

The President called the meeting to order at 5:00 p.m. after the Invocation, given by Naomi Twine, and the Pledge of Allegiance.

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

City staff present: Eric Wobser - City Manager, John Orzech – Assistant City Manager, Jared Oliver – Police Chief, Tiffany Rufo - GIS Technician, Don Rumbutis – IT Technician, Aaron Klein – Public Works Director, Brendan Heil – Law Director, Sally Poggiali – Finance Department, Jonathan Holody – Development Director, Jim Green – Acting Fire Chief, Kelly Kresser– Interim Commission Clerk.

Upon motion of Blake Harris and second of Naomi Twine, the commission voted to approve the minutes of the July 12, 2021, meeting and suspend the formal reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

Talib Garrett, 512 Scott Street, said he has an issue with giving \$300,000 to Small City Taphouse (Item #3). The city is trying to do something big for minorities but this all started because of BLM (Black Lives Matter) and because a black man died because of a police officer. He has looked through past commission meetings and he feels the city gives black owners crumbs while giving another minority \$300,000 for the next three years and this is disrespectful. He posted on social media and has no problem helping businesses out but when people complain about Amvets baseball field needing new dirt, the concession stands falling apart, opening a recreation center we should not be giving this money to a business which has done nothing for the community. There are other businesses helping out the community but he does not know if this particular one has donated to charities and this is a waste of money rather than helping the youth.

Submitted via email: Sharon Johnson, 1139 Fifth Street, said the he Taphouse is up for a \$300,000 increment grant over three years: first year - \$20,000, second year - \$140,000 and \$140,000 the third year (Item #3). The commissioners should not be voting on the grant as written. The balance in the economic development fund is \$75,000 which does not have sufficient funds for the entire \$300,000 expenditure. The \$20,000 for the first year is in the account, but the balance of \$280,000 has not yet been budgeted. The city can only certify money that it is in the fund at the time of the grant approval expenditure and not two years out pursuant to Section 22 of the City Charter and the Ohio Revised Code. The reason for certification is to make sure the city can meet the obligation at the time of passage. Promising money two years out places the city at risk of coming up short funded due to unforeseen events and would like to know how the city could certify money that has not budgeted or presently in the account.

Submitted via email: Tim Schwanger 362 Sheffield Way, asked how many parking spaces will be eliminated if this legislation passes (Consent Item B). He said the grant to Small City Taphouse will be paid out over a three-year period rather than a lump sum at the project completion (Item #3) and questioned the wisdom of spending the grant over three years with no guarantee of funds in the economic development incentive account. The supporting documents indicate increased income and property taxes tied to the project

CURRENT BUSINESS

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

CONSENT AGENDA

The President asked if the commissioners wished to remove any of the items on the Consent Agenda and there was no request to do so.

ITEM A – Submitted by Michelle Reeder, Finance Director**ANNUAL SOFTWARE SUPPORT FEE**

Budgetary Information: The total cost for the annual support fee is \$32,622.44. Of this amount, \$16,311.22 will be paid by the General Fund, \$8,155.61 by the Water Fund, and \$8,155.61 by the Sewer Fund.

ORDINANCE NO. 21-115: It is requested an ordinance be passed authorizing and directing payment to Software Solutions Incorporated of Dayton, Ohio for the annual software support fee for the period April 1, 2021, through March 31, 2022; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM B – Submitted by Aaron Klein, Public Works Director**AMENDMENT TO EASEMENTS GRANTED TO HUNTLEY BUILDING & COOKE BUILDING**

Budgetary Information: The City previously received payment for these easements and will not seek any additional compensation. The applicant will be responsible for the recording fees at the Erie County Recorder's Office.

ORDINANCE NO. 21-116: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement to terminate the easement for a sewer utility and amending the easements previously granted to Huntley Building, LLC, and Cooke Building LLC, for the purpose of accessing dumpster enclosures and a stairway on city property currently utilized as public parking south of east Water Street, Sandusky; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM C – Submitted by Jane Cullen, Project Engineer**CHANGE ORDER #1 & FINAL FOR JAYCEE PARK CONNECTOR TRAIL (DEDUCT)**

Budgetary Information: Change Order No. 1, a deduction in the amount of \$955.11 will revise the contract amount to \$142,370.92 to be paid with the Capital Fund (Sandusky Neighborhood Initiative).

ORDINANCE NO. 21-117: It is requested an ordinance be passed authorizing the City Manager to approve the first & final change order for work performed by Ed Burdue & Co. LLC, of Sandusky, Ohio, for the Jaycee Park Connector Trail project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to accept the Consent Agenda and declare all ordinances as drafted and presented to the City Commission under the Consent Agenda shall take effect in full accordance with the Section reflected in the ordinances whether they be in accordance with Section 13 or Section 14 of the City Charter.

Discussion: Aaron Klein said there will be no parking spaces lost with the easements (Item B).

Roll call on the motion: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. Roll call on the ordinances: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. The President declared the ordinances contained in the Consent Agenda passed in full accordance with the city charter.

