

The President called the meeting to order at 5:00 p.m. after the Invocation, given by Dick Brady, and the Pledge of Allegiance.

The Clerk, McKenzie Spriggs, called the roll and the following Commissioners responded: Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington. Commissioners Blake Harris, Dennis Murray, and Mike Meinzer were in attendance via teleconference due to the COVID-19 pandemic.

City staff present: Stuart Hamilton – IT Manager

City staff via teleconference: Justin Harris – Acting Law Director, Michelle Reeder – Finance Director, Eric Wobser – City Manager, Matt Lasko – Chief Development Officer, Aaron Klein – Director of Public Works, Jim Green – Acting Fire Chief, McKenzie Spriggs – Commission Clerk.

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to approve the Minutes of the August 10 meeting and suspend the formal reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street: “1. Battery Park Lease: It seems that the lease is staying the same but only changing the tenants’ names. I am concerned about rolling over the same lease when the city has no idea what improvements will go in. What will be the restrictions and input pertaining to any future construction? (Item 3)

2. A new development on Market Street will receive a free alleyway paid for by the taxpayers. Why are the taxpayers paying 100% of the cost when other paved alleyways, the property owner picks up 50% and the city 50% of the cost? (Item 8)

3. Reconstruction of Meigs Street. Why is the city installing a 20” water line, why such a large line?” (Item 9)

Tim Schwanger, schwangers@aol.com; “1. What role did the City Manager and staff have in negotiating the consent agreement between the 2 parties? 2. How many marinas and public parks are managed or owned by Marous Brothers? 3. Did the City Manager, staff and the Ex-Officio Mayor negotiate with Marous Brothers allowing future private development within the complete boundaries of Battery Park including the former City Hall site, skate park, tennis courts, parking lot, etc. 4. The dollar figure related to the lease transfer agreement between Sandusky Bay Investment and Marous Brothers should be subject to public open records. (Item 3)

1. There have been a number of after the fact repairs and issues with the pier. The squealing swings needed repaired, the Great Lawn needed partial dirt fill and grass reseeding among other issues. Were these issues addressed under free warranty work? (Item 5)

1. The increase in price of \$19,000 is due to a decision water flow and supply needs on Meigs Street north of Washington Street are insufficient. No development has taken place on Meigs Street north of Washington Street in decades. The additional sewer/water work lends itself to the belief future private development of Battery Park is being planned.” (Item 9)

Thomas LaMarca, thomaslamarca.tl@gmail.com; “1. I would appreciate the commission giving a second glance at putting all of properties under the control of one development company, namely the Marous Brothers, that are currently involved in the building apartments above the city hall and storefronts, The Feick building apartments and or commercial rentals and now handing them the Battery Park Marina through the lease assignment. I did read where you cannot stand in the way of an assignment but this draws so many questions.

I think it's also important for the city residents to know what the amount of lease income to the city is for this property know as Battery Park Marina.

I tried to find the income without success unlike the Owen Sound agreement for the lease of dockage space for the Pele island boats that shows \$800,000 to the city over the term of the lease.

I believe Marous Brothers have lots of vacancies in the city and I'm not hearing a lot of bragging of signed leases for future occupancy of the Feick Building.

I also believe Charlie Murray has more experience managing a marina than the Marous Brothers. (Item 3)

2. I question the amounts for custom design cost of fenders at \$69,901 , mooring post and bumpers at another \$11, 435 and then \$5,188 for the design of the mooring post and bumpers .

The customs design whatever that is for \$99,150.75 and then some customs construction I'm assuming for the building of \$192,939.75 . This just seems like an awful lot of money for a little bit of work and some bumpers, unbelievable.

I realize it also includes the building but, wow. Is there more work for the Jackson Street Pier now in the pipeline to accommodate the ships?" (Item 5)

PROCLAMATION

Sandusky Police Department participating in the Drive Sober or Get Pulled Over national campaign August 26 – September 7, read by Naomi Twine, liaison to the Sandusky Police Department.

CURRENT BUSINESS

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept all communications. The President declared the motion passed.

CONSENT AGENDA

The President asked if the commissioners wished to remove any of the items on the Consent Agenda. The commissioners wished to leave as is.

A. Submitted by Debi Eversole, Housing Development Specialist

ACQUISITION OF ONE PARCEL THROUGH LAND BANK PROGRAM

Budgetary Information: There will be minimal to no expense to the city to accept this lot. It has been requested that the property owner show clear title at their expense. Following demolition, the city will maintain the vacant lot and market it to interested parties.

RESOLUTION NO. 030-20R: It is requested a resolution be passed approving and accepting certain real property identified as Parcel No. 59-00829.000, located at 423 Fulton Street, Sandusky, as a gift of deed for acquisition into the Land Reutilization Program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

B. Submitted by Debi Eversole, Housing Development Specialist

PURCHASE AND SALE OF ONE PARCEL THROUGH LAND BANK PROGRAM

Budgetary Information: The cost associated with these purchase agreements is the total amount of the recording and transfer fees, survey and legal descriptions and deed preparation. Any such costs shall be recouped by the City from the nonrefundable earnest money deposits required to be paid by Purchasers upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting real property taxes in the amount of approximately \$83.00 per year.

ORDINANCE NO. 20-119: It is requested an ordinance be passed declaring that certain real property owned by the city as part of the Land Reutilization Program, identified as Parcel No. 58-02093.000, located at 1516 Camp Street, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of purchase and sale agreements with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

C. Submitted by Stuart Hamilton, IT Manager

CHANGE ORDER FOR TIME EXTENSION, CITY OWNED FIBER EXTENSION TO THE AMTRAK STATION FOR TRANSIT OPERATIONS PROJECT

Budgetary Information: There is no cost associated with this change order.

ORDINANCE NO. 20-120: It is requested an ordinance be passed authorizing and directing the city manager to approve the first change order for work being performed by Ohio Telecom, Inc. of Port Clinton, Ohio, for the city owned fiber extension to the Amtrak Station for transit operations; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Dennis Murray, the Commission voted to accept the Consent Agenda and declare all ordinances and resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in full accordance with the Section reflected in the ordinances or resolutions whether they be in accordance with Section 13 or Section 14 of the City Charter.

