

Vice President John Hamilton opened the meeting at 5 p.m. after the **Invocation**, given by Dan Kaman, and **the Pledge of Allegiance**.

The Clerk **called the roll** and the following Commissioners responded: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown.

Upon motion of Dan Kaman and second of Pervis Brown, the Commission voted to approve the minutes of the June 28, 2010, meeting and dispensed with the oral reading. All Ayes. The Vice President declared the motion passed.

Under **Audience Participation**, the following persons offered their comments:

Tim Schwanger, 362 Sheffield Way, asked for a detailed explanation of the modifications for the Submerged Lands Lease in Item No. 2.

John Ginty, 5055 Providence Drive, asked if Sandusky Cabinets is out of business or if they have transferred their operations to another location. He said this should be cleared up before moving forward with Item No. 1. John Ginty asked how the city will pay for the amount(s) not covered by this grant.

Upon motion of Dan Kaman and second of Dave Waddington, the Commission voted to accept all communications. All Ayes. The Vice President declared the motion passed.

Julie Farrar read a **Proclamation, on behalf of the city's ADA Advisory Board, declaring July 26, 2010 as "Americans with Disabilities Act Awareness Day"**. Dr. Anthony Linz, Chairman of the ADA Advisory Board, accepted the Proclamation on behalf of the Board.

ITEM #3

Budgetary Information: Approval of the legislation below will have no budgetary impact to the City of Sandusky.

RESOLUTION NO. 019-10R: It is requested a Resolution be passed approving and adopting the Proclamation of the A.D.A. Advisory Board and declaring that this Resolution take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Pervis Brown and second of Kim Nuesse, the Commission voted to adopt this Resolution to take immediate effect and in accordance with Section 14 of the City Charter. Roll Call on the motion: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. Roll call on the Resolution: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the Resolution passed.

ITEM #1 – Submitted by Ruth Haag, Haag Environmental Company

Budgetary Information: No impact to the General Fund is anticipated. The total estimated cost for the removal part of this project is \$170,500. Funding for this work has been provided under a 2009 U.S. EPA Petroleum Substances Cleanup grant (#2B-00E89301-0) awarded to the City of Sandusky by the U.S. EPA's Brownfield and Land Revitalization Program. However, if BUSTR requires more contamination removal than is defined in the RAP, the City could be responsible for costs exceeding the grant amount. Since this grant is a part of the US Government's Stimulus program, the project is required to follow a stricter timeline than a normal grant. The bidding for the work could not start until after the RAP was completed. The timeline for the grant has scheduled the bidding to begin July 15. If the bidding does not begin according to this schedule, the grant funds may be rescinded.

RESOLUTION NO. 020-10R: It is requested a Resolution be passed **declaring the necessity for the City of Sandusky, Ohio, to proceed with the Sandusky Cabinets Underground Storage Tank Removal Project approving the specifications and Engineer's estimate of cost thereof;** and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to adopt this Resolution to take immediate effect and in accordance with Section 14 of the City Charter.

Discussion: Ruth Haag, Haag Environmental, 315 East Market Street, said their company relied upon information available during the last grant application process regarding Sandusky Cabinets. She said they plan to apply for more grants to remove the xylene tank and to remove the building. Pervis Brown said the city owns this property and is responsible for cleaning it up, even if Sandusky Cabinets are in existence. John Hamilton said he has worked with xylene before and believes it evaporates very fast; he asked how much of a problem this is. Bob Haag, Haag Environmental, said xylene contains a lot of components which evaporate very fast. He said there are two tanks on site used for xylene and it is considered a hazardous waste; the xylene is long gone. He said authorization to close this tank is required by the Bureau of Underground Storage Tank Regulation (BUSTR) and the City of Sandusky. He said the city does not yet have funding to remove the xylene tanks but this does require closure. Bob Haag said in order to qualify for Brownfields funding, it is important there is not an existing responsible party. Once the city acquired this property, due diligence was performed and although the Sandusky Cabinets name is still out there, the company which left the contaminants no longer exists. He said he could take another look at this issue.

