

President Dan Kaman **called the meeting to order** at 5 p.m. after the **Invocation**, given by Dave Waddington, and the **Pledge of Allegiance**.

The clerk called **the roll** and the following Commissioners responded: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar.

City staff present: Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Fire Chief, Thomas Schwan – Transit Administrator, Anna Enderle – Assistant Planner, Carrie Handy – Planner, Scott Miller – General Services Director, Tom Whitted – IT Manager, Don Icsman – Law Director & Acting City Manager, Hank Solowiej – Finance Director and Kelly Kresser – Commission Clerk.

Upon motion of John Hamilton and second of Dave Waddington, the commission voted to excuse Dick Brady. All Ayes. The President declared the motion passed.

Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to approve the minutes of the March 28, 2011 meeting and dispensed with the oral reading. All Ayes. The President declared the motion passed.

Dan Kaman introduced Jaclene Bahnsen, the city's new Recreation Program Supervisor. Jaclene Bahnsen said she is a graduate of Perkins High School and Bowling Green State University and is excited about the opportunity to represent the city.

PRESENTATIONS

Dan Kaman introduced Pete Schade, Director of the Erie County Health Department (ECHD), to provide a recap of the 2010 annual report. Pete Schade said the city is well represented on the Erie County Board of Health which includes five members of the Sandusky community. He said the ECHD ended in the black for the fourth year in a row. Pete Schade said the needed services have been prioritized, expanded and performed with less money. The money taken in by the ECHD has expanded through grants and non-levy revenue. Pete Schade said the community health assessment process is performed with other county partners approximately every three years. He said this data is then used in determining what funding to apply for through numerous state and/or federal resources. In 2010, Pete Schade said the first assessment of children, ages 0 – 11, was conducted and the data gathered will help provide needed services. He said this year an assessment will be conducted for those aged 12 to 'end of life' for physical and behavioral health purposes. The agency goals and objectives were written by the staff and all have been attained through the course of 2010. He said the public health outreach clinics are conducted at the ECHD, local senior centers and at various village and township halls; they average 1,350 persons or clients each month. Pete Schade said the ECHD has received its Federally Qualified Health Center (FQHC) with *Look Alike* status which means those who are uninsured, underinsured or insured can go to the ECHD on Superior Street for 23 primary care services or for a referral. He said the Women, Infants and Children (WIC) division has increased the number of persons served and is a good referral system for supplemental nutrition.

Dave Waddington asked about programs implemented by unfunded mandates at the ECHD and Pete Schade said this has been a trend the ECHD is trying to turn around with the general assembly. He said there is a propensity to implement programs without regard to cost. Diedre Cole asked if the ECHD had any programs targeted for childhood obesity and Pete Schade said the ECHD has tried to obtain monies through the state and federal governments, but have been unsuccessful thus far. He said the health education team will be working with the community to push the obesity prevention resolution.

Bob Boehk, General Counsel for Erie Materials, Inc., **presented an award received by Erie Blacktop from the Flexible Pavement Association in Columbus, Ohio, for the Hayes Avenue resurfacing project.** He said this award is a statewide recognition for achieving the highest quality of asphalt paving as exhibited by superior workmanship and riding quality for the resurfacing of Hayes Avenue from Perkins Avenue north to Columbus Avenue. He said this project is testimony to the quality of the City of Sandusky.

Larren Wikel, Vice President of Erie Materials, Inc., proposed the acquisition of the coal docks, pier #1 and #2, on behalf of his company. He showed a geographical map of the piers which are between Kraft Marine (formerly Georgia Pacific) and Kelley's Island Boat Line. He said the docks have been vacant for quite some time. Larren Wikel said Erie Materials is a producer of asphalt concrete (blacktop), owns and operates a limestone quarry, and is located in Margaretta Township. He said the company employs approximately 150 men and women during the construction season and also sells and trucks liquid

asphalt to other asphalt plants in Ohio, Pennsylvania and Indiana. He said Erie Materials recycles more tons of material than any other company in north central Ohio and is pursuing smart expansion and growth. Larren Wikel said the vision for this dock is to construct a liquid asphalt terminal with one 1.5 million gallon tank which has access to water, rail and highway. He said the dock would be utilized to load limestone products onto a barge and will employ approximately 10 – 15 additional employees in fulfilling this vision. Larren Wikel said currently there is one tank and two limestone piles on the site as well as a conveyor system on one of the docks. He said the rail line will be revived and reinstalled to allow for the ability to deliver liquid asphalt by rail. He said liquid asphalt comes in at approximately 300 degrees and cools rapidly and when it becomes an ambient temperature, it is a solid. Larren Wikel said the cost of the proposed investment is approximately \$2.5 million including start-up costs for tanks, scales, office location, site cleanup, demolition of concrete foundations, break wall and dock repairs, offloading and pumping equipment and labor. He said the current tank storage locations owned by the company are not unattractive and the proposed tank size is an 80' radius and 40' in height.

