

APRIL 24, 2006

5:00 P.M.

At 5:00 p.m. a **regular meeting** was held by the Sandusky City Commission in the City Building Commission Chambers, 222 Meigs Street, with City Commissioners Dave Waddington, Craig Stahl, Dannie Edmon, Dan Kaman, Dennis Murray, Brian Crandall and Brett Fuqua in attendance; as well as the Charter Officers of City Manager Mike Will, Law Director Don Icsman, Finance Director Ed Widman, and the Clerk of the City Commission B. Joyce Brown. It was an open meeting.

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

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

Mr. Stahl moved that the **minutes of April 10, 2006** be approved as submitted and suspense with the formal reading of same. Mr. Fuqua seconded, carried.

Under **Audience Participation on Agenda Items Only**, Mr. John Ginty, 5055 Providence Drive, on Item #1 asked if it included making changes to Route 250 that is in the Sandusky portion? And there is a major problem with trucks turning right on Perkins heading west. Item #2 if this was a regional medical center, why did the taxpayers in Sandusky have to assume all of the costs? Item #3 how much City funds are going to be extended on this project? Item #4 what was going to happen to the old ambulance and how many working ambulances would we have in command after this purchase? Item #5 who are the 14 engineering firms that bid on this and who were the three City employees who made that determination of John Hancock & Associates? Item #6 the \$100,000 that they were adding to that contract, where is that money coming from? Item #7 The Sunnybrook Trout Club, the City now has to fill out a form to show they have been advised that part of that property they own is in agricultural use. They've owned that property for years and he can't remember this coming up before. If it's agricultural use, you have a different taxing base.

President Kaman introduced Ryan and Ken Vaness and said they were trying to earn their Boy Scouts Communications Badge.

Mr. Waddington read the proclamation proclaiming **Arbor Day on April 28th**.

President Kaman read a proclamation proclaiming **Sandusky's Crime Victims' Rights Week April 23rd through April 29th**.

PRESENTATION – Ms. Marlene Boas gave an overview of **Sandusky Safe Schools/Healthy Students Grant/Upcoming Project** geared towards youth.

PRESENTATION – Mr. Peter Schade, Health Commissioner and Karen M. Gerold, Assistant Health Commissioner update on **health and bird flu issues**.

PRESENTATION – Mr. Alan Siewert and Ms. Marianne Prue of ODNR, Forestry Division, updated the citizens on the **Emerald Ash Borer**.

CURRENT BUSINESS

Mr. Icsman said the Commission could make a motion to accept all communications. **Mr. Waddington said he would make a motion to accept all communications at once from tonight's agenda.** Mr. Fuqua seconded, carried.

ITEM#1 - Communication submitted by Rosanne Bodner, Public Transit Administrator.

Discussion - Mr. Edmon asked what exactly this grant would do and what area in the City of Sandusky? Mrs. Bodner said the grant would start with Route 6, Cleveland Road Route 6 and extends southward to Bogart Road. So it would be the area from Perkins Avenue north to Route 6, which is in the City of Sandusky and issues would be addressed when the project is done. There are areas within the City of Sandusky limits if money holds up.

Mr. Edmon asked if they were passing a resolution to support basically another community getting grant money, while we were ignoring our own businesses on that side of Cleveland Road? Mr. Will said part of this application includes the City of Sandusky and some things that should be done within the City. Most of it though by and large was outside of the City. So we are in part supporting something that we think is beneficial to traffic flow in the area, but there are also some great benefits within the City. A discussion ensued.

RESOLUTION NO. 020-06R - A Resolution in support of the Ohio Department of Transportation's Application to the Transportation Review Advisory Council (TRAC) for the U.S. Route 250 Improvement Project in the City of Sandusky and Perkins Township. Moved by Mr. Stahl, seconded by Mr. Crandall under suspension of rules with Section 14 of the City Charter. Roll call on suspension, 6-1, Nay-Edmon. Roll on final passage, 6-1, Nay-Edmon. Resolution passed.

ITEM#2 – Communication submitted by Jane E. Cullen, Engineering Director.

Discussion – Mr. Crandall commented about emergency legislation relative to projects and the amounts requested to the revised amount from the Engineer.

RESOLUTION NO. 021-06R - Repealing Resolution No. 011-06R and declaring the necessity for the City of Sandusky, Ohio, to proceed with the proposed John Street Realignment Project; approving the revised specifications and engineer's estimate of cost thereof; directing the City Manager to advertise for and receive bids. Moved by Mr. Waddington, seconded by Mr. Edmon under suspension of rules with Section 14 of the City Charter. Roll call on suspension, 7-0. Roll on final passage, 7-0. Resolution passed.

