

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

The Clerk called the roll and the following Commissioners responded: Dick Brady, Wes Poole, Naomi Twine, Dennis Murray, Dave Waddington, Nikki Lloyd and Greg Lockhart.

City staff present: Aaron Klein – Public Works Director, John Orzech – Police Chief, Rick Wilcox – Fire Chief, Matt Lasko – Chief Development Officer, Stuart Hamilton – IT Director, Don Rumbutis – IT, Nicole DeFreitas – Transit Administrator, Hank Solowiej – Finance Director, Trevor Hayberger – Law Director, Eric Wobser – City Manager and Kelly Kresser – Commission Clerk.

APPROVAL OF MINUTES

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to approve the minutes of the December 10, 2018, meeting and suspend the formal reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

Dennis Murray wished everyone a happy holiday and hopes time is spent with families or loved ones. Earlier today, and at the end of Sandusky's Bicentennial year, an extraordinary celebration took place with the groundbreaking event for the Jackson Street Pier and Shoreline Drive projects. Many people attended and we have an opportunity both to look back and also to see what is coming before us. The only constant throughout this entire period has been change and if we stand still, we will simply fall apart because without it we will not be adapting to our circumstances and to the demands of the citizens and our youth who want to help shape their community. We went through a long process before the groundbreaking with many important partners which took a lot of effort, compromise and listening to get us to this point. We are fortunate as a community to be able to have dialogue and get to this point with this project and should all understand how fortunate we are.

Tim Schwanger, 362 Sheffield Way, asked if there is an inventory being taken of furniture at the existing City Hall to the new one or if we are buying all brand new (Item #4). Section No. 43 of the Charter, *General Disqualifications*, states no member of the City Commission shall directly or indirectly be interested in any contract, job, work or service with the city and asked how we are getting around this by awarding a contract to Brady Sign Company (Item #5).

James Snyder, IAFF #327 President, asked for the commission's support for the collective bargaining agreement with the IAFF (Item #7). Three years ago, negotiations began with the former Fire Chief and the union and they butted heads with the Chief which made for a very rocky relationship. Both the city and the union spent several thousand dollars on arbitrations but finally did come to agreement. Two years ago when elected President, James Snyder said he spoke with Justin Harris (former Law Director) and Trevor Hayberger asking to work together in-house without using outside counsel to save the city a tremendous amount of money and to help with the relationship between the Fire Fighters and the city. The city made a decision to hire Chief Wilcox who has been a phenomenal Chief and working hand in hand, the relationship is amazing and is the best he has seen in the 23 years with the department. Part of the process was a union meeting with the Chief to hash out some issues which made sitting down with other city officials a lot easier. They then met with Trevor Hayberger about language and grammatical errors in the contract. As negotiations began, there were two sessions which went very smooth and included a lot of back-and-forth dialogue. As a union, this is a very good and fair contract and hopes the commissioners feel the same way. James Snyder thanked Matt Cox and John Strachan who were on the negotiating team and several other fire fighters who helped behind the scenes. Captain Lesch knows the contract by the back of his hand and was able to speak well and move the process along. Lt. Chris Bodle did all of the typing, rewording and re-paragraphing and saved the city countless hours in putting the contract together. Trevor Hayberger helped make the process

go very smoothly and also thanked Hank Solowiej, Eric Wobser, John Orzech, Rick Wilcox, Connie Nicholson and Victoria Schaefer for their assistance during this process.

Kathryn Carter, 5309 Columbus Avenue, said most of the commission meetings are not short and hopes there are more comfortable chairs at the new City Hall.

PRESENTATION

Nate Kehlmeier, CEO and Co-Founder of the Recovery Institute of Ohio, said he is 36 years old and is a 2000 graduate of Genoa High School. In January, he will celebrate eleven years of sobriety and has been working in clinical treatment for ten years having relocated to Ohio two years ago because he wanted to start his own program. He is bringing everything he has learned in the past ten years into this program and using what he sees has worked. There is a need for this in Sandusky which is still close to home for him. At the Recovery Institute of Ohio there are four levels of care including residential, partial hospitalization, intensive outpatient and outpatient. There are three residence houses where clients can live in a staffed, structured environment, although not mandatory. The three houses are in Perkins Township just south of Perkins Avenue on S.R. 250. There are eight clinical offices on Pierce Street in Sandusky. Licensed clinicians will be working with the clients providing individual therapy; family therapy will also be brought into the program. Tondra Frisby has introduced him to a lot of people and is blessed to have her and the good feedback he has received from the city. Once people are in the program, a therapist will be hired for family members of those who are struggling as a free service because when family members become educated about how to handle their loved ones, their loved ones start getting better and he wants to focus on this. Nate said he is very happy to be here and invited anyone who is interested to tour the facility. Greg Lockhart said he is glad Nate came today and said this will provide much-needed support and help for people affected by addictions. Addiction affects people at all different ages and income levels. Dennis Murray thanked Nate for being here and said Ohio is Ground Zero in the addiction fight and this facility is in the front line for fighting it. It is a good thing we are seeing some signs of hope in this fight and thanked Nate and his team for trying to make a difference. Nate Kehlmeier said they will have an Open House at the facility on January 18 from 11 a.m. to 2 p.m. with a ribbon cutting at 1 p.m.

