

**MARCH 10, 2008**

**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, Brian Crandall, Julie Farrar, Dave Waddington, Dan Kaman, Craig Stahl and Dennis Murray in attendance; as well as the Charter Officers of the City Manager Matthew D. Kline, 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 Services Kathy McKillips, Assistant Police Chief Charlie Sams, Fire Chief Mike Meinzer, Administrative Services Director Warrenette Parthemore, Economic Development Specialist Scott Schell, and Chief Planner Carrie Handy. It was an open meeting with the audience and the news media present.

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

**Mr. Waddington moved to accept the minutes of February 25, 2008.** Mr. Stahl seconded the motion, carried.

Under **Audience Participation**, Mr. Bob Warner, 1011 Third Street, commented on agenda items.

Mr. John Ginty, 5055 Providence Drive, commented on the agenda.

Mr. John Feick, Columbus Avenue, said about the **Keller Building**, there have been things I have heard about that that aren't quite correct. We were contacted by the City Engineering Department in November of last year to update the bid that we had given the developer from the previous year, which we did. I didn't hear anything until the Engineering Department called me in January of this year saying the project has been approved and wanted to get it going. And to make sure that my bid, which is now over 30 days old, is up to date and did want to make sure there weren't any cost overruns. I called back the Engineering Department and said my bid was fine and we were ready to proceed and they said well, obviously they're in a hurry and when could we start and I said well we need weather. And as it happened to be, it appeared we were going to have some weather the next week. It was going to be in the 60's in January and that we could start right away. I was told to stop down and pick up a key and we could begin. Which we did, went in on a Monday, loaded the roof with all of our work, got started, came back Tuesday morning, got a couple hours of work in and got a call that said we were supposed to stop. Came down to talk to Engineering to find out what the problem was and I was told that somebody changed their mind. And I said okay fine, I would stop back with a bill because I would need to be paid to date for everything that we had already incurred. Didn't hear anything for a while and then I was told the project was going to be rebid, of which at that time that we could bid again if we liked. When we heard the specs were out we came down, I looked at them and my main question was how am I going to get paid. We have incurred quite a bit of expense and I didn't see anything in the specifications that showed where I was going to get paid for the time and effort that we had already put into it, plus all of the material that was still sitting down on the roof. I was told that they didn't know, but if I was low bidder it would be a moot point and so bid it. We turned our bid in and we were under Engineer's estimate. There was at least one bid that was over that and one that was less than half of my bid. I don't know how they could do it for that number, but honestly I can't believe that they're doing the work. Part of the confusion might be is that the contract I submitted, that was required by the Engineering Department, was to have no measured drawings. There is no specific specifications as to exactly what's to be done. This general broad description says basically when you're done, make sure it doesn't leak. Now I don't know what it is you expect you're going to be getting, but I don't think you're going to be getting a whole lot. But my main question is, how am I going to get paid? One of the easiest things might be that they throw out all of the bids. I can give you an inventory of all of my materials there, the cost to put it up on the roof, you could then go out and rebid the project with all of the material in there. It would be fair to everybody. And then get bids that would be a benefit to the contractor, provided you have decent drawings. Thank you.

Mr. Tim Schwanger, 362 Sheffield Way, commented on agenda items.

Mr. Crandall moved to accept all communications. Mr. Waddington seconded, carried.

### **PREVIOUS BUSINESS**

This item was read at first reading February 25<sup>th</sup>.

#### **ITEM #1 – Communication – Jeffrey W. Rosekelly, P.E. Project Engineer**

**BUDGETARY INFORMATION:** The revised project cost based on bids, including engineering, inspection, advertising and miscellaneous expenses is \$686,518.65. The City is responsible for entire project costs and it will be paid with City Sewer Fund.

**ORDINANCE NO. 08-013 - Enter into a contract with Elite Excavating Company of Mansfield, Ohio, for the Hollyrood and McKinley Streets Sewer Separation Project.** It was moved by Mr. Fuqua and seconded by Mr. Crandall that this Ordinance be passed at **second reading** 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 at second reading of the Ordinance as follows: Yeas: Fuqua, Crandall, Farrar, Kaman, Stahl, Murray, 6. Nays: 0. Abstain: Waddington, 1. **The President declared the Ordinance passed at second reading.**

### **CURRENT BUSINESS**

#### **ITEM #2 – Communication – Matthew D. Kline, City Manager**

**ORDINANCE NO. 08-014 - Making General Appropriations for the Fiscal Year 2008.** It was moved by Mr. Waddington and seconded by Mr. Stahl that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Stahl said I'm hopeful we would pass this tonight and if we would like to make changes, it is a working document. Thereupon the Clerk called the roll twice, first on the motion and then final passage of the Ordinance as follows: Yeas: Fuqua, Crandall, Farrar, Waddington, Kaman, Stahl, Murray, 7. Nays: 0. The President declared the Ordinance passed.

