Mr. Murray said originally we were expecting Ohio Edison was going to do this work and then we decided we would do it ourselves, what is the financial aspect? Mrs. McKillips said normally we would contract with Ohio Edison and we would pay them to do the plans, specifications, installation and once the project was complete we would just add the fixtures and lamps. The conversations between our consultant and Ohio Edison we decided that we would be better off getting our contractor to do the installation in order for construction to not be held up by Ohio Edison's installation crew. Mr. Murray asked does it cost us essentially the same? Mrs. McKillips said it's pretty much the same either way. We would be paying for drawings either way and we would pay for installation either way. By having our contractor do the work, the fixtures would still go to Ohio Edison and they would approve fixtures for them to maintain after the project was completed.

Mr. Edmon said the amount of money of \$13,000 is just for plans, not any electrical work? Mrs. McKillips said yes. Mr. Edmon said at the bottom it says Ohio Edison was to install the lighting using a schematic plan, which we had prepared. So if they've already prepared the schematic plan we talked about, why are we being charged again for it? Mrs. McKillips said the schematic plans were basically just the location of the fixtures. We did not have our consultant do any detailed plans as far as for wiring panels. This amendment will provide approval for our consultant to do that so the proposed plans can be included in our contract.

Mr. Fuqua asked could we have staff take a look at Hayes and Camp Streets because I noticed there were huge chunks of the sidewalk wall that had fallen off down into the street? I know both in the future were going to have major overhauls, but have somebody look to see if we can patch something temporarily? Mrs. McKillips said absolutely.

Mr. Waddington said on the Hayes Avenue Underpass, the September update says we were not able to locate any City agreements for permission of easements for the property for the pump station. Mrs. McKillips said we are currently waiting for a response from Norfolk Southern Railroad first with our construction agreement with them and second on property acquisition. We have already had our consultant put into place ODOT's required property acquisition process or the property that our pump station is on. Mr. Waddington said and this is still going to be 80% covered by the MPO? Mrs. McKillips said MPO doesn't cover right of way acquisitions. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. The President declared the Ordinance passed.

ITEM #4 – Communication – Kim A. Nuesse, Chief of Police

BUDGETARY INFORMATION: The total invoices requested to be paid is \$18,451.00. Funds were budgeted and are available in the Police Department's 2007 Budget, although a transfer of funds will be required to expend funds from the proper line item account.

ORDINANCE NO. 07-073 - Make payment to Firelands Corporate Health Center of Sandusky, Ohio, for Treadmill Stress Tests, Physicals and Drug Screens completed for the Sandusky Police Department in 2007. It was moved by Mr. Fuqua and seconded by Mr. Murray that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. Thereupon the Clerk called the roll twice, first on the motion and then final passage: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Stahl, 7. Nays: 0. The Ordinance passed.

ITEM #5 – Communication – Edward Widman, Finance Director

BUDGETARY INFORMATION: Transfers are included in the appropriations. There is no budgetary impact. The Auditor of State has instructed this office to have the City Commission approve inter-fund transfers before the transfer occurs. (NO LEGISLATION REQUIRED) **Mr. Murray said I will move that we approve the proposed inter-fund transfers suggested by the Finance Director. Mr. Fuqua seconded. President Kaman asked the Clerk to call the vote on the motion. Thereupon the Clerk called the roll on the motion as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Stahl, 7. Nays: 0. The motion passed.**

ITEM #6

ORDINANCE NO. TABLED - Amending Part Five – General Offenses, Chapter 505 – Animals and Fowl, in the manner and way specifically set forth hereinbelow.

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

Discussion – Mr. Waddington said under Section 505.03 (c) *“Any cat or other animal found running at large shall be impounded by the Chief of Police or designee or any Law Enforcement Officer or Animal Control Officer and held for three (3) days.”* After the three days time period it can be humanely destroyed. My problem is if it is a family pet or if I'm on vacation and I let my neighbor watch it and I come back and it has been put down. I would like to hold up on this and who is going to define or make that decision? I know it is going to go out to the County to Barb Knapp. Mr. Icsman said the only new section that we're putting back in and changing is putting Animal Control from Community Development. But you will notice in (b) it says as to dogs running at large we notify the County Dog Warden and then the County Dog Warden, pursuant to Revised Code, takes charge of the dog. So we don't have any facility to take in dogs. Barb Knapp that is in charge of that follows the state law. And looking at subsection (b) they really keep the dog pretty close to a month. The Revised Code requires 14 days certified mail notice to the owner, which is why it's important to register with the County Auditor. And we can make it clearer, because in my mind when we go to (c), what we were talking about was what the history of the ordinance was for cats and any other animals, not dogs. We had our own facilities and we had facilities at the Complex for cats and any other animals, but not dogs. Dogs are handled pursuant to state law and by the Dog Warden.

