

President Dan Kaman called the meeting to order at 5 p.m. John Hamilton gave the **Invocation**, followed by the **Pledge of Allegiance**.

The Clerk **called the roll** and the following Commissioners responded: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman.

Upon motion of Pervis Brown and second of Dave Waddington, the Commission voted to excuse Kim Nuesse from the meeting. All Ayes. The President declared the motion passed.

Upon motion of Pervis Brown and second of Dave Waddington, the Commission approved the minutes of the March 22 and March 29, 2010 meetings and dispensed with the oral reading of the minutes. All Ayes. The President declared the motion passed.

Dan Kaman said the presentation **by members of the Sandusky City Tree Commission** was moved to the meeting of April 26, 2010.

Dave Waddington gave a **presentation to Gary Mortus (Ohio Edison), Jim Hart (property owner), Joe Reed (Reeds Supply) and Norm Stierhoff (NSSP, LLC) for their recent donations of utility assistance, storage and use of supplies and equipment for Care and Share of Erie County.** Care and Share recently renovated their facility at 241 Jackson Street and serves residents of Erie County who qualify for assistance under Federal guidelines through the distribution of food, clothing, furniture, appliances, household goods, beddings and linens, and an array of children's toys at no cost. Dave Waddington thanked these gentlemen for their contribution to this great resource for our residents. He said this Saturday, April 17, Care & Share will host an Open House of their newly renovated facility and he, along with other Commissioners, will be collecting items for the organization.

Dan Kaman introduced **Lisa Beursken from the Erie County Solid Waste District to talk about recycling for city residents.** Dave Waddington said Lisa Beursken has been working with the city to consider options for recycling in order to meet EPA requirements while keeping in mind the City Commissioners' desire not to run small haulers out of business. He said the former Sandusky Cabinets site was considered as a recycling location but the costs are too great. He said mandatory curbside recycling has also been considered as well as using the drop-off recycle bins that were available before. Lisa Beursken said the Erie County Solid Waste District (ECSWD) Plan is updated every five years and recycling options are being considered because of the funding cuts and elimination of the drop-off locations. She said the Plan is currently being rewritten so that the recycling points or credits are increased and the ECSWD meets all of the necessary requirements. Political jurisdictions in Erie County with a population of 5,000+ must establish recycling either through subscription, non-subscription or drop-off recycling by January 1, 2011. Recycling can be offered: 1) similar to the City of Huron whereby one hauler provides the service and there is one fee for each resident; 2) subscription services whereby each resident could contact the hauler of their choice and have the recycling charge added to their bill; 3) non-subscription service which was determined will not work for Sandusky; or 4) provide two drop-off locations (Kiwans Park and Marquette Street) and charge each resident \$2/year per household. Lisa Beursken said option 2 (subscription services) would account for 25% of the population and, along with offering recycle sites, Sandusky would meet the EPA requirements. She said the County Auditor has agreed to work with the city for the \$2 per year per household charge. Lisa Beursken said the ECSWD is also considering changes to the city's Ordinance to make it more readable. Changes to be implemented would take effective January 1, 2011, but the city could begin education efforts toward their goal prior to this date. Dave Waddington said the City Commission has expressed their desire to not run small haulers out of business so as to not lose any more jobs in the city.

Upon motion of Dave Waddington and second of Pervis Brown, the Commission voted to provide a letter of support for Lisa Beursken to look into the \$2/year per household option for recycling for Sandusky residents.

Discussion: Lisa Beursken said this would need to be submitted for a 30-day public comment period after approval by the EPA. After this 30-day time period, changes will be incorporated into the Plan and a Public Hearing would then be held. After this, changes must be approved by all of the political subdivisions; 75% of the population must approve this and a Resolution will then be required. Dave Waddington said if we could prepare this letter of support, Sandusky would be ahead of others in the County and that we are moving forward to comply with the EPA.

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

Under Audience Participation, the following persons offered their comments:

Tim Schwanger, 362 Sheffield Way, said he has reviewed city records from 2004 – 2005 and read many letters from residents and businesses advising the docks within the marina at The Paper District should be 100% transient. He said if there are any seasonal docks, he would consider them private and said the city should not use public monies for them; rather, private monies should pay for private docks. Tim Schwanger said the city's recent grant application noted there were to be 62 transient docks and questioned whether TIF money is eligible for this type of activity (marina). He said he has asked these questions but has not been given a straight answer.

Upon motion of Dave Waddington and second of Julie Farrar, the Commission voted to accept all communications. All Ayes. The President declared the motion passed.

ITEM #1

ORDINANCE NO. 10-029: It is requested an Ordinance be **passed ratifying, accepting and approving a Collective Bargaining Agreement between the City of Sandusky, an Ohio Charter Municipal Corporation, and the Fraternal Order of Police, Ohio Labor Council, Inc., the collective bargaining unit for certain employees of the Sandusky Police Department, for the period January 1, 2010, through December 31, 2012**, a copy of which is attached to this Ordinance; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon on motion of Dave Waddington and second of Brett Fuqua, the Commission authorized the passage of this Ordinance in accordance with Section 14 of the City Charter. Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed. Roll Call on the Ordinance: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Ordinance passed.