REGULAR AGENDA

ITEM #1 – Submitted by Debi Eversole, Community Development Programs Administrator

AMENDMENT TO ORDINANCE 21-066 – ACCEPTANCE OF ENTITLEMENT GRANT FOR CDBG FUNDS

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. 21-118: It is requested an ordinance be passed amending Ordinance No. 21-066, passed on May 10, 2021; authorizing and directing the City Manager to accept an Entitlement Grant in the revised amount of \$761,267 total Community Development Block Grant funds for the program year of July 1, 2021, through June 30, 2022, and to submit the United States Department of Housing and Urban Development a revised FY2021 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 Mike Meinzer and second of Naomi Twine, the Commission voted to approve the ordinance in accordance with Section 14 of the City Charter.

Discussion: Jonathan Holody said in May, 2021, the commission authorized submission of the annual Action Plan to HUD for our CDBG program for the year 2021. After this submission, we were notified the allocation had increased by a little over \$11,000 additional dollars and need authorization to submit a new Action Plan. It is proposed this additional \$11,000 be allocated to the public facilities program in the block grant and said he will work with Aaron Klein and his staff to identify eligible projects to add to the list of programs and projects to utilize the money. Wes Poole said this is timely since we have heard concerns from residents during the last week or so which we seldom or never have heard before about flooding in their basements; he is glad to see this money coming in.

Roll call on the motion: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. Roll call on the ordinance: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. The President declared the ordinance passed under Section 14 of the City Charter.

ITEM #2 – Submitted by Debi Eversole, Community Development Programs Administrator

CDBG SUBRECIPIENT AGREEMENT WITH SECOND HARVEST FOOD BANK

Budgetary Information: The City of Sandusky will award Second Harvest Food Bank a total of \$45,000 for the Downtown Mobile Pantry and Hub from the CDBG-CV FY20. This award shall be paid with CDBG-CV grant monies and there will be no impact on the General Fund.

ORDINANCE NO. 21-119: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with Second Harvest Food Bank to assist with a downtown mobile pantry and HUB program and to expend an amount not to exceed \$45,000 from Community Development Block Grant COVID (CDBG-CV) funds; 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 the ordinance in accordance with Section 14 of the City Charter.

Discussion: Jonathan Holody said there will be more details coming out but we are excited to partner with Second Harvest Food Bank to have a greater presence in the City of Sandusky through their mobile pantry and the HUB program. They will be providing a

variety of social help for the public services through this with food assistance being a main priority. The city received additional block grant dollars to combat the negative impacts of the pandemic last year and Second Harvest is an ideal partner for us to assist. We will be disseminating more information once this is approved and Second Harvest finalizes their plans. The public can look forward to hearing how they can take advantage of these services. Dick Brady said \$45,000 is a significant amount of money, but still is a drop in the bucket toward this need. Wes Poole said process matters to him; because we have dealt with Second Harvest in the past it is not a major issue but in general, asking for approval to spend \$45,000 with no clue what it will be other than on faith we believe it will turn out to be something worth the time and effort. He would appreciate if we would not do this in the future. It is tough to say no to something we are pretty certain will work out well but it is not good business. If they do not know what they are going to do and we are simply giving them \$45,000 and saying 'we will figure it out' is tough to ask the city to do.

Roll call on the motion: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. Roll call on the ordinance: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. The President declared the ordinance passed under Section 14 of the City Charter.

**ITEM #3 – Submitted by Jonathan Holody, Community Development Director
ECONOMIC DEVELOPMENT GRANT TO CATTIEN dba SMALL CITY TAPHOUSE & CLAG
BREWERY**

Budgetary Information: The City will be responsible for providing a total of \$300,000 in grant proceeds from the Economic Development Capital Projects Fund on a reimbursable basis over a three year period with up to \$20,000 to be released in 2021 and up to \$140,000 to be released in 2022 and 2023. The project will have an ongoing positive impact on the general fund due to increased income and property taxes.

ORDINANCE NO. 21-120: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$300,000 through the Economic Development Fund Program to Cattien, LLC (dba Small City Taphouse & CLAG Brewery), in relation to the property located at 202 & 216 Columbus Avenue; 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 Blake Harris, the Commission voted to approve the ordinance in accordance with Section 14 of the City Charter.

