

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

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

Upon motion of Pervis Brown and second of Diedre Cole, the Commission voted to approve the minutes of the August 9, 2010 meeting and dispensed with the oral reading. All Ayes. The President declared the motion passed.

A presentation was made by Scott Watkins regarding the Downtown Strategic Market Study performed by Anderson Economic Group. Scott Watkins said the written results of the study are in draft form and are currently being reviewed by Carrie Handy, City Planner, and John Lippus, Director of the Sandusky Main Street Association, and will be available in the next couple of weeks. He said this project was undertaken to analyze the downtown district for both residential and retail assets and to develop strategies and provide guidance for its future. He said the vision is to make the downtown a strong center of community and economic activity offering citizens and visitors a vibrant downtown unmatched in its historic architecture, waterfront amenities and welcoming population.

Scott Watkins provided a market overview of the Erie County area and projects a population decline at 0.6%, each year, through the year 2014, which is typical for the Midwest. He said the downtown has a low residential population and most residents living in this area are relatively older with lower income(s). He said across the overall market, there is an over-supply of housing and prices are likely slow to rise. He said retail has the strongest opportunity in grocery, clothing, health and personal care. Scott Watkins gave a recap of the current economy in Erie County and indicated there have been drops in various industries since 1990. He said there has been growth in other areas including professional services, education, health care, social services and an explosion of growth in the arts and entertainment, accommodation and food services. Scott Watkins said the retail gap analysis shows what is being expended in Erie County in different categories and recommendations are driven by this retail gap analysis.

Scott Watkins said 362 responses were received from a community survey and thanked The Sandusky Register for their assistance. He also thanked Crush Wine Bar, Zinc Brasserie, Water Street Bar & Grill and Kalahari for providing gift certificates to some of the participants. He said various reasons were identified as to why people visit downtown Sandusky with the highest number of persons identifying outdoor recreation and seeing the waterfront, dining at restaurants or going to a bank or laundromat. He said those who visit for outdoor recreation and the waterfront are driving through the downtown but likely not stopping at any particular retail establishment. He said things can be done to capture these visitors and get them into the downtown for other purposes.

Scott Watkins said respondents rated the importance of different factors for revitalization with the most important items being clean-up and better maintenance of properties, reuse of vacant buildings, restaurant choice and quality and shopping choice(s) and quality. He said improving safety (or perceptions about safety) and improving traffic patterns were also rated as very important. Scott Watkins said the main strengths of downtown Sandusky are its waterfront and architecture, parks and public spaces and popular events and venues. He identified Sandusky's weaknesses as having a low day-time and year-round population, lack of a main thoroughfare to get into downtown, the perception of crime and the condition of many buildings in the downtown area. Scott Watkins said he sees downtown Sandusky's vision as becoming a strong center of community and economic activity offering citizens and visitors a vibrant downtown that is unmatched in its historic architecture, waterfront amenities and welcoming population.

Scott Watkins provided several observations including the lack of "gravity" in the off-season for jobs and services in the downtown. He said the accessibility and visibility of the waterfront is limited and a 'face' should be put on waterfront buildings. He said there is not a lot of competition for retail establishments to win over customers and suggested sparking friendly competition amongst retailers to improve business practices. He said the housing stock could slowly be increased to make it stand apart from existing housing. He also suggested energizing the image of downtown by showing off its "fun" side to young professionals and perhaps generating a community college or a business incubator. He said different types of activities and events send a conflicting message; he believes the city should consider catering to both the older population and groups coming to town for events such as Ohio Bike Week.

Scott Watkins said several strategies for improvement were identified. He said there is conflicting signage that competes with Cedar Point signage. He said pedestrian crosswalks have not been maintained in the downtown area and should be addressed and that the blinking red lights do not tell a pedestrian when it is safe to walk. He said the marinas are a great source for the summer population but are not conveniently located to encourage travel into the downtown area.

Scott Watkins said the city should provide strict adherence to its codes regarding the condition of existing buildings. He suggested creating temporary window displays by artists to encourage pedestrians to walk the downtown. He said Shoreline Drive is a fantastic opportunity and to consider closing a section at the foot of Columbus Avenue or making Shoreline Drive a one-way street. Scott Watkins said the city could also consider relocating City Hall to the downtown area and/or the placement of a university or college campus to bring more people into the area on a regular basis. He said there is currently little opportunity for residential housing in the downtown but believes the city should capitalize on this because of the waterfront. He said these properties will be able to sustain the highest values because of the views of Cedar Point and Sandusky Bay. Scott Watkins said the Sandusky Main Street organization is to be commended and they do 'a lot with a little'. He said a Tax Incremental Financing (TIF) district should be considered to give incentive for the downtown and would provide the city with no lost tax dollars (other than the incremental increases over the period). He said in the shorter term, a business improvement district could be created to help.