Larren Wikel said the benefits for Erie Materials include: the ability to purchase raw material at a lower cost, making Erie Materials more competitive at the bid table, increasing the workload, expanding the market area and efforts for liquid asphalt, and making Erie Trucking more efficient and productive. He said the benefits to Sandusky and the surrounding area include: increased economic development, an insurgence of business investment into the Sandusky area economy, vacant property used consistently with the adjacent properties (industrial sites), increased property taxes, increased income taxes from increased workforce, improvements to King Street, improvements to an underdeveloped area and new commerce and a benefit to the city from lower raw material cost at the bid table. Larren Wikel said there are several loose ends which need to be tied up including execution of a purchase or lease agreement with the city, securing a submerged lands lease, contracts for railroad/freight, a dredging contract, improvements to King Street and the site remediation.

Dan Kaman said this project has been on the table for at least six years, but has been stalled and/or stopped for different reasons. He said he has been working with Don Icsman, Hank Solowiej, Todd Roth, Carrie Handy and Larren Wikel; the commission has been provided with updates for the past 16 months. He said this project would bring economic development to the city and is good news. He is hopeful the city can have legislation prepared in two weeks for the project and will mean 10 – 15 jobs for the area. He said this site has not been used for 40 years and this project would help to bring life to it and clean it up. Dan Kaman said there would be improvements made to King Street which currently lead to a dump. Julie Farrar asked the timeframe for this project, if approved, and Larren Wikel said he would anticipate eight weeks duration between obtaining an ordinance from the city and having metal on site for the tank construction. He said the cleanup would begin immediately so that the tank could be up by late September, 2011. Julie Farrar asked what type of skills will be needed for the jobs that will be available and Larren Wikel said the jobs would mostly be for truck drivers with a commercial driver's license and a hazmat certification. Dave Waddington said this helps with the urgency of completing the west end grade separation project and this could help the west end of town become more vibrant.

Diedre Cole said this is a novel idea and she is looking forward to hearing more about it. She asked what types of improvements are planned for King Street and at whose expense. Larren Wikel said the improvements would include widening of the streets, curbs, gutters and sidewalks. He said there would also be a relocation of the existing utility poles and valves which are located in the middle of the street. Larren Wikel said the northbound intersection of West Monroe and King Streets would be widened. Todd Roth said the engineering department would recommend a portion of the area have curb and gutter added and that widening would help to move trucks through the area properly. Larren Wikel said Erie Materials would make these improvements and the expense would be deducted from the purchase price. Diedre Cole said there would be wear and tear on other streets in the area and asked how this will be addressed. Larren Wikel said he is not sure how the city would handle this, but his company would be utilizing an already dedicated truck route. He said the entire area is industrial and the truck route would be from King Street, turning onto Monroe Street, past the old Tofts to Venice Road and to S.R. 2. Dan Kaman said the plan is to use the same route as the trucks hauling coal. John Hamilton asked if the tank will have a double wall and what the setback would be from the water. Larren Wikel said it would be a double wall tank which is similar to a water tank, but thicker; he said they are pressure tested after installation. He said there are heating coils at the bottom of the tanks. He said they are not built very tall, rather they are wider and of a certain height (or below) and are more stable. Larren Wikel said only the bottom 5' would hold a liquid because of the temperature and a dike system would be present; by the time the liquid would hit the dike system, it would solidify. John Hamilton asked about the placement of an earthen wall around the perimeter and Larren Wikel said at this point, there is not enough property to put in this type of wall and the smaller tank size would not call for this type of system. He would propose a concrete structure which would be much more stable and have a smaller

footprint. Darren Wikel said he does not yet know what the setback is from Sandusky Bay. He said the plan is to place the first structure as close as possible to the railroad setback lines and as far away from the water as possible. Bob Boehk said there are large tank farms in other major cities and ports including Detroit, Chicago, Duluth and Cleveland and are right on the water.

