

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

**The Clerk called the roll and the following Commissioners responded: Dave Waddington, Wes Poole, Naomi Twine, Dick Brady and Nikki Lloyd (Note: Greg Lockhart arrived at 5:32 p.m.).**

**Upon motion of Wes Poole and second of Naomi Twine, the commission voted to excuse Dennis Murray and Greg Lockhart. The Vice President declared the motion passed.**

**City staff present: Aaron Klein – Public Works Director, John Orzech – Police Chief, Jim Green – Fire Captain, Matt Lasko – Chief Development Officer, Angela Byington – Planning Director, Stuart Hamilton – IT Director, Don Rumbutis – IT, Hank Solowiej – Finance Director, Trevor Hayberger – Acting Law Director, Eric Wobser – City Manager and Kelly Kresser–Commission Clerk.**

#### **APPROVAL OF MINUTES**

**Upon motion of Dave Waddington and second of Wes Poole, the commission voted to approve the minutes of the September 10 meeting and suspend the formal reading. The Vice President declared the motion passed.**

#### **AUDIENCE PARTICIPATION**

Soni Vyas-Weit, representing the Center for Peace Through Understanding, said this is a non-profit organization and is not affiliated religiously or politically. She is a proud daughter of immigrants and is an Indian American who loves the cultural opportunities here although in the past couple of years, has felt a sense of unease in wearing her native dress or in speaking to her mom in her native language in public spaces. This is unfortunate as her parents contributed much to the country and to the community. Her dad was an engineer who helped build this country like past immigrants and he and her mother owned a small grocery store. They are beloved by their neighbors, contributed to their economy and schools, and the welcoming resolution (Item #2) represents the spirit of their contributions to this country. This validates the economic, cultural and social contributions and will provide for a community without fear. The most important piece is not just declaring this as a welcoming city, but providing a framework for action. The coalition of business, church and community organizations coming together and creating a plan, inviting entrepreneurs, attracting and retaining talent and perhaps a future city-wide economic festival. Last week was Welcoming Week celebrated by many communities across the nation and hopes Sandusky will participate in this effort and wholeheartedly supports this resolution.

Samuel Prince, 2202 Karl Ann Drive, said he has been a constituent of Sandusky for seven years and previously lived in New York where there was a plethora of people without race, backgrounds or ethnicity. After moving to Sandusky about seven years ago, he wonders if we are welcoming and is thinking about ways we can become more welcoming.

#### **PUBLIC HEARING**

**The Vice President opened a Public Hearing regarding the proposed rezoning of a parcel on Putnam Street.**

Angela Byington, Planning Director, said Larry and Angel Cunningham have applied for a zoning amendment to rezone their property to residential business. This is to allow for automotive repair and growing trees. The property is currently zoned single family residential and is surrounded by single family residential and two-family residential zoning. The proposed zoning permits all roadside store, services, dwellings, etc. permitted in local business plus retail businesses, motels, hotels, automotive services, repair garages, sales of vehicles and boats, nursery stock and garden equipment, etc. The Cunningham's have maintained the property and planted trees on the site since they purchased it. The Planning Commission held a Public Hearing where concerns from neighbors were communicated and staff recommended denial because

the proposed zoning would allow for reuses which are not harmonious with and could be a nuisance to surrounding residential properties. The Planning Commission voted to deny the request and forwarded their denial to the City Commission. The Vice President asked if anyone wished to speak about this issue.

Angel Cunningham, 811 Force Avenue, said there are 100 fruit trees on this parcel and the idea is to run two businesses on Putnam Street; the first is a building for auto mechanics for fixing two- to 18-wheeled vehicles. This would be by appointment only and would not interfere with people showing up with the children in the nearby school. She would like to be able to show people how to take care of trees and be able to plant, grow and prune them. The other part is to show people how to can food which is a traditional part of our lives but has been lost. Anything not able to be used for canning would be placed back into the community for those who do without. The noise levels created by the trains is much louder than her husband's air guns when working on a vehicle and a radio is drowned out by the trains. They are asking for the opportunity to switch this to a commercial property, build their business and provide jobs for the community while supporting it in other ways. The trees were going to be planted no matter what as they wanted fresh fruit for themselves and their family. When they purchased the property, they had thought to have it zoned commercial. As for the hedgerow, they were going to knock down all of the smaller trees but the bigger ones will stay as they are beautiful. One way or another they are going to utilize this land whether they can utilize it commercially to run a business or put a park here. The idea is to be able to provide a future for her family and to help the community. They are here to make it better, not to destroy anything.