Discussion: Justin Harris responded to the audience participation question and said it is not uncommon for law firms to serve as interim law directors for municipalities. He, and Dennis Murray as attorneys have heightened ethical obligations by virtue of their Bar licenses that requires them to practice in accordance with Ohio's rules and professional responsibility and to avoid conflicts. With respect to his representation at Cedar Fair, he represents them in general liability—when someone slips and falls, when they have issues with employment claims against them. With respect to contractual work, he has not done business on behalf of Cedar Fair. That is done by Duff Milkie and another lawyer by the name of Rajid. We have barrier walls that are set up so he does not know certain things in regard to Cedar Fair. With respect to his previous job as an adjunct professor at Firelands college, but he has not done that in three years. To the extent the city has a contract or relationship with Firelands, he does not think there will be a conflict. If there were to be a conflict, he would get a conflict waiver from Cedar Point and the city, indicating that he can represent both parties or he will recuse himself from that particular item. When discussing him taking over during the short term, from Trevor Hayberger, they did not see any items on the horizon that would cause conflict, during his time here. The goal was to get a lawyer during the short-term. What business the city and Cedar Fair have months down the road, may be irrelevant as he may not be here during that time, and will leave the length of his work up to the commission and Eric Wobser.

Dick Brady said similar to anyone sitting at the table, when conflicts come along, the commissioners and the law director are expected to recuse themselves.

Dennis Murray responded to the public questions. He said what it means to be a partner or shareholder of a firm is that he is a partial owner of his firm. He said the items Justin Harris discussed with Eric Wobser and the commission before coming on board as acting law director are entirely accurate. With respect to Margaret Murray serving on the MetroParks board, that is accurate and she is a volunteer. He has not discussed this matter with her. The issue in terms of a conflict of interest is whether there is a direct or specific benefit, and there is no benefit to him or his sister in regards to this item. He does not believe he is in conflict.

Dick Brady thanked the Erie MetroParks for their work on easements presented in Item C.

Roll call on the motion: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray 7. Roll call on the ordinances and resolutions: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray 7. The President declared the ordinances and resolutions contained in the Consent Agenda passed in full accordance with the city charter.

REGULAR AGENDA

ITEM #1 – Submitted by Michelle Reeder, Director of Finance

ISSUANCE AND SALE OF UP TO \$8,070,000 IN VARIOUS PURPOSE IMPROVEMENT NOTES

Budgetary Information: This various purpose note sale includes renewal of the 2019 Series Various Purpose Notes of \$4,100,000 that will mature on October 2, 2020. We will retire \$300,000 of the 2019 Note Issuance:

- \$900,000 (retire \$100,000) for Bay Front Urban Revitalization
- \$575,000 (retire \$25,000) for the Fire Department Ladder Truck
- \$100,000 (retire \$50,000) for the Street Department Salt Trucks
- \$375,000 (retire \$25,000) for the City Hall Relocation Project
- \$1,850,000 for the design of The Landing Project
- \$0 (retire \$100,000) for Venice Road Grade Separation

The additional amounts for the 2020 Series Various Purpose note include:

- \$780,000 Jackson Street Pier- Owen Sound Agreement
- \$1,350,000 Jackson Street Pier- Mylander Trust
- \$240,000 Sandusky Bay Pathway- Wightman Wieber Foundation
- \$1,900,000 Pathway Design

a. MOTION TO ACCEPT THE FISCAL OFFICER’S CERTIFICATE

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept the Fiscal Officer’s Certificate. All in favor signify by saying aye: 7. All opposed say nay: 0. The President declared the motion passed.

ORDINANCE NO. 20-121: It is requested an ordinance be passed providing for the issuance and sale of \$3,800,000 Notes, in anticipation of the issuance of bonds, for the purpose of: (1) Revitalizing the bayfront urban revitalization area by acquiring, clearing and improving certain properties in that area, undertaking the environmental clean-up and remediation of certain properties in that area, constructing road improvements and related utility and infrastructure improvements in that area, and otherwise improving that area; (2) Acquiring a ladder truck for the fire department; (3) Acquiring salt trucks for the street department; (4) Paying the costs of various improvements for “The Landing” as more further described and approved in Ordinance No. 18-127; and (5) Paying costs associated with the relocation of City Hall; including but not limited to, those projects approved by Ordinance No. 18-119, 18-128, and 18-129 and Resolution Number 025-18R; and declaring an emergency.

Discussion: Wes Poole asked with regard to revitalizing the Bayfront, is there more to be done or are we done? Is this money paying for work already completed or are there other things planned? Michelle Reeder said the various purpose notes were issued in 2019 and we are rolling them over into new notes for 2020. The Bayfront urban revitalization was a project done in 2004. This project is completed as she knows of but the notes have been on our books since then.

Dick Brady clarified that these projects have already occurred and we are rolling them over.

Dennis Murray asked if we are keeping these one-year notes or whether with historically low bond rates, we are putting these into long-term, permanent financing and not having to revisit them next year at this time.

Michelle Reeder said the intent currently is to do a one-year note, acknowledging that rates are low. We have a lot of miscellaneous projects that we hope to complete in one year, to clean these up. Additional notes will be presented for the Sandusky Bay Pathway and Jackson Street Pier. For those projects we have alternate financing coming in the short term, so we did not want to bond these out longer term.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

b. MOTION TO ACCEPT THE FISCAL OFFICER’S CERTIFICATE

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept the Fiscal Officer's Certificate. All in favor signify by saying aye: 7. All opposed say nay: 0. The President declared the motion passed.

ORDINANCE NO. 20-122: It is requested an ordinance be passed providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$2,130,000, in anticipation of the issuance of bonds, for the purpose of paying costs of various improvements to the Jackson Street Pier, and declaring an emergency.

Upon motion of Dave Waddington and second of Dennis Murray, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Wes Poole asked are we done with Jackson Street Pier, does this money cover it, or is there something else we have planned to do with this money?

Michelle Reeder said later in tonight's agenda is a change order for Jackson Street Pier, and at this time there is nothing further anticipated for Jackson Street Pier and this should cover it.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

c. MOTION TO ACCEPT THE FISCAL OFFICER'S CERTIFICATE

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept the Fiscal Officer's Certificate. All in favor signify by saying aye: 7. All opposed say nay: 0. The President declared the motion passed.

ORDINANCE NO. 20-123: It is requested an ordinance be passed providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$2,140,000, in anticipation of the issuance of bonds, for the purpose of paying costs of various improvements to the Sandusky Bay Pathway, and declaring an emergency.

Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Wes Poole asked for a refresher on the Sandusky Bay Pathway, asking for boundaries, what will we have to show for it at the end, and is this all the monies it will take to complete it.

