

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

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

City staff present: Aaron Klein – Director of Public Works, John Orzech – Police Chief, Mario D’Amico - Fire Captain, Matt Lasko – Chief Development Officer, Angela Byington – Director of Planning, Don Rumbutis – IT, Stuart Hamilton – IT Manager, Hank Solowiej – Finance Director, Trevor Hayberger – Law Director and Eric Wobser – City Manager.

#### **APPROVAL OF MINUTES**

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to approve the minutes of the May 13, 2019, meeting and suspend the formal reading. The President declared the motion passed.

#### **AUDIENCE PARTICIPATION**

None.

#### **CURRENT BUSINESS**

Dennis Murray said Senator Sherrod Brown was in town today who wanted to find out **what is going on in Sandusky** because he has been reading about us. He noted things have changed for the better here and held up today’s Cleveland Plain Dealer featuring Sandusky. All of Cleveland is looking at this article today and he is proud of the city and all who have contributed to it.

Dennis Murray said every year he hears comments about **Ohio Bike Week** as it approaches. We are a grown up town and there is lots of room for differing people to explore what it is they want to do here. Ohio Bike Week is only one week to ten days and although he is not a big fan of it, we need to be tolerant of each other and make room for each other in this community. He may catch flack for this statement, but we come to the table with issues like adults and resolve them like adults. The other lesson which might be lost is emotions do not really belong on Facebook or on social media, these should be expressed one-on-one.

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 Hank Solowiej, Finance Director**

##### **APPROPRIATION AMENDMENT #1**

**Budgetary Information:** Appropriation amendments are required to update the budget for previous actions of the city. Examples include, but are not limited to: 1) recycling collection at Cement Avenue; 2) West side connectivity project; 3) transit grant; 4) Safe Routes to Schools project; 5) Justice Center design; 6) tablets for Code Enforcement, Building and Planning; and 7) Cemetery endowments.

**ORDINANCE NO. 19-092:** It is requested an ordinance be passed adopting amendment No. 1 to Ordinance No. 19-054 passed by this city commission on March 25, 2019, making general appropriations for the Fiscal Year 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**B. Submitted by Aaron Klein, Director of Public Works**

##### **AUTHORIZATION TO SUBMIT VARIOUS APPLICATIONS FOR ENVIRONMENTAL AND REGULATORY PERMITS FOR SANDUSKY BAY INITIATIVE PROJECTS**

**Budgetary Information:** There is no cost to approve this resolution. All costs for the projects have been provided by, or through, the Ohio Department of Natural Resources.

**RESOLUTION NO. 020-19R:** It is requested a resolution be passed authorizing and approving the submission of an application to the U.S. Army Corps of Engineers to obtain a Department of Army permit, submittal of an application to the State of Ohio to obtain a submerged lands lease, if required to implement the project, a shore structure permit, and a water quality certification, and submittal to the U.S. Coast Guard for private aids to navigation in connection with the planned Sandusky Bay Initiative project; and declaring that this resolution take immediate effect in accordance with Section 14 of the city charter.

**C. Submitted by Debi Eversole, Housing Development Specialist**

**ACCEPTANCE OF FOUR PARCELS FOR THE CITY'S LAND BANK PROGRAM**

**Budgetary Information:** The cost of these acquisitions will be approximately \$204 to pay for the title exams and transfer fees. The city will not collect the \$1,623.12 owed to the city in special assessments, nor will the taxing districts collect the \$7,514.49 owed in delinquent taxes. However, all or part of these costs may be recouped and reimbursed upon sale of the parcels. As the properties are put back into tax producing status, the taxing districts will once again begin collecting real estate taxes of approximately \$2,413.18 per year.

**RESOLUTION NO. 021-19R:** It is requested a resolution be passed approving and accepting certain real property for acquisition into the land reutilization program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**D. Submitted by Debi Eversole, Housing Development Specialist**

**PURCHASE AND SALE AGREEMENT FOR PARCEL LOCATED AT 1413 HUNTINGTON AVENUE THROUGH THE LAND BANK PROGRAM**

**Budgetary Information:** The cost associated with this purchase agreement is the total amount of the title examination, recording and transfer fees and deed preparation associated with the property. Any such costs shall be recouped by the city from the nonrefundable earnest money deposits required to be paid by the purchaser upon sale. By returning this nonproductive land to tax producing status, the taxing districts will begin collecting real property taxes in the amount of approximately \$150 per year.