Discussion: Rob Decker, 1106 Taylor Road, architect for this project, said materials have been submitted, they been through city committees and are very excited to be here. This project will allow for the retention and self-preservation of a key historic structure built in 1870 by Walter Stone, a prominent Sandusky attorney, in the core of downtown Sandusky. His wife picked up and completed the project in 1883. The façade will be redone and the building saved. The business owner initially told him seven years ago he was going to put 60 beers on tap which he thought was crazy but always apologizes because he was proven wrong. Kha and his family worked very hard starting in 2014 on the quality and delivery of their product seven days each week. The way they promote their product and what they are making is clearly different and craft beer does have a following. Revenues of craft beer in Ohio were \$3.86 billion providing 8,300 jobs; consumption does not match the output and goods are also exported. Their local reputation is because the food is fantastic and they now are offering 84 beers on tap and this and the experience is what gets people's attention is what gets them here. With the brewery, the unique beer product is offered one-time only starting on Saturday and 300

people show up to get in line for it. This is event-based marketing which gets people in on a year round basis and is why the brewery was built. CLAG is the number one brewery in Ohio from numerous online sites and with the number one craft beer in Ohio with 366 restaurants competing. On social media sites, craft beers can be compared to roller coaster enthusiasts and these people pattern their life around these types of events and venues. Since opening, the reinvestment of the property is key; the kitchen was improved and an addition added in 2015 because it was so popular. They also added a sushi bar to their crowd. The renovation to the south building after the acquisition of 216 Columbus Avenue nearly doubled the size and has the capacity for the longest bar in all of the region. The brewery addition was a \$1 million game-changer and the total investment to date – beyond the real estate value – will easily get to \$2.7 million when this new project is complete. This corner of Columbus Avenue and Market Street really was the center of commerce for the City of Sandusky with railway offices in the building, but there were multiple tenants. S.S. Kresge took it over and then Jupiter, but over the years, the building has been painted and this is when lime mortar fails. This property was also Bourbon Street and Cabana Jack's and these businesses struggled to keep it going. The years of vacancy have done a lot of damage to the building and the commitment is to bring it back and make it shine. Detailed drawings were presented to the Landmark Commission which included new windows, resurfacing, tuck-pointing of the masonry, new awnings and more windows. He thanked the city for partnering and thanked the business owners. Blake Harris said this family has given back to the community and this has been made clear by their investment over the years. They took a chance on Sandusky when the downtown area was struggling mightily but it was their vision which began to push things forward and have since made an approximate \$3 million investment. This grant may be approximately 48 % of the overall cost of this particular project but it is over 33 % of the total investment made. He thinks this investment to this business and to this family is a safe one because it will be around for decades to come and will continue to spark individual's interest not only in the craft brew business and Small City Taphouse itself, but for interest in coming to Sandusky to see what we are all about. At the end of the day, this benefits all the businesses and the people here as a whole. Wes Poole asked what masonry and tuck-pointing actually means for the building and Rob Decker said this building cannot be sandblasted or stripped. There is a coating which can be used to clean and tuck-point where necessary and repainted according to the Department of the Interior standards. This is done in three parts with paint which needs to breathe. Water has gotten down to the drywall through the years and bricks are falling but the structure is okay. The bricks will be stabilized and can be reconstructed using existing and 'twin' pieces. It will be cleaned and scraped without the use of chemicals to get to the surface and then resealed. Wes Poole said the detail and contrast between the original building and the restoration appears to be the same as the original with glass instead of fiberboard and is what the city will get for its \$300,000; this is difficult for him to deal with. This is a wonderful project and the money put into this building built the business into what it is now, but the question is what is being done with so many other things the city is dealing with. Naomi Twine said she has an appreciation for the investment in this building as well as the historical aspect of the building and the desire to bring it back. If we are not investing in the buildings and the architecture which make Sandusky unique, it could be part of further deterioration of what makes Sandusky unique and this is important. We do not want to lose these types of buildings. She was born and raised in Sandusky and is in her late 50's and remembers going downtown. There is an affinity to what was here before and a great appreciation for the building up and the desire to continue to maintain or up-build what is here so it does not further deteriorate. She definitely supports this project and appreciates the family investing in this area. There have been some comments about investing in minority businesses and thinks we need to put things into

