

NOVEMBER 13, 2006

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 Brett Fuqua, Dave Waddington, Craig Stahl, Dannie Edmon, Dan Kaman, Dennis Murray and Brian Crandall in attendance; as well as the Charter Officers of the City Manager Mike Will, Law Director Don Icsman, Finance Director Ed Widman and the Clerk of the City Commission B. Joyce Brown; and Administrative Staff of Engineer, Police Chief and Fire Chief. It was an open meeting with the news media present.

President Kaman asked that Mr. Fuqua offer the **prayer** and requested that everyone remain standing for the **Pledge of Allegiance to the Flag**.

The Clerk called the **roll** with the following Commissioners present: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray and Crandall.

Mr. Waddington moved that the **minutes of October 23, 2006** be approved as written and suspense with the formal reading. Mr. Edmon seconded, carried.

Under **Audience Participation on Agenda Items Only**, Mr. John Ginty, 5055 Providence Drive, commented and questioned several agenda items.

CURRENT BUSINESS

Mr. Crandall moved to accept all of the communications that we received in our packets. Mr. Waddington seconded and it carried.

ITEM#1 – Communication submitted by Mary Bird, Program Administrator.

RESOLUTION NO. 049-06R - Support of the Sandusky Homes Affordable Housing Project and NRP Group's efforts to secure affordable Housing Tax Credits for calendar year 2007. Moved by Mr. Murray, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Fuqua said the sites of this project, it doesn't give one specific site. It says the project will be comprised of up to 50 single-family homes to be located on scattered sites in the City of Sandusky.

Mr. Edmon said I will be abstaining from the conversation and the vote because I own property in that neighborhood. Mr. Stahl said Mr. Edmon I'm somewhat troubled by your recusing yourself in that I own property on Hancock Street. Mr. Edmon said originally when this was brought to us, the targeted site was the south side of town. I think the reason why they are going citywide now is because when they applied for their grants, they didn't own all of the property that they needed to own. They wanted to apply for other pieces of property. Mr. Stahl questioned if he should vote on this issue? Mr. Icsman said if you are voting on something that is uniform benefit to all citizens who own property who are potentially going to receive this benefit, but it depends upon which property they want and you haven't been contacted before, it wouldn't be a conflict. However it's always a matter of conscious choice. But Mr. Edmon's choice indicated that he would abstain to avoid even the appearance of any impropriety. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Kaman, Murray, Crandall, 6. Nays: 0. Abstain: Edmon, 1. Resolution passed.

ITEM#2 – Communication submitted by Gary Packan, Assistant City Manager.

RESOLUTION NO. 050-06R - File an application for Brownfield Assessment Grant Funds with the United States Environmental Protection Agency. Moved by Mr. Waddington, seconded by Mr. Murray to be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Murray said this is so incredibly important to build out a City like ours that has a lot of old industrial sites. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Resolution passed.

ITEM#3 – Communication submitted by Michele Speer, Program Supervisor.

ORDINANCE NO. 06-100 - Approving the new fee schedule (2007 Golf Course Fees) established by the City Manager pursuant to Section 973.02 of the

Codified Ordinances of the City of Sandusky. Moved by Mr. Murray, seconded by Mr. Waddington to be passed under suspension of rules in full accordance of Section 13 of the City Charter. **Discussion** – Mr. Waddington said the Family Passes are going to be targeted for advertising efforts for 2007. The family shall be considered husband and/or wife, children related by blood; adoption, marriage or adults who choose to occupy the same building as their family homestead. There was a maximum of two adults.

Mr. Stahl asked what type of discounts do we offer to our employees? Mr. Waddington said our seniors and employees have the same price. A discussion ensued. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed, effective after 30 days.

ITEM#4 – Communication submitted by Ed Widman, Finance Director.