**ORDINANCE NO. 19-093:** It is requested an ordinance be passed declaring that certain real property owned by the city as part of the land reutilization program identified as Parcel No. 57-02341.000, located at 1413 Huntington Avenue, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of a purchase and sale agreement with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**E. Submitted by Debi Eversole, Housing Development Specialist**

**PURCHASE AND SALE AGREEMENT FOR PARCEL LOCATED AT 823 THIRD STREET**

**Budgetary Information:** The cost associated with this purchase and sale agreement is the total amount of the title search, lot combination and survey, closing costs, deed preparation and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction. The city will recoup the cost of the expenses from the sale. The taxing districts will begin collecting approximately \$1,584 per year in real estate taxes.

**ORDINANCE NO. 19-094:** It is requested an ordinance be passed declaring that certain real property owned by the city as part of the land reutilization program identified as Parcel No. 57-04622.000, located at 823 Third Street is no longer needed for any municipal purpose and authorizing the execution of a purchase agreement with respect to that real property; 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 Naomi Twine, 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 or resolutions whether it be in full accordance with Section 13 or Section 14 of the City Charter. Roll call on the motion: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, Nikki Lloyd and Greg Lockhart, 7. Roll call on the ordinances and resolutions: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray,**

Wes Poole, Nikki Lloyd and Greg Lockhart, 7. The President declared the ordinances and/or resolutions contained in the Consent Agenda passed in full accordance with the City Charter.

### **REGULAR AGENDA ITEMS**

#### **SECOND READING**

**ITEM #1 – Submitted by Greg Voltz, Planner**

#### **VACATION OF 20' ALLEY LOCATED BETWEEN 1625 AND 1631 CLEVELAND ROAD**

**Budgetary Information:** There is no impact to the general fund.

**ORDINANCE NO. 19-095:** It is requested an ordinance be passed vacating an alley located north of Cleveland Road between 1625 and 1632 Cleveland Road, within the city, as set forth on the vacation plat, a copy of which is marked Exhibit A-2, attached to this ordinance and incorporated herein.

Upon motion of Naomi Twine and second of Wes Poole, the Commission voted to approve this ordinance at second reading. Roll call on the ordinance: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, Nikki Lloyd and Greg Lockhart, 7. The President declared the ordinance passed at second reading.

#### **SECOND READING**

**ITEM #2 – Submitted by Greg Voltz, Planner**

#### **AMENDMENTS TO PUBLIC VENDING LEGISLATION**

**Budgetary Information:** There is no impact to the general fund.

**ORDINANCE NO. 19-096:** It is requested an ordinance be passed amending Part Seven (Business Regulation Code), Chapter 735 (Public Vendors) of the Codified ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

Upon motion of Wes Poole and second of Dave Waddington, the Commission voted to approve this ordinance at second reading.

*Discussion:* Nikki Lloyd said she will abstain since many of the locations recommended for a public vending licenses are next to her businesses.

Roll call on the ordinance: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole and Greg Lockhart, 6. Abstain: Nikki Lloyd, 1. The President declared this ordinance passed at second reading.

**ITEM #3 – Submitted by Arielle Blanca, Community Development Manager**

#### **APPROVAL OF ONE-YEAR ACTION PLAN AND 2019 – 2023 FIVE YEAR CONSOLIDATED PLAN**

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

**ORDINANCE NO. 19-097:** It is requested an ordinance be passed authorizing and directing the City Manager to accept an entitlement grant in the amount of \$721,669 total Community Development Block Grant funds for the Program Year of July 1, 2019, through June 30, 2020, and to submit to the United States Department of Housing and Urban Development a five-year Consolidated Plan containing a One-Year Action Plan; 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:* Dennis Murray said Arielle Blanca has presented this item at previous commission meetings.

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

**ISSUANCE AND SALE OF URBAN RENEWAL REVENUE BONDS**

**Budgetary Information:** The urban renewal revenue bonds are for an amount not to exceed \$4,700,000 for costs associated with the Jackson Street Pier rehabilitation project and the Shoreline Drive rehabilitation project. This issue is expected to have a maturity of one year.

**MOTION TO ACCEPT FISCAL OFFICER'S CERTIFICATE**

**ORDINANCE NO. 19-098:** It is requested an ordinance be passed providing for the issuance and sale of urban renewal temporary revenue bonds in the maximum principal amount of \$4,700,000 in anticipation of the issuance of definitive urban renewal revenue bonds for the purpose of paying costs of city urban renewal project activities in the second urban renewal plan area, and declaring an emergency.

**Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept the Fiscal Officer's Certificate. Roll call on the motion: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, Nikki Lloyd and Greg Lockhart, 7. The President declared the motion passed.**

**Upon motion of Dick Brady 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:* Wes Poole said we are borrowing money, but asked at what interest rate. Dennis Murray said this is in the future and will be set by the market. Hank Solowiej said he will advise the commission of the interest rate once these bonds are sold. Dennis Murray said we are in a very stable and declining-rate environment which makes it a great time to borrow money. Hank Solowiej said this will be a one-year note and we intend to issue long-term bonds. Wes Poole said the rates are estimated at 6.5% and does not understand this; this is payable on June 1. Hank Solowiej said an interest rate cannot be set until one actually goes to market to sell the bonds. If this legislation is not passed, there is no binding interest rate and a lot of the language in the ordinance is written as "not to exceed" or "estimated". Wes Poole said the commission is essentially authorizing us to pay up to 6.5% if the market comes to this; Hank Solowiej said he highly doubts it would get this high as we have not sold anything at this high of a rate since he has been here. Wes Poole suggested we are in the best economic times, interest rates are low and he has a problem with authorizing a rate of 6.5% if realistically it should be significantly less. If the taxpayers end up paying 6.5% on \$4 million, it is something we should have discussed. He asked what the cost-benefit analysis looks like. Urban renewal is the intention of taking dilapidated old buildings in an area and paying this off incrementally through the TIF funds with the concept the property values will go up. We will have cost going into this and asked where we stand and how long it would take us to see any benefit if we pay 6.5%. Hank Solowiej said our analysis would have run our projections between the two and four percent range on interest expense and we probably would not approve anything at 6%. Our approval tonight is to go to the market to approve borrowing \$4.7 million for the Jackson Street Pier and Shoreline Drive projects. Dennis Murray asked where we are with the rating and what the last rate paid was on a one-year note; Hank Solowiej said the last one was two percent. This year will not be significantly different and we have more than necessary latitude in the legislation. It seems to make sense to put a tighter parameter/cap on this and asked if this is a way to address the concern raised by Wes Poole. Wes Poole said this would add to his comfort level. Wes Poole asked who can buy these bonds and Hank Solowiej said we use a financial advisor to market to different investors. We are still debating if we will go to market or do private placement where these are negotiated with a specific investor. These are not general obligation-backed bonds, they are revenue-backed bonds and are a little different than one-year notes which are usually issued in the fall. Wes Poole asked what controls this decision and Hank Solowiej said we would rely on our bond counsel and our financial advisor to see if there is interest to sell them in an open market. We may attempt to sell them in an open market and if it does not work out, would seek private placement with a firm, similar to the previous one with BB&T Bank. Wes Poole asked

what the reason could be for not selling them on the open market. Hank Solowiej said this could be due to a variety of reasons including interest rates, the amounts not being high, or because it may be hard to get investors interested in buying a small piece. This is basically a one-year note with the intent to issue bonds next year. The bonds would mature when the TIF expires so we are looking to find someone interested in these in the long-term. The draw is we would be selling long-term bonds next year. Wes Poole asked how much money we are talking about. Hank Solowiej said the plan right now is to issue \$4.7 million this year and pay down about \$1.2 million next year. We committed \$1.3 million for the Feick Building project and \$500,000 for the Cooke Complex so we will add these two pieces next year. The remaining portion for the Jackson Street Pier and Shoreline Drive would be about \$3.9 million, so next year we would look to bond out about \$9.2 million for the principal amount. The proceeds from the TIF would pay the debt. Wes Poole said each of these projects is significantly more and asked where the balance of the money will come from. Hank Solowiej said he would defer to the legislation previously passed for both of these projects which is outlined in the communications. Dennis Murray said we have a piece of the Feick Building and the Cooke Complex projects. Wes Poole said he is referring to how much debt we will have overall when this is complete. We have walked through these projects singularly a little piece at a time and ultimately we end up with a significant amount of debt he is trying to get a handle on: how much it will be, how we are going to pay it off and what the return on investment is. We have not really talked about this in terms of a cost/benefit analysis, just that it will be nice when it is done. He is trying to figure out if we can even cover this debt. Hank Solowiej said the Chesapeake TIF brings in about \$600,000 per year; we were anticipating it would collect about close to \$12 million during its life. Wes Poole said for every year we do not have the money for this, we have to figure out where to take it from; Hank Solowiej said these are strictly revenue bonds backed by revenues and will not go back to general obligations or capacity. Wes Poole said this means if investors are not any more satisfied than he is, either the city ends up paying more interest because it is a riskier bond, or we end up with a different problem which we do not want to get into. He is looking for something which makes him believe our homework is done and the return on investment is sufficient so investors will buy in at 3 to 3½% as opposed to demanding 6 to 6½% as the commission is currently authorizing. Hank Solowiej said Squire Patton Boggs is our bond counsel, prepared this ordinance and this is standard language used on every debt issue; we can revisit this going forward, but we have deferred to them in preparing this language. With the recent issues we have had, we have been nowhere near 6%. Wes Poole said the recent issues represent the debt we have now; the future issues represent the additional debt we continue to get. We are going from 4.7% now and adding on further which means it is possibly less desirable since the payback from the TIF is simply \$600,000. We are borrowing money for multiple projects without knowing whether this is a good buy or a good investment for our bond counsel or the investors. Hank Solowiej said we will not know until we go to market. Wes Poole asked what the members of the Audit/Finance Committee recommended. Hank Solowiej said they did not approve this specific issue; it has been talked about informally, but it is not their role to approve debt. Wes Poole said the Audit/Finance Committee has not voted or approved of this mechanism and he has outlined all of his concerns which seem to be unanswered questions. Dennis Murray said it is for the market to figure out these risks and what they are going to demand in terms of an interest rate. We have been very successful in going to market. TIF bonds are snapped up on a regular basis and this is a prelude to that. This is a note which will be swapped out by a TIF bond and, as indicated, it is not a general revenue bond and is not anything which interferes with our doing any other business or providing service throughout the city. TIF's are very complicated and he has spoken with Hank Solowiej - who makes himself available any time anyone has questions - about whether these are appropriate, and has been assured we have more than adequate capacity to issue these bonds and other TIF bonds coming down the road. He is very satisfied this is a good investment for the community and it is important to think of in terms of return on investment although this means a lot of different things to a lot of different people. Part of the reason Sandusky is experiencing a resurgence is because we are making the kind of investments that cause people to want to live here and we get returns on investment that way. Over time, unpredictably, we are government and are in the business of taking these kinds of measured risks to move the community forward. Greg Lockhart said he asked if more explanation can be given regarding what we expect to achieve for our return on investment. We have taken close to \$1 million of