Eric Wobser said the portions of the pathway in these notes are related to the design and engineering of Landing Park and the first phase of the pathway, that is all included in the first note. The additional is the design and engineering for the rest of the city outside of the first phase, going from Cedar Point to the Landing. While these are being issued as short term notes now, they will eventually be taken out by the Cedar Point TIF, that is on the indoor sports center. By contract they will pay at least \$550,000 per year, although we know it will come in at a higher rate over time. These are short term notes now, because we need to pay for the design work taking place and get them to be shovel ready. Next year, those payments will begin kicking it from the Cedar Point TIF. Michelle Reeder has said to get a better bond rate, perhaps we let those collect for a year, and use that revenue stream to pay down these notes and pay back the capital fund for that portion of it. Outside the Wightman Wieber portion, which was Shoreline Drive, this is for the design and engineering of the entire pathway.

Wes Poole said where is the money coming from to actually do the building of this pathway?

Eric Wobser said the pathway is being funded in phases. We have already funded the Shoreline Drive section of it, as part of the Shoreline Drive project. We have funded the Meigs Street portion as part of the reconstruction of Meigs Street. We have funded the Venice Road portion as part of the West Side Walkability Project. The vast majority of the funding, although not entirely ironed out, the Landing and connection from Cedar Point Drive, will be funded from the Cedar Point TIF. What we will have to look toward for future projects include the section of First Street connecting Meigs Street to Cedar Point Drive and everything west of Amvets until you get to Venice. Those are the two unfunded pieces at this point. With the TIF and the other funded portions, we will have 70-75% of the city covered, and will be looking for future grants to close those gaps.

Wes Poole said that is a lot of information and asked again what was unfunded.

Eric Wobser said we do not have a final budget from those portions but believe once we have paid the portion of the Cedar Point TIF to the infrastructure improvements for Cedar Point, and we have paid off these designs, it will leave between \$9M and \$11M to fund the majority of that project. Our highest priority of this funding is to fund the pathway itself from Cedar Point Drive to and through the Landing. We have a \$6M application in to ODOT that would cover the remainder of that project and Landing Park itself. After we have paid back all the engineering and design for the entirety of the pathway and paid out the portion that goes towards infrastructure of the cedar point sports center, we will have somewhere between \$9-\$11M as a down payment on the entirety of that project. We will be using that to construct the pathway or alternatively if the city receives a grant for the pathway, it will go towards Landing Park itself.

Wes Poole said he is on board as the TIF is going to pay for the design. He is not onboard with the design of the pathway on the eastern end. There is not enough benefit to the citizens to spend this kind of money, up to now has been projected to bridge across Pipe Creek, and perhaps a bridge at First Street, and perhaps putting another bridge behind the former city building. He rides bikes a lot of places and there is nowhere in the world that one finds this. He draws the line here. What has been planned up til now that gets us to Pipe Creek is fine, it is more expensive than going along the right of way on Cleveland Road, it is an amenity we are going to put in but it will be a difficult sell for him once staff gets to the bridges. We can always go down Cleveland Road and he thinks it is wise to do that long-term. Going down First Street to Meigs is also a prudent thing to do. If there a wing that swings off towards the water, behind the Cove District, we will spend a lot of money on litigation, easements, etc. for something that is of minimal value for the riding experience. We have a lot of waterfront that people will get to see and spending millions of dollars to try and add 600 yards to put a path next to the water does not make sense to him. The rest of it seems to be doing very well.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #2 – Submitted by Matt Lasko, Chief Development Officer

PURCHASE AND SALE AGREEMENT FOR THE PROPERTY LOCATED AT 2132 PARKVIEW BOULEVARD

Budgetary Information: The City will be responsible for paying \$45,000 (plus closing costs) for the purchase of the property located at 2132 Parkview Boulevard. The source of funding is Community Development Block Grant funding.

ORDINANCE NO. 20-124: It is requested an ordinance be passed authorizing and directing the city manager to enter into a purchase and sale agreement for the purchase of real property located at 2132 Parkview Boulevard, Sandusky, and identified as parcel No. 58-00328.000 for the

purpose of blight elimination and demolition; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Wes Poole asked why we are doing this now.

Matt Lasko said he thinks everyone is aware of the initiative in the MacArthur Park area to acquire and demolish properties in that area, ultimately leading up to a planning process that we hope to go through with stakeholders and residents on re-visioning that community, sometime in the near future. This would be the next property on the list. It is a four unit property on the south end of Parkview Boulevard that we are proposing to acquire and ultimately demolish for \$45,000. He wants to acknowledge they have brought several properties to this commission for consideration. This would be from a gross acquisition stand point, the highest rate per property acquisition price but in line with what the city has purchased on a per unit basis. It is not the highest per unit that we have brought to commission. This would be \$11,250 per unit and two meetings ago the commission approved one for \$12,500 per unit. Ultimately we would look to acquire the property, undergo asbestos abatement and demolish it. In our annual action plan with the community block grant that was approved by commission in the spring of 2020, we specifically set aside acquisition funds for the purchase of property in MacArthur Park. This is being fully funded through CDBG for activity that was approved at the commission level. These are not funds we can allocate to personnel, etc. Matt Lasko referenced that it was brought up by Wes Poole at the last meeting about the city being aggressive with acquisition activities when there is no perceived interest from others in the market, and he did not make mention of it at the previous meeting, but that is not the case. Two weeks ago there was a four-unit that sold for \$66,000 and we lost seven units across two properties at the beginning of the year. We are trying to be strategic and develop relationships with property owners so when they are looking to sell, they reach out to the city. We understand there is a limit as to what is reasonable and prudent for us to do. Which is why we did not bring or act on a couple of those other properties in the past. This acquisition falls within the ranges that have been established from commission to staff on an acquisition per unit basis.

Dick Brady wanted to compliment Matt Lasko on putting the deal together. He understands the numbers Matt Lasko put together. He owned a few units in MacArthur Park 50 years ago and felt like if he was buying them at \$10,000 each, he was getting a good deal. 50 years later, we are still buying them for \$11,000 a piece. We have to strike when the property is available and how foolish would we feel if someone in the open market gets this property, renovates it and then is in our way when trying to redevelop the area. He believes this is a good deal and fits with the plan for that area.