ITEM #2 – Submitted by Edward A. Widman

Budgetary Information: There would be no impact to the city budget. However, for each residential customer with Direct Energy on April 30, 2011, the City of Sandusky is eligible to receive \$3 with the understanding the city and Direct Energy will mutually agree on the specific use of the funds. The term of this agreement would begin December 1, 2010 and run twenty-four months.

ORDINANCE NO. 10-030: It is requested an Ordinance be passed authorizing and directing the City Manager to **enter into a Direct Choice Marketing Agreement with Direct Energy, LLC, for a Natural Gas Choice Program**; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon on motion of Pervis Brown and second of Dave Waddington, the Commission authorized the passage of this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Julie Farrar asked if this program was set up so that residents wishing to participate do **not** respond and Ed Widman said the city's natural gas choice program is offered on an Opt-In basis and residents who are already in the program will stay in.

Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed. Roll Call on the Ordinance: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Ordinance passed.

ITEM #3 – Submitted by Jane E. Cullen, E.I.T.

Budgetary Information: The original contract price was \$229,145.50. The final contract cost including the deduct Change Order in the amount of \$28,889.54 is \$200,255.96, to be paid with the City's Water Fund.

ORDINANCE NO. 10-031: It is requested an Ordinance be passed authorized and directing the City Manager to **approve the First and Final Change Order for work being performed by Speer Brothers, Inc., of Sandusky, Ohio for the Buchanan Street and Hayes Avenue Waterline project and to deduct**

the contract amount by \$28,889.54 in relation thereto; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon on motion of Pervis Brown and second of Julie Farrar, the Commission authorized the passage of this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Dan Kaman asked Don Icsman which city departments worked on this Agenda item and Don Icsman said Engineering, the Law Department and the City Commission Clerk worked to prepare it. Dan Kaman said he is glad to see the contract reduced by \$28,000 but does not like the \$1,000 restocking charge in the document.

Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed. Roll Call on the Ordinance: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Ordinance passed.

ITEM #4 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: The estimated project cost is \$1,323,887. The grant application is for 50% or \$661,943.50. Because the project involves the marina charging a fee for dockage, the city must match the grant funds 50/50. Therefore, the city's share is \$661,943.50 to be paid with TIF funding. **RESOLUTION NO. 012-10R:** It is requested a Resolution be passed **approving and ratifying the submission of a grant application to the Ohio Department of Natural Resources (ODNR) Waterways Safety Fund through the Cooperative Boating Facility Grant Program for Financial Assistance for The Paper District Marina project;** and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the City Charter.

Upon on motion of Dave Waddington and second of Julie Farrar, the Commission authorized the passage of this Resolution in accordance with Section 14 of the City Charter.

Discussion: Brett Fuqua asked if someone could address the questions about the number of public vs. private slips so that this issue could be 'put to bed' as the questions are getting tiresome. Don Icsman said the grant application includes a different design than originally proposed. He said the plan has always been for him to negotiate an agreement with Hoty's through leadership and direction with John Hancock and George Poulos. Once negotiated, the plan will be presented to the City Commission for their approval and will include a budget. He said this is an ongoing process and is not yet ready to be submitted for approval; therefore, the grant application is out of order. The grant submission deadline was April 1 and the reason for going outside of this process. Don Icsman said he spoke with Kula from Hoty's today and they are fully aware there are more transient slips included than before but this has not yet been discussed publicly; this will take place when finalized. Don Icsman said he also wished to address another false allegation pertaining to adjacent marinas. He said he signed the grant application and the five adjacent marinas listed included those bordering, next to, alongside or abutting the property as defined in the dictionary; it did not request 'all' marinas. He said Kathy McKillips spoke with someone from the ODNR who said this is not false information and that we could, but were not required, to send information about other nearby marinas. Don Icsman said the City Commission will shortly be presented with the entire project including funding source(s) and will then be the arbiter of what the project will look like. Don Icsman said there was a question about Tax Incremental Financing (TIF) and said he does things right, lawfully, professionally and ethically and he sometimes gets criticized because of costs. He said there is a meeting with Bond Counsel on Wednesday about the TIF status and understands we may have to change our agreement with the schools as the project has changed. He also contacted Bill Pahl who is aware of this change and the city is working so as not to put the public at risk. Brett Fuqua thanked Don Icsman for his candid response. Kathy McKillips said she spoke with Monique Hartley at ODNR about the city's application and Monique Hartley said if the five marinas included are closest to the project, she did not understand why this would be considered false information. She offered for the city to submit additional information if we choose as the grant request was submitted by the deadline and is valid. Kathy McKillips said if the ODNR requests additional information, the city will supply it. Brett Fuqua said nothing has been done behind closed doors or should be considered shady. Don Icsman said the design did change as originally proposed and will be presented to the City Commission when negotiations are complete. He would have preferred to have made a public presentation before submitting the grant application but could not because of the April 1 deadline. Dan Kaman said it was previously stated the city will not do any project before the money is

lined up and this plan could change again as we do not yet know the number of docks that will be transient. He said the city will have to go back to the ODNR for approval if it does change again.

Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed. Roll Call on the Resolution: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Resolution passed.

ITEM #5 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: Funds for the payment of this service are routinely included in the operating budgets of city departments.

ORDINANCE NO. 10-032: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a contract with Cintas Corporation of Sandusky, Ohio, for supply and service of uniforms for city personnel for the period of April 1, 2010, through March 31, 2013;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon on motion of Julie Farrar and second of Dave Waddington, the Commission authorized the passage of this Ordinance in accordance with Section 14 of the City Charter. Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed. Roll Call on the Ordinance: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Ordinance passed.

ITEM #6 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: The cost for the work to be performed by Jones & Henry Engineers is \$24,800 to be paid with Sewer Funds.

ORDINANCE NO. 10-033: It is requested an Ordinance be passed **authorizing and directing the City Manager to enter into a contract for Professional Design Services with Jones & Henry Engineers, Ltd. for the sewer interceptor cleaning and repair design project;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon on motion of Pervis Brown and second of Julie Farrar, the Commission authorized the passage of this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Don Icsman said this is another item which was brought forward by members of several different departments. Don Icsman said in 2009, fifty percent (50%) of items presented to the City Commission were sewer and/or water related.

Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed. Roll Call on the Ordinance: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Ordinance passed.

ITEM #7 – Submitted by Kathryn K. McKillips, P.E., Engineer

Budgetary Information: The Engineering Consultant fee is \$13,800, to be paid with Water Funds.

ORDINANCE NO. 10-034: It is requested an Ordinance be passed authorizing and directing the City Manager to **enter into a contract for Professional Design Services with John Hancock & Associates, Inc., for the First Street Survey project;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon on motion of Dave Waddington and second of Pervis Brown, the Commission authorized the passage of this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Dan Kaman said this project is **being paid for with Water Funds** and Don Icsman said this has been processed through efforts made by employees in the Departments of Engineering, Law and the City Commission Clerk's office. Dan Kaman said at previous Regional Water Advisory Board meetings, County Commissioner Tom Ferrell had inquired about the administration fees charged for water by these different departments and he (Tom) now understands this. Dan Kaman said it is now five or six years later, and County Commissioners Bill Monaghan and Pat Shenigo are asking the same question and do not understand why the city charges these administrative costs at 10%. He said Huron charges 9%

for their administrative costs and the county is fine with this, but not 10%. Dan Kaman said there are a lot of employees working on these items and our plant operates with their assistance and he is sorry we are being forced to rehash old history with two current County Commissioners. Brett Fuqua said this is a point very well made and said he hopes the county now understands why we charge 10%. Don Icsman said in addition to these administrative costs, there are the plants to operate, contracts and bids to review and Human Resource issues with employees. Dan Kaman said unlike the County, the city is not only for distribution.

Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed. Roll Call on the Ordinance: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Ordinance passed.

ITEM #8 – Submitted by Michele Hall, Recreation Program Supervisor

Budgetary Information: The Agreements will not result in any additional budgetary expenses. The city will benefit from the agreed upon cash payment in the amount of \$462 to be made by the league to assist with the expenses of the Kiwanis Park Ball Field.

ORDINANCE NO. 10-035: It is requested an Ordinance be passed authorizing and directing the City Manager to enter into a one (1) year License Agreement with the Sandusky Bay Baseball League for priority use of the Kiwanis Park Ball Field located at 2227 First Street, Sandusky, Ohio, for the Sandusky Bay Baseball League Program (May 1 through July 31) beginning May 1, 2010; and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon on motion of Brett Fuqua and second of Dave Waddington, the Commission authorized the passage of this Ordinance in accordance with Section 14 of the City Charter.

Discussion: Dave Waddington said he is glad this league is coming back and taking care of the field. He said he applauds their efforts and they have done well with this in the past. Julie Farrar asked who the current president is for the League and Dan Kaman said he believes it is Kurt Fitzthum.

Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed. Roll Call on the Ordinance: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Ordinance passed.

ITEM #9 – Submitted by Kelly L. Kresser, City Commission Clerk

A notice has been submitted to the City of Sandusky from the Ohio Department of Liquor Control, requesting a Stock Transfer of D1, D2 and D3 Liquor Permits to Hometown USA, Inc., dba Vicki's Pub, 902 - 904 West Adams Street, Sandusky. It is requested the Clerk notify the Ohio Department of Liquor Control that the city has no objections to this request.