CDBG money from the neighborhoods to put into these projects and asked what we achieve from this. Dennis Murray said the commission has taken a vote to proceed with these projects and today's question concerns how we will pay for the contractual obligations we have undertaken. This note and these bonds should not come as a surprise because this was in the original legislation. Dennis Murray said he realizes people have different views about the appropriateness of this project, which is fine, but we have had these votes and we now have to go forward on the question of how it is we pay for these obligations. This is a reasonable way to undertake it. Eric Wobser said as to the CDBG allocation, his understanding is this was the reprogramming of the Revolving Loan fund. The vast majority of our CDBG funding on an annual basis goes toward things like demolition, code enforcement or infrastructure projects which help fund road work throughout the entire city. We had a Revolving Loan fund which was unable to be used and because we have been proactive with the Issue 8/admissions tax dollars in partnership with Cedar Point, we created a local revenue stream which has helped to seed a great deal of investment. We have had \$100 million invested in the downtown alone with \$300 million being invested throughout the city. A big part of the Bicentennial Vision Plan, which was passed unanimously by the City Commission and the Planning Commission, called for investments on the waterfront. This is our competitive advantage in this globally competitive world as it is a natural resource. This is being used as a tool to improve our quality of life and to create a climate in which to invest as compared to other places. A variety of projects were included in this plan including dusting off the Sandusky Bay Pathway Plan, revitalizing the Jackson Street Pier, making investments along the waterfront to attract investment, improve the quality of life for existing residents and to build on being a tourism destination in ways which will allow us to improve the quality of life so people want to do business here and live here. The proof is in the investments which have been made during the past few years and this investment has been made comfortable based in large part because this commission has stayed consistent in its commitment to these projects. Ultimately, this is about the eighth time we debated this at this table and hopes we can maintain this consistency so people can still feel comfortable continuing to make these investments. Nikki Lloyd said she appreciates the concerns raised by Wes Poole and took the time to meet with Eric Wobser and Hank Solowiej multiple times who went through the schedule of when things are dropping off of our books to see what we can actually handle for a city of our size with our Comprehensive Plan and keeping up with the new projects which lie ahead. She is comfortable with this and feels we are right on track and supports this. Dick Brady said it is very difficult if not impossible to try to quantify a cost-benefit analysis to get to a dollar and cent number in a situation like this. The value is in the amenities we are delivering to our residents with both the Shoreline Drive and Jackson Street Pier projects. It is impossible to put a dollar amount on a cost-benefit analysis. The value is in people buying these bonds and investors looking at them with a level of comfort and those who will continue to pay their property taxes toward the TIF. It is incumbent upon the city to make the most out of these TIF dollars and deliver this type of amenity to the city. Wes Poole said the cost-benefit analysis is pretty much done for any significant burden. We can debate what the benefit is, but if it cannot be quantified, there is probably not much benefit which financially justifies spending the money. Additionally, Wes Poole said he is really not very happy with probably 85% of what we have done over the last four years and has voted accordingly. He does think we have a responsibility to be very careful with what we do with our money because long-term matters - not just this first year - but for thirty years into the future. This will be money we no longer have to be tied up in the TIF or for one or two projects and tied up forever. With regard to investments, a small number of investors or a couple of partners spending large amounts of money on multiple projects is not as though we have attracted 13 or 14 different developers knocking on our door trying to build up any particular path we are going down. We have a lot of things here which are not happening. It is okay to say we are proud of what we have done, but we should not try to overstate how much development we are getting as it is not a diverse group of folks. Individuals who we have given money to for small businesses who have spent money is great, but this is not lots and lots of money for this entire community; it is a four block area where we are spending millions of dollars for which we will have debt for a long time. Dennis Murray said he hopes Wes Poole does not feel anyone is criticizing him as these are important questions. We have come to different answers for these questions based upon the homework we have done and thinks we are into dozens if not scores of folks who have come in and made investments. Some are larger while some are smaller, but they all important and are

