

The President called the meeting to order at 5 p.m. after the Invocation, given by Blake Harris, and the Pledge of Allegiance.

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

City staff present: Eric Wobser – City Manager, Brendan Heil – Law Director, Don Rumbutis – IT Technician and Stuart Hamilton – IT Manager.

City staff via teleconference: John Orzech – Assistant City Manager, Michelle Reeder – Finance Director, Jonathan Holody – Development Director, Jared Oliver – Police Chief, Aaron Klein – Public Works Director, Jim Green – Acting Fire Chief and Kelly Kresser – Interim Commission Clerk.

Upon motion of Dave Waddington and second of Dennis Murray, the commission voted to approve the minutes of the September 27 regular meeting and suspend the formal reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

None.

CURRENT BUSINESS

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

REGULAR AGENDA

ITEM #1 – Submitted by Jason Werling, Recreation Superintendent

AGREEMENT WITH SUPERGAMES FOR RENTAL OF SYNTHETIC ICE RINK & EQUIPMENT

Budgetary Information: This rental will be paid entirely with donated funds from the Jackson Street Pier amenities fund dedicated for amenities for the Jackson Street Pier.

ORDINANCE NO. 21-145: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with SuperGames of Columbus, Ohio, for the rental of a synthetic ice rink and equipment to be located 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 Blake Harris and second of Naomi Twine, the Commission voted to approve the ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Discussion: Jason Werling said we are planning on having a synthetic ice rink approximately 36' x 50' to be placed on the Jackson Street Pier where the stage was set up for Party at the Pier events held this summer. This is planned by using funds donated by Civista Bank and the ice rink will be open on Thursdays, Fridays, Saturdays and Sundays from Thanksgiving through Martin Luther King, Jr. weekend. The skating will be free but there will be a rental fee for the skates. We also will open days school is not in session.

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

LEASE AGREEMENT WITH YAMAHA MOTOR FINANCE CORPORATION FOR 12 GOLF CARS

Budgetary Information: The total cost over the five-year period is \$43,920 which includes 3.8% interest and will be paid with Mills Creek Golf Course funds. The yearly cost is \$8,784 and will be paid in six monthly payments due May through October.

ORDINANCE NO. 21-146: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a municipal master lease agreement with Yamaha Motor Finance Corporation, U.S.A. of Cypress, California, for 12 glacier white Yamaha gas golf cars through Lake Erie Golf Cars, LLC, of Warrensville Heights, Ohio, for the Mills Creek Golf Course for the period of November 15, 2021, through November 14, 2026; and declaring that this ordinance be passed in accordance with Section 14 of the city charter.

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

ITEM #3 – Submitted by Jared Oliver, Police Chief

CONTRACT WITH THE ERIE COUNTY GENERAL HEALTH DISTRICT BOARD OF HEALTH FOR BULKY AND SOLID WASTE VEHICLE INSPECTIONS

Budgetary Information: The city will collect an annual registration fee of \$50 per vehicle for the purpose of inspection, administration and enforcement of Chapter 955. One half of the permit fees collected will be paid by the city to the Board of Health for providing bulky and solid waste vehicle inspection services.

RESOLUTION NO. 042-21R: It is requested a resolution be passed authorizing the City Manager to enter into a contract for services with the Erie County General Health District Board of Health for bulky and solid waste vehicle inspection services for the period of December 1, 2021, through November 30, 2022; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dennis Murray and second of Wes Poole, the Commission voted to approve the 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, Dave Waddington, Blake Harris, Mike Meinzer, Wes Poole and Dennis Murray, 7. The President declared the motion passed. Roll call on the resolution: Yeas: Dick Brady, Naomi Twine, Dave Waddington, Blake Harris, Mike Meinzer, Wes Poole and Dennis Murray, 7. The President declared the resolution passed under suspension of the rules and in full accordance with Section 14 of the City Charter.

ITEM #4 – Submitted by Jared Oliver, Police Chief

DISPOSAL OF WEAPONS AND PURCHASE OF NEW WEAPONS FROM VANCE OUTDOORS, INC.

Budgetary Information: The total cost for the 55 Sig P320 PRO 9mm caliber duty weapons and three magazines is \$7,792.70 which will be paid with federal forfeiture funds. This purchase will have no impact on the general fund.

