

MAY 8, 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 Craig Stahl, Dannie Edmon, Dan Kaman, Dennis Murray-5:22 p.m., Brian Crandall, Brett Fuqua and Dave Waddington 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. Stahl 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: Stahl, Edmon, Kaman, Murray, Crandall, Fuqua and Waddington.

Mr. Waddington moved that the **minutes of April 24, 2006** be approved as written and suspense with the formal reading of same. Mr. Crandall seconded, carried.

Under **Audience Participation on Agenda Items Only**, Mr. John Ginty, 5055 Providence Drive, questioned Item #1 was it going to count against the 15 extra permits? Item #2 does the Police check into this because they were from the Chicago area? Item #4 where it was two groups when they were going to do the presentation at the last meeting and now it appears to be one.

Mr. William M. Semons, 231-50th Street, thanked the Maritime Museum for the gift of the fireboat that had originally been built in Sandusky.

Mr. Dan Schwanger, 726 Perry Street, commented on the parking lot behind City Hall possibly going to the developer and his concern for handicap parking for fishing.

Mr. George Mylander, 155 Sunset Drive, commented that they should consider this waterfront development and pay attention to the presentation that was next.

PRESENTATION – Mr. John Eymann/Greg Hanner - Meacham & Apel CEG Development - **City Hall Property**. President Kaman made comments, Mr. Stahl read a written statement and Messieurs. Waddington, Fuqua, Murray, and Edmon stated they would be voting for this portion of the project to proceed.

Mr. Crandall read a proclamation for **“Building Safety Week”** May 7th - May 13th.

ITEM#1 - Communication submitted from the **Ohio Department of Liquor Control submitting a new request of a C2 Liquor Permit to Cedar Fair LP, dba Camper Village Store, 1 Cedar Point Drive, P.O. Box 5006, Sandusky, Ohio 44870**. Moved by Mr. Fuqua, seconded by Mr. Crandall request the Clerk notify the Liquor Department the City has no objections. Roll call: Yeas: 6, Nays-1, Edmon. Passed.

ITEM#2 - Communication submitted from the **Ohio Department of Liquor Control submitting a transfer request of C1, C2 and D6 Liquor Permits from Shawns Convenient Business, Enterprise Inc., 1038 Cleveland Road, Sandusky, Ohio, 44870 to NRYN Corp, dba Sandusky Food Mart, 1038 Cleveland Road, Sandusky, Ohio 44870**. Moved by Mr. Crandall, seconded by Mr. Edmon to request the Clerk notify the Ohio Department of Liquor Control that the City has no objections to this request. Roll call: Yeas, 7. Passed.

ITEM#3 – Communication submitted by Michael R. Meinzer, Fire Chief. Mr. Edmon moved, Mr. Crandall seconded, Mr. Stahl abstained, carried.

Discussion – Mr. Stahl said excused himself from any discussion on this issue.

RESOLUTION NO. 023-06R - Authorizing the disposal of the current 1967 Inland Seas Fire Boat as being unnecessary and unfit for City use, approving the donation of the vessel to the Maritime Museum of Sandusky. Moved by Mr. Waddington, seconded by Mr. Crandall to be passed under suspension of rules in full accordance of Section 14 of the City Charter. Roll on motion: Yeas-6, Abstain, 1-Stahl. Roll on final passage: Yeas-6, Abstain-1, Stahl. Passed.

ITEM#4

Discussion - Mr. Crandall asked what was being spent now? Mr. Will said the City was spending nothing. The importance of waterfront access was a major concern. In upcoming months they needed solid estimates for repairs of the existing facility.

Mr. Crandall said all during the process of elections, his stance has always been until people tell them to move City Hall, he didn't think they should move City Hall.

ORDINANCE NO. 06-048 - Enter into a Predevelopment Agreement with Sandusky Waterfront Complex, LLC for a proposed Development Project including the property currently occupied by the Sandusky City Building. Moved by Mr. Fuqua, seconded by Mr. Murray to request passed under suspension of rules in full accordance of Section 14 of the City Charter. Roll on motion: Yeas-6, Nay 1, Crandall. Roll on final passage: Yeas-6, Nay-1, Crandall. Passed.

Under the **City Manager's Report**, Mr. Will said it was requested that they accept a **donation for \$125 from Donald & Marcia Rotsinger for the Green Fund.** Moved by Mr. Edmon, seconded by Mr. Waddington and carried.

Mr. Will said it was requested a **donation be accepted for \$37,000 from The Dorn Foundation to offset costs associated with the Downtown Development office.** Moved by Mr. Edmon, seconded by Mr. Waddington and carried.