ITEM#3 – Communication submitted by Jeffrey W. Rosekelly, Project Engineer.

Discussion – Mr. Edmon asked were the property owners notified when the work was getting done? Mr. Icsman said it starts now, the resolution triggers the notice period.

Mr. Murray said beyond the five-year plan how are the designations made, how often are they generated for sidewalk replacements and are they expected to last 20 years or are the designations made specifically on an inspection basis when they were talking about doing a whole block? *Mr. Will said he would have Kathy bring information.*

Mr. Stahl asked was it permissible for these residents to do the work on their own as long as it is a contractor other than the one the City chose? Mr. Will said yes.

President Kaman said his only comments on Items #3 and 4, he would like to see sidewalks, curbs, gutters and the streets all get tied together so that they were not tearing up people's streets one year and two years later they go back and do sidewalks. They should coordinate it with the University of Toledo Study if they could.

RESOLUTION NO. 022-06R - Declaring the Necessity of constructing, relaying and/or repairing sidewalks, and/or constructing concrete curb and gutter, or concrete curbs, as the case may be, together with incidental construction, in certain designated locations in the city; providing for notice to such property owners. Moved by Mr. Stahl, seconded by Mr. Edmon for adoption under suspension of rules in accordance with Section 14 of the City Charter. Roll call on suspension, Yeas: Waddington, Stahl, Edmon, Kaman, Murray, Crandall, Fuqua, 7. Nays: 0. Roll on final passage, Yeas: Waddington, Stahl, Edmon, Kaman, Murray, Crandall, Fuqua, 7. Nays: 0. Resolution passed.

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

Discussion – Mr. Crandall asked was this being paid in full or were we relying on an interest only payments? Mr. Widman said the Chief does have the 10-year Capital Program for his equipment replacement. He knew they did talk about the possibility of financing his equipment. Ambulance type equipment has a terribly short life span and he would not recommend that for this. President Kaman said under the budgetary information it says the funding for this purchase in the amount of \$167,000 is available from the revenue generated by the ambulance transport fees. Mr. Crandall said and also this action hopefully would change some regulations. And once this is passed it would be purchased prior to May, and they should start the paperwork and it says in here that it could result in a price increase of the ambulance because of changing regulations on diesel engines in May 2006.

Mr. Edmon said he noticed that we were using Cooperative Purchasing Programs. Did we at least give our local vendors the opportunity to bid on this to see if they could possibly come up with that kind of price? Assistant Chief Ricci said they do not currently have a local vendor.

Mr. Murray said Mr. Ginty's question on replacement of this vehicle, how many ambulances do we have servicing the City of Sandusky? Assistant Chief Ricci said three currently functioning in the City on the frontline. One is a reserve, fully operational that can be used in the event of emergencies. They currently do not have staffing with 12 to put three ambulances on the street right now, but to have that third ambulance gives the capability of always having two in-service ambulances.

ORDINANCE NO. 06-045 - Purchase one 2006 Emergency Medical Vehicle/Medium Duty Ambulance from Horton Emergency Vehicles of Grove City, Ohio, through the State of Ohio Cooperative Purchasing Program. Moved by Mr. Fuqua, Mr. Murray seconded under suspension of rules with Section 14 of the City Charter. Roll on suspension, 7-0. Roll on final passage, 7-0. Ordinance passed. **Discussion** – Mr. Stahl questioned open burning. Assistant Chief Ricci said here in the City there are rules governing combustible materials and also the Ohio Fire Code Rules and State of Ohio EPA Rules, which are even more restrictive. Open burning typically falls into four categories, recreational fires, bon fires, outdoor appliances and open flame appliances. You are allowed small fires for cooking food for human consumption in your back yard. A recreational fire was a small fire you can not use for the purpose of disposing yard waste and it is considered open burning and is not permitted in the City because we are a municipality over 10,000 people where you can't even burn that material within one mile of a community of 10,000 or more. Bon fires are permitted, but you need a permit from the Fire Department.

ITEM#5 – Communication submitted by Kathryn K. McKillips, Engineering Director.

Discussion – Mr. Crandall said a couple residents on Fifth Street saw the agenda and were concerned the design company be well aware of what has happened previously.

Mr. Murray said it wasn't terribly clear what they were asking these engineers to do by way of a study. He had confidence in the City administration, but the communication wasn't terribly clear of who was the three-member committee? Mr. Will said with projects like this, he appointed professionals who had experience in that area and they were usually within our Engineering Department.

