

Dennis Murray called the meeting to order at 5:15 p.m. after a moment of silence in honor and memory of Ben Matthews who retired from the city's Water Distribution Division, the Invocation, given by Dave Waddington, and the Pledge of Allegiance.

The Clerk called the roll and the following Commissioners responded: Blake Harris, Naomi Twine, Dick Brady, Dennis Murray, Mike Meinzer, Wes Poole and Dave Waddington.

City staff present: Aaron Klein - Director of Public Works, John Orzech - Police Chief, Rick Wilcox- Fire Chief, Angie Byington – Director of Planning, Matt Lasko – Chief Development Officer, Don Rumbutis - IT, Stuart Hamilton – IT Manager, Michelle Reeder–Finance Director, Trevor Hayberger – Law Director, Eric Wobser – City Manager and Kelly Kresser – Commission Clerk.

ELECTION OF OFFICERS

Dennis Murray asked if there were nominations for the office of President. Wes Poole nominated Dennis Murray and he (Dennis) declined. Dave Waddington nominated Dick Brady and he (Dick) accepted. Roll call: Blake Harris, Naomi Twine, Dick Brady, Dennis Murray, Mike Meinzer and Dave Waddington, 6. Nays: Wes Poole, 1. Mr. Murray declared Dick Brady the new City Commission President.

Dennis Murray asked if there were nominations for the office of Vice President. Dave Waddington nominated Dennis Murray and he (Dennis) accepted. Roll call: Blake Harris, Naomi Twine, Dick Brady, Dennis Murray, Mike Meinzer, Wes Poole and Dave Waddington, 7. Mr. Murray said this nomination passes and he will assume the duties of Vice President of the City Commission.

Dave Waddington thanked Dennis Murray for serving six years as the City Commission President and said he did a great job. This is his fourth term and he has seen a lot of bullets fly in that direction and Dennis Murray handled it well.

Dick Brady thanked his fellow commissioners for this opportunity and thanked Dennis Murray for his six years of service as President. He reminded everyone this position (President) gives him the same number of votes as the other commissioners: one. His obligation is to direct traffic and allow each person who comes to these meetings to have a voice in an orderly fashion. To a certain degree this position invariably takes on the personality of the person holding the office and his will be different. There will be some changes, some subtle and some not so subtle, but changing seats does not mean we are changing direction. What will not change is the trajectory this city has been on for the past six years. It is his hope that two years from now, when looking back, these eight years will appear absolutely seamless. It is opening night for two commissioners and he welcomed Mike Meinzer and Blake Harris. Each commissioner represents 25,000 residents of this city and their voice is the voice of the residents.

Dennis Murray recognized and welcomed our new Finance Director, Michelle Reeder, and said we are delighted to have her associated with the City of Sandusky.

SWEARING-IN

Police Officer Patrick O'Connor was sworn in who began working for the Sandusky Police Department on January 9. John Orzech said he previously served with the City of Upper Sandusky's Police Department, has five years of experience and was in a supervisory rank. He also has attended the Police Executive Leadership College and we were very impressed with him at his age and time in his career to have already achieved this and said we look for great things from him.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, said the Shoreline Drive item in the amount of \$1.2 million is not necessarily a change order, but rather are additions to the project (Item #6). In the past, the actual meaning of a change order for the city was a project which was started but ran into issues;

this seems like additions to the original contract approved by the commission. Before voting, he asked the commissioners to think about the project which is calling for spending \$10 million on six tenths of a mile and it does not matter where the money is coming from. To put this into perspective, last year Defiance, Ohio, began a project to replace a complete bridge span across the Maumee River which cost \$8.3 million; something is not right with the Shoreline Drive project. He encouraged the commissioners to vote 'no' on this item based on the fact the \$1.2 million was discussed almost three years ago. It was decided then we were not going to do this portion of the project and begs the question about the change being mostly with utilities. High voltage wires are not coming down so the wires will still be visual and asked how many utility poles we have now versus how many will be eliminated through this project as they are the most visual obstruction. The other issue is the \$830,000 of CDBG funding over the last two years. Multi-million dollar properties are along Shoreline Drive and CDBG money is intended for slum and blight areas and it is time we start spending this money in other areas of the community. Likewise, the entire downtown streets, sidewalks, curbs and gutters are eligible for Chesapeake Lofts TIF monies and this money should be used to make the rest of downtown prettier.

Sharon Johnson, 1139 Fifth Street, said the change order is ridiculous and hopes this is the last we are going to hear of anything going on with this project and wonders if the city is camouflaging great big overruns with this project (Item #6). She was under the impression when this project was being bonded that it included the whole thing, but now we are finding out we still have to pay for the east end. We also found out a non-profit is helping to bail us out of this financial mess in the amount of \$500,000 and asked why the city cannot stand on its own two feet. She can understand a non-profit giving \$20,000 to \$30,000 to a project and said we are relying too much on them for big projects.

Tom LaMarca, 206 48th Street, said he is upset about the new cost of the Shoreline Drive project. We expect a few things to come along but one of the obvious ones should have been the water line at Facer Park. We should have known this was 100+ years old although \$28,000 is a small price to pay. The citizens were sold a stripped-down model of a Ford Falcon for \$7,968,000 with options to add (originally priced at \$1,361,268) which changed the base price to \$8,789,877. The city should want to bury the utilities, but not at this cost. The idea of a design/build project is to build within the bid amount and to hopefully do it under cost but we have exceeded this and something has been missed. The cost of the Shoreline Drive project now exceeds \$2,700 per foot; if we throw in the Jackson Street Pier project, it is a \$20 million project for about one mile of roadway including the Jackson Street Pier loop with a 56-day extension for the additional work. The contractor got a lot of days off and there were months when no work was being done either on the pier or on Shoreline Drive.

Arlene Thompson, 1902 Adrian Circle, asked if the liquor permit items are for address changes only (Items A, B, C & D). She asked why we are applying for an ODNR grant for the Jackson Street Pier as she thought this was all taken care of (Item #2). People do not purchase a car until they have spoken to the bank, but now we are looking for a grant for this project. Approximately \$4 million is being requested from the sewer and water funds for this project and if we need this, we can certainly afford a software program for our sewer and water billing. The Sandusky Pathway funding is also included, but we are taking money from sewer and water for it. The commission is being asked to take a loan out with the Ohio Water Development Authority when we are using sewer and water funds for other projects and people will have to pay for this again. She is hopeful the commission will spend taxpayer money better in the future. She asked Dick Brady what his stance is for the Audience Participation section of the meeting and he said we will stay the course put into place for this process. Answers will be provided by staff as each item is presented. She is hearing people are not getting answers to the Ask the City email and we should look into this.

CURRENT BUSINESS

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to approve the Minutes of the December 20, 2019, meeting and suspend the formal reading. The President declared the motion passed.

CONSENT AGENDA ITEMS

The President asked if any of the commissioners wished to remove items from the Consent Agenda. There were no requests to do so.

A. Submitted by Kelly Kresser, Commission Clerk

LIQUOR PERMIT TRANSFER FOR FOE AERIE 444 (SANDUSKY EAGLES)

Budgetary Information: There is no budgetary impact for this item.

