

Tuesday

MAY 26, 2009

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, Brett Fuqua, Pervis Brown, Bob Warner, Waddington, Dan Kaman and Julie Farrar in attendance; as well as the Charter Officers of the City Manager Matthew D. Kline, Law Director Don Icsman, Finance Director Ed Widman and the Clerk of the City Commission B. Joyce Brown; and the Administrative Staff of the (*Director of Engineering Services Kathy McKillips-absent*), Fire Chief Mike Meinzer, Interim Police Chief Charlie Sams, Economic Development Specialist Scott Schell, and Chief Planner Carrie Handy. The audience and news media were present.

Mr. Stahl offered the **invocation** and everyone remained standing for the **Pledge of Allegiance to the Flag**.

The Clerk called the **roll** and the following Commissioners responded: Stahl, Fuqua, Brown, Warner, Waddington and Kaman.

Mr. Waddington moved to accept the **minutes of May 11, 2008** and dispense with the formal reading of same. Mr. Warner seconded. President Stahl asked for a vote on the motion and with all Commissioners voting "Aye", the motion carried.

Mr. Waddington said he knew this was unusual, but he would like to make a motion to change agenda Item #4 from emergency Section 14 to pass it under Section 13 so it would have two readings; it would have the first reading tonight if the Commission approves that. President Stahl said motion for discussion, a motion by Mr. Waddington. Mr. Kaman seconded. Mr. Waddington said under Section 13 of the Charter, "*No ordinance or resolution of the general or permanent nature, or granting a franchise, or creating a right, or involving the expenditure of money or the levying of a tax, or for the purchase, lease, sale or transfer of property, unless it be an emergency measure or unless otherwise provided by this Charter, shall be passed until it has been read at 2 regular meetings not less than one week apart...*" So that was why he was asking for this tonight. And he talked to him (Mr. Stahl) today briefly and he talked to our Law Director twice today. He just thinks there're a ton of questions. He thinks everybody is supportive of it, but there's a lot of things that need to be resolved, questions that they can cover over the next couple weeks. President Stahl said when he first talked to him this morning he did some research and found out what we did with the Sailing Club in their situation, and we did it under an emergency. However, after reviewing with him this afternoon, it's dotted and t's crossed, it becomes somewhat apparent to him, pretty apparent to him that they should do this at a two reading basis. It's the appropriate thing to do and he supports his motion.

Mr. Waddington said they had several things under Item 4, the adjustment of height limitation up to 120 feet, so that would be a good thing; the Perry Street right-of-way north of Water Street; angled parking on Water Street between Franklin and Meigs Street; and the completion of Sidnor Garden, that's in front of us and the Yacht Club too; and then the dismissal of the Yacht Club lawsuit Sections 1, 2, 3, and 5. And he understands this is all put together in good faith. He was not saying anything of what they're going to do, but he would like to have a lot of this stuff resolved and cleared up. President Stahl said so in other words his motion is to do it in two readings, the first reading being tonight. Mr. Waddington said right. President Stahl said and the way he understands things, he supported it, but he feels that it should be two meetings to give anybody that would like to discuss this, an opportunity to do it. Mr. Waddington said right, he's had calls and he was sure the other Commissioners had calls or e-mails on it, some questions. They could get it resolved, laid out, and then everything is above board on the table. President Stahl said spoken very well. Was there any other discussion on this motion for this side of the table to make this a two item vote, Item #4? So it won't be in Section 14 of the City Charter, it will then become in Section 13 the way that he understands his motion, is that correct? Mr. Waddington said that's correct. Mr. Icsman said just so he's clear, he don't think, and maybe it was just miscommunicated, if he wants two votes, just the normal process you don't have to suspend any rules. You would just read it today, vote today, read it in two weeks, vote again, then it's effective in 30

days. Suspending under 13 is not an immediate effect, but it does not come back for another vote, and it is effective in 30 days. So what he's really wanting, just the 13 is the confusing part; there's only one vote in 13. Normally we do, however we do some zoning like that, so that we give people the possibility of a referendum within the 30-day period, but it does not come back for another vote. If he just wants this normal Mr. Waddington, so he don't suspend any rules is what his advise would be, not to suspend any rules, but just two readings. Mr. Waddington said right. Mr. Icsman said he can, again it's always up to them no matter what these (legislation) say. And he thinks he's tried to tell the newspapers, irrespective of what the department head or what the Manger may ask for and what he writes down, it's always up to this body to decide whether or not is there an emergency, do they agree with it, do you not want. So even in this case, if they were to read it tonight and vote on it and then declare they were going to vote again next meeting, they could change their mind the next meeting if the majority of them say no, let's pass this we don't want to wait another 30 days for it to become effective. We want it to be effective. This would be the two weeks. That's also not true.

President Stahl said he thinks that's his question Mr. Icsman, is that they (SYC) have a short operating season; it's roughly three months if they're going to do this, it makes common sense that you would want to do this before. Otherwise it wouldn't make much sense. The next meeting is June 8th, so they would be looking at July 8th and by the time they could get construction on it, it would not be applicable. Mr. Fuqua said so couldn't they essentially if to satisfy Mr. Waddington's concern, couldn't they just adopt it under first reading and then come back next meeting and adopt it at second reading? Mr. Icsman said yes or the normal process would be the next reading at the June 8th meeting would then be effective 30 days from that date, if they didn't do anything. At that meeting they could do whatever they want. They're not bound by, in other words, they say tonight two readings 30 days, that's the normal process, basically a 60-day period. Section 13 only knocks off that extra 30 days; it does not knock off the first 30 days. This is all on the technical procedure. He was not on the substance of whether or not they should do this. He's saying that 13 confuses it. If they want it to be a regular process, two readings, 30 days, essentially 60 days. Mr. Fuqua said he don't disagree with Mr. Waddington's request, but he thinks 60 days is a little long for this process. He don't see why he can't have the first reading tonight, come back the next meeting and just pass it. In two weeks he thinks, it's just his opinion, they should have any questions answered. Mr. Waddington said he just read 13 for clarification on any money or transfer of the property. President Stahl said so he thinks his intent, and not to read his mind Mr. Waddington and that's why he was asking the question, is that they would vote on it tonight, they would declare it an emergency at the next meeting to take immediate effect. Mr. Waddington said right, two weeks and they can get all their stuff settled. President Stahl said so they wouldn't lose their summer.

Mr. Kaman said he just wanted to make sure that the public knows what's going on the agenda; on the agenda that they have doesn't have the agreement and what we're doing, talking about parking across the street, that's essentially Mack Iron. And talking about the height restrictions and that would affect Mr. Eymann talking about the water rights. So he wanted to make sure that the people understand what they're doing and they have a copy of it, he wanted to hear what the concerns are. The Yacht Club has requested everything, but we want to make sure that we have everything covered. The two weeks is a good length as Craig knows. President Stahl said it's a good compromise deal he thinks. **The Clerk called the roll: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. The President declared the motion passed.**

A proclamation was read for the "**Cedar Point Magnum XL200 Roller Coaster**".