Kim Nuesse asked Scott Watkins if there was a recommendation to create an arts and entertainment district and Scott Watkins said this would be an opportunity and a creative class could be attracted through photography, music and other forms of art. He said an artist gallery would be appropriate in the downtown. Kim Nuesse thanked the local businesses who support this endeavor. Scott Watkins said the survey return rate was outstanding.

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

Tim Schwanger, 362 Sheffield Way, asked about the \$2.73 million in new bonds being issued (Item #3) and if they are independent from the \$1.2 million in bonds issued in 2009. He asked if these will be paid through monies generated by property taxes from the Chesapeake Lofts. Tim Schwanger said in the original agreement with the Sandusky City Schools, the bonds and Tax Incremental Financing (TIF) could only be used for improvements within the Paper District area while under the new agreement, additional TIF dollars could be used in an urban renewal area once these improvements are completed, as designated by the city. He said he believes the city should have stayed with the original agreement and stop the TIF once the improvements are paid for. Tim Schwanger said there are discrepancies in the Ohio Department of Natural Resources (ODNR) grant as the budget for the Paper District states \$488,000 is required from the ODNR and believes this is a big contingency. He said the Fiscal Officer's certificate does not mention finishing the Northwest Plaza and asked if this was left out on purpose.

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.

ITEM #1

ORDINANCE NO. 10-075: It is requested an Ordinance be passed **amending Part Three – Traffic Code, Title Seven – Parking, by the adoption of new Section 351.03.1 – parking in front of a church or funeral home, as set forth hereinbelow (Second reading).**

Upon motion of Pervis Brown and second of Kim Nuesse, the Commission voted to approve this Ordinance under Second Reading to become effective 30 days after passage. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. Roll call on the Ordinance: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the Ordinance passed.

ITEM #2 – This item was ordered in at the meeting of August 9, 2010

FIRST READING: It is requested an Ordinance be passed **amending Part Five – General Offenses Code, Chapter 533 – Obscenity and Sex Offenses, by the adoption of new Section 533.14 – Prohibitions on residency, as set forth hereinbelow.**

Upon motion of Pervis Brown and second of Julie Farrar, the Commission voted to approve this Ordinance under first reading.

Discussion: Dave Waddington asked about state law pertaining to this proposed prohibition on residency and how sexual offenders would be tracked if it were to be approved. He said he did not see the value in passing this Ordinance. Sheriff Terry Lyons and Captain Steve Wescott, Erie County Sheriff's Office, spoke about tracking the nearly 200 registered sex offenders in Erie County. Sheriff Lyons said they would work with the person designated by the police department to track information if this legislation were passed. He said Ohio law has a residential component penalty which is civil in nature while this proposed legislation creates a criminal offense. He said Sheriff Gray of Mercer County has worked with the State of Ohio to draft sex offender laws and is not aware of many other local jurisdictions which have enacted similar legislation. Sheriff Lyons said the City of Lakewood adopted similar language in 2009 but could not yet assess its success or failure. He said there were 50 registered sexual offenders in Erie County when these laws were first passed; currently, there are over 200 registered in Erie County and the law is constantly changing. He said this legislation is very well intended but enforcement and practicality is entirely different and would be of concern. Dan Kaman said this legislation gives the perception of making the community safer but in reality, it will not, and questioned enforcement. Sheriff Lyons said this legislation would bar sexual offenders from living within so many feet of a park but would not prohibit them from staying in a park all day. He said the general public does not recognize nor care about the classification or tier of an offender. Kim Nuesse thanked Sheriff Lyons and Captain Wescott for coming and answering questions.