#### **ITEM #3 – Communication – Kathryn McKillips, Director of Engineering Services**

**BUDGETARY INFORMATION:** The Force Account Estimate for work performed by Norfolk Southern Railway is \$110,500.00, to be paid with City Capital (\$55,250.00) and Sewer Funds (\$55,250.00).

**ORDINANCE NO. 08-015 - Enter into an agreement with the Norfolk Southern Railway Company for necessary services related to the Hayes Avenue Underpass Rehabilitation Project and to expend funds as necessary pursuant to the agreement.** It was moved by Mr. Crandall and seconded by Mrs. Farrar that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Waddington said I'm excited to finally see this, because other than Columbus Avenue, we can fix this to be one of the main corridors to come in at Hayes Avenue at the High School, and possibly the new Y. And to get the underpass fixed for safety issues with redoing the lights and moving that stripe down the center about five feet in the air.

Mr. Stahl questioned if the Flagging Fee was out of line (\$72,000)? Mrs. McKillips said that was just an estimate, standard language per the construction agreement. Most of the work that the City will be doing is basically sidewalk repair, handrailings, walls, and facade painting on the bricks. Other than that, there is some work up by our pump station that may require flagging. The painting may require flagging, maybe the handrail up on the top wall may require flagging. That's basically 90 days of flagging work.

Mr. Stahl commented on the paint color of the underpasses around surrounding communities. He asked could we get with the staff of Pt. Clinton and Bellevue's Public Safety Service Director and find out how they were able to work with colors other than black. Mrs. McKillips said there is actually a specification that the railroad provides for painting. They have the option of going with another color as long as it is approved by the railroad and the specified paint is actually causing that color.

Mr. Waddington said in the contract it has, "...no existing COMPANY grade crossing will be eliminated as a result of the proposed construction...", so we can't eliminate like Campbell or Mills? Mrs. McKillips said well, as part of this project you are right. As part of this project we are not proposing closing any crossings.

Mr. Waddington said and the MPO for that Hayes Avenue, where about will that start and finish with the underpass, how far up will that go? Mrs. McKillips said just to the end of the sidewalks on both sides, basically to North Depot Street on the north side and Filmore on the south side. Mr. Waddington said since we're going to be putting a lot of money in that in the spring, maybe forecast the work in the future

to extend that out with the hospital and the Y and etc. I don't want to come back in two or three years and do a redo. You know we're knocking some houses out of there and looking to fix this up and make this a nice passageway coming into Sandusky. Can we look at that because it's a lot cheaper for the equipment and the men are already finishing out from Hayes by the High School and back to the hospital? President Murray said it certainly makes sense while we're mobilized in the area and we're putting the money into that part of the street surfacing. Mr. Waddington said that was a suggestion.

In response to Mr. Warner's question, Mrs. McKillips said the actual cleaning or railing work was all being done by a City contractor, which we have not bid out yet. The rails would just be providing engineering review instead of the in-house by their own engineers or their contracting engineers, and the flagging I would assume is done by their own flagging people of staff personnel.

President Murray said that \$30,000 for engineering services, I assume that's for them to review the drawings that we already prepared for? Mrs. McKillips said no that's for them to review the plans that our consultant drew up and any coordination that they may require with our work. Most of our work again, is below the railroad tracks, underneath the sidewalks and walls. So there shouldn't be much if any coordination work.

Mr. Waddington said could we go back and talk to the folks so we don't have a lot of piecemeal jobs? President Murray said we should talk to the County about that.

Mr. Kaman asked what was the date that they wanted to start, they said 90 days? Mrs. McKillips said we are hoping to get clearance to go ahead and bid this project out this summer. The flagging for the railroad would take place, probably like I said, either during handrail work or the wall up on top near the railroad bridge, painting, possibly some work near the pump station. And then we will be coordinated once we actually get the contractor on board. Mr. Kaman said we were hoping to start it this summer? Mrs. McKillips said we will bid it out this summer and get started early fall hopefully. I don't think we will get it done this year. But we will see how it goes on our timeline. We are going to get clearance from ODOT to actually do the bidding.

Mr. Waddington said in a few weeks the winter season was going to be over, are we going to possibly patch the underpass, because that is like pothole heaven down there? Mrs. McKillips said yes.