Under **Audience Participation**, Mrs. Sharon Johnson, 1139 Fifth Street, said Item 4 Yacht Club she did not like the way it went down. She knew there was litigation and so they could do that behind closed doors and they had six executive sessions on that. They were giving away some of our land and she thought we should have something to say about that. They already took a vote on this. They should have heard from them even before they took that vote. She wanted to know how this figured in with the Marina District and that muddied the water for Mr. Eymann, because it looks like the Yacht Club's is going to abut a condo up against his condo.

She would like to hear from Mr. Eymann on that and how it would affect his project. Surf's Up was our jewel and 10,000 people came down there for a festival. The angle parking, there aren't any set plans that the Yacht Club put in, that was going to be a safety problem on the street with people riding their bicycles on the street, which would narrow the street if it was going to be right across the street next to Mack Iron there. Open deliberations, that was done in six executive sessions, nothing was talked about and the public didn't even know about this until legislation comes up to the table. She wondered if the Sunshine Law had been violated here, because it said on the ordinance that on May 11th, per the ordinance, a decision was made to order up legislation. Who told Matt to order up legislation? They had to have made a decision in executive session to do that? It says in the Sunshine Law no vote or other decision on matters discussed that take place during executive session. There was nothing in the minutes when they got out of executive session, there were no notes stating that they made that decision on a settlement or anything like that. It just said that they came out and adjourned from executive session. This was the same thing that happened when the dispatch went from Perkins and there was a stated Commission meeting on Monday and during the night, she don't know who decided or how it was decided, but the next day we were going to County. No one to this day knows how that vote went down. She just didn't want to see Surf's Up divided up like this; and she's concerned about the Marina District Project and how that's going to affect this project.

Mr. John Eymann, Developer of the Marina District Project, said this was a direct response, he was aware of these items. He don't quite honestly think any of these items are new items; he thinks they've been around and on the table for quite some period of time. He thinks it's kinds of work the City has to make for moving forward with resolution and good positive things for all parties involved. So he applauded the efforts by all parties because he thinks it's difficult to get to a point of resolution, but he thinks it's a very positive thing. As far as the impact of the project, you know negatively there is no negative impact to it. You know they're talking water rights that are in agreements between the City and the Yacht Club anyway. These things are really kind of irrelevant to him to some degree. He thinks there is more of a negative impact in having these things linger, which has always concerned him a little bit. It doesn't involve him personally, but it does involve the project. So he thinks that is something to reconcile, and you guys are fine in a sense that of having these outstanding issues unresolved will eventually catch up with you. It catches up with the project and that's the negative draw that you don't want to have. So that's why he applauds the proactive stance that they have in terms of working through the problems and coming to a mutually agreeable solution that's with all partners. That's how he sees it; so he supports you guys.

Wesley Poole, 1939 E. Oldgate, said he wasn't going to speak on this until Mr. Eymann stepped up. Sir the information was on the table that he was invited to. He didn't know whether it was a good idea or not, so he would ask as they go through this legislation that they give the taxpayers a layout of why they should be supporting this and even if the citizens of Sandusky get to maybe decide to do this. He's not really big on secret negotiations and discussions, but he would give him the benefit of the doubt and they will wait and hear what he presents in terms of why he plans to do this and why it benefits them before they make a decision.

Tim Schwanger, 362 Sheffield Way, Save our Shoreline Parks, said it's been many a book written on this topic. These were minutes from the Planning Commission and the Board of Zoning Appeals. They went back to the last meeting with the Keller Building and Mr. Stahl made the comment that they need to listen to their committees. He thinks they need to listen to our committees on this subject; the Planning Commission and the Zoning Board of Appeals both rejected this after tabling it several different times. The reason being that they did not feel that any public property into the waterfront should be vacated; and they also had concerns with the 120 feet height variance where it supposed to be 45, they have an issue with that type of height on the waterfront. He just don't understand what kind of a hammer the Yacht Club is holding over the City on this. He means he don't see us getting anything out of this. We're giving everything to the Yacht Club and we're getting nothing in return except for maybe some revenue and a couple jobs. But what we are giving up is additional water rights north of Surf's Up, which if you read the developer's statement and advertisement right now on Surf's Up, it is advertised as a breathtaking view of Sandusky Bay and Cedar Point. Well, under the Yacht

Club plan, we're going to have a breathtaking view of 51 or 50 foot yachts. He don't think the public wants that. There's a time to say no and he thinks this is the time to say no if the Yacht Club's run out of room for parking. Let's have a summit led by Mr. Stahl with Mr. Bacon from Mack Iron, who happens to be a member also of Sandusky Community Foundation and visit one of the marina district projects. And let's work out an agreement to get the use of their vacant lot next to Mack Iron for any parking needs, any future parking needs the Yacht Club may need, and free up the parking within the Yacht Club for any expansion they have in the works and leave the public property alone. He might add that the Yacht Club has been whittling away at our public property for years. In 2008 the City approved a small purchase of Shoreline Park for the Yacht Club. And by the way that was passed under non-emergency, okay, and it was a piece of property about this big. Now all of a sudden an important project like this it has to be an emergency. He don't see them starting in a month on this. This may be something that they start on next year. So what's the emergency?

Mr. Mike Zuilhof, Planning Commission member, said he doesn't want to repeat what's already been discussed or what they have already heard, but the issue that he don't hear being discussed is the adherence to the Bayfront Development Plan and the site lines to the streets of Sandusky. This a major feature of the Bayfront Development Plan. They're very effective in creating and enhancing the feeling throughout the City of a waterfront community. If you look down Washington Street, Market Street, Columbus Avenue, Jackson Street, in each case from blocks and blocks distance, you can see the water. It's subtle; it's almost a subconscious thing that happens, but people know they're near the water and it's a powerful force for economic development in the community because you know you're near the water. And that's an important feature that Sandusky has for its long-term future. The Perry Street and Warren Street have been notable exceptions there. We have for whatever reason, probably not planning to violate the Port Development Plan and the overall plan, allowed a fence across the front of the Warren Street obstructing the view more than it has to be. Perry Street, we don't know what's planned there. Perhaps parcel disagreement could be, if the agreement happens, perhaps part of that agreement should be that they be sure to honor that Port Development Plan. That's not his only thought on that, but this is the one that he don't hear much discussed and he thinks that it needs to be, it needs more consideration.