adding to the fabric of our community for our local economy and thinks this is where we are seeing the reward.

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

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

**APPROVAL OF OWDA LOAN FOR SHORELINE DRIVE REHABILITATION PROJECT**

**Budgetary Information:** For the city-wide and wholesale rate studies recently finalized, it was anticipated an OWDA loan would be obtained for this project. The total cost of the loan will be as follows:

Construction and design	\$4,791,661.00
Contingency (10%)	479,166.10
OWDA Administrative fee (.35%)	18,447.89
Capitalized Interest (2.79%)	<u>221,356.16</u>
<b>TOTAL:</b>	<b>\$5,510,631.15</b>

The entire cost would be reimbursed over 30 years from the sewer and water funds via a low interest loan. Final loan amounts will be based on actual final costs and interest will be based on the rate at the time the project closes.

**ORDINANCE NO. 19-099:** It is requested an ordinance be passed authorizing a cooperative agreement between the City of Sandusky and the Ohio Water Development Authority to finance the cost of design and construction for the Shoreline Drive rehabilitation project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

*Discussion:* Wes Poole asked where this water line is going. Aaron Klein said this water line is going from Decatur Street all the way to the far east end of the project. We are also adding water lines based on the July 4 water main break last year. We are also adding a water line up Wayne Street and will be relocating a water line under Facer Park at the foot of Hancock Street so we do not have to tear this up in the future.

**Roll call on the motion: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, Nikki Lloyd and Greg Lockhart, 7. Roll call on the ordinance: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, 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 #6 – Submitted by Jane Cullen, Assistant City Engineer**

**APPROVAL OF CHANGE ORDER #2 AND FINAL WITH CASH SERVICES, LLC FOR CEDAR POINT WATER MAIN IMPROVEMENT PROJECT**

**Budgetary Information:** Change Order #1 was approved at the March 11, 2019, City Commission meeting per Ordinance 19-044 in the amount of \$45,666.66 and revised the contract amount to \$448,774.16. Change Order #2 in the amount of \$13,040.37 will revise the contract amount of \$448,774.16 to \$461,814.53. The additional costs are paid by the water fund. As mentioned in the agenda for Change Order #1, Cedar Fair will be reimbursing the city \$17,874.16 for the work involving the removal and replacement of the C Channel lateral bracing under the bridge.

**ORDINANCE NO. 19-100:** It is requested an ordinance be passed authorizing and directing the City Manager to approve the second and final change order for work performed by Cash Services, LLC, of Millburn, Ohio, for the Cedar Point water main improvement project in the amount of

\$13,040.37; 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 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, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, Nikki Lloyd and Greg Lockhart, 7. Roll call on the ordinance: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, 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 #7 – Submitted by Jane Cullen, Assistant City Engineer**

**PROFESSIONAL CONSULTANT SERVICES AGREEMENT WITH O.R. COLAN ASSOCIATES FOR WEST SIDE UTILITY & CONNECTIVITY IMPROVEMENTS PROJECT**

**Budgetary Information:** The estimated amount of the consultant fee for professional services is not to exceed \$28,525 with \$14,975 from sewer funds, \$10,162 from water funds and \$3,388 from capital projects funds (Issue 8). This cost does not include negotiated payments for the acquisition.