ORDINANCE NO. 21-147: It is requested an ordinance be passed authorizing and directing the City Manager to dispose of 69 Glock 34 GEN4 9mm caliber duty weapons, two Remington M700 rifles, 15 Remington 870 shotguns, 60 Streamlight TLR1 lights and 12-gauge shotgun ammunition from the Police Department as having become unnecessary and unfit for city use pursuant to Section 25 of the city charter; and authorizing the City Manager to purchase 55 SIG P320 Pro 9mm duty weapons from Vance Outdoors, Inc., of Columbus, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing program for the Sandusky Police Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Mike Meinzer and second of Naomi Twine, the Commission voted to approve the 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, Dave Waddington, Blake Harris, Mike Meinzer, Wes Poole and Dennis Murray, 7. The President declared the motion passed. Roll call on the ordinance: Yeas: Dick Brady, Naomi Twine, Dave Waddington, Blake Harris, Mike Meinzer, Wes Poole and Dennis Murray, 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 Kelly Kresser, Interim Commission Clerk
NEW LIQUOR PERMIT FOR FLASH ENTERPRISES, INC.**

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

The city is in receipt of a **Notice to Legislative Authority from the Ohio Division of Liquor Control for a new C2 (Wine and mixed beverages in sealed containers for carry out) liquor permit for Flash Enterprises, Inc. dba Flash Drive Thru, 802 Hancock Street.** It is requested the commission authorize the Interim Commission Clerk to notify the Ohio Division of Liquor Control the city does not request a hearing for this permit transfer.

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

CITY MANAGER'S REPORT

- **Upon motion of Naomi Twine and second of Dennis Murray, the commission voted to accept a donation of unused weight equipment for the Sandusky Police Department from the County Sheriff's Office through the Erie County Commissioners. The President declared the motion passed.**
- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept the donation of pizza from Matt Keech of Cameo Pizza for the Sandusky Recreation Department for the inaugural Sunset Cruise that served to thank volunteers on city boards and commissions. The President declared the motion passed.**
- **Upon motion of Dave Waddington and second of Dennis Murray, the commission voted to allow the emergency purchase of a grinder from JWC Environmental for the Venice Road lift station.**

Discussion: Eric Wobser said Grinder #1 at the Venice Road lift station failed last week and it is imperative to install a replacement unit to ensure the long-term protection of the pump impellers. If the heavy solids common at this location are not ground up with a Muffin Monster channel grinder, the pumps would risk being fully plugged causing backups throughout the sanitary sewer system that discharges to the lift station. Staff is requesting emergency approval to immediately purchase a new unit for \$21,381 from JWC Environmental as delivery schedules are very unpredictable.

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

- Eric Wobser said he would like to extend a huge **thank you, once again, to members of the Sandusky Gentleman’s Club for their help at Dump Day.** Dennis Murray said he did not get down to the cleanup day or the Blue Streak 5K race but understands the participation was lower this year. He thinks we have counted on the newspaper to get the word out about these events and hopefully having a new Communications Director will help make a difference and hopes we keep this in mind. A lot of folks he ran into were quite surprised to know these events occurred.
- Streets and Traffic staff will begin **city-wide leaf collection** on November 15. The schedule is posted on the city’s website and on social media pages. There will be a drop-off area for bagged leaves near the Marquette Drive entrance to the City Service Center October 25 through January 21. For questions about the City’s leaf collection program call 419.627.5829.
- In preparation for the holiday season, Horticulture staff has started to **remove flowering planters** in various locations throughout the downtown business district and waterfront. In the coming weeks, they will begin **stringing lights in Washington Park and hanging light pole garlands and banners** along downtown streets.
- **The State of Ohio will accept applications through November 18 for up to 73 new medical marijuana dispensary licenses.** Planning staff is assisting a number of businesses which are considering sites in Sandusky to propose for new dispensary facilities.
- Staff would like to thank all of the city officials, staff and residents that attended the **Neighborhood Ice Cream Socials** over the past six weeks. The feedback gathered will be summarized and presented at the next City Commission meeting.
- The **Public Arts and Culture Commission** meeting is October 19 at 5:15 p.m.
- A special **Landmark Commission** meeting is October 20 at 5 p.m.
- The **Board of Zoning Appeals** meeting is October 21 at 4:30 p.m.
- The **Planning Commission** meeting is October 27 at 5 p.m.

OLD BUSINESS

None.

NEW BUSINESS

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to appoint Kima Yandell to the Landmark Commission to fulfill the remainder of a three-year term set to expire on December 31, 2023. Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Dave Waddington, Blake Harris, Mike Meinzer, Wes Poole and Dennis Murray, 7. The President declared the motion passed.

Upon motion of Naomi Twine and second of Wes Poole, the commission voted to hire Cathy Myers beginning October 18, 2021, as the new Commission Clerk at the rate of \$50,000 per year and including two weeks of vacation time.