Mr. Edmon said 505.19 (d), actually specifies a certain type of dog, a pit bull namely, that would make it vicious automatically just because of the breed the dog is. When we first came on the Commission I voted “no” for this very same legislation for that reason. I don't think that we can say any specific kind of dog is vicious. Any dog can bite you. Any dog can be vicious. It's all on how the dog is trained and how the dog is cared for. I don't like that section in there, especially when 505.20 gives a clear determination of what a dangerous or vicious dog is, without specifically naming the breed. My other problem is if you have a vicious dog, and now that we don't have an Animal Control Officer, the duties have been relegated to the Police Department. It means that the Police Department can go into someone's house because they have a vicious dog. I think we'll have a whole lot of problems when we start going into people's houses because they have a certain kind of dog, especially if there's other crimes that are found after you get inside that house. Many times certain people are targeted and I think it will be unfair to pass a law that will allow us to target people simply because of the kind of dog that they have.

Mr. Crandall said the conversation and with Mr. Waddington's comments not being addressed, I think I would move to vote to table this issue. Mr. Waddington said I would like to have more clarification. Mr. Murray seconded the motion. Mr. Icsman said before you vote, please understand that the Revised Code designates the dogs and it requires certified mail to the owner, mandatory to keep it 14 days at least and then there are some other obligations for the County Dog Warden to contact the Humane Society and shelters before they actually destroy this dog. A lot of it is governed by state law and we can certainly clarify that for you. Whether you are for or against it, I don't want that to be your reason because I really don't believe that the City would have no place to keep dogs that we find running at large. As I am aware, we do not have a place for dogs, but cats we do.

Mr. Edmon said what's specifically different about this law compared to the law we had before, is that the Animal Control Officer was the person who was in charge and now the Police is. Those are two very different positions, with two very different missions. Not only that, I would also like to point out that the Fourteenth Amendment of the U.S. Constitution says that, *"...no state shall make or enforce any law, which shall abridge the privileges and abort liberties of citizens of the United States."* The Fourth Amendment says, *"That the right of the people be secured of persons, house, papers and affects against unreasonable searches and seizures, should not be violated and no one shall be issued, but upon probable cause afforded by affirmation of particularly describing the place you search and the persons of who you seek."* I think that our legislation is kind of broad, which allows you to go in and if something is soft, you react to it. That is not narrowing it down to a specific place. If it was specific, it would say you can only go to the dog kennels and search the dog kennel and take the dog. We don't say that. Discussion ensued. Thereupon the Clerk called the roll on the motion as follows: Yeas: Edmon, Murray, Crandall, Waddington, 4. Nays: Kaman, Fuqua, Stahl, 3. **The President declared the motion passed 4 to 3 to table this Ordinance.**

ITEM #7 Motion made to put on agenda at October 9th meeting.

ORDINANCE NO. 07-074 - Enter into a Lease Agreement with the Sandusky Sailing Club, Inc. It was moved by Mr. Waddington and seconded by Mr. Murray that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Stahl said this was a wonderful day for the City of Sandusky and the Sailing Club. It was a joint agreement that was a win, win, for both the citizens and City and Sailing Club. This agreement would guarantee children to learn the opportunities of a life-long sport and the experiences that go along with it. Discussion ensued.

Mr. Murray said the term of the lease in our packets is not filled in, and it is my understanding that it was a 30-year lease with two 10-year extension periods.

Mr. Murray said Mr. Schwanger pointed out provisions Section 8.3 Non-Exclusive Use, which is on Page 6 as attached to the legislation provides that a fence may be erected, not on the wall, but on the inner wall. It is not on the pier itself. If I understand it from the subsequent communication we received from Mr. Miars, this now reads that a fence may be put on the inner wall of Springer's Wharf only and not Washington Street Pier. Mr. Miars said that is correct. Currently there is no fence on Washington Street Pier. And at some point in time, later in the future, if they needed to put a fence on the inner wall of Washington Street Pier, that's a negotiable point. The fence the Sailing Club would have the right to erect along Springer's Wharf is a security fence on the wall to protect the boats. Thereupon the Clerk called the roll on the motion as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. Thereupon the Clerk called the roll on final passage as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. The President declared the Ordinance passed.

