

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

Dick Brady asked for a **moment of silence in memory of Jim Ferguson who recently passed away and was a meaningful member of the Sandusky Recreation Board**.

The clerk called **the roll** and the following Commissioners responded: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton.

City staff present: Todd Roth – Engineer, Jim Lang – Interim Police Chief, Paul Ricci – Fire Chief, Tom Whitted – IT Manager, Don Icsman – Law Director & Acting City Manager, Hank Solowiej – Finance Director and Kelly Kresser – Commission Clerk.

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to approve the minutes of the June 13 and June 20, 2011 meetings and dispensed with the oral reading. All Ayes. The President declared the motion passed.

PRESENTATION

Jon Komarek provided an update on the new marina in the Paper District. Jon Komarek said he has been a Sandusky resident for over 16 years and was approached about helping to get the new marina open. He said this marina is a gift from God and can make a lot of money for the city. He performed a study and came up with some conclusions about what this can mean for downtown Sandusky. Jon Komarek said if the marina is one hundred percent occupied for a six-month period of time with four persons per boat, this will bring in \$249,000. He said if each person spent an average of \$50 per person, this could mean \$12,000 spent per night or \$878,000 over six months. The city will also receive a share of the 6½% sales tax. He said next year, there will be an over \$1 million effect from this project for Sandusky and proposes future concert and concession income as well. Jon Komarek said this facility cannot be managed by a bureaucratic group and he is well qualified to run the marina. He has not received any information from the downtown businesses which all stand to make money if they cooperate. Jon Komarek said he is qualified to manage this marina. Dave Waddington said the city's boat launch facility closed in June and asked if Jon Komarek could run it as well. Jon Komarek said he spoke with Todd Roth about this as he sees it as being part of the marina and there are some details to be worked out with Scott Miller. Dave Waddington said the hours of operation for the launch facility are important and the accessibility of concession items. He suggested the city may even want to obtain a liquor license similar to Mills Creek Golf Course. Dave Waddington asked about the "Now Open" signage for the facility and Jon Komarek said this will be taken care of tomorrow morning. Dick Brady said the easy part, building the marina, is done; the tough thing is running a business and government is not good at doing this. Jon Komarek said he would like to march to his own drummer and not use city money to make money. Dan Kaman said he would like the marina to be successful and the right things must be done in the right way as the commissioners get phone calls when things goes wrong. He said things need to be worked out through Todd Roth, Scott Miller and Don Icsman.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, asked for an explanation of the funding moves for the projects in Item #1. He said there previously was a project similar to Item #7 which cost the city significant tax dollars.

Upon motion of Pervis Brown and second of Dave Waddington, the commission voted to accept all communications. All Ayes. The President declared the motion passed.

CURRENT BUSINESS

ITEM #1 – Submitted by Hank S. Solowiej, CPA, Finance Director

Budgetary Information: Appropriation amendments are required to update the budget for previous actions of the city. Examples include: the hiring of police reserves, the city manager search, economic development consulting expenses, funding of the Erie County Economic Development Corporation, the operation of the new transient marina, refunding of library bonds the purchase of an ambulance and the purchase of mower to be used for nuisance enforcement.

ORDINANCE NO. 11-062: It is requested an Ordinance be passed **adopting amendment No. 1 to Ordinance No. 11-027 passed by this city commission on March 28, 2011; making general**

appropriations for the fiscal year 2011; 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 Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Hank Solowiej said even though there may be a funding source for some of these items, the money needs to be appropriated.

Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Ordinance passed.

ITEM #2 – Submitted by Amanda Meyers, Paralegal

Budgetary Information: The cost to the city will be the initial cost of acquisition, including title fees and closing costs which will be paid out of the land reutilization account utilizing proceeds from previous sales of land bank property, but will be recouped by the city upon the sale of the property through the Mow to Own Program by the required down payment. The city will save approximately an average of five hundred dollars (\$500) in mowing costs per month during the growing season for each vacant and abandoned lot sold through the Mow to Own Program. The taxing districts will not collect the delinquent taxes, assessments, penalties and interest currently due and owing. However, by returning this abandoned non-productive land to tax producing status, the taxing districts will once again be collecting yearly real estate taxes and assessments, which will increase as property values are enhanced and improvements are made.