perspective. We have plans to reinvest in other areas and with other smaller businesses, including minorities, and does not want us to think we have to do one at the expense of another because this is not the case. We are trying to do as much as we can to save the community and save the buildings that make us unique while we are also trying to address other areas of the community. Mike Meinzer said lime mortar was used with soft rock and limestone years ago for tuck-pointing and is different with today's cement mortar where block and brick are used. Lime mortar is pervious to water and by now there are probably pockets of sand which does not hold the bricks together. If this issue is not addressed, the façade and bricks will separate from the interior of the building and will fall onto the street like others in the downtown area have. Members of the Landmark Commission embraced this project and through historic preservation will hopefully save this building for the next 100 years. The Economic Development Incentive Committee has also embraced this project. It is pretty tough to say no when a project has a good chance to succeed and thinks we have a proven winner here with Small City Taphouse. Wes Poole said any building we spend this amount of money on will be successful but he questions whether \$300,000 is what we should be spending our money on. It sounds like it will take three years to complete this project; Rob Decker said the intention is to stabilize the building structure and masonry right away and delivery times are impossible to predict. Hopefully it will be a nine month process to do these things. Rob Decker said in the interim, the owner is willing to do what they can with a bridge loan and work with the city on this. After the money is spent, it will then be submitted and drawn from the city or as it is earned to the satisfaction and design guidelines. He is not clear when all of the deliverables will come from the city but they have been comfortable with the discussions today. Wes Poole said he is trying to understand the three years of payments. Jonathan Holody said the three-year period will allow the city to disburse funds over a three-year period and in the interim, will be able to work with more businesses and not use up the entire annual allocation of the economic development fund on one project. It essentially spreads the city's commitment to this project out over a number of years. Wes Poole said what is being done will end up belonging to the owner and maintenance of the building is their responsibility no matter what. They will own the building when the work is done and he is having trouble giving 48 % of a project cost to maintain a building. This is not designed to grow the business or do anything other than increase the value of the individual's property. CLAG Brewery will be successful anywhere it goes and he would be a lot more comfortable if the commissioners would come up with another way to come up with this money (such as a tax incremental financing (TIF), a low-interest loan or a smaller grant). There are too many businesses in the community which need money and how we prioritize giving money is the issue. We should come up with a different way to finance this. As a commission, it is inappropriate to spend money which the next set of commissioners will have to budget around. We can technically get around this, but the charter does state this specifically and we are not supposed to make contracts with future commissions. Eric Wobser said multi-year contracts are often executed by the city and this will not be a precedent; we had a four-year agreement for the BGSU project downtown and are in a seven-year lease for our city hall. This is a way to defer costs and allow us to make more grants to small businesses. We have made numerous grants to minority-owned businesses and others throughout the city but they are usually at a higher %age than on a project like this. These are much smaller transactions and the scale of the project actually dictates the scale of the grant we would make. Our conversations with Small City go back further than Mr. Decker's involvement and over time, this \$2.7 million investment is within the ten % range. This is a grant to a Stone's Block historical building which will stand for another century in Sandusky because of the investments being made here. While the commission has chosen to not make these investments in buildings such as the Keller Building, in the end, that building ended up costing the city around \$600,000

which was recouped through a \$120,000 sale of the property and this is a much better investment for our money. The Cooke Building is another good example of a building lost rather than saved and the commission recently voted to invest about \$3 million here. The buildings on East Water Street damaged by a wind storm were assisted by about \$230,000 of a \$2.1 million transaction and the cost of not saving these buildings and of creating holes in the downtown fabric end up, over time, being significantly more expensive than investing to preserve buildings to accelerate what is already a strong investment climate so as not to end up with an inferior product because it is not authentic or historic. It is much more affordable for us and to the community's benefit long-term to make this upfront investment and partner. The multi-year presence helps us with this because it allows us to continue to make smaller business grants. With the urging of commissioners, we are looking to accelerate the amount of resources we can use for economic development into historically disadvantaged businesses. The grant amounts they would be eligible for would actually be a greater %age than those which do not come from a disadvantaged category and we are very committed to this goal. In the long run, it is more affordable and this is too small of a project for tax incremental financing because costs of TIF's are very high and take years to complete. Brendan Heil said the city can enter into multi-year contracts and have done so before. The last large grant agreement considered was for the Goodtime vessel which was a five-year contract although the financial structure was different. The city's charter and the Ohio Revised Code require the Finance Director certify funds are available which means the funds are either currently not appropriated and available or for future years are to be collected from estimated tax revenues and are not yet appropriated which has been made for this particular item; this satisfies our charter requirements under Ohio law. Blake Harris said although some might argue this investment does not necessarily grow the business, he thinks it does indeed protect them by building up the exterior. This will give the business a greater opportunity to grow over the years as it has already proven in its first seven years. Wes Poole said this is not a multi-year contract, rather, it is one which will be done in nine months and he does recognize there is a workaround to technically do this. The principle of the city spending money which the next commission should have control over is the issue. There is nothing about tuck-pointing which suggests this business will be significantly more successful as a result. The question is whether the taxpayers should be spending 48 % of the upgrades to someone the personal property of someone else. We will be spending taxpayer money whether this business stays or goes; the owner will get to sell the building and keep our \$300,000. He is asking for this to be financed a little bit differently so there is more in the game for the owner who will leave with everything. There are all kinds of businesses downtown to attract people from which all businesses will benefit. We have given up space, we have a school which will hopefully bring people to spend money and have done our part to make these businesses successful. The suggestion we are obligating another \$300,000 for windows will not bring people here. If we were so interested in how impressive downtown Sandusky will be, he suggests the last TIF agreement for upstairs apartments is simply putting up apartments on Columbus Avenue without a balcony or a view of the water.

Roll call on the motion: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 5. Nays: Wes Poole, 1. Roll call on the ordinance: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 5. Nays: Wes Poole, 1. The President declared the ordinance passed under Section 14 of the City Charter.

**ITEM #4 – Submitted by Scott Kromer, Streets & Utilities Superintendent
DISPOSAL OF 1992 FORD TRUCK & PURCHASE OF BUCKET TRUCK FOR THE FORESTRY
DIVISION**

Budgetary Information: The total cost for the 2023 Altec LR860 Bucket Truck is \$176,843 and will be paid for using Stormwater funds. These purchases will be included in the Capital Improvement Plan.