Discussion: Dick Brady said the selection committee for the hiring of our new Commission Clerk was made up of Naomi Twine, Kelly Kresser and Debi Eversole from the HR Department and they are prepared to make this recommendation for hire. Naomi Twine said interviews were held with several persons including one who got another job prior to the actual interview. There were a large number of applicants and she thought this was a good thing. The committee settled on Cathy Myers who has many years of public service, most recently as a Fiscal Officer/Clerk for one of the smaller municipalities. She did very well in the interview, is very personable and has a history of government and public service experiences. She also has a number of years of service at the state level and thinks she comes well-prepared to be successful in the job. Kelly Kresser has done a wonderful job as Commission Clerk for many years and we look forward to her training with Kelly for a few weeks to get acclimated if appointed tonight. Cathy Myers thanked the commission and said she looks forward to serving the City of Sandusky. She is a graduate of Sandusky High School and said this is her hometown and we never forget our first love.

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

Upon motion of Dennis Murray and second of Naomi Twine, the commission voted to hold an executive session regarding pending litigation and real estate. Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Dave Waddington, Blake Harris, Mike Meinzer, Wes Poole and Dennis Murray 7. The President declared the motion passed.

Upon motion of Dennis Murray and second of Naomi Twine, the commission voted to hold an executive session regarding personnel, the City Manager's evaluation. Roll call on the motion: Yeas: Dick Brady, Naomi Twine, Dave Waddington, Blake Harris, Mike Meinzer, Wes Poole and Dennis Murray 7. The President declared the motion passed.

AUDIENCE PARTICIPATION

Tom Baskin, 815 Bardshar Road, said he received a letter in the mail regarding the proposed charter change and understands Section 82 directs the Clerk of the Commission to send a copy of any proposed changes to the charter. He is having trouble understanding where the commission gains authority to either support or oppose the proposal in this letter. Section 65 says the city defers to the Ohio Revised Code regarding initiatives and referendum which rules. Everything outside of the wording of the actual petitions would not be permitted. He read a letter on behalf of Professor Arnold Oliver who is a Professor

Emeritus of Political Science at Heidelberg University which states: “There is considerable confusion around Issue 2 on Sandusky’s election ballot this year. Early voting is now underway. In his view and his alone, the Issue 2 proponents have not been afforded a fair opportunity to make their case; let’s examine the controversy first. First of all and most importantly, the initiative does not propose a ward-based system as has been loudly played by the city officials and others. On the contrary, it proposes a mix of ward and at-large representation. Three commission seats would still be elected at-large and by all the city’s voters and four seats would come from electoral districts or wards within the city. There would still be three at-large commissioners tasked with looking at the big picture. Such as it is, it is quite simply disingenuous to claim the proposal is simply ward-based. That is just not true. In general what the ward at-large proposal aims to do is to bring government closer to the people. The city commissioner from ‘your’ ward will become a contact point between you and the city government and will be a go-to person for neighborhood problems. To my mind, bringing the government closer to the people is a good thing. The current entirely at-large system used in Sandusky is not good at geographical representation; only one current commissioner lives west of Columbus Avenue and that - just barely. A key aspect of at-large electoral systems that is not well known is that such systems are not very democratic. In an article from *Nonprofit Vote* it is pointed out that Supreme Court Justice Ruth Bader Ginsburg cited this method as a way to deny equal opportunity for minority voters and candidates. In case it has escaped your attention, Sandusky now uses just such an electoral system. Why are at-large systems less democratic? *Nonprofit Vote* points out such electoral systems are characterized by anti-democratic math using plurality rules. Fifty percent of the voters can, if they mostly support the same candidates, win all the seats. In fact, the majority block does not even have to compose fifty percent of the electorate. For example, 60 years after Lowell, Massachusetts, switched to at-large voting, the school committee remains all white and almost all of the council members come from one neighborhood even as more than half of the city is now minority. At large electoral systems did not appear by accident, they were understood and intended to be less democratic from the beginning of the republic. After at-large elections to ensure white-only governments, northern cities did the same to advantage ethnic groups or parties per *Nonprofit Vote*. In fact, at-large electoral systems were deemed so anti-democratic that versions of them were outlawed by the landmark 1965 Voting Rights Act. If Sandusky decides to go with the ballot Issue 2 proposal which is a reasonable compromise between the ward and at-large systems, the neighborhoods will have a stronger voice.” Dick Brady said this question will be turned over to the city’s Law Department.

ADJOURNMENT

The President announced a recess of the regular session at 5:27 p.m. At 6:38 p.m., the commission returned to open session and upon motion of Naomi Twine and second of Dennis Murry, the commission voted to adjourn. The President declared the motion passed.



Cathleen Myers
Commission Clerk



Richard R. Brady
President of the City Commission