

Dennis Murray called the meeting to order at 5 p.m. after the Invocation, given by Greg Lockhart, and the Pledge of Allegiance.

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

**City staff present:** Mario D’Amico – Interim Fire Chief, John Orzech – Police Chief, Aaron Klein – Public Works Director, Matt Lasko – Chief Development Officer, Angela Byington – Planning Director, Brad Link – Public Service Director, Tiffany Taylor – IT, Justin Harris – Law Director, Hank Solowiej – Finance Director, Eric Wobser – City Manager and Kelly Kresser – Commission Clerk.

**Upon motion of Dave Waddington and second of Naomi Twine, the Commission voted to approve the minutes of the April 24 meeting and suspend the formal reading. The President declared the motion passed.**

#### **AUDIENCE PARTICIPATION**

Sharon Johnson, 1338 Fifth Street, said she is happy to see improvements being made at Lions Park but said this seems like a lot of money for greenspace and a parking lot (Item #4). It seems there is an additional \$9,500 coming from the Battery Park TIF regarding the Trust for Public Land (Item #8) and asked if it is for a Market Study. There seems to be a delay in the designs as the contract expired in 2016. This money is coming from an anonymous donor, but it should not be (anonymous) as it is being used for city-owned land. The Block by Block program is going to be a monster in the making and she is not for it (Item #1). This will cost \$100,000 for cleanup work downtown and \$50,000 is coming from Issue 8 funds, but there are no boundaries listed in the contract. The city is circumventing the bid process for this as the money is going to a non-profit organization. If merchants want this extra service, they should pay for it.

#### **PRESENTATION**

Sherry Smith, Alternative Education Director/Principal with the Sandusky City Schools Digital Academy, said this academy is **not** a diploma mill and is **not** a school for bad kids. There are students in the academy who are working, some who want a quieter environment, some who are parents, may have medical issues and some who are taking care of their siblings or other family members and are able to work half a day and do work online at home. Students work with an online platform and also have teachers and do end of course and test prep. So far this year, students have completed 523 classes and have earned 262 credits. Forty-five students have graduated. Next year, the Academy will relocate to the Jackson building and will be starting a whole new program to get students more involved in the community. The Academy will be rebranding itself, will have a new curriculum and will give students computers and internet cards. Naomi Twined asked if the former Adams Junior High building will be vacated next year with the relocation to the Jackson building and Sherry Smith indicated this is true. Wes Pole thanked Sherry Smith for coming here and said it is good for the public to know all of the things happening at SCS and said we are providing for more than just kids with normal needs. The global initiative program and arts program shows the board is looking for ways to ensure all of the kids in our community have an opportunity regardless of their circumstances. Dennis Murray thanked Wes Poole for the initiative to have a rolling series of presentations about programs being offered at SCS and what they are doing for the community.

#### **CURRENT BUSINESS**

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

#### **CONSENT AGENDA ITEMS**

**The President asked if anyone wished to remove any of the Consent Agenda Items; there were no requests to do so.**

**CONSENT AGENDA ITEMS****SECOND READING****A. Submitted by Casey Sparks, Assistant Planner****AMENDMENT TO PLANNING & ZONING CODE RE TRANSIENT RENTALS**

**Budgetary Information:** There is no impact to the General Fund.

**ORDINANCE NO. 17-088:** It is requested an ordinance be passed amending Part Eleven (Planning & Zoning Code), Title One (Zoning Administration), 1107 (Definitions), Title Three (Zoning District and Regulations), Chapter 1129 (Residential Districts), Chapter 1133 (Business Districts), and Chapter 1137 (Commercial Districts), Title Five (Additional Zoning Requirements), Chapter 1151 (Non-Conforming Structures and Uses), and Part Thirteen (Building Code), Title Five (Additional Local Provisions), Chapter 1341 Environmental Health Housing Code), by the addition of new Section 1341.32 (Transient Rental Code), by the addition of new Section 1341.32 (Transient Rental Property Regulation), of the Codified Ordinances, in the manner and way specifically set forth hereinbelow.

**B. Submitted by Megan Stookey, Project Coordinator****ENCROACHMENT LICENSE FOR CATTIEN, LLC, 202 COLUMBUS AVENUE**

**Budgetary Information:** There is no budgetary impact with this item and the licensee must maintain liability insurance for this use. The property owner is responsible for recording fees to the Erie County Recorder's Office.

**ORDINANCE NO. 17-089:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Cattien, LLC, to provide for the use of a certain portion of the city's rights-of-way as described in the grant of a license for encroachment; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**C. Submitted by Victoria Kurt, Recreation Superintendent****ONE-YEAR PRIORITY USE AGREEMENT WITH OHIO RAYOS SOCCER AT DORN COMMUNITY PARK**

**Budgetary Information:** The agreement will not result in any additional budgetary expenses. The city will benefit from the added activities offered to youth in our community. The Ohio Rayos Soccer will provide their own equipment and transportation for such equipment, and will line and maintain their own field.