ORDINANCE NO. 21-121: It is requested an ordinance be passed declaring a 1992 Ford F800 with versalift aerial truck as unnecessary and unfit for city use pursuant to section 25 of the City Charter; authorizing and directing the City Manager to purchase a 2023 Altec LR860 Bucket Truck from Altec Industries Inc. of Birmingham, Alabama, through the Sourcewell Cooperative Purchasing Program for the Forestry Division; 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 Wes Poole, the Commission voted to approve the ordinance in accordance with Section 14 of the City Charter.

Discussion: Aaron Klein said this will allow the city to purchase a new vehicle and to put the old vehicle up for sale on the internet. Our 1992 bucket truck is no longer in use and it will be replaced to allow crews to do work. We also have another truck from the year 1999 which we have not had too many issues with, but it is 22 years old and we need something reliable for field crews to use to do forestry work throughout the city.

Roll call on the motion: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. Roll call on the ordinance: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. The President declared the ordinance passed under Section 14 of the City Charter.

**ITEM #5 – Submitted by Aaron Klein, Public Works Director
FIRST AMENDMENT TO PROFESSIONAL DESIGN SERVICES AGREEMENT FOR THE JUSTICE
CENTER**

Budgetary Information: The not to exceed, lump sum cost for the First Amendment to the Agreement for Professional Design Services contract dated June 12, 2019 is \$1,434,087 to be split at 40% from the Court's Capital Account and 60% from the City's Capital Projects Fund and/or Coronavirus Relief Fund for the SPD portion. These %ages are based on the areas of the complex allocated to those departments.

ORDINANCE NO. 21-122: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a first amendment to the agreement for professional design services with Richard L. Bowen & Associates, Inc. of Cleveland, Ohio, for the Justice Center Design Project Phase I & II; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Blake Harris and second of Naomi Twine, the Commission voted to approve the ordinance in accordance with Section 14 of the City Charter.

Discussion: Mike Meinzer said this was discussed at the last commission meeting and assumes this is being requested for change because of the price or cost required by the architect to design at this property. He asked if RFQ's or RFP's were prepared and how this architect was chosen. Aaron Klein said the RFQ was done in 2019 and is when the city selected R.L. Bowen to do the architectural design and inspection services. The original contract was for \$90,000 for preliminary design and at that time we knew exactly what was going to be in the final design. The cost in the original agreement was 8.5% of the

construction estimate while the inspection was 4% of the construction estimate and usually these numbers are in the 9% – 11% range each. They did agree to fix their design numbers based on the previous construction estimate rather than a new one with the understanding the cost of materials are going to skyrocket. Knowing the design will not be affected by these increased product and labor costs, the company agreed to hold the design at 8.4% based on previous construction estimates. This was written this way to keep track of things internally. We could have done a new contract but because it is being called an amendment in a previous RFQ, this is an amendment to the preliminary engineering. The final engineering and inspection is being added. The scope of services states it will be approximately January before they will be able to come back to the commission with a presentation and rendering. Wes Poole said he has trouble spending a million dollars on drawings for a building which already exists and was under the impression before we moved from this building the courts and police needed additional space. We voted at the last meeting and he did vote for this reluctantly but should not have as he has no idea what we are trying to do to improve these services or the improvements. He does not know what the police or courts wanted differently. If the court needs additional office space to do what they do, they could move into empty offices left vacant. He also understands the police department needs to fix up the detective bureau, but we do not have a clue what we will get in the end other than this will be new and everybody will like it. Mike Meinzer asked if this firm specializes in this type of work with police departments or courts and Aaron Klein said this firm is definitely qualified to do this work. As he recalls, there were five or six firms which submitted qualifications and the selection committee was established including one commissioner, the police chief and the judge as well as engineering and planning staff members. They went through the entire process, read through the qualifications received and looked at those who had done work with court and police departments. All of them were ranked independently, this firm was chosen and negotiations began in 2019. This is in line with what the state does and what the city has always done. Mike Meinzer asked how the \$12 million was arrived at and Aaron Klein said this was established during the first phase when the needs analysis and program analysis was prepared along with needs for space. This was all done for the former American Crayon site rather than this one and the numbers were actually less than what D.S. Architecture included. Dave Waddington said we have had conversations about this and would have preferred to have been getting information about this leading up to tonight. He would like to know what this looks like and have had more details for this price. He does not know if we are asking for something we do not really need. Naomi Twine said she too had some concerns and took the opportunity to talk with representatives from the firm and is very comfortable with the information provided. They have experience with these types of structures and this is not their first rodeo. They also took into consideration some of her concerns about whether it would be appropriate or would meet the needs of the court system as well as our police department as these came out in the beginning of the process. Wes Poole said no needs have been identified to this commission and is why he cannot vote for this. We do not know what needs to be done other than buying \$12 million of new furniture and using numbers comparable to when we were going to build a brand new building. It seems the original estimate included upgrading the building for all city offices rather than just police and fire. It would be a mistake to vote yes without more information about what we are getting. Mike Meinzer said the RFP will come back to clarify answers to these questions but this is a big number (\$1.2 million) to answer these questions. His other concern is about the future development because he was under the impression Battery Park was part of the first Master Plan and this area would imminently be developed into something. He was concerned about leaving the court and police here because he thought the property would be more valuable and to consider leaving it. We did however learn last

month the Battery Park could be ten plus years down the road and is a little more inclined to leave these here.