ORDINANCE NO. 06-101 - Adopt Amendment No. 2 to Ordinance No. 06-032 passed by the City Commission, Sandusky, Ohio, on March 27, 2006, making General Appropriations for the Fiscal Year 2006. Moved by Mr. Stahl, seconded by Mr. Waddington to be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Murray said this was basically a clean-up piece of legislation to adjust for all of the changes that we made to the budget over the course of last year? Mr. Widman said that is correct. The largest portion of these changes are all considered grants and Capital Project type areas, but there are a few other exceptions in some of the smaller areas. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ITEM#5 - Communication submitted by Kim Nuesse, Chief of Police.

ORDINANCE NO. 06-102 - Enter into an agreement to purchase up to thirty eight (38) Second Chance Monarch Summit Level IIIA Ballistic Vests for use in the Police Department from the Officer's Friend of Montpelier, Ohio, in an amount of \$27,550.00. Moved by Mr. Fuqua, seconded by Mr. Waddington to be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Edmon asked do we have some type of equipment fund for the Police Department? Police Chief Kim Nuesse said I have to check on that, I am not sure. Mr. Widman said the closest thing is the funds that accumulate by virtue of the Municipal Court's activities. Mr. Edmon said so there's nothing there. Mr. Widman said no; there is nothing there.

Mr. Crandall said in our communication it says that the officer is not required to have a bulletproof vest, but I believe we do need to require the officers. And as a part of the labor agreement, I strongly suggest that be incorporated and negotiated.

Mr. Murray asked what happens to the old vests? Chief Nuesse said I don't know, but I will certainly find out. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ITEM#6 - Communication submitted by Kathryn K. McKillips, P.E. Engineering Director.

ORDINANCE NO. 06-103 - Declaring the 1985 Jet Truck, Vin No. 1FDYR80U7GA28977 as unnecessary and unfit for City use pursuant to Section 25 of the City Charter; authorizing and directing the City Manager to purchase one (1) Vactor Manufacturing Model 2110 Sewer Cleaner from Jack Doheny Supplies Ohio, Inc. of Twinsburg, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program. Moved by Mr. Crandall, seconded by Mr. Murray to be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Fuqua questioned if the State of Ohio was requiring that they purchase this truck? Mrs. McKillips said no we are actually purchasing it through the State Purchasing Program. Actually though the Ohio EPA will say that they will require us to have this equipment in order to keep our sewer system cleaned and maintained on a regular basis. This is a replacement. We currently have two and we would be trading in our oldest model and basically moving our newest model now, back to the position of our oldest model, which would do a lot of work with our construction crews and cleaning manholes, cleaning catch basins. And our newer model will be used to do the daily routine

cleaning of our sewers throughout the City. We have a couple hundred miles of sewers that we try to maintain annually or on a bi-annual basis.

Mr. Edmon questioned was this piece of equipment obsolete or the EPA doesn't allow us to use it? Mrs. McKillips said no. Mr. Edmon asked what was the life of the piece of equipment that we are trading in? Mrs. McKillips said 10 to 15 years and we have had it for 20 years right now. Mr. Edmon said we were only getting \$10,000 trade in so I was wondering if another city would buy it for more than that because it seems like a small amount for a \$260,000 piece of machinery. Mrs. McKillips said it definitely put its time in and the City definitely got its money's worth. I really don't know its value and the mechanics thought this would be the best way to handle getting rid of this was through a trade in. A discussion ensued. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ITEM#7 - Communication submitted by Gary Packan, Assistant City Manager.

ORDINANCE NO. 06-104 - Enter into a Consulting Contract with Gregory E. Sherman for calendar year 2007. Moved by Mr. Waddington, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 13 of the City Charter. **Discussion** – Mr. Stahl said Mr. Sherman will be the same rate in '07 as he was in '06.

Mr. Murray questioned why we farmed this out? Mr. Will said because if we do it internally, we would need another body. We are contracting that service out and we are getting a better quality of work than what we could hope to find by hiring a full-time person and it is costing us less. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed, effective after 30 days.