**ORDINANCE NO. 17-090:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with Ohio Rayos Soccer for priority use of the grassy area located at Dorn Community Park beginning May 13, 2017, through October 21, 2017; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**D. Submitted by Matt Lasko, Chief Development Officer****ADDENDUM TO LEASE AGREEMENT WITH OWEN SOUND TRANSPORTATION FOR USE OF THE JACKSON STREET PIER**

**Budgetary Information:** The city shall receive a one-time payment of \$10,617 due and payable on or before July 17, 2017, for calendar year 2017. All revenues are to be deposited into the general fund.

**ORDINANCE NO. 17-091:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a fourteenth addendum to the lease agreement between the city and the Owen Sound Transportation Company, Limited, for the utilization of dockage space at the Jackson Street Pier; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

**ordinances and resolutions: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart and Dick Brady, 7. The President declared the ordinances and resolutions contained in the Consent Agenda passed in accordance with the City Charter.**

### **REGULAR AGENDA ITEMS**

#### **SECOND READING**

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

##### **GRANT AGREEMENT TO SANDUSKY MAIN STREET ASSOCIATION DBA DOWNTOWN SANDUSKY, INC.**

**Budgetary Information:** The city will provide Downtown Sandusky, Inc. \$50,000 in 2017 from the Economic Development Capital Projects fund for services rendered by a Clean & Safe program in 2017.

**ORDINANCE NO. 17-092:** It is requested an ordinance be passed authorizing and approving a grant in the amount of \$50,000 to Sandusky Main Street Association dba Downtown Sandusky, Inc., in relation to their Clean & Safe Pilot program.

**Upon motion of Naomi Twine and second of Dick Brady, the Commission voted to approve this ordinance at second reading.**

*Discussion:* Wes Poole asked if the details have been worked out as to what dumpster Block By Block will utilize for trash. Eric Wobser said a dumpster has not been specifically identified for this service, but it is common for Block By Block to work with each community to identify the appropriate place for refuse to be taken when they top off trash cans and is confident this will be determined once this legislation passes. Finding a centrally-located dumpster for people to take a few bags of trash to will not be a major challenge for the program. Wes Poole said there is no place in the contract identifying a dumpster or who will pay for it and currently, the city has a contract for its dumpsters and trash containers to be emptied and this will be an additional expense. This is a not well thought through plan and it makes no sense to spend \$50,000 to redo something we are already paying for. If a dumpster is to be added, someone has to pay for it in addition to what is already in the contract. This is overkill because the city already pays someone to empty the trash cans. The commission should consider whether this is a viable contract and if it will provide enough value for the money we are putting into it. Wes Poole asked what the setup will be for snow removal which justifies two full-time people all winter. Eric Wobser said there will be one full-time individual during the first year of the program with seasonal staff to keep the cost lower for the year. It was never intended to have one or two full-time persons to clear snow as there will be many other projects they could take on including special projects and routine maintenance which could also take place during the winter. The contract calls for clearing snow and ice at non-privately maintained intersections (crosswalks) which currently do not get cleared. As time allows, they will continue assisting private property owners with additional clearing of ice and snow from the sidewalks currently taken care of by city Greenhouse staff. Wes Poole said the proposal states “Block By Block will employ two full-time employees downtown throughout the year doing special projects during late fall and winter. Special projects will be initiated by issues overlooked or not addressed by the city with limited resources, assisting in tearing down special events, installing or moving daily place making equipment such as tables and chairs, assisting with holiday decorations as requested by the city, and assisting with snow and ice removal.” Wes Poole said other than assisting with holiday decorations - which is probably one weeks’ worth of work - assisting with snow removal is all that is on the list for the rest of winter. There may very well be a bunch of other projects, but the fact is, what has been proposed does not show this. Even having one full-time person during the winter months does not make sense. This project is not a capital infrastructure project; capital infrastructure refers to fundamental structures or facilities: roads, bridges, traffic lights, multi-use paths, etc. needed for the operation of the city and can be preserved for a significantly greater number of years. Trash being picked up today is not a capital investment and the use of this money is inappropriate. This commission can do what they please, but reporting this as something promised the public suggests we have fallen very short. If this money is put toward fixing parking

lots or improving lights in the downtown, Wes Poole said he would support it. Dennis Murray said he will abstain as he owns property which abuts the downtown area.

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

**ORDERED IN 4.10.17**

**ITEM #2**

**RESOLUTION SUPPORTING HOUSE BILL 64**

**[RESOLUTION NO. 025-17R](#):** It is requested a resolution be passed in support of House Bill 64 (Expunge if criminal sanction based on mistaken identity); and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Dave Waddington and second of Nikki Lloyd, 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: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart and Dick Brady, 7. The President declared the motion passed. Roll call on the resolution: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart 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 #3**

**RESOLUTION SUPPORTING CHANGES TO REDUCE ALGAE-CAUSING POLLUTION IN LAKE ERIE**

**[RESOLUTION NO. 026-17R](#):** It is requested a resolution be passed supporting the amendment of portions of the Ohio Revised Code and the Ohio Administrative Code to reduce algae-causing pollution in Lake Erie; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Wes Poole and second of Dave Waddington, the Commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the City Charter.**

*Discussion:* Dennis Murray said this legislation was proposed by the Ohio Environmental Council and said we are all impacted by the health of Lake Erie. We provide safe drinking water to most of Erie County and much of our fishing, tourism and business is directly related by the health of Lake Erie and it is long past time the State takes additional measures. This Resolution will encourage them to take additional action available to them.