ORDINANCE NO. 06-046 - Enter into a contract for Professional Design Services with John Hancock & Associates for the Hollyrood and McKinley Street Sewer Separation Project. Moved by Mr. Murray, seconded by Mr. Fuqua under suspension of rules with Section 14 of the City Charter. Roll call on suspension, 7-0. Roll on final passage, 7-0. Ordinance passed.

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

Discussion – Mr. Waddington said under budgetary information the developer Mid States Corporation will fund the match \$79,763.50 upon completion of the Developer's Agreement and the work. He just wanted to make that distinction.

Mr. Murray asked if the City's total portion \$362,000 of the contract was \$43,200 and then MidStates gives an additional \$79,000 that they are contributing? Mr. Will said there is \$360,000 total. Our total portion is correct the \$43,000 for the additional NFA. MidStates covers 25% of the rest, which should add up to that \$79,000 number and the grant covers the rest beyond that.

ORDINANCE NO. 06-047 - Approve First Amendment to Agreement for certified Professional Services with Partners Environmental Consulting, Inc. in partnership with Hull & Associates, Inc. of Solon, Ohio, for the Bayfront Paper District Redevelopment Project, Phase 1. Moved by Mr. Fuqua, Mr. Murray seconded under suspension of rules with Section 14 of City Charter. Roll on suspension, 6-1, Nay-Crandall. Roll on final passage, 6-1, Nay-Crandall. Passed.

ITEM#7 – Communication submitted by B. Joyce Brown, Clerk of the City Commission, on behalf of Connie L. Ward, Erie County Auditor, submitting the **application for the placement of farmland into an Agricultural District, which requires the applicant file the application with the Clerk of Municipal Corporation, as well as with the County Auditor.** Mr. Fuqua moved that they request the Clerk return a copy to the Auditor's Office. Mr. Edmon seconded.

Discussion – Mr. Waddington said the top parcels are Margaretta Township and yet the total number of acres on 60-00304.000-12.00, he believed that parcel was in the Sandusky city limits. Whoever wrote that note believed it was in Sandusky or not? Mr. Icsman said yes, it seemed it was not certain from looking at this whether or not and it should be something relatively easy to find out.

Mr. Edmon asked was there a deadline as to when they had to send this back to the Auditor's office? He thought her office was the office that makes sure where something is. So he would like if Mr. Fuqua would not mind withdrawing his motion and they table this until they get a definite answer of whether this is in the City or not. President Kaman said he didn't have to withdraw, they could vote the motion down. Mr. Fuqua said he didn't have a problem with that. He could wait.

Mr. Murray said he didn't understand why it is that we were being asked to vote or acknowledge something that the Clerk's office received. When it is a fact that we have either received it or not and a time-stamped copy could be returned to the Auditor. What does this do, do we have a say in this, what's the financial up-shot of this application? Mr. Icsman said he didn't think he knew the financial up-shot, but he thinks by law it is required, assuming that it was in the City it would need their approval. He would assume there was more tax that would be assessed if it's not in an agricultural area. He didn't know that for sure, but he would assume that was why. **The Clerk called the roll and with all Commissioners opposing, the motion failed.**

Under **City Manager's Report**, Mr. Will said he had a donation from **Frost/Parker Foundation for \$37,000 for the Downtown Development Director and Sandusky Mainstreet Association**. Mr. Murray moved, Mr. Crandall seconded, passed.

Mr. Will said he needed acceptance of a **donation from Edward Sprague for \$250 for the City of Sandusky Green Fund**. Mr. Edmon moved, Mr. Murray seconded, passed.

Mr. Will said this Friday the **barricades would be installed in the northbound lanes of S.R. 250 Overpass as driver's approach the Butler Street Ramp**. The curbside lane would be forced to turn right down the ramp and drivers in the left lane would have the option of turning onto the ramp.