Roll call on the motion: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 5. Nays: Wes Poole, 1. Roll call on the ordinance: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 5. Nays: Wes Poole, 1. The President declared the ordinance passed under 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 \$150 for the Sandusky Recreation's Youth Scholarship Fund. The president declared the motion passed.**
- **Upon motion of Naomi Twine and second of Blake Harris, the commission voted to accept a donation in the amount of \$3,975.44 from Erie Materials for asphalt for the resurfacing of the Scott May Basketball Courts in Jaycee Park in memory of former city employee Talon Flohr for his work in the park. The president declared the motion passed.**
- The **Boy with the Boot fountain** is operational for the time being. We are currently working with the pump vendor for a long-term solution so it may run intermittently while we troubleshoot. Special thanks to city electricians, sewer and horticulture staff who have worked tirelessly to return it to its glory.
- Staff has been made aware of many recent posts on various social media forums regarding **basement flooding resulting from the recent high intensity**, short duration storm events experienced on two occasions over the past couple weeks. A week ago Saturday, the city received 3.06" of rain in 15 hours, but the intense portion of that storm was over 1" in an hour. This past Sunday morning, we received over 1" in 45 minutes. Combining these events with continuously high bay levels and saturated ground conditions, the sewer system was surcharging at certain locations. Staff works very hard investigate each and every phone call we receive to determine if there is an issue within the public sewer system itself or as a result of an ongoing capital project. Citizens who have experienced a backup or flooding problem should utilize the following phone numbers: during normal business hours Monday through Friday (7 a.m. to 4 p.m., call 419.627.5829 or 419.627.5965. After hours Monday through Friday or on weekends and holidays call 419.627.5907 or 419.627.5900. This information is posted on the city's website at www.cityofsandusky.com/publicworks. This is also a global issue where we have seen reports of flooding around the world in the summer. It is frustrating when it happens and we will research each and every issue and will continue to do so.
- With financial assistance from the **city's Economic Development fund, Ahner Commercial has completed their initial renovations** and begun to occupy the former YMCA building on Perkins Avenue. The company plans to renovate additional parts of the building and continue to grow in Sandusky.
- At its meeting on July 13, the **Economic Development Incentive Committee approved grants for Derrick's Dinner, LLC, Dott Investments, Inc. dba Kiddie Korral, and FSB Properties, LTD, 135-145 Columbus Avenue.**

- The **Landmark Commission has two open seats**. If any commissioners know of volunteers from the community who would like to be involved, please refer them to the Boards and Commissions Volunteer Application on the city website.
- The **Designated Outdoor Refreshment Area (DORA)** has been up and running as of Friday, July 16. The Planning Division has been working closely with participating businesses to make sure they understand how to participate in the DORA and communicate with customers. Last Tuesday those who attended the concert and those were within the DORA over the weekend may have seen businesses and the community are embracing it and the DORA is playing its intended role in promoting a lively, pedestrian-friendly environment and creating a destination for dining and entertainment. Wes Poole asked who is purchasing the cups for this area. Eric Wobser said the city sets the standards of who purchases the cups; currently cups are on backorder and are bio-degradable to make sure we do not cause damage or pollution in Sandusky Bay. During the interim period, we can start using them and have worked with Loris Printing to order the cups. Stickers have been distributed to the bars and restaurants. These cups will be replaced later this summer. Wes Poole asked who will buy the cups in the long term and is not comfortable with the city purchasing cups to be used to consume alcohol. Eric Wobser said this has been researched and generally cities recoup their costs by selling cups to the businesses with a markup to be passed onto the customer. These funds are then put toward marketing or other efforts but no decision has been made on passing these costs onto other local businesses or whether it makes sense to add a surcharge. Our goal is to recoup our expense for the cups. Wes Poole said this does not seem like a great process and the bars need to purchase their own cups. Brendan Heil said after the first round, the bars will purchase cups directly from the vendor. For the first round in order to get them ordered since we were trying to do this quickly, the city purchased them from the vendor at cost and will recoup its costs. After this, bar owners will buy directly from the vendor, at cost, and get them quickly.
- The **Planning Division is working to organize a series of neighborhood meetings** to highlight the new projects and improvements that have been accomplished across the city over the past five years. These include 892 homeowners who received assistance to beautify their homes, improvements and updates at ten city parks, seven public art installations and collaborations, tree planting, traffic calming, neighborhood signage and street repaving. Once the meeting times are set, they will be widely publicly advertised. These events will be a great way to celebrate accomplishments and talk with the community about their vision for the next five years.
- The next **Public Arts & Culture Commission** meeting is scheduled for August 17 at 5:15 p.m.
- The next **Landmark Commission** meeting is August 18 at 5 p.m.
- The next **Board of Zoning Appeals** meeting is August 19 at 4:30 p.m.
- The next **Planning Commission** meeting is July 28 at 5 p.m.
- The **new pay rate for STS drivers**, which was made possible by the recently approved contract amendment, has greatly increased the number of applicants. Staff is

currently exploring options to continue transit service past the expiration of the existing contract with First Transit in March, 2022.