**Roll call on the motion: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart and Dick Brady, 7. The President declared the motion passed. Roll call on the resolution: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart 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 #4 – Submitted by Jeffrey Keefe, Project Engineer**

**PERMISSION TO BID LIONS PARK RETROFIT PROJECT**

**Budgetary Information:** The estimated cost of the project, including engineering, inspection, advertising and miscellaneous costs is \$656,000 with \$175,000 being paid for by the GLRI grant, \$125,000 from sewer funds, \$56,000 from street resurfacing and \$300,000 shall be paid for using infrastructure dollars made possible by the passage of Issue 8.

**[RESOLUTION NO. 027-17R](#):** It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed Lions Park retrofit project; approving the specifications and engineer's estimate of cost thereof; 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 Dick Brady, the Commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the City Charter.**

*Discussion:* Aaron Klein presented information identifying the existing Master Plan and the current layout of the park. The original renderings showed a sinuous path and parking facility which originally was to cost over \$1 million. When looking at how to implement this project with the grant dollars available, something similar was identified with cost savings of \$500,000 – \$600,000 less than the original design. The parking lot on the east side of the property and drive entrance might create a speedway for people trying to get from one end to the other. There were also multiple turnarounds and places where accidents might be caused. This includes new pavement, improvements to Winnebago Avenue, landscaping and bio-retention including new sewers and under drains, and these are the biggest cost items. We are continuing the pedestrian entrance on LaSalle Street while cutting off the drive entrance on Winnebago. We will also put a buffer between the parking lot and the bike path for safety purposes. There are four natural areas or gardens including milkweed for the city's Monarch status. The original Master Plan had 70 total spaces with six handicapped spaces; the new plan shows 82 total spaces with four handicapped spaces. There will be a turnaround at the North end of the park to accommodate art work or a statue and includes a drop-off with benches and a bicycle rack with bollards to ensure vehicles cannot drive onto the pedestrian pathway. Dave Waddington said this has been a ten-year project and we have been doing one little piece at a time and is sometimes how big things can be accomplished. We were persistent in continuing to work on this project a little at a time. Dave Waddington asked about the breakwall erosion issue and Aaron Klein said a contractor has looked at building the breakwall up or tearing it down for the safety of boaters. Unfortunately, the price range is around \$500,000. The contractor thought with the northeastern winds, Lions Park is directly in line with the opening of the Chaussee and wind would push the waves against the bank and felt this breakwall is for that purpose. He recommended not tearing this down but building it up, although it is the more expensive option. This would require approval from the Army Corps of Engineers and the State of Ohio for a submerged lands lease and would take several years and a lot of money. Dick Brady said when this project started ten years ago, it was unthinkable we could put this kind of money into it, but this is a terrific asset for the city, especially for those on the west end of town, and will be enjoyed for the next fifty years. Aaron Klein said staff in Community Development and Public Services have helped to roll out many of the projects and this is a group effort. Dennis Murray said it is fitting we are looking at wrapping this up after ten years as we are entering a phase where we are planning for the long term and it is important to plan these out with external persons and with companies having additional knowledge. The city put together a Master Plan ten years ago and it has been value-engineered by Public Works making it less costly, safer and better. Wes Poole asked if we are upgrading the existing shelters and Brad Link said as a separate project, the city added chicken wire to keep birds from nesting as well as wooden boards. We also added a metal roof. Wes Poole asked if the only restrooms will be on the West side of the park and Aaron Klein said these are the only ones as part of this project.

**Roll call on the motion: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart and Dick Brady, 7. The President declared the motion passed. Roll call on the resolution: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart 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 #5 – Submitted by Matt Lasko, Chief Development Officer  
AMENDMENT TO CONSULTING CONTRACT WITH JOHN FEICK**

**Budgetary Information:** There is no change as a result of this proposed amendment to the total contract amount or hourly rate to be paid to Mr. Feick with the additional activity based upon the approved budget for CY 2017.

**ORDINANCE NO. 17-093**: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an amendment to the agreement for services of consultant John A. Feick, for CY 2017; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Nikki Lloyd and second of Dave Waddington, the Commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the City Charter. Roll call on the motion: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart and Dick Brady, 7. The President declared the motion passed. Roll call on the ordinance: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart 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 #6 – Submitted by Matt Lasko, Chief Development Officer**

**PERMISSION TO BID DEMOLITION & ASBESTOS ABATEMENT AT FORMER AMERICAN CRAYON PROPERTY**

**Budgetary Information**: The cost for this project including advertising and miscellaneous expenses will exceed \$10,000 if decided to move forward. The proposed funding source for the demolition and asbestos abatement is the EMS fund if decided to move forward.

