

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

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

City staff present: Aaron Klein – Public Works Director, Scott Dahlgren – SPD Lieutenant, Rick Wilcox – Fire Chief, Matt Lasko – Chief Development Officer, Stuart Hamilton – IT Director, Don Rumbutis – IT, 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 February 11, 2019, meeting and suspend the formal reading. The President declared the motion passed.

#### **AUDIENCE PARTICIPATION**

Mike Zuilhof, 243 East Market Street, said as Chairman of the Planning Commission, he encourages passage of the legislation regarding changes to the landmark preservation ordinance (Item #1). This has been discussed by the members of the Planning Commission and it this will reduce some barriers to making progress in rehabilitating buildings downtown by allowing the staff to approve some minor alterations to buildings without having to hold a hearing at Landmark Commission meetings. This also clarifies some issues with language, makes minor improvements to the process and allows members of the Landmark Commission to delegate some authority to staff to speed things up.

Sharon Johnson, 1139 Fifth Street, said a few months ago, she read the developer was taking money for construction and using it for rent subsidies and was going to take \$50,000 for his non-profit (Item #4). As a taxpayer, Sharon Johnson asked what guarantee she has this money will be properly spent and how it will be monitored to make sure it does not go into a non-profit. There is a broad stroke on this agreement and upon opening this storefront, the developer (Rick Hogrefe) will get this cash. With state grants, she wants to know what money is spent on and said it is monitored but the city is going to just hand it over to him.

#### **PRESENTATION**

Dennis Murray introduced State Representative Steve Arndt, and our **newly-minted State Senator Theresa Gavarone**. Senator Gavarone is in town today for a reception being hosted by a couple of local organizations and Dennis Murray said we are grateful for her coming to our community to introduce herself. We had a long and fruitful relationship with her predecessor, Senator Randy Gardner, and look forward to continuing the same with her. Senator Gavarone said she appreciates the invitation to introduce herself and previously was a State Representative, knows the importance of getting into communities as much as possible and knows she has very big shoes to fill. She was a Council member in Bowling Green before going to work in the State House in Columbus (2016 – February 6, 2019) and appreciates what local governments do for their citizens. She has been an attorney since 1994, married for 26 years and has three children in college. She also has a business with her husband in Bowling Green (Mr. Spots) which just celebrated its 33<sup>rd</sup> anniversary. She looks forward to working with the city and wants everyone to know they can reach out to her anytime with issues. Dennis Murray said Senator Gardner always said Sandusky was his favorite part of the district and hopes it will be hers as well. The city also enjoys a wonderful relationship with State Representative Arndt since he took his position.

#### **PUBLIC HEARING**

Dennis Murray announced the opening of a Public Hearing regarding proposed amendments to Chapter 1161 – Landmark Preservation.

Tom Horsman, Assistant Planner, said the Landmark legislation was passed in 2015 and over the past year, there have been ten applications approved by the Landmark Commission. Exterior changes made to historically-designated buildings or buildings in historic districts require approval by the Landmark Commission. It also created a process by which the City Commission can designate buildings locally in addition to what is on the National Register of Historic Places. There are over 100 of these buildings in districts within the City of Sandusky both designated by the city and the National Register of Historic Places and as such, fall under the purview of this ordinance. There are a number of proposed changes suggested for adoption by members of both the Landmark Commission and the Planning Commission. If passed, this legislation would allow the Landmark Commission to designate to staff the ability to review minor changes and grant Certificates of Appropriateness on their own; it also adds additional criteria for granting Certificates of Appropriateness. Language has been added for the minimum maintenance section and other language has been clarified and revised to be more in line with the intent of the original legislation. Under Section 1161.07, the Landmark Commission would have the ability to delegate staff review of minor things which may not warrant a full meeting of the Landmark Commission to Planning Department staff. If staff does grant administrative Certificates of Appropriateness, they must communicate this to the Landmark Commission at subsequent hearings. If an applicant wishes to appeal a decision made by staff in the Planning Department, they can do so through the Landmark Commission. This will essentially allow the process to be accelerated for small things with a historically-designated property. The second part proposed to be changed is adding criteria for Certificates of Appropriateness for all changes made. Language was added through the standards of the United States Department of Interior. If an applicant wishes to demolish a structure, there are a few things which now would be required in the application including a report about the soundness of a building, property valuation, preliminary development plans and estimates of cost. The second part includes criteria by which the Landmark Commission should judge applications for demolition looking at the significance and viability of a building. If demolition is necessary due to an imminent safety hazard, language is included to allow the Fire Department or Building Department to make this determination. Under the minimum maintenance requirement, a suggestion was made by members of the Planning Commission and Landmark Commission to further ensure historic buildings are being cared for appropriately reiterating these buildings must follow city codes and the Landmark Commission can take it upon themselves to bring up any issues they see. Minor language changes have been added to make sure everything is consistent throughout the ordinance with other ordinances including a distinction between “historic” and “landmark” and its significance. Historic is defined as a property on the National Register whereas Landmark is defined as a historically designated landmark property. Dennis Murray said in 2015 when this legislation was originally adopted, he understood it was not something where members of the Landmark Commission look for buildings to be designated as historic - we do this only in cooperation with requests made by property owners. This was an important part of the discussion when this legislation was adopted. This proposal was submitted to the Ohio Historic Preservation Office to make sure it was in line with their programs and they approve of the changes made.