FIRST READING: It is requested a Resolution be passed **authorizing the adoption of the Mow to Own side lot disposition program for the city's land reutilization program.**

Upon motion of Diedre Cole and second of Julie Farrar, the commission voted to adopt this Resolution under first reading.

Discussion: Julie Farrar said she has been working with Amanda Meyers on the landbanking and the mow-to-own programs and believes they will be user friendly and help people to afford lots adjacent to their properties. She is thankful for people who have been taking care of these properties so that they can be returned to the tax rolls. Dave Waddington said a savings of \$500 will be realized per month for each vacant and abandoned lot.

Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed. Roll call on the Resolution: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Resolution passed under first reading.

ITEM #3 – Submitted by Amanda Meyers, Paralegal

Budgetary Information: The cost of this acquisition will be approximately the administrative staff time necessary for acquisition and transfer fees, if any. The city will recoup these costs upon sale. The taxing districts will not collect the delinquent taxes, assessments, penalties and interest currently due and owing in the amount of \$55,137.02 whether the city accepts the property or not. However, it is presumed that the city will be maintaining the property in the event of forfeiture to the State of Ohio, in which case the property will be exempt from taxation and the city will not be able to assess the property for the costs of mowing and maintenance. By returning this abandoned non-productive land to tax producing status, the taxing districts will begin collecting approximately \$1,680.79 yearly in real estate taxes, which eventually increase with rehabilitation and development of the property.

RESOLUTION NO. 021-11R: It is requested a Resolution be passed **approving and accepting certain real property for acquisition into the land reutilization program;** and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to adopt this Resolution under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Julie Farrar said the city is trying to acquire these properties so they can be offered to adjoining property owners and return the property to the tax rolls.

Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown and John Hamilton, 6. Abstain: Dan Kaman, 1. The President declared the motion passed. Roll call on the Resolution: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown and John Hamilton, 6. Abstain: Dan Kaman, 1. The President declared the Resolution passed.

ITEM #4 – Submitted by Chief James Lang, Police Chief

Budgetary Information: The total cost for the 32 ballistic vests is \$21,433.60 with \$11,626.10 to be paid with funds from the police department's 2011 budget and the remaining \$9,807.50 will be paid with funds from the U.S. Department of Justice, Office of Justice Programs bulletproof vest partnership program. In the past, the FOP Lake Erie Lodge #17 has reimbursed \$200 per vest for reserve officers and it is anticipated that the FOP Lake Erie Lodge #17 will reimburse \$1,800 for the vests for nine newly hired reserve officers.

ORDINANCE NO. 11-063: It is requested an Ordinance be passed **authorizing and directing the city manager to purchase thirty two (32) point blank vision level II ballistic vests from D & G Uniforms of Akron, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program for the Sandusky Police Department;** 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 Diedre Cole, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Ordinance passed.

ITEM #5 – Submitted by Paul E. Ricci, Fire Chief

Budgetary Information: This purchase will not negatively impact the general fund. The funding for this purchase of twenty four (24) ballistic point blank vision 2A vests in the total amount of \$16,326.24 is available from revenue generated by ambulance transport fees. This funding is dedicated for fire department equipment and apparatus replacement, account 431 1330 540 90.

ORDINANCE NO. 11-064: It is requested an Ordinance be passed **authorizing and directing the city manager to purchase twenty four (24) point blank vision 2A ballistic vests from D & G Uniforms of Akron, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing program for the Sandusky Fire Department;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dick Brady and second of Julie Farrar, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dave Waddington said these vests are vital for safety reasons and believes they are different as they are worn over clothing. Dick Brady said it is important to point out the city commission does not take these kind of expenditures lightly. He said Paul Ricci has performed research to justify this expenditure.

Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Ordinance passed.

ITEM #6 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The change order No. 10 will increase the contract with Mosser Construction by \$14,147.66. The revised contract amount is \$16,778,281.85. The city's share of the change order is \$14,147.66 which will be paid with sewer funds through the project's OWDA loan. The city and county entered into a sewer services agreement in January of 2007 that provided for the expansion of peak flow capacity at the Waste Water Treatment Plant (WWTP) from 24 MGD to 36 MGD. On November 7, 2007, the Ohio EPA by letter notified the city that it was requiring the peak flow or wet weather capacity to be increased from 36 MGD to 42 MGD. Pursuant to the sewer services agreement, the city is responsible for 61.1% of the construction costs and the county is responsible for 38.9%, other than for the additional 6 MGD flow required by the EPA which is allocated at 90% to the city and 10% to the county. Since the beginning of the project, the construction costs have been shared 61.1% - city, 38.9% - county without considering the 90% - city, 10% -county share for the increase in wet weather capacity.