**ORDINANCE NO. 19-101:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for professional property and easement acquisition services with O.R. Colan Associates of Fairview Park, Ohio, for the West side utility and connectivity improvements project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Naomi Twine and second of 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:* Aaron Klein said when we are doing any type of infrastructure project, we need to make sure we do the required work in the right-of-way. If there is an issue when we are going to install it, we get the appropriate easements and acquisitions and sometimes we need to acquire the full property while other times we may just need a sliver on the front along the right-of-way. For this project we are doing a lot of storm sewer work, water main work, the bike path along Venice Road on the north side and the sidewalk on the south side as well as in a heavily residential area. In addition, we are also doing water line and storm sewer work in the neighborhood off of Edgewater Drive and south of Venice Road including Linden and Sagamore Streets. We found we need several sewer and water easements for this. Some of them are temporary while others are permanent. The temporary ones are designed for construction periods and we will be able to maintain infrastructure for the permanent ones we are installing. We have infrastructure, catch basins and manholes which are outside on private property now so some of this is to demolish those structures and put the sewer infrastructure in the right-of-way to correct something we may have made a mistake on in the past. We have five on this project and now are looking to be able to start negotiations with these property owners to make sure we can acquire the property. Typically, after we go through this process, we get the fair market value and present an offer to each of the property owners based on the temporary or the permanent nature of the easement or encroachment.

**Roll call on the motion: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, Nikki Lloyd and Greg Lockhart, 7. Roll call on the ordinance: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, 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 #8 – Submitted by Stuart Hamilton, IT Manager and Richard Wilcox, Fire Chief**  
**PURCHASE OF DELL SERVER FROM DELL MARKETING L.P. FOR FIRE DEPARTMENT**

**Budgetary Information:** The cost for this purchase will not exceed \$12,308.62 and will be paid with funds from the EMS fund.



**ORDINANCE NO. 19-102**: It is requested an ordinance be passed authorizing and directing the City Manager to purchase a Dell PowerEdge server from Dell Marketing L.P., of Round Rock, Texas, through the State of Ohio Department of Administrative Services cooperative purchase program for the Fire Department; 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 this server is from 2011 and is still clunking around and there are not too many businesses who would have something this old. He is hopeful we are getting closer to the point we are pretty well caught up on our hardware so we can maintain the consistent delivery of services throughout the community. Stuart Hamilton said this is the last main server to be replaced.

**Roll call on the motion: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, Nikki Lloyd and Greg Lockhart, 7. Roll call on the ordinance: Yeas: Dave Waddington, Dick Brady, Naomi Twine, Dennis Murray, Wes Poole, 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 Naomi Twine and second of Dave Waddington, the commission voted to accept a donation in the amount of \$10,000 from the City of Vermilion, and a \$7,500 donation from Vermilion Community Services, Inc. for CY 2019 transit operations.**

*Discussion:* Dennis Murray said we do appreciate our cooperative relationship with Vermilion to provide funding for their residents so we are able to extend service. We continue to invite Erie County to partner with us more on Sandusky Transit and perhaps find a better way to provide funding and extend service throughout Erie County.

**The President declared the motion passed.**

- **Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept \$3,500 in grant funds from the Wightman Wieber Charitable Foundation for the Recreation Department.**

*Discussion:* Eric Wobser said the Sandusky Recreation, Police and Fire Departments received this grant to purchase pedal cars for this year's Safety Town. The city partners with Firelands Regional Medical Center to produce the two-day event on July 20 and 27 at 222 Meigs Street. The event is moving to this location after several years at Dorn Community Park. The funds will be used to purchase approximately 15 new pedal cars to replace the worn out cars previously used for the program.

**The President declared the motion passed.**

- The next scheduled **Audit/Finance Committee meeting** is June 21 at 8 a.m.
- Eric Wobser **welcomed our new Assistant City Engineer Josh Snyder** who recently joined us from Norwalk. Aaron Klein said Josh is returning after previously being with Sandusky for nine years (1999 – 2008) as a Traffic Engineer right out of college. For the last eleven years, he has been the Public Works Director in Norwalk where he did a \$4.5 million lift station, fire station, electronic mapping

and GIS. In going through our capital plan with the 48 projects listed for 2019, we are very excited to have someone with his talent, caliber and knowledge to help support them. Dennis Murray said it is a great Josh Snyder is joining us, welcomed him and said he looks forward to his good work.