CURRENT BUSINESS

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

Dennis Murray asked if anyone wished to remove any items from the Consent Agenda. There were no requests to do so.

CONSENT AGENDA

A. Submitted by Hank Solowiej, Finance Director

AUTHORIZING FINAL BUDGET FOR CY 2018

Budgetary Information: This action will cover anticipated expenditures through December 31, 2018. The agenda deadline occurs before the final payroll costs can be determined. The amendment needs to cover final payroll and other projected costs through December 31, 2018.

The ordinance will be available at the meeting.

ORDINANCE NO. 18-239: It is requested that an ordinance be passed adopting Amendment #6 to Ordinance 18-066 passed by this City Commission on March 26, 2018, making general appropriations for the fiscal year 2018; and declaring that this ordinance take immediate effect in accordance with Section 14 of the city charter.

B. Submitted by Hank Solowiej, Finance Director

AUTHORIZING FUNDING FOR PAYROLL STABILIZATION FUND

Budgetary Information: The agenda deadline occurs before the amount can be determined. **The Resolution, along with the amount, will be made available at the meeting.**

RESOLUTION NO. 055-18R: It is requested that a resolution be passed authorizing the transfer of funds from the general fund to the payroll stabilization fund; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

C. Submitted by Hank Solowiej, Finance Director

AUTHORIZING TEMPORARY APPROPRIATIONS FOR THE FIRST QUARTER OF 2019

Budgetary Information: This action will establish a budget for operations until the annual appropriations can be approved after the second Monday in January, 2019. The city charter prohibits the city from enacting the 2019 budget before January 14, 2019.

ORDINANCE NO. 18-240: It is requested that an ordinance be passed making temporary appropriations for the months of January, February and March, 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

D. Submitted by Nicole DeFreitas, Sandusky Transit Administrator

AGREEMENT WITH ERIE COUNTY VETERANS SERVICE COMMISSION FOR TRANSPORTATION SERVICES

Budgetary Information: STS will receive \$8 per one-way trip from the Erie County Veterans Service Commission, for the length of the proposed contract. This money collected will be used to offset the capital planning and operating expenses through the 2019 5311 rural grant program.

ORDINANCE NO. 18-241: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for transportation services between the City of Sandusky and the Erie County Veterans Service Commission for services for the period of January 1, 2019, through December 31, 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

E. Submitted by Nicole DeFreitas, Sandusky Transit Administrator

AGREEMENT WITH CEDAR POINT FOR TRANSPORTATION SERVICES

Budgetary Information: STS will receive \$150,000 for the length of the proposed contract. This money collected will be used to offset the capital planning and operating expenses through the 2019 5311 Rural Grant program.

ORDINANCE 18-242: It is requested that an ordinance be passed authorizing and directing the City Manager to enter into an agreement for transportation services between the City of Sandusky and Cedar Point, LLC, for services during the period of January 1, 2019, through December 31, 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

F. Submitted by Jane Cullen, Project Engineer

FINAL CHANGE ORDER FOR GARTLAND AVENUE PROJECT (DEDUCT)

Budgetary Information: Change Order #1 and final, a deduction of \$5,387.99, will revise the original contract amount of \$903,788.80 to \$898,400.81. The final costs are paid by the sewer fund in the amount of \$488,231.81 (original cost was \$494,662.88), water funds in the amount of \$293,505.51 (original cost was \$274,768.11) and capital projects funds (Issue 8) in the amount of \$116,663.49 (original cost was \$134,357.81).