Mr. Jack Runner, Representative of Sandusky Yacht Club, said he would like to thank the Commissioners for their support with their earlier vote. Their primary reason for asking that this be done quickly, is as Mr. Stahl pointed out, they have a very short summer season. And it is during their summer season that they make over 50% of their revenue. ¶When they look at this entire agreement between the Yacht Club and the City of Sandusky, there are several solid reasons as to why this is in the City of Sandusky's best interest. First of all, their project increases public access to the waterfront. If they carefully read the document, you'll notice that there is an inclusion of a transient slip and dockage for public access inside their private harbor. They've always been in favor of greater public access. Every one of their projects on the development of the Sandusky Yacht Club has always increased public access to the waterways. They were the ones that built the handicap fishing piers on Meigs Street and donated them to the City. They were the first harbor to ever pave their breakwall to have public access to Sandusky Bay. It's interesting to him that when the majority of the citizens who utilize that breakwall sit out on the breakwall during the summer, they spend more time looking at the boats than they do looking at Sandusky Bay. He don't think looking at boats is a bad view. He don't think the citizens of Sandusky think that's a bad view either, at least not by the people who utilize the breakwall. It's important they know that this project does take into account the increase in public access. ¶The second reason for this particular agreement that they feel is in the City's best interest, is the revenue that is generated to the City for the initial underwater rights that they're seeking inside the harbor there. They spent \$2 million for getting it. So that's a substantial amount of money and it will be paid to the City of Sandusky, as well as the State of Ohio for those underwater lease rights. ¶Number three is the increased dock fees that are paid directly to the City for every dock that we have at the Sandusky Yacht Club, just as every other harbor does in Sandusky. They're looking at adding docks so they can increase revenue and that increases dock taxes as well. But additionally, Sandusky Yacht Club he believed was the only private harbor in Sandusky that gives a whole

10% of its dock revenues to the City of Sandusky. Now if they increased docks and they increased the amount of revenue that they take in, 10% of that goes straight to the City. That's not a bad thing for the City of Sandusky; that's increased revenue. Additionally, they're looking at with the development of what they're doing, increasing their property value. If you look at the economy in general right now, commercial properties all around the State of Ohio are just absolutely being hammered as to their value. It's happening to them just like it's happening to everybody else. The lack of development and the decline in the Surf's Up property has had a negative impact on their property value, as it has everybody's else's. They need to do the things that they can do to increase their property value to maintain their investment so they are a stable employer within the City of Sandusky. This increase in property value is followed by increased property taxes payable to the City of Sandusky. So again, they're in partnership here. ¶Most importantly, but then he thinks they need to purely understand that Sandusky Yacht Club employs over 110 people, these are not minimum wage jobs. All their full-time employees have healthcare, dental, vision, retirement plans. Their package that they put together for their full-time employees, is no less than what they pay out at Visteon, GM, and the other major manufacturers within our community. They work hard to take care of their people. Their people work hard at their jobs for them. They want to make sure that they provide a stable employment for them. They think that's vitally important for the City of Sandusky to have stable employers within the City. ¶ Additionally a question was raised about the on-street parking. The parking that is alluded to in these documents is consistent and was borne out of the Marina District documents. All they have asked the City to do is to extend the on-street parking that they put into the Marina District Plan. They'd like to see that go down past the Yacht Club, all the way down to Shoreline Park, make more public parking available for the things that are in that area. They think that's in everybody's best interest to have more parking on Water Street, more public access. ¶When they talk about the height restrictions for a potential new building on their site, he don't believe the new building is going to impact people's access for view to the waterfront. They're talking about building a building on their current footprint. Now if they look at the zoning in their area, the zoning for their property is horribly inconsistent. They have a parking lot zoned at 125 feet. They have their building zoned at 45 feet. If he builds a 45-foot building on that parking lot, it's not going to block your view anymore than or maybe less than a 125-foot building is. You can't see through a four-story building anymore than you can see through a 12-story building. They're going to be surrounded by 12-story buildings when the Marina District is finished. All they're talking about is being an unfavorable property owner and having buildings the same size as what is in the Marina District. They're not looking for anything that anybody else isn't already doing. ¶So, in conclusion, what they want them to understand is, they've worked very hard on this plan. This plan is synergistic with the City of Sandusky. It is very compatible and synergistic with the Marina District. They are a whole supporter of the Marina District. He has had multiple conversations with Mr. Eymann all the way through the negotiation process and they have sought his counsel all the way through to make sure that everything that they were doing was consistent with his plan. And as he's already stated for them tonight, he's in support of what they're doing as well. This is in Sandusky's best interest; it's in the Marina District's best interest; and it's in Sandusky Yacht Club's best interest.

Mr. A.J. Oliver, 112 Wayne Street, Treasurer of Save Our Shoreline Parks, said the disclosure here first of all, he's also a member of the Sailing Club, but he is no longer a member of the Bridge, he's taking part in all of these discussions and deliberations as a private citizen and as a member of Save Our Shoreline Parks, and nothing was to do with the Sailing Club. Matter of fact, he knows that all of the Sailing Club memberships, here he goes filing his own row here, but the Sailing Club really appreciates the great cooperation with using an outstanding Junior Sailboat Racing Team Weekend with the Yacht Club. But he was not here to talk about that. But he does agree that this should not be emergency legislation, because it's not been thrashed out or debated much in public at all or hardly at all. Does anybody have a copy of the drawings, can they see drawings of this? They were supposed to be with the ordinance, but they're not on line. Don't they have to be part of the ordinance? That's kind of a problem. He would like to know where those docks were going to be, what size boats they're going to accommodate. He is kind of concerned whether or not, he thinks ODNR kind of dealt with this issue once before, he'd like to see boats

like the Niagra be able to come in there. Those boats need to be able to come there. Again, they (SYC) do a huge amount to the waterfront.

President Stahl said he and himself know boating, in fact his nephew is on that sailing team. The little slip that's out here between the Meigs Street Pier, he thinks this came out of a conversation that he and Mr. Kaman had and he shared with some other people, that the ability to come to a public event and not be able to dock a boat at the Surf's Up. Which he and Mr. Kaman as boaters, they share the love of the water and boats, and it is a shame to them that you can't come and have a transient marina. They can't dictate what our transient marina is; that has to come from the ODNR and that is specifically addressed in the agreement as the ability for a Marine Engineer to do how many docks they can add and to have the ability to bring tall ships like the Niagra into that slip. And they cannot extend docks that would ever impede the progress for the life of this agreement in perpetuity he believed that you could have those big ships come in. That's important to us, it's important to all of us to have increased public access. He thinks it's very awesome. And when you get a chance to read that Dr. (A.J. Oliver) he would find that it is in there. He didn't mean to interrupt him, but he thought he could answer a couple of his questions. Mr. Oliver said thanks for the clarification, he appreciated that.

Mr. Oliver said he would like to have the drawings made available to the Planning Commission, to the public, maybe those could be put on line someplace. Mr. Kline asked what drawings was he referring to? Mr. Oliver said what is the area that the City is proposing to give up in the water north of the Surf's Up Property? President Stahl said he thinks Mr. Oliver that it is to be determined by a Marine Architect, because they cannot, because a, it's between the ODNR and the Yacht Club and it cannot exceed the Marine Engineer's part of this agreement if he remembered this correctly. That's a Certified Marine Engineer, has to certify that boats are able to come in and out and be able to turn around properly. So they may only be able to come out 50 feet or so. We're not talking a major amount of space here.