Under the **City Manager's Report**, Mr. Miars said they have a **\$300 donation from Lucy M. Wargo for the Sandusky Police Department**. Mr. Murray said so moved, seconded by Mr. Edmon, carried.

Mr. Miars said they have a **\$1,000 donation from KeyBank for the Greenhouse Endowment Fund**. Mr. Edmon said so moved, seconded by Mr. Murray, carried.

Mr. Miars said they have a **\$150 donation from Ben Buser for a tree to be planted on Anderson Street**. Mr. Edmon said so moved, Mr. Stahl seconded, carried.

Mr. Miars said they have **five donations of \$65 from local citizens for the Friends of the Greenhouse Endowment Fund.** Mr. Edmon said so moved, Mr. Waddington seconded, carried.

Mr. Miars said the **dedication and official unveiling of the Underground Railroad Sculpture will be at Facer Park on Sunday, November 11 at 1:00 p.m.** The public is welcome and encouraged to attend.

Mr. Miars said **residents can drop off yard waste free to Barnes Yard Waste Recovery on Saturday, October 27th between 8 a.m. to 5 p.m. and Sunday, October 28th between 10 a.m. to 5 p.m.** Residents must show proof of residency by a driver's license.

Mr. Miars said **Trick or Treat is scheduled in City neighborhoods on Sunday, October 28th from 5:00 p.m. to 7:30 p.m.**

Mr. Miars said after meeting with **Mr. Greg Spatz of the Rieger Loft's Project we did have a letter of commitment from KeyBank relative to the fixed financing.** KeyBank has awarded Greg Spatz financing of \$5,207,000, of which \$2,600,000 will be permanent financing for that project. The new market taxes and other state taxes will help pay for that in the neighborhood of \$2,000,000 that the bank will be expecting to get back. It has not been committed at this point and it will be a long-drawn out process to get those commitments in hand. The state would not give us a definite date as to when they will be making that commitment. Mr. Spatz is 18th on a list of 67 projects throughout the state for state issue tax and he just has to wait.

Mr. Miars said in addition, **Mr. Spatz is \$2,500 in arrearages on the Parking Lot agreement** that we had sometime back and it is a point of contention. He agreed to pay to bring us up to speed with that. And then there has been a contingency plan in the works for going forward with the parking and those details have yet to be worked out. That is the update on the much-asked question since I have been here.

President Kaman asked when was the drop-dead date for something to happen there? Mr. Miars said that is a very good question. I asked Mr. Greg Spatz that very question tonight and he did not answer. Mr. Fuqua asked how much more leeway are we going to give Mr. Spatz? Mr. Miars said that is strictly up to the Commission. I think he has about three years left on the original agreement to move forward. And that is basically what he said today, he's got three years and the state cannot make a commitment on their financing so he has concerns. Mr. Murray asked which department was holding up those tax credits? Mr. Miars said I believe it was ODOB (Ohio Department of Development). Discussion ensued.

Mr. Waddington said it has been a long time, at least two or three years since he has been in there. What about the roof, the windows and we had a few bricks fall off? Should we maybe have him authorize the inspection from Engineering, because if it is going to sit another year or two, we should know what kind of condition the building is in. If something is structurally wrong with the roof, and he backs out a year from now, we may have had other developers that would come in. I think the clock has been ticking a long, long time. Mr. Miars said that issue was addressed with him a few weeks back, there were some bricks that fell off of the side onto the street. And at that time, George Poulos, Building Inspector, put him (Mr. Spatz) on notice to have that engineering study done. I will find out where that study is to try to get that taken care of, but I agree with you. Realistically any new developer that would want to do this project would have the same kind of issues that Mr. Spatz's has had to get clarification to get moving on anything for the building. If you did pull the string on him right now, you would basically start at ground zero.