ORDINANCE NO. 18-243: It is requested that an ordinance be passed authorizing and directing the City Manager to approve the first and final change order for work performed by Underground Utilities, Inc. of Monroeville, Ohio, for the Gartland Avenue reconstruction project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

G. Submitted by Arielle Blanca, Community Development Manager

CONTRACT WITH WADE TRIM FOR PREPARATION OF ANNUAL CONSOLIDATED PLAN

Budgetary Information: The total cost for the professional services is not to exceed \$35,850 for the coordination, administration, development and implementation of the city's Community Development Block Grant (CDBG), 2019 – 2023 Consolidated Plan, 2019 One-Year Action Plan and update to Analysis of Impediments to Fair Housing, under the rules and regulations of the U.S. Department of Housing & Urban Development CDBG. There is no impact to the city's general fund. All funds will be allocated out of the FY 2018 CDBG administration budget.

ORDINANCE NO. 18-244: It is requested that an ordinance be passed authorizing and directing the City Manager to enter into an agreement with Wade Trim Associates, Inc., of Detroit, Michigan, for professional services for the preparation of the U.S. Department of Housing & Urban Development 2019 – 2023 Consolidated Plan, 2019 One-Year Action Plan, and update to the Analysis of Impediments to Fair Housing; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Nikki Lloyd and second of Dave Waddington, the Commission voted to accept the Consent Agenda and declare all ordinances and/or resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in full accordance with the Section reflected in the ordinances and/or resolutions whether it be in full accordance with Section 13 or Section 14 of the City Charter. Roll call on the motion: Yeas: Dick Brady, Wes Poole, Naomi Twine, Dennis Murray, Dave Waddington, Nikki Lloyd and Greg Lockhart, 7. Roll call on the ordinances and resolutions: Yeas: Dick Brady, Wes Poole, Naomi Twine, Dennis Murray, Dave Waddington, Nikki Lloyd and Greg Lockhart, 7. The President declared the ordinances and resolutions contained in the Consent Agenda passed in full accordance with the City Charter.

REGULAR AGENDA

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

APPROVAL OF AMENDMENT TO ENTERPRISE ZONE AGREEMENT WITH OHIO TRUCK SALES

Budgetary Information: The project will have an ongoing positive impact on the general fund, as 25% of the increase in value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create a minimum of ten full-time equivalent employment positions in addition to the current full-time employees who will be subject to city income tax.

ORDINANCE NO. 18-245: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an amendment to an enterprise zone agreement with Chris Andrews, LLC dba Ohio Truck Sales; 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 Nikki Lloyd, the Commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dennis Murray said this was approved last year and the company had some delays in their construction. This was a ten-year abatement and because they are still under construction, they would like to start next year rather than this year. Matt Lasko said they did a tremendous job at this facility and have over-invested on their original projections were. Because of the extent of the project, the construction will bleed into 2019 and we are looking to push back the start date so their abatement does not get the full ten-year abatement which was always the original intention.

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

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

ENTERPRISE ZONE AGREEMENT WITH HOTY ENTERPRISES

Budgetary Information: The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create an estimated five full-time equivalent employment positions that will be subject to city income tax.

ORDINANCE NO. 18-246: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an enterprise zone agreement with 300 Water Street Properties, Ltd., an affiliate of Hoty Enterprises, Inc.; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

Discussion: Matt Lasko said this entity is affiliated with Hoty Enterprises and the Hoty's are closing on this property this evening and is the reason they could not be here. This is a ground floor condominium in the Lake View Condominium building and this use is conducive. The company intends to move forward with purchasing the shell for about \$180,000 and look to invest upwards of \$195,000 in physical improvements. The company intends to own the unit but lease to a financial services company currently located in Perkins Township. Minimally, per the proposed agreement, they would be initially hiring five full-time employees with an annual minimum payroll of \$500,000. Also per the agreement, they would need to complete construction by the end of 2019 and make their five minimum full-time hires by mid-2020. This would be a ten-year, 75% real estate tax abatement on the value of the improvements; they will continue to pay the baseline taxes on the condominium unit. We provided the Sandusky City Schools, as required, a fourteen-day notification for questions or comments but have not received any. Dennis Murray said there was a time when some developers did not want to do business with the City of Sandusky as they found it too difficult but recent feedback is the city is open to doing business. When someone knocks on our door asking to do something, the answer sometimes perceived (whether right or wrong) as "no". With the amazing staff we have today, the answer is to help by showing people what we/they can do and figuring out ways to get things done and this is a totally different attitude. We welcome this successful development to the community and hope they consider a lot of additional projects in the years to come.

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

Item #3 - Submitted by Matt Lasko, Chief Development Officer

ENTERPRISE ZONE AGREEMENT WITH SORTINO'S

Budgetary Information: The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain construction jobs in the local economy and will create an estimated fifteen full-time equivalent employment positions that will be subject to city income tax.