Mr. Waddington said where are we at, we put the imaginary fence, plastic fence, up and that has been knocked down, do we want to put it back up or try to reinforce it? We have signage by the stairwells, but do we want something different now or is it reopened now? Mr. Kline said we've repaired the fence at least a half dozen times. If it's down again, I'll let the crews know and we'll repair them again. President Murray said I think it is down almost right away. We either need to do something else. Mr. Kline said like a permanent chain link? President Murray said we either need to close it so that you can't just move it and go past it or we need to open it again and take care of it. But we thought it was too dangerous to leave it open. Mr. Waddington said with the lighting and that, you know it's getting later and later at night now, but I was concerned with the winter months with a lot of high school kids traveling back and forth at night and it's a couple of feet wide there. Mr. Kline said it is the high school kids that I have seen tear down the fence. Mr. Waddington said I'm not talking about the fence itself. That's the reason we closed it because it was a liability as far as I was concerned on the City. It was not adequately lit and well kept. Mr. Kline said if you have seen it lately, we have gone in and cleaned it all up. You're talking on the west side where the sewer pipes are? Mr. Waddington said yes. And when the weather breaks Mr. Kline, I will be down here about Camp Street actively this summer and try to get some attention on that. If we want people to move here and come here, that's the first thing that they see when they drive under the subways and it's not very pleasant.

Mr. Stahl said we would like to see this whole thing happen at the same time, but I don't feel that my vote tonight will be yes, because I don't want to delay this thing. We have had enough delays. Let's just get this thing moving even if it is not the whole thing. And yes I don't feel good about that Flagger Fee, but it is what it is. Thereupon the Clerk called the roll twice, first on the motion and then final passage of the Ordinance as follows: Yeas: Fuqua, Crandall, Farrar, Waddington, Kaman, Stahl, Murray, 7. Nays: 0. The President declared the Ordinance passed.

**ITEM #4 – Communication – Michael R. Meinzer, Fire Chief**

**BUDGETARY INFORMATION:** There is no budgetary impact. This grant if awarded is 100% funded by the Fireman's Fund Insurance Company – Heritage Program.

**RESOLUTION NO. 006-08R - Approving and ratifying the Grant Application submitted to the Fireman's Fund Insurance Company – Heritage Program for the Sandusky Fire Department and, if awarded, authorizing the City Manager to execute any required agreements.** It was moved by Mr. Crandall and seconded by Mr. Waddington 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 twice, first on the motion and then final passage of the Resolution as follows: Yeas: Fuqua, Crandall, Farrar, Waddington, Kaman, Stahl, Murray, 7. Nays: 0. The President declared the Resolution passed.

**ITEM #5 – Communication – Michael R. Meinzer, Fire Chief**

**BUDGETARY INFORMATION:** There is no budgetary impact. This grant if awarded is 100% funded by the Sandusky/Erie County Community Foundation.

**RESOLUTION NO. 007-08R - Approving and ratifying the Grant Application submitted to the Sandusky/Erie County Community Foundation for the Sandusky Fire Department Fire Prevention Bureau (FPB) and, if awarded, authorizing the City Manager to execute any required agreements.** It was moved by Mr. Waddington and seconded by Mrs. Farrar that this Resolution be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Waddington said I would at least like to have a letter sent for the 100% funding by the Sandusky/Erie County Community Foundation thanking them. It's nice that people or groups or organizations or foundations help or donate to the community. *President Murray asked that Mr. Kline write the letter.* Thereupon the Clerk called the roll twice, first on the motion and then final passage of the Resolution as follows: Yeas: Fuqua, Crandall, Farrar, Waddington, Kaman, Stahl, Murray, 7. Nays: 0. The President declared the Resolution passed.

**ITEM #6 – Communication – Jeffrey W. Rosekelly, P.E. Project Engineer**

**BUDGETARY INFORMATION:** The estimated cost of the roof repairs is \$24,250.00 for professional design services, labor and materials to be provided by the contractor. The contract amount shall include all work as expressed in the contract documents. The funds for this project will come from the City Capital Budget and be reimbursed by Mid-States Development Corporation per the memorandum of agreement.