Wes Poole said he and the chairman have a difference of opinion on what is likely to be a good deal. These properties are not likely to go up in value. We do not have a use for it and may not have a use for five or 10 years. A significant investment by a developer there likely will not come until the brownfield across the street is developed. We already own property that is very nice at Cold Creek and could not find a developer to develop that. For the staff to be suggesting the property is worth the money that it is, he would like to point out that two of them are condemned. When we are discussing closing a fire department, laying people off, and he recognizes it is Matt Lasko's job to make deals, and he has to produce something. Some of the properties along Perkins Avenue, Camp Street etc. are already being put to better use by other people. We are buying up property that is only expense to us. We have to tear it down, pay \$200 every 10 days to cut the grass, and the property will not be worth any more or less when it is time to buy it. This is not a good use of CDBG money. He's going to vote no on this.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the ordinance: Yeas: Dick Brady,

Naomi Twine, Mike Meinzer, Dave Waddington, Blake Harris, Dennis Murray, 6. Nays: Wes Poole, 1. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #3 – Submitted by Matt Lasko, Chief Development Officer

CONSENT AGREEMENT TO ASSIGNMENT RELATED TO THE LEASED PROPERTY COMMONLY KNOWN AS BATTERY PARK AND BATTERY PARK MARINA

Budgetary Information: There is no budgetary impact with this legislation. All underlying terms, conditions, liabilities, etc. of the original lease agreement entered into in 1985 remain in full force and effect.

ORDINANCE NO. 20-125: It is requested an ordinance be passed authorizing and directing the city manager to execute the consent agreement to assignment relating to the Battery Park and Battery Park Marina Property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Blake Harris, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Dave Waddington said he met with Eric Wobser that morning and he answered many of the questions heard in the public. He asked if Eric Wobser would relay what they discussed that morning.

Eric Wobser said all that is being proposed tonight is a transfer of the existing lease, the current operators—Sandusky Bay Development Company, are selling their rights to the lease, to a third party, who happens to be the Marous Development Group under an LLC they have set up. It does not give the new operators of the lease any additional rights than what had historically been there so there is no reason they could do something that the current operators would have been unable to do. It is also very clear that the city cannot withhold its approval of a lease transfer, without significant reason. The only thing that is happening tonight, is a lease that is legally allowed to be transferred, is being transferred. And it is our role, or the role of the city commission to approve that transfer and staff is bringing them this item for consideration.

Dick Brady asked if Justin Harris could share the city's legal position on this item. He said there is some question as to why it is emergency legislation. As he sees it, one month of rumors flying around will not change our legal standing. What is our ability to decline this transfer and our ability to alter the lease in any way.

Justin Harris said commercial leases are designed to be long-term compared to leases for rentals. When you have development taking place, such as at properties like Battery Park, most leases are 30-40 years with rights to extensions. So the commission in 1985 thought it was a good business decision to enter into an agreement with developers at the time, just like commission today. This particular lease provides that we cannot unreasonably or arbitrarily impede the right of an assignment. There was an assignment to a different company years ago. As long as someone is going to continue to use the property for uses spelled out in the lease, the city cannot arbitrarily prevent that assignment. As to the question, why is this done in an emergency, there are lots of reasons. We are assigning a marina to another entity, for folks familiar with boating, this is the time folks are reserving docks and preparing for next summer. Through Section 14 of the charter we have the right to preserve public use of property and for the sake of continuity, it should be passed under emergency. He does not know what purpose two readings and a 30 day referendum would do, except to impede subsequent owners' uses of the property. 9.3 of the lease agreement has been requested through public records requests. Once it gets assigned to a subsequent developer and or a tenant, they must continue to use the property for park, public fishing, restaurant, recreation, and marina facilities. He believes that is Marous' intention.

Dick Brady asked that the public questions be read again so staff could get a refresher and those answers could be provided.

Matt Lasko said this is a simple assignment that will allow Sandusky Bay Investment Company to convey all their rights, responsibilities, liabilities to the new entity, Battery Park Sandusky LLC. This will not alter any of the base line terms or existing terms of the lease agreement, nor will it extend the length of the lease or offer alterations to rental payments. Everything will ultimately stay the same. A lessee requesting an assignment of a lease does not open the door for a renegotiation for other terms of the lease. That would be when there is an expiration of the lease or we are under negotiations for a new lease. As it relates to potential future development, he will defer to the city manager, but as is currently written, the new entity would have to do marina, restaurant, recreational uses and other business and related uses that have associations to those permitted uses.

Dick Brady said he can answer the question in regards to the city putting all their eggs in one basket. The city played no role in putting this marriage together. This is an agreement between two LLC, and the city is not making marriages out of these people. They are grown ups, in this for profit, and this is a deal between Marous and the owners of Battery Park. To him, it does not matter if the developer has one property or 100, if they are willing to invest millions of dollars, such as Marous has in this city, he will welcome them.

Matt Lasko said he did not specifically detail in his communication the monetary impact, because there is no new or altered budget impact. The existing baseline rents will continue to be paid. To add clarity, there is a base rent payment of \$30,000 that will continue to be paid for years 30-40 of the lease, and 2% of gross operational income is also paid to the city. Michelle Reeder mentioned that for last year (2019) that was \$21,000 (plus change). There are ancillary revenues that come to the city through the marina, such as a boat tax, dock tax, and submerged land lease payments. But those are outside of the lease. For the lease only, it is \$30,000 + 2% gross income.

Matt Lasko responded to other public questions. The consent agreement that is in front of commission was of course vetted by city staff and our law department. He says the question of Marous and their history of marina management is a fair question and he shared that Marous Development Group is already in agreement with a group call Oasis. They are a national marina company out of Maryland. They have marinas all over the United States, including two in Ohio, in Lorain and Cleveland. Marous will be contracting out the management of their marina to a well known national organization, known as Oasis. This is no different than an apartment building owner having a property manager to lease and market their apartments. This is a similar structure. Matt Lasko adds that he would like the law director to weigh in, but he does not believe a document, in this instance a real estate and business asset purchase agreement, between two private parties, is subject to public record.

Justin Harris said Matt Lasko is correct. The agreement between two private entities is not subject to disclosure under public records. It could be \$10 or \$1M, but we are not privy to that agreement. It has no bearing on the city's part.

Dick Brady said be it known that the ex-officio played no role in negotiating the agreement between these two entities. He was advised that negotiations were occurring, but he played no role in how this came together. He is pleased that they did come together.

Wes Poole said Dick Brady already indicated the staff had no role in putting this together. He asked the law director to outline what the lease allows, with regard to construction. There are lots of rumors going around about what we are trying to do or not trying to do. If Justin Harris could take a moment to read the section of the lease that applies to what these folks can do, that will clear things up.