- Sandusky Recreation would like to thank everyone who has helped plan and also attended our most-recent **programming on the Jackson Street Pier**. The Tuesday night Hoobastank/Living Colour concert was an overwhelming success. The Party at the Pier and Movies by the Bay series has been well attended, despite intermittent weather through the first several weeks.
- The 7th Annual Touch-A-Truck and National Night Out event is scheduled for Tuesday, August 3 from 4 p.m. to 7 p.m. at the Sandusky Bay Pavilion, Battery Park and 222 Meigs north parking lot. The event will feature area law enforcement, fire departments, municipal vehicles, local organizations and private companies for a family-friendly event. This year's event will end with a showing of the movie *Cars* at 7 p.m. at the Sandusky Bay Pavilion, sponsored by the Wightman-Wieber Celebration Safety Fair & Kids Fun Festival Committee.

OLD BUSINESS

None.

NEW BUSINESS

Upon motion of Naomi Twine and second of Dick Brady, the commission voted to have the Law Department provide information regarding the membership makeup on all city boards and commissions.

Discussion: Wes Poole said there seems to be an issue with our legislation and believes there are committees and commissions needing people with special expertise and being a city resident is not a requirement; Dick Brady said this would be a violation of our ordinance. He suggests we should identify the committees which require residency and clarify, by ordinance, how we can word this so it is not unclear. We need to define committees which do not require residency as the interpretation from one law director to another changes and we need some direction. Some have made assumptions about what this means and this needs to be cleared up. Dick Brady said each commissioner received a letter of resignation from both the Chairperson and Vice Chairperson of the Landmark Commission which he thinks is the result of an opinion and advice from the law director as two members were serving while not being citizens of Sandusky. The legislation requires this for Landmark Commission, Planning Commission and the Board of Zoning Appeals. The reasoning for this is because these commissions vote on issues which can be litigated; they are not advisory boards. Brendan Heil said these particular boards have both a residency requirement and generally make decisions which are potentially final although they can sometimes be appealed to the city commission through litigation such as for the Landmark Commission regarding historical guidelines. Dick Brady said this issue came to light in a very recent issue before the Landmark Commission by a person making a presentation who got an adverse ruling from them. The issue was raised by this applicant because he felt the vote was illegal as there were two members who did not live in the city which is contrary to our legislation. The Law Director was doing his job in advising the commission of this fact that we were in violation of our own legislation. He does not want to put this at the doorstep of the law director since this is what we pay him to do. If this commission wants to change or amend legislation, he suggests we should not pick and choose doing this; rather, we should do this for all boards. He is not comfortable with having people who do not live in the city being able to vote on the Planning Commission, on the Board of Zoning Appeals or on the

Landmark Commission and the legislation is written very appropriately. We should have Sandusky citizens performing these functions. Eric Wobser said he does not believe this was a difference of opinion between law directors as to what did or did not apply; the question was about one of the Landmark Commission members being a resident of the city when placed on the board but since has moved from the city. The other listed a Sandusky address for a boathouse but which was not their domicile or residence and was taken at facebook value when the application was reviewed; the city only became aware of it later. No Law Director has ever stated a member of one of these boards should **not** be a resident per the existing ordinance. Dick Brady said we do need to hear the will of the commission as to how to proceed with this issue. Dave Waddington said the Landmark Commission is actually down by four members, not two, and this needs to be resolved. Mike Meinzer said regardless, legislation needs to be made very clear because the discrepancy is between being a 'citizen' and/or being a 'resident' and needs to be defined. He is uncomfortable with members of police, fire, school teachers, department heads and administrators not living in town and is old-school and wishes all of them lived here. We are looking for experts and for the best employees we can get and not allowing outside people come in and serve on these boards if qualified and if they have the paper to back this up. Naomi Twine said she does not have an opinion one way or the other but said we do need to be consistent because it does cause confusion allowing this for one board or commission and not for another. If we are lacking people with expertise who live in the city, we may extend our invitation for someone to volunteer and there needs to be some parameters and we need to be consistent across the board. She understands we are taking people at face value when they apply regarding their address and does not believe we should be thoroughly investigating. Dick Brady said oftentimes members of advisory boards may not have a residency requirement or a city of Sandusky requirement as opposed to these three boards. Brendan Heil said the Economic Development Incentive Committee legislation also states members need to be 'citizens' which is a board making determinations on disbursing grants. Generally speaking, this is correct, but would not like to say it is categorically correct without going through each of them. Dick Brady asked if there is ambiguity using the term 'citizens' of Sandusky or 'resident' of Sandusky; Brendan Heil said these terms can be used interchangeably and one cannot be a citizen or a resident of two different places. It is obviously something which he can explore to clarify our existing legislation and use one term or the other as directed by the commission. Dick Brady said this is not an issue to him and it was crystal clear but if there is some ambiguity to this, he is not opposed to changing some of the wording. Naomi Twine said the city did go through an extensive review of all of our boards and commissions a few years ago but it would not hurt to revisit this to use the information and come back with opportunities to provide for a better discussion on what the commission thinks it wants. Brendan Heil asked if this motion is for information on what boards have a residency requirement, or if the commission would like information on what the requirements are for serving generally on each; Naomi said for both. Wes Poole said he can look on the website and see which require residency and would like to get information to move forward; he asked if it is the commissions' feeling that we need or that there are times non-residents can serve on committees as we may need with expertise who may not live here. Everyone has simple feelings but this is a question and if not, we do not need to do anything at all. If we are going to close off at the borders and note when information from outside is needed on any of our committees then we do not need to do anything. Mike Meinzer said he has been a member of the Landmark Committee (as liaison) for about 18 months and can assure he is **not** qualified to be the chairperson as there is a lot of detail which goes into making decisions but will start studying, can learn very quickly and does not know how many qualified persons there are in the city who would be willing to do this. Naomi Twine said information is valuable for