**ORDINANCE NO. 08-016 - Enter into a contract with CRM Inc. of Clyde, Ohio, for the Keller Building Mothballing and Repair Project.** It was moved by Mrs. Farrar and seconded by Mr. Fuqua that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Kaman said for the past week Engineering and Mr. Kline met with the contractors, now was everybody comfortable? Mr. Kline said we have met with the owner of CRM. There were obvious questions and concerns because their bid was so low. We made the assumption that they must have missed something. We've gone over the entire project with them, what his intentions are from start to finish, both Engineering and myself at least. And I asked him on three different occasions, and by the third time he was sick of my questions, but I was like are you absolutely positive, are you not missing something? I mean I kept asking him that question to make sure. He is very confident. He is very confident that he can do this job for this bid price. And then I believe it was Friday, I did meet with Mr. Feick. I've gone over his invoice from the work that he had done previous. Mr. Feick has indicated to me that he is willing to sell his materials at his costs to CRM and then I told him that I would review the rest. I had a detailed note and I would review the remaining parts of the bill and make sure that he gets reimbursed. Which I had reviewed the bill and I have no problem with the itemized parts that he had already started. So we will make sure that he gets reimbursed.

Mr. Kaman said two weeks ago we discussed about the windows getting boarded up, where are we on that? If we do the roof and that's all, it's not really serving the purpose of mothballing. *Mr. Kline said I would need to get back with Mr. and Mrs. Hagg. They're going to lead that project. If it's alright with the Commission, I will contact them this week and find out where they may be with the windows and report back or get e-mails to the Commission this week and/or also the next Commission meeting.*

Mr. Stahl said just so I'm comfortable with this whole thing. So the monies that would be paid to Mr. Feick would be paid on top of the \$24,000 or would they be subtracted? Mr. Kline said no, it would be on top. As I was reviewing Mr. Feick's bill, I have a total of, minus the materials, not including the materials that he has, he would sell those materials directly to CRM, but the remainder of his bill as I see it is \$6,427. So it would be \$24,000 plus \$6,427, a little over \$30,000.

Mr. Waddington said I would like to know what amount was going to be left from the original \$100,000 MOA that Mr. Davis was required to pay to the City if this project comes in cheaper? I know we got to board up windows and window louvers. I talked to Mr. Bob Hagg and they were working on the metal louvers for airflow in there. If it's mothballed at \$70,000 or \$75,000, what will we do with the remainder of the money? Mr. Kline said I've got thoughts. We will review it, but I thought that was the way it was written. Mr. Waddington asked could Mr. Hagg speak because I'm sure he's up on this? Mr. Bob Hagg said I would have to revisit the list because we haven't looked at it for quite a while. But our original concern was that a \$100,000 would not cover all of the things that need to be done. So when I go back to the list, there are a number of things. I don't have it right in my head, but things that I recall include things as simple as cleaning of the floors. There is still a fair amount of debris and dirt on each of the floors. Something that we would probably do through volunteers to the extent possible, but there are also some environmental considerations that were called out a long time ago. And these are things that I envisioned and listed back when we first discussed the MOA as things that would be done as part of the Mothballing Project. So I don't think there would be any lack of things to do on the Keller Building Mothballing to use the available funds. The question would be more of do we have enough funds to do the complete job?

Mrs. Farrar said I feel confident in voting yes. I heard Mr. Warner's and Mr. Feick's concerns, but Matt (Kline) has assured us he spoke with the contractor and they are going to do the job that they're supposed to do to get paid to do. And I am confident that they are going to get it done right and Mr. Feick is going to be reimbursed. So I think we should go ahead and vote because this building has been holding us up downtown. President Murray said well this is how the competitive bidding is supposed to work and you go back to the contractor and say are you sure three times, and he says sure. I don't know what else you can do. I'm glad we found an acceptable way to address Mr. Feick's concerns. I think we made a good resolution. Mr. Stahl said the only thing I worry about, Mr. Feick is here and presented his side of the story, so I want to make it crystal clear before I vote, is Mr. Feick comfortable with the resolution that you discussed with Mr. Klein? Is that out of order that I asked him that? Mr. Feick said I heard them say that I was going to get paid.

Mr. Stahl asked when would the company start? Mr. Kline said we never asked for the exact start date, but my impression from the meeting of last week. We'll contact him the first thing tomorrow morning and he should be able to just start right away. We will share the information with them so that he can get a hold of Feick Contractors for the materials. Because as far as Mrs. McKillips was of the idea, I thought he could start right away.