Justin Harris said the use of the premises is spelled out in the lease agreement. For the record, it says "during the term of this lease, the developer (in this case it would be Marous Development or prior to the assignment it would have been Paula and David Rengel) shall use and operate the property for and only for park, public fishing, restaurant, recreational and marine facilities and any commercial or business activities related or incidental thereto." To the extent there could be

other commercial or business activities related to operating a restaurant, recreational purposes, marina facilities, public fishing and parks, those activities and uses can take place. It is still city owned property, it is still leased from the city. For example if citizens are concerned, no one can parcel land up and sell the lots.

Wes Poole said with regard to this being passed as emergency, they have had this lease for 20+ years and it is going to extend for another 20+ years onward. It seems to him that the city could have found a way to do it without emergency legislation. He is going to vote no on the motion, but recognizes that the lease must be passed. He would suggest as a commission they recognize from this experience that we are sitting on something that was the will of people 25 years ago, without any regard to what is going on now or what is likely to be going on 25 years from now. He suggests going forward we need to be thinking deeply and having conversations about that. 20 years on a lease is reasonable for us to be looking ahead. A 60 year lease is a mistake, he personally thinks, to tie up a property for 60 years, and he hopes the commission does not do that again.

Mike Meinzer said in the 1970s he kept a boat at Battery Park. They were all wooden docks, everything was rotted downtown in that area, it was not a good place to go, and there were three boats there. Mr. Pfeifer had a great vision, he stepped up and provided an anchor down there to help spring the downtown development. He does not think it was that bad of a decision for our predecessors to make. They set an anchor and the city has been going upwards since then.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Blake Harris, Dennis Murray, 6. Nays: Wes Poole, 1. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

Item #4-- Submitted by Matt Lasko, Chief Development Officer

LEASE AGREEMENT WITH OWEN SOUND TRANSPORTATION COMPANY FOR TRANSPORTATION SERVICES AT THE JACKSON STREET PIER

Budgetary Information: The City shall receive a total of \$800,000.00 during the initial term of the Lease Agreement. \$114,285.71 will be paid in Years 1-4 while Years 5-7 will yield \$114,285.72 annually. All revenues are to be deposited into the Capital Fund during the initial term. Lease payments made during the renewal terms are to be deposited into the General Fund.

ORDINANCE NO. 20-126: It is requested an ordinance be passed authorizing and directing the city manager to enter into a lease agreement with Owen Sound Transportation Company, limited, for the utilization of dockage space at the Jackson Street Pier; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Dick Brady asked Matt Lasko and Aaron Klein to explain further and clarify that we will be recovering the dollars spent, over the life of the lease. He also pointed out this lease is dramatically shorter than the Battery Park Lease.

Matt Lasko walked through the lease terms and background information. We have had a formal lease agreement in place since 1995 for operations of the Pelee Islander. That initial lease expired in 2004 and staff have brought back no less than 16 addendums from 2004 – 2019 with modest alterations to base rent amount and hours of operation. With all the construction and investment that has taken place, both sides thought it was the right time to renegotiate a longer term lease in this instance. What has been brought before commission for consideration is a new, seven year lease that will go until 2027. During that initial term of the lease, the Pelee Islander will be responsible for paying the city just over \$114,000 a year for those seven years. The bulk of that is for reimbursement of capital costs that went into alterations at the Jackson Street Pier. Because

we are late in the year, for year 1, the payment will be due by November 1, 2020. In subsequent years 2-7, that payment will be due by June 1, in full. We did put in two, three (3) year renewal periods that would have to be approved by both parties should we want to continue the agreement. Those baseline rent payments will decline to a more traditional level that was paid by them prior to the construction. That would start at \$12,000 beginning in 2027, subject to a 3% annual escalator.

Aaron Klein wanted to touch on smaller items. Under the next agenda item, you will find out we had a total of \$779,500 that was for customs and border protection facility, plus any improvements that were additionally requested to accommodate strictly the Pelee Islander, which will be docked here for the next seven years. We still have the agreement with the Goodtime to use the slip. They will be docking at the same location and those two entities have coordinated in the past and will continue to coordinate in the future. That questions, regarding how that relationship is going to work, has come up. He would like to assure everything they have a relationship and are working together to ensure that space can be utilized by both parties.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #5 – Submitted by Aaron Klein, Director of Public Works

CHANGE ORDER #2 WITH DONLEY, INC. FOR THE JACKSON STREET PIER REHABILITATION PROJECT

Budgetary Information: The original contract with Donley’s, per Ordinance No. 18-193 was \$7,865,993.00. Change Order #1 increased the total contract amount to \$8,044,686.00. The additional \$279,500 requested as Change Order #2 will increase the contract to \$8,324,186.00, The below information shows the current costs, updated costs and proposed funding sources.

Funding Source	CO #1 Contract	CO #2	Updated Contract
OWDA, Sewer Fund, Storm*	\$ 349,542		\$ 349,542.00
OWDA, Water Fund*	\$ 476,580		\$ 476,580.00
OWDA, Sewer Fund, Sanitary*	\$ 166,585		\$ 166,585.00
CDBG (Revolving Loan Fund)	\$ 210,157		\$ 210,157.00
Capital Fund (Chesapeake TIF)	\$4,361,129		\$4,361,129.00
State of Ohio*	\$ 70,000		\$ 70,000.00
Private Donation (Hogrefe)	\$ 50,000		\$ 50,000.00
Private Donation (Civista)	\$ 150,000		\$ 150,000.00
Private Donation (LESI)	\$ 25,000		\$ 25,000.00
Private Donation (Mylander)	\$1,350,000		\$1,350,000.00
Private Donation (Mylander)	\$ 157,000		\$ 157,000.00
Private (Owen Sound)	\$ 500,000	\$ 279,500.00	\$ 779,500.00
Programming/Marketing (Issue 8)	\$ 148,693		\$ 148,693.00
Private (Joe Lamb)	\$ 15,000		\$ 15,000.00
EDIC Appropriation*	\$ 15,000		\$ 15,000.00
Total	\$8,044,686	\$ 279,500.00	\$8,324,186.00

ORDINANCE NO. 20-127: It is requested an ordinance be passed authorizing and directing the city manager to approve the second change order for work performed by Donley’s Inc. of Cleveland, Ohio, for the Jackson Street Pier Rehabilitation Project in the amount of \$279,500.00; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dave Waddington and second of Naomi Twine, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Dick Brady said we had \$500,000 budgeted and it ended up being \$779,500. We are recapturing it throughout the life of the lease. He asked Aaron Klein to speak to whether the costs came from the US and Canadian governments and if he could speak more on the subject.