- The **Huron Park and Lions Park splash pads** were made operational in time for Memorial Day weekend. Wes Poole asked if we have some mechanism for conserving water at these locations as opposed to running them continuously when no one is using them. Aaron Klein said they do have alarms and motion sensors with push buttons to turn the water off or on. We did not have this at Huron Park a couple of years ago and we now have better controls and equipment for its use. We were bringing staff in every Friday, Saturday and Sunday to turn it off so this is good news for them. Dave Waddington asked if there will be a portable splash pad at Churchwell Park again this year. Eric Wobser said he believes we will and said Talon Flohr is working with Public Works to run the water line at this park.
- **The 2018 Water Quality Report** has been distributed. Big Island Water Works continues to meet and/or exceed all established drinking water standards. Additional information can be found on the city's website.
- Water Services staff will begin **another round of meter upgrades** throughout the city starting in June and affected property owners will be notified via door hangers and details of locations will be available on the city's website soon.
- Special thanks to all who helped with the **Pipe Creek Wildlife Area/Kiwanis Park Clean-Up** on May 18. Over a 1,000 pounds of trash and debris were collected during the two-hour event and mulch was laid to create additional access for non-motorized watercraft on the Kiwanis Park side of the wildlife area.
- A **neighborhood clean-up** was held on May 25 and started at Churchwell Park. The next cleanup is scheduled for city underpass areas on June 15.
- The regular **Board of Zoning Appeals** meeting is June 20 at 4:30 p.m.
- The **Landmark Commission** is scheduled for June 19 at 4:30 p.m.
- The **Public Arts and Culture Commission** meeting is scheduled for June 18 at 5 p.m.
- The **Planning Commission** meeting is scheduled for June 26 at 4:30 p.m. and will be held at the new City Hall, 240 Columbus Avenue.
- Tom Ritzenthaler and Tyler Trueman will resume their volunteer work on the **Pump Track at the Skate Park** on Wednesday and Thursday, May 29 and 30. A huge thank you is due to the many local businesses who have provided support for the project up to this point including Tuffman Equipment & Supply, Hanson Aggregates, Mesenburg Brothers Trucking, Tom Ritz Designs, PumpTrax U.S.A., Erie Materials and Mona Pizza Gourmet. The pump track should be available for use by Friday and the Recreation Department is planning a grand opening on National Skate Park Day - Friday, June 21 starting at 11 a.m.
- The Sandusky Recreation Department would like to thank local businesses for their **sponsorship of our T-Ball/Coach Pitch teams** including The Colonnade, Erie County Community Foundation, Pizza House East, Firelands Regional Medical Center, OH Taco and Tom's Trophies Shop. Games are played Tuesdays and Thursdays at Dorn Community Park with the season wrapping up in early June.

**OLD BUSINESS**

None.

**NEW BUSINESS**

**Upon motion of Wes Poole and second of Greg Lockhart, the commission voted to study both options for the Cleveland Road bicycle path and provide an analysis of each option.**

*Discussion:* Wes Poole said he attended the Erie Regional Planning Commission meeting and they offered an option for the Cleveland Road bicycle path to run along properties on Cleveland Road near the front side of the Harbour. This seems like it might be worth investigating before they get any more into the private property issues and trying to run a bridge across. At this point, this looks quite costly and asked for a motion to at least investigate this option to see which is more cost effective. Dennis Murray said if he remembers correctly, this was an alternate plan as to how to bring the bicycle path around. Angela Byington said the primary route is to use the old Pier Track which goes in front of The Harbour and crosses over; Cleveland Road is the secondary option. Dennis Murray said we have not yet made the decision and asked what the path and timeline moving forward would be. Aaron Klein said with the conceptual portion of The Landing Park project, the pathway goes along the Pier Track and crosses behind or just north of Castaway Bay connecting north of the city's lift station. This is the route we are taking now and are proceeding with. The consultant has reached out and has started talking to property owners and are starting to go through the easement and acquisition stage. This was not something we looked at to go along Cleveland Road as part of this project because the direction was always the primary option. When we were looking at this in the past, we were looking at this being a recreational route versus a commuter route. This is the reason the Pier Track was brought to the top quickly because it was a recreational activity. We were looking at the existing bridge on Route 6 by Pipe Creek to see if we could save money because the most expensive part is the new structure which would go over Pipe Creek. The existing bridge is not wide enough to accommodate bicycles or multi-use paths and we would have to remove it and put up another bridge. We would have to take away some parking in front of Castaway Bay to make sure the bike route works. There were a lot of hurdles in both directions, but we did not look into a detailed cost analysis as to which was the better option. Wes Poole asked to look at this; he has cycled in ten states and it is all recreational. He is not sure what it does for the bicycle riders and we are talking about half of one mile. If the homeowners decide to tie their money up in paying consultants to argue about rights to the Pier Track, we should identify how much money it is going to cost us and if it is really worth the effort. He is not even sure how to bridge Pipe Creek at any reasonable cost. The existing bridge can be crossed and if we want two lanes, we could add one to it. At the meeting, ODOT acknowledged there would be an option to widen this, at a minimum, and would be about 150' to 200' as opposed to the gap going across the Pier Track. We would have to build a complete bridge across this which would have to be tall enough and wide enough to allow traffic. We already have a bridge at Cleveland Road and are asking to put in a single lane, at the most, to meet ODOT requirements and they have figured this can be done. Dick Brady asked how far we are with the consultant who was hired to put this together. Aaron Klein said they are working on receiving 70 percent design plans over the next month. Wes Poole said he is not sure where this 70 percent design plan is, but asked what the approximate cost is. He is asking for a comparison and ODOT is asking about the roadway while he is simply asking to know the difference. Greg Lockhart asked if there is a preference by our Engineer and Aaron Klein asked if this is being asked as a personal preference or as an engineering preference. Personally, he would much rather use the route being designed now because people who are more experienced with cycling are comfortable riding along the traffic, but other people would probably be terrified, especially along Cleveland Road. We could have protected bicycle lanes or move people off of the road but we still would have to acquire all of the property. There is some space between the edge of the pavement and the poles, but there is still quite a bit of property which would need to be acquired from the same property owners and some along Cleveland Road go back to the same area of Pipe Creek. As an Engineer, we cannot simply add a lane to a bridge; there was never a structural analysis performed so we would have to figure out if it could take the additional load and cantilever the end of the bridge. He does not know what the cost would be to expand or widen the bridge. He does have estimates for the current bridge and we are still in discussions with