Mr. Stahl said and the thing that he really liked is the transit dockage for Surf's Up. That is so cool. For being a boater and being able to come in and go to these events at Surf's Up to be able to come and dock your boat, you come to any event down there and be able to dock it. And personally, he's speaking for himself personally, he always thought it would be really cool to have a time limit on it so that, this is going to be so popular, it's going to be so cool, to come in there and be able to dock. People are going to be coming and going all the time. But again, it has to be worked out with the ODNR of what the definition is for transient, so forth and so on. But you don't want it so that you're there from 1:00 to 7:00 and he can't get there. You know they have to share. And he envisioned this personally and he believed Mr. Kaman shared that thought with him and he thought it would be very popular and he thinks the whole Commission is excited about this transient marina.

Mr. Oliver asked when he said mixed public events, people could come in on their boats and enjoy, was he saying the Pavilion was going to stay at that location? President Stahl said uh-huh. Mr. Fuqua said no. President Stahl said not the Pavilion. They did align Mr. Oliver, they painted the line in the grass so that everybody, and he shouldn't be talking he's over his time limit. Mr. Kline if he wanted to jump in. They painted a line that said nothing north of that would be affected correct? And that Pavilion, he believed the Pavilion, the picnic shelter as he calls a Pavilion, would not be affected correct? Mr. Kline said correct. Mr. Oliver said just to clarify then, with these multiple deals the City has going down, and he was going to wait for this later, but it is sort of related, so KidsFest was almost gone this year and 2000 people showed up in inclement weather. So that's going to have to be someplace unknown next year, same as Big Splash, same as Taste of Ohio. Those are history, they're gone. President Stahl said these are events that we look forward to having down there and look forward to coming in on his boat and being able to go down there and utilize. During the construction process... Mr. Oliver interrupted and said Big Splash is out of the City, it's in Perkins Township. And it was forced to move by actions by the City government. A lots of them it broke their hearts to see it not be at that beautiful location. And it also, it is very saddening to him and he hoped the general public, he hoped their phones rang off the hook, as far as he can tell there are not plans whatsoever to replace the Pavilion anywhere. President Stahl said he thinks what he is referring to as the Pavilion, the Pavilion he means where the bathrooms are at and he considers the Pavilion to be where the shelter is. And also the tent that was there at KidsFest when it was raining and all the displays that

were in there, really cool and that would be there, the picnic shelter would be there and someone or another will figure the bathroom thing out. So it depends upon his definition of pavilion. He thought it was really neat when the City cut some trees down last year, arborvitae, and painted the line. So it will be pretty neat and soon he will be able to dock there.

Mr. Oliver said his last concern, and this is really a major concern as a citizen of Sandusky and somebody who has spent time in Pt. Clinton and Vermilion and other places, who have made really bad mistakes of winding up with walls of condos along their waterfront. What we see here, is another plan for a gigantic high rise 120-foot condo tower right next to the ones that have already gone on; and as plans for the Battery Park section for even more of them. He's telling you that's a road that the cities that have gone to them are really, really sorry that they did. And projects like that, move them back a block or so away back from the water, they would be delighted to support them. He can't support them on the waterfront and he certainly can't support them in parks.

Mr. Tim Schwanger, 362 Sheffield Way, said they don't need the Yacht Club Project for transient dockage behind Surf's Up; we can do it ourselves. This is our plan. Transient dockage coming off of Surf's Up okay. Let him also just say this. Mr. Runner of the Yacht Club took credit for public access to the Meigs Street Breakwall and also to the breakwall attached to Shoreline Park. They had to get pressured into that. They (Waterfront Watchdogs) had to travel down to Columbus to get the State of Ohio to agree to allow public access to the breakwall attached to Shoreline Park. These guys weren't going to do it. As far as the Meigs Street Pier attachment, they were pressured into that also by former City Manager, Chief Lechner. They weren't going to do it. They were just going to put in rock and you know sorry about the public. And they were pressured into it. So again, like Skip alluded to and Sharon, this is our jewel right here folks and we just keep giving more and more and more away of it and before you know it, we're not going to have any view of the waterfront or Cedar Point. We're going to be looking at 50-foot yachts, and he disagreed with Mr. Runner, he don't sit out there on that breakwall to look at the yachts. He's sorry and he don't see anybody else doing it either. He means that's a fallacy.

President Stahl declared the PUBLIC HEARING open for The City of Sandusky's intention to apply to the U.S. Department of Housing and Urban Development (HUD): Community Development Block Grant for funding under the Title XII of Division A of the American Recovery and Reinvestment Act of 2009. The funds identified under the Title XII Grant Program are commonly referred to as the CDBG Recovery Program (CDBG-R). In order to receive additional funding, the Department of Housing and Urban Development (Docket No. FR-5309-N-01) is requiring a substantial amendment to the City of Sandusky's Community Development Block Grant: Fifth Program Year 2008 Action Plan. **Mrs. Carrie Handy, Chief Planner, said they had a public hearing tonight about amending our FY2008 Action Plan for our Community Development Block Grant Program. It's part of the American Recovery Reinvestment Act for the Stimulus Funding.** The City of Sandusky is going to be receiving an extra allocation of \$218,407. The way HUD wants us to process it is to do an amendment to our FY2008 Plan, rather than going through and doing the whole plan just for that money. HUD strongly encourages grantees to use these Stimulus Funds for hard development costs associated with infrastructure, economic development, and housing or other public facilities, which would quickly spur further economic investment, increased energy efficiency and job creation and retention. Our proposal is to use the whole entirety of the \$218,000 to go towards our Hayes Avenue Corridor Project, which we actually have programmed for FY09, but because this money came pretty late, we will be able to basically pair the CDBG-R money with our FY09 money. So it will bring the total of Community Development Block Grant Funds that we're going to use for Hayes Avenue up to \$566,063. Basically the CDBG Funds will be used to do that portion of Hayes Avenue from the Underpass north to the Five Points Intersection there at Columbus Avenue. It was a pretty straight forward project. She would be happy to answer any questions about it if anyone has any. *President Stahl asked were there any questions from this side of the table?*

Mr. Warner asked where did this money come from; did it come from Marcy (Kaptur) or from HUD? Mrs. Handy said it came from Congress. It came as part of the American Recovery and Reinvestment Act that was passed at the beginning of

when OBAMA became President, but it's coming through HUD. Mr. Warner said if he's not mistaken, he thinks that every city that receives CDBG probably received a little more. Mrs. Handy said yes, all entitlement communities received a little extra. *President Stahl asked were there any questions from the audience?*

Mr. A. J. Oliver said he thinks a couple weeks ago, he believed it was at a April Commission meeting for the Hayes Avenue Underpass, Commissioner Warner requested that a letter be sent from the City to Schirmer Construction to hire Sandusky residents, was that letter sent? Mr. Kline said yes. Mr. Oliver said thank you. **As there were no further comments from the audience, President Stahl declared the public hearing closed and returned to the table.**

It was moved by Mr. Brown that all communications be accepted tonight. It was seconded by Mr. Fuqua and carried unanimously.