The city is in receipt of a Notice to Legislative Authority from the Ohio Division of Liquor Control for the transfer of a D4 (*beer and any intoxicating liquor to members only, for on premises consumption only until 1 a.m.*) liquor permit for FOE Aerie 444 from 1235 West Perkins Avenue to 608 King Street. It is requested the Commission Clerk be authorized to notify the Division the city does not request a hearing on this matter.

B. Submitted by Kelly Kresser, Commission Clerk

LIQUOR PERMIT TRANSFER FOR THE FRATERNAL ORDER OF ORIOLES SANDUSKY

Budgetary Information: There is no budgetary impact for this item.

The city is in receipt of a Notice to Legislative Authority from the Ohio Division of Liquor Control for the transfer of a D4 (*beer and any intoxicating liquor to members only for on premises consumption only until 1 a.m.*) liquor permit for the Fraternal Order of Orioles Sandusky, Inc. from 533 West Perkins Avenue to 1235 West Perkins Avenue. It is requested the Commission Clerk be authorized to notify the Division the city does not request a hearing on this matter.

C. Submitted by Kelly Kresser, Commission Clerk

LIQUOR PERMIT TRANSFER FOR SANDUSKY SALVAGE CENTER, LLC

Budgetary Information: There is no budgetary impact for this item.

The city is in receipt of a Notice to Legislative Authority from the Ohio Division of Liquor Control for the transfer of a D3 (*spirituous liquor for on premises consumption only until 1 a.m.*) liquor permit located at 2434 West Monroe Street. It is requested the Commission Clerk be authorized to notify the Division the city does not request a hearing on this matter.

D. Submitted by Kelly Kresser, Commission Clerk

LIQUOR PERMIT TRANSFER FOR MARGSAND, INC.

Budgetary Information: There is no budgetary impact for this item.

The city is in receipt of a Notice to Legislative Authority from the Ohio Division of Liquor Control for transfers of D1 (*beer only for on premises consumption or in original sealed containers for carryout only until 1 a.m.*), D2 (*wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1 a.m.*), D3 (*spirituous liquor for on premises consumption only until 1 a.m.*), D3A (*extend issued permit privileges until 2:30 a.m.*) and D6 (*sale of intoxicating liquor on Sunday between the hours of 10 a.m. or 11 a.m. and midnight*) liquor permits from 212 Fremont, LLC dba Original Margaritaville to Margsand, Inc. located at 212 Fremont Avenue. It is requested the Commission Clerk be authorized to notify the Division the city does not request a hearing on this matter.

Upon motion of Naomi Twine and second of Wes Poole, the Commission voted to authorize the Commission Clerk to notify the Ohio Division of Liquor Control the city does not request hearings on these matters. Yeas: Blake Harris, Naomi Twine, Dick Brady, Dennis Murray, Mike Meinzer, Wes Poole and Dave Waddington, 7. The President declared the motion passed.

REGULAR AGENDA

ITEM #1 - Submitted by Matt Lasko, Chief Development Officer

PURCHASE OF 2139 PARKVIEW BOULEVARD

Budgetary Information: The city will be responsible for paying \$25,000 (plus closing costs) from the real estate development fund for the purchase of the property located at 2139 Parkview Boulevard.

ORDINANCE NO. 20-001: It is requested an ordinance be passed approving and ratifying the purchase of real property located at 2139 Parkview Boulevard, Sandusky, and identified as Parcel No. 58-01526.000 for the purpose of blight elimination and demolition; and authorizing and

directing the City Manager and/or Finance Director to expend funds for the purchase of the real 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 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: Dave Waddington asked how much property we own in MacArthur Park. Matt Lasko said between the City of Sandusky and the Erie County Land Reutilization Corporation, we probably own about one third of the total acreage and parcels. This is an extension of several pieces of legislation brought to the commission in 2019 as we try to acquire and eradicate the blight in this area. Wes Poole said this particular parcel is up to date in payment of property taxes. As we move forward to take these properties, he asked how soon they will be used so we can start to see a return. Matt Lasko said not to minimize the extent of what these properties are paying on an annual basis, but most of them are requiring \$1,200 to \$1,300 per year in real estate taxes. We do see an uptick in property values adjacent to the properties demolished and from a planning and development standpoint, we probably need to be in the 75% range of properties acquired before we can start to develop a Master Plan and vision for the neighborhood. We will have to look at everything from planning the street grid to doing a comprehensive and dense development within the area. There will be a slight reduction, in the short term, of the property values accumulated. Within a three to five year span, we are going to see property values increase whether on Perkins Avenue or Karl Ann Drive and it will be offset pretty quickly. With a large scale development, this is where the city and the region will have a huge upside. Dennis Murray said while this may take some time, we have been successful in the last several years by being very deliberate in putting a plan together and executing it. This is no different. We do not know exactly when these will become available, but if the word is out to the owners in the community that the city is an interested buyer with pretty strict limits on what we will pay and they know what they will get if they sell. He applauded the continuation of this program even though we do not really know when it will come to conclusion. Dick Brady said we are not getting into the rental business, we are acquiring these properties to tear them down. He also complimented Matt Lasko on ratcheting down the cost we are paying for these properties as he was impressed the last time we purchased some and the one considered tonight was brought down to a new low mark (\$6,250/unit). Matt Lasko said all of the properties were already vacant when we entered into contract as this stipulation is in all of our purchase agreements. This would be the second most inexpensive property, per unit, we have purchased within this area. We did acquire one at Sheriff's Sale at \$2,000 per unit, but this is fairly inexpensive when compared to some others we acquired in the past. We have pretty strict guidance on what we are willing to bring to the commission and what is considered from a cost per unit standpoint.

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

ITEM #2 - Submitted by Aaron Klein, Director of Public Works

RATIFICATION OF GRANT SUBMISSION TO ODNR FOR THE JACKSON STREET PIER AND SHORELINE DRIVE REHABILITATION PROJECT

Budgetary Information: There is no negative effect to the capital budget by accepting these funds. Upon request, the ODNR will release funds as requested for each project, funds received shall be placed into the capital project accounts.

RESOLUTION NO. 001-20R: It is requested a resolution be passed approving and ratifying the submission of an application for financial assistance through the Ohio Department of Natural Resources for capital improvement funds for the Jackson Street Pier and Shoreline Drive rehabilitation projects; and declaring that this resolution 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 resolution under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Dennis Murray said he can probably vote on this item, but will abstain out of an abundance of caution as he has not received an opinion from the Ohio Ethics Commission. Aaron Klein said the \$75,000 we are getting from the Ohio Department of Natural Resources is not necessarily new money; we are formally accepting money granted to us in 2018. It took until 2019 for them to develop the agreement so we are accepting it now. On the original budgets, \$70,000 was allocated for the Jackson Street Pier and \$5,000 for Shoreline Drive. Since this money is set up through ODNR for parks, recreation and conservation, they thought these two projects were a good fit together with the Sandusky Bay Pathway’s recreational aspects. It was a good project for their state capital budget and is a credit to Eric Wobser for going after this money and having the foresight to do so. They told us they keep \$1,500 for administrative fees so \$70,000 will be allocated for the Jackson Street Pier and \$3,500 will go toward Shoreline Drive. This money will be applied to the budget for these projects.