Mr. Murray asked for an update of the **Keller Building roof and chimney.** He said it was my understanding that we were going to work on getting a roof put on before the winter. **Also we have been contacted by MidStates and told we had an obligation to do some shoreline work around there.** That was to be financed with TIF Bonds that the Chesapeake would collect that MidStates had purchased. We have been held up for a very long time now and it was very frustrating by the Army Corps of Engineers because we need that permit for the shoreline work. We are now approaching the winter and they (MidStates) are rightfully concerned about potential damage to the building and they have made a demand that the City take some steps to protect that building over the course of the winter. Mr. Miars said in the past couple weeks I asked the Engineering Department to give a better cost estimate to take down the chimney on the Keller Building and I have not heard back. There are some pretty good numbers for putting on the roof. I authorized up to \$75,000 to get

a portion of that Keller Building mothballed. I don't know if that is going to cover the roof and the destruction of the chimney, but I should have something on that this week. Mr. Murray said you don't know if we have bids on the roof? Mr. Miers said we had some engineering estimates of what it was going to cost, but we have not put that in a firm bid. I would hope that we would get some kind of estimate on those within the next week or two. Mr. Murray asked can we expect work on that in November? Mr. Miers said I would hope so.

Mr. Miers said regarding the **Chesapeake Building, that application for the shoreline work, along with the construction of the marina, was given to ODNR.** We got the permit from ODNR for their okay. It was given to Buffalo Corps of Engineers. They posted it on June 22, 2005. As you know, we've had some issues with the MOA and they held up on doing anything on the permitting application process until after the MOA was signed and completed. Last week SHPO sent back to the Corps the final signed MOA. So we did contact them and they were put with the Corps of Engineer and they sent us a real sort of a way song and dance letter that said that he had some emergencies going on. And I wrote him back a pretty terse letter, of which I sent a copy to Senator Voinovich. Also I had Kelly call the Corps of Engineers and find out who the Colonel was and sent him a copy. We also sent Dave Laput's boss a copy of that letter and that was last Thursday that the letter went out and I have not heard back. So I expect to hear hopefully tomorrow and if not, I'll call Mr. Laput or even the Colonel and find out what's going on.

Mr. Murray said I understand that we are allowed to take emergency measures to protect the building? Mr. Miers said that is true in certain circumstances. However, in discussing that with Kathy, we have to make sure that it is going to be a covered area and that we do the emergency work so that we don't have to do it a second time around. Mr. Murray said well that is my concern, I don't want to have to put riprap in or rock and have to pull that out in the way of the sheet piling. Mr. Miers said if we do any emergency work, we will do it so that we don't have to redo the work.

Mr. Edmon said Mr. Miers I commend you on the letters you sent. I think it was absolutely the right thing to do, but might I suggest that you send one to Representative Kaptur and Senator Brown. We'll have all of our representatives notified of our property. Mr. Miers said prior to sending that letter I called Chris Redfern and gave him all of the information and asked him to make a call to the Corps to see if he could find out anything and he said that he would take care of that.

Mr. Waddington asked were there going to be any safety concerns outside of the Chesapeake on that walkway? I parked on the Jackson Street Park and I saw kids over there and with winter coming with snow and ice on that along the water. This is on the Chesapeake side or pier side where the ramp runs. Mr. Miers said I would not think so, but I have not seen the details of any walkway. But I would think any walkway would have some kind of railing. Part of that is blocked off right now. It's got a construction fence there right now and if they got in there, behind the construction, in all probability there is someone either around the building or through the condo offices. President Kaman said the first floor balconies don't allow you to get down into the break areas. Discussion

Under **Old Business**, Mr. Waddington said this past **Saturday Holiday Care & Share was from 1:00 to 4:00 p.m.** and we had several residents and Commissioners stop down and drop off checks. Erie County and Sandusky has many needs.

Mr. Crandall said over the past several years' discussion has taken place on the **Marina District Project** and I would take this opportunity to express opinions. He read a statement in opposition and the reasons why and that he would be voting "no" at the November election, he would honor what the people chose.

Under **New Business**, Mr. Edmon said I need an **executive session on personnel, City Manager.** Mr. Stahl seconded. The Clerk called the roll: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. Passed.