Aaron Klein said we originally had \$500,000 set up in the contract, but we did not have everything we needed from the federal government. As we went through it, it took negotiations with the US and Ontario government to understand what the costs were and to agree for them to pay for improvements for the Pelee Islander and for the customs and border patrol facility. The \$500,000 grew to \$779,500 but he assures the commission and public there was detailed paperwork that was reviewed by the contractor, their engineer, QA and QC people, and we sent the costs onto the people in Ontario to make sure they were onboard. The consultants reviewed the costs, and the city reviewed the costs. Many steps were taken to confirm those costs were valid numbers. They may seem high, but there was much coordination between those entities.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #6 – Submitted by Aaron Klein, Director of Public Works

FIVE YEAR LEASE AGREEMENT WITH TOWER OPTICAL COMPANY, INC. FOR BINOCULAR INSTALLATION

Budgetary Information: There is no cost to the City to enter into this agreement. In fact, the Sandusky Fire Department will collect the coins from the viewers on a regularly basis for Tower Optical and retain 40% of the revenue for the Sandusky Firefighters Charity Fund. Also, Tower Optical will pay an annual fee of \$100.00 plus 5% of all revenues attributable to the viewers.

ORDINANCE NO. 20-128: It is requested an ordinance be passed authorizing and directing the city manager to enter into a binocular agreement with the Tower Optical Company, Inc. of South Norwalk, Connecticut, for coin operated viewers at the Jackson Street Pier, and Shoreline Park; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Dennis Murray, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Dick Brady said who could possibly object to having binoculars on the pier. He joked, asking Wes Poole, if he was okay with that?

Wes Poole joked back, saying he might ask how they got the contract on our pier. Is this the only binocular company in the country? Is it a cousin of one of our employees that got the deal?

Aaron Klein said there were two binoculars that were formerly on the Pier. There are currently binoculars at Shoreline Park and at Meigs Street pier and have been there for years. There has never been an agreement, but they decided to work with the company that already had binoculars in the city. The company worked with our fire department to share funds, and this is something that they were cleaning up with a formalized agreement.

Dick Brady asked if the fire department receives proceeds from the binoculars.

Aaron Klein said the fire department receives 40% of the proceeds and the rest goes back to Tower Optical.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7.

Nays: 0. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #7 - Submitted by Jane Cullen, Project Engineer

PERMISSION TO BID JAYCEE PARK CONNECTOR TRAIL PROJECT

Budgetary Information: The estimated construction cost of \$140,000.00 will be funded with the Capital Fund (Sandusky Neighborhood Initiative). The Randolph J. & Estelle M. Dorn Foundation has provided the funding for this project through the Sandusky Neighborhood Initiative funds.

RESOLUTION NO. 031-20R: It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed Jaycee Park Connector Trail 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; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this resolution under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Wes Poole asked what we are buying and what this is going to look like.

Aaron Klein the project consists of a trail that was originally in the Sandusky neighborhood initiative that goes from the southern point of Jaycee park to the northern point of Wightman Wieber park. It snakes in through the park. Ultimately, it will connect to Huron park and all the way to the Sandusky Bay Pathway. What we are getting for this project is an asphalt trail that runs south to north, connecting McElevy and Osborne streets as well with offshoots on those. It provides a walking/biking facility throughout the park for that neighborhood and hopefully one day will connect to a greater bike system.

Dave Waddington said he was out at that park for a litter cleanup the past Saturday. There was a Handicap ramp that goes uphill from Osborne Street, will additional work be done on that?

Aaron Klein said if someone is familiar with the other two entrances into the park, there is now gateway signage into Jaycee Park at those locations. At Osborne Street, that is going to be another gateway sign. The contractor poured the concrete, and signs will be installed over the next several weeks.

Wes Poole said thank you to the Dorn Foundation for paying for this. It is a great thing for the neighborhood and he looks forward to tying the neighborhoods together with bike paths. This is a good place to start and he hopes to see the connector to Warren Street. If we can complete this we will have done something very good for the interior of the city and its neighborhoods. This is a great start.

Dick Brady said his office is 100 yards from Jaycee Park and there are kids there almost 24/7 and you have to drive them out of there once it gets dark. It is a well used facility offering baseball, basketball, a pavilion.

Wes Poole said a great city has connections, and those are the kinds of things we need to be working toward.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the resolution: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #8 – Submitted by Josh Snyder, Assistant City Engineer

PERMISSION TO BID 2020 E. MARKET STREET SHARED DRIVEWAY CONSTRUCTION PROJECT

Budgetary Information: The estimated cost of the project including engineering, inspection, advertising, construction and miscellaneous costs, is \$33,415.29. The full project will be paid from the Real Estate Development Fund. The Real Estate Development Fund will be reimbursed with sales proceeds from the sale of the five (5) parcels abutting the easement/shared driveway.

RESOLUTION NO. 032-20R: It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed 2020 Shared Driveway Construction 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; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this resolution under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Wes Poole said this is a good project overall. Specific to the alleyway, he talked to the engineer and thinks it looks fine. He is interested in how we are going to make available and sell these lots. Will it be happening after the driveway construction project or in conjunction at the same time? Right now there is word of mouth, suggesting the city might have some lots available, and he would like to see a formal offering.

Eric Wobser said he and Matt Lasko discussed this topic this morning and had the same thought. They concluded they don't necessarily need a realtor on this, as there is demand and a realtor commission would take away what we can make for the sale of the properties. That being said, we should post on our website and make it known. We will have a point of contact who will be Matt Lasko. As people come in, we want to see two things. First that they have the ability to purchase and build in short order. We want to take some time to figure out what that criteria should be. What we do not want is for people to purchase and then sit on or resell the lots as values go up. They will be working closely over the next week or two to determine that standard together and get that information back in front of the commission, and ultimately make it public as quickly as possible.

Matt Lasko said he sent an email reply to Wes Poole, unfortunately, it was right before tonight's meeting. We strongly believe we do not need a realtor, but to ensure fairness, we would like to market these lots to the masses, so it doesn't raise questions as to us picking and choosing who these go to. We have seen a high demand and we want to fill them, but we want to fill them in a fair way. We will be developing a plan to publicly market these but think we can market them in-house and do it successfully.