ITEM #1 – Kathryn K. McKillips, P.E., Director of Engineering Services

BUDGETARY INFORMATION: The current cost of the design for the Chemical Improvement Project is \$603,500.00, to be paid with Water Funds. With the change of funding tasks, the contract amount remains the same.

ORDINANCE NO. 09-043 - Authorizing and directing the City Manager to execute a Second Amendment to the agreement with MWH, Americas, Inc. for professional services for the Big Island Water Works (BIWW) Chemical Improvement Project, substantially in the same form as attached to this Ordinance. It was moved by Mr. Waddington and seconded by Mrs. Farrar that Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Kaman said one of the reasons for the changes is the solar power and the geo-thermal systems are not cost effective for the application of this project. A lot of times we talk about these new energy sources. A lot of projects we look at them for here at the City, they prove not to be worth it. So this is one of the reasons we're doing this. Thereupon the Clerk called the roll on the motion as follows: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Ordinance as follows: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. President Stahl declared the Ordinance passed.

ITEM #2 – Kathryn K. McKillips, P.E., Director of Engineering Services

BUDGETARY INFORMATION: The plan review fee of \$10,650.00 will be charged to the project and paid with Water Funds.

ORDINANCE NO. 09-044 - Authorizing and directing payment to the State of Ohio Environmental Protection Agency for the submission of the Water Supply Data Sheet Application for the Big Island Water Works (BIWW) Chemical Improvement Project. It was moved by Mr. Kaman and seconded by Mr. Waddington that this Ordinance be passed under suspension of rules in full accordance of City Charter Section 14. The Clerk called the roll on the motion: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Ordinance: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. The Ordinance passed.

ITEM #3 – Kathryn K. McKillips, P.E., Director of Engineering Services

BUDGETARY INFORMATION: The cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$546,500.00, to be paid with Community Development Block Grant Funds.

ORDINANCE NO. 09-045 - Authorizing and directing the City Manager to award a contract to Precision Paving, Inc. of Milan, Ohio, for the 2009 City of Sandusky Resurfacing Program. It was moved by Mr. Warner and seconded by Mr. Kaman that this Ordinance be passed under suspension of rules in full accordance of Section 14 of the City Charter. **Discussion** – Mr. Warner said he was glad to see that this contract was going out to a local contractor. That he knew for a fact from dealing with him in the past that hires Sandusky citizens and money will still be in Erie County and then Sandusky. So that's a good thing as far as he was concerned.

Mr. Waddington said he was glad they added Madison, Scott and Wayne Streets. Mr. Brown asked was this coming out of our 2009 CDBG Funds? Mrs. Handy said FY08. The Clerk called the roll on the motion: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Ordinance: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. President Stahl declared the Ordinance passed.

ITEM #4 – This item was passed at first reading at the meeting of May 26th.

ORDINANCE NO. FIRST READING - Authorizing and approving an agreement to further implement Waterfront Development and terminate litigation. It was moved by Mr. Waddington and seconded by Mrs. Farrar that this Ordinance be passed at first reading. Thereupon the Clerk called the roll on the motion as follows: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. Mr. Icsman said just for clarification, he would take that language out. **President Stahl declared the Ordinance passed at first reading.**

ITEM #5 – Kathryn K. McKillips, P.E., Director of Engineering Services

BUDGETARY INFORMATION: The engineer's estimated cost for the project, including inspection, advertising and miscellaneous cost is \$209,342.83. ODNR Recreational Trail Program will fund \$113,500.00 with the City's 2009 CDBG Funds picking up the balance of \$95,842.83.

RESOLUTION NO. 010-09R - Declaring the necessity for the City to proceed with the proposed Sandusky Bay Pathway – Shelby to Mills Street Project; approving the specifications and engineer's estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto.

It was moved by Mr. Waddington and seconded by Mrs. Farrar that this Resolution be passed under suspension of rules in full accordance of Section 14 of the City Charter. Thereupon the Clerk called the roll on the motion as follows: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. Thereupon the Clerk called the roll on final passage of the Resolution as follows: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Farrar, 7. Nays: 0. President Stahl declared the Resolution passed.

Under the **City Manager's Report**, Mr. Kline said it is requested a **\$1,595 donation be accepted from Ms. Beth Byer for the donation of a park bench for the City of Sandusky.** Mr. Fuqua said so moved. It was seconded by Mr. Brown and carried. President Stahl said and an appropriate letter. Mr. Kline said yes.

Mr. Kline said they were very happy to report there are **two entities who have offered to adopt Facer Park for the spring and summer season. Mr. Jeff Krabill of Lake View Condominiums and Ms. Neill Ann Hancock of The Ohio State University Alumni Club of Erie County.** Both are helping to provide volunteer assistance for the care and maintenance of Facer Park. We certainly appreciate this volunteer effort and encourage other persons or organizations interested in adopting a City Park to contact the City Manager's Office at 419.627.5844.

Mr. Kline said **renovations were recently made to the shop roof at the Greenhouse, which will increase our energy efficiency, create a safer work environment and contribute to the overall long-term success of the Greenhouse.** A special thanks to the Sandusky-Erie County Community Foundation for their monetary donations, which have helped to make these renovations possible.

Mr. Kline said the local **"National Trails Day" will take place on Saturday, June 6th between 1 p.m. and 4 p.m. at the East River Road Canoe Launch Facility.** This event is being sponsored by the City's Recreation Division and Erie MetroParks.

Mr. Kline said there will be **two fishing tournaments that will be taking place in the near future at the Shelby Street Boat Launch Facility. The Master's Walleye Circuit East Division Fishing Tournament** will be on Friday and Saturday, May 29 through May 30th and the **Lake Erie Walleye Trail Fishing Tournament** will be held on Saturday and Sunday, June 6th through June 7th. For details, contact the Recreation Division at 419.627.5886.

Mr. Kline said **The Red Wagon opened for the season today in Washington Park and is again being staffed between the hours of 11 a.m. to 2 p.m., Monday through Saturday.** Various volunteers from the local United Way agencies help to sell popcorn from the Wagon. We also wish to acknowledge the in-kind assistance provided by Citizens Bank.

Mr. Kline said **The Farmer's Market will begin on Saturday, June 6th in the City Parking Lot at the corner of East Market & Hancock Streets.** The Market is open each Saturday between 8 a.m. to noon June through October and is sponsored by the Sandusky Main Street Association.