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

ITEM #3 – Submitted by Jane Cullen, Assistant City Engineer

CONTRACT AWARD TO SPEER BROTHERS, INC. FOR WEST SIDE UTILITY & CONNECTIVITY IMPROVEMENTS PROJECT

Budgetary Information: The cost of construction is \$4,407,163.00 and will be paid as described below:

<u>FUND NAME</u>	<u>COST</u>	<u>PERCENTAGE</u>
Sewer fund, storm water	\$1,947,568.00	44.19%
Water fund	1,962,478.00	44.53%
Sewer fund, sanitary	29,000.00	0.66%
Issue 8 (2019 pathway)	203,775.00	4.62%
Capital (2019 pathway)	200,000.00	4.54%
Issue 8, street	<u>64,342.00</u>	<u>1.46%</u>
TOTAL	4,407,163.00	100%

The city will seek loan opportunities through a low interest Ohio Water Development Authority loan for all funds related to sewer and water. Request for approval to apply for a low interest OWDA loan is in companion legislation (Item #5).

ORDINANCE NO. 20-002: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Speer Brothers, Inc., of Sandusky, Ohio for the west side utility and connectivity improvements 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 Wes Poole, 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 said for his purposes, any money spent directly from our sewer and water funds to improve sewer and water lines is money well spent. This is something we need and these lines are quite old, like our city, and he supports this project using that money. Dave Waddington said he is glad we are socking some money into the west side. Dennis Murray said he will abstain on this legislation because of private practice matters and so there is no appearance of impropriety. Mike Meinzer said he noticed about \$400,000 is coming out of the capital fund from Issue 8 and not strictly from water and sewer funds.

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

**ITEM #4 – Submitted by Jane Cullen, Assistant City Engineer
ADMINISTRATION & INSPECTION SERVICES CONTRACT WITH K.E. MCCARTNEY & ASSOCIATES, INC. FOR THE WEST SIDE UTILITY & CONNECTIVITY IMPROVEMENTS PROJECT**

Budgetary Information: The estimated amount of the consultant fee for contract administration and inspection services is not to exceed \$484,751 and will be split as follows:

<u>FUND NAME</u>	<u>COST</u>	<u>PERCENTAGE</u>
Sewer fund, storm water	\$214,211.47	44.19%
Water fund	215,859.62	44.53%
Sewer fund, sanitary	3,199.36	0.66%
Issue 8 (2020 pathway)	44,403.19	9.16%
Issue 8 (street)	<u>7,077.36</u>	<u>1.46%</u>
TOTAL	484,751.00	100%

ORDINANCE NO. 20-003: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for professional services with K.E. McCartney & Associates, Inc. of Mansfield, Ohio, for contract administration and inspection services for the west side utility and connectivity improvements project; 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: Aaron Klein said we have a lot of construction projects going on right now and one of our inspectors is dedicated full-time to Shoreline Drive while the other is inspecting our other projects. We also have other inspectors, but it is important to ensure all of the lines are being installed properly, especially with a project of this magnitude which is along a state route. We will have full-time inspection on-site to stay on top of the contractor to watch and confirm the stone is being placed, backfilled and compacted, and done according to specifications. The cost seems like a large number, but the contractor plans to start around April in the Linden/Edgewater neighborhood and continue through it until approximately September before going onto State Route 6 for another six or eight months. This is a lot of work for our inspectors to be on full-time and will include many twelve-hour days. This is also important for our bicycle path which will withstand the test of time. Dick Brady said in addition to the money we are spending, both of these companies are required to have 100% performance bonds which means if either of them fail, we have an insurance company to guarantee their performance.

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

**ITEM #5 - Submitted by Jane Cullen, Assistant City Engineer
LOAN AGREEMENT WITH OHIO WATER DEVELOPMENT AUTHORITY FOR THE WEST SIDE UTILITY & CONNECTIVITY IMPROVEMENTS PROJECT**

Budgetary Information: The total cost of the loan will be as follows:

Construction	\$3,939,046.00
Design	551,133.00
Construction Administration & Inspection	433,270.45
Contingency (10%)	393,904.60
OWDA Administrative Fee (0.35%)	18,611.00

Capitalized Interest (2.10%) 149,407.02
TOTAL \$5,485,372.07

The entire cost would be reimbursed over 30 years from the Sewer and Water Funds via a low interest loan. Final loan amount will be based on actual final construction costs.

ORDINANCE NO. 20-004: It is requested an ordinance be passed authorizing a cooperative agreement between the City of Sandusky and the Ohio Water Development Authority to finance the cost of design and construction for the west side utility and connectivity improvement project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dennis Murray 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 said we are reaching out to the OWDA as we usually do with sewer and water projects to finance this through a very low interest loan. Aaron Klein said he goes through our rate study and analysis and this year will work with our new Finance Director to ensure compliance and that it falls in line with the budget. This is typical for projects of this magnitude. Dennis Murray pointed out, as we have with so many water and sewer improvements over the course of the years, we do have a General Plan which is required and approved by the EPA, and know what is coming up so these projects do not come as a surprise. This loan will be funded over a 30-year period; these pipes will last a whole lot longer, and this is an appropriate way to invest and finance something which will have a benefit for generations. Users of tomorrow will be paying for this and this is entirely fair and proper and what every city in the United States does. Dick Brady said nothing makes this fact more clear than Commissioner Waddington’s statement some of these lines were put in when Abraham Lincoln still walked on the earth and is a testament to their longevity. Aaron Klein said he wants to assure the commission there is Bike Path money for this project which is not allowed to be included in the OWDA loan.

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

**ITEM #6 – Submitted by Aaron Klein, Director of Public Works
 CHANGE ORDER #1 WITH KOKOSING INDUSTRIAL, INC. FOR THE SHORELINE DRIVE
 REHABILITATION PROJECT**

Budgetary Information: The original contract with Kokosing, per Ordinance 18-192 was \$8,789,877. If the change order is approved, the contract would be increased to \$1,207,937.30 to a total of \$9,997,585.28. The below information shows the original costs, updated costs and proposed funding sources. Individual funding allocations for each proposed additional work item is included in the description of the additional work:

<u>FUND NAME</u>	<u>ORIGINAL CONTRACT</u>	<u>CHANGE ORDER</u>	<u>UPDATED</u>
OWDA, Sewer Fund, Storm	\$1,305,579.00		\$1,305,579.00
OWDA, Water Fund	1,177,565.00	\$28,058.00	1,205,623.00
OWDA, Sewer Fund, Sanitary	1,709,517.00		1,709,517.00
CDBG (FY 2018)	460,542.00		460,542.00
Capital Fund (Chesapeake TIF)	3,409,912.00	\$245,986.68	3,655,898.68
Issue 8 (2018 Pathway)	300,000.00		300,000.00
Capital (2018 Pathway)	168,332.00		168,332.00
Issue 8 (2018 Road)	253,430.00		253,430.00
Private (Wightman Wieber)	0.00	\$500,000.00	500,000.00
Private (DeRiso)	0.00	\$6,000.00	6,000.00
Private (Bob Hare)	0.00	\$8,790.00	8,790.00
Private (Windau)	0.00	\$2,324.00	2,324.00
CDBG (FY 2019)	0.00	\$372,646.59	372,646.59

Capital Fund (Battery Park TIF)	0.00	\$45,632.03	45,632.03
<u>FUND NAME</u>	<u>ORIGINAL CONTRACT</u>	<u>CHANGE ORDER</u>	<u>UPDATED</u>
State of Ohio	<u>5,000.00</u>	<u>-\$1,500.00</u>	<u>3,500.00</u>
TOTAL	\$8,789,877.00	\$1,207,937.30	\$9,997,814.30

The total amount of the 2019 CDBG fund for public facilities was allocated to the Jackson Street Pier or Shoreline Drive. The OWDA loans were approved via Ordinance 19-099. Acceptance of the State of Ohio money is in contained in Item #2. The State of Ohio will withhold \$1,500 from the original \$75,000 grant for administrative fees so that will be removed from the Shoreline Drive portion of the budget to keep the Jackson Street Pier the same.