ITEM#8 - Communication submitted by Kathryn K. McKillips, P.E. Engineering Director.

ORDINANCE NO. 06-105 - Purchase Bulk Rock Salt for use by the Division of Public Works for the calendar year 2007 from Morton Salt Division of Chicago, Illinois, in an amount of \$85,000.00. Moved by Mr. Stahl, seconded by Mr. Waddington to be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Murray said the rate now as compared to last year is \$34 a ton now as compared to \$29.90 through December 31st of this year. And we are participating in the County's bulk acquisition program. I question would we stock up now in terms of what we could store? Mrs. McKillips said yes. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ITEM#9 - Communication submitted by Kathryn K. McKillips, P.E. Engineering Director.

ORDINANCE NO. 06-106 - Purchase 8 tons, more or less, of Potassium Permanganate from American International Chemical of Framingham, Massachusetts, for use at the Big Island Water Works Plant during the calendar year 2007 in an amount of \$29,600.00. Moved by Mr. Waddington, seconded by Mr. Crandall to be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Waddington questioned if they could give one motion for all of the chemicals? Mr. Icsman said no, the Charter requires that each open ordinance be for each contract and a separate contract. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ORDINANCE NO. 06-107 - Purchase 40 tons, more or less, of Chlorine from JCI Jones Chemicals of Barberton, Ohio, for use at the Big Island Water Works Plant during the calendar year 2007 in an amount of \$19,480.00. Moved by Mr. Crandall, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 14 of the City Charter. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ORDINANCE NO. 06-108 - Purchase 250 tons, more or less, of Sodium Hydroxide from JCI Jones Chemicals of Barberton, Ohio, for use at the Big Island Water Works Plant during the calendar year 2007 in an amount of \$84,250.00. Moved by Mr. Stahl, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 14 of the City Charter. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ORDINANCE NO. 06-109 - Purchase 22 tons, more or less, of Sodium Fluorosilicate from Bonded Chemical of Columbus, Ohio, for use at the Big Island Water Works Plant during the calendar year 2007 in an amount of \$15,048.00. Moved by Mr. Stahl, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 14 of the City Charter. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ORDINANCE NO. 06-110 - Purchase 40 tons, more or less, of Powdered Activated Carbon from Norit Americas of Marshall Texas, for use at the Big Island Water Works Plant during the calendar Year 2007 in an amount of \$47,200.00. Moved by Mr. Stahl, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 14 of the City Charter. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ORDINANCE NO. 06-111 - Purchase 300 tons, more or less, of Aluminum Sulfate Polymer Blend from Applied Specialties of Avon, Lake, Ohio, for use at the Big Island Water Works Plant during the calendar Year 2007 in an amount of \$72,000.00. Moved by Mr. Stahl, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 14 of the City Charter. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ORDINANCE NO. 06-112 - Purchase 600 tons, more or less, of Aluminum Sulfate from General Chemical Corporation of Parsippany, New Jersey, for use at the Water Pollution Control Plant during the calendar Year 2007 in an amount of \$115,200.00. Mr. Murray moved, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 14 of the City Charter. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

ORDINANCE NO. 06-113 - Purchase 150 tons, more or less, of Aluminum Sulfate from General Chemical Corporation of Parsippany, New Jersey, for use by Erie County located in the City of Huron during the calendar Year 2007 in an amount of \$28,800.00. Mr. Stahl moved, seconded by Mr. Fuqua to be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Edmon questioned if this was done because we got a better price for Erie County? Mrs. McKillips said we've been doing this for several years now. And because we buy more chemicals than they would, they purchase with us so we get a better price. The Clerk called the roll twice, first on the motion and then final passage as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. Ordinance passed.

Under the **City Manager's Report**, Mr. Will said they had a **\$25 donation from Judith R. Hite for the City of Sandusky's Green Fund**. Mr. Edmon moved, Mr. Murray seconded, carried.