Cathy Ryder, 1708 Mills Street, said there has been a natural hedgerow on her property for over 40 years. Her husband retired from auto body and restoration after 35 years and does not want to hear air compressors anymore. They do not want backup machinery, the smells and the fluids. They already turn up their radio on Sundays to get over a train whistle which they have gotten accustomed to. Yesterday, the sound of the music coming from the back door was like having a jamboree by her home. Cathy Ryder said she is allergic to bees and they have bees; she cannot afford a \$10,000 Epi pen and the fruit trees were planted before finding out if they could get this rezoned in their favor. The hedge rows were knocked down for a fence which the Cunningham's said they would not do. They crashed through this with a brush hog and the dead trees are laying in the backyards. There is a gaping hole with dying trees and a stack of multi colored fertilizer and other chemicals in a stack as tall as a garage. Her life's investment is halfway finished with restoring her home and it is about to be something she does not want. This should remain zoned residential and if people want to grow fruit trees and have a business, they should do it in their own backyard and not everyone else's. The city should not be spending \$2.8 million to please people on the way to the hospital when we have problems and blight all over this city which need addressed.

Willie Wilson, 1803 Putnam Street, said she is against the rezoning and would like this to remain residential. There is only one way to get to this property and it is down Putnam Street. She has lived here for 52 years and would like to keep the area residential.

Lillie Nickelson, 1806 Putnam Street, said she has lived here all her life and is 62 years old. Putnam Street is so narrow you cannot let kids ride bicycles on the street. The railroad tracks and trees surround the neighborhood and have for many years. As far as noise, there are railroad tracks and trains and this used to help wake her up for school every day but does not think it is right to add more noise and it is not fair for kids wanting to play baseball or basketball. They do not know how many trucks will come down the street and tear it up. There are older people living here and they should be given a break. It is nice they want to do something for the community, but the community is already here and is taken care of.

Joe Keahey, 1809 Putnam Street, said he appreciates someone wanting to start a business on Putnam Street but the street is narrow, there are no sidewalks and kids walk to and from Mills School. There was a business here before and it was eventually removed from the street because

the truck traffic used Putnam Street creating dust and other hazards. He does not want to stop someone from creating a business, but this area should be kept residential.

Larry Cunningham, 811 Force Avenue, said he understands the complaints about the narrow street and trees but he has been here several times to help his parents with the land. There are not a lot of trees at the end of Putnam Street and there is just garbage near the wooded area and they are constantly cleaning this up. He can understand concerns about noise with an automotive business but the last place his dad worked, there were neighbors nearby including kids and dogs and everyone was welcome to say hello and ask questions about their cars. When there are no appointments, there will not be anyone working early in the morning or late at night. If kids are out playing around, there are cars constantly going back and forth with the kids and his dad has always been a very nice person when behind the wheel trying to tow a trailer or a car. If there are kids nearby he will park a mile away until they are done biking or away from the area. There was a police officer clocking speeders at the end of the street by Mills School because kids were playing on their bikes. They will not have real big utility vehicles and people will be going through with bulldozers and giant trucks. There will not be a lot of fumes because not much will be burnt here; this is a clean facility and his dad made sure everything was concrete and well maintained. If it were not well maintained or safe for kids nearby, it would not be done whatsoever. There was never a time his dad would let him get sick or hurt when working with him as a kid. There is a little area with the trees and his parents are trying to be nice and chopping out trees to get their lawnmower through the area and clean up the property.

Mike Zuilhof, 143 East Market Street, said he is the Chairman of the Planning Commission and the comments made tonight are not terribly relevant to the question of whether this property should be rezoned. The rezoning would allow a bunch of uses under the proposed zoning, most of which are incompatible in the backyard of a residential area. In particular, auto repair shops have historically been in ongoing conflict with their neighbors because of cars and noise. These businesses try to be good neighbors and tend to operate during normal business hours, but they also accumulate lots of cars and other stuff on the site, whether intended or not. Although this is not why he voted against this location, he did so because there is no buffer here and these are potentially incompatible uses with a relatively stable residential neighborhood. With full respect and appreciation for the owners, there are alternatives to using this property. Growing fruit trees would probably result in a zoning violation.

**There being no further comments, the Vice President declared the Public Hearing closed.**

#### **CURRENT BUSINESS**

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

#### **CONSENT AGENDA**

**The Vice President asked if anyone wished to remove any of the Consent Agenda items. There were no requests to do so.**

#### **A. Submitted by Hank Solowiej, Finance Director**

##### **APPROPRIATION AMENDMENT #4**

**Budgetary Information:** Appropriation amendments are required to update the budget for current and previous actions of the city. Examples include but are not limited to: reallocation of budgeted funds from wages/fringes to contractual services for the Engineering Department; memorial bench purchase with donated funds; Issue 8 fleet/vehicles/equipment purchases; and skate park purchases.