ORDINANCE NO. 20-005: It is requested an ordinance be passed authorizing and directing the City Manager to approve the first change order for work being performed by Kokosing Industrial, Inc. of Toledo, Ohio, for the Shoreline Drive rehabilitation project in the amount of \$1,207,937.30; 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: Aaron Klein said this is a large Change Order for additional work and wants to make sure all questions are answered. Additions to the project include:

- *Hancock water main* – This was very important to add to the project since the water main under Facer Park is over 80 years old and there is concern that if it ever broke, it would completely wash away the park. We would never have been able to do this for \$28,000. Naomi Twine stated it would cost a lot more if this were not replaced during this project. Aaron Klein said if we were to complete Shoreline Drive and then do Hancock Street, would have to cut into Shoreline Drive after resurfacing and reconstructing to tie it into the water line. This is the right time to do it, fix the trench and abandon the water main under Facer Park.
- *Jackson Street Bump-outs* – The bump-outs at Water and Jackson Streets needed to be done as part of this project and one of the main reasons is because we just resurfaced Water Street a few years ago along this section. When looking for funding for this project, we are trying to be creative. There was additional money left over in the Battery Park TIF fund which covered almost all of this cost.
- *Additional water connections* - We have been very diligent in working with every property owner with an interest in this project and if they were interested in expanding the water service. We had a couple of private property owners ask for new fire lines for their buildings because they are expanding and want to build the upper floors. This will allow them to provide this for their future use. There was an additional ¾" domestic line added for a total cost of \$2,324. Dick Brady asked if these are reimbursable funds and Aaron Klein said when we reached out to the property owners, most of them already had an architect involved for current expansion or design projects and we got commitments from each of them (Windau, Hare and DeRiso). Once the water line is in, we will send them an invoice.
- *East end traffic calming* – This was finalized in June after being presented to the Planning Commission. We conducted a very detailed analysis and four different options were provided at this end of Shoreline Drive. From the original concept presented, we eliminated the drive entrance to Shoreline Park. We added a connection from the multi-use path into Shoreline Park because people will want to be getting out to the edge of the water. We tightened the turn radius and this should slow traffic down and coincides with making the right turn off of Water Street while still retaining a view of the water. This provides safety and a traffic calming affect

without having to slow down. We currently have a three-way stop at Hancock which allows drivers to fly down Shoreline Drive and this change will make it a more walkable street without multiple stops at every intersection. We worked closely with ODNR as well because they go across Shoreline Drive with trailers. There will be red stamped crosswalks throughout the entire project with white delineators on the outside. On the north side of the road, landscaping will be done but no trees to block the views and we have created a buffer so children playing in the park will not be running into the road. To get from the playground to the street, one will have to cross a sidewalk, a 10' multi-use path, an amenity zone and a curb. We worked closely with the Water Street Condominium Association to extend the river rock between the garages further from the building where the garages are. People get confused when they go into this area and it was originally going all the way to the roadway with separate drive aprons. Space was allowed to push snow to the side with a little shaded area to the west of the buildings to tie in the downspouts. The original plan showed overhead lighting the entire length of the project on both sides of the road; all of this has been taken away in this block and the pedestal lights will remain. Dave Waddington asked if the \$500,000 contribution from the Wightman Wieber Foundation is all designated for the Pathway and Aaron Klein said it will be. Mike Meinzer said this Change Order alarmed him but after reading the accompanying information, it is an owner requested Change Order and is the same as wanting to update fixtures when building a home; it was not made by the contractor or part of the contingency. He realizes why we are burying utilities, but is curious why we are spending the money for cable and A T & T; he believes it is because of a city ordinance requiring this. In last year's budget, he sees the city gets about \$300,000 to \$400,000 in franchise fees from these entities and may justify the city paying for this portion. Aaron Klein said nothing is supposed to be overhead from Adams Street north including Washington Park and the high transmission utilities were not allowed to be buried or the cost would have been astronomical. If the city tells a utility company to bury lines, it is the city's responsibility for that change. Mike Meinzer asked if the eight week delay will set the completion date further ahead; Aaron Klein said the 56-day extension will take the project to May 2. Wes Poole said when we started this project, we talked about the benefits of removing wires and the additional expense to bury them. When standing on Shoreline Drive at Jackson Street looking east, your eyes do not stop at Wayne Street. Once we committed to this, the progress and upgrades will help make this project "wow"; not taking the wires down would not have been in our best interest. He will be dead before this \$8 million is paid for, but people coming behind us will be much happier and will get all of the benefit from this. Property values matter, views matter and this investment is worthwhile. He is comfortable with the curb radius and said this solves the problem. The city worked with the citizens along Shoreline Drive and this is a big plus without increasing taxes.

- *Mile Marker Zero* – This is one of the biggest additions to the project because of the Wightman Wieber contribution. This is the area just north of Schade Mylander Plaza and there will be an oval-shaped area with stamped concrete shaped as a zero. This is the starting point of the Sandusky Bay Pathway whether going east or west and the members of the foundation fell in love with the concept. The bollards and chains will be removed to energize the area and the lights will be the same ones which are in Schade Mylander Plaza and will extend it to the water. Persons coming by boat will notice there is a pathway and could go to our transient marina and we hope this will be a place for people to stop, turn around and look to visit our downtown. The bench was not an inexpensive feature and the changes are \$120,000 for this whole area including evaluation of concepts, design and final construction.
- *Overhead Utility Burial from Wayne to Franklin Streets* – Aaron Klein said he always felt unsettled every time he talked to people about this and it did not feel like we were getting everything we should. At one of the Planning Commission meetings,

it was stated “. . . to study and develop traffic calming and safety alternatives for the east end of Shoreline Drive, otherwise not taking any options off the table also concurrent with the burying of utilities along Shoreline Drive. . . ” and this is what he heard time and time again from people. We had to do this and he knew we had to find the money. We went through a process and the final cost to bury utilities from Wayne Street to Franklin Street was \$958,000. Lines will be run on the north side and will connect to the south side so it is not just one conduit. In addition, our IT Director asked for empty conduits for future city fiber along Shoreline Drive. Bob Hare owns property between Water Street and Shoreline Drive and asked the Landmark Commission to allow him to change out his properties and put in drive aprons and will reimburse the city for these additional costs.