her and she does not want to make decisions based upon limited information or based upon what she thinks she knows. This is why she is suggesting to allow the law department to provide this commission with information related to all of the boards and commissions including the makeup of citizens/residents and provide parameters as to what the commission can and cannot do in order to make a competent decision. Wes Poole asked if it is in the city's interest to have people from outside our borders on our boards or commissions and if research needs to be done with other cities. A list of how many committees we have and whether members are residents (or not) would be nice to know but does not address whether or not we should allow people. The most qualified person on the Landmark Committee is someone from out of town because there is no one in town with the qualifications to speak intelligently or has experience to any degree dealing with the historical buildings. The two people who resigned did so in protest because they recognize our charter calls for them to continue to be a resident of the city as a qualification and further that three years after we created the Landmark legislation, we specifically said 'citizen of the city' and then appointed this person to it and we have a different interpretation. This is what needs to be cleared up and whether we want someone from out of town to be on a committee. Naomi Twine said this initially came up regarding the Landmark Commission and believes we should be consistent across the board. This means understanding the makeup of all of the boards and commissions as well as the definition of citizen and resident and not to singularly focus on the Landmark Commission. Mike Meinzer asked if it would be possible to add the definition of citizen and resident and if these terms can be made inter-changeable rather than writing new legislation for each board.

Roll call on the motion: Yeas: Wes Poole, Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington, 6. The President declared the motion passed.

Upon motion of Wes Poole and second of Blake Harris, the commission voted to appoint Kelly Kresser as the Interim Commission Clerk for the City of Sandusky. The President declared the motion passed.

Dave Waddington said there will be a **Coffee With a commission meeting** July 31 at 9 a.m. at city hall. Chief Jared Oliver will also be in attendance.

Wes Poole asked the commissioners to think about the lots for **sale in Cold Creek subdivision**. He received a call from a resident who wishes to expand his property and it appears commission authorization is required in order to do so. He would like information from the staff as to whether or not this would be a good idea. He would like to know how many of these lots have been sold since we started the sale process and said several people have asked about this and what the city thinks about it with current owners. If we allow this we would make less money if a lot is not used to build a house but the lots are all different sizes and some are more or less desirable than others. We need to be very specific about whether we want to be left with lots which cannot be sold which otherwise could have been absorbed.

Upon motion of Mike Meinzer and second of Naomi Twine, the commission voted to set a public hearing for September 13 regarding an amendment to the zoning map for 431 Columbus Avenue. The president declared the motion passed.

AUDIENCE PARTICIPATION

Submitted via email: Tim Schwanger, 362 Sheffield Way, asked the project loss and amount of economic development incentive committee funds created by lower

admissions tax receipts from Cedar Fair due to extended gold pass use in 2021 and the relocation of Cedar Point executives to Charlotte, North Carolina. At the July EDIC meeting, the Chairman of the committee hinted the city may have to allocate money from other city sources to fund the economic development fund in the future. Dick Brady asked the finance director to follow up with this information.

John Kempton, 117 East Osborne Street, said this property had the same flooding issue two weeks in a row. Prior to this, some work was done about two years ago and there were no problems. There are so many people on social media with issues including furnaces going out and wonders if there is anything in the offing for these problems. These types of events are happening and spoke about backflow prevention devices which cost significantly for property owners but wonders if there is any large plan to address some of these issues. Dick Brady said Aaron Klein will follow up with these issues that city workers are looking at the potential causes and we are not ignoring this issue.

ADJOURNMENT

Upon motion of Naomi Twine and second of Wes Poole, the commission voted to adjourn at 6:45 p.m. The President declared the motion passed.



Kelly L. Kresser
Interim Commission Clerk



Richard R. Brady
President of the City Commission