property owners in this area to figure out the approaches. Nikki Lloyd asked how much it would be to do a cost analysis on the Cleveland Road commuter pathway. Aaron Klein said he would have to hire a consultant to go through this analysis, do a load rating on the bridge and figure out what would need to be done to expand it to take the additional traffic. He would estimate he would have to get commission approval for the analysis which could be over \$10,000. He would almost guarantee the recommendation would be to demolish this bridge and put up a new one.

**The President declared the motion failed.**

**Upon motion of Dick Brady and second of Dave Waddington, the commission voted to have the Law Director prepare legislation to undertake speed cameras on Cedar Point Road.**

*Discussion:* Dennis Murray said Cedar Point is in the process of rebuilding much of Cedar Point Road and there is a concern among the residents once this is finally smooth, speeding will be a problem. They have made a massive investment for the breakwall and the Cedar Point Property Owners' Association has expressed their desire and support for speeding cameras. These have been controversial in some communities, but this is a neighborhood which is asking for it. They have asked this be adopted on Cedar Point Road. Wes Poole said we have five pieces of legislation at the state which suggests they are trying to limit and/or penalize communities who do this. He recognizes Dennis Murray said he will remain neutral which indicates we will collect fines until the case for the investment. He asked what will happen after we pay for the investment and asked if people will be allowed to speed. The concept is we should be asking staff to identify this problem and provide solutions to it rather than the idea of legislators coming up with a solution to the problem off of the top of their head. The residents he (Wes) has spoken with suggest the problem is the traffic backs up during Cedar Point season and is confused about who the speeders are. The Police Chief has not provided the commission with the data and we do have a device which tracks speed to tell us when people are speeding; this is resolvable without having to go to court after being sued by people. He is not opposed to this if this is the solution we come up with, but does not think it is wise for the commission to do this without identifying what the problem is or without having spent any time at all writing tickets. There may be votes to push this through tonight, but he does not think it is a good idea. Dennis Murray said the Cedar Point Property Owners' Association has been discussing this for some time. He completely agrees if we were at the early stages with speeding camera legislation in the State of Ohio, this would not be worth it at all to get involved in litigation. If Cleveland or Toledo wants to litigate this, they can go ahead and the Ohio Supreme Court has said Charter cities have a right to do this. The General Assembly tried to say they cannot do this, but it is the right of Charter cities so long as it is done in a way to afford due process. Some communities were simply sending a bill, but one has the right to challenge this and this has been worked out in the case law. He agrees with the sentiment we should be on the leading edge of this issue and at this point, it is a pretty well-settled law. It is his hope we would be revenue-neutral how these fines get adjusted is something to be worked out as the legislation is drafted. He does not know what the mechanism is, but assumes it is a process of setting the fines lower. This also has Cedar Point's support for the safety of their visitors, residents and employees.

**The President declared the motion passed.**

**Upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted to set a Public Hearing on July 8 regarding a petition for vacation of an 20' alley located between 1643 and 1649 Cleveland Road. The President declared the motion passed.**

#### **AUDIENCE PARTICIPATION**

None.

**ADJOURNMENT**

**At 6:10 p.m., upon motion of Dave Waddington and second of Dick Brady, 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