John Hamilton asked if this law would lump all of the sexual offenders into one group and Steve Wescott said it would include all of the offenders from the most to least serious classifications. Pervis Brown asked for a comparison between this proposal and a current House Bill proposed at the state level. Terry Lyons said the current penalty is civil and an offender who is not in compliance must go through a civil eviction proceeding. John Hamilton asked what will happen to offenders currently living within 1000' of a municipally-owned park and Terry Lyons said if passed, this would be in effect for those registering on or after the effective date of the legislation. Diedre Cole asked Charlie Sams his opinion about this legislation and Charlie Sams said he spoke with the Erie County Prosecutor and was informed the offender must be notified of the state law through the prison. Additionally, when going to court for sentencing, the offender is informed about the state law and the city and/or county will be responsible to notify the offender about our local legislation. Charlie Sams said the prosecutor also indicated the civil penalty will almost certainly be challenged. Pervis Brown said his intention in introducing this legislation was to add municipally-owned parks to the definition in the state law. Sheriff Lyons said the City of Upper Arlington adopted similar legislation requiring the offender to register with the Sheriff and the Police Chief. John Hamilton asked for a breakdown of Erie County's 200 registered offenders and Steve Wescott said 105 live in Sandusky while 4 work in Sandusky; 19 are sexually-oriented; 17 are habitual; 11 are predators; 43 are Tier 1, 75 are Tier 2 and 35 are Tier 3. Terry Lyons said the Ohio Supreme Court declared some parts of the Adam Walsh Act as unconstitutional and the laws are constantly changing. Pervis Brown stated the pending legislation, House Bill 11, does include public or municipally-owned parks but he does not believe the penalty is as severe.

Diedre Cole said she applauds Pervis Brown for addressing what he feels is a problem, but does not believe the city should create laws simply because it can. She said new laws must be valid and have supporting documentation or statistics addressing a specific need and remedy which is enforceable and able to be administered. She said there is nothing in this legislation to make our children safer. She said it will relegate parental responsibility to law enforcement and that parents and grandparents have a responsibility to protect their children. She said Sandusky has over 55 parks and believes the Ohio Revised Code adequately addresses the issue.

Dan Kaman said he feels this Ordinance is a lot like the proposed pit bull Ordinance. He said the city decided to wait for passage of state law regarding these and other animals rather than adopt local legislation. Don Icsman said there are issues because certain situations are not covered by state law. He said there are a number of communities which may have the money and staffing to enforce such a law and we would have someone locally to be responsible for its administration. He said offenders sometimes actually lie about where they are living which is another factor to consider. Don Icsman said House Bill 11 has been circulating at the state for about 1 – ½ years; it would add recreation centers and playgrounds to the definition and would allow for issuing a court order to violators to vacate a residence. Don Icsman said he would be concerned about creating expectations and then under delivering in terms of what we are able to do. Julie Farrar said after listening to the discussion, she would like to wait and see if this passes at the state first as it seems to her that it would be a hardship to keep track of locally.

Roll Call on the motion: Yeas: Pervis Brown, 1. Nays: Julie Farrar, Dave Waddington, Diedre Cole, Dan Kaman, John Hamilton and Kim Nuesse, 6. The President declared the Ordinance fails.

ITEM #3 – Submitted by Hank S. Solowiej, CPA, Finance Director

Budgetary Information: This Urban Renewal Temporary Revenue Bonds sale includes renewal and original issues. \$1,200,000 in temporary revenue bonds will mature on October 1, 2010. The new urban renewal temporary revenue bonds are for an amount not to exceed \$2,730,000 and to retire, along with funds collected from the payments in lieu of taxes, those maturing temporary revenue bonds, and to provide additional monies to pay a portion of additional costs of the city urban renewal project activities in the Bayfront Urban Revitalization area (the Paper District Marina project).

ORDINANCE NO. 10-076: It is requested an Ordinance be passed **providing for the issuance and sale of Urban Renewal Temporary Revenue Bonds in the maximum principal amount of \$2,730,000, in anticipation of the issuance of definitive urban renewal revenue bonds, for the purpose of paying costs of city urban renewal project activities in the Bayfront Urban Revitalization area, and declaring an emergency.**

Upon motion of Pervis Brown and second of Dave Waddington, the Commission voted to accept the Fiscal Officer's Certificate. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to approve this Ordinance under Section 14 of the City Charter.

Discussion: Hank Solowiej said currently, the city has \$1.2 million outstanding in urban renewal temporary revenue bonds which were issued last October and are due October, 2010. This was comprised of public improvements to create the walkway and emergency repairs made to the breakwall. He said \$2.7 million is a separate amount; \$1.2 million will be paid through payment in lieu of taxes (\$1.1 million has been received to date or 90%). Hank Solowiej said the leftover will be rolled into the new issue. The remainder of the \$2.7 is for Phases I and II of the Paper District Marina project. The only change will be if the Ohio Department of Natural Resources (ODNR) does not approve the city's Phase II grant request (we will know by the end of the year). He said the city will have enough to move from Phase I to Phase II and will pay down the debt of \$2.4 or \$2.5 million next October. He said the city will be meeting with its bond counsel this week to finalize this issue.