**ORDINANCE NO. 18-185:** It is requested an ordinance be passed adopting amendment #4 to Ordinance 18-066 passed by this City Commission on March 26, 2018, making general appropriations for the fiscal year 2018; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**B. Submitted by Aaron Klein, Director of Public Works****SUBMISSION OF GRANT APPLICATION TO ODOT FOR HEALTHY HAYES CORRIDOR PROJECT**

**Budgetary Information:** The total project cost, including inflation for 2025 is \$2,843,200. The grant application request for those items recommended in ODOT's safety study is \$1,285,470. The city's share would be \$1,557,730 around 2025. Staff will seek to leverage funding from private sources, public bikeway grants, MPO funding and any other potential revenue stream available at the time. Funding distribution will be explicit prior to construction.

**RESOLUTION NO. 038-18R:** It is requested a resolution be passed authorizing the filing of a grant application with the Ohio Department of Transportation for financial assistance through the highway safety improvement program for the Healthy Hayes Corridor project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**C. Submitted by Aaron Klein, Director of Public Works****2018 ERIE COUNTY METROPOLITAN PLANNING ORGANIZATION APPLICATIONS**

**Budgetary Information:** The construction estimate for each project is shown above. If awarded, the twenty percent match would be allocated in the five-year capital budget for an account with funds available for infrastructure such as CDBG, Issue 8, sewer fund, water fund or general fund.

1. **RESOLUTION NO. 039-18R:** It is requested a resolution be passed approving the submission of an application to the Erie Regional Planning Commission Metropolitan Planning Organization for financial assistance for the **Camp Street resurfacing project** and, if awarded, authorizing and directing the City Manager to enter into the LPA federal local-LET project agreement with the Ohio Department of Transportation; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

2. **RESOLUTION NO. 040-18R:** It is requested a resolution be passed approving the submission of an application to the Erie Regional Planning Commission Metropolitan Planning Organization for financial assistance for the **East Monroe Street resurfacing project** and, if awarded, authorizing and directing the City Manager to enter into the LPA federal local-LET project agreement with the Ohio Department of Transportation; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

3. **RESOLUTION NO. 041-18R:** It is requested a resolution be passed approving the submission of an application to the Erie Regional Planning Commission Metropolitan Planning Organization for financial assistance for the **West Monroe Street resurfacing project** and, if awarded, authorizing and directing the City Manager to enter into the LPA federal local-LET project agreement with the Ohio Department of Transportation; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**D. Submitted by Jeff Keefe, Project Engineer****CHANGE ORDER #1 AND FINAL WITH ED BURDUE & CO. FOR COLUMBUS-SCOTT-CAMPBELL INTERSECTION PROJECT (DEDUCT)**

**Budgetary Information:** Change Order #1 and final is requesting a decrease of \$80,064.52 from the original contract amount of \$679,741.61, for a new total construction cost of \$599,677.09. The total cost of the project based on this change order including engineering (\$62,028.98), inspection (by city staff) and advertising (\$201.30) is \$661,907.37. The construction cost of \$599,677.09 is broken down by the following: \$175,000 being paid for by the Ohio Public Works Commission, \$127,152.48 from sewer funds, \$105,242.28 from water funds and \$192,282.33 shall be paid with CDBG funds.

**ORDINANCE NO. 18-186:** It is requested an ordinance be passed authorizing and directing the City Manager to approve the first and final change order for work performed by Ed Burdue & Co., LLC, of Sandusky, Ohio, for the Columbus-Scott-Campbell intersection project, Phase 1 & 2; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Nikki Lloyd and second of Naomi Twine, the Commission voted to accept the Consent Agenda and declare all ordinances and/or resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in full accordance with the Section reflected in the ordinances and/or resolutions whether it be in full accordance with Section 13 or Section 14 of the City Charter. Roll call on the motion: Yeas: Dave Waddington, Wes Poole, Naomi Twine, Dick Brady, Nikki Lloyd and Greg Lockhart, 6. Roll call on the ordinances and resolutions: Yeas: Dave Waddington, Wes Poole, Naomi Twine, Dick Brady, Nikki Lloyd and Greg Lockhart, 6. The Vice President declared the ordinances and resolutions contained in the Consent Agenda passed in full accordance with the City Charter.

#### **REGULAR AGENDA ITEMS**

**ITEM #1 - Submitted by Angela Byington, Planning Director**

**PROPOSED AMENDMENT TO THE ZONING MAP FOR PARCEL #58-00236.000 LOCATED ON PUTNAM STREET**

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

**ORDINANCE FAILED:** It is requested an ordinance be passed amending the official zone map of the City of Sandusky to rezone Parcel #58-00236.000 from R1-40 single-family residential district to roadside business district; and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with **Section 13** 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 full accordance with Section 13 of the city charter.**

*Discussion:* Naomi Twine thanked everyone who came to express their position on this proposed rezoning. The city looks for people who want to open businesses in the community but does not believe this is the right area of town to do so and will be voting no on this submission. Nikki Lloyd said she appreciates the Cunningham's wanting to bring business into the City of Sandusky, hopes they can find the correct parcel and believes they would take wonderful care of it. This is a long term decision for the property because of what could potentially be placed here if it were ever sold and has a hard time supporting its passage. Trevor Hayberger said the Planning Commission vote was to deny the rezoning and the legislation was written to pass the zone change in the affirmative. If the City Commissioners want to support the decision of the Planning Commission, a no vote is required on this legislation. If the city commission wants to reverse the decision of the Planning Commission, a yes vote of five commissioners is required.