**Mr. Stahl asked would anybody be opposed to me offering an amendment to look at starting the work within no more than 30 days?** Someone said no. **Mr. Stahl said I will make that amendment then.** Mr. Kaman asked did we have a signed contract with CRM now? Mr. Kline said well we can't sign a contract until the ordinance is passed. President Murray said there is a motion on the floor, is there a second? **Mr. Fuqua seconded.** *Discussion* – President Murray asked Mr. Icsman was that a copestetic motion? Mr. Icsman said my only concern is what the documents may or may have not have said about that issue. We can't be changing it now. I don't know what the documents said if anything about starting. Mr. Stahl said my fear is with this issue that having worked with the Old House Guild folks on this thing, is I want to see this thing get done sooner than later and I don't want to see this job stretch out into summertime. Mr. Icsman said normally Kathy, and I can't remember this time, but normally you have to do contracts within a certain time, even John (Feick) knows that or you've got a problem. So within so many days of awarding the contract it has to be signed. What the contract says about when it starts is the question. Mr. Kline said I got the impression from the meeting that he was slow (winter work). So I think he's thankful for the work as well. So I got the distinct impression that he is ready to go. **The Clerk called the roll on the amendment. Yeas: Fuqua, Crandall, Farrar, Waddington, Stahl, Murray, 6.**

**Nays: Kaman, 1. The President declared the amendment passed.** As there was no further discussion on the Ordinance, the Clerk called the roll twice, first on the motion and then final passage of the Ordinance: Yeas: Fuqua, Crandall, Farrar, Waddington, Kaman, Stahl, Murray, 7. Nays: 0. The Ordinance passed.

Under the **City Manager's Report**, Mr. Klein said it is requested that the following donations be accepted by the City Commission. We received a **\$900 donation for the Friends of Greenhouse Endowment**. Mr. Fuqua said I would move to accept. Mr. Crandall seconded, carried unanimously.

Mr. Klein said we would like permission to donate the **Broken Smoke Machine that we had used in the past for training children**. The Bay View Fire Department would try to repair it and train children. The new machine would cost approximately \$250. Mr. Waddington said so moved, Mrs. Farrar seconded, carried.

Mr. Klein said this past week we received an **invoice request from the Erie County Economic Development Corporation for a \$10,000 contribution for Economic Development Services for 2008**. My understanding is that this is a normal amount and I would *request legislation be ordered in for the next meeting*.

Mr. Klein said it is requested that the following **donations** be accepted for the **Sandusky Police Department's K-9 Unit**: \$50 from Scott and Diane Truman; \$300 from the Fraternal Order of Police Lake Erie Lodge #17; and \$50 from Sandra Pinze. Mr. Crandall said so moved. It was seconded by Mr. Waddington, carried.

Mr. Klein said it is requested that these **donations** be accepted for the **Washington Park Endowment Fund**: \$25 from Don and Peggy Schwanger; \$25 from Robert and Margery Pierce for the Millie Mooseburger Memorial. Mr. Waddington said so moved, Mr. Crandall seconded, carried.

Mr. Klein said I would like to **request that a public hearing be scheduled for April 14<sup>th</sup> on a request for change of zoning for property owned by Gardner Insurance Company on Milan Road between 50<sup>th</sup> and 52<sup>nd</sup> Streets**. *President Murray asked the Clerk to set the public hearing.*

Mr. Klein said just a point, I forgot that the City's Finance Department is in receipt of a **check for \$10,420.79 for roof damages at the Keller Building**. So I guess we have a \$100,000 from the MOA, plus \$10,420.79.

Mr. Klein said a reminder that **City offices will be closed at noon on Good Friday, March 21<sup>st</sup>**. Offices will reopen at 8 o'clock on Monday, March 24<sup>th</sup>.

Mr. Klein said a brief update, we have been in discussions with the **Gradel Property**. Negotiations with the railroad, I would say right now, have stalled. We have to create some different ideas in trying to make the Gradel property work. Scott Schell and myself have traveled to Toledo to talk to John Gradel about an idea. He accepted that idea in principle. We're now actually phoning the Ohio Department of Development because of the Clean Up Ohio Revitalization Fund Grant (\$2.8 million) and the amount of property purchased to the Gradel Property. We have not heard back from them as of today's meeting. We will be meeting with the developers for another round of talks this Thursday with the development agreement. We still have to go and try to present a strong development agreement to the City Commission at the Paper District. President Murray said refer to it as the Marina District. Mr. Kline said and last week we had a very productive phone conference with the Army Corps of Engineers and essentially at the end of the day they believed they would be recommending up the chain of command to approve the permit to construct the transient marina at the Tricor Property. They were hoping to have that decision the week of March 17<sup>th</sup>. *So as soon as we know, I will obviously let the Commission know and then report it at the following Commission meeting. President Murray asked were there questions of the City Manager?*

Mr. Waddington asked was there any word yet on the **railings on Columbus Avenue**? Mr. Kline said the **paint** actually has a five-year guarantee and we're trying to make contact now and to get it repainted. There was a one-year on labor and a five years on the paint and I believe the project is two years old now. So we are within the guarantee and we will be contacting them.