As a result of this, the county will not contribute in this change order to accommodate the change in percentage from the additional 6 MGD flow required by the EPA.

ORDINANCE NO. 11-065: It is requested an Ordinance be passed **authorizing and directing the city manager to approve the tenth change order for work being performed for the Waste Water Treatment Plant expansion project, Phase II, in the amount of \$14,147.66 to be paid to Mosser Construction of Fremont, Ohio;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Pervis Brown and second of Dave Waddington, the commission voted to adopt this Ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dave Waddington said the change made by the EPA regarding expansion of peak flow capacity is the reason for the increase/difference in cost.

Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed. Roll call on the Ordinance: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Ordinance passed.

ITEM #7 – Submitted by Todd J. Roth, P.E., P.S.

Budgetary Information: The city will have no financial obligation. The owner will be responsible for any application costs and matching funds required for the grant.

RESOLUTION NO. 022-11R: It is requested a Resolution be passed **authorizing and directing the city manager to file a grant application with the State of Ohio to participate in the Clean Ohio Revitalization Fund (CORF);** 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 Diedre Cole, the commission voted to adopt this Resolution under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed. Roll call on the Resolution: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Resolution passed.

ITEM #8 – Submitted by Jane E. Cullen, Engineering Technician

Budgetary Information: There is no budgetary consequence with this legislation. However, the project cost is estimated at \$2,000,000 and will be funded with FHWA funds through ODOT and the Erie County Metropolitan Planning Organization (MPO) in the amount of eighty percent (80%) of the eligible costs up to a maximum of \$1,600,000. The Sewer Funds will provide the remaining amount of \$400,000.

RESOLUTION NO. 023-11R: It is requested a Resolution be passed **authorizing and directing the city manager to enter into the LPA federal Local-Let Project Agreement with the Ohio Department of Transportation for the Camp Street underpass rehabilitation project;** and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to adopt this Resolution under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dave Waddington said a memorandum was distributed explaining how this happened and asked Don Icsman for an explanation. Don Icsman said the Camp Street underpass has been discussed for the last few years and a purported agreement was signed previously but deemed void as it was not authorized by the city commission. He said the city expended funds with Trans Systems for the design work and is not affected by this agreement. Todd Roth said primarily, names and dates may have been changed in this agreement. Diedre Cole asked who will oversee the project and Todd Roth said Ed Dayringer from the city will be on the job site during the construction.

Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed. Roll call on the Resolution: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the Resolution passed.

CITY MANAGER'S REPORT

Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to accept an in-kind donation of a new floor mat for the Red Wagon (value \$40) from Earl and Linda Johnston. All Ayes. The President declared the motion passed.

Upon motion of Pervis Brown and second of Diedre Cole, the commission voted to accept an in-kind donation of two flags (\$17.50 value) from Dave Waddington. All Ayes. The President declared the motion passed.

Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to accept a donation in the amount of \$10 from Elizabeth Morris for use by the Sandusky Police Department (#863 1010 485 00). All Ayes. The President declared the motion passed.

Upon motion of Dave Waddington and second of Pervis Brown, the commission voted to accept a donation in the amount of \$6,000 from George Mylander for improvements at Schade-Mylander Plaza, specifically cleaning and tuck pointing masonry joints and re-fastening the cap stones. All Ayes. The President declared the motion passed.

Don Icsman said the city received information from the **Regional Income Tax Agency regarding the allocation of 2010 costs for income tax collections for the City of Sandusky**. The percentage of the cost of collections for Sandusky was 2.71%.

Don Icsman said he recently attended a meeting with Tom Fortin, Todd Roth and George Poulos regarding **the redevelopment of the Keller Building**. He said the main focus of the meeting was to discuss Mr. Fortin's plans with an emphasis on the current state of the Keller Building. Mr. Fortin and his general contractor were scheduled to tour the building today and he is awaiting estimates from a local roofer and a local mason. He is also scheduled to meet with the Ohio Historic Preservation Office in Columbus on July 6.