ORDINANCE NO. 18-247: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an enterprise zone agreement with S & S Realty, Ltd.; 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 accordance with Section 14 of the city charter.

Discussion: Matt Lasko said the Sortino's have a proven track record and are happy they are looking to further invest in our city. This project is similar to the Holiday Inn Express which currently exists. It would add another five-story, 66-room project and would be a Phase II expansion of the existing Holiday Inn Express. This will be constructed on the east wing of the Quality Inn which is currently being demolished. Per the agreement, this would be a total investment between \$5.9 and \$6.8 million including furniture, fixtures and equipment. There

would be a commitment to minimally add fifteen full-time employees with an annual payroll of \$185,000. Also per the agreement, the project would need to be completed no later than June, 2020, and the employees would have to be onboard by June 30, 2021. Based on this information, staff is recommending a ten-year, 75% tax abatement. The first phase of the Holiday Inn Express was also the recipient of a ten-year, 75% tax abatement which is still ongoing. We provided the Sandusky City Schools with a fourteen-day notification and no questions, comments or concerns were received. Dave Waddington thanked the Sortino's and said he lives close to this area and it is nice to see this happening. Dave Waddington asked about the 14 day notification to the schools and Dennis Murray said this is spelled out in the Ohio Revised Code. Dennis Murray said as a result of the city adopting enterprise zone legislation, this notification must be provided. Trevor Hayberger said the triggering event for this notification is an abatement below ten years or 75%; anything above requires formal approval. Dick Brady said this tax abatement tool is meant to encourage investment and has felt it makes good sense to support those who are supporting us. The Sortino family has been in this community for 70+ years and have been with us through thick and thin and this is an opportunity for us to support them. Dick Brady said he is thrilled they are doubling down on their investment which will be a terrific asset to the city. Greg Lockhart thanked the Sortino's for coming here today and making a decision to invest locally as local business means a lot to him and to our community. Dennis Murray said Jim and George Sortino go way back in this community and have made outstanding contributions and we are grateful for this renewed investment in Sandusky. They are proud Sanduskians and their heart and businesses are here. They took a big risk with the first Holiday Inn and knows it exceeded their expectations and hopes this project will as well.

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

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

PURCHASE OF FURNITURE FOR NEW CITY HALL

Budgetary Information: The cost for all furniture, fixtures and equipment, along with installation expenses, is \$199,987.22. The project will be expensed from the capital projects fund.

ORDINANCE NO. 18-248: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with MCPc Imaging & Printing, LLC dba O'Supplies.com for professional services for design consultation, purchase, delivery and installation of new office furniture for the City Hall administrative facility 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 Dave Waddington, the Commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dennis Murray said he had a chance to speak with to Matt Lasko earlier this week and understands about half of the existing furniture will be moved to the new building while the balance is past its useful life, particularly with respect to the partitions which are shot. It is also important to point out about twenty five percent of this purchase is for the common space including the Commission Chambers and more comfortable chairs. Matt Lasko said this process dates back to February, 2018, with a request for qualifications for a furniture space designer and supplier. Based on four submittals, OSupplies/MCPc was selected and is a local company located on Venice Road. We have been through countless and exhaustive meetings with OSupplies and all city departments and first took an inventory of every file cabinet, credenza, desk, chair, etc. with the idea of moving as much as reasonably possible based on condition, size, etc. A list of goods (as provided by OSupplies) is attached to the communication and was created over the last seven to eight months; this proposal includes delivery and installation of all furniture. About twenty five percent of the cost is to outfit the Commission Chambers with guest and commission

chairs. Also, all of our conference rooms will be furnished with tables and chairs and a significant amount of guest chairs to be consistent with the look of the new facility. Another thirty three percent of the cost is for cubicle units for our Building Inspectors, Code Inspectors, Public Works Inspectors and employees in the Customer Accounting offices. These are critical as we are customizing the spaces in terms of cubicles and about fifty either percent of the cost is for cubicles and common area spaces. The list price on this furniture was about \$450,000 and significant negotiations were done to get to this amount and this list of goods. We are moving as much as possible as opposed to buying new. Nikki Lloyd asked if the old furniture will be placed at auction or sold and Matt Lasko said without question; anything with value will be available for another department or auctioned. Wes Poole asked about items that may not be sold at auction and Eric Wobser said he does not know legally what we would have to do, but if the commission wanted to make it available for community groups, we can consider this. Wes Poole said he does not want to end up with a bunch of unusable furniture moved into storage and this needs to go someplace. Wes Poole said this is considered a special order and cannot be returned so we should be sure what we are ordering is what we want.