Mr. Kline said he was happy to announce that the **RFP for the Paper District's Marina Project has gone out today.** All parties that have contacted them and were interested in wanting to participate in that proposal were electronically sent a copy

this afternoon. The legal notice has been put out. These proposals are being opened on June 29th and anyone interested, please contact the City Manager's Office.

Mr. Kline said as they know they have been doing much reorganization. They have had a number of layoffs unfortunately due to the economy. But an important aspect of our reorganization is that we need to streamline our operations to become more defined with an experienced professional eye in managing, directing, designing and assisting the City in developing a strong future. **He is proposing tonight the creation of a new consolidated department; it would be the Departments of Planning, Engineering and Development. He was recommending that this department be headed by a Director; his name is Mr. John Hancock.** Mr. Hancock's a local Engineer and Surveyor for over 35 years of professional experience. He is the President and principal in charge of John Hancock & Associates. He knows many in this room are familiar with John and his work. As the Director, John will oversee all Engineering Services, Planning, including the Community Development Block Grant Programs, Economic Development, Zoning, Code Compliance Inspections, Housing and Transit. The position will be a Director and will report directly to the City Manager. As an example, many of his direct reportees will include Deputy City Engineer Kathy McKillips, Chief Planner Carrie Handy, Economic Development Specialist Scott Schell and our Chief Building Official George Poulos. He was proposing that an ordinance be introduced allowing the City Manager to finalize negotiations with a professional services contract. These funds would be paid out of both the General Fund and the Water & Sewer and any and all grants which we receive which allow administration costs. President Stahl asked was he asking for an ordinance? Mr. Kline said he was asking for an ordinance tonight; and if so please, he would like to introduce Mr. Hancock. President Stahl said unless he wanted to talk about hiring him first. Mr. Kline said sure. President Stahl said he would accept a motion to hire John Hancock for the described position that Mr. Kline just talked about.

ORDINANCE NO. 09-046 – Approving and authorizing the City Manager to enter into an agreement and professional engineering services; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter. It was moved by Mr. Kaman and seconded by Mr. Brown that this Ordinance be passed under suspension of the rules in full accordance of Section 14 of the City Charter. **Discussion** - Mr. Icsman said he thinks that if they were going to do an ordinance, then the motion should be to accept the ordinance, which they have because those are the terms and conditions under which they would be hiring him, which was attached. He made copies for everyone. President Stahl asked was that okay with him Mr. Kaman? Mr. Kaman said uh-huh. President Stahl asked the Clerk to poll the Commission. Thereupon the Clerk called the roll: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Kaman, Fuqua, 7. Nays: 0. President Stahl said that Ordinance passed; welcome to Mr. John Hancock.

Mr. John Hancock said thank you for the comments and the opportunity to serve the City of Sandusky and the seven Commissioners. He was looking forward to the challenge of taking the work issue on and also getting to know all of them better in the coming months. If any of them know them already, his wife and he are residents here in Sandusky and have been for a number years. His wife's a native of Sandusky and he is a transplant from Columbus. He's had his Engineering and Surveying practice here for over 23 years. He moved here from Columbus, because he felt the City presented a great opportunity and he still feels that Sandusky and this area presents great opportunities. His background is in construction and his private practice in engineering and surveying. He has a decidedly pro-background in private development. He's also got one in public works in jobs and over the years with many, many different municipalities and counties. So this is somewhat of a transition for him to work in public service, but at this point in his career he really welcomed this opportunity. Again thank you and he would do his best to use his experience and knowledge in the City to promote the best interest to all citizens. President Stahl said welcome Mr. Hancock. Mr. Kline said John does have a previous engagement this evening. So he does need to leave, but starting at our next meeting, June 8th, he will be joining us at these meetings. He looked forward to the energy and the synergy that he would bring. Our economy sucks, but we can't sit on our hands, we've got to keep moving forward and he thinks John would be a key ingredient to our staff. *President Stahl asked were there any questions of the City Manager?*

Mr. Waddington said something really disturbed him today. Mr. Kline has he met with the unions about the Cemetery yet, because we got to get that resolved. He knew the last time he said that the Fire Department would be happy to **cut grass**. Mr. Kline said the first one has been hired today. Mr. Waddington said that would have been nice to know; has anybody received that?

Mr. Waddington said **Wightman/Wieber**, he stopped there and talked to Karleen Wieber, one of the mothers, and it looks absolutely terrible. You know they developed this to be a children's handicap park, **there's broken picnic tables, graffiti again, trash everywhere in the picnic area, high grass way beyond what he would call acceptable**. Karleen relayed to him that she gave \$1,000 to the Boys & Girls Club to hold trash pickup from Memorial Day through Labor Day; so he's hoping that goes into effect this week and hold them responsible now. What do they have to do? They've been down this road before and they burned up equipment there, the graffiti and Mr. Stahl came out today and witnessed the trash all over it. He thought the cameras were here and now Kelly (Kresser) sends him an e-mail back about 3:30 before their open house that it was about 10 to 14 days out and he thought they were going to be put it in the parks. Mr. Kline said they are going to be put in the parks; they're being especially made for the parks. They were to be vandal proof and hopefully they would be in the parks in 10 days. He knew the parks were in bad condition and Scott Miller's crew does that and they were going to try to attack it again tomorrow. All of our efforts last week were only on the Cemetery, getting it ready for Memorial Day. Mr. Waddington said the problem Mr. Kline is when someone wants to rent it out, they are going to pay money to rent it. It looks like hell out there quite honestly. Mr. Kline said he agreed with him. President Stahl said maybe at the end of the day we might have to look at some foundation plans and work with our City unions. It's probably not the proper forum to discuss this, but he would just throw it out there. Maybe it's the time that they thought there might be some funding sources for that or maybe hire a kid for the summer to be in charge of a park or something. He thinks that's up to Mr. Kline to discuss with our collective bargaining unit and it's probably not appropriate here, but we got to come up with something. We're all short on money and we all share his frustration. Mr. Kline said that was not the only park that got trashed this weekend; actually Lions Park suffered some vandalism. Mr. Icsman said he just wanted to caution about this, speaking to the unions. It is what it is; it's the Public Sector Labor Law. President Stahl said it's not the appropriate forum, he knows. He said it wasn't the appropriate forum and he would take the hit. He understands that.

Mr. Fuqua said he was called over the weekend about the **street in front of 2133 Remington that was starting to buckle by the sewer grade** and he hadn't noticed. And another part that is really, **really bad is Schaefer Park at the corner of Hayes Ave. and Johnson Street right by the stadium**. Mr. Kline said he knows and they know. He's only guessing because of the rain, our crews that were going out today to get asphalt to do buckles, they weren't doing asphalt today. So as soon as they found that out, they put mowers in their hands. So every park is going to try to be attacked by anybody that isn't doing their normal job, they will be putting a mower in their hand. Mr. Brown said at Schaefer Park maybe they can talk to the school to cut the park when they're cutting theirs back there as good community service.