- *Private utility burial* – Our project limits went to the right-of-way line and these had to extend to the buildings as well. We had to pay a little extra and the contractor and city staff negotiated the cost from around \$60,000 to just over \$21,000.
- *Other Improvements, updates* – From Franklin Street to the west end of the site, banners will be hung from the poles to recognize the Wightman Wieber Foundation and the Sandusky Bay Pathway at a total cost of \$500,000. Dumpster locations have been finalized and each property owner will be allowed to put their dumpsters inside our enclosure and we are still working out these details with Planning. The city worked diligently with the EPA through the de-watering process and this is the way it should have been done and there were no issues identified by the EPA. A diver entered the outfall area at the base of the Jackson Street Pier and came up on the south end of the slip where the Goodtime boat docks. They were checking this area to make sure there was no water backflow. We fixed a lot of other problems during the project including consolidating sewers at Wayne Street, adding more catch basins and will be adding backflow preventers in-house. The railroad tracks were removed under the roadway from Chesapeake east. Street lights (upper) were eliminated along the roadway from Hancock Street east. Property owners will be permitted to have outdoor dining/patios and have made sure it will be bright enough for this. We selected benches, a compass rose at the southeast corner of Jackson Street and the southwest corner of Wayne Street to set the blocks off. We have confirmed locations for trees and made sure they will only be put in the areas where there is a building on the north side of the roadway so views will not be blocked. Wayne Street will be improved with new curbs, gutters and sidewalks and will be resurfaced. We have already been approached by two businesses along Water Street who want to know when they can put outdoor dining on Shoreline Drive as they want to be ready in May or June when it is complete. We could not get the sidewalk right up against the curb so the outdoor dining space will be on the back side of the curb with a 5' walk between decks and the dining area. We will make sure this is all signed well.

Aaron Klein said we had set a budget for this project and received \$500,000 from the Wightman Wieber Foundation, \$245,986.68 from the Chesapeake TIF fund, and were able to cut some things out as we went through it and add some TIF money back in. This is not additional from the Chesapeake TIF, but was in our original budget for the Jackson Street Pier and Shoreline Drive projects. Battery Park TIF funds were used for the Jackson Street bump-outs. When we received the original conceptual estimate, way before we did the original design/build project and before we hired Osborne Engineering to go through the process at the end of 2015, the estimate was \$5.5 million and did not include sewer and water. This is when we decided to look at the utilities if we were doing the entire roadway. Everything done to date has been sewer and water line work. This is a big project but with the utilities, getting all new infrastructure and making this a comprehensive project, it will have a much bigger feel and will completely energize this six block area. Dennis Murray said he will abstain from voting on this item.

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

ITEM #7 - Submitted by Aaron Klein, Director of Public Works

AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR A SUBMERGED LANDS LEASE FOR SHORELINE DRIVE

Budgetary Information: Since the right-of-way area is considered a “governmental non-income producing” facility, the 50-year lease will cost \$1 per annum, which will be paid from the general fund.

RESOLUTION NO. 002-20R: It is requested a resolution be adopted pursuant to Section 1506.11 of the Ohio Revised Code finding and determining that based upon the representations and application filed by the City of Sandusky, the use and development of the territory so described, a submerged lands lease may be entered into by the State’s Director of Natural Resources; 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: Aaron Klein said this is for the north right-of-way and the land was surveyed by the ODNR 2018. They did not want to hold up the Shoreline Drive project, but wanted to make sure the property lines were correct. This is similar to what we have done on Curran Street and in other public rights-of-way and will cost \$1 per year from the general fund. Dick Brady asked if we pay them \$50 now or \$1 per year; Michelle Reeder said we will pay this each year (\$1).

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

ITEM #8 - Submitted by Stuart Hamilton, IT Manager

SUBSCRIPTION LICENSING FOR MICROSOFT OFFICE 365 FOR GOVERNMENT FROM INSIGHT PUBLIC SECTOR

Budgetary Information: The cost for this service for a 12 month period will be \$25,662.35, and will be paid by the Information Technology Department’s operating budget in the amount of \$12,831.17, by the water fund in the amount of \$6,415.59 and by the sewer fund in the amount of \$6,415.59.

ORDINANCE NO. 20-006: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the subscription licensing for Microsoft Office 365 for Government from Insight Public Sector of Hanover Park, Illinois, for the city’s e-mailing system; 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 Wes Poole, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter.

Discussion: Stuart Hamilton said this is our yearly subscription licensing for our email server, email messaging and one drive storage. We have 76 licenses at this point and this number fluctuates every year; Microsoft provides the service.

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

ITEM #9 - Submitted by Eric Wobser, City Manager

MEMORANDUM OF UNDERSTANDING WITH THE NATIONAL RESOURCE NETWORK

Budgetary Information: The Network estimates the value of the direct assistance to the City of Sandusky is \$187,500. The Network will fund 75% of this cost. The City of Sandusky will provide 25% of the total estimated cost of the direct assistance plan or \$46,875.00. The city will initially pay with operating funds from the City Manager's budget that are dedicated for strategic planning. The city's goal is to offset a portion of the cost through funds raised from private resources. Payment is due no later than 60 days after the execution of the Memorandum of Understanding, or on a schedule mutually agreed upon by the city and the Network prior to the commencement of the direct assistance engagement. If the value of the direct assistance increases due to an increase in scope agreed to by the Network and the city and commemorated by a written amendment, the city will then be responsible for 25% of any increase in cost.

ORDINANCE NO. 20-007: It is requested an ordinance be passed approving and ratifying the submission of an application to the National Resource Network and authorizing and directing the City Manager to enter into a Memorandum of Understanding with the National Resource Network for assistance related to the development of a multi-year financial plan; 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: Eric Wobser said the National Resource Network is a national non-profit and has a focus area which includes working to build capacity for financial sustainability in urban areas in legacy cities. They forged a partnership funded by some national foundations to create a pilot program called the Ohio Resource Network and ultimately partner with Greater Ohio (a non-profit) focusing on Ohio's urban areas based in Columbus. Greater Ohio then conducted a competition amongst cities to apply for funds to be part of the three piloted cities in the state. One of them had to be from Appalachia and impacted by coal closures. This was to apply for grants to help to do a complete financial analysis and a long-term financial plan for the city so we can look at how to make sure we are operationally sound, how to make us recession-proof and to give us ideas as to best practices for things like staffing levels and long-term public project financing. We have done a really good job of being financially responsible, but we never get the highest rating and the reason for this is based on the strength of the regional economy. The other part is to be able to take a look at the economic conditions of Sandusky as well as the surrounding region to determine what the city can do as a partner for non-profit and business institutions. We also want to make sure we are transitioning the economy from one based predominantly on manufacturing to one that still does, but to look at other opportunities to grow. This is a two part process and is funded at 25% by the grant; they require a 25% local match which is in our budget and will offset some of these funds with some of our regional partners. Because of the timing and the national grant having to be spent down, we wanted to proceed with legislation now so this process can begin and complete both phases of the project in time. Dennis Murray said he does not want us to move past this too quickly without recognizing the importance of this particular piece of legislation and this study. We have grown by leaps and bounds over the last couple of years but a lot of it has been through input from others including the State of Ohio which conducts an audit every year to examine our books. This is something different and is a way to take a look at how we are investing what we have today and tomorrow in a way which compares to what other cities with best practices are doing. There are a lot of opportunities that will come out of this we do not yet recognize because this study has not been completed. The one thing we truly lack in this area is a roll-up organization which allows us to take a look at the region as a whole. Communities of our size in Erie County or northern and north