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

ITEM #5 - Submitted by Matt Lasko, Chief Development Officer

INTERIOR SIGNAGE FOR NEW CITY HALL

Budgetary Information: The total cost estimate for this project, based on bids, including advertising and miscellaneous costs is \$10,200. The project will be expensed from the capital projects fund.

PASSED AT FIRST READING: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Brady Sign Co. of Sandusky, Ohio, for the City Hall signage and wayfinding project – interior signage; 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 Nikki Lloyd, the Commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Upon motion of Wes Poole and second of Greg Lockhart, the Commission voted to table this legislation.

Discussion: Trevor Hayberger said historically, the Section of the city's Charter pertaining to contracts has been interpreted to mean so long as the process is competitively bid, this is compliance; he understands Dick Brady asked the Ohio Ethics Commission for an opinion. Wes Poole said he wishes this interpretation had been provided before tonight because he does not want to make a decision which is inappropriate. He will vote "no" tonight because there is nothing before them regarding the general concept of this interpretation. There is no reason to vote tonight as this project is six months to one year away and would like to wait until there is something concrete to vote on. Dick Brady has honestly come forward believing this to be true and Wes Poole said he does not have a problem giving a contract to Brady Sign, but is uncomfortable voting on something "because somebody says" when it clearly is in conflict with what is written in the charter. The Charter supersedes state law; ethics considerations in the state law are general considerations for all officials while this provision specifically says "no member of the City Commission". Dennis Murray said he recalls contracts have been awarded in the past with commissioners who had a relationship with the city as long as they were competitively bid. Trevor Hayberger said there is nothing directly on point as to this issue and is going on the opinion provided by the previous Law Director. This has not come up before but it is now being presented as an issue. It has previously been interpreted in a certain way, but said we can go back and see

what has been done. Nikki Lloyd said as long as this has been competitively bid, she is comfortable in supporting this and suggested this language be cleaned up in our charter. Dennis Murray said he has made the observation the alternative will cost the city \$9,940 more and knows Dick Brady well enough to know his attitude would have been to get this contract as a matter of pride regardless of how much it cost him because if he had been half of the next highest bid, he would not make any money on the contract. This is in the best financial interest of the city. Wes Poole said the Law Director is going by what has been done in the past and if this had not been brought to his attention to read, this probably would have gone through as usual. Violating the Charter by mistake in the past is not a precedent which justifies doing it now. He is sorry this will cost the city another \$9,000 and if nothing else, asked why it is twice as much. If this was competitively bid and there was a \$100,000 difference, we do not really know what made up the bids and this is too irregular. Dennis Murray said whenever he has called the Law Director, he immediately responds with answers or documentation. There may be a difference in these bids simply because they are not apples to apples comparisons and assumes someone goes through them to make sure everything requested is included in them. Matt Lasko said he acknowledges the bid process through the Public Works office assures these are the exact same specifications which came before the Commission when permission to bid was authorized. Questions would have to be asked of the bidders as to why the numbers are slightly different as they were all bidding on the exact same set of documents, specifications, materials, etc. It is not uncommon for there to be drastic differences and with smaller jobs where a company has to mobilize from much further away. Aaron Klein said typically when a project is bid, we do not necessarily go line-by-line, item-by-item and ask why every contractor bid everything they did, but we will, to the letter of the specifications and drawings, hold the company we award the contract to do what the specifications say. If a company bids higher or lower, we ensure they follow them and not ask for additional money to meet them. Dick Brady said he should be prohibited from lobbying or speaking on this issue but is going to push this envelope out and speak on this. The offer he is about to make is to attempt to get his fellow commissioners out of an uncomfortable situation. His offer is to withdraw the bid from Brady Sign Company and allow the city to take the next bid for this project as no one anticipated being put into this position. He has shared his opinion with staff from the Ohio Ethics Commission and is why Brady Sign Company has bid on several signage projects within the city, although unsuccessfully, until now. Wes Poole said it is definitely not necessary to withdraw this bid and is not the concern. The issue is something being brought to the commissions' attention and whether the commission is handling this appropriately. Had this information been provided at the onset which they use to make their decisions, this probably would not have ever come up. Likewise, the bids could have been shared. The Commissioners get approximately 200 pages of information two days before the meeting and vote on what is presented. The concept of looking at every line and comma to find out stuff he needs to make decisions and/or call staff is unreasonable. When staff makes presentations to the commission on which they award bids, if enough information is not presented, the fact he does not catch this the first time through is not his problem. Staff is responsible for presenting complete information for the commission to vote on and can just as easily say things were left out purposely hoping he would not find it and no one has ever said this. The staff seems to think the commissioners work for them, but they make presentations to the commission, not the other way around. The questions people ask are legitimate ones and since staff has been sitting on the answers all the time, he does not feel bad it came up here. If we vote and this passes, he is still going to ask the Ohio Ethics Commission to make a ruling as he is not sure this is right because he has not been presented with any information other than "the City Manager's lawyer says" and this is like Johnny Cochran and O.J. Simpson; this makes no sense and he does not have to accept it. Naomi Twine said she has a great appreciation for the Brady Sign Company, a local business, and her only concern is the legality of state law versus local legislation. Trevor Hayberger said if the commission is looking for him to present a case which says this is directly on point with this section of the charter, he cannot do this because it does not exist. Whether past commissioners have awarded contracts for employees or other commissioners, he is not aware, but is sure this has probably happened in the past although he does not know if this is before or after this section was adopted. This issue just came upon him too and he has not been sitting on this. His understanding was so long as a job is competitively