Mr. Will said the **Community Cleanup** details for this **Saturday, April 29th** were as follows: They would distribute cleanup supplies and water at the substation locations for Zone 1 - Fire Station #3, 2034 Fifth Street; Zone 2 – City Hall, 222 Meigs Street; Zone 3 – Central Fire Station, 600 W. Market Street; Zone 4 – Fire Station #7, 3816 Venice Road and Zone 5 – Columbus Avenue United Methodist Church at 2401 Columbus Avenue. Please bring can good donations to help the needy in Erie County. At 8 a.m. to 8 p.m. Saturday they would have **Yard Waste Drop-off at Barnes Yard Waste Recovery** at 3511 Cleveland Road West and also Sunday, April 30th from 10 a.m. to 5 p.m. You would need proof of residency. Also from 9 a.m. to 12 p.m. at **Sandusky Steel & Supply they would have appliance drop off** and you would need proof of residency for that also. At 10:00 a.m. they would have an **Arbor Day Tree Planting Ceremony at the Sunken Garden in Washington Park**. He thanked our local sponsors for the Community Cleanup event: K96-WKFM, KeyBank, Kreimes Cardinal Grocery, Kroger's, Mix 102.7-WCPZ and the Panera Bread Company.

Under **Old Business**, Mr. Waddington commented that this Thursday at 7 p.m. is the second **Pipe Creek Watershed** meeting at St. Stephens Church on 905 E. Perkins.

Mr. Crandall said Ohio Edison had ordered parts for **streetlight repairs**. Mr. Crandall said on the **License Plate Tax** a couple residents wanted to know how much salary and benefits were paid out of that tax. A discussion ensued.

Mr. Widman said they had talked in the past about the **water and sewer billing** process and they were still working in an effort to try to laser postcard bills. He gave an update. He discussed the **door tag process** for the turning off of water and requested a motion to discontinue. Mr. Murray asked was he open to modifying that, the comment Mr. Widman made on the first 45 days of that process? Mr. Crandall said yes, that was fine. Mr. Murray said then he seconded that motion. The Clerk polled the Commission and with all Commissioners voting "Aye", the motion carried.

President Kaman asked where they were on the **Pier Track and one-way street parking over on Fulton?** Mr. Will said the Pier Track they were still waiting on an engineering survey on the area. Fulton Street they were probably going to move

forward in a similar manner that they did with the other one-way streets and that was to try them out for a period. A discussion ensued.

President Kaman said he asked last meeting about **retention ponds and fencing** and they got a lot of information. There was really not much the City can do other than regulating the slopes on them. His concern is some of these retention ponds are getting bigger and bigger, some of them are really small bays. Mr. Waddington commented if they put fences up, they would run into liability issues and they could discuss this at the Saturday meeting here at City Hall at 10 a.m.

Under **New Business**, Mr. Waddington said he would make a motion that the **Law Department draft a letter to the Ohio House, Senate, Attorney General's Office, about the continuing rising costs of gasoline** that families now and into the future have to make alternative decisions on filling their tanks or providing necessities for everyday living. The oil refineries are holding the regular families in the United States and in this area, especially ours, as hostages with price gauging. He would like to ask the Commission tonight if we could please send a letter. He just thinks this is out of control and he thinks we're going to be looking at maybe \$3.50 by the end of summer. Mr. Edmon said he would like to thank Mr. Waddington for bringing up such a critical issue especially because he travels to Toledo every day. **So he would second that motion. The Clerk polled the Commission and with all Commissioners voting "Aye", the motion passed.**

Mr. Murray said currently they have a statute on the books that **prohibits parking of vehicles over a height of 6' for more than two hours and he would like to make a motion to ask the Law Director to prepare legislation to extend that period so contractors that are working in the community have the ability to park on residential streets while they're working on their project without being ticketed.** We apparently have recently begun enforcing an ordinance we hadn't for a period of time that has been causing problems with small contractors. Residential parking should be available to them while they're working. So he thought with the increased size of vehicles used in construction that ordinance really should be looked at. **Mr. Waddington seconded the motion. The Clerk polled the Commission and with all Commissioners voting "Aye", the motion carried.**

Mr. Fuqua said he was in the City Manager's office and saw the fliers that had been created about the **festivals for African Americans, Irish, Italians, Germans** we were having down here at the pavilion and he would ask where are those being placed. Mr. Packan said the Recreation Department was going to have a press conference Wednesday, but they would be all over the community.

Mr. Edmon said he needed a motion for an **executive session on Charter Officers, personnel.** Mr. Waddington seconded the motion. The Clerk called the roll with the following response: Yeas: Waddington, Edmon, Kaman, Murray, Crandall, Fuqua, 6. Nays: Stahl, 1. The President declared the motion passed.