central Ohio which have been particularly successful have done a couple of different things. They have either consolidated governments - which does not seem to be in our cards - or they have developed entities that provide an effective platform. Those entities have come together to think about what the problems are going forward and how it is we can develop solutions. We do not have this today nor do we have the ability to have an outside firm come in and have that discussion. When we look back twenty years from now, we will look back to the work done as a result of this engagement and say it really made a difference. Wes Poole said this is something we absolutely need to do and there is no question, going forward, if we are to be successful, we will have to have a thorough plan for what to spend our money on. Dick Brady said when these people came to town, they brought about nine individuals and interviewed a lot of our staff. They fired 40 to 50 questions about what we are doing in the city, what we intend to do and what our direction is. He realized this was a competitive opportunity and we were not going to just be given this opportunity, we were going to have to earn it. We earned it by what we have done in the last 60 years. He thinks they like this opportunity (Sandusky), and thinks they see it as one for the entire community to benefit. It all rolls back to the concept of cooperation and collaboration and we are able to leverage a very small amount of dollars for what could be very high level economic development in the future and urges the commission to support it.

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

CITY MANAGER'S REPORT

- **Eric Wobser congratulated Dick Brady on ascending to the role of Commission President. He thanked Dennis Murray for an incredible six years of leadership. He remembers reading a written statement made by Dennis Murray in 2013 about Sandusky being a city which used to do big things but has been battered pretty hard by a lot of forces outside of our control and perhaps we had lost this ability in ourselves. He does not think anyone will look back at the last six years while Dennis Murray was President and say the city is no longer doing big things. This is a testament to the entire commission, but someone has to sit at the head of the table. It has been really special for him and all of the staff and community members to see this leadership in action. The ship has turned and he looks forward to seeing what the city will accomplish in the next few years.**
- **Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept a donation in the amount of \$35 from Kathleen Fitz for the K9 Fund. The President declared the motion passed.**
- **Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept a donation in the amount of \$122 from the Friends of the Sandusky Greenhouse for the Charity Fireman's Shoe Fund. The President declared the motion passed.**
- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept a donation in the amount of \$5,000 from Cedar Fair for the Opportunity Zone Master Plan. The President declared the motion passed.**
- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to affirm reappointments and new appointments to various boards and commissions which are made by the City Manager:**
 - **Reappointment of Mark Harrington, Joe Hayberger, Carl McGookey and appointment of Steve Poggiali to the Bayfront Corridor Committee through December 31, 2022;**

- **Reappointment of Al Nickles to the Economic Development Incentive Committee through December 31, 2022;**
- **Appointment of Elisha Sibbitt, as a resident participant, to the Erie Metropolitan Housing Authority Board through December 8, 2024;**
- **Reappointment of Charlie Murray to the Erie County Board of Health through December 31, 2024;**
- **Reappointment of Sharon Johnson and Dana Gamblin to the Housing Appeals Board through December 31, 2022;**
- **Appointment of Allison Will as an alternate member of the Housing Appeals Board for the remainder of a three-year term and through December 31, 2020;**
- **Reappointment of Keri May to the Income Tax Board of Review through December 31, 2021;**
- **Reappointment of Mark Dunn, John Zoellner and Dave Swander to the Plumber Examining Board through December 31, 2022;**
- **Reappointment of Brian Stanley to the Public Arts & Culture Commission through December 31, 2022;**

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

- **Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Charlie Murray to the Erie County Board of Health through December 31, 2024. Roll call on the motion: Yeas: Blake Harris, Naomi Twine, Dick Brady, Mike Meinzer, Wes Poole and Dave Waddington, 6. Abstain: Dennis Murray, 1. The President declared the motion passed.**
- **Eric Wobser congratulated Lt. Mike Campbell** who officially retired from the Police Department on January 2, 2020. He thanked him for 29 years of dedicated service to the community. He also congratulated **Stephen Ritterbach who was promoted to the rank of Lieutenant** on January 9, 2020; **Evan Estep who was promoted to the rank of Sergeant** on January 9, 2020; and **Patrick O'Connor who was sworn in** at tonight's meeting with an effective date of January 10, 2020.
- **Original appointment testing through the National Testing Network (NTN)** begins January 15, 2020 and runs through March 1, 2020 for full-time candidates. Information can be found on the city's website or through the NTN website; contact Victoria Schaefer 419.627.5885 for any questions.
- We highly recommend to property owners whose **dwellings are expected to remain vacant and unoccupied during the winter months to contact our office to turn off the water.** This will help prevent water lines from freezing and breaking which would lead to costly repairs for the property owner. The Customer Accounting Office number is 419.627.5893.
- **Congratulations to Nick Jacobs for his promotion** to Utility Operator II at Big Island Water Works.
- The **Ohio Public Works Commission has awarded \$175,000 for the Camp Street improvements project** which includes resurfacing and reconstruction of Camp Street between West Monroe and West Washington Streets. Unfortunately, the application for

the citywide resurfacing program was not awarded which would have allowed the city to expand the planned local resurfacing project including 75 asphalt street sections, which will be presented at the next commission meeting. Construction on Camp Street is anticipated to begin in August.

- In order to provide a safe, walkable community for all our residents, it is important to maintain **clear sidewalks during the winter months**. Property owners are responsible for clearing their sidewalks and any adjacent sidewalk ramps of snow and ice.
- On January 5, 2020, the city published the **annual notice in the Sandusky Register outlining solid waste disposal requirements**. Any properties found to have trash, debris, garbage or other refuse in the public right-of-way or boulevard outside of the permitted times shall be declared a nuisance and the city may cause said refuse to be immediately removed without further notice. If the city removes the nuisance, the cost of doing so, along with a \$100 administrative fee, shall be assessed to the property owner. As a reminder, trash, debris, garbage and other refuse or recyclables may be placed upon a curb for curbside collection no earlier than 6 p.m. on the evening prior to the scheduled collection of solid waste between April 1 to September 30 and 4 p.m. between October 1 to March 31, and any solid waste or containers which remain after collection shall be removed from said curb no later than 8 p.m. on the date of collection.
- The **Economic Development Incentive Committee** meeting is January 14 at 1:30 p.m. in the City Commission chambers.
- Pursuant to the grant agreement entered into with the Erie County Port Authority, the city released its second of three disbursements to the **Cedar Fair/BGSU School of Resort and Attraction Management** project. To date, the city has disbursed \$880,000 of the \$1 million grant. The final \$120,000 will be due in January of 2021.
- As part of the 2020 **Public Art Work Plan**, the Public Arts and Culture Commission wishes to issue two small grant programs. As of now, each program would receive a maximum of \$15,000 per year. The first program would allow businesses, either in partnership with an artist or in partnership with the Sandusky Public Arts and Culture Commission, to submit a grant application for the design and installation of a piece of artwork to be placed or viewed by the public. The second program would offer an opportunity for an artist to submit projects through a grant application for the design and installation of a piece of artwork(s) to be placed or viewed by the public. The Public Arts and Culture Commission intends to release a Request for Qualifications to establish a new pre-qualified list of emerging and established artists and artist teams working in a variety of visual media and artistic approaches for its 2020 - 2022 Pre-Qualified Artist List. This list will allow the Public Arts and Culture Commission to do direct selection of artists on small projects with quick timelines. The Request for Qualifications is intended to be released the week of January 27 and qualifications will be accepted any time after the release.
- The **Planning Commission** meeting has been canceled as the application submitted has been withdrawn.
- The **Board of Zoning Appeals** meeting is January 16 at 240 Columbus Avenue in the City Commission Chambers.
- The **Landmark Commission** meeting is January 15 at 4 p.m. at 240 Columbus Avenue in the City Commission Chambers.
- The **Public Arts and Culture Commission** meeting is January 21 at 5:15 p.m. at 240 Columbus Avenue in the City Commission Chambers.