Roll Call on the motion: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The President declared the motion passed. Roll Call on the Resolution: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the Resolution passed.

ITEM #2 - Submitted by Donald C. Icsman, Law Director/Acting City Manager

Budgetary Information: The approval and consent to this application will not result in any negative budgetary impact at this time.

RESOLUTION NO. 021-10R: It is requested a Resolution be adopted pursuant to Section 1506.11 of the Ohio Revised Code finding and determining that based upon the representations and application filed by the City of Sandusky the use and development of the territory so described, a submerged lands lease may be entered into by the State's Director of Natural Resources; and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dan Kaman and second of Kim Nuesse, the Commission voted to adopt this Resolution in immediate effect and in accordance with Section 14 of the City Charter.

Discussion: Kim Nuesse asked Don Icsman if public records could be made available, upon request, to answer the questions asked by Tim Schwanger. Don Icsman said whatever the city may have is public record. He said the city has an existing Submerged Lands Lease for this area which would reflect the use at the time it was acquired. Don Icsman said the modification of this lease is required by the Ohio Department of Natural Resources as the use for the property is changing. He said John Hancock will be performing the work required for this item.

Roll Call on the motion: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the motion passed. Roll Call on the Resolution: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the Resolution passed.

CITY MANAGER'S REPORT

Upon motion of Dan Kaman and second of Kim Nuesse, the Commission voted to accept a donation in the amount of \$60.00 from Patrick Rogers to the Green Fund. All Ayes. The Vice President declared the motion passed.

Upon motion of Dan Kaman and second of Dave Waddington, the Commission voted to accept a donation in the amount of \$954.00 from the Friends of the Greenhouse to the Friends of the Greenhouse Fund.

Discussion: Don Icsman said these donations were from proceeds received from the plant sale at the Stars & Stripes Celebration.

All Ayes. The Vice President declared the motion passed.

Upon motion of Dan Kaman and second of Dave Waddington, the Commission voted to accept a donation in the amount of \$30.00 from the Friends of the Greenhouse to the Greenhouse Endowment Fund.

Discussion: Don Icsman said these donations were from proceeds received from the plant sale at the Stars & Stripes Celebration.

All Ayes. The Vice President declared the motion passed.

Don Icsman said the **Sandusky Yacht Club is having their "Celebrate the 60's" Regatta and Car Show on Saturday, July 17, 2010, from 7 a.m. to 7 p.m. and have requested the closure of a section of East Water Street during these hours. Upon motion of Dan Kaman and second of Kim Nuesse, the Commission voted to approve this road closure for July 17, 2010. All Ayes. The Vice President declared the motion passed.**

OLD BUSINESS

Dave Waddington said **he and Kim Nuesse walked the Hancock Street area last week.** He said while talking with the residents, their top concerns were for increased patrolling, code enforcement, and addressing the problems experienced after the bars close. He said the residents are not as much of the problem as the outsiders. One resident indicated a neighborhood block watch was attempted in 2009, but not supported. Kim Nuesse said the problem does not seem large or unmanageable and is confined to a one block area with one problem home drawing people from outside of the community. She said the Police Department can address this and information has been passed along to them about the property. She said she does not want to see good twenty-to-thirty year residents leave the city and does not want to see businesses impacted by these problems. She said she hoped the Police Department would use this information and come up with a game plan.

Julie Farrar asked Carrie Handy if she knew **the number of persons transported by the Sandusky Transportation Service during the Stars & Stripes Celebration.** Carrie Handy said she could get this information to the Commissioners.

NEW BUSINESS

Upon motion of Dave Waddington and second of Julie Farrar, the Commission voted to hire Hank Solowiej as the city's new Finance Director. Roll call on the motion: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the motion passed.

Kim Nuesse said she has received complaints from business persons, potential developers and residents regarding **commercial Code Enforcement, specifically in the downtown area.** She said we are waiting for results of a market study but feels the city is dropping the ball by not enacting aggressive code enforcement. She said she has talked with Don Icsman and there may be money available to take care of this issue. Carrie Handy said the use of Community Development Block Grant (CDBG) funds would be appropriate for this use rather than money from Weed and Seed. She said this should be tied to specific areas for Code Enforcement purposes. This will take away from other CDBG projects, but it is possible.