Upon on motion of Dave Waddington and second of Pervis Brown, the Commission authorized the Clerk of the City Commission to notify the Ohio Department of Liquor Control the city has no objection to the Stock Transfer of D1, D2 and D3 Liquor Permits to Hometown, USA, Inc., dba Vicki's Pub.

Discussion: Brett Fuqua said he had been asked to table this item by Diedre Cole and asked the reasoning for her request. Diedre Cole, 807 Hancock Street, said she had asked for this item to be tabled so that as an independent citizen, she can work with Assistant Chief Sams to review police reports for this area and talk with some of the neighbors about how this bar affects them. She said many of them may not know this transfer is happening and after it is approved, they have no recourse. Kelly Kresser said she contacted the Ohio Department of Liquor Control upon receipt of this request as it was different from others received previously and they indicated this is a Stock Transfer Application and a transfer in name only.

Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed.

ITEM #10 - Submitted by Kelly L. Kresser, City Commission Clerk

A notice has been submitted to the City of Sandusky from the Ohio Department of Liquor Control, requesting a License Transfer of D1 and D2 Liquor Permits from Jami S. Tallman dba Allways Pizza to

Allways Pizza, LLC dba Allways Pizza, 1109 – 11 Warren Street, 1st Floor. It is requested the Clerk notify the Ohio Department of Liquor Control that the city has no objections to this request.

Upon on motion of Julie Farrar and second of Dave Waddington, the Commission authorized the Clerk of the City Commission to notify the Ohio Department of Liquor Control the city has no objection to the License Transfer of Stock Transfer of D1 and D2 Liquor Permits from Jami S. Tallman dba Allways Pizza to Allways Pizza, LLC dba Allways Pizza, 1109 – 11 Warren Street, 1st Floor. Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed.

CITY MANAGER'S REPORT

Upon motion of Pervis Brown and second of Dave Waddington, the Commission voted to accept the following donations:

- 1) In the amount of \$10 from Joan Van Offeren to the Friends of the Greenhouse Endowment Fund;
- 2) In the amount of \$20 from Barbara M. Manner to the Street Fund;
- 3) Two flags, costing \$20, from Commissioner Dave Waddington, for the Pipe Creek Pathway;
- 4) In the amount of \$1,000 from the Sandusky Main Street Association on behalf of Mr. Dustin Ness, Vice President of Merrill Lynch, Sandusky Office, to be used toward the expenses associated with the printing of the 2010 Special Events brochure.

All Ayes. The President declared the motion passed.

Don Icsman said he wished to inform the City Commission of a notification of a grant received for the Recreation Division in the amount of \$2,000 from the Ohio State Eagles Charity Fund for expenses associated with the annual Summer Playground Program.

Don Icsman told the Commission personnel in the Sandusky Fire Department made application for an Emergency Medical Services Grant through the Ohio Department of Public Safety.

Upon motion of Dave Waddington and second of Brett Fuqua, the Commission authorized Kathy McKillips and Jane Cullen to attend the 2010 Ohio Stormwater Conference at Kalahari on June 10 – 11, 2010.

Discussion: Don Icsman said the Ohio Department of Natural Resources is providing a \$75 scholarship and the total cost for both employees is \$225 and will be paid with Sewer Funds.

All Ayes. The President declared the Motion passed.

Don Icsman said a request has been made by Carrie Handy to attend training in Pittsburgh, PA from May 11 – 13, 2010 and this would be appropriate due to the recent resignation of the city's Grants Administrator. The training is "By the Numbers: Financial Management for CDBG Grantees". He said this will be paid for through CDBG funding. Upon motion of Pervis Brown and second of Julie Farrar, the Commission authorized Carrie Handy to attend this training to be held in Pittsburgh, PA. All Ayes. The President declared the Motion passed.

Dave Waddington asked about the recent resignation (April 22) of Michele Hall, Recreation Program Supervisor, who will be leaving the city's employ to take another position. He said Michele Hall did a lot for the Recreation Board and programming in the city. Don Icsman said he wished Michele Hall well and that there is a plan for an employee (Judy Nagy) who was laid off and is currently running Mills Creek Golf Course who may be able to step in and save significant money from the General Fund in taking over these duties. He is hopeful that with Judy Nagy, Connie Nicholson and Deb Leslie in Human Resources, our programs will not suffer and our commitments will be met.

OLD BUSINESS

Dave Waddington asked if a monthly housing update could be added to the 2010 Unfinished Business List as he is worried about one day having to pay \$500,000 or \$600,000 from the General Fund for this problem if our insurance does not cover it. He said this happened over two years ago and would like it completed. He said Ed Widman had stated this is still an open claim with our insurance company and

they will cover it, but he is worried about it coming back on the city. He does not want this pushed back into a closet and forgotten. Ed Widman said there is a legal issue with this and it must be resolved first. Dave Waddington said it seems like this is taking longer than the Warren Report during the Kennedy assassination. Don Icsman said he feels the frustration; this investigation is not costing the city but we cannot control the timing. He said it has not been kicked to the curb by the State Attorney's office. He said he has known the senior man in the Cleveland HUD office for many years who has assured him this is still being investigated and is still pending and we would have learned if this investigation had been kicked to the curb. Our insurance administrator wants the benefits of this, the claim is pending and not in jeopardy and they will go after anyone if there is something to be done. Dan Kaman said to put a bug in their ear to get an update.