Mr. Waddington asked have we had any more contact with **Mr. Spatz on the Rieger**? You know the clock is winding down and I would just love to hear something at some point. Mr. Schell said I spoke with Mr. Spatz the end of last week and he is pursuing a new endeavor as far as the ultimate end use of the Rieger and he filled us in basically on some of the parameters that he is working through. And

we are going to let him follow up on this and keep very close tabs and until we get a little further into this, there really isn't a whole lot left to report. Obviously he has run into another funding stumbling block and he is trying to work his way through that. Hopefully we will have a little bit more within the next week or 10 days. Mr. Waddington said my concern is five years ago, it might have been an easier fix. Now we're getting to the end of the five years with Mr. Spatz, what do we do next? You know it's deteriorating and each and every day you go along and nothings being done to it. That was why I was kind of excited when the project first moved up. And I understand things change and funding and that, but should we be mindful maybe of jumping to the next bridge to someone else? Is that going to be the long-range plan? Mr. Kline said the only economic study that has been shown to me thus far since I started, the estimates given to me are between \$7,000,000 and \$7,500,000 to improve the project, but the market studies and the rental income that can be produced off of there, only justify about a \$2,500,000 investment. So there is a \$5,000,000 gap there that Mr. Spatz is having a very difficult time trying to fill. I've been through the building, you're absolutely right. It's in deplorable condition. It's deteriorated. It has a hole in its roof, not quite as large as the Keller Building, but there is water draining all the way through it. It is in very poor shape. The problem is I think, the question is going to come to us, should Mr. Spatz fail in his endeavors and the deed eventually transfers back to the City, the question is going to be what is it that we want to do? We are going to have to take a long, hard look at if the Rieger is viable in its existence or do we have to look possibly at tearing it down. That question is going to be posed to us and we might as well ask the question now. We know it is still awaiting until 2009 that Mr. Spatz has, but it's going to be a tough sell right now. That's the reality. Mr. Stahl said it expires December of '09, he has about a year and a half to go. I sat with the financing on that. The ball is in his court.

Mr. Waddington said at some point if that doesn't work, would Mr. Spatz sit down so we could come back and say can we go out and look for another developer possibly in his last year? Would you object to that because I know we are in a contract with him? Obviously I don't think it's going to pan out, but I might be wrong.

Mr. Kline said I'm not an architectural engineer, but I think that one of the stumbling blocks you have in the Reiger if you go through it is the hallway, the main hallway for each floor. Those walls are load-bearing walls. You can't widen that hallway or rooms very easily. It would be very difficult, especially for commercial or even for condo purposes or anything like that. It's a difficult building to rehab.

Mr. Kaman said Mr. Kline you've got a lot on your plate right now, I understand that. I'm only one of seven, but my personal thing is I want to get that Marina District done. I mean the Paper District. In talking to people at the **Paper District, getting that Marina done is key to them selling the remaining condos** for which way they are facing. I just want to make sure we're doing everything that we can to keep them happy, keep them moving. And all the snow on the ground, the work, we're a few short weeks away from spring. We're a few short weeks from the Goodtime running, people going down to the Jet Express and Goodtime. I would like to see what we can do to help them get that east side of that building, the brick wall we put out to the swamp, cleaned up, looking presentable. Just focus that beyond that Paper District I feel. All of this other stuff is all-good, but we have to finish one. We have to help them. I don't know how we can do it. What we can do? But talking to them, that marina is key. I know it's going through the chain of command through the Corps of Engineers, but I would just like to get that finished. That one project. Mr. Kline said we agree, absolutely. I'll speak for Don Miers and Scott Schell, they're ready to dig the hole themselves as soon as the Army Corps gives us the permit.

Mr. Waddington asked are we going to run into the spawning season too? Mr. Schell said as far as the shoreline work is concerned, we would have to wait until into June before we're clear to do any work. But as soon as we get the permit, and we hope we'll have one in hand by the end of the month, we can begin the excavation on the interior perimeter, the upland portion of the Transient Marina without having to worry about that. So we're hoping as much as anyone else that we will be seeing progress very shortly. Mr. Kline said in fact, in talking with the Law Director that's a project that we are responsible for building that marina. We will be bidding that out ourselves correct? Mr. Icsman said correct, March 17<sup>th</sup> we will bring legislation for the next meeting to go ahead and set ourselves up for bidding out that project so that we will be ready to go.