Mr. Will said a **\$250 Key Real Estate Ltd. for the City of Sandusky's Green Fund**. Mr. Edmon moved, Mr. Murray seconded, carried.

Mr. Will said a reminder for the City of Sandusky residents that the **deadline to sign up for Direct Energy for natural gas** in their homes is Wednesday, November 15th. Direct Energy is offering a fixed rate of 99.9 cents per ccf for 12 months beginning with the December 1st billing period. Currently Columbia Gas is offering a variable rate of a shade over a dollar per ccf through November 28th and this rate would be adjusted every 30 days.

Mr. Will said the **Sandusky Bay Pathway Master Plan** documents have been updated and available for viewing in the City Manager's office and the Clerk of the City Commission's office. It is also available electronically. A presentation will be made at the November 27th City Commission meeting and its potential impact on this moving forward.

Mr. Will said they had been working very hard on labor negotiations, as well as doing a lot of public education work related to the potential City Hall development plans.

President Kaman asked were there any questions of the Manager? Mr. Edmon questioned if they had insurance **from Columbia Gas where the pipes were to burst**, if they switched over, would they still be able to keep that? Mr. Widman said those services are directly from Columbia Gas and they would continue and it was all in one bill.

President Kaman questioned the **permitting process the way the County does theirs**. Mr. Will said the Building Permit process; no they haven't done the research on that yet. They talked with Zoning officials and the person that does it privately already and they had been putting it by the back burner as far as trying to get together on this because we have other regional issues we've been working with them. Hopefully we can get those going so they work and then move into the permit process. The other thing we learned on that is that we generate a significant amount of revenue from that process as well. And that's the reason why we kind of put it on the back burner was because this one is not costing a lot of money to do this, whereas the other one might be costing us a lot of money. A brief discussion ensued.

Mr. Waddington questioned having a **hotline for snow removal**. Mr. Will said the key to the snow removal issue is when it's snowing, everybody wants their street done first. So just remember, we get hundreds and hundreds of calls. The key for everybody to remember is that we are not on a system where we're missing streets. We do the main streets first and then we get to the ancillary streets after that. If it's snowing, we're doing the plowing and if we're answering phones, we're not plowing. Discussion ensued.

Under **Old Business**, Mr. Waddington said this Wednesday night Commissioner Stahl and myself would host a **brainstorming session** at 7:00 p.m. at the Erie County Building downtown, Chambers on the Third Floor. It was on the **loss of jobs in Erie County** and it is to gather ideas and come up with objectives and what direction they would go for this on a regional basis. Discussion ensued.

President Kaman asked should they untable the item of the **EMS Charges that was tabled at the meeting of September 25 and retabled on October 10th**? Fire Chief Mike Meinzer said we're not prepared to make any updated recommendations. I do have the Battalion Chief and the private entity and they were still investigating. The measure of reports I got back and through discussions, we would be looking at a loss of about \$150,000 a year if we wanted to not charge the over and above, the customary for the insurance companies including Medicare's. And we're in negotiations so we were putting that off. President Kaman said if we don't do this, this is the money you're losing? Chief Meinzer said just in discussions and if we have to go back and look at a lot of the previous records and try to make predictions on what covering our loss should be. We're not charging over the Medicare or the way I understand it, if you don't charge for the usual customary over the Medicare, you cannot charge any ways, any of the Anthem Blue Cross, any of the privates or any of the individuals private or personnel. So initially they're talking somewhere around \$150,000 less than we're generating now in revenues. I have to look at the impact and we can make that recommendation to you or not. I know we have to look over the year plan and the Capital Equipment Replacement and I know all the Commission has expressed a desire to do that so they were going to try to get the best information that they could to give to them. A discussion ensued.