**Roll call on the motion: Nays: Dave Waddington, Wes Poole, Naomi Twine, Dick Brady, Nikki Lloyd and Greg Lockhart, 6. Roll call on the ordinance: Nays: Dave Waddington, Wes Poole, Naomi Twine, Dick Brady, Nikki Lloyd and Greg Lockhart, 6. The Vice President declared the ordinance fails.**

**ITEM #2 - Submitted by Talon Flohr, Neighborhood Outreach Coordinator**

**RESOLUTION PROCLAIMING SANDUSKY AS A WELCOMING & SAFE COMMUNITY FOR IMMIGRANTS**

**Budgetary Information:** There is no monetary cost to passing this resolution.

**RESOLUTION NO. 042-18R:** It is requested a resolution be passed proclaiming Sandusky as a welcoming and safe community for immigrants; 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 Naomi Twine, the Commission voted to approve this resolution under suspension of the rules and in full accordance with Section 14 of the city charter.**

*Discussion:* Dave Waddington said he is happy to support this and, if passed, Sandusky would be the smallest city in Ohio to pass such legislation. His bigger concern is with the 2010 campaign for the U.S. Census; passage of this Resolution would encourage all persons, documented

citizens or not, to feel comfortable reporting census data which is critical for federal money to the city going forward. Naomi Twine thanked everyone for their comments and said she supports this legislation. Sandusky is a wonderful community and we do want to be open to all cultures, ethnicities and the like, and welcomes anyone who wishes to come here. Wes Poole supports welcoming people to the community and said it is a wonderful place to live and we have a lot to offer for anyone who may wish to join in and live here. Greg Lockhart said this is a wonderful idea to welcome people to Sandusky, but wants to be clear when we say “safe and welcoming” we are not providing a legal safe harbor in reference to immigrants. Trevor Hayberger said this does not create a sanctuary city and we will keep the normal procedures we currently have for anyone who is here illegally.

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

**ITEM #3 - Submitted by Stuart Hamilton, IT Manager**

**NEW CITY HALL EMERGENCY GENERATOR AND AUTOMATIC DOORS**

**Budgetary Information:** The cost of the project is \$89,163 and will be expensed from the capital projects fund.

**ORDINANCE NO. 18-187:** It is requested an ordinance be passed authorizing and directing the City Manager and/or Finance Director to make payment to SandCity, LLC of Willoughby, Ohio, for the reimbursement of an emergency generator and three automatic door openers for the new City Hall administrative facility; 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 full accordance with Section 14 of the city charter.**

*Discussion:* Stuart Hamilton said this item is for authorization to expend funds for the purchase and installation of a backup generator for the new City Hall along with door openers. The new generator will power the core IT equipment, security equipment and all life/safety equipment in the new City Hall in the event of a power outage. We selected a natural gas generator to remove the time constraints with a standard diesel generator. The doors will be installed on the front two sets of doors on the Columbus Avenue side and one set of doors on the Washington Row side, and have been added for ease and access to the building. The generator will only serve the new City Hall and nothing else. The door openers are outside the scope of ADA requirements with regard to closing pressure and clearance and is why it is an add-on for the residents. Naomi Twine asked about this equipment if the city does not stay here at the end of the lease and Stuart Hamilton said the generator and the door openers belong to the city and could be dismantled and taken with us.

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

**ITEM #4 - Submitted by Aaron Klein, Director of Public Works****REPLACEMENT OF CHANNEL GRINDER FOR CEDAR POINT PUMP STATION**

**Budgetary Information:** The total cost for the purchase of a CMD4010-XDS2.0 upgrade Muffin Monster channel grinder from JWC Environmental is \$23,714.50 and will be paid with sewer funds.

**ORDINANCE NO. 18-188:** It is requested an ordinance be passed authorizing and directing the City Manager and/or Finance Director to expend funds for the purchase of a Muffin Monster channel grinder for the Cedar Point pump station from JWC Environmental of Santa Ana, California, in the amount of \$23,714.50; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

*Discussion:* Wes Poole asked about the life expectancy of this equipment and Aaron Klein said replacement is recommended in five years, but life expectancy is closer to seven years. Dick Brady said we have several of these products throughout our system and replaced one in the Venice Heights area. Aaron Klein said we recently replaced one of the two which existed at the Venice lift station. The existing one was placed in 2003 and rebuilt in 2013 and is well past its useful life.