**RESOLUTION NO. 028-17R**: It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed demolition and asbestos abatement of the former American Crayon facility project; 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 Naomi Twine and second of Nikki Lloyd, the Commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the City Charter.**

*Discussion*: Dave Waddington said he has received calls about openings in the fence and thought we had taken possession of the property, but the city is not yet the owner. Eric Wobser said our current agreement with the existing property owner is such that he has permission to occupy the site and can continue to salvage. He has responsibility for maintenance of the site until the city closes on the property. Matt Lasko said we entered into an agreement on March 5 which allowed 120 day of due diligence for Phase I and II environmental, asbestos survey and ultimately, bid the cost of the demolition so the city and the taxpayers would know the total cost for the demolition prior to purchasing. We have since completed Phase I, the asbestos survey, have collected soil and groundwater samples and are awaiting the results. Ultimately, the cost of demolition should be determined by the end of June as the due diligence period ends July 1. Dick Brady said at the rate the owner has been removing things, this probably will not have a large impact on our \$150,000 purchase price. Matt Lasko said there was a very large building taken down to its first story and we are hopeful this reduces some of our demolition expense, although perhaps not at \$150,000. One of the important things is when this was bid about one and one half years ago, very few contractors were putting any value in the salvage material so this should not negatively impact the city very much.

**Roll call on the motion: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart and Dick Brady, 7. The President declared the motion passed. Roll call on the resolution: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart 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 #7 – Submitted by Angela Byington, Planning Director**

**LEASE OF VEHICLES WITH FIRST TRANSIT, INC. FOR THE SANDUSKY TRANSIT SYSTEM**

**Budgetary Information**: The total cost of the vehicles for a 24-month lease would not exceed \$69,600 to be paid with Rural Grant funds received by the U.S. Department of Transportation Federal Transit Administration through the Ohio Department of Transportation.

**ORDINANCE NO. 17-094:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a vehicle lease agreement with First Transit, Inc., of Cincinnati, Ohio, for the purpose of leasing two 2007 Eldorado National buses for the Sandusky Transit System; 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.**

*Discussion:* Angela Byington said this agreement will allow the city to lease two 2007 Eldorado buses to replace our two large SPARC vehicles. We looked at decommissioned buses from Cleveland RTA and Middletown, Ohio, and it was determined those buses would be too costly to bring to an acceptable service standard. In addition, we do not yet know the service cost associated with the older buses. This agreement would be for a monthly cost/rent of \$1,500 per bus for the first year and \$1,400 per bus for the second year subject to an early termination fee of \$3,000 if the city terminated within the first six months. The buses will be coming from Texas and the city is currently negotiating the transfer costs. The total cost for a 24 month lease for two buses will be \$69,600 using rural grant funds received by the Federal Transit Administration through the Ohio Department of Transportation. This legislation is being requested under Section 14 to get these buses into service as soon as possible as they are for our fixed route (SPARC) vehicles.

**Roll call on the motion: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart and Dick Brady, 7. The President declared the motion passed. Roll call on the ordinance: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart 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 #8 – Submitted by Angela Byington, Planning Director**

**AMENDMENT TO COOPERATIVE AGREEMENT WITH TRUST FOR PUBLIC LAND**

**Budgetary Information:** The total cost of the project will be amended to \$99,744 and the total city share is \$54,622, however the only direct city funds provided for the project is the proposed \$9,500. It is proposed that the \$9,500 be paid with Battery Park TIF funds.

**ORDINANCE NO. 17-095:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an amendment to the cooperative agreement between the City of Sandusky and the Trust for Public Land (TPL) for professional services for the Sandusky Downtown East Bay plan; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

*Discussion:* Angela Byington said the \$9,500 increase to this agreement will bring the total cost to \$99,744. The purpose of the amendment is to allow for additional public process by the subcontracted design firm. The city entered into an original agreement to work with the TPL to create the downtown Sandusky East Bay plan which generally includes Battery Park, the Sandusky Bay Pavilion property and the current city hall property. As part of the planning process, the TPL has hired Smith Group JJR to assist with the design component of the parks, public improvements, overall planned development and budget assessments and recommended phasing. The original project budget of \$90,244 was to be split fifty/fifty with grant funds and local foundations. The additional \$9,500 is being proposed to be paid with Battery Park TIF funds and would be the first portion of funds paid by the city. The money will not be used for a market study; it is for additional public process and the design firm thought this needed to be beefed up and are adding one additional day-long session for public input. The scope of other public workshops will be increased. The TPL entered into contract with Smith Group JJR and the deadline is June 30. The