Mike Zuilhof, 243 East Market Street, said the value to this legislation is if someone wants to apply for Ohio Historic Tax Credits, which can be substantial, a building would normally be required to be on the National Register of Historic Places and this takes a long time. If we name a local landmark, it would qualify under Ohio law for those tax credits, although not for the federal twenty percent tax credits so this is really important. We need strong standards to keep our credibility with the State Historic Preservation Office.

Dennis Murray said many dollars have been invested by attracting tax credits and additional private investments and it has been a huge boom to the city and is the reason owners want to approach the Landmark Commission to designate properties as such. Wes Poole said with regard to delegating to staff, he asked if a review would be included by the Chairperson of the Landmark Commission before finalizing any decision(s). The responsibility still falls with the members of this commission and the process gets befuddled someone is told they can do something which no one on the Landmark Commission has at least reviewed. This should be written into

procedures before decisions are made official. Mike Zuilhof said this was given a lot of thought. This legislation will allow the Landmark Commission to delegate and explicitly allows them to rescind, and also requires staff to report anything approved administratively to them and he will watch what is being done very closely. The advantage of allowing minor alternations to be authorized by staff is to reduce exasperating barriers to progress. There are skepticisms and concerns about people doing things they should not do, but thinks on balance this is a good compromise with adequate safeguards and this this will work. If it does not, the Landmark Commission will need to rescind this authority. Wes Poole asked what buildings have a landmark designation in Sandusky and Tom Horsman said the two buildings which are part of the new City Hall project. Wes Poole asked if there is a complete listing and Tom Horsman said they are working to publish this online and a current list is maintained.

**There being no further questions, the President announced the Public Hearing is closed.**

### **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 ITEMS**

#### **A. Submitted by John Orzech, Police Chief**

##### **DISPOSAL OF VEHICLES**

**Budgetary Information:** There is no budgetary impact stemming from this disposal. The proceeds from the sales will be placed in the Police Department's forfeiture fund.

**ORDINANCE NO. 19-024:** It is requested an ordinance be passed authorizing and directing the City Manager to dispose of vehicles as having become unnecessary and unfit for city use pursuant to Section 25 of the city charter; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

#### **B. Submitted by Ariella Blanca, Community Development Manager**

##### **PARTNERSHIP AGREEMENT WITH ERIE COUNTY, CITY OF HURON AND CITY OF VERMILION FOR 2019 CHIP FUNDING FROM THE OHIO DEVELOPMENT SERVICES AGENCY**

**Budgetary Information:** There is no impact on the city's general fund. All projects in the program will be paid for through CHIP grant funds.

**ORDINANCE NO. 19-025:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a partnership agreement between the City of Sandusky, the Board of Erie County Commissioners, the City of Huron and the City of Vermilion relating to the Community Housing Impact and Preservation program; approving the submission of a grant application by the Board of Erie County Commissioners on behalf of the City of Sandusky, Erie County, the City of Huron and the City of Vermilion for financial assistance from the PY2019 Community Housing Impact and Preservation program through the Ohio Development Service Agency's Office of Community Development; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

#### **C. Submitted by Jason Werling, Recreation Superintendent**

##### **PRIORITY USE AGREEMENT WITH SANDUSKY TRAVELERS BASEBALL ACADEMY FOR RATHER FIELD**

**Budgetary Information:** The agreement will not result in any additional budgetary expenses. The city will benefit from the agreed upon ballfield maintenance performed by the league.