Don Icsman said the **N.A.A.C.P. Sandusky Unit Education Committee** will be hosting the Sandusky Area Education Coalition and their second annual Education Summit on Saturday, July 30 at Spirit and Truth Ministries.

Don Icsman said a request has been made by Lt. John Orzech of the Sandusky Police Department **to purchase a safekeeper evidence drying cabinet** for the safe and efficient processing and drying of blood and DNA items due to the volume and increase in shooting and stabbing cases within their jurisdiction. He said a latent print dust work station will also be purchased to provide a safer environment for personnel.

Don Icsman said **listing agreements for the sale of property at Bogart Road and Old Railroad** have been executed for farmland, plus or minus 80 acres, at \$3,000 per acre. He said the realtor has received a full purchase price offer from Mil Farms LTD, LLC and the city is currently performing survey work to establish precise boundaries. He said the city manager's committee met on June 22 and recommends moving forward with this purchase. Dave Waddington asked if this money could be used for our streets and Don Icsman said the commission can authorize the use of this money for item(s) of their choice.

Don Icsman said he called Bob Boehk at **Erie Materials regarding their proposal to purchase the coal dock property** and he (Bob) acknowledged the current delay is on the part of Erie Materials. Don Icsman said he will be following up on this.

Julie Farrar asked if there was an investigation into the **zoning issue regarding weekly rentals on Cedar Point Road**. Don Icsman said he asked Mike Kaufman to take charge of this problem but he does not know what has been done since contacted last week. He said the city was successful with the same issue near city hall about one year ago and believes the city has the tools needed to follow up and investigate. Dick Brady said the law is specific with R-1 zoning and an area zoned as such cannot be turned into a "Holiday Inn Express". Don Icsman said when the city had problems in another area previously, the owner had fake documents from the State of Ohio posted and they were not lawfully running a hotel business.

OLD BUSINESS

Julie Farrar asked the status of **the flooding issues on Venice Road**. Todd Roth said the city has plans, knows what needs to be done and will take care of this problem. Julie Farrar said the residents on Thorpe Drive wished to express their appreciation for what has already been done.

Diedre Cole said she believes the city is **at the six-month mark with the centrifuge project** and Todd Roth said part of the change order which has been approved is to allow the piping for the centrifuge. He said meeting the deadline will be tight and the manufacturer is due to come on June 11 to train the city's staff. Diedre Cole asked about the city's current contract with the sludge hauler as it runs out at the end of the month and Todd Roth said he would check on this.

Dave Waddington said in 2010, the commission passed legislation approving **the Solid Waste Plan** and said the Ohio Revised Code requires the Solid Waste Management District to write and follow this plan to ensure the district has sufficient waste disposal capacity for waste production and to provide recycling opportunities for residents and businesses. He said in March, 2004, there were 39.9 years left at the Erie County Landfill. He said the city hosted several meetings in order to meet compliance with the regulations and this is a health and safety issue for which the Erie County Health Department inspects the vehicles. He said the city is trying to reduce its solid waste, provide recycling opportunities and this is the plan used for development. Dave Waddington said if there is a problem, the Solid Waste Collection Review Board should be the first point of contact rather than an elected body. Dave Waddington said it was a year ago that the city voted on this plan to save jobs rather than putting 19 or 20 haulers out of business. Don Icsman said the city was thrown into the middle of this issue rather than taking bids for only one hauler. He said the meetings were not pleasant and the city had to defend itself for the actions taken. Dave Waddington said the city established the two recycle locations and haulers now must offer recycling to their customers and this is not a minority issue. Don Icsman said the city commission minutes from 1995 reflect a discussion about **hauler regulations and packer trucks, aka compactor trucks**, and were mentioned prior to then. Don Icsman said when the city passed legislation in 2010, the requirements were not new. He said the EPA was requiring enforcement of regulations which were already on the books in order to be compliant with the plan and the time to disagree was when this ordinance was approved. Diedre Cole said she has performed research and it does not matter when a law was placed into effect, it matters how it affects people. She said there is a distinction between rubbish, trash and bulk hauling and what constitutes a legal business. Diedre Cole said she would like to put together a series of public workshops explaining the process and how to conform to the city's regulations. Diedre Cole said she would like to keep people employed by providing educational opportunities about the ordinance. Julie Farrar said she read through the Consolidated Waste Plan for the period January, 2009 – December, 2024, and asked why the city has not been enforcing the compactor rules if they have been in effect since 1995.