TPL was the entity provided a grant through the ODNR and received an extension through June 30. It is requested this be passed under Section 14 to allow the city to move forward and meet the ODNR deadline. Wes Poole asked what a more in depth site analysis consists of. Angela Byington said TPL noted the increase was for expanding the public input. The site analysis framework states the Smith Group JJR team will conduct a thorough site analysis of the project area to study and understand the influences, constraints and opportunities that could impact future redevelopment efforts utilizing all available resources including field observations, previous stakeholder and community feedback, past studies and research. The exercise will yield a site analysis framework to guide future decisions for redevelopment within the project area. In addition to the physical characteristics of the site catalog and the existing conditions plan, work will be performed regarding topography, site features, vegetation, boundaries, utilities, etc. The site analysis framework will synthesize policy information, public opinion, and other important factors influencing the waterfront plan: land use, vehicular circulation and parking. Wes Poole asked if this can be broken down into what we are getting that is different from what was not planned with the first \$90,000. Angela Byington said the TPL did an initial site analysis but it was not to the extent which Smith Group JJR will be performing and does not believe, to date, TPL has looked into the exact topography, the existing utilities or existing lease agreements and these kinds of issues need to be taken care of. Nikki Lloyd thanked Angela Byington for bringing this to the commission; the amount is less than \$10,000 and staff could have found a way to get around it, but appreciates the transparency and letting the public know.

**Roll call on the motion: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart and Dick Brady, 7. The President declared the motion passed. Roll call on the ordinance: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Dennis Murray, Nikki Lloyd, Greg Lockhart 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 Greg Lockhart, the commission voted to accept a donation of \$50 for the K-9 Fund from Phyllis Wassner. The President declared the motion passed.**
- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept a donation of \$500 from Dick and Debe Brady for the purchase of a stamped engineered drawing for the new baseball scoreboard at Amvets Park. The President declared the motion passed.**
- The biggest week in **American Birding** began over the weekend and goes through May 14. This week celebrates the peak of spring migration in the Lake Erie Marsh Region of Northwest Ohio, which includes Sandusky. This has a huge economic impact to our area.
- The new **K9 SUV was revealed on May 3**. Thank you to all that were involved in the process to make this legacy cruiser a reality. Thank you to Chief Orzech and the Dunn family, Troy Vaccaro, Brad Link and those in the Public Service office who were part of this.
- **Auditors will return later this month** for additional testing on the 2016 financial audit.
- The next scheduled **Audit/Finance Committee meeting** is June 23 at 7:45 a.m.
- **Upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted to allow the city to proceed with repairs to the centrifuge at the Waste Water Treatment Plant.**

*Discussion:* Eric Wobser said the manufacturer has performed maintenance work on the centrifuge at the Waste Water Treatment Plant and additional parts were needed which

exceed \$10,000; the total cost was \$19,832. This will be formally ratified through legislation at the next commission meeting.

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

- The Water Distribution Division will commence **flushing fire hydrants** within the city from May 8 through June 16. Periodic flushing of water mains is required to ensure high quality, palatable water and more information can be found on the city's website.
- The City has released a **RFQ for professional planning and design firms to submit qualifications for the west side utility and connectivity improvements project** by May 19. This project consists of three components which are for the replacement of a problematic water main on Venice Road between Edgewater and Cold Creek, replacement and installation of storm sewers between Huron Road and Cold Creek, and walkability/connectivity along Venice Road and Lion's Park. This is all part of a comprehensive plan to bring more walkability to the west side of town.
- **Waste Water Treatment Plant employees were trained by an instructor from Bellingham Technical College** in Washington State. The training demonstrated how to increase efficiency of the digesters which will increase production of methane gas currently being used to operate the plant and offset electrical consumption. This training was unique in that staff not only earned required continuing education credits, but also earned college-level credits.
- **Testing of drinking water for lead levels** is performed annually by the city's Water Department, as required by the Ohio EPA. Results have never exceeded minimum acceptable levels; however, the city plans to add a simple public service announcement to the water and sewer bill in May stating: "Friendly Tip: Run faucet for 30 – 120 seconds prior to use. For more information, call 419.627.5815." The city's pipes are certainly safe as are most of the pipes leading from our line to homes, but it always makes sense to remove any sediment from the water before drinking. People who might be at risk and do not receive a water bill would be renters. The city will be utilizing information from our Code Enforcement office to notify these residents (via U.S. mail) of this public service announcement. Dave Waddington said this came up from a concerned resident at a Coffee with Commissioner meeting and appreciates us also reaching out to renters.
- As the Code Enforcement Division has been enforcing the 24-hour curbside placement ordinance, it has been found **solid waste haulers are not following the curbside collection zone map** as set forth in Section 955.12 of the Codified Ordinances. All licensed solid waste haulers will be given a thirty-day notice the zone map will begin to be enforced and these are planned for distribution this week. On a first violation, a warning will be given and any subsequent violations will result in penalties pursuant to Section 955.99(b) of the Codified Ordinances.
- As of May 2, approximately \$180,000 of the \$300,000 (or 60%) of the annual funding allowance is committed for 2017 for the city's **Housing Development and Beautification program** with another forty applications still being reviewed. Applications are accepted on a rolling basis and funds will be committed on a first come, first served basis. Applications are available on the city's website.
- The regular **Planning Commission meeting** will be held May 24 at 4:30 p.m. in the first floor conference room.
- The regular **Board of Zoning Appeals meeting** is scheduled for May 18 at 4:30 in the first floor conference room.