Mr. Murray said we have struggled with what we do with the empty buildings in Sandusky. They are a real drain on our economy and they were taking up space and it depresses economic activity and value adjacent to it. It increase the opportunity for chances for crime and it is visual pollution. We need to do what other cities are doing and require a **Vacant Building Registry.** I have a proposal that is worked out in some detail. **I will move that we ask staff to prepare for the Commission's**

consideration legislation that would require that owners of vacant residential or commercial buildings, register with the City of Sandusky. That would require that they pay a fee so we can have annual inspections for the safety of those buildings and it would require who it is that we can turn to if it is a problem. That would be a tool that we would have in our City's arsenal to deal with these problems. And at the same time I think that legislation can have a provision in it to allow for those fees to be waived if the owner of the property has plans as to how it is that that is going to be redeveloped and marketed.

President Kaman asked did we have a problem identifying the ownership of the vacant buildings now? Mr. Miars said I'm not sure. I think it is a concern that there is some difference between commercial property and residential property and how they are to be dealt with. We have a real strong working relationship now with the homeowners and residential properties. Commercial properties we have concerns because there hasn't been consistency in dealing with those. I had a conversation with Don Icsman today and what Mr. Murray said will go a long way to corral that.

President Kaman said Chief Meinzer put the signs on a lot of the commercials. Mr. Meinzer said we may deal with the commercials, but we don't have Residential Codes and Fire Codes. The only residential we have is four units and that's on a multi-family. President Kaman said so the ones that have the signs on them now are brownfields. Chief Meinzer said most of them would be brownfields. They would probably qualify, but we put them on buildings that we have tried to secure for life and safety reasons that they should be boarded up or locked up. There should be no fire hazard and utilities should be cut off, no storage should be in them and no lights. So we do not want the fire fighters risking too much going in to search these buildings. But that doesn't entertain that children or transients don't get access to the buildings. So that's one of the things that the officers have to go around and look at before they send a search crew into a big building, see if there is a means of entry before the fire. That is one of the actions of our corporate Fire Department.

Mr. Edmon said there are a lot of terms that are kind of wishy-washy. Like vacancy can mean a lot of different things. I would like to know what that actually means and how long a building has to be vacant before they have to report. I get real nervous when government starts talking about going on people's properties and prying and fining them for the privilege of doing so. There's a lot of concerns with this legislation in my mind and I think we have a lot more questions before we can pass this. A study can be done certainly so we can read and see what everything is about and agree on terms, but to bring legislation this fast I think is premature. Mr. Murray said Mr. Edmon has some very legitimate concerns and I think that it is somehow in the process if they can send the paper in. They can look at what legislation would actually look like that those very important questions would be answered. I was suggesting that we put legislation together as a way to stimulate that discussion because the devil's in the details. I absolutely agree, but I don't know how else to do it, but to ask staff to put it together legislation and then start processing that. **I guess I can add a provision to the motion to say that staff can report back to us with some draft legislation, as opposed to something that immediately goes on the agenda.** Does that make sense? **Mr. Stahl seconded.** The Clerk called the roll as follows: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. **The President declared the motion passed.**

Mr. Murray said a number of residents have commented on some of the **construction projects in the City. We don't really have a good representation of City residents that are working at these facilities.** And I think it is a pretty valid point. So I met with a couple of people over the weekend about what it is that we might be able to do to better address that. Mr. Dan Leavell is here and told his thoughts and also Bobby Warner who is with the Building Trades Council. And it seems to me that one of the problems that we have is we need to seed some money for the Building Trades Apprentice Programs so that we provide a greater ability and greater access to some of the young men and women, particularly in our City, to get involved in some of these higher value, higher paying construction jobs. And Mr. Edmon has made some pretty good points about the fact that our CDBG money has at times not been used and leveraged the way it really should. **So I would like to make a motion that we have staff develop a Scholarship Program by which we could seek the funds necessary for young men and women to attend it, but it is open to all citizens with some income limitations.** So we can provide

scholarships for those residents of the City to get involved in the skilled trades. Now obviously they will still have a long way to go once they get involved, but it provides an open. I would like staff to work on that Scholarship Program with Mr. Leavell, with Bob Warner, because both gentlemen indicated a willingness to help with that. And then with Mr. Fuqua and I, then they would come back to the Commission with a concrete proposal. That's my motion. **Mr. Fuqua seconded the motion.**

Mr. Waddington asked would we be working close with the schools and the unions, Ehope and any of the local schools? For a lot of these kids the money may be the roadblock itself. Mr. Murray said that is right and that is part of the work that this group needs to do. Mr. Waddington asked are we going to work with minorities and women? Mr. Murray said yes, to make it more broadly available. Mr. Edmon said I would like to commend Mr. Murray for such a great idea and I'm happy that we're going to start using CDBG money for what it is intended to use it for and that is to build wealth instead of making other people more wealthy. The Clerk called the roll with the following response: Yeas: Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, Stahl, 7. Nays: 0. **The President declared the motion passed.**

Mr. Murray said Sandusky literally is in the balance with the election that we are having November 6th. There are two hugely important issues in front of the City, the School Levy and the Marina District comments. He made comments on items that were raised and urged everyone to vote for these issues. Discussion ensued.