Mr. Crandall said he was contacted by Venice Road and Sycamore Line/Follett area south of the tracks residents, who said there were a number of **trains going through the City carrying trash and he would like our Community Development Department to contact them to make sure the railroad property was cleaned up.**

Mr. Murray said he would like to make a **motion that they put directional signage on Huron Avenue at the intersection with Monroe Street.** They have erected a recently new sign that indicates that visitors to our area have two different routes to approach Cedar Point, one is to proceed down First Street and the other one is to proceed down Cleveland Road. He thinks an informational sign at that point using universal symbols that you see on turnpikes and interstates indicating there are hotels, restaurants and gasoline stations down that road is something that would be beneficial to our local businesses without interfering with traffic in that area. **Mr. Crandall seconded the motion.** After discussion, the Clerk called the roll. **The President declared the motion passed 7-0.**

Mr. Murray said Mr. Crandall and he got together and they had the **ground rules** for the **Business Round Table** and the first of those was going to be this Thursday at 12 o'clock at the Central Fire Station. They had an excellent response and there would be over 66 businesses represented there.

President Kaman said the **State of Ohio is going after the commercial fishermen industry in the State of Ohio.** Not as a Commission, but as an individual he was very much against the State of Ohio. He feels they are overstepping their bounds trying to run an industry out of Ohio. Sandusky itself is

almost founded with commercial fishing. We had commercial fishing all up and down and we're getting less and less and less and we're down to less than he believed it was 15 commercial fishermen in the State of Ohio now. And it seems to him, his own personal feelings, the State of Ohio is going out of their way to track these people and harass them. They may think that sport fishing is, as much as he liked sport fishing, is the way to go. He thinks going to Canada for this country's fish that comes from our lake, as well as Canada, is ridiculous. Right now our local restaurants, until May 6th, have to buy their fish from Canada. And that's ridiculous when we have fishermen right here in Ohio and in Sandusky that can do it. And why are we trying to close down an industry to bring in more imports when we know that we see the effect of imports on our country today. It's not just the guys going out on the boats with the nets. Commercial fishing supplies jobs for truck drivers, fish cutters, suppliers, and restaurants. It is a big industry and he thinks the State of Ohio in his personal opinion is overstepping their boundaries and he would like to see everyone that can and feels that way to support our local commercial fishermen.

Under **Audience Participation**, Mr. Don Schwanger, 726 Perry Street, commented the signs downtown on the Jackson Street Pier were in place for four-hour parking on the other end. He also commented about commercial fishermen and that the Charter Boat Association was really behind that and they were completely wrong.

Ms. Pam Riggs, 1902 First Street, commented that they should have more Greenhouse open house tours because she learned a lot about what it offers with the palm trees and ferns and renting of mounds. Also the Recreation Department had the Let's Just Walk in Erie County and that was nice because there were different places to go and walk and you could see what the County was like and you start noticing neighborhoods, unlike when you take the same streets all the time.

Mrs. Audrey Schaefer, 450 Strouse Lane, commented she was traveling on Route 2 heading east just west of Route 6 and there was a sign and it directed Cedar Point traffic to Route 250 or Route 6, and we really do not need any more traffic coming down Route 6 to Venice Road. So she was wondering why couldn't they direct all traffic to Route 250 because they were having more and more train delays on Venice Road and that would help that situation.

Mr. Willie McCarthy, 131 Meigs Street, said they were here on our youth in the neighborhoods and their pool, Surf's Up that has been turned into a pavilion. What was their intention on the beach that they had proposed some years ago, a place for our youth here in the City of Sandusky? All of you can't afford to go to Cedar Point and the big water parks and as a community we were given a piece of property for the use of the community. They couldn't afford it and closed it down. So they need to look into some solid answers of what they were going to do for our youth.

Mr. McCarthy commented on the police department and our youth being able to turn to them without fear.

President Kaman said although they did close the pool, the Recreation Department did increase their summer activities.

Mr. Stahl said the Finance Report for the month of March was on the website.

President Kaman said they would return to the table and take a five-minute break.

At 7:10 p.m. an executive session was held on a Charter Officer/personnel, with the City Commission and three Charter officers of the Clerk of the City Commission, Law Director and Finance Director present.

At 8:35 p.m. a motion was made to return to the table and it was then requested that Mr. Will return to the meeting.

*President Kaman then said he needed a **motion that the City Commission give Mr. Will a letter of reprimand that will be placed in his personnel file.** Mr. Crandall said so moved. Mr. Waddington seconded the motion. The President asked the Clerk to poll the Commission with the following response: Yeas: Waddington, Stahl, Edmon, Kaman, Murray, Crandall, Fuqua, 7. Nays: 0. The motion passed.*

At 8:45 p.m. a motion was made to adjourn the meeting.

ATTEST:

B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

DANIEL J. KAMAN, PRESIDENT
SANDUSKY CITY COMMISSION