- There will be a **public meeting regarding the East Bay plan** on May 18 from 6 p.m. to 8 p.m. at the Central Fire Station.
- **On Drive Thru Dump Day**, an estimated 40 tons of material was collected. Thank you to all who volunteered their time in the wind and rain. A special thank you to Sandusky Steel, Barnes Nursery, Cyclone Services, Goodwill Industries, Ohio Tire Terminal, All Shred and Interstate Battery. Eric Wobser thanked Brad Link and all who helped organize and volunteer. This is an absolutely critical service and this event seems to continue to grow each year and means we are removing a lot of junk from people's homes and yards.
- Over 130 persons attended the **Arbor Day/Earth Day** event at the City Greenhouse and we received over **\$700 in donations for the Friends of the Greenhouse**. The money will help to fund future events and ongoing projects at the Greenhouse and parks throughout the city.

### **OLD BUSINESS**

Wes Poole said he would like to revisit the **fishing restriction at the Paper District Marina**. The "No Fishing" signs were removed which has left this open for interpretation. Essentially, we built a multi-million dollar marina for the purpose of providing space for people to dock and spend time and money downtown. This is public land and we recognize there are opportunities for people to fish in certain portions so long as it does not conflict with or create problems for the intended use of the marina. Wes Poole asked if it is reasonable to expect there is no fishing from the docks and if this is what was intended; if so, we might want to make sure this is clear with signage at the end of the docks. We did not do a particular study about how safe it is to fish at other locations in the marina and perhaps as time goes on, we may find we have to revisit this issue and restrict fishing in certain parts of the marina. Dick Brady said he had a conversation with our marina operator, Lake Erie Towing, and does not think this is an unreasonable request. Since the inception of the Paper District Marina, the city has had certain rules and regulations including "no swimming or fishing in the marina" and we are not being inconsistent with what we have been doing since it was built. The operator has developed a simplistic set of graphics to go on three or four signs limiting fishing to the outer wall of the marina to keep people from fishing on the docks and on the concrete walkways which are used to get to the docks and Dockside Café. The south stretch of sidewalk might seem less harmful to fish from, but this sidewalk is getting a lot of traffic from people in Chesapeake Lofts who lease boat docks and jet skis who are walking through fishing lines. We are being consistent with doing some type of signage to limit fishing to the outside wall. Wes Poole said it has not been established that fishing in this area is unsafe and would like this limited to the docks initially and let this work itself out. People walk on the sidewalk along Shoreline Drive and at the foot of Wayne Street and this is not automatically just unsafe. Nikki Lloyd said with all of the piers and public areas available for fishing, it is perfectly reasonable to post "no fishing" within the marina and would rather not amend the motion made by Dick Brady. Naomi Twine asked how we got to this point and if it was because of the initial concern expressed by the marina operator in determining whether or not there would be fishing in this area. The marina operator should be the one to determine when and where fishing should take place. Eric Wobser said concerns were raised by Lake Erie Towing about fishing in this area as a potential nuisance or danger to those who were boating here. Each year the marina has been open, this concern has been raised by city employees or the marina manager and for the same reasons. We told Lake Erie Towing we were willing to work with them and ultimately, the signs were put up by them which led to some of these conversations. Swimming and fishing have always, as a rule, been prohibited in this area and staff does not have a strong opinion about it, but this is how the conversation started. This is not a new concern by marina management, it has been an ongoing issue annually around this time of the year every year. Greg Lockhart asked if there is opposition to people fishing on the outside wall and Dick Brady said he has no objection to this although fishing should be in Sandusky Bay, not in the basin. Dick Brady stressed his concern for posting signs on the east/west walkway in the south portion of the marina is strictly for safety reasons. People walk on this sidewalk area in bare feet while walking to boats or jet ski docks which are leased through the city's vendor and he would like to prevent someone from getting a fish hook stuck in their mouth and taken to an

urgent care center. There may also be some liability with this and we have been consistent in not allowing fishing inside the basin and these kinds of signs do this without denying anyone public access to a public waterway. Wes Poole said the marina has been open for four or five years and no one has ever gotten a fish hook stuck in their mouth and stating this is for safety reasons without evidence there is a safety concern is unreasonable. Wes Poole said he would like to avoid the issue when an arbitrary decision was made to put up signs stating “no fishing” as they were never justified. Nothing has been provided about these concerns and there is no evidence this has ever been an issue. Every pier in town where people fish also has pedestrian traffic around it. If there was not space to walk where people were casting fishing lines this would be a legitimate concern, but we are simply saying we do not want people down here and is his concern. Dave Waddington asked what is done at Battery Park Marina and to use this as a template for what should be done. We should find designated areas where people can fish but certainly not in a marina. The walkway is about 1/8 of a mile and there is a walkway on the Deep Water (west) side. Greg Lockhart asked if we are trying to determine areas where people can fish rather than where they cannot and should perhaps mimic what is done at Battery Park Marina. Dave Waddington said we need to be consistent. Dennis Murray said he will abstain from any vote regarding a transient marina. Justin Harris said the difference between the Jackson Street Pier area and the marina is there are two types of invitees, those being business or public. We owe a little more heightened duty because of the mere fact someone is paying the city to rent this land and inviting people to utilize it as opposed to someone simply walking by in an area truly open to the public. There has been mention of liability and as the city attorney, would feel more comfortable not allowing fishing inside the marina.