Upon motion of Julie Farrar and second of Pervis Brown, the commission voted to give the current registered haulers until 2013 to become compliant with the compactor requirement to provide more time to allow them to seek funds and/or loans to keep their businesses.

Discussion: Dave Waddington said this is more than about hauling garbage, it is also about recycling. Dave Waddington said since 1995, the recycling bins have been pulled and Julie Farrar said the city heard its residents and has established two of these; Dave Waddington said this was to keep jobs. Julie Farrar said people were complaining because they did not have a place to drop their recyclables and replaced the sites even though the solid waste plan stated they should be pulled. Dave Waddington said the county is responsible to institute HB 592. Dick Brady said it appears the city is going to spend an enormous amount of time debating ordinance after ordinance for an issue which offends one person. He questioned whether the city should jump through hoops for every ordinance and that approximately four hours have already been spent discussing the compactor issue for an ordinance that has been on the books since 1995 because of one gentleman who does not or cannot comply. He said he is opposed to extending this for another two years when it may allow for another person to come forward (in two more years) with reasons why **they** cannot comply. Diedre Cole said she does not understand the motion as one cannot be registered with the city unless they are in compliance. She said the motion, as currently stated, would eliminate Lewis Knight as he is not currently registered with the city. Julie Farrar said there are persons other than Lewis Knight who are registered with the city and may not be affected by this motion. She said the city should be able to consider this and not debate for every ordinance passed.

Roll call on the motion: Yeas: Julie Farrar and Pervis Brown, 2. Nays: Dick Brady, Dave Waddington, Diedre Cole, Dan Kaman, John Hamilton, 5. The President declared the motion failed.

Dick Brady said he had the opportunity to sit in on a presentation with a private developer and a contractor regarding the **sportsplex project**. He said it will be appropriate for the developer to make any announcements about this project and believes this will happen within a reasonable period of time. He said his own assessment of the meeting is the proposed sportsplex has moved from a \$5 - \$7 million project to a \$50 million project. Dick Brady said his concern is the public/private partnership concept which has been kicked around and that he asked the developer what will be expected of the city. Dick Brady said the response to this question was the developer is looking for the support of the city commission. He said this will allow the city to disconnect from the public/private partnership once and for all and allow the city to not lead the project; rather, the developer will find their own financing, choose the site and the city will then provide its support through consideration of Tax Incremental Financing or tax abatement(s). Dick Brady said no matter how this project moves forward, he would like the developer to work with the YMCA and if this does not happen, he would oppose the project rather than support it. Dick Brady said this is an opportunity to provide an answer to the local foundation as to whether the city will be a partner with this project. Julie Farrar said the recent meeting was informational and she looks forward to a presentation being made for the benefit of the entire city commission. Dave Waddington asked if he heard correctly the figure of \$50 million and Julie Farrar said this is correct.

Upon motion of Dick Brady and second of Dave Waddington, the commission voted to return the money left over from the Frost Parker Foundation, less the appraisal cost of \$4,300, and disconnect with the Foundation on the sportsplex project.

Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed.

Dick Brady said at the special meeting held last week, he agreed to provide regular reports about the **city manager search**. He sent 55 resumes to the Novak Consulting Group which the city received in January. He said the Novak Group will be reaching out to the staff, via telephone, introducing themselves and getting input. Dick Brady said he will ask for an executive session at the next city commission meeting with personnel from the Novak Consulting Group.

NEW BUSINESS

Julie Farrar said **certain zones in the city are dangerous because of dogs and asked that in the spirit of safety, some city employees be permitted to wear mace on their belts** to serve as a deterrent without being harmful to animals. Don Icsman said he is not high on the use of mace or OC spray as training must take place annually for liability purposes. He said he is concerned about how this concern ended up with a city commissioner as this was discussed previously; he believes employees should talk to their department head, then the city manager and ultimately the city commission. Don Icsman said the spray cannot just be given to any one person and said there is a list that has been developed internally to warn other employees about dangerous or vicious animals as the definition meets the statute. Don Icsman said training is provided annually for members of the police department who carry the spray. Julie Farrar asked about use of other types of spray and Jim Lang said pepper spray is made of pepper while mace is a chemical. Jim Lang said mail carriers use a form of spray and Pervis Brown said it would be interesting to see what the staff at the U.S. Post Office. Todd Roth said he will contact the staff in the water department about this issue.