Mr. Brown said on **Sandusky Cabinet grant's we received, he would commend whoever wrote it**. Mr. Kline said Mr. & Mrs. Haag and Scott Schell.

Under **Old Business**, Mr. Waddington said the **EPS Wind Turbine Feasibility Study summarizes the wind assessment as far the economic analysis for four Sandusky sites, the Waste Water Treatment Plant, the Water Works, Service Building on Cement Avenue and the Main Fire House (W. Market Street)**. Looking at the four sites he would suggest the Waste Water Treatment Plant as the number one site. The number two scenario would probably be the Water Works Plant, using a 1,000 kw turbines at the key sites. The Service Building and the Main Fire House are very close to residential areas with the possible noise being a concern. Sandusky is in a position to join a countywide effort to meet the State of Ohio and demonstrate how wind energy can be used for both consumers' application to reduce energy costs and economic development too. In closing, this progressive approach can change energy for Sandusky and track industries and alternative energy for all of Erie County. He looked forward to hearing back from the Win With Wind Group,

which City Manager Matt Kline sits on and ECEDC, Erie County Economic Development Corporation. Discussion ensued.

Mr. Kline said it's been brought up several times and one of the things everyone needs to understand is it is not a divide and driven. But each entity that's represented in that group, you know collectively at first before any of the studies were done, because of the intentions of let's try to attract the manufacturing firms that would come here, well the manufacturing firms many that they had been talking to do smaller wind turbines. He meant no larger than a 250 kw. Once our study came back, it showed that the economics proves that a 1mg, which is four times the size of 250, a 1mg mode makes the most economic sense. Where we're struggling is, if we were to go out with the 1mg, then we're going away from the group and trying to attract that style and that type of manufacturing. So they were trying to come up creatively to say well what can we do, can we open it up to try to track even a bigger manufacturing program. Several manufacturing folks they've met with, several local businesses from Vermilion, Huron, Townships, including LEWCO, companies locally here that may have the ability or capacity of being able to manufacture a portion of the wind turbines here. With the idea of can we try to form some type of consolidation or new company that would be multiple that would be striving to hire local labor or using local companies for the manufacturing of their wind turbines. So that's where they're at right now. As Mr. Waddington pointed out if they read that report, financially it makes more sense for us to go with the 1 mg, which then sort of separates us from the group in trying to attract them that manufactures 250. So where they're at right now, is still struggling to look at the big picture of attracting someone to come and manufacture wind turbines. So they're still working on it.

Mr. Fuqua said he wanted to thank those people who stepped up to the plate for Bike Week, because he believed if they had not stepped up, it would not have happened.

Under **New Business**, Mr. Fuqua said an **executive session has been requested regarding Personnel concerning the City Commissioners**. Mrs. Farrar seconded. The Clerk called the roll: Yeas: Stahl, Fuqua, Brown, Warner, Waddington, Farrar, 6. Nays: Kaman, 1. President Stahl declared the motion passed.

Mr. Kaman said Saturday at 8 a.m. at Mr. Smith's Coffeehouse on Columbus Ave. Mr. Waddington and he would be there and the next Saturday at 8:30 in the morning at the Greenhouse they would hold a seminar for senior citizens' concerns on safety.

Under **Audience Participation**, Mr. Ron Parthemore, ECEDC Interim Executive, said last week he listened to experts at Partners Environmental and Hull & Associates talk about the history and what is currently being done along the waterfront. Past City Commissions and staff, as well as current, have done a great job of balancing economic development and concern with environmental issues. Most of them in this room know a lot more about this than he does. He's only been on the job a short time now so he's trying to catch up to speed. However, the first time he felt he had a good understanding of the whole picture of what's gone on and what's coming down the road, these guys were great. And he would encourage the City Commission, so that the public and all of them have a complete picture also, to entertain the idea of having these same experts come and share with everyone at the next meeting the information they shared with them. He thinks it would be a great benefit.

Mr. Joe Heyberger, 4308A Westwood Way, said he was also at the same meeting that Ron (Parthemore) was at and he urged them strongly to have this as a presentation at the next City Commission meeting. It was highly informational. His goal is to please learn some more information. ¶On a separate issue, he had been listening about sidewalks and streets. He lived on the west side of town and he brought this up at a Bayfront Corridor Committee meeting, somewhere down the line he would like to see something going on with the sidewalks on Venice Road. He knew there was a Grade Separation coming and they had to wait to see how that gets panned out too, but that road is dangerous. He's seen people out there in wheelchairs. It's not unusual in the summertime to see a lady pushing a baby in a stroller and then holding another one with the hand, no sidewalks. Not a good situation; although Charlie's (Sams) boys do an excellent job of getting those guys doing more than 35 miles an hour. They're at least one stop every day.

Mr. Warner asked was there any way they could get a hold of that information or to at least hear that presentation the first meeting in June. Mr. Fuqua seconded the motion. President Stahl asked for a vote on the motion and with all Commissioners voting "Aye", the motion carried. Mr. Parthemore said the presentation lasted about an hour.

Mr. Jason Singer, Register Report, asked was this presentation given at Sandusky International? Mr. Kline said yes. Mr. Singer said Dan Brown from Partners was paid to give that presentation and he was also paid by the City as a consultant. The question was whether or not that was ethical and Don said he would look into it.

Attorney Steve Justice, 845 Cartwright Court, said that's another fine story ruined by the facts. Reality is that Mr. Dan Brown was not paid anything to come and present the information that he presented to people that were invited to come and hear about ideas of doing the development on the bayfront. To the extent that anyone thought he was being paid or unduly influenced, let that matter rest. Mr. Singer continued to question the payment. Mr. Haag explained how it transpired.