Dave Waddington said he attended the last **Regional Water Advisory Board meeting**, sat in the back of the room and did not understand Bill Monaghan and Pat Shenigo's points about the **water rates**; he said he appreciates your (Dan's) efforts and doing this work. He said the wholesale rate in December of 2006 was \$1.34 which was dropped to \$1.26 on December 31, 2009 and is significant. He said city residents pay \$1.90 for their water and left the meeting feeling frustrated as the County doubles the cost. He said the city reduced the wholesale rate for the county to \$1.26 and wants to keep it that way for the next two years even while losing some revenue; we have done our part. He said there are treatment rates, transmission rates and administrative rates to reach the wholesale rate which the city charges (\$1.26). Dave Waddington said the contract states the city shall use at least \$3.3 million of city water fund cash surplus to make distribution, elevation or water tank improvements and we have put up new water tanks on Caldwell and Mills Streets, are doing the current Cedar Point loop project and are looking at another 100,000 gallon tank at another site on the Cedar Point Causeway. He said it is frustrating that this is supposed to be handled by a board and at this recent water meeting, the city was singled out and he takes offense to that. He said the city has gone by the Erie County/Sandusky Water Contract and had a water rate study performed which recommended the rates increase to \$1.54, but the city told the county it would keep the rate at \$1.26. He said the city has debts like the county and our first obligation is to the City of Sandusky. Dan Kaman said it was not easy to sit at the meeting and it is sad there are two persons who do not want to know the history of how the Board (Regional Water Advisory) got to where it is. He said the County was paying \$1.90 in 2005 and we saved the County money when we reduced the rate, yet they doubled the rates to their customers once water crosses Perkins Avenue and he does not know what they do with this money. He said the city needs money to keep its plant up and has expenses for making improvements; he said he would rather be in that position than one of the businesses run inside the county such as the landfill, the bio gas or recycling plants and he has not been impressed with any of the little businesses run inside of the county. He said he appreciates the other City Commissioners' support and would appreciate it if any other Commissioner would like to sit on this board.

Julie Farrar said she recently received **checks from Sandusky High School and St. Mary Central Catholic for \$150 each to be utilized for State Champion signage** as discussed at a recent City Commission meeting and the signs are being put together. She said there will be a meeting on April 29 at 3 p.m. at the Greenhouse for the proposed "Walk of Fame" concept and has invited persons who were involved the first time this was discussed but did not come to fruition. She said anyone is welcome to attend and will work with the Foundations for potential other donations.

Upon motion of Julie Farrar and second of Pervis Brown, the Commission voted to accept two donations of \$150 each from Sandusky High School and St. Mary Central Catholic High School for State Champion signage. All Ayes. The President declared the motion passed.

Dan Kaman said the **Charter Review Committee** will have their first meeting this Wednesday, April 14 beginning at 6 p.m. at City Hall.

NEW BUSINESS

Julie Farrar said the City Commissioners recently received **a sample letter of support from the Griffing family about Griffing Airport** about the effect their business has had with the bad economy. She said they are looking to get some attention from politicians. **Upon motion of Julie Farrar and second of Dave Waddington, the Commission voted to have the Clerk of the Commission send a letter of support to the listed politicians on behalf of Griffing Airport. All Ayes. The President declared the motion passed.**

Julie Farrar said she attended a **spaghetti dinner fundraiser on behalf of the F.O.P.** and distributed brochures to the other City Commissioners about their organization.