Wes Poole said he did receive Matt Lasko's reply and thanked him for that. The information that we make our decisions on needs to go out to the public, which is why he asks these questions. The more people who know what we are doing, the less people question what we are doing.

Dick Brady said in response to the public questions at the beginning, no one is getting a free alley. If they were, we would be dividing that \$70,000 we paid for the property by five and selling these lots for \$14,000 each. We will be selling them for more than that.

Matt Lasko said this is atypical for the city to be in this role, but they thought there would be major benefit for limiting the curb cuts on East Market Street and Franklin Street. One of the ways to do that is to create a private driveway that will serve the rear of the residential structures. We do not believe it is prudent or practical for each individual property owner to construct their small portion of the property. That would require you to sell the lots in a unique and structured way, make sure the western lots sold before the eastern ones. We feel pretty strongly that the city should take the initiative in constructing the private drive which will ultimately be turned over to each private property residence who will own the rear of the property. Without question, the funds for this private drive will be recouped with the sale of the lots. That will more than cover the purchase of Mr. Bill Seman's lot and the construction of the alley. There will be additional revenue that comes

to the city for the sale of the lot above and beyond what our holding costs and construction costs were. This will be built into the sale price, although not explicitly stated.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the resolution: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #9 – Submitted by Josh Snyder, Assistant City Engineer

AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL DESIGN SERVICES WITH THE MANNIK & SMITH GROUP FOR THE MEIGS STREET RECONSTRUCTION & MULTI-USE PATH PROJECT

Budgetary Information: The original cost for professional design services was \$233,195.00. The City's share of this additional amount is the entire \$19,500, and will be paid with Water Funds. The total revised cost of professional design services for this project is \$252,695.00.

ORDINANCE NO. 20-129: It is requested an ordinance be passed authorizing and directing the city manager to enter into an amendment to the agreement for professional design services with the Mannik & Smith Group, Inc. Of Maumee, Ohio, for the Meigs Street Reconstruction & multi-use path project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Mike Meinzer, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

ITEM #10 – Submitted by Aaron Klein, Director of Public Works

GRANT APPLICATION TO OHIO DEPARTMENT OF TRANSPORTATION FOR PORTIONS OF THE SANDUSKY BAY PATHWAY INCLUDED IN THE LANDING PROJECT

Budgetary Information: The Not to Exceed cost of \$10,000 to prepare the grant is included in The Landing design contract with EDG. The City is requesting a grant totaling \$6,145,913.67 from the State of Ohio and would use \$1,084,573.00 of the proceeds from the Cleveland Road Tax Increment Financing (TIF) as the match money for this grant. This is approximately an 85/15 split.

RESOLUTION NO. 033-20R: It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation for financial assistance through the Highway Safety Improvement Program (HSIP) for portions of the Sandusky Bay Pathway included in the Landing Project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Blake Harris, the Commission voted to approve this resolution under suspension of the rules and in full accordance with Section 14 of the city charter.

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. Roll call on the resolution: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. Nays: 0. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

CITY MANAGER'S REPORT

- **Upon motion of Dave Waddington and a second of Naomi Twine, the commission voted to affirm the reappointment of Dr. Marsha Cooper on the Erie County Board of Health. This is a five year term, running through December 31, 2025.**

Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, 7. The president declared that motion passed.

- The police department will be participating in the **“Drive Sober or Get Pulled Over”** campaign throughout the State of Ohio from August 26th through September 7th. We encourage visitors and citizens to always use a designated driver to save lives.
- **Disconnection for delinquent water and sewer accounts will begin on Thursday, August 27, 2020.** Residents needing to make payment plan arrangements must contact the Customer Accounting Office prior to August 27. Payment plans will need to be approved by the property owner.
- On August 31st, the **intersection of Washington and Hancock streets will transition to a four-way stop** to improve pedestrian safety and traffic flow in the area.
- Water has been ponding in the curb ramp, crosswalk and northbound curb lane on Sycamore Line since the intersection was reconstructed a few years ago. Due to the safety concerns with hydroplaning and ice freeze-up, Sycamore Line will be closed this week at the intersection of Cleveland Road to improve drainage.
- Last week, City crews installed a **peace pole along the north side of W. Monroe in-front of 7-11.** The pole was donated by the Center of Peace Through Understanding and was accepted by City Commission on July 22, 2019, and the location was chosen for visibility and its proximity to various neighborhoods. An unveiling ceremony is scheduled for 10:30 AM on September 3, 2020.
- The regular **Planning Commission** meeting for August 26 is scheduled at 4:30 PM.
- The regular **Board of Zoning Appeals** meeting for September 17 is scheduled for 4:30 PM.
- The regular **Landmark Commission** meeting for September 16 is scheduled at 4:30 PM.
- The regular **Arts and Culture Commission** meeting for September 15 has been scheduled for 5:15 PM.

Discussion: Eric Wobser asked if Michelle Reeder would give an overview of the budget post the finance meeting the week prior.

Michelle Reeder said the 2020 budget was discussed as well as the financial forecast. We are still anxiously awaiting our August receipt numbers for admissions and lodging tax as these will be from July. July was the first month that Cedar Point was open. We are also working with the National Resource Network and will be having a financial forecast presentation at our next finance committee meeting on September 18, 2020. We will have a lot of feedback from the finance committee prior to that presentation. We are hopeful the commission can join us for that finance committee meeting on September 18. This is the time we would be receiving a lot of admissions revenue from Cedar Point that we are not receiving this year due to COVID-19, but our general fund revenue at the moment is \$4.1M which is considered a healthy balance. We started at \$4.9M in the general fund at the beginning of the year. We just received our second half of property tax settlement which was \$700,000. That helped the general fund.

Dick Brady said the commission is anxiously awaiting that report from the National Resource Network and that report will shed light and provide clarity going forward.

OLD BUSINESS**NEW BUSINESS**

Wes Poole said he got some calls from citizens and wanted to share with the staff. We put in changes to water department collections and we are finding out national decisions are impacting the mail. The hold up in the mail is as much as 7 or 8 days. Citizens are getting their water bills much later than they normally do, with a smaller window to make payments on time. He wanted to make staff aware so they can begin making adjustments.