Mr. Kaman said I received some good news from Mr. Schell this week about the **Steuk Property**. Mr. Schell said the Building Inspector did have a good meeting with the owners of the Steuk Property. And they are going to take the necessary steps to make all of the structures on the property safe again, including demolition of the front structure, partial demolition of the barn and securing of the barn, as well as completing what's left of the residence. And they'll also be taking all of the vegetation away from the barn, removing all of that. So hopefully that work will make it a bit more enticing and someone will come in and redevelop it. Mr. Kaman said hopefully they will get that done by spring. That will make a big improvement out there.

Mr. Stahl said I would be very disappointed if maybe part of the **Apex had exposed walls with paint on them** and it would be a lousy calling card to the City. It appears that may be what the case is and I would hope that our Building Department is looking into that. *Klein if you could look into that and report back at the next meeting. I would also ask the Engineering Department to give the Commission a copy of the structural viability of their main part of that building. I would like to see that also available to the press in their weekly packet.*

Under **Old Business**, Mr. Waddington said tomorrow morning at 10 o'clock in the second floor conference room at City Hall we were going to have a follow up to **Storm Water Management meeting**. We will go over goals and objectives and try to get the rest of the county governments involved. A vast array of pharmaceuticals, antibiotics, pain medications, sex hormones could be in our drinking water. I spoke to Doug Keller and he would be asking Dave Guerra to test our water and look into it. We need to look at how we dispose of these items. Mr. Kline asked Assistant Chief Sams how do we dispose of illegal drugs? Chief Sams said an incinerator. Mr. Klein said that's probably the only proper way for pharmaceuticals to be incinerated. *President Murray said this is a question we should pose to the Erie County Solid Waste District. Mr. Klein said I serve on that board and we have a meeting tomorrow afternoon and I will bring that up.*

Mr. Kaman asked **what did we decide to do with the YMCA**, we were supposed to get back with them? Mr. Klein said we have done our review of how we can expend CDBG money. It became very clear in my report that was given to me, that CDBG money can not be used, especially committed to multi-years as it has been proposed for that type of project. Our research showed that only CDBG money, which it is called, but it is known as earmarks were granted. One was \$100,000 for new construction in Connecticut by Senator Lieberman and then a Congressman from Pennsylvania, an earmark of \$350,000 with CDBG Funding for Tittisville, Pennsylvania, specifically to upgrade 90-year old buildings to make them compliant with the ADA. I have been in conversations with Steve Snyder trying to think outside of the box of how and what can we do to help them when it comes to actually construction of a new facility. One of the things that you do have control of, you have funds available. First off they don't pay property taxes so there's no tax abatement options. However, they are going to need water and sewer hook ups and they are going to have water and sewer construction costs. And although they don't have any hard costs available right now from their architect, that is something that I believe that we could make some sort of commitment too in helping them with that specific part. I'm suggesting, I'm not saying. It would be up to the Commission to say yes or no, but waiving the tap fees is a suggestion. Maybe when they get to that point of construction, working with them and breaking down the costs of their sewer line connections and their water line connections, and that is sort of our hard cost construction. One thing that we can do with CDBG money, and you can't commit it on a multi-year, but you can commit it from a year to year basis. And that is one thing that we can do is commit a certain amount of dollars for programming. Steve came up with an idea, every child in the Sandusky City School System, every third grader in town, he had the idea of using CDBG money in paying for swim lessons. Those are ideas, those are things that we can participate in if you still want to commit some type of CDBG money. But for actual construction of a brand new building, the best suggestion would be to try to get the ear of Congresswoman Kaptur to see if there would be any way of earmarking. It has been done in the past by other congressmen. I would be more than happy to work with Steve in contacting her if that would be the wish of the Commission. But again, the only other idea that we

came up with right now, would be acquiring sewer connections and helping them with their construction costs. Mr. Kaman asked have you been in contact? Mr. Klein said I've talked to him about five times last week.