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

**ITEM #5 - Submitted by Matt Lasko, Chief Development Officer****AUTHORIZATION TO BID CITY HALL SIGNAGE & WAYFINDING PROJECT FOR NEW CITY HALL**

**Budgetary Information:** The total cost estimate for the project including advertising, contingency and miscellaneous costs is \$15,000. After receipt and review of bids, staff will present to the City Commission, in the future, with a recommendation to enter into contract with the firm that provided the lowest and best bid for exterior signage fabrication and installation. The project will be expensed from the capital projects fund.

**RESOLUTION NO. 042-18R:** It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed City Hall signage and wayfinding project – exterior signage; 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 Dave Waddington and second of Naomi Twine, the Commission voted to approve this resolution under suspension of the rules and in full accordance with Section 14 of the city charter.**

*Discussion:* Dick Brady said he will abstain on this legislation as he owns a company which sells this type of product and may very likely provide pricing for it. Matt Lasko said in June the commission approved a design contract with RLR Associates who is undertaking the exterior signage design on the city's behalf along with a messaging schedule and location map. We are seeking permission to bid the external package and will be bidding the interior package at a later date. Design documents have been provided for the exterior canopy along with window and door decals along Columbus Avenue and the staff entrance doors and rear exit doors in the back alley. We are seeking permission to bid the exterior sign package for the new City Hall facility. Wes Poole asked if there is a \$15,000 cost to ask someone to bid and Matt Lasko said we are seeking permission to go out for bid and the anticipated not to exceed amount is \$15,000 which is based on a cost opinion, contingency items and advertising costs.

Roll call on the motion: Yeas: Dave Waddington, Wes Poole, Naomi Twine, Nikki Lloyd and Greg Lockhart, 5. Abstain: Dick Brady, 1. Roll call on the resolution: Yeas: Dave Waddington, Wes Poole, Naomi Twine, Nikki Lloyd and Greg Lockhart, 5. Abstain: Dick Brady, 1. The Vice President declared the resolution passed under suspension of the rules and in full accordance with Section 14 of the city charter.

#### CITY MANAGER'S REPORT

- Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept a donation from the Friends of the Greenhouse for stamped concrete and two engraved granite blocks to be inlaid in the sidewalks south of the Boy with the Boot fountain in Washington Park (approximate value is \$1,350). The Vice President declared the motion passed.
- The Sandusky Police participated in the Recovery Walk on September 15 and the Erie County Senior Triad on September 20.
- Sandusky participated in various community events including Community Impact Officer Jeff Danevich attending the Erie County Triad Health & Safety Day and various officers working in the Red Wagon.
- The city successfully sold its \$4,946,000 various purpose notes on September 19, 2018, to KeyBanc Capital Markets from Cleveland. The net interest cost was 2.119% and the notes will mature in October, 2019.
- The city was awarded the Auditor of State Award with Distinction for the 2017 audit. This award is presented to local governments upon completion of a financial audit in compliance with numerous accounting and auditing requirements. A representative of the Auditor of State's Office will be presenting the award at the October 9 city commission meeting.
- The next Audit/Finance Committee meeting is October 19 at 7:45 a.m.
- There are two fall clean-up opportunities available at no charge to city residents. Drive-thru drop-off day will take place on September 29 at the Shelby Street Boat Launch overflow parking lot and we are still in desperate need of volunteers to lend a helping hand with this event. Residents are welcome to drop-off yard waste at Barnes Nursery, 1630 Camp Road, Huron, on October 6 and 7. For further details, please call 419.627.5884.
- Due to new EPA requirements, Water Distribution crews will be implementing an extensive notification process to affected properties when water main breaks occur after October 1. In some cases, they may be required to offer water filters or replacement of private lines for an additional cost.
- On October 15, Republic Services has elected to remove the recycle bins at the Service Center on Cement Avenue and at Kiwanis Park on First Street. We are diligently exploring other options for residents who have used this free service for the last five years. Dave Waddington said he is concerned this closure will cause more illegal dumping. He thought we were trying to encourage recycling. There are other recycle receptacles in the downtown area and asked if this is forcing us to go to a one hauler bid or system. These bins were the equivalent of 5,000 residents with regard to the county's quota for each recycling center. Eric Wobser said Aaron Klein brought this to his attention and they are both very concerned about it and wanted to let the commission and the public know in advance these bins may be pulled on October 15. The contract with Republic allowed for the ability to cancel without notice which they have provided and this is a trend. The resale market for recycled goods has dropped