Diedre Cole said two events were held during the past weekend including **Fun Day at Big O's and the Coaster Classic at Dorn Community Park**. Diedre Cole said there were two Sandusky teams at the coaster classic and the girls represented Sandusky well.

Upon motion of John Hamilton and second of Pervis Brown, the commission voted to hold an executive session regarding the purchase and sale of personal property, water department. Roll call on the motion: Yeas: Dick Brady, Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman and John Hamilton, 7. The President declared the motion passed.

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

Tim Schwanger, 362 Sheffield Way, asked for an update regarding the coal tar plume and the TCE plume. Todd Roth said Phase I needs to be completed for the TEC plume and Partners Environmental was asked to complete this work. He said the funding is coming to its end. Todd Roth said he spoke with Karla Aufer from the EPA regarding the coal tar plume but she has not yet read the report nor has she provided comments. Todd Roth said a scope of services will be prepared to take the city to the next step. Dan Kaman said several weeks ago, a group went to Sandusky International and provided a copy of

the report. Tim Schwanger said he understands \$45,000 in grant money was earmarked for the Sandusky Cabinets site but this money has been transferred to the Apex site. Tim Schwanger stated staff from the municipal court was interested in the Sandusky Cabinets site. Dan Kaman said a meeting was held with Judge O'Brien and Peggy Rice, Municipal Court Clerk, and they are interested in staying at the current city hall site and building. Todd Roth said application will be made for funding in January to help with cleaning the site. Tim Schwanger asked if this information was given to the brownfields committee members and Dan Kaman said it was not. Tim Schwanger asked if there were a specific number of haulers in the city and Dan Kaman said the city can track legitimate businesses or those who register with the city for their business. Tim Schwanger asked about closure of the boat launch facility and Don Icsman said the operator had difficulty in running the boat ramp facility and a notice to terminate was sent. He said staff from the department of general services is being utilized to open and close the ramp.

Barbara Clark, N.A.A.C.P., thanked the commissioners who voted in favor of letting the haulers continue to do what they are doing until 2013. She thanked Diedre Cole for her help and offer to educate the small haulers. Barbara Clark apologized to Dave Waddington for asking a question of the wrong people. Barbara Clark said she asked Lewis Knight if he was licensed, but did not ask if he was registered and believes there must be a difference. She did not make this a "black" issue, she is speaking on behalf of all small haulers and said this has been blown out of proportion. She asked the city to help with its resources and asked for a list of the registered haulers. Barbara Clark said she would like to see if there is a requirement to have a compactor truck. Dave Waddington said Carrie Handy is the city's contact person for the Erie County Solid Waste Committee.

Sharon Johnson, 1139 Fifth Street, asked about the reference to economic development in the appropriation ordinance and Hank Solowiej said this is for John Hancock, George Poulos and for legal invoices from Squire Sanders for economic development matters. He said these are contractual items to appropriate monies for services previously performed by a city employee. Sharon Johnson asked how the first agreement for the Camp Street underpass project was passed without authorization. Don Icsman said the city recently discovered the agreement was signed without authorization of the city commission, but does not understand why this was done. He said the document was void from the beginning and a new agreement was approved tonight. Todd Roth said staff from the Ohio Department of Transportation requested copies of documentation for this project and is how this was discovered. Sharon Johnson asked if there was legislation to allow for payment/funding for the Erie County Economic Development Corporation and Don Icsman said this was approved by the city commission, by motion. Don Icsman said when a person is hired for the position with ECEDC, an agreement will be approved and the payment will be ratified. Sharon Johnson asked for clarification about compactors for junk haulers and Don Icsman said this regulation is for those hauling garbage, not other bulky items.

At 6:32 p.m., Dan Kaman announced adjournment of the open session. One executive session was held beginning at 6:40 p.m. At 7:50 p.m., Dan Kaman announced adjournment.

Kelly L. Kresser
Clerk of the City Commission

Daniel J. Kaman
President of the City Commission