President Kaman asked how were we looking on **water models and water towers?** Mrs. McKillips said our controls that we don't have currently under contract yet, Arcadis, is waiting for information from the County's consulting firm. Unfortunately the County, from what I understand, the County's consulting firm had a computer problem with their model, which is where we're trying to get information from their water model system to use on our model. So we can determine a final location, which means the location for the second tower would improve the pressure at the Tiffin Ave. site. So we're still sharing information back and forth with their consultant and trying to get the actual location. And basically that's going to pinpoint the actual final scope of work that we need in order to get the contract signed with Arcadis. That's where we are. President Kaman said so that's moving along slowly. Mrs. McKillips said yes.

President Kaman asked how was the **Mills Creek Tower?** Mrs. McKillips said we know that that tower is earmarked. The results she received on the scheduled results, but the paint on those towers are lead based. It needs to be repainted. That's one thing we were going to need to look at, the cost of lead abatement and repainting. A discussion ensued.

Under **New Business**, Mr. Crandall said I sought a consultant and it was over-nighted to Mr. Will as of last Thursday. I think it would be in our best interest to look at the information that was received that was placed at everyone's seat this evening. **It is in hopes that they can save taxpayer's dollars by shopping for insurance that we offer our employees.** A considerable amount of time was spent at absolutely no cost to help the City of Sandusky save some dollars. The other thing that I'm concerned about is I'm covered under this insurance through my retirement plan, which is Medical Mutual. The Northern Ohio Medical Specialist and Medical Mutual are at odds as far as medical coverage and the City of Sandusky is in that network. And it would be feasible at this time to shop around for a different network, being that a considerable number of doctors are members of NOMS.

Mr. Widman said the City's consultant through the BORMA Pool, he has had an opportunity to talk to NOMS and he's trying to make contact with Medical Mutual to find out what they're saying about it. They're going to try to give us some options. We're trying to cover all bases, but we became aware of that Thursday morning even though it was in the newspaper over the weekend. So we're trying to look over it as quickly as possible. A discussion ensued.

Mr. Murray said with Mr. Icsman's help, I have prepared a **set of rules for the Commission to consider.** I disseminated a set of rules in June. We were bogged down with other issues at the time so I did not bring that up further. The proposed set of rules largely reflect what we're doing already, which frankly would have been helpful to me a year ago to have a set of rules to look at to understand what the order is, why we do certain things. There are a couple of provisions in the proposed rules that we wouldn't use, I don't think we use them very often here, but I think it would be helpful to have them. So I'll distribute those at the end of the meeting tonight and I'll make a motion at the next meeting to adopt those. I just wanted to give you a heads up. I will distribute to each of you a read-lined set so that you can see the changes that were made in response to the commentary received the last time.

It was moved by Mr. Edmon and seconded by Mr. Stahl to hold an **executive session on contract negotiations.** The Clerk called the roll as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. The motion passed.

It was moved by Mr. Fuqua and seconded by Mr. Edmon to hold an **executive session on personnel issues.** The Clerk called the roll as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. The motion passed.

It was moved by Mr. Fuqua and seconded by Mr. Edmon to hold an **executive session on personnel issues, Charter Officers.** The Clerk called the roll as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. The motion passed.

It was moved by Mr. Fuqua and seconded by Mr. Edmon to hold an **executive session on personnel issues, Charter Officers.** The Clerk called the roll as follows:

Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. The motion passed.

It was moved by Mr. Edmon and seconded by Mr. Fuqua to hold an **executive session on personnel issues**. The Clerk called the roll as follows: Yeas: Fuqua, Waddington, Stahl, Edmon, Kaman, Murray, Crandall, 7. Nays: 0. The motion passed.

Under **Audience Participation**, Fred Farris commented on four barking dog complaints and that it was time for him to play the race card.

At 6:30 p.m. President Kaman said they would take a 5-minute recess and come back for the executive sessions.

An executive session was held on contract negotiations.

An executive session was held on personnel issues.

An executive session was held on personnel matters.

The President returned to the table and entertained motions for adjournment.

ATTEST:

B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

DANIEL J. KAMAN, PRESIDENT
SANDUSKY CITY COMMISSION