Upon motion of Kim Nuesse and second of Dave Waddington, the Commission voted to direct the City Manager to engage in aggressive Code Enforcement and develop a plan with the staff as to how we can make a difference. Roll call on the motion: Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the motion passed.

Upon motion of Dan Kaman and second of Kim Nuesse, the Commission voted to have an Executive Session regarding the purchase and sale of personal property. Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the motion passed.

Upon motion of Dan Kaman and second of Pervis Brown, the Commission voted to have an Executive Session regarding land acquisition. Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the motion passed.

Upon motion of Dan Kaman and second of Kim Nuesse, the Commission voted to have an Executive Session regarding pending litigation. Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the motion passed.

Upon motion of Dan Kaman and second of Kim Nuesse, the Commission voted to have an Executive Session regarding collective bargaining. Yeas: Dan Kaman, John Hamilton, Kim Nuesse, Julie Farrar, Dave Waddington, Brett Fuqua and Pervis Brown, 7. The Vice President declared the motion passed.

Under **Audience Participation**, the following persons offered their comments:

Dennis Timple, 553 Bimini Drive, said he wished to publicly thank the Commissioners and others who worked on Ohio Bike Week to keep Shoreline Drive open. He said there was over \$80,000 raised for charity and he would like to see this reported in the newspaper.

Tim Schwanger, 362 Sheffield Way, said the city recently trimmed trees next to the tennis courts at Battery Park Marina. He said he did not believe this was appropriate according to the lease with BPM; additionally, the Sandusky Sailing Club is responsible to trim trees along the Washington Street Pier. Scott Miller said these trees were a hazard for the Sandusky St. Mary's tennis team and they were trimmed before their practices began. Tim Schwanger said the city is short staffed and should not be doing work that they are not required to do. Tim Schwanger asked about street striping, particularly from the corner of Tiffin Avenue and Perkins Avenue to the west end of town. Scott Miller said we get money from the State Highway Fund to do this striping and there are plans to do more of this work this year. Tim Schwanger said the downtown property owners who are not in compliance with the city's codes should be responsible. Kim Nuesse said her motion was not to pay for fixing these buildings; rather, the money available is to be used to pay for Code Enforcement measures.

John Ginty, 5055 Providence Drive, asked if the new SPARC route was up and running. Carrie Handy said this route did begin and has provided approximately 350 rides during the last two weeks. She said the brochure of the new route is at the printers; installation of signage and shelters is being worked on. John Ginty said he asked about finding a friendlier meeting place for persons with physical challenges earlier this year and asked the status of this idea. Dan Kaman said this has not been explored and said City Hall is handicapped accessible and generally has plenty of seating.

Darlene Armour, 1007 Wayne Street, gave an open invitation for this Saturday's cleanup between 9 a.m. – 12 p.m. at Central Park. This cleanup is being sponsored by the Neighborhood Advisory Committee (NAC), is part of the Weed & Seed Grant and marks the one year anniversary of the John Hamilton mowing event. Darlene Armour offered to provide educational opportunities for neighborhood children about litter prevention and/or cleanup by calling her at 419.502.7228. Darlene Armour said the P.R.I.D.E. Awards are forthcoming and all properties are eligible with the exception of those who have previously won an award. Darlene Armour said there are many signs for roofing companies popping up in the right-of-way areas and asked that people be diligent in ensuring these signs be placed between the sidewalk and the house so they are in compliance with the city's code. Darlene Armour encouraged benefactors and local foundations to help widen their scope for keeping properties tidy and clean.

At 5:42 p.m., John Hamilton announced adjournment of the regular session for a five minute recess. Four Executive Sessions were held beginning at 5:50 p.m. At 8 p.m., the City Commission returned to the table and John Hamilton declared adjournment.

Kelly L. Kresser
Clerk of the City Commission

Daniel J. Kaman
President of the City Commission