**ORDINANCE NO. 19-026:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a license agreement with Sandusky Travelers Baseball Academy for priority use of Rather Field located at Jaycee Park South for their baseball program beginning April 1, 2019, through October 31, 2019, and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**D. Submitted by Jason Werling, Recreation Superintendent****PRIORITY USE AGREEMENT WITH SANDUSKY MEN'S SOFTBALL LEAGUE FOR KIWANIS PARK**

**Budgetary Information:** The agreement will not result in any additional budgetary expenses. The city will benefit from the agreed upon ballfield maintenance performed by the league.

**ORDINANCE NO. 19-027:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a license agreement with the Sandusky Men's Softball League for priority use of the Kiwanis Park ballfield located at 2227 First Street, Sandusky, for their softball program beginning April 4, 2019 through October 31, 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**E. Submitted by Jason Werling, Recreation Superintendent****PRIORITY USE AGREEMENT WITH SANDUSKY AMVETS BASEBALL LEAGUE FOR ERIE BLACKTOP FIELD AND CONCESSION STAND**

**Budgetary Information:** The agreement will not result in any additional budgetary expenses. The city will benefit from the agreed upon ballfield maintenance performed by the league.

**ORDINANCE NO. 19-028:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a license agreement with Sandusky Amvets Baseball League for priority use of Erie Blacktop Field and the concession stand located at Amvets Park and Fields #1, #2 and #3 and the concession stand and storage shed located at Sprau Park for the Sandusky Amvets Baseball League program beginning April 1, 2019, through August 15, 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**F. Submitted by Jason Werling, Recreation Superintendent****PRIORITY USE AGREEMENT WITH SANDUSKY CENTRAL CATHOLIC SCHOOLS FOR DORN COMMUNITY PARK**

**Budgetary Information:** The agreement will not result in any additional budgetary expenses. The city will benefit from the agreed upon ballfield maintenance performed by the league.

**ORDINANCE NO. 19-029:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a license agreement with Sandusky Central Catholic School for priority use of Field #5 and Field #9 located at Dorn Community Park for the Sandusky Central Catholic High School baseball and softball programs beginning March 1, 2019, through May 31, 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**G. Submitted by Jason Werling, Recreation Superintendent****PRIORITY USE AGREEMENT WITH SANDUSKY CITY SCHOOLS FOR DORN COMMUNITY PARK**

**Budgetary Information:** The agreement will not result in any additional budgetary expenses. The city will benefit from the agreed upon ballfield maintenance performed by the league.

**ORDINANCE NO. 19-030:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a license agreement with Sandusky City Schools for priority use of Field #6 located at Dorn Community Park for the Sandusky High School Girls Varsity and Junior Varsity Softball programs beginning March 1, 2019 through May 31, 2019; 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 Wes Poole, the Commission voted to accept the Consent Agenda and declare all ordinances 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 whether it be in full accordance with Section 14 of the City Charter. Roll call on the motion: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 7. Roll call on the ordinances: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 7. The President declared the ordinances contained in the Consent Agenda passed in full accordance with the City Charter.**

**REGULAR AGENDA****FIRST READING****Item #1 - Submitted by Tom Horsman, Assistant Planner****AMENDMENT TO CHAPTER 1161 – LANDMARK PRESERVATION**

**Budgetary Information:** The Comprehensive Plan calls for preserving Sandusky's historic buildings and neighborhoods as they are an important asset in revitalizing the city.

**PASSED AT FIRST READING:** It is requested an ordinance be passed amending Part Eleven (Planning and Zoning Code), Title Five (Additional Zoning Requirements), Chapter 1161 (Landmark Preservation) of the Codified Ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

**Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this ordinance at first reading.**

*Discussion:* Wes Poole asked if there is a Planning Commission meeting between now and March 11 and Eric Wobser said the next one was scheduled for February 27, but there was nothing for their Agenda.

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

**ITEM #2 – Submitted by Matt Lasko, Chief Development Officer****ENTERPRISE ZONE TAX ABATEMENT AGREEMENT WITH COOKE BUILDING, LLC FOR COOKE PROPERTIES**

**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 a minimum of eight permanent full- and part-time employment positions that will be subject to city income tax. Additionally, the new real estate tax revenues in years 1 – 30 will be paid into the Central Public Improvement Tax Increment Equivalent fund.