- Dick Brady said he feels compelled to acknowledge **Eric Wobser's presentation last Friday at the Cleveland City Club**. This was truly a homecoming for him which was evident. This was also an opportunity for Eric Wobser to showcase what he, the staff and commission has done in the last six years. Two gentleman who were there said they had attended City Club luncheons for decades and they had never experienced as warm a reception as they did for this presentation. Eric Wobser made the city proud.

OLD BUSINESS

Dave Waddington said he would like to take another look at the **lease for Mills Creek Golf Course**. The city spent nearly \$5,000 on property taxes this past year and was told this could be done since we were making profit, yet a recent newspaper article said the city was \$40,000 in the hole and the lease and the rainy season is killing us. He would like to sit down and reconfigure the lease to perhaps not use the Catholic Cemetery property. Hole 3 is in a floodplain and Hole 4 goes out to the tree line and said perhaps we could come up with some different ideas to change it. We are nearing \$1 million now over the life of the lease for eight to ten acres of property. Dennis Murray said he agrees and said this lease is an abomination; it may have been fair at one time, but it is not now. It runs through 2024 so there are only another couple of years left but it is time to fish or cut bait. Having a municipal golf course is increasingly rare and is an asset we should hold onto; he does not look at it as a \$75,000 cost as there are many parks which cost a whole lot more. We do not expect parks to pay for themselves and we should not expect Mills Creek Golf Course to do so either, but we do need to call the question and ask if they would like to renegotiate with us or move in a different direction and redesign the golf course. This year is the 80th anniversary of the golf course and it would be a good year to resolve the question. Dick Brady said he does not want to continue to kick the can down the road about this and it is time to begin the process and to reach out to the Diocese. The purpose would be to give this more relevance and take it seriously. Dave Waddington said in 2007, he shared concerns about this and hopes someday we can get back on our feet. Wes Poole asked what portion of this land is in the flood plain and Eric Wobser said he would have to check this to get an answer. Eric Wobser said he will reach out to Dennis Murray and Dave Waddington and the appropriate staff members to elevate this and gain movement.

NEW BUSINESS

Dave Waddington said he would like to look at making **Madison Street one-way between the splash pad and the new play equipment in Huron Park**. A lot of kids run across the street and this would help make it safer. Parents with two or three kids might not be paying attention and kids could run into the road and he would like to make it safer.

Upon motion of Dennis Murray and second of Naomi Twine, the commission voted to adopt the revised set of Rules of Order, as distributed.

Discussion: Dennis Murray said he circulated a draft set of Rules of Order and has updated this to reflect our current practices. Wes Poole asked to go through the thought process behind what we are trying to accomplish with some of the changes. Section 4.05 states the President may deem advisable, or arrange the seating of the members of the commission, and suggested the commissioners should be able to identify where they sit down and this is not First Grade. There is no need for this and this body does not have the authority to bestow Ayatollah-like powers. It seems silly to be told where to sit. Dennis Murray said he was seeking to codify what has long been done so there would not be any question about this in the future and is set forth in the Rules of Order. He always has liked the rotating chairs; Dick Brady said he never found the rotating chairs to be effective and served as a commissioner in 2010 when there were assigned seats which seemed to be what was done for 30 to 50 years. Naomi Twine said as written, the President may do this if advisable and leaves it up to that person. Wes Poole said this is making a hard rule which commissioners should determine for themselves. We are trying to make rules which make sense and accomplish something; accumulating power at the head table is not good for us long-term. Seven elected officials unable to agree about where they are going to sit is sad to be dictated. Wes Poole asked if the roll call vote is a law (rotating); Dennis Murray said to the best of his knowledge, this is not a law, but it is a substitute for what we were doing by rotating

chair positions. A lot of bodies have a rule that periodically the person who votes first at one meeting would vote differently at the next so the vote rotates and the last vote is carried around evenly among member of the body. Wes Poole said they could just as easily instruct the Commission Clerk to do it this way and let her come up with a practice to accomplish what they want. Wes Poole said Section 5.06 is already covered in the Charter (Duties of the City Manager). The last sentence of this section is how things operate and if there is a complaint of an employee being directed to do some work, this should be handled as a body and codifying this makes little sense; he asked the penalty for violation and said it cannot be enforced. With regard to complaints from citizens, it has been his practice to forward these emails to the City Manager and has no intention of writing memorandums or letters. He is not sure what the purpose of complicating this job is. If he chooses to forward an email rather than write a letter, there is no authority to enforce it. The Charter tells the commissions' authority. Dennis Murray said he regards forwarding an email as an appropriate letter. He can think back to times when there were problems with directives coming from commissioners to subordinates of the City Manager and the City Manager not being in the loop; this makes employees feel uncomfortable and this is simply a way to codify this. He said this does not create a mechanism for persons to be reprimanded if they do not follow it. In general, this is normative, and we are trying to say how business should be conducted and is what he was trying to capture with this modification. Mike Meinzer said he likes the idea of this to reinforce the Charter and the chain of command. Being a past Department Head when things were not going as well as they are now, he was asked to do things which were unethical or unprofessional. He refused and called 9-1-1 to get commissioners out of this office and said there is nothing wrong with the changes proposed to the Rules of Order. Mike Meinzer thanked Dennis Murray for being the Commission President and adding ethics and professionalism back to that seat. It has not always been like this, but he had the displeasure of working with unprofessional ones. He knew Dick Brady as Vice President and thinks he deserves this chance and is why he voted for him. He spoke with Department and Division Heads and has been told Dennis Murray and Dick Brady did not interfere in the day-to-day operations; they had professionalism which made everyone work together and respected. Naomi Twine said she supports the changes to the Rules of Order. There have been some past challenges with elected officials reaching into the chain of command. She has worked in public service for 30 years and also experienced these things and they can put the employee in a very difficult position at times. This could also put the City Manager into a position of not knowing what is going on if they are not part of a complaint or concern. This is a good addition to the Rules of Order so everyone is clear. This is not saying a commissioner cannot discuss something going on with an employee; it should be addressed with the City Manager or the President or Vice President. There are ways and opportunities to address things and she does not want what the elected officials do to put city staff in difficult positions of determining whether they need to do something or not. Wes Poole said to recognize this does not address inappropriate commissioners. This is already in the Charter and this was brought up as a result of things that have happened in the past and Mike Meinzer has been retired for several years so this is not something we need to fix. Inappropriate commissioners will still be inappropriate. Lastly, Wes Poole said the audience participation section states commissioners will only answer questions as directed by the President of the Commission. We should not debate public speakers, but when people present issues to the commissioners, the only opportunity to respond is here. If clarification is needed, just like when staff presents something, this is city business and it should be conducted exactly the same way. Debating is not in order and there is an ability to deal with this. The President of the Commission does not get to dictate what city business they may or may not discuss or whether to respond to other elected officials and this is going to be tested immediately. This should be reconsidered before voting. Wes Poole said as a point of order, the changes in the rules, as proposed, require they be read and discussed at a meeting prior to the meeting they are voted on. Wes Poole said there is a section which deals with having Executive Sessions; state law says discussion in Executive Session is not automatically confidential and the law covers which portions are. The changes made in this document cannot restrict elected officials any more than state law does. Trevor Hayberger said the Rules of Order can always be more restrictive than the state government. Wes Poole suggested they can be more restrictive in the Charter, but not in the Rules of Order.