Julie Farrar said the City Commission is not discussing the proposed **\$63,000 International City-County Management Association (ICMA) study tonight because Kim Nuesse is not here, but she did want to discuss the Performance Measurement study.** She said under the administration of Mike Will, the city paid a total of \$19,400 for three years worth of reports through ICMA's Management Association which outlined recommendations for all city departments including Police and Fire. She asked if any of this information was used by the Fire Department (FY 2006 was the last data report). Assistant Chief Paul Ricci said this data was used as a roadmap for the years 2006 – 2010 and the plan included recommendations for staffing, organizational structure, station locations and services provided. He said as a result and because of layoffs, the current organizational structure is a lot leaner and the ratio of Officers to Fire Fighters is larger in keeping with this plan. He said there are several components to the plan. The city has an ISO rating in 2009 and earned a Public Protection Classification (PPC) of 4 which very good; the lower the number, the better. This data put together a footprint of a plan and some of these pieces have been put into play and more will be in the future. This study also identified some shortcomings including staffing on engines (in the ISO Report), community risk reduction process and fire education and inspection activities as there are not enough people in the Bureau. There were different things listed to make improvements and have been incorporated including company inspections and a self-inspection program. He said there were several components of the report that were put into place. Julie Farrar said she did a lot of homework on this issue and now knows what the PPC means and realizes how important it is. She said 65% of fire stations in the U.S. have a rating of 9 while only one percent has a rating of 1; Sandusky should be applauded for their rating of 4, especially with our lack of staff. This is important because the lower the number, the lower the rates for insurance. She said it is important to know that the staff from the Fire Department will get to citizens in time to save lives and structures. Julie Farrar asked Assistant Chief Sams about things that were put into play in the Police Department as a result of this information. Charlie Sams said in addition to using the ICMA for these reports and data, the Police Department asked open-ended questions of the citizens and used the resulting information and data to become more proactive to address these needs. He said a few years ago, the department was staffed at 56 while they are currently at 42 Police Officers and this number will drop to 41 in June. This has caused the department to now be reactive rather than proactive with Officers on the road patrol or in the Detective Bureau only and there are no administrative officers or employees sitting at desks. Charlie Sams said quite a bit of this was used, but is now gone. Julie Farrar said it seems we currently have information from ICMA for which we spent \$19,400 and the Police and Fire Departments have not yet followed through on the recommendations made from 2006. Charlie Sams said some things have been done but we have had to scale back because of the lack of personnel. Julie Farrar said she wanted to bring this out for the Commissioners who are new who may not have known this existed and she does not wish to spend any more money.

Dave Waddington said he wished to say **thank you to Ed Widman as this may be his last meeting.** Ed Widman said he plans to be at one more meeting and that he is scheduled to work through the end of the month.

Dan Kaman asked about the **status of regional dispatching** and Charlie Sams said there is a meeting tomorrow about this and the involved departments seem to be on the same page.

Upon motion of John Hamilton and second of Pervis Brown, the Commission voted to have an Executive Session regarding the purchase and sale of personal property, water. Roll Call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the Motion passed.

Upon motion of John Hamilton and second of Dave Waddington, the Commission voted to have an Executive Session regarding Land Acquisition. Roll call on the motion: Yeas: John Hamilton, Julie Farrar, Dave Waddington, Brett Fuqua, Pervis Brown and Dan Kaman, 6. The President declared the motion passed.

Upon motion of Pervis Brown and second of Dave Waddington, the Commission voted to provide a letter of support for Richard Koonce, Nehemiah Partners, and WSOS Community Action Commission for their venture. All Ayes. The President declared the motion passed.

Pervis Brown said he received an email regarding some **limbs that need to be trimmed on Olds Street, West Monroe Street and Venice Avenue**. Dan Kaman said he sent this information to the Tree Commission and Scott Miller said these are scheduled to be trimmed tomorrow.

Dan Kaman thanked members of the Sandusky Police and Fire Departments who recently responded to a **fire at a rental unit which he owned within 3 – 4 minutes, in spite of short staffing**. He said everyone was safe and he appreciates what was done.

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

Wesley Poole, 1939 East Oldgate, said the small haulers are the reasons we had problems with changing the pickup (trash haulers) and he asked if the Commissioners are putting anything into place for the long-term to control of growth for folks with small pickup trucks picking up trash. Dan Kaman said this is part of the problem and in the new Ordinance, the haulers will get a "pass" for 2010, but we will begin enforcement of having compactors under this new law in 2011. He said he hopes this does not obstruct our ability to apply. Wesley Poole asked the Commission to consider providing information to Diedre Cole at the front end of requests for liquor license transfers; he said he does not have a problem with what is done by Charlie Sams but whether a name change or not, the Liquor Control Board puts this into place for a reason. Wesley Poole asked for the reason why Commissioner Kim Nuesse was not in attendance as it should be on the record. Dan Kaman said she is out of town with work. Dan Kaman said there are three departments in the city who must sign off on transfers from the Ohio Department of Liquor Control prior to coming before the City Commission.

Darlene Armour, 1007 Wayne Street, said there have been two recent porch fires in Sandusky caused by indoor upholstered furniture, mattresses or grills and asked if the city has an Ordinance to address this situation as do other cities. Don Icsman said the city does not have anything in place but last year, Commissioners Waddington and Farrar suggested Ordinances to cover these new laws. He said they are drafted and in his office but are not in place due to issue of enforcement. He said he would not want to pass a law that cannot be enforced such as proposed legislation for yard or garage sales or against texting. Darlene Armour commended the Commissioners and employees and urged all citizens to be proactive and look at these issues as they affect all of the residents in the city who are at risk for loss of life, property, real estate or damage to adjacent structures. She suggested requiring the landlord association to write this into their leases and provide safe grilling stations at their rental property to eliminate the problem. She asked residents to help monitor this problem. Julie Farrar said she understands this issue but also understands the city is down by 14 officers and passing such laws requires them to monitor these types of things. She said there was a citizen who recently sent an email about a problem with trash and low hanging tree limbs and said the residents should be watching for these types of things and to contact a Commissioner or city employee so that problems can be taken care of (i.e. Drug Tip Hotline, Pothole Hotline, etc.). Darlene Armour said this issue effects everyone and different than some other issues. Dan Kaman said landlords cannot be around 24/7 and people have to look out for themselves. Dave Waddington said he recalls receiving a call about someone roasting a pig on their front porch.