**ORDINANCE NO. 19-031:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an enterprise zone agreement with Cooke Building, LLC; 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 accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 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 TAX ABATEMENT AGREEMENT WITH HUNTLEY BUILDING, LLC**

**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 a minimum of ten permanent full- and part-time employment positions that will be subject to city income tax. Additionally, the new real estate tax revenues in years 1 – 30 will be paid into the Central Public Improvement Tax Increment Equivalent fund.

**ORDINANCE NO. 19-032:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an enterprise zone agreement with Huntley Building, LLC; 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. Roll call on the motion: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 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**

**GRANT AGREEMENT WITH COOKE BUILDING, LLC AND HUNTLEY BUILDING, LLC**

**Budgetary Information:** The city will be responsible for providing \$500,000 in grant funds paid initially from the capital project fund. The city intends to finance this amount through issuance of urban renewal revenue notes or bonds. These notes or bonds will use proceeds from the Chesapeake tax increment fund to pay for the debt service.

**ORDINANCE NO. 19-033:** It is requested an ordinance be passed authorizing and approving a grant in the amount of \$500,000 through the substantial development grant program to Cooke Building, LLC and Huntley Building, LLC, in relation to the properties located at 154 – 162 Columbus Avenue, 119 East Market Street and 133 East Market Street 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 accordance with Section 14 of the city charter.**

*Discussion:* Greg Lockhart said this is a lot of money to give for the Cooke Building and although he is supportive of Rick and Megan Hogrefe doing what they are doing and taking a personal interest in investing, the Lunch Box started out as a small business and has been in the community for about 30 years. This restaurant has been a staple just as much as the State Theatre and other businesses and was a draw downtown when Sandusky did not have a draw. He asked what the city has done to facilitate helping them. He has no problem facilitating a potential development or construction, but would also like to know what we are doing with this displaced business. Eric Wobser said he spoke with the proprietor of The Lunch Box on the phone and at that point, she had secured a location to negotiate a lease and contact information was provided about city grants. Rick and Megan Hogrefe did work closely with the Lunch Box to try and find terms but does not know a lot of these details. They were not told to either pay some very large rent or they would be taken out, but tried different strategies to make this relationship work. The Hogrefe's worked with a variety of local businesses who are potential small or existing business to provide rehabbed space. This grant is not for the Hogrefe's grant program; rather, this grant made it possible for them to do some additional things that will allow them to help tenants with rent breaks, or alternatively, to give money to their foundation. The city grant is absolutely tied to the construction of this building on a property which is very difficult to rehab. Without it, it would be difficult to make the numbers work and everything in our grant ties this to the reconstruction of the rehabilitated buildings and has nothing to do with the small business program. Matt Lasko said the proprietor of the Lunch Box believes they have located a space and we are awaiting an economic development application from them to assist with kitchen and buildout of a restaurant space. As is the case with all of our economic development grants, we exclusively tie them to construction and receipt of Certificates of Occupancy. As with all of our grant applications whether done with commission legislation or not, folks also have to provide evidence of costs incurred prior to being reimbursed, assurances all liens have been cancelled and proof there are no outstanding obligations to contractors on any job. Wes Poole said with the amount of money we are spending on development in this community, The Lunch Box has been a staple and was downtown when no one else wanted to be there. We must do whatever we can to ensure they continue and downtown should have a place to eat breakfast. Greg Lockhart said he supports anyone who wants to do development in downtown but when we give substantial assistance to one, we should give it to the ones who have been here and who have paved the way and paid the taxes to get where we are now for the ones who will come beyond

us who will benefit from this. Dennis Murray said without slighting any other restaurants in town or in the area, The Lunch Box had the best breakfast potatoes he has ever had, does miss them and will welcome their return as they had a great following and a lot of lovely people worked there for many years. In the larger context of this grant, Dennis Murray said it makes economic sense. We live in a community with legacy assets and legacy liabilities. The Cooke Building is a huge legacy liability in the sense that if it had to be torn down, we would spend about the same amount of money or more than what is being proposed to add to the \$8 to \$10 million being invested by the Hogrefe's without getting a rehabilitated building. This would be about the same amount of money we spent to tear down the Keller Building and we did not have anything to show for it after other than selling the property for about \$70,000. This is a smart investment because this is our economic or business center and if we do not make it, will be like other communities with hollowed out downtowns. This is where a disproportionate amount of our taxes and commercial activity occurs. For this reason, this investment makes sense so the state of our downtown buildings does not flip to the point where we are looking at just liabilities without businesses and people in them who spend money and make investment.