Under **Audience Participation**, Mr. Tim Schwanger, Citizens for Responsive Government, said on the Marina District Project and the City Building property, originally the study only pertained to this property (City Hall) and did not take into account other things happening along the waterfront. There were a lot of assumptions heard during conversations of bringing additional jobs in other areas of the community. Our main point has always been was that we were for the project, but not on this location. We have other sites along the waterfront, industrial sites that are vacant that this project would be better suited for.

Mr. Clarence Seavers, 1490 Dixon Drive, said the two reasons he was here were for the School Levy and the Marina District Project. It was the only hope that we can get ahead in of our finances. Delphi and Ford are on shaky ground. We don't have any other way to impact the whole County. Give the City a chance to develop that district so you'll give the younger people a chance to survive.

Mr. Andre Grant, 1919 W. Jefferson Street, said on the Marina District, when my wife was a little girl she was able to go fishing at the Georgia Pacific location and now it's fenced. That's what a lot of people are scared of and you get this down here and you say it's going to be open to the public and ten years down the line, there goes a fence. Same thing down at the Cove Street Boathouses now, it was all open front, now there's a fence there. So you're taking more waterfront from the people and giving it to the private people basically. And I will vote yes for the School Levy because we do need that to have changes, because telling people you have to give a letter for a week to talk is ridiculous. About a year ago I was watching Mr. Tulapan down here about his water bills and I just got a rental property. I am curious why the water bill has to be in my name instead of the person that lives there? That is the only utility that is like that. I thought you were looking to change that, but that is still the policy. You should not force the landlords to pick up what the City gains. Mr. Widman said our policies are by ordinance and the ordinance has not changed. Mrs. McKillips and I are looking to do a rate study and part of that process could possibly include a review. We have to follow the ordinance. Discussion ensued. Mr. Grant said I own a Rotweiler and my ankle biter is more vicious. It's all about how they are raised. Mr. Murray commented on the waterfront access and that it would be guaranteed. Discussion ensued.

Mr. Willie McCarthy, United Indians of Ohio, 131 Meigs Street, said on the Marina District Project it would take my view from the lakefront, but if it is going to bring money, jobs, security, and a little brighter future for our City, I'm willing for all of that. We don't have factories and the security we used to lean on and take for granted. People with money are coming to the City of Sandusky and saying let's build and we got a Commissioner sitting up in here saying let's vote.

Mr. Wesley Pool, 1939 E. Oldgate, said on the landlords and who should pay the water, as a taxpayer, the money we spend on water, we provide water for ourselves, the landlords and their tenants. Landlords I presume if they rent those properties,

that's money. And the water that it provides is part of the service that is included in the apartment, because I don't think you can rent it if it didn't have water. The City and I the taxpayer, we don't have anything to do with collecting of the profits that you take from the rental nor are we involved in selecting who you rent to. And I don't think that it is our responsibility, my responsibility, to assume the risk to your fly-by-night tenant that use the water. I just don't agree with that scenario.

Ms. Nancy Bettridge said for anyone that grew up in this City, and Sandusky has all roads leading to the Bay, which is the most fantastic gift that a city could ever be given. Water is becoming scarcer and they should not give it up to anyone. And telling Metro Parks that they can have an easement to the water in Sandusky Bay was another big mistake that you are making because it was given to you and it was a God given gift. There's not that much land down there if you follow Sandusky Bay from one end to another. We don't want to see a 100-foot tall building.