Dan Kaman said when these conversations started with Erie Materials and the city, he was concerned because of the coal tar situation but he learned this product is not liquid until it is heated. Diedre Cole said she would like to provide the public with an opportunity to comment on this proposal as the water is precious to everyone. Dan Kaman said once the legislation is on a city commission agenda, the public would have the opportunity to comment on it. He said the purchase or lease agreement and the submerged lands lease would still have to be worked out. Dan Kaman said he would like to see this presented for the May 9 commission meeting. Diedre Cole said it is important to allow the public to speak about *their* property.

PUBLIC HEARING

A Public Hearing was held regarding a proposed street name change for Shelby Street between Pierce and Buchanan Streets to "Henry Way".

Todd Roth said this request was received by the city and has been published in the newspaper six times as required by state law.

Pervis Brown said the importance of this proposed name change is to honor one of the city's finer retired ministers, Pastor Eddie Henry of New Jerusalem Baptist Church. He said this will set the stage for a tribute to him. Dave Waddington said this is a wonderful idea to honor Pastor Henry and he is supportive of it.

Members of the public were then invited to offer comments.

Mary Aaron, 1920 Shelby Street, said Pastor Henry is an upstanding resident of Erie County and has labored long; she believes he is deserving of this honor.

Rev. Curtis Johnson, Jr., New Jerusalem Baptist Church, said Pastor Henry has served the community faithfully for 37 years and has spent his life encouraging young people to pursue their education. He said Pastor Henry will soon be turning 85 years old and members of the congregation would like to honor him while he is yet alive.

Jenny McClendon, a Vermilion, Ohio resident, said she owns four properties adjacent to the church and sees no reason not to make this street name change.

Cora Williams, 628 East Adams Street, said she is a 38-year member of New Jerusalem Baptist Church and served as Pastor Henry's secretary. She said Pastor Henry reaches out to everyone and said the city can no better honor him than to rename this street to Henry Way. Cora Williams said Pastor Henry is originally from the Akron area, but he wishes to spend the rest of his days in Sandusky.

Upon motion of Dave Waddington and second of Julie Farrar, the commission voted change the name of Shelby Street between Pierce and Buchanan Streets to Henry Way.

Discussion: Don Icsman said according to state law, the commission must first pass an ordinance prior to making a street name change.

Dave Waddington amended his motion, which was seconded by Julie Farrar, to order in legislation for the next city commission meeting to rename Shelby Street between Pierce and Buchanan Streets to Henry Way. All Ayes. The President declared the motion passed.

The President declared the public hearing closed.

AUDIENCE PARTICIPATION (*agenda items only*)

Sharon Johnson, 1139 Fifth Street, asked what public restrictions will be at the Sandusky Bay Pavilion property if the agreement with the Sandusky Maritime Museum (Item #1) is passed. Dave Waddington said there will be no additional restrictions beyond those currently in place. Don Icsman said there are

no restrictions beyond what has been done in the past and if new events are added, the city's recreation program supervisor will be involved. Don Icsman said he looks at this as a way to get maintenance and marketing for the area at a time when the city has few resources chasing ever-increasing problems. Sharon Johnson asked if the revenues collected for events would go to the city and Don Icsman said this will not change; the museum will receive the monies for events which they sponsor; the city will receive the monies for events which they sponsor. Sharon Johnson asked about tent setup and rental and Dave Waddington said as an example, the KidsFest committee takes care of the tents and chairs for their event and this would not change. Dave Waddington said this will provide an opportunity to clean up the area and hopefully to bring some life back to the park.

Tim Schwanger, 362 Sheffield Way, and representing Save Our Shoreline Parks (SOSP), asked if the proposal by Erie Materials could be presented to the members of the Bayfront Corridor Committee. Tim Schwanger said the city should not forget about preparing a master plan for the Sandusky Bay Pavilion property. Tim Schwanger said SOSP is supportive of the cleanup proposed in the grant application (Item #3). He asked if the submerged land lease agreement (Item #4) is one in which the lessee makes payment to the State of Ohio and the city then receives 50% back. Dave Waddington said there are a lot of hours tied up by city staff with different projects, but something needs to be done with the Sandusky Bay Pavilion property. He hopes this will help provide a facelift at the SBP during this interim time.

Upon motion of Pervis Brown and second of Dave Waddington, the commission voted to accept all communications. All Ayes. The President declared the motion passed.