Mr. Will said the **City Hall Process** presentation they went through earlier, as well as entering into a pre-development agreement. The other side was related to figuring out different costs of either adding to the existing site, moving to another site or building a new site. Horne and King the architects have almost completed the space needs assessments for our City Hall operations and completed the interviews with staff and made an initial assessment as to how much space would be good to have, breaking it up into three different categories of Police, the Court and the rest of the City Administration and Commissioners. They need to hire somebody to do a cost analysis of how much it is to rehab this site, how much it is to rehab another site, how much to just build. A discussion ensued. **President Kaman said they need a motion to put it on the agenda for May 24th, a City Hall Needs Assessment Presentation. Mr. Fuqua moved, Mr. Crandall seconded, carried.**

Mr. Will said an update on **Code Enforcement activities and weed control plans.** Mrs. Mockensturm said on our Neighborhood Inspection Program, which began last November, they divided the City into 10 zones and worked through November and December and did not go out January or February and started back up in March. Year to date they have done 1,763 inspections and of those 819 write-ups were done. Some of the write-ups were minor, most had issues with paint.

Mrs. Mockensturm said from May 1st to May 8th they have gotten 30 weed complaints. They developed their **Weed Program** a couple of years ago. They put a notice in the paper in March notifying the residents that should we cite them for weeds the first time, they do not subsequently cite you. If they get another complaint, they just go out and mow. It costs \$260 or \$265 with everything allowed to mow someone's property. She encouraged everyone to keep their grass cut.

Mr. Will said our **Water Regionalization** they entered into a joint venture with the County, City of Huron and the City of Sandusky to join forces and start doing analysis on operational costs and things related to water systems in each of the three places, and what are the legal costs to move forward with how to draft agreements towards some sort of regionalization effort. President Kaman asked for questions.

Mr. Murray said the **housing inspections** should continue. A lot of people are upset, but they all know when those homes are left unattended it does drag down neighborhoods and property values and ultimately it hurts the very people that you are trying to help that you are giving the notices to. So he applauds those efforts.

Mr. Murray said the **weed problem** with absentee proper owners the City of Cleveland actually has a Vacant Property Owners Registry where they pay a modest fee to register the property and then they are responsible for maintaining that property. Mrs. Mockensturm said yes, a lot of the properties they do end up cutting every year and quite a few are vacant lots. Then in the past they had a lot of foreclosures and the mow rate was very high given that. A discussion ensued.

Mr. Edmon asked did we have any **programs that will help people who can't afford to take care of their properties?** Mrs. Mockensturm said they would have a program beginning in July. And they make referrals to our Housing Department,

which is separate from Code Enforcement where they have their CDBG dollars and they have them apply and they have set-aside money and develop the program. Mr. Edmon asked what qualifies a person to be eligible or not? Mrs. Mockensturm said just a regular poverty standard 8% median income. Mr. Edmon said he had a problem because if they were in the poverty level, they probably wouldn't be owning their house. So you've just eliminated almost everyone that owned their own house and with Erie County leading the State in foreclosures, he don't think you're being realistic about helping people to get the job done. Mrs. Mockensturm said they had a Rental Rehab Program that if you own your own home. Mr. Edmon said okay.

Under **Old Business**, Mr. Waddington said on the **retention ponds**, he would like if the Law Director could look into signage for minimum sign requirements with sign-sized standard message locations of signs and sign spacing at the pond perimeters. At the very least or adopt minimum standards, although they are and can be effective to storm water management flood control, they can also pose health risks like West Nile Virus or if a child was to jump in one of these, it does have like a three one slope ratio. It's a four feet drop and kids in the middle of the summer jumps in, drowns, it's on City or public property. They as a community need to look into this.

Mrs. McKillips said signage was definitely feasible. Mr. Icsman said consistent with that material the sign would be no problem doing the signs. The only other requirement was they should have the ratio requirement and something along the line that Bellevue has and different cities have just an ordinance on retention ponds, drainage ponds or whatever. He thought she and himself could talk about that if that's what the Commission wants, they could investigate that.

Mr. Waddington said on warning signs all he was looking for was a minimum type requirement for sign size, location of the signs and whether public or private. If it's a business, can we suggest to them that we'd like signage up just for protection.

Mr. Waddington said and then what do we do about trash currently in there and if it's in there it doesn't drain as well and some of these are three or four feet deep and in the slope ratio he'd like to have them look into the slope. If a kid does get in, he has a chance to get out instead of just dropping in four feet of water and gradually goes from one to three. The President asked for a motion. **Mr. Waddington said he would like to make a motion that the Law Director draft legislation for retention ponds. Mr. Edmon seconded the motion. The Clerk polled the Commission and with all Commissioners voting "Aye", the motion carried.**

Mr. Crandall said Mr. Edmon and Mr. Icsman had a productive 145 meeting on the **Administrative ordinance**. They came across information on independent audits where the Civil Service could either audit by phone or contracting out to parties and the City and the union were free to submit documentation, etc. And it says but either party can properly perform the job audit on behalf of the Civil Service Commission. They would let them know forthcoming at the next meeting.