Naomi Twine said last week interviews were held for the Police Chief position. The committee got stopped in its tracks; they had three candidates they hoped to interview in March but the stay at home order stopped the process. They reinstated those interviews on the three candidates they had chosen in March, after the candidates were still interested. Part of the Police Chief Search committee are Steve Sturgill, Ed Windau, Vince Rhodes, Mark Fogg and herself. The good thing, they scored each candidate and everyone on the committee was close with their scores for the first, second and third candidates. They chose two candidates to recommend to the City Manager for the next phase of the interview process. She thanked the committee and thanked Dick Brady for allowing her to chair that committee.

Dick Brady thanked the individuals on the Police Chief Search committee. Again so many people volunteer their time to make Sandusky a better city. He knows the committee didn't take the task lightly, and thanked them for their patience with COVID-19.

AUDIENCE PARTICIPATION

Jackie Thatchet, via email: jackiethatchet67@gmail.com asked when improvements will be done to Churchwell Park, since it has the same equipment for over 20 years and why we can't have a timer for the tiny splash pad like other ones have. She would also like to know why the splash pad has not been turned on. She has called every department, one gentleman says he could bring me a key so she can turn it on and off. She works over 45 hours a week and does not think it is her responsibility when there are salary employees who can. She was understanding a group volunteered to do it and was told 2 years ago that it was going to be made bigger and a timer added.

Barbara Cicalese, via email: baecicalese47@gmail.com said she moved downtown on May 1st, and loves seeing the bay, that it's a walkable small city, and that there are so many parks. Recently she participated in the survey about Downtown Sandusky and submitted my responses. Now that she has lived here a few months, she has additional comments--

Issues:

1. With more residents living along Shoreline Drive and Market Street, it would be helpful to place a recycling container in the area. Most of the apartments have no basements or little extra storage for recyclables. The city doesn't encourage recycling if we each have to drive to Cement Ave to offload our recyclables.
2. If people aren't supposed to smoke on the Jackson Street pier to reduce maintenance time and costs, then please install signs indicating that no smoking is allowed. Signs could be attached to the existing trash cans.

While she realizes motorcyclists have a right to ride on Shoreline Drive, last weekend was hell for residents along Shoreline. Her apartment windows look down on Shoreline, and on a nice summer evening she likes to leave her windows open. So many cyclists had their radios on full blast that it was impossible to have the windows open.

Anecdote: She called the non-emergency police number about 10:30 pm on Saturday, August 8, to complain. The female dispatcher was dismissive and said "a police car could not sit at the pier waiting for offenders." She understood that, but a policeman could have issued warnings or tickets every five minutes that night. After she hung up and the dispatcher wasn't inclined to help, she looked out her

window and saw a police car passing a motorcyclist with his radio blasting. No action was taken by the police. She knows there is a noise ordinance, and it should be enforced.

If these issues were resolved, they would make it a more inviting location and encourage more people to live downtown.

Rick and Arlene Wahl, via written letter, 916 W. Jefferson St.

We are Rick and Arlene Wahl. We have lived at 916 W. Jefferson St. for the past 44 years. We are writing this in regards to the bar previously named the Dog House, now known as Amirah's Turn. It's located on the corner of W. Jefferson and McDonough Streets. With the new owner, many problems have increased, such as fights, two people were shot, loud music coming from cars that continuously travel up and down W. Jefferson =, patrons park in front of our home and other neighbors playing extremely loud music blaring. Patrons are noisy, yelling and littering in yards. This past Saturday night, four women were being very loud, passing an alcoholic bottle around in their parked car. They were running and screaming back and forth to the bar. We did call the police on this. We called the police again after the same women came back from the bar because Rick saw one of the females remove her pants and urinate on our front lawn. Bar patrons loiter outside after the bar closes. They block neighbors driveways and ours neighbors many times cannot find parking spaces near their homes. Patrons pack the bar, not wearing masks, certainly not following COVID-10 protocols. We are very concerned about the lack of social distancing inside the bar. It truly needs to be investigated. None of these problems existed before this bar opened. These people are irresponsible and do not care about anyone else.

We do thank our police department for their help and coming out whenever they are called. Also, many thanks go to Mr. Wobser for doing a great job bringing our city back.

Tim Schwanger, via email: schwangers@aol.com The Planning Department is overlooking state and local requirements downtown businesses offering alcohol sales and outdoor consumption are required to fence (or other means) in their outdoor areas designated for alcohol consumption. The Planning Department's answer when question was "the State has relaxed fenced in area rules due to the Covid-19 pandemic". According to the Ohio Liquor Control Board documents, fenced areas for consumption has not been relaxed. <https://www.com.ohio.gov/liqr/#fragment-5>

Discussion: Dick Brady said there are comments in there for everyone. He asked the Public Works, Police and the planning department respond to their questions respectively.

Dave Waddington said he has also been contacted about the former Dog House. These residents cannot even sit on their porch at night, cars block their driveways, and they continually call the police. He shared this with John Orzech who knew the individual immediately. This information confirms what those people wrote in about.

Dick Brady said perhaps we could call in to the health department regarding the issues at the Dog House/Amirah's Turn. The health of our community is important to all of us. He also acknowledged the nuisance infractions we have in place at the police department.

John Orzech provided feedback on those topics. The establishment has only been open a few months and there have been a number of incidents. The police department has cited quite a few folks for sound amplification, OVIs. more importantly, so the commission knows, the department has been very proactive with this establishment as it is affecting the quality of life of residents. They have been in contact with the State of Ohio Investigative Unit, forwarded reports and they have sent a hearing notice to the establishment/liquor permit holder and there are several issues with that. Hearing notices are taking priority, they are in violation of the nuisance violation and have been notified and started receiving billing. They came down and paid a bill today. The department is trying to get the problem under control and is being as proactive as possible. He knows it is frustrating for the neighborhood and they are doing what they can.

Wes Poole asked if John Orzech could look into the dismissiveness of the dispatcher. He asked what is the actual role of dispatch; are they supposed to take information and dispatch calls or do they have some say in whether the call is worthy of sending an officer. Regarding the MacArthur Park issue, he

asked if he could get some specifics. He knows something else is planned for the property long term but said those residents cannot wait for 10 years for a decent place to play. He asked that some attention be paid to that. In regards to the questions coming in from the public, he asked if the questions could be sent out ahead of time or if questions could be put up on the screen, similarly to how the consent agenda is done.

Dick Brady said many questions come in right before the meeting, but if it is possible, we can try that.

ADJOURNMENT

Upon motion of Wes Poole and second of Dave Waddington, the commission voted to adjourn at 6:57 p.m. The President declared the motion passed.



McKenzie Spriggs
Commission Clerk



Richard R. Brady
President of the City Commission