Mr. Bob Warner, 1011 Third Street, questioned how long was the lease on the Battery Park Marina property? Someone said 39 years. Mr. Warner said if he wanted to put a 60-foot fence up or a 10-story building, he probably could because it's his lease. President Kaman said that he would have to come by the Commission and the Commission okays that. Mr. Warner said someone wanted to do that already before we even talked about it. They can come to the Commission right here that night and get what they want anyway. Why don't we take something and build something out of it? Nobody is taking any parks away. Nobody is taking any waterfront access. It's all still going to be there. I been hearing through the grapevine that on the Chesapeake Marina Project they want to change and put condos up on that that they didn't want before. Construction is pretty big business in this town. Your factories are closing up. Your industry's moving out. People always have to build and rebuild things. Flipping hamburgers is great, but it doesn't pay all the bills. I think you ought to thank the construction people that you got in this town. They're staying here. They want to build here and they want to live here. Don't forget those guys because they're probably going to be your last industry that you got in this town.

Mr. Don Schwanger, 726 Perry Street, said a Lorain Journal article was very disturbing. MidStates we got all kinds of site lines that we were going to have a couple of years ago, are now going to be filled with condos. We don't have any control over that because it's private property. I'm afraid that this Marina District, it's all speculation at this time, I'm afraid of changes on the Marina District afterwards because we don't know any of the boundary lines. There are no guarantees in life. In January at Metro Parks a new member asked how involved are we going to get in this? And the Director said we're not going to get in any arguments between the condo owners and the City. Mr. Murray said a fact on the Chesapeake Building, the development agreement requires that the space around the transient marina be retail. The City wants that to be retail. I realize that MidStates has had some second thoughts about that, but I think the City's position remains for that retail component and it was very important to us. Discussion ensued. Mr. Schwanger said the point I was trying to make was that this Marina District can also be changed for site lines in the future.

Mr. John Ginty asked where the increased income was going to result from this lease for the Sailing Club was going to go? I'm happy they had their long-term lease for youth to learn how to sail. President Kaman said those funds will go directly into the General Fund.

Mr. John Eymann, Meacham & Appell Architects, said we have been through a lot of conversations and what has struck me in not a good way is the negativism. There's a lot of negativism without giving a chance. The purpose of this development agreement and proceeding forward is to look at the options in greater details. It's not a commitment to say this is what it is. It is a commitment to say let's explore the alternatives of how we can get to work to everyone's best interest. One of the things that is in this developer's agreement is something that happened tonight, which was getting the Sailing Club their long-term lease agreement. That's one of the many positive things that can come out of this kind of development. And quite honestly, if it wasn't for the proposal of the development project, Sandusky Sailing Club would not be in a position to sign a long-term lease. And the only thing that I ask of these guys (Citizens for Responsive Government) back here is to look at the positive things. Look at the things that can be of good. Look at the things that could come out of this in a positive sense. But if you don't give it a chance, if you don't have conversations,

there will never be the opportunity. I want to say thanks to these guys, despite the headache that it has been, they have provided a benefit to the project. They have made the plan better. They have preserved the public space and they have preserved access to the waterway. That is commitment and that's a definitive thing as a part of the project. So it's a done issue. It shouldn't be a negative thing anymore because it has been a commitment. So I just wish that they would look at it from that prospective and look at it from the standpoint that yes something can come out of it that is good, because it already has and that is the Sailing Club.

At 7:30 p.m. President Kaman stated they would take a five-minute break and return. The President returned to the table with the Commission and staff of the Law Director and Administrative Services Director present.

An executive session was held on personnel, City Manager.
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Mr. Edmon made a motion to come out of executive session. Mr. Stahl seconded the motion and it was carried unanimously.

President Kaman said I will entertain discussion and deliberation on the issue of the two candidates for the City Manager's position. Each City Commissioner spoke about the candidates, their pros and cons and then commented on Mr. Don Miers service to the community and his role in the transition.

Mr. Murray moved to instruct City staff, the Interim City Manager and the Administrative Services Director, to make a conditional offer of employment to Mr. Matt Kline conditioned upon the successful background check, drug screen, salary negotiations, etc. Mr. Stahl seconded the motion. President Kaman asked the Law Director to call the roll and the vote was as follows: Yeas: Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 6. Nays: Fuqua, 1. **President Kaman declared the motion passed.**

President Kaman returned to the table and Mr. Edmon made a motion to adjourn the meeting. Mr. Waddington seconded the motion and it carried unanimously.

ATTEST: _____
B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

DANIEL J. KAMAN, PRESIDENT
SANDUSKY CITY COMMISSION