**Upon motion of Dick Brady and second of Nikki Lloyd, the commission voted for the city to provide signage eliminating fishing in the marina and include the south sidewalk area.**

**Upon motion of Wes Poole and second of Greg Lockhart, the commission voted to *amend* this motion to allow for the sidewalk area running north and south from the parking lot to Dockside Café and the docks to be included as “no fishing” areas.**

**Upon motion of Greg Lockhart and second of Wes Poole, the commission voted to *table* this issue to do additional research. Roll call on the motion: Yeas: Naomi Twine, Wes Poole, Dave Waddington, Nikki Lloyd, Greg Lockhart and Dick Brady, 6. Abstain: Dennis Murray, 1. The President declared the motion passed.**

#### **NEW BUSINESS**

**Upon motion of Dave Waddington and second of Dick Brady, the commission voted to develop legislation prohibiting drones, over certain property, within the City of Sandusky.**

*Discussion:* Dave Waddington said he spoke with staff in the Law Department about adopting local legislation pertaining to drones. Other cities which have adopted local legislation include Broadview Heights, Aurora, Bedford, Cuyahoga Heights and North Royalton prohibiting drones from flying over public properties, school properties, municipal buildings, public utilities, and over public or private property for the purpose of watching someone or taking pictures or video of persons on said property. Dave Waddington also suggested contacting Cedar Point as the FAA has a large hand in this. There is a proposed Bill going through the House currently, but would like to implement local legislation as we will be seeing more and more of this and it is a privacy issue.

**The President declared the motion passed.**

Dave Waddington said he and Dick Brady participated in a **litter cleanup at MacArthur Park** last weekend and noted if every resident would pick up one pop can, pop bottle or other piece of trash once each week for a month, this would make a big impact. Dennis Murray said we have residents in the city without trash service and does not believe landlords are required to provide proof of this, but we do have ordinances which require every resident or tenant (through their

landlord) to have trash pickup. Those who do not have this service are just pushing it off on someone else.

Dick Brady asked Mario D'Amico to speak about **emergency vehicle access in the MacArthur Park area** as the streets are very narrow with tight turns. Mario D'Amico said since he has been on the Fire Department, there have been several fires in this area and fire vehicles can get where they need to go. Dick Brady said the city owns a considerable number of lots in MacArthur Park and asked if there is a plan to purchase more. Eric Wobser said we are very actively working in this neighborhood and we have already done ten to thirteen demolitions while others are under contract for demolition. We also continue to do a lot of Code Enforcement in the area. Just as importantly, it is one of the six designated neighborhoods to receive increased investment through the Sandusky Neighborhood Initiative which should come before the commission in June. This will include increased resources dedicated to housing, fighting blight and for infrastructure improvements including renovation of the park. We see this anchor neighborhood as an important opportunity and the SCS will be building a new elementary school for children in grades 3 through 6 not too far from this area. Ultimately, we know these students will be going to school daily and will make up about 35% of the school's population within walking distance. We see this neighborhood getting a new start and thinks the housing is substandard and rather than pushing for rehabilitation, we will strategically remove and rebuild more family-friendly housing as we are able to obtain site control. The Master Plan will have a housing component for this neighborhood in large part because of all the land the city controls as well as this is a unique park with an adjacent housing component. Dennis Murray said this neighborhood was built around the start of World War II as temporary housing for munitions workers and was not intended to be long-term housing. Eric Wobser said a great number of public housing projects in Cleveland were built to support temporary workforce housing in the 1930's through the 1960's and ultimately, many cities continue to live with this type of housing today which is in decline.

Dennis Murray said two weeks ago, the **Erie County Chamber of Commerce presented the city with a Senior Council Award** which is given to an individual or organization whose personal or professional achievements are exemplary and worthy of special recognition which may not fit within any of the other award classifications. Dennis Murray said he was pleased to accept this award on the city's behalf along with Commissioners Brady, Twine and Waddington, Eric Wobser and Kelly Kresser. There are a lot of folks who have asked why the city is on fire these days and why things are going so well while other communities are looking to us. Failure is an orphan and success has many parents. Its origin is cynical as no one wants to have anything to do with failure and when something is going well everyone wants to be a part of it, but it is the exact opposite here. Sandusky has a lot of success going on because we have so many people in Sandusky, Erie County, the Governor's Office and State House as well as homeowners who are investing and entrepreneurs making investments in our city. We have a lot of people who are taking pride in their community and in the County seat.