and was initially provided by FSI at no cost to the city. This was replaced when they were purchased by Republic Services and Republic continued to honor the contract although they believe there is a notice provision for their ability to cancel. When the market shifted, they stated their loss had risen to a significant amount monthly and told the city we would have to either cover the cost of the losses or alternatively they would exercise their ability to cancel. We do intend to continue to talk with them prior to October 15 to see if there is a way to keep these open even if on an interim basis. This is a potential time to look for a longer term solution making sure every resident has access to recycling and there are several ways to do so. The cost would be approximately \$100,000 per year to the city to keep these two centers open which is an exorbitant cost. We hope to keep this service viable while exploring options to ensure this is provided for every resident of the city. Nikki Lloyd said she wanted to make sure we are looking for city-wide commercial and residential recycle services. Eric Wobser said he thinks this is probably the best long-term strategy and has always thought this is an interim step toward that. We need to look at how we can ensure this. Every provider in town is currently required to offer residential recycling services but it is not mandatory for residents to purchase recycling and we want to look at ways to ensure every resident does have access using curbside recycling services. Nikki Lloyd said she does not believe all of the providers do offer this and is not how we should be taking care of our community. Dave Waddington said this will be a red flag going in this direction without having more input about it and has been involved with this in the past. He is more worried about the illegal dumping and filling the landfill and at what it will cost for the tipping fees to take materials to the landfill. He thought Republic had a problem in the City of Huron and had to raise their rates because of the cost of recycling. Eric Wobser said we do know there is some volatility in this market right now and we will absolutely look at what we can do to continue the existing service over the next few weeks but until we talk to Republic, we do not know what these options are. We also think with urgency and with this commissions' direction, it is the time to look at longer term options to ensure we have recycling. Dave Waddington asked if we can include all of the haulers in this discussion, especially the smaller ones. Dick Brady applauded the concept of reaching out to Republic on this issue and said it is important although it is disappointing to every commissioner here and every resident in the city to lose our ability to recycle. He has read this contract which expires on April 28 and understands the legalese allows Republic to escape from it by giving notice, as they have, but hopes the city can go back and negotiate them back to the table and point out we value them as our service provider. This period may give us the time to formulate a plan going forward and it will take us longer than 30 days to figure out what we are going to do with recycling and what aspect it will offer in the future. Wes Poole said he is not sure how many options we have with the market and understands the Chinese have cut back by about fifty percent on the amount of trash they will accept. There are a lot of overriding factors in the country dealing with trade and they are the biggest receptor of our recycling and if they have cut back, this makes options minimal.

- There will be a **ribbon-cutting ceremony to formally present the new and improved Gartland Avenue** to the community on October 11 at 5:30 pm.
- Staff has been notified the city will be awarded the **Great Lakes Restoration Initiative grant** we applied for in May from the National Forest Service. This will allow for installation, in 2019, of approximately 270 trees on city properties or within rights-of-way included in the application. In addition, staff will finalize our list of 2018 fall tree plantings by the next commission meeting.
- The **Erie County Land Reutilization Corporation (ECLRC) is under contract to purchase and demolish the property located at 2131 West Forest Drive**. The current property owner, Kim D. Schaffter, received a \$38,000 loan in 1998 through the Rental

Rehabilitation Loan program. The current amount owed to the city is \$21,321.45. To effectuate the transfer, this mortgage will need to be released. City staff is recommending approval of the release because the property is condemned, has multiple other liabilities and would have been demolished by the city had ECLRC not stepped in. The cost of the demolition will be borne entirely by ECLRC.

- On September 18, the **city completed the transfer of the former Hoppers and Sunoco sites to The Forest Sandusky, LLC**, who will be constructing a medical marijuana dispensary on the site. The new owners have already received a foundation permit to start constructing the facility which has commenced. The city is in the process of reviewing other elements of the construction drawings in hopes of fully approving this in the next few weeks. The proceeds of this sale will go into the city's real estate development fund.
- The **year one final report for the Sandusky Neighborhood Initiative** is being finalized and will be ready for release soon. A presentation will be given on year one outcomes and proposed year two projects at the October 9 City Commission meeting. Staff will look for commission support of the year two projects at the October 9 meeting.
- We have looked at **wrapping poles on the city's basketball courts at Orlando Pace Park and Lions Park** and are using materials we have in-house to wrap these. We chose to remove these several years ago because they kept disappearing and hope they will stay this time. We are also looking at options how to keep them up this year with the hopes of having all of our basketball court poles padded again in the spring.
- **Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to support the proposed locations for the Sculpture on Loan initiative.**