Mr. Waddington said on the YMCA, we get about \$800,000 a year in CDBG money correct? Mr. Klein said about yes. Mr. Waddington said so I'm worried about helping and what that's really meant for. I would prefer to look into, I have had a conversation on the water and sewer reserves, looking at that area and spreading it out over five years. Mr. Klein said you are limited on your water and sewer because it has to be spent on water and sewer. So to say we're going to give them a \$100,000 over the course of five years, they would have to spend that money only on water and sewer. That's why I'm making just the suggestion of working with their contractor and try to help pick up those types of their costs. President Murray said I agree. In order to make Sandusky viable and a place to live, we need an exercise recreation facility included. With the hope of buying the YMCA, that the current cost structure is such that it is just a matter of time before they are going to have to close that facility. We can't begin to afford our own recreational facility in the City of Sandusky. I think partnering with the YMCA, with the express agreement that they have offered on numerous occasions, they will provide scholarship memberships potentially, it makes a great deal of sense to the community. And I think that whole neighborhoods would reap the benefits by the presence of the YMCA. It's closer to a dense neighborhood as opposed to where it is right now where it is not as accessible to the majority of the population. I just would encourage us to do anything that we can. I thought that we had already addressed this issue and I was surprised last week when it came up again and we realized that we really couldn't do it the way that we had been talking about doing it. *Mr. Stahl said Mr. Klein can you bring something back to the next meeting, some ideas that we could further discuss.* If we're talking about free water and sewer hookups, I would think that we would want to make sure that the County, and I am all for this, but I think it's important to do this. And if we're going to do something with the water, contact the County and make sure that they're okay with it as our partner.

Under **New Business**, Mr. Stahl said last month I floated the idea, **a simple mention, rotating by Commissioner to thank our many local businesses for calling Sandusky home.** I received little support. Tonight I will mention this idea again, beginning with the next meeting under new business I will publicly mention the business by name, whether a one-person mom or pop shop or a 100 employee factory. The South Shore Inn and the Skarapa and Brown family, friends, and long-time family tradition was started by Mary and Julie Skarapa and their son-in-law Gram Brown. I will paraphrase what Julie Skarapa told me several summers ago, if you don't eat here, please eat at a locally owned and operated restaurant.

Mrs. Farrar said I wanted to call attention to a Call to Action for the Men of Action Ministries Fundraising Event on March 29<sup>th</sup> at 3:00 p.m. at Kingdom Lifestyles Worship Center. Mr. Fuqua, his wife, my husband and myself are going. We need to let the Clerk, Joyce, know if you want to go, so she can make that reservation.

Mrs. Farrar said also April 29<sup>th</sup> I am going to the mandatory House Bill 9 training in Bowling Green and if anyone wished to go with her, they could let her know.

Mrs. Farrar said in the paper today the police officers are taking on the Cadets April 27<sup>th</sup> in a basketball game at Sandusky High School, it was the Dogs against the Pups. They were raising money for the K-9 Unit and tickets are \$5.

President Murray thanked the Street Department for their work this past week. Also thanks to both the Police and Fire Departments because they received a lot of calls.

Under **Audience Participation**, Mr. Harry Brady, 190 E. Main Street, Norwalk, said he was here as a representative on behalf of the Carpenters Union. He questioned if it was going to be prevailing wage jobs on the Keller Building because it was funded initially by the City and reimbursed by the other fund? President Murray asked that Mrs. McKillips answer his questions by calling him tomorrow.

Mr. Bob Warner, 1011 Third Street, commented in the last four years, this has been one of the most proactive Commissions that he has had the pleasure to deal with.

Mr. Tim Schwanger, 362 Sheffield Way, questioned the north side of Fifth Street and flooding and there was talk of putting in new laterals, if someone could call him sometime this week. And on the Paper District Marina does the developer actually have money involved or was it being done 100% through grants or TIF money? He heard of it not being 100% transient marina and that it will also be private docks for the Chesapeake Condominiums. President Murray asked that Mrs. McKillips get with him on the laterals. And on the Chesapeake that is supposed to be a public transient marina. It is going to be a mix on the financing because we didn't get the second grant that we were hoping to get. There still may be an avenue with ODNR to get that. I don't know where that stands right now. The discussions in terms of filling the shortfall is to use the TIF (Tax Increment Financing), the bond that the developer will buy back. A lot of the shoreline work around the building would be funded with that same TIF financing and I think that is still under discussion.

As there was no further business, President Murray said we need a motion for an executive session. Mr. Stahl said I would request an **executive session on personnel**. Mrs. Farrar seconded. The Clerk called the roll as follows: Yeas: Fuqua, Crandall, Farrar, Waddington, Stahl, Murray, 6. Nays: Kaman, 1. The President declared the motion carried.

At 6:25 p.m. the City Commission took a five-minute recess.

The Commission and staff returned to the table and an executive session was held on personnel.

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

ATTEST:

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B. JOYCE BROWN

CLERK OF THE CITY COMMISSION

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DENNIS E. MURRAY, JR., PRESIDENT

SANDUSKY CITY COMMISSION