ITEM #1

ORDINANCE NO. 11-033: It is requested an Ordinance be passed **authorizing and directing the city manager to enter into a license agreement with the Maritime Museum of Sandusky for priority use of the Sandusky Bay Pavilion;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Diedre Cole and second of Dave Waddington, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dave Waddington said this is a winning collaboration and thanked Neil Allen and the Sandusky Maritime Museum board members, Don Icsman and the city commissioners for supporting it. He said combining special events and making upgrades to the property are winning drivers for the agreement. Dan Kaman said this is the fourth such agreement (Sandusky Central Catholic, Sandusky High School and the baseball team at Kiwanis Park) and there have not yet been any problems with these other agreements. Don Icsman thanked Dave Waddington and members of the Wightman Wieber Foundation who have agreed to provide funding for some minor electrical upgrades prior to the KidsFest event this year.

Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the Ordinance passed.

ITEM #2 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The cost for additional scope and completion of the supplemental bay front coal tar plume assessment report will not exceed \$6,900. The total cost will be covered by the U.S. EPA brownfield assessment grants received. There is no required city match for this grant.

ORDINANCE NO. 11-034: It is requested an Ordinance be passed **authorizing and directing the city manager to approve a second amendment to the agreement with Malcolm Pirnie, Inc., of Columbus, Ohio for professional environmental services in conjunction with the US EPA brownfield grants received from the U.S. Environmental Protection Agency in 2007;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dave Waddington and second of Julie Farrar, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the Ordinance passed.

ITEM #3 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The Great Lakes Restoration Initiative (GLRI) grants require no matching dollars, and are allowed to include provisions to reimburse the city for grant administration.

RESOLUTION NO. 012-11R: It is requested a Resolution be passed **approving and ratifying the submission of a grant application to the U.S. Environmental Protection Agency, great lakes national program office for financial assistance under the GLRI to support a coal tar plume pilot project in Sandusky;** and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Pervis Brown and second of Dave Waddington, the commission voted to adopt this Resolution under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed. Roll call on the Resolution: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the Resolution passed.

ITEM #4 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The city will receive 50% of the payment for the finalized lease each year.

RESOLUTION NO. 013-11R: It is requested a Resolution be adopted **pursuant to section 1506.11 of the Ohio Revised Code finding and determining that based upon the representations and application filed by Southernmost Northern Enterprises, Ltd. for property located at 1329 First Street, the use and development of the territory so described, a submerged lands lease may be entered into by the state's director of natural resources;** and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Julie Farrar and second of Dave Waddington, the commission voted to adopt this Resolution under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Julie Farrar asked how the city will receive its money back for this submerged lands lease and Hank Solowiej said this will be received from the State of Ohio.

Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed. Roll call on the Resolution: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the Resolution passed.

ITEM #5 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: Funds for the purchase of this item have been included in the operating budget of the water plant.

ORDINANCE NO. 11-035: It is requested an Ordinance be passed **authorizing and directing the city manager to purchase 5 tons, more or less, of powdered activated carbon from PICA USA of Columbus, Ohio, for use at the Big Island Water Works plant during the calendar year 2011;** repealing Ordinance No. 10-132 passed on December 13, 2010; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dave Waddington and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the Ordinance passed.

ITEM #6 – Submitted by Carrie Handy, Chief Planner

Budgetary Information: The City of Sandusky will award the Erie County General Health District a total of \$15,000 in CDBG funds to provide the community gardening program. Erie County General Health District is providing an in-kind match of \$6,967. There is no impact to the city's general fund.

A. ORDINANCE NO. 11-036: It is requested an Ordinance be passed **providing for the use of certain property of the city and that notwithstanding the applicable sections of the city's planning and zoning code and any other sections of the codified ordinances, the city manager is authorized to direct that the appropriate city department issue any and all necessary permits for the operation of farming for a community garden;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Julie Farrar and second of Dave Waddington, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Diedre Cole asked how residents in these neighborhoods feel about the creation of a community garden and Carrie Handy said staff from the Erie County Health Department spoke to the neighborhood residents and no objections have been heard. She said the garden at Viewpoint is already up and running and they are very enthusiastic about it. She said it will be more of an effort for the south side neighborhood as there is not a person heading it up. Diedre Cole said the salaries and fringe benefits will total \$10,656 from CDBG funding and the in-kind contribution from the ECHD is approximately \$4,300. She asked why CDBG funds are being expended for an employee of the ECHD. Carrie Handy said this is basically for the labor or staff time in getting the community garden up and running. Carrie Handy said the ECHD employee already manages the community wellness program and funding comes through CDBG. Carrie Handy said everything will have to be developed from scratch as it is a new program. Julie Farrar said she will help with the south side community garden area until the neighbors start to get involved.

Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the Ordinance passed.

B. ORDINANCE NO. 11-037: It is requested an Ordinance be passed **authorizing and directing the city manager to enter into a subrecipient agreement with the Erie County General Health District, substantially in the same form as attached hereto, and to expend an amount not to exceed \$15,000 from the FY 2010 community development block grant funds;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dave Waddington and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the Ordinance passed.

ITEM #7 – Submitted by Thomas Schwan, Sandusky Transit Administrator

Budgetary Information: Sandusky Transit System will receive \$11.92 per trip from the Arc of Erie County for the length of the proposed contract. This money collected will be used to offset the capital planning and operating expenses and go toward the Job Access and Reverse Commute programs (JARC) local match of \$55,016, project No's. JARC-4022-071-101 and JARC-0022-071-102 through the Ohio Department of Transportation and the Federal Transit Administration.

ORDINANCE NO. 11-038: It is requested an Ordinance be passed **authorizing and directing the city manager to enter into an agreement for transportation services between the City of Sandusky and the Arc of Erie County, substantially in the same form attached hereto;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 5. Nays: Dave Waddington, 1. The President declared the motion passed. Roll call on the Ordinance: Yeas: Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 5. Nays: Dave Waddington, 1. The President declared the Ordinance passed.

ITEM #8 – Submitted by Tom Whitted, Communications Systems/IT Manager

Budgetary Information: Based on the audit, the total cost for citywide printing services will be reduced from \$3,431.69 to an estimated \$2,488.26 per month (fixed cost of \$1,047.17 per month for rent, maintenance and supplies plus cost per page), an estimated savings of \$943.43 per month. There will be additional savings after converting from single-sided to duplex printing. This is not an expenditure of any new funds. It will be consolidating and reducing current operating expenses citywide.

ORDINANCE (failed): It is requested an Ordinance be passed **authorizing and directing the city manager to enter into a five (5) year agreement with MT Business Technologies, Inc., of Avon Lake, Ohio, for managed print services;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Julie Farrar and second of Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Diedre Cole, 1. Nays: Dave Waddington, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 5. The President declared the motion failed. Roll call on the Ordinance: Yeas: Diedre Cole, 1. Nays: Dave Waddington, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 5. The President declared the Ordinance failed.

ITEM #9 - Submitted by Kelly L. Kresser, Clerk of the City Commission

A notice has been submitted to the City of Sandusky from the Ohio Division of Liquor Control, requesting a liquor permit (stock) transfer for Sandusky Foods, Inc. dba Sandusky North Foodland, 317 East Washington Street, Sandusky. It is requested the clerk notify the Ohio Division of Liquor Control that the city has no objections to this request.

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to request the clerk to notify the Ohio Division of Liquor Control that the city has no objections to this request. Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed.

CITY MANAGER'S REPORT

Don Icsman asked for approval for Scott Miller and three members of the tree commission to attend the annual Tree City USA awards banquet in Conneaut, Ohio on Wednesday, May 11. He said the cost for this banquet is \$30/person and will be paid with money from the green fund. He said the city has earned the national Tree City USA designation for 20 years. Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to authorize this travel and the associated expenditure. All Ayes. The President declared the motion passed.

Don Icsman said the city has received notification from the Ohio Public Works Commission that its request for financial assistance for the Thorpe, Dorn and Ferndale Drives waterline project has been approved in the amount of \$258,100.

Don Icsman said the Fraternal Order of Police, Lake Erie Lodge #17, will hold its annual memorial service on May 8 at 2 p.m. at the Erie County Law Enforcement memorial located on the north lawn of the Erie County Courthouse. Don Icsman said Officer Andrew Dunn's name will be added to the memorial wall and the community is invited to support his family at this service. Don Icsman said there is a separate event scheduled by the Knights of Columbus on Sunday, May 15 for public safety personnel in the community.