bid this is fine and is what he has been going from; he assumed Dick Brady has had previous contracts with the city. Dennis Murray said when it comes to interpreting any law, if there is a question, we go back to what the intent was. There is no question in his mind when he reads Section 43 of the charter it was designed to protect the public purse from commissioners who were engaged in self-dealing and it makes perfect sense to him this would be interpreted this way. The public bidding process is to protect the public purse whether it is being suggested we go in the opposite direction and damage it for reasons we do not understand. All of the commissioners were elected to go through these things line by line and there is no excuse to do anything else. When he receives his packet, he goes through it and asks questions either via email or phone and looks at accompanying documentation. Greg Lockhart said based upon the information provided so far and the Law Director having clarity on State ethics but not on this particular piece, as well as Dick Brady's comment about withdrawing his bid based on the appearance of what this could mean to the public, he would like to see more clarity and will vote no at this point. Greg Lockhart said he prefers using local business and small businesses are the backbone of America, but we are in the business of the public too.

Roll call on the motion to table: Yeas: Naomi Twine, Wes Poole and Greg Lockhart, 3. Nays: Dennis Murray, Dave Waddington and Nikki Lloyd, 3. Abstain: Dick Brady, 1. The President declared the motion to table fails.

Roll call on the motion to approve: Yeas: Naomi Twine, Dennis Murray, Dave Waddington and Nikki Lloyd, 4. Nays: Wes Poole and Greg Lockhart, 2. Abstain: Dick Brady, 1. Roll call on the ordinance: Yeas: Naomi Twine, Dennis Murray, Dave Waddington and Nikki Lloyd, 4. Nays: Wes Poole and Greg Lockhart, 2. Abstain: Dick Brady, 1. The President declared the ordinance passed at first reading.

ITEM #6

~~**APPROVAL OF COLLECTIVE BARGAINING AGREEMENT WITH AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES LOCAL #1519**~~

~~**ORDINANCE NO. _____:** It is requested an ordinance be passed ratifying, accepting and approving a collective bargaining agreement between the City of Sandusky, an Ohio Charter Municipal Corporation, and the American Federation of State, County and Municipal Employees Local #1519, the collective bargaining unit for certain employees of the City of Sandusky, for the period January 1, 2019, through December 31, 2021, a copy of which is attached to this ordinance; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.~~

ITEM #7

APPROVAL OF COLLECTIVE BARGAINING AGREEMENT WITH INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL #327

ORDINANCE NO. 18-249: It is requested an ordinance be passed ratifying, accepting and approving a collective bargaining agreement between the City of Sandusky, an Ohio Charter Municipal Corporation, and the International Association of Fire Fighters Local #327, the collective bargaining unit for certain employees of the Sandusky Fire Department, for the period January 1, 2019 through December 31, 2021, a copy of which is attached to this ordinance; 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 accordance with Section 14 of the city charter.