#### **AUDIENCE PARTICIPATION**

Sharon Johnson, 1139 Fifth Street, said she was reading a document a couple of days ago where the city stated they do not have a parking problem downtown. This may be so now, but when the development is in, there will be a huge parking problem. The city has requested 12 to 15 spaces in the Erie County parking garage for city vehicles and recently asked for 35 additional spaces because they forgot about the apartments that will be above the new City Hall. Erie County holds title to the parking garage. This document states the city will do another downtown study and asked how many studies need to be done for downtown. Sharon Johnson said she does not know how this slipped by the Planning Commission; we should not be building a new City Hall and then look for new parking spaces. Every time there is a project, the Planning Commission asks if there is sufficient parking and Erie County is still waiting to provide an answer to the city and asked if the developer is getting an exception to the rule. Dennis Murray said there is no other parking study. Wes Poole said this is news to him and said they have been told all along there are not parking issues, but asked if we are engaged in discussions with Erie County to resolve a parking problem. Eric Wobser said staff in the Planning Department has been surveying

all of the parking spaces downtown for a period of months and will continue to this summer. At the most occupied time, the parking garage is at a maximum occupancy of 69 spaces (with over 200 total spaces). Because it would be convenient for us, we have asked to utilize the Erie parking garage for our city fleet, but there are other options for us in the off-street parking lots within one or two blocks of the facility. We have no concerns whatsoever about the number of spaces available downtown as evidenced by the thirty percent maximum occupancy in the parking garage. Wes Poole asked about the parking spaces for renters (35 spaces). Eric Wobser said we are looking at putting together a stronger residential permit parking program as part of creating a management plan for parking and we have been very transparent about this. We have been looking at resident permit parking, overnight parking and on-street parking and how to better manage these spaces. Most urban areas have more spaces than are actually required, but they can be better managed to ensure they are available more often for those needing them. Erie County has been very open in looking at their 200 spaces in conjunction with our 500 or so off-street spaces, excluding the Jackson Street Pier. This is less of a plan and more of a management process to understand how to best utilize these spaces. Dave Waddington said originally there were going to be two grade schools at Adams Junior High, but now there will only be one at the site of the current Ontario School and this will help with parking. Sharon Johnson said she does not know if Erie County can get away with charging for parking spaces in the garage as it was built with taxpayer money. When people want to rent an apartment over City Hall, they will have to pay for parking in the garage. If not, they will park on the streets taking up spaces for the businesses. The city should not be brokering spaces for this guy and this is poor planning. Wes Poole said Sports Force ran into this problem and they are in a better position to deal with it as they are a private entity. This is an example of not having sufficient on-site parking and figuring out resources to get customers to their site. The city does not have the ability to fix this on the fly and at some point would like to have a comprehensive plan from the staff to address this issue. This leaves out of the conversation the thirty or forty employees who will be relocating to the downtown as well as those employees coming from outside facilities to meetings. Adding 18 apartments on top of this while not addressing our ability to make this work should prompt the city to have a plan or guidelines showing we actually paid attention to this. Planning for parking after building second floor apartments will either cause the developer to not be able to get renters or will cause them to have to spend \$15,000 per space to raise the garage another level or two. Wes Poole said he does not know how Erie County figures they will charge some citizens to park in a public garage while others will park for free and it seems as if we do not have a cohesive idea of what we are going to do.

Kathryn Carter, 5309 Columbus Avenue, said there was a meeting on Tuesday with Alex Pesta from City Architecture who stated there was an ongoing parking study. The parking lot on the north side of City Hall has more than 100 spaces and they are normally full and does not know where all of these people will park when City Hall is relocated downtown. The Birding event has been ongoing for years between mid-April and late May with over 77,000 birders bringing in an excess of \$37 million, but these people are driving right by us. Eleven hotels located on Route 250 knew nothing about it. People go to Sheldon's Marsh, Osborne Park and Old Woman's Creek but are not coming through Sandusky. There will be such a huge number of people everywhere this Saturday and there is a lot which can be sold to them as there is a lot going on with the State Theatre, Harlequin's Theatre, Cruisin' By the Bay, Splash at the Bay, the Farmer's Market, concerts in the Washington Park Gazebo, Friday night car shows, ArtWalks, Ohio Bike Week, activities sponsored by the Sandusky Library, KidsFest, fishing events for kids, Walk With a Doc, marinas for the boaters, ferries taking people to places, restaurants, shops and many other interests and we are not presenting this city the right way and does not know why anyone would know anything about Sandusky except Cedar Point. Birders are serious people who go all over the world adding birds to their life lists and they have money to spend. Dave Waddington challenged Kathryn Carter to go to Big Island this week and said there will be vehicles from Lakeside and Ottawa County and this is why this area is designated as Ohio Birding Trail #49. Nikki Lloyd said she hears this all the time and we could probably talk for another twenty minutes about everything going on in the city. It would be nice and the city could benefit from some public

relations. Kathryn Carter said it would be helpful to get information about Sandusky in the four rest stops located in Erie County.

Justin Harris introduced **Chris Tyler who is a senior at St. Mary Central Catholic** and will be attending The Ohio State University in the fall. Mr. Tyler is shadowing Justin Harris on the job this week as part of his senior project. Chris Tyler thanked everyone for what they do for the city and said he relocated from Westlake to Sandusky when in Kindergarten and said living here has been a great experience for him.

**At 6:47 p.m., upon motion of Wes Poole and second of Dave Waddington, 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