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

**PERMISSION TO BID DEMOLITION OF SEVEN (7) PROPERTIES**

**Budgetary Information:** The total estimated cost for this project including advertising and miscellaneous expenses will exceed \$10,000. The cost for six of the demolitions will be paid with FY 2018 Community Development Block Grant funds, 707 Warren Street will be demolished using the real estate fund. A tax lien will be placed upon the properties for the cost of asbestos abatement and demolition.

**RESOLUTION NO. 008-19R:** It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed CDBG FY 2018 demolition project #1; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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

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

**EMERGENCY WORK ON HYPOCHLORITE TANK AT BIG ISLAND WATER WORKS**

**Budgetary Information:** The cost for door installation, including wall reconstruction and utility relocation was \$49,639. The cost of two NSF fiberglass replacement tanks was \$65,740 and the cost for the services associated with removal of the old tanks and placement of the new tanks is \$11,940. The total cost of the emergency work is \$127,319 and will be paid from the water fund. The original estimate provided to the City Commission on September 10, 2018 was \$100,000 and prior to including the second replacement tank.

**A. ORDINANCE NO. 19-034:** It is requested an ordinance be passed approving the emergency work at the chemical building at the Big Island Water Works plant; ratifying the emergency services performed and authorizing further services to be performed by Adena Corporation of Mansfield, Ohio, relating to the sodium hypochlorite tanks in the amount of \$61,579; 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 accordance with Section 14 of the city charter.**

*Discussion:* Aaron Klein said last September, this was brought to the commission through the City Manager's report as there was a bulge outside of the fiberglass tanks at the water treatment plant. There is a bladder inside the sodium hypochlorite tank which held firm and we were able to put some bands around the outside and secure the intakes at that time. Unfortunately it takes twelve weeks or so to get new tanks so we bleed this tank into the system and our processes over the next several weeks following and it has not been operational. We have been utilizing the second tank which we had planned to include for replacement in the capital plan. Once we got into this, we had to blow a door into the tank closer to the new wall. We decided it was in the best interest to install both tanks since they were both in need of replacement. This ordinance is for the actual construction work done to put the door in the side of the wall, move some piping around and to install the new tanks. Ordinance 6B is for the two new tanks to be installed. We have been very fortunate we have not had any major catastrophes since this time and have been monitoring on a daily basis and do expect these tanks to be here in next week and installed within one week after. Dick Brady said it appears we almost got two tanks for the price of one as originally, \$100,000 was estimated for one tank and we are replacing the entire system for about 25% more money. Aaron Klein said the Plant Superintendent Orin McMonigle looked at several different manufacturers and different materials and found a material which is more compatible with the chemical and also more cost effective for us. He did a lot of research to make sure we got the best bang for the buck.

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

**B. [ORDINANCE NO. 19-035](#):** It is requested an ordinance be passed ratifying the emergency purchase of two fiberglass bulk tanks for the chemical building at the Big Island Water Works plant and authorizing and directing the City Manager and/or Finance Director to expend funds to Harrington Industrial Plastics, LLC, of Chino, California, in the amount of \$65,740; 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. Roll call on the motion: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.**

**ITEM #7 – Submitted by Todd Gibson, Facilities & Properties Supervisor**

**AGREEMENT WITH REPUBLIC SERVICES FOR REFUSE/RECYCLING AT CITY PROPERTIES**

**Budgetary Information:** The cost of refuse and recycling pickup and disposal is paid through the general fund, recreation fund and water fund based on the usage (number of pickups per week and the container size). It is recommended the city enter into a two year contract for a total amount not to exceed \$121,291.01.