Discussion: Nikki Lloyd thanked everyone involved for making this a much smoother process than the last negotiations and for pulling together and working together for the cost savings. Dennis Murray acknowledged the professionalism shown by Chief Wilcox and said we have extraordinary leaders in both Police and Fire who have demonstrated a willingness to work with

the Fire Fighters who can be a cantankerous group. Dennis Murray said he appreciates the union's efforts in coming to quick resolution and said he is glad we are on better footing and have better relationships these days. Dennis Murray also thanked Trevor Hayberger for his professionalism in moving this forward. Naomi Twine said she has never heard someone speak so highly about contract negotiations on both sides of the table and echoed the appreciation to everyone involved and said she hopes future negotiation sessions go as smoothly. Dick Brady said when we do cleanups, the Fire Fighters are always with us although they do not have to do this. This connects with our neighborhoods, with our citizens and is about public relations and the commissioners can feel better about it because they are all on the same team. This also goes for the Police Department and AFSCME employees. There is not a week goes by that in some fashion he does not connect with them and negotiations have to take place. Negotiations are built to be somewhat adversarial, but thinks we are on the right track with the team and the people we have doing this and we have reduced the heat on the adversarial issue a great deal. Rick Wilcox said it was very refreshing to sit at the negotiating table and watch how cordial everyone was. He cannot say enough about Trevor Hayberger who was excellent during negotiations as well as the local's representation who were equally as impressive. It was realistic and there were things proposed which were kicked around and everyone was inclusive in terms of trying to figure things out. Everyone at the table was important including Chief Orzech who gave great reference to comparables for both Police and Fire. These relations will continue to grow and hopefully they will remain intact.

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

CITY MANAGER'S REPORT

- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept a donation in the amount of \$50 from the Solowiej family to be deposited into the Parks and Recreation fund to support youth recreational activities in 2019. The President declared the motion passed.**
- **Eric Wobser said he wished to extend a heartfelt thank you to Santa Claus and Mrs. Claus for visiting The Cookie House in Washington Park every weekend this holiday season. Despite a world-class, jam-packed schedule, they spent countless hours listening to the hopes and dreams of our local youth while making spirits bright.**
- **Upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted to concur with the City Manager's appointments to various boards and commissions.**

Discussion: Eric Wobser said he will be reappointing individuals to various committees. **Each individual will serve a three-year term that will expire on December 31, 2021:**

1. **Paul Koch, Economic Development Incentive Committee;**
2. **John Feick, Fire Prevention Code Board of Appeals;**
3. **Roger Gundlach, Residential Building Code Board of Appeals;**
4. **John Luipold, Residential Building Code Board of Appeals;**
5. **Walt Matthews, Housing Appeals Board – change in status only (Regular member);**
6. **Frank Valli, Housing Appeals Board (Regular member);**
7. **Janice Warner, Housing Appeals Board (Alternate member).**

Roll call on the motion: Yeas: Dick Brady, Wes Poole, Naomi Twine, Dennis Murray, Dave Waddington, Nikki Lloyd and Greg Lockhart, 7. The President declared the motion passed.

- **Officers Rankins and DeSalle assisted OHGo by helping erect their new walk-in cooler** to store goods to be distributed throughout the community.
- **Sgt. Susana and Community Impact Officers provided food for 12 families, four coats** for children in need, 250 dozen eggs for OHGo and items for Project Happy. Eric Wobser thanked the anonymous donors who made this possible.
- Members of the **Sandusky Fire Department will continue to help OHgo** twice a month with their mobile food pantry.
- As a final reminder, property owners with vacant dwellings should contact the Customer Accounting Office to **have water turned off if they are expected to remain vacant and unoccupied during the winter months**. 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.
- **Water and sewer rates will increase** with the January, 2019, bill. Information regarding the annual rate increases through 2021 are available on the city's website.
- Unfortunately, we have received confirmation from **Robby Glovinsky his last scheduled day in the laboratory at the Waste Water Treatment Plant** will be on December 31, 2018. While Robby has helped operate the plant for over 25 years, his calm temperament and eye for detail has ensured compliance with EPA regulations while strengthening relationships in the lab and throughout the city's industrial community.
- On a related note, **congratulations to Richard Sinwald for his promotion to Laboratory Compliance Officer at the Waste Water Treatment Plant and to Paul Howard for his promotion** into the laboratory.
- The **Jackson Street Pier will be under construction and closed to the public** starting January 7, 2019. A public restroom will remain available during the closure/project. Construction on Shoreline Drive will not begin until late spring.
- The Streets and Traffic crews have successfully completed two rounds in each zone for the **leaf collection program**. They will drive through the city checking for additional leaves during the final week in December. Residents are reminded they can still drop off bagged leaves near the Marquette Drive entrance to the City Service Center seven days a week until January 4.
- Beginning in January, 2019, the city's Code Compliance Division will begin hosting a **bi-annual Code Compliance Forum**. The first Code Compliance Forum will be held on January 22, 2019, at 4 p.m. in the City Commission chambers located at 222 Meigs Street. The purpose of the Forum is to introduce the Code Compliance Officers to the public and property owners, to clarify their job duties and the code compliance process, and to answer general questions about the housing, nuisance and zoning codes. The second Code Compliance Forum will be held on July 23, 2019, at 4 p.m. and all meetings are open to the public.
- The **buyer of 1215 Milan Road has released all contingencies**, including financing and inspection, and is moving toward closing. The property is anticipated to be

transferred to Michelle Williams either the last week of December or the first week of January.