Mr. Crandall said he spoke with Mrs. Mockensturm and she was still in the process of contacting the **railroad for the trash that's being blown off these trains going through town**. They had the length of our City with residents calling on either end, so obviously there's some type of problem going on.

Mr. Crandall questioned whether the **dredging and water testing** could be done in-house? President Kaman said those were two private developments doing the dredging. So if there were samplings to be done, he's sure they would be responsible for that. Mr. Murray said this issue has been addressed before and Mrs. McKillips advised it would be too expensive and they would not be able to do a meaningful test in-house. And the dredging did not raise immediate water quality concerns because it was in the back bay and our main in-take is out in the lake and we only use the back bay once or twice a year and he thought primarily in the winter. President Kaman said he personally doesn't feel the City should get involved in the private development every time someone dredges or does a breakwall.

Mr. Waddington said he would ask Mr. Icsman could they vote on **Sunnybrook** tonight since it was not going to have an affect on property taxes? The parcel that was in Sandusky, and there were two parcels in Castalia or Margaretta Township. Mr. Icsman said he don't think the process was followed appropriately. He don't know whether it ever was. And he don't even know whether the applicant itself is following them because it says the applicant shall file the copy with the City and

technically the Auditor sent it to us. He thinks State statute, it says if you don't amend it or reject it, which you have not done, it's effective anyway. This was just water acreage and there's no assessment to the office. So he don't think there's any negative impact on the City, absent putting Joyce through a whole bunch of processes and starting all over again, the notification of spending those dollars to do this, it may just be that taking no action is the best course of action.

Under **New Business**, Mr. Edmon said the Ohio legislator passed House Bill 226, which deals with the Court system and how the City and this County can charge for different things like serving warrants, etc. *He would make a motion for the administration to look into House Bill 226 to see if it would be beneficial to the City. Mr. Crandall seconded. The Clerk polled the Commission. Motion passed.*

Mr. Stahl said the second meeting of the month their goal was to have an **Income Statement**. He got it today. It should be available on the website. This was a very interesting tool that we need to use going forward. A discussion ensued.

Mr. Waddington said he would like the Commission to support a **sign at least three feet by four feet in honor of Mr. Rather** for the kids who are 40 or 50 that played with Mr. Rather when they were young at Rather Field. It's the home of the Sandusky High School Blue Streaks. He would also like to see a new sign near the entrance. We have beautiful parks, but they needed to address this because these guys put in thousands of hours and late nights for 10 to 15 years.

Mr. Edmon said he needed a motion for an **executive session on personnel**. Mr. Murray seconded the motion. Mr. Murray asked was this the issue that was previously touched on by e-mail? Someone said yes. The Clerk called the roll with the following response: Yeas: Stahl, Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, 7. The President declared the motion passed.

Mr. Widman said they had discussed the **turn-off process for outdoor hangers**. They would be turning off this week and they would be pretty busy. He was still working with Water Distribution and trying to make it as smooth as possible.

Mr. Icsman said for purpose of clarification, he didn't know what this executive session was, but they wanted to make sure that they get in and out appropriately. Executive sessions should be preparation for collective bargaining, 121.22 G (4). That needs to be the motion and that needs to be what's voted on. Personnel as they've talked about, is not specific enough under Sunshine Laws so they can lawfully get into executive sessions. Mr. Edmon and Mr. Murray rescinded their motions. Mr. Edmon said he needed a motion for an **executive session for preparation of Collective Bargaining under Revised Code Section 121.22 G (4)**. Mr. Murray seconded. The Clerk called the roll: Yeas: Stahl, Edmon, Kaman, Murray, Crandall, Fuqua, Waddington, 7. The President declared the motion passed.

Under **Audience Participation**, Mr. Mark Norman, 1015 Third Street, commented on energy issues and alternatives.

Mrs. Audrey Schaefer, 450 Strouse Lane, commented in support of the pre-development agreement for City Hall, but like Mr. Edmon she did believe that the vote for a new City Hall should be put up to the residents.

Mr. Don Schwanger, 726 Perry Street, commented in support of Mike Will, City Manager, and that his written reprimand should be taken out of his file.

Mr. Barry Riddle, 1338 Fifth Street, said on the \$365 to cut grass and could they something for the realtor to take and maintain that property at whomever's cost to keep these lots mowed for one and two months or whatever it takes to sell the house?

At 6:39 p.m. the President said they would return to the table after five minutes.

At 6:50 p.m. an executive session was held on preparation of Collective Bargaining Ohio Revised Code Section 121.22 G (4) with the City Commission and staff present.

At 8:00 p.m. the President returned to the table and the meeting adjourned.

ATTEST:

B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

DANIEL J. KAMAN, PRESIDENT
SANDUSKY CITY COMMISSION