Sonya Woods, 622 Perry Street asked what can be done as a community about gangs that are out of control. Charlie Sams said the Police Department used to have a Gang Officer in the narcotics unit working the evening shift but, because of layoffs, officers and other part-time staff and support personnel are now out on the road unit and are either patrolling or investigating. Charlie Sams said we are down 14 officers but agrees we need the narcotic unit back. Dan Kaman asked if there had been any discussion about Erie County resurrecting the Regional Drug Task Force and Charlie Sams said some political candidates have broached this subject but a lot of other agencies are hurting too. Sonya Woods said a lot of residents are scared to come forward with information because of retaliation. Dave Waddington asked how many gangs have been identified and Charlie Sams said there are several and Sandusky has had three shootings during the past couple of months which are gang related. Sonya Woods said they call themselves Black Point Mafia Gang and are out of control. Brett Fuqua suggested residents can make anonymous phone calls with detailed information for the officers to use.

John Orzech, Fraternal Order of Police, said he was speaking on behalf of this organization, along with Kevin Youskievicz, a Patrolman from the Sandusky Police Department. He said staff in the Police Department provides regular patrols for the Water and Sewer Plants and this can be added to the list. John Orzech said he is representing six gentlemen who were laid off from the department who were very passionate about their jobs with the city and wished to address one matter specifically. He said he appreciates passing the FOP contract tonight and said that the Police Department made concessions

during negotiations based upon the current economic times including no pay raises and contributions to health care costs. He said the portrayal they were not giving concessions is not realistic. In a meeting held in January of this year, the FOP negotiating team was told: "There are not any concessions that you (the FOP) can make that will stop layoffs from taking place, layoffs are going to happen". John Orzech said that anyone with a reasonable mind would conclude that if no concessions could be made, then no discussions would have been appropriate. He said the Police Department as a whole suffered a 25% reduction in staffing levels within the last year from officers, secretaries, dispatchers and part-time employees and the staffing is down. John Orzech said there are not any magical command officers nor officers sitting around at desks as reported by the local media and stated every member of the department is either working on shift, on the road or in the Detective Bureau and making a presence. They cannot shut down a station. He said the department has been reduced to being reactive and going from call to call rather than being proactive in reducing crime and violence through target enforcement. John Orzech said there are quality of life issues within the community with narcotics activity, gang activity, sound amp violations, littering and others concerns brought forth by the citizens and directed by the Commission for enforcement which reaped praise last year, but it is not possible now because of staffing levels. John Orzech said there have been a number of recent incidents within the community that are alarming and Don Icsman will be sharing them with the Commission as he (John) does not want them out in the public. He said the Police Department is in dire need of additional manpower to adequately handle these types of incidents and requested that decisions made about reducing staff levels be reevaluated and other funding sources explored in the immediate future to return officers to active status who have been laid off. John Orzech said the safety of the officers is and always will be their number one priority. John Orzech said if the city has \$63,000 for a study, they (the F.O.P.) would be happy to take an officer back as that will cover one. He said there were comments made that objectivity could not be made within the Police and Fire Departments and the members wholeheartedly disagree with this. When Dave Waddington, Dan Kaman and Brett Fuqua started on the Commission over six years ago, John Orzech said there were concerns brought to the Police Department with issues from the N.A.A.C.P. regarding a Citizens Review Board. These concerns were worked on and handled properly by resolution through the Human Relations Commission (HRC). He said the HRC is handling this and if the City Commission has concerns or issues they wish to work on, the F.O.P. will work through a partnership and will go forth from here to benefit the community working hand in hand. Dan Kaman said he believed he could speak for the whole Commission that they wish no one would have to be laid off. He said Mr. Fuqua is heading up a group to look at a type of fund for the Sandusky Police Department, similar to the EMS Fund for the Fire Department, and use this money somehow.