*Discussion:* Eric Wobser said the **Sculpture on Loan** locations were attached in the full City Manager's report for review. The Lange Trust graciously decided to fund and handle all of the logistics of the year-long program with help from the renowned Midwest Sculpture Initiative and the sites received unanimous support from the Sandusky Public Arts and Culture Commission. Angela Byington said the locations are: NE corner of Chesapeake Lofts, Shoreline Park, just south of the Sandusky Library entrance, the triangle park at Central Avenue and Decatur Street, southwest corner of West Park, southeast corner of East Park, at the Greenhouse and the triangle park at Adams/Hancock and Huron Avenue. This is a sculpture on loan program and these are temporary sculptures/locations. Dick Brady said these are in a great cross section of the community. Wes Poole said a project of this magnitude to which the commission has devoted as much money as we have should have warranted a presentation for the entire community to see. He is not uncomfortable with this and does not really care where we put these although he has a personal opinion about it. As a commissioner he is prepared to accept the decisions made for them but this should have been on a screen showing what the sculptures would likely have been, why they belonged in these locations, how this could help the neighborhoods and general conversation about the work done in them. None of that exists here and he objects to the way this was done and will vote no because he does not support the way we spend this kind of money on major projects without including the public. Wes Poole said he realizes these were donated, but the amount of money we spent on the arts program is his issue and the community should be much more involved in accepting and getting behind this. It cannot be done with the consultants telling us what we need or where things ought to be placed and the community should just say "thank you". He does not believe in this kind of a process and is not going to just be grateful because a group of people have told him he should like this and will vote no to make this point and for this reason only. Nikki Lloyd said she will support this for the locations but has one concern about how much power we will be giving to those who are donating art. This is a great program

and she is very excited about it, but just giving a red dot on a location map makes her a little nervous and is concerned about positioning of the sculptures. There is a lot more detail which goes into something like this for something we are putting out for the community to see for the first time. We need to have more information and need to make sure we are accepting these to get the right product in the right place and thanked the Lange Trust for this donation. Greg Lockhart said he assumed at some point, before the statues were placed, there would have been additional information for the commissioners. Angela Byington said she understood after the last commission meeting they wanted to know where the art would be located but did not care what it would look like. We have examples of what will be coming and we will get this information to the commissioners. Greg Lockhart said art is in the eye of the beholder so this is more of a public or community process. Some people may be offended by Spencer Tunick because he takes certain types of photographs; some people love Da Vinci paintings while others do not and art is subjective. More so is to soften the blow and let people know what is coming forward and what we are looking at. Eric Wobser said the public art plan has not been brought to the City Commission for approval as it still needs to be vetted by the Public Arts & Culture Commission. The Lange Trust donation happened prior to this plan being recommended but it was presented to the Public Arts & Culture Commission and no work was required by the City Commission for this. At the last city commission meeting staff was asked to sign off on the locations and as a courtesy, this information was distributed. Ultimately, there is a pretty detailed process and the recommendation will be handled at that level regarding where art should be placed. There have been several open public meetings to get to the adoption of this plan and many of the concerns raised tonight will be addressed in the planning process. The Public Arts Commission was established as an advisory committee for these types of things and anything which requires legislation will still come before the City Commission. Once the plan is adopted and the Arts Commission has signed off on these things, the city commission should have a higher comfort level, but is happy to continue this discussion. Wes Poole asked for the Law Director to expand his concept about the city's involvement in the public arts program. Trevor Hayberger said the issue was the selection of the sites and the purpose of the Public Arts & Culture Commission to discuss these matters and make these types of decisions to move forward. He is not sure what decisions, other than financing for these projects, the commissioners would be legally required to hear. The difference between being legally required and what should be presented to be properly vetted are two different stories. Wes Poole said for practical purposes, an advisory committee is appointed to advise or other authority according to state law. Advisory means whatever they do is brought to the city commission and this is how he interprets this exceeds just approving finances. Eric Wobser said he absolutely agrees and no legislative authority of the City Commission has been transferred to the Public Arts & Cultural Commission; the temporary placement of a piece of art on public property does not rise to the level of requiring city commission legislation. If the city were spending \$10,000, or giving a longer term lease or permanent encroachment or selling property, this would have to come before the city commission. Whatever rights or authority the City Commission has would not be usurped by the staff or by members of the Arts & Culture Commission. There will ultimately be plenty of mechanisms in place for how projects get vetted both by the public, city staff, the Public Arts & Culture Commission and the City Commission, but we are still premature as the larger plan has not been adopted. When it is, it will lay out, much more clearly, how to handle the commission of and selection or placement of public art and whether or not donations are accepted. He was not under the impression any legislative authority would be transferred to the Public Arts & Culture Commission. Wes Poole said this kind of things happens where staff may be trying to get something done and occasionally people will think they are doing something right but there is a difference of opinion about it. He fully understands the temporary use or temporary assignment of things can be done by the City Manager. Wes Poole suggests unless these are pieces of statues which can be picked