Diedre Cole said she recalled the City Commission stating it would not move forward on the Paper District marina until all funding streams were in place and understood \$3 million was received through a Clean Ohio Revitalization Fund (CORF) grant to clean up contamination in the area. She asked if the city is financially exposed, at this moment, for any part of the CORF grant, the Tax Incremental Financing (TIF) or any part of the ODNR grant. Hank Solowiej said currently the risk is minimal with the amount of money being generated by the TIF. He said PNC Bank is flabbergasted with the amount of money being received through this program. He said these are revenue bonds which normally have a revenue stream and are a low risk at the bank's end as well. Diedre Cole asked how much money the city is currently at risk for with the Paper District marina. Hank Solowiej said he does not believe there is a dollar amount that could be assigned to this. Diedre Cole asked what the city's exposure would be if the city needed to return any portion of the CORF grant. Hank Solowiej said he does not believe there is exposure; if the CORF grant would need to be paid back, the city will still have TIF funds to use/spend for this purpose. Diedre Cole said she understands all of the funding streams are in place, sees there is a supplemental agreement with the schools (dated August 9), and asked how funding streams could have been in place in April. Hank Solowiej said the funding scheme did not change; he said the August 9 agreement with the Sandusky City Schools was an amendment for the TIF agreement. He said the first agreement was between the City of Sandusky, the Sandusky City Schools and Mid States Development, while the supplement agreement removed Mid States Development. Dan Kaman said the only thing he sees missing is the ODNR grant for the floating docks. He said the city received this money once before but did not use it fast enough and the Ohio Department of Development (ODOD) took it back. He said the idea is to keep this project moving forward so that the marina will be available for use in the spring of next year rather than waiting to start another phase of construction in the spring. Kim Nuesse asked if the city has a backup plan if the grant monies do not come through and had previously looked at issuing revenue bonds for the project, if necessary. She said the City Commissioners stated publicly they did not want to do anything that would jeopardize the project and wanted it to move forward and complete something. Diedre Cole said her concern is about risk analysis, the pros and cons regarding pieces of legislation presented, and would like to see these things first to make better informed decisions. Kim Nuesse said sometimes it is difficult to determine the exact concrete value or risk. Diedre Cole said if

the city does not get the ODNR grant for \$661,000 (which is a 50/50 match), the city would have to double it to pay for the match.

Dan Kaman asked Tim Schwanger if he had additional questions and he (Tim) said he still did not know what will happen once all of the improvements are complete in the Paper District. He said if the TIF continues, the city can use this money wherever they choose; he believes the TIF money should go back to the Sandusky City Schools (SCS). Tim Schwanger said in the original agreement, the marina was not to be paid for through TIF funding and this has been added to the new agreement with the Sandusky City Schools. He said under the new agreement, it is still a 30-year TIF at 100% and due diligence was not done. Dan Kaman said he does not know how we are losing \$3 million and Tim Schwanger clarified he was saying we may lose \$975,000 for digging 11' of dirt at the marina rather than 1.5' which was approved through the grant. Dan Kaman said the ODOD was not happy with the city last year but at the present time, they are. Kim Nuesse said the amended agreement simply cleaned up language regarding the TIF and does not believe it contained anything abnormal regarding a TIF district. She said TIF agreements recognize the economic value of development and the potential for growth. Don Icsman said attorneys for the Sandusky City Schools and the city have done their due diligence and the respective boards would not have approved them if inappropriate. He said the Phase I work was covered under the original agreement and was discussed with the SCS. Don Icsman said this went from a purely private marina to a totally public marina and is how it can be paid for with TIF funding. He said Squire, Sanders and Dempsey is used nationwide as bond counsel and is not part of some conspiracy. He said any improvement to facilitate public access and/or economic development has always been positively received by the superintendent and other school staff members. He said it is not accurate to try and create an illusion there is an issue with the supplemental agreement. Dan Kaman said this project started out as a \$3 million change order for a \$700,000 walkway and this is why it was done separately. Don Icsman said the city will always chase grant money but our deadlines do not always coincide with grantors; this does not make things fraudulent. Diedre Cole said she does not intend to vote on anything she has questions about until she is satisfied and comfortable with the answer.

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

ITEM #4 – Submitted by Hank S. Solowiej, CPA, Finance Director

Budgetary Information: This various purpose improvement note sale includes renewal issues. \$3,700,000 in notes will mature on October 15, 2010. The new various purpose improvement notes are in an amount of **\$1,925,000** (retire \$2,500,000) for Bayfront Urban Revitalization, **\$180,000** (retire \$205,000) for City Building, **\$175,000** (retire \$200,000) for Fire Boat, **\$450,000** (retire \$475,000) for Fire Truck and **\$300,000** (retire \$320,000) for Hayes Avenue Underpass.