**[ORDINANCE NO. 19-036](#):** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Republic Services of Sandusky, Ohio, for refuse/recycling collection on city property for the period of March 1, 2019, through February 28, 2021; 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 Dick Brady, 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 is about a twenty percent increase in cost for hauling trash at city properties and would like the commission to have a larger discussion about this. Aaron Klein said we only received one bid for this contract as there is not a lot of market for a contract of this size in the region. The bid with Republic Services is effective March 1, 2019, and we need to get this in place right away. The bid was about \$11,000 higher than last year (\$48,500 versus \$59,500) and we contacted them to see why there was such a large increase and were told there were 37 new containers added. Aaron Klein said we only added one at the Cleveland Road park which was installed last year. The bidder realized he erroneously put a bid together based on the 2020 numbers (or year two of the contract) which included new trash containers on Shoreline Drive and the Jackson Street Pier. When he reanalyzed this bid, he dropped almost \$9,000 from his price and said the city could save \$8,703.34; however, since this is a bid, we would like to proceed by receiving a reduction in the cost of the contract. Instead of rebidding, Aaron Klein said he recommends awarding this contract and within one month, come back with the revised cost and have a change order approved to reduce the price in year one of the contract. The cost for year two is accurate and does include the new trash receptacles. We do not know the exact quantity for the Jackson Street Pier and Shoreline Drive and may come back and adjust the cost again. Dennis Murray said this is a sufficiently-sized contract and could not find anyone else interested in bidding on it and thinks we ought to look at providing this service ourselves and asked the City Manager and Public Works Director to go about finding this out. He would like to find out the cost involved in purchasing a truck and hiring the employees to do this ourselves and thinks this is something we could do below the bid cost (perhaps over a couple of years). He would feel better if we look at these options. Eric Wobser said we can cost this out and we have looked at options and would recommend proceeding with this tonight but with the option to, at an appropriate time, look into a different direction. We are looking at a variety of different options as to how to keep these costs under control. Greg Lockhart said he agrees and perhaps the city should explore these options. With such a significant outlay, it certainly makes sense to look at it. Dennis Murray said we do need to enter into this contract otherwise our trash containers will be overflowing this weekend and we will get the reduction when it comes through; in the meantime, would like to look at alternatives. Greg Lockhart asked how long we would be bound with the agreement and Dennis Murray said it is for two years but there is a provision to terminate the contract if necessary. Wes Poole said he is not opposed to researching this if the staff has time, but it seems \$50,000 per year would be one full-time salary. Dennis Murray said it would not take more than one person to operate the truck.

**Roll call on the motion: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 7. Roll call on the ordinance: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 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 of \$2,000 from the Elks for Sentry pod cameras. The President declared the motion passed.**
- Sgt. Tracey Susana will not only be representing the Sandusky Police Department and the City of Sandusky, but also the State of Ohio on her trek to Abu Dhabi, United Arab Emirates. Sgt. Susana will be representing the **Ohio Law Enforcement Torch Run**. One hundred officers from 24 countries will be participating in the Torch Run, culminating with the beginning of the **2019 Special Olympics World Summer Games**. She will be running in all seven of the United Arab Emirates over the course of one week with the Flame of Hope. The 2019 Special Olympics World Summer Games is a multi-sport event for athletes with intellectual disabilities in the tradition of the Special Olympics

movement and will be held from March 14 – 21. We wish Sgt. Susana well and a special thanks to her for her tireless work in promoting Special Olympics athletes.