Sharon Johnson, 1139 Fifth Street, asked if the Marina Grant which was submitted in March was subject to revision. Don Icsman said the recent grant was submitted April 1 that she (Sharon) was talking about in the newspaper. Don Icsman said this was an application and two things were certified: 1) that we had no unresolved findings; 2) that we would give them more information if they asked for it. He said it is not a "bible" that cannot be changed and that if other information needs to be provided, it will be done through the process. He said the state reserves the right to ask for more information. Brett Fuqua said Kathy McKillips answered this question earlier and said that we could submit changes to this later, if necessary. Sharon Johnson said she is confused as the grant application states there will be a 62 transient slip marina which is a change and heard this at the coffee meeting; she said that there will be private dockage and questioned if the city could do this (private dockage). Dan Kaman said as he stated Saturday, if anything changes, the city will have to let the state know. Dan Kaman said in order to make this marina financially feasible, we may have to give the right to rent some docks. If the state says we cannot do this legally, they (Hoty's) will not be able to do it. If Hoty is not interested in doing this project and cannot make any money, they probably will not be interested. He said we would like to do this so that the Hoty's and the city make some money on it, but we are still working on all of the details. Dan Kaman said this all started because of a \$1 million change order which became a \$700,000 walkway project and then it stopped. He said it was a good thing we did not jump so we could 'get our ducks in a row'. Sharon Johnson asked if we should not have done this before doing the grant and Dan Kaman said in an ideal world, yes, but our biggest funding gap is the \$200,000 for docks and this is an opportunity to get money for them. He asked why you would build a marina if you do not have money for docks and this is our opportunity. Sharon Johnson asked if the question has been asked of Columbus about doing private docks and Don Icsman said public money cannot be spent on private property, but we do not yet know what we are doing – what is to be private, seasonal or transient as this may change. We have applied for a grant but if we do not qualify, we will not get the grant. He said we will keep the State apprised, provide them information and keep them updated on changes. Don Icsman said the negotiation process is going on right now and Kula Hoty is aware of the change. He said that he explained why this was not brought before the Commission earlier because the City Commission wants the plan, the funding and all presented at once, not piecemeal and we are not done yet. He said he takes offense that she (Sharon) presumes someone is lying or is providing false information and it is not

false information. He said the application asked for 'adjacent properties' and the fact she (Sharon) does not know what the current design is, this does not make it false or a lie. He said he explained why this had to be done out of order due to the April 1 grant deadline. He said people who have a habit of Monday morning quarterbacking would be criticizing us for not applying for free money available through a grant program later on if we have a funding shortfall and knew about this grant but did not apply for it. He said he gets frustrated by criticism without accountability and does not enjoy this world as he is accountable and responsible and the city needs to get this done. Don Icsman said he has heard Sharon say "finish something" and we are trying to finish this. Sharon Johnson said she understands the application stated "adjacent" but it says within a ten mile radius and it is confusing the way it is worded. Dan Kaman said that we did call the state about this but Sharon Johnson said she is confused and does not understand the whole process. Don Icsman said he does not know how a coffee meeting turns into a front page picture for you (Sharon) and he did not even have a chance to talk to his employees and bosses about it until today. Johnnie Cochran was flippant in his rush to judgment but she (Sharon) went at light speed to make a judgment, that we lied, and he does not appreciate that. He said when he came to work here he did not check his ethics, professionalism or self esteem at the door.

Barbara Clark, N.A.A.C.P. President, said Julie Farrar brought up the report received back by the Commissioners. Barbara Clark said there have been reductions which have caused big problems by taking over someone else's job, more work and longer hours. She said to do an investigation for police, fire or the city, at this time, she does not feel they have been in their new positions long enough to take \$63,000 and do investigation. She said once they have one year under their belt and learn their jobs and can handle the added workload, then come in and do an investigation to see where you are and what you can do to upgrade what you are doing, but not at this time. She said she cannot see the city spending \$63,000 to do an investigation about what you are doing when 'you' do not know what you are doing and does not mean to offend anyone.

Tim Schwanger, 362 Sheffield Way, asked if the light could be changed out in the commission chambers. Tim Schwanger said he figures part of the meeting afterwards may be about the Sandusky Yacht Club (SYC). He said he has a statement from Representative Murray against the SYC dock expansion as far as Surf's Up being a 'diamond in the ruff' and the city should maintain it and already has an agreement for 2010. He said for what it is worth, he would like to keep this as it is. He said when the city's Law Director says the SYC lawsuit is meritless, says no to their condominiums, the SYC has title to the Perry Street right-of-way, they have a Submerged Lands Lease for the property north of Surf's Up, then what kind of a lawsuit do they have? He said they have no grounds and understands sometimes we want to settle issues out of court, but the SYC has threatened this and we should let it run its course. He said 70% – 80% of their members are from out of town and the community has no reason to dig themselves out of a hole that they (SYC) got themselves (SYC) into.

Tom Whitted, Sandusky IT Department, said his department provides services to both the Sewer and Water Departments.

At 6:39 p.m., Dan Kaman announced adjournment of the regular session for a five minute recess; two Executive Sessions were then held beginning at 6:47 p.m.

At 7:50 p.m., the City Commissioners returned to the table and Dan Kaman declared adjournment.

Kelly L. Kresser
Clerk of the City Commission

Daniel J. Kaman
President of the City Commission