Don Icsman said the tree commission has requested the planting of an Ohio buckeye tree in memory of Officer Andrew Dunn in Washington Park, near the Erie County Law Enforcement memorial. He said Barnes Nursery has agreed to donate and plant this tree and the Sandusky Main Street Association has requested a granite memorial marker be placed at the foot of the tree which will be donated by Balconi Monuments. Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to accept these generous donations. All Ayes. The President declared the motion passed.

Julie Farrar asked if the city will be fixing the flooding issues in backyards on Venice Road after receiving notice of the financial assistance awarded by the Ohio Public Works Commission (OPWC). Don Icsman said the city will be fixing this problem although it is not part of the OPWC project and he will talk to Todd Roth about this.

OLD BUSINESS

Pervis Brown asked what the city is going to do with the energy assessment report and Dan Kaman said Todd Roth is currently obtaining prices for windows, doors and roofing materials.

Pervis Brown asked about updating the unfinished business list and Kelly Kresser said this has been revised. She said the new list was emailed last week and paper copies can be made available, if requested.

NEW BUSINESS

Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to approve waiving the golf and cart fees for a 9-hole tournament at Mills Creek Golf Course on Saturday, May 7.

Discussion: Dave Waddington said this golf tournament will benefit the family of former Sandusky Police Officer Andrew Dunn and the entry fee will be \$40/player. He said the FOP is also hosting a golf tournament on June 11 at Thunderbird South Golf Course in Huron.

All Ayes. The President declared the motion passed.

Julie Farrar said she is aware of a **fish fry fundraiser for former Officer Andrew Dunn** on Sunday, April 17 at 4 p.m. at Hunters Tavern on Venice Road. She said there is also a fundraiser this Sunday at Cabana Jacks in downtown Sandusky.

Upon motion of Dave Waddington and second of Diedre Cole, the commission voted to hold an executive session regarding personnel: fire department. Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed.

Upon motion of Dave Waddington and second of Diedre Cole, the commission voted to hold an executive session regarding personnel: police department. Roll call on the motion: Yeas: Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Julie Farrar, 6. The President declared the motion passed.

Upon motion of Pervis Brown and second of Dave Waddington, the commission voted to order in legislation for the May 9, 2011 meeting allowing Erie Materials to move forward with their project as presented this evening.

Discussion: Dan Kaman said it may be tough for staff to complete the work in this timeframe, but he would like to have this ready for the May 9 meeting.

All Ayes. The President declared the motion passed.

Dan Kaman said the **city has an opening on the Recreation Board** and asked that volunteer applications be submitted to the city through the clerk's office. Diedre Cole said there may also be an opening on the ADA Advisory Board, but she will not know until after the next meeting.

Dan Kaman said **signage has been placed on Venice Road near the railroad crossing which says "Rough Crossing" and thanked the street department for this.**

Dan Kaman said he has been getting calls about **potholes in alleys** and, as time allows, the street department will be using street grindings to help fill some of these.

Under **Audience Participation**, the following persons offered their comments:

Andy Ouriel, Sandusky Register, asked Todd Roth about the bulleted amendments to the agreement with Malcolm Pirnie and Arcadis (Item #2). Todd Roth provided a recap of each of the four items listed in the amendment. Bob Haag, Haag Environmental, explained the data gaps, field activities, sources of subsurface impacts and supplemental field activities. Andy Ouriel asked if Arcadis would be considered for future and similar projects as they are seeking additional monies beyond what was originally quoted. Todd Roth said this is the end of their tasks. Andy Ouriel asked if another consulting firm will be chosen because of the complexities given to the city and Todd Roth said another company could be chosen and is an option. Andy Ouriel asked the importance of eliminating the coal tar and Dan Kaman said the commission has proven this is important by identifying and sampling from the wells. Andy Ouriel asked when the report will be received and Todd Roth said it should be received in the next few weeks. Andy Ouriel asked when the city may anticipate receiving results of the ICMA study and Don Icsman said staff from ICMA had been scheduled for additional data collection on the Tuesday after Officer Andrew Dunn's death, but this meeting has not yet been rescheduled.

Sharon Johnson, 1139 Fifth Street, asked if Erie Materials will be purchasing the coal dock property and Dan Kaman said this is being negotiated (either a lease or a lease-to-purchase). She asked if a submerged land lease has been secured and Dan Kaman said this has not yet been completed.