- **Members of the Police Department were re-certified** on Basic Life Support, CPR and AED's on February 12 and 14. Eric Wobser thanked the Firelands Regional Medical Center South Campus Education program for hosting us and providing the training.
- Eric Wobser **congratulated Bill Reyes on his retirement from the Sandusky Fire Department** and thanked him for his 28 years of service.
- Eric Wobser **congratulated Kevin McGraw who will be promoted to Lieutenant** on April 17.
- Eric Wobser said **Steven Maat started on the Sandusky Fire Department** on February 21 as a fire fighter/paramedic.
- **Members of the Fire Department have been assisting with food delivery** from the Salvation Army to the Midtown Supper Club. Sandusky Fire has also been continuing to help OHgo twice a month. Eric Wobser thanked Community Impact Officer Jeff Danevich for spearheading this worthy cause.
- The next **Audit/Finance Committee meeting** is March 22 at 8 a.m.
- ODOT is finalizing plans to **resurface State Route 6** between the east corporation limit and Tiffin Avenue as part of their urban paving program in 2020. A portion of this project must be paid for by the city as local match and an agreement will be coming soon for approval.
- The **city has been awarded \$759,427 of federal funds through the MPO and ODOT for reconstruction of East Monroe Street between Meigs and Decatur Streets**. This project is expected to occur in 2023. Staff is planning to repair the eastbound tire lane between Warren and Meigs Streets later this year.
- Thanks to the continued partnership with Erie County and Perkins Township, the city has engaged a consultant to complete a **cost-benefit analysis that will result in a recommendation regarding long-term refuse and recycling collection** within Sandusky and Perkins Township. Staff expects a recommendation sometime in March. Dick Brady acknowledged the leadership provided by Erie County Commissioner Matt Old in securing the funding for this analysis to be completed. This is an opportunity for the city, Perkins Township and Erie County to work toward pursuing curbside recycling and refuse effectively together. No one can predict the future, but the future starts with this analysis and Dick Brady thanked Erie County for picking up the cost of this.
- **Big Island Water Works continues to participate in ongoing research led by Kent State University and funded by the Ohio Sea Grant and National Science Foundation**. While Sandusky's water service regularly exceeds standards, the water samples provided allow researchers to evaluate existing pollutants in source water as well as how treatment technologies reduce those pollutants when making drinking water.
- Staff has been diligently working with ODNR for a year to design **shoreline stabilization at Lions Park**. Field crews have been working on frozen ground at Mills Creek Golf Course to separate the large rip rap which has been stockpiled there for many years. Staff hopes to bid a project in the spring once existing materials have been categorized. A temporary shore structure application has already been submitted to the ODNR.

- **Upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted to approve a satisfaction of mortgage for Pete and Joan Knef for property located at 3328 West Monroe Street.**

*Discussion:* Eric Wobser said Peter and Joan Knef are requesting a satisfaction of mortgage for their 2007 CDBG exterior rehabilitation loan in the amount of \$6,000 as they are unable to afford the cost of their home located at 3328 West Monroe Street. In December, 2018, they requested a satisfaction of their loan in order for a short sale to take place on their property; however, the short sale recently fell through. With this no longer occurring, Mr. and Mrs. Knef would like to provide their deed in lieu of foreclosure to the mortgage company. The mortgage company has agreed to accept the deed in lieu of foreclosure as long as the city's lien is satisfied. City staff is recommending approval of the satisfaction in order to keep the property from being foreclosed upon. Staff is also recommending the satisfaction occur simultaneously with the issuance of a maintenance bond to the city from the mortgage company. Wes Poole asked what the upside is of this. Dennis Murray said a short sale would be where the bank agrees to accept the sale for less than the full amount of the mortgage. This is simply going back to the bank and is a deed in lieu of foreclosure. Wes Poole asked what the original amount was provided and how much has been paid to date. Matt Lasko said these loans typically were a 50/50 match and \$6,000 is due upon sale of the property. This was approved at a December meeting because staff liked the idea of the property being occupied immediately. Unfortunately, this will leave the parcel partially unoccupied for some period of time but will increase the period upon which the property will be resold and occupied. We want to make sure there is a property maintenance bond in place in the event the city would ever have to step in and maintain the property. Although this is not the preferred outcome, we want to find a secondary approach to limit the amount of vacancy in the property and have the maintenance bond in place should anything happen to it. Dennis Murray said this is not the city pressing this issue, it is the property owner and the bank which have brought it to this point.

**The President declared the motion passed.**

- The **Planning Commission** meeting is scheduled for February 27 at 4:30 p.m.
- The **Board of Zoning Appeals** meeting is scheduled for March 21 at 4:30 p.m.
- A **Landmark Commission** meeting is scheduled for March 20 at 4:30 p.m.
- The **Sandusky Recreation Department is excited to announce the offering of online registration** for programs, camps and events starting March 1. With coordination from the IT and Finance Departments, RecDesk software will be part of the city's new website and allow residents the ability to set up their own user accounts for their families and more easily log into programming. The software will also make park shelter and gazebo reservations more streamlined as we enter into the spring season. Prior to this upgrade participants would have to mail or visit the recreation offices to sign up for programs, camps and events. RecDesk will make it possible for participants to sign up from their smartphones and allow our recreation staff to provide direct links to recreation programming from the city's new website and social media sites.
- The Sandusky Recreation Department is partnering with Firelands Regional Medical Center and several local walking and running events to provide the **#RUNDUSKY 2019 Race Series** this year. Seven races within the city limits are part of the series including the Humane Society, Running Laps with Lions, All for Abs, Boy with the Boot 5k/10k & Family Relay, Blue Streak Pride, Save your Pumpkins and the Dot the i, Block the M walk/run. Anyone who registers and participates in five of the seven events, fills out a #RUNDUSKY card and has it stamped, will receive a #RUNDUSKY hoodie. Participants in