up and moved around or will only be in place for a few weeks, temporary is a stretch. In terms of doing business harmoniously with the two commissions and staff, he keeps track of the number of times staff is walking the line and doing things without going through the City Commissioners who were elected by the citizens. The difference between the hook in the Cove District and the statues will be determined once they are up and if they are temporary. If something is up for six months to one year, it is hardly temporary. This is relative and will he ask why it was not brought to the City Commission. A sign in a park for a week or two is a different story. He was under the impression these sculptures were going to be substantial and very impressive and he will wait and see. He would be happy to drive around and say he was wrong if they are very temporary and movable. Dick Brady said what has been indicated is we are feeling our way around in this process and staff did not have any intention to take away authority which belongs to the commission. Going forward, we will probably see more detail and more specificity with this ordinance. The comment made about art being in the eye of the beholder is exactly right and perhaps the concept of temporary is also in the eye of the beholder. Something that is not drilled into the ground is temporary although others may think in terms of one or two weeks. Greg Lockhart said art could be temporary, but there is a thing called installation which could be one year and be considered temporary. There are installations in museums all over the world which could be exhibits for different length of times depending on the popularity of the exhibit. There are various reasons why a timeframe could be different. In Cleveland there was a very popular exhibit at the Cleveland Metropolitan Art Museum which has been there for months and people are paying quite a bit of money to get there. There are other places where exhibits are installed for a period of time based upon the ability for the public to see them and enjoy them. Certain art collections are in a city for a certain period of time and then they move on and it is all relative and is the beauty of artwork – nothing is set in stone and nothing is determined by one person.

**Roll call on the motion: Yeas: Dave Waddington, Naomi Twine, Dick Brady and Nikki Lloyd, 4. Nays: Wes Poole and Greg Lockhart, 2. The Vice President declared the motion passed.**

- The **Planning Commission** meeting is scheduled for September 26 at 4:30 p.m.
- A **Landmark Commission** meeting is scheduled for September 26 at 4 p.m.
- There will be a community celebration and opening of the **Erie Boulevard Gateway Park on October 4 at 5:30 p.m.** This is the first completed project of the neighborhood initiative project. This was an abandoned bank site which has been transferred to reuse for a pocket park for the neighborhood. This is the same day of the kickoff for the **Year Two Neighborhood Initiative kickoff** at the Sandusky Rotary Club at 12 p.m.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

None.

#### **AUDIENCE PARTICIPATION**

Timothy Work, 409 52<sup>nd</sup> Street, expressed his appreciation for the outstanding Bicentennial of our city and said he supports the welcoming Resolution adopted as presented by the Center for Peace Through Understanding tonight. He has been proud of, enjoyed interactions with and felt the diverse makeup of Sandusky is one of our greatest assets. Diversity should be treasured, celebrated, made known and viewed as a strength and now we have the opportunity to make it more official. People of all heritage and origins should be made to feel welcome here if they are trying to better their lives for themselves and their families. We are on the correct path and

welcoming people of different cultures will further the growth and betterment of Sandusky. This attitude can only add to the attraction and growth of our community culturally and economically by new business ventures, home ownership and new consumers for existing business. While this is a step in the right direction, it is only a paper with words on it. To make this Resolution effective and bear fruit, it will take efforts to check and possibly change preconceptions, attitudes and behaviors. It is a global world now and we in Sandusky have a golden opportunity in front of us today. He understands there are many factors and considerations of which he may not be aware of, but a commissioner may be, and yields to their judgement as he personally feels the benefits from adopting and utilizing this Resolution far outweigh any risk.

Kathryn Carter, 5309 Columbus Avenue, said the newspaper indicated the petition was abandoned but it is not. By the time it was decided to not accept the petitions, they ran out of time and are still dealing with this. They probably could have had three times as many signatures than what they gotten if the people in this city were registered to vote and this is a very important thing for the citizens. People who are not registered do not have a vote in this kind of thing. It was also stated they were abusing the process of the petition but she pledges allegiance to the flag and has the right to bring a petition to the governing body if she feels they are taking advantage of the power they wield. It is her American privilege to create and collect signatures or sign a petition legally, safely, without persecution and without retribution. As far as contacting the commissioner in question, Kathryn Carter said she tells everyone her opinion and they do not need a face-to-face. The newspaper stated there is a lot of hanky-panky going on in the parking garage and this is another reason why no one wants to park in there. She was asked this week if there will be a designated area where people can go have sex in their vehicles and then have a legal cigarette and she said she would bring this to the commission. This was an interesting meeting, there were a lot of people here and it was good to see that. Her big concern is we cannot maintain the streets we have and this will have everything from motorcycles to 18-wheelers on it and the city will not be able to maintain it.

**At 6:28 p.m., upon motion of Greg Lockhart and second of Dave Waddington, the commission voted to adjourn. The Vice 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