- The **Planning Commission** meeting is scheduled for January 23 at 4:30 p.m. in the first floor conference room.
- The **Board of Zoning Appeals** meeting is scheduled for January 17 at 4:30 p.m. in the first floor conference room.
- A **Landmark Commission** meeting is scheduled for January 16 at 4:30 p.m. in the first floor conference room.
- Eric Wobser said at our last meeting of December, 2015, the **Bicentennial Vision Plan** was passed by the City Commission and it is pretty exciting that today, three years later and during our Bicentennial year, we **broke ground on the Jackson Street Pier and Shoreline Drive projects and announced construction of the Bowling Green State University/Firelands Campus project in Sandusky**. The Bicentennial Plan is doing really well and thanked all of the community partners, city staff and commissioners who have made all of this possible. Eric Wobser said hopefully this momentum will continue in 2019.

OLD BUSINESS

None.

NEW BUSINESS

Dennis Murray said an email was distributed regarding appointments and reappointments to various boards and commissions. Some of these appointments are made by the Commission President and do not require a vote by the City Commission, while others are appointments made by the entire Commission.

Dennis Murray said he will reappoint Dan Moncher and appoint Steve Tomasula to the Audit/Finance Committee for terms ending December 31, 2021.

Dennis Murray said he will reappoint Vince Rhodes to the Civil Service Commission for a term ending November 22, 2024.

Dennis Murray said he will reappoint Rick Jeffrey and Hank Solowiej to the CRA Housing Council for terms ending December 31, 2021.

Dennis Murray said he will reappoint Jim Arthur to the Sandusky Tree Commission for a term ending December 31, 2021.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Walt Matthews to the Board of Zoning Appeals for a term ending December 31, 2021. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Wendy Dobyms to the Community Relations Commission for a term ending December 31, 2021. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Gina Deppert to the CRA Housing Council for a term ending December 31, 2021. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Dave Miller (regular member) and John Panzer (alternate member) of the Erie

Regional Planning Commission for terms ending December 31, 2019. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Tim Berkey and Joe Galea to the Landmark Commission for terms ending December 31, 2021. Roll call on the motion: Yeas: Dick Brady, Wes Poole, Naomi Twine, Dave Waddington, Nikki Lloyd and Greg Lockhart, 6. Abstain: Dennis Murray, 1. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Steve Toft, Linda O'Malley and Harrison Smith to the Oakland Cemetery Board for terms ending December 31, 2021. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Conor Whelan and Joe Galea to the Planning Commission for terms ending December 31, 2021. Roll call on the motion: Yeas: Dick Brady, Wes Poole, Naomi Twine, Dave Waddington, Nikki Lloyd and Greg Lockhart, 6. Abstain: Dennis Murray, 1. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Jordan Sternberg to the Public Arts & Culture Commission for a term ending December 31, 2021. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to reappoint Larry Wren, Tom McKenna, Tom Sharrah and Shawn Coakley to the Recreation Board through December 31, 2021. The President declared the motion passed.

Dennis Murray announced a Public Hearing is set for January 28, 2018, regarding a substantial amendment to the FY 2018 CDBG Action Plan.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, asked if the city added Fire Fighters through the new union contract. Dennis Murray said the new contract did not address staffing. Tim Schwanger said the commission has two weeks to get an opinion about the contract with Brady Sign Company and Dennis Murray said the opinion from the Ohio Ethics Commission is not something the public necessarily has a right to review. Tim Schwanger said it is up to the commission to ask for that, not him. Tim Schwanger asked what the plan is now to pay for Shoreline Drive since the state funding did not get passed. Dennis Murray said his understanding is staff is continuing to research funding. The schedule which has been announced is Jackson Street Pier construction will start shortly after the new year and the Shoreline Drive reconstruction will begin in the spring.

At 4:20 p.m., upon motion of Naomi Twine and second of Greg Lockhart, the commission voted to adjourn. The President declared the motion passed.

Kelly L. Kresser, CMC
Commission Clerk

Dennis E. Murray, Jr.
President of the City Commission