six or seven of the events will be entered into a drawing for a running package including registration to area running events. There is no charge for participating in the race series, but each race has registration fees. The series is set up to promote walking, running and outdoor exercise in 2019. Anyone interested in participating in the series can call Jason Werling at 419.627.5833, or via email: [jwerling@ci.sandusky.oh.us](mailto:jwerling@ci.sandusky.oh.us).

### **OLD BUSINESS**

Dave Waddington asked the status of the **NASA intake** and Dennis Murray said when he last spoke with Commissioner Pat Shenigo, they were about to do a flow test to see what the capacity is of the existing pumps and pipes to go from Sheldon's intake to NASA; he has not heard the results of this testing.

### **NEW BUSINESS**

**Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to reschedule the Public Hearing for the 2019 budget to March 11. The President declared the motion passed.**

**Upon motion of Dick Brady and second of Naomi Twine, the commission voted to hold an executive session regarding acquisition of property. Roll call on the motion: Yeas: Dave Waddington, Naomi Twine, Greg Lockhart, Dennis Murray, Nikki Lloyd, Wes Poole and Dick Brady, 7. The President declared the motion passed.**

### **AUDIENCE PARTICIPATION**

Sharon Johnson, 1139 Fifth Street, said she is not clear about the grant and the non-profit and asked if the commission is allowing \$50,000 to go into the developer's non-profit organization. Dennis Murray said as Eric Wobser stated, the specific language in the grant, which was approved by the City Commission, provides a \$150,000 grant upon the completion of construction and another \$350,000 upon receipt of a Certificate of Occupancy. These grants are made to the developer/owner only after these monies have been invested. What the owners does with the money is immaterial to the city; the city wants to see this built and how he uses his money (whether to repay a note or a loan made or for any other purpose) is not something we control. At that point, the property will have been constructed, completed and occupied which is our objective and the reason for the grant. Dennis Murray said he does not know anything about a non-profit, but the developer would certainly be free to take this money and put it into a non-profit if this is what he chooses to. Wes Poole said this is necessary and is what the city needs to do to build up the downtown and take care of these buildings in terms of our contribution. What we are doing downtown and around this entire city is partnering or investing in things we think will provide for the community down the road. Everyone has their opinion about how much should be invested and/or how much something is worth, but in this case, getting these buildings taken care of is necessary. Wes Poole said he voted for this because he does not see a better option and for the amount of money being invested by the developer, it is significant enough and is worth the risk of us putting money into. Like Presidential tweets, this is a Facebook problem and someone decided to say something which can be interpreted many ways on social media. There are going to be people who will never be satisfied with this but is hoping the end result for the community is positive enough folks will say it was good judgement by the commission. Wes Poole said he will be the first to say we spend a lot of taxpayer money, but some he agrees with totally while other times he has concluded if there is not a better deal, it is worth it because we are not better off if we do **not** do this. Sharon Johnson said this is not good enough for *this* taxpayer. Wes Poole said he realizes she will not be satisfied and there will be others, but this is the way it is when grants are being given. We have stipulated we will get this building rebuilt as we have said; what the developer did with out-of-pocket money is not something we are going to argue about. Dennis Murray said the concern raised is ordinarily, with a grant, there are many safeguards in place because we want to make sure the money is used to secure the objective we have made the grant available for. This is an instance in which we have absolute protection because the grant will not be made until the objective designated has been completed and paid

for. The money is not distributed as certain landmarks are accomplished; it must be completed before giving money to the developer and is the difference in this instance.

**At 6:10 p.m., the President announced a recess of the regular session. At 6:12 p.m., the commission convened into executive session. At 6:45 p.m., the commission returned to open session and upon motion of Wes Poole and second of Dick Brady, the commission voted to adjourn. The President declared the motion passed.**

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Kelly L. Kresser, CMC  
Commission Clerk

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