Mrs. Sharon Johnson, 1139 Fifth Street, said ordering up the legislation for the Yacht Club, who gave the order, was it the seven Commissioners that gave that order to Matt? That had to be a decision in executive session; that was not noted at the end of the minutes that they had come out of executive session and made a note of that that they had decided to do that. Mr. Icsman said he could not discuss what was discussed in executive session. He could assure her that there was no decision. The genesis of this arrangement or settlement comes, as she knows there was a court case pending, they had a pre-trial and they had a couple other conferences, lawyers and Mr. Kline from the City and Mr. Runner (Jack) from the Yacht Club, to discuss the settlement that they could propose. This was the first step tonight, not the last. And he knows that it may not come out that way or be perceived that way, but the only way for them as lawyers and litigants to get this for them, is through ordinance proposing here's the lawyers that lead for the parties could agree in private and they could live with this language. Here it is, but they did discuss it, understand it, talk about it. They can change it. They can modify it. They cannot agree with it. They can tell him to keep on litigating. The idea that they made that decision, this is when they make their decision and this is when they'll talk about it. And the reason that it's important, before you start spending money to defend yourself, you know they feel they're right, Mr. Runner feels he's right, and everybody's got lawyers saying that, we don't want to spend money if we can get to a mutually acceptable resolution. That's always a good thing, especially saving the money that you would spend on lawyers just for both sides trying to prove they're right. So this is the beginning, helping them out. This is for them to discuss. Mrs. Johnson said she didn't want the City to give away land because they can't afford an attorney to fight this. Mr. Icsman said no, he's just saying that whether they do or not or how, that's going to be their decision with input from people like her. It's not the lawyer. Well he would tell her that there wasn't any sneaky decision, this is the only way for us to get it to them. Mrs. Johnson said that was just his call to bring in legislation? Mr. Icsman said that's the only way a commission can consider it, if attached to an ordinance. Then they pass or not pass the ordinance that approves the agreement. Plus it gives them a chance to change the agreement if that needs to be done. ¶Mrs. Johnson said she thinks that she has a concern where the Commissioners jumped the gun on that and brought that up to the first item instead of the fourth item. It was down four places here; and she thought maybe they would allow public input before they even voted on it, which they already voted on it and now it's going to go to second reading. She meant that looks like a done deal to her. ¶Secondly, the thing about his new employee surprised her. It looks like this guy is duplicating services. Why do they want this? She meant this guy is going to be paid, Mr. Hancock as a consultant, will be paid \$7,500 a month for 30 hours a week. This guy looks like he's a one-man team here all that is listed that he is going to do for us, for this kind of money for 30 hours a week, and she's thinking we're duplicating services in the Development Department, the Engineering Department, and Planning. So are they going to get rid of the heads of departments here and just let him go at it or what? And his salary is going to come out of Water & Sewer once again and General Funds. We can't even get the grass mowed and we're spending \$7,500 on a consultant. It looks like Mr. Hancock is going to duplicate the Haag's and they're already paying them. Can somebody explain this hiring? Mr. Kline said John brings a wealth of experience and leadership in several departments in which we need. We need that absolutely.

President Stahl said he was always a trusted confidant and he's done a lot of work for the City. Mrs. Johnson said but guys she wants her grass cut. Everybody is volunteering to cut the grass in the parks. They pay their income tax for these services. We don't have enough money to cut the grass, but we have enough money to hire this guy and to do all this development. That doesn't make any sense.

Mr. Wesley Poole, 1939 E. Oldgate, questioned if Item 4 on the agenda at one time had a notation that said this legislation was ordered up at the May 11th meeting? The audience arguing about ordering up and the things they said he didn't disagree with much of what they did, but he did recognize that this didn't come from nowhere because he read it too. And he's looking at the agenda they passed out today and Item 4, there's a line there. President Stahl said he never saw that. Mr. Fuqua said they had original copies of the agenda that they all got Thursday and it has no mention of the May 11th date on that. President Stahl said if it was there, it's a typo. Mr. Poole said they were not unfairly questioned about this; it was right here on the agenda that was issued by them. Discussion ensued.

Mr. Tim Schwanger, 362 Sheffield Way, said the Court's tend to favor the City and he talked to Mr. Icsman about this situation and he felt the City had a very good case. But for some reason they decided to maybe kind of roll over in this situation, but he understands what he says and it's got to go through further steps. He had a copy of the minutes from the July 25, 2005 City Commission meeting and it says that, "*Mr. Fuqua said he was sure they all received a letter from the Sandusky Yacht Club and he would just like to know what has been changed and what we were attempting to do with the noise complaints from the Surf's Up Sandusky Bay Pavilion site with some of the festivals that go on down there.*" So he would be living in a fantasy world if he believed that the Yacht Club would not complain for Mr. Eymann or whoever finishes up the Marina District. The Planning Commission minute meetings, it was pretty well documented that again, "*Mr. Icsman feels that we have a pretty good case here to win against the Yacht Club.*" Also it states in the Zoning Board of Appeals meeting from June 21, 2007, that, "*Mr. Gacka (Mark) stated that they had exhausted all possibilities with Mr. Eymann.*" And now he sees that they're pretty much buddy buddy.

Mr. A.J. Oliver, 1112 Wayne Street, said it was always sad when people have to be laid off, but he didn't have contact with all of the people that were laid off, but he worked with the Plumbing Inspector, Mr. Brown, who he found to be very professional, very competent at his job. He hoped that he could keep doing it, because they needed people like that. ¶A couple meetings ago Mr. Brown asked for an assessment of how much had been spent on the Housing fiasco, scandal, whatever they wanted to call it, where the work was not properly done with the CHIP Program. And he asked for the same information by e-mail, and he wondered if he got any better response than he did. Mr. Brown said he received it. Mr. Oliver said all he got was copies of the three ordinances, adding up to a million dollars, no stats of staff time whatsoever. So to him it was an inadequate answer and it was an example of non-transparency of government. Discussion ensued. Mr. Icsman said it was before Mr. Brown made his motion a few meetings ago, and he thinks his report was responding to a motion he made and the Commission had. So they went out and felt it wasn't a public record existing, but they created one because the Commission told them to and so that's maybe why. So he can in a public record; so he was certainly welcome. Mr. Oliver said he couldn't help noticing when the City was considering services like Leaf Pick Up, they have very accurate numbers; not just any, but staff time they put in. But they ought to keep the same kind of records with respect to the Marina District, the Nuesse situation, and the Housing situation, and any other major projects you guys are working on. That's public information and that's public money, excuse him, but they need to share. ¶When was the Chesapeake Walkway going to be open? It's looking good. Mrs. Haag said they have to get the fence removed. She didn't know when City staff would be able to remove the fence. And they put barricades at the northwest corner so that you won't go further than that. Discussion ensued. ¶Mr. Oliver said on the Yacht Club issue, he would encourage them to go through the process of doing that on a non-emergency basis, that's Section 13, not Section 14. The reason he says that, his favorite old place to jog is used to be the old railroad right-of-way at the foot of Ogontz Street. There was a prior City Commission, they didn't intend it, they meant well, but they vacated the bottom of Ogontz Street to a local business and before you knew it a fence went up at the foot of Ogontz Street. And that whole, it's good for a third of a mile, public

access all of a sudden is gone and it's never coming back. So when you vacate property along the waterfront, he would urge them please to listen to citizens, listen to The Planning Commission, listen to the Zoning Board, do it the right way, do it deliberately and they won't be hearing the kind of mutterings and complaints they would get otherwise. That's very unfortunate. That would be a beautiful walkway that the people could use. It's a legal dispute, but part of that legal dispute was fueled by the City vacating that street.

President Stahl said the Finance Committee would give a report of its first six months of finances to the citizens of Sandusky at the second Commission meeting in July.

At 7:09 p.m. President Stahl stated that they would take a ten-minute break and return. At 7:20 p.m. the City Commission *only* returned to the table.

An executive session was held on Personnel, Sandusky City Commission.

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

ATTEST:

B. JOYCE BROWN
CLERK OF THE CITY COMMISSION

CRAIG H. STAHL, PRESIDENT
SANDUSKY CITY COMMISSION