Tim Schwanger, 362 Sheffield Way, said he emailed Todd Roth and Hank Solowiej last week about the Chesapeake TIF. He said this information seems to be scattered throughout the community and he was

referred to John Hancock and George Poulos. Tim Schwanger asked if the city has plans for the northwest and southeast plazas and asked if a timeframe could be added to the unfinished business list. Tim Schwanger said he called Battery Park Marina (BPM) about the handicapped bollards at the end of the Meigs Street Pier and was told they (BPM) no longer take care of this. He said Scott Miller indicated a severely handicapped person could call the city to have the bollard removed so that they could use the pier and said that signage will be erected indicating so.

Toby Whinnery, 1021 Tiffin Avenue, questioned the zoning and usage at some of the former school buildings in Sandusky. He said the former Madison School now has a barber shop and a retail store but there has not been a variance or rezoning for the property. Carrie Handy said the city received a legal opinion about this issue last week and there will probably be some action taken. Todd Roth said the city asked the property owner about their intentions before reacting and the city is still looking into this. Toby Whinnery asked if an ongoing business could be stopped and Dan Kaman said the city will stop or close it if necessary.

Dennis Timple, 553 Bimini Drive, said he recently brought a pothole to the attention of Don Icsman and Scott Miller and that it was taken care of almost immediately. He thanked the city for their prompt response.

Herman Robinson, 1601 Oakmont Lane, said the community gardening project is a character- and community-building activity and there is a similar program in Cleveland. Julie Farrar said Pete Schade from the Erie County Health Department has experience with community gardens in urban areas and believes this will be a great thing for Sandusky.

At 6:36 p.m., Dan Kaman announced adjournment of the open session for a five minute recess. The first of two executive sessions began at 6:42 p.m.

At 6:58 p.m., upon motion of Dave Waddington and second of Julie Farrar, the commission voted to return to the table in regular open session. All Ayes. The President declared the motion passed.

Don Icsman asked the commission to authorize **the execution of a Memorandum of Understanding (MOU) with the Fraternal Order of Police (FOP), Ohio Labor Council. Upon motion of Julie Farrar and second of Pervis Brown, the commission voted to authorize the law director/acting city manager to execute this MOU. All Ayes. The President declared the motion passed.**

Don Icsman said the second page of this document is a MOU previously approved by the city commission. He said **the FOP union has agreed to allow the city to establish or use part-time reserve officers so long as the city gets back up to a full complement of 47 police officers.** He said previously, the city would have had to be at 47 full-time officers prior to using part-time reserve officers. He said due to civil service testing procedures, the city will not be able to reach this number (47) until later in the summer, or no later than September 1; the union has agreed to allow the city to immediately reestablish the part-time reserve officers.

Andy Ouriel, Sandusky Register, asked what action occurred previously to cause a decrease in staffing. Dan Kaman said staffing was reduced during recent budget cuts. Jim Lang said there was one termination, two retirements and one officer killed in the line of duty. Andy Ouriel asked if an officer who had been previously laid off would be first in line to get their job back and Jim Lang said they would be called back first, but no one is currently laid off. Dan Kaman explained the current MOU states the city must have 47 full-time officers prior to utilizing part-time reserves and that the new MOU allows for the city to hire part-time reserve officers now without having 47 full-time officers, so long as the city agrees to get to full staffing by September 1. Andy Ouriel asked what the wage is for these officers and Jim Lang said the part-time reserves will be paid at a rate of \$12 per hour, without benefits. Andy Ouriel asked what obligations the part-time reserve officers will have and Jim Lang said they must be certified police officers and will ride along with full-time police officers. Andy Ouriel asked if the city commission previously voted not to have two officers in each patrol car and Dan Kaman said the city commission approved disbanding the reserve officers because of budget reasons and because of the certifications and equipment requirements. Andy Ouriel asked the importance of this MOA and Dan Kaman said the city is grateful the FOP agreed to open up its contract. Andy Ouriel asked how having more officers on duty will be a benefit to Sandusky and Jim Lang said this will help with officer safety. Jim Lang said the city has five zones and if two officers are already available in one cruiser, a second cruiser could stay in its assigned zone. Jim Lang said there are two police academies, Sandusky and EHOVE, and candidates will be graduating next month, will be certified and seeking jobs. He said the city's entrance exam will be given on May 21 but the current objective is to get as many officers on the road as possible during the summer months.

At 7:12 p.m., Dan Kaman announced adjournment of the open session. A second executive session was held. At 8 p.m., Dan Kaman announced adjournment.

Kelly L. Kresser
Clerk of the City Commission

Daniel J. Kaman
President of the City Commission