The President declared the motion passed.

Trevor Hayberger said this will be brought back to the table at the next commission meeting.

Upon motion of Dave Waddington and second of Dennis Murray, the commission voted to reappoint Alan Griffiths and Ryan Nagel to the Landmark Commission for terms ending December 31, 2022. Roll call on the motion: Yeas: Blake Harris, Naomi Twine, Dick Brady, Dennis Murray, Mike Meinzer, Wes Poole and Dave Waddington, 7. The President declared the motion passed.

Upon motion of Wes Poole and second of Dave Waddington, the commission voted for Kelly Kresser to be the Ohio public records designee for the City Commissioners. Roll call on the motion: Yeas: Blake Harris, Naomi Twine, Dick Brady, Dennis Murray, Mike Meinzer, Wes Poole and Dave Waddington, 7. The President declared the motion passed.

Upon motion of Dennis Murray and second of Wes Poole, the commission voted to appoint Mike Meinzer to the Planning Commission (voting member) and Blake Harris to the Community Relations Commission. Roll call on the motion: Yeas: Blake Harris, Naomi Twine, Dick Brady, Dennis Murray, Mike Meinzer, Wes Poole and Dave Waddington, 7. The President declared the motion passed.

Dick Brady said in the next few days he will reach out to the Commissioners to formally set **liaison appointments**.

Dick Brady said with the appointment of John Orzech as the Assistant City Manager, we will be formally naming persons to a Police Chief Selection Committee. Our Charter is very specific as to the makeup of the committee and either he, or his designee, serves as Chairperson along with the Chairperson of the Civil Service Commission (Vince Rhodes) and three city residents. This committee will navigate through the qualification and interview process and then submit the names of as many as three finalists to the City Manager for the final selection. He will provide the names of these three residents at the next meeting to serve on this Committee.

Dick Brady said this is also the year our **Charter Review** will take place. Advertisement has been submitted seeking volunteers to serve on this Committee and after a 30-day period, each commissioner will select two persons each to serve. The selections do not have to be persons who apply, but they can be, and asked each of the commissioners to start thinking who they might select.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, asked how many of the utility poles will be removed as part of the Shoreline Drive project and if there will be areas where all utility wires will be removed. At the corner of Fremont Avenue and State Route 6, there is about one tenth of a mile in atrocious condition and asked if this area will be rebuilt. It does not make any sense to do all of this work and not this section which is crumbling.

Tom LaMarca, 206 48th Street, congratulated Eric Wobser on his presentation at the Cleveland City Club and said he has noticed a lot of the cities along the lakefront are attempting to copy us and this is a good thing. He is pleased with the National Resource Network tie-in because this will give us some guidance as a city as far as salaries go. With this in mind, we have just given the City Manager a \$10,000 pay increase and this is only \$3,650 less than the Governor of the State of Ohio. Our salaries across the board are getting top-heavy and we need to take a look at this. Our Law Director's salary should be a notch below the City Manager as this is a pretty important position. We are adding a new position of Assistant City Manager with an unknown salary and still do not have a job description for the position. He is wondering why we are building new on Hayes Avenue when the city still has the Meigs Street property which could be added to and updated. We just spent millions of dollars on the new City Hall while the Meigs Street parcel is only about 60 years old. The city has roughly 25,583 persons who are all looking at what is going

on here, but are afraid to speak. Recessions run in cycles and he would hate to see our city get caught in a tax reserve crunch and thinks we are spending all of our dollars today and there is not going to be anything left. We should take a look at not requiring every position in the city to get an annual raise; perhaps a cost-of-living adjustment. The railroad ties are popping up on Camp Street and wonders if this is in the five year plan. If there was a ward system, someone from this end of town would be here asking about this.

Arlene Thompson, 1902 Adrian Circle, said she received a notice on January 3 before her second water bill was even due for a shut-off and asked to be cut a break. The city should come up with a better software package. Estimates should be provided by dividing by twelve months, not simply paying the same amount as the month before. She saw disrespect tonight from other commissioners toward Wes Poole who has valid ideas to improve the seating. She told her neighbor the commission was not answering questions anymore and he said they used to do this. Shutoff notices are sent automatically the day a payment is late and hers is only \$60 and the city will not go broke for this.

Vicki Bird, 2114 Wilbert Street, welcomed the new commissioners. Six years ago on July 23, 2014, a city meeting was held and three of the (current) commissioners attended and decided to put Issue 8 on the ballot. She likes where the city is today and is sure the commission is going to be honest about where they are spending money. Her main concern six years ago was Fire Station #7 which was important to her as a west side resident. Without good safety services and good infrastructure, the city will crumble and die. We are a legacy city and asked if we are part of the legacy initiative which can help with funding. Keep moving forward and rebuilding; we have to do this and she likes what she sees.

Kathryn Carter, 5309 Columbus Avenue, said she is glad to see someone purchased the house on Central Avenue and will be restoring it. She is sad to see the Cooke Building has to be torn down and that so much money had to be put into it by the owners before they realized this but what she has seen will replace it looks very interesting. It would be nice if they could use the stone or if they could dump it and let people pick it up. She asked what happens to property in the city when it is sold by the city. Broadcasting this meeting seems to be a problem. She does not understand the Jackson Street bump-outs with the crosswalk being so far back and drivers have to pull so far forward to see if traffic is coming. She is very happy with the stop signs as it is a blind spot. Everybody keeps talking about calming traffic on Shoreline Drive but asked how the city knew it was a speedway. The newspaper stated the city is not responsible for clearing snow from sidewalks in front of businesses. If they are not, they should not be responsible for picking up trash, cleaning up cigarette butts from sidewalks, curbs and back alleys.

ADJOURNMENT

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to adjourn at 7:45 p.m. The President declared the motion passed.

Kelly L. Kresser, CMC
Commission Clerk

Richard R. Brady
President of the City Commission