ORDINANCE NO. 10-077: It is requested an Ordinance be passed **providing for the issuance and sale of \$3,030,000 notes, in anticipation of the issuance of bonds, for the purpose of: acquiring a fire boat and appurtenant equipment for the fire department; improving the city municipal building by replacing the air conditioning unit, modifying the roof at the air conditioning unit location, upgrading ductwork where necessary, and otherwise improving the same, all together with the necessary appurtenances thereto; acquiring a triple combination fire pumper truck and appurtenant equipment for the fire department; revitalizing the Bayfront Urban Revitalization area by acquiring, clearing and improving certain properties in that area, undertaking the environmental clean-up and remediation of certain properties in that area, constructing road improvements and related utility and infrastructure improvements in that area, and otherwise improving that area; and paying a portion of the cost of improving Hayes Avenue between certain termini by replacing sidewalks, rehabilitating the related underpass, including abutments, retaining walls and stairs, installing lighting and handrails, and otherwise improving the same, all together with the necessary appurtenances thereto; and declaring an emergency.**

Upon motion of Diedre Cole and second of Dave Waddington, the Commission voted to accept the Fiscal Officer's Certificate. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of Dave Waddington and second of Kim Nuesse, the Commission voted to approve this Ordinance under Section 14 of the City Charter.

Discussion: Pervis Brown asked about the condition of the fire pumper and Paul Ricci said the oldest pumper is a 1996 while the newest is a 2009. He said the service life for these vehicles is ten years for front line use and five years as backup. He said these notes are for a pumper that is already in use in the fire department.

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

ITEM #5 – Submitted by Hank S. Solowiej, CPA, Finance Director

Budgetary Information: This submerged lands lease is payable by the City of Sandusky as the lease holder. The Sandusky Sailing Club will reimburse the city for the cost of the lease pursuant to their Lease Agreement with the city. ODNR does not allow a sub-lease holder to make a Submerged Lands Lease payment on the city's behalf. Since the amount is over \$10,000, it should be approved by the City Commission.

ORDINANCE NO. 10-078: It is requested an Ordinance be passed **authorizing and directing the City Manager to make payment to the Ohio Department of Natural Resources (ODNR), Office of Coastal Management for rental payment on Submerged Lands Lease File No. SUB-0530-ER for the period of September 1, 2010 through August 31, 2011;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to approve this Ordinance under Section 14 of the City Charter.

Discussion: Dave Waddington said the Sandusky Sailing Club will reimburse the city for the cost of this lease.

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

ITEM #6 – Submitted by Charlie Sams, Interim Chief of Police

Budgetary Information: The total cost for this annual maintenance agreement fee for the period of June 10, 2010 through June 9, 2011 is \$11,166.29 and has been budgeted for and approved in the Police Department's 2010 budget.

ORDINANCE NO. 10-079: It is requested an Ordinance be passed **authorizing and directing payment to OL3 Communications of Boonton, New Jersey for the annual maintenance agreement fee for the period June 10, 2010 through June 9, 2011;** 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 approve this Ordinance under Section 14 of the City Charter.

Discussion: Diedre Cole asked if consideration has been given to replacement of the software after expiration of the extended maintenance agreement (June, 2011); she asked what the life expectancy is for the equipment after expiration. Charlie Sams said after the warranty expires, the equipment will be repaired on an as-needed basis and research is being performed for a new system. Kim Nuesse said these were purchased in 2006 and suggested working on an equipment replacement plan so that the city does not have to make large purchases all at one time. Charlie Sams said he is working on a plan to replace vehicles and equipment simultaneously as opposed to replacing them all at one time.

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

ITEM #7 – Submitted by Peggy A. Rice, Clerk of Court

Budgetary Information: The cost for the purchase of this equipment is \$16,373.25 plus shipping, which is estimated not to exceed \$250.00, for a total approximate cost of \$16,623.25. The entire cost of the

upgrade will be paid for with monies from the Court Capital Fund. This purchase will have no impact on the General Fund.

ORDINANCE NO. 10-080: It is requested an Ordinance be passed **authorizing and directing the City Manager to purchase Tandberg video conferencing equipment and services from ID Solutions of Noblesville, Indiana, for the Sandusky Municipal Court;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to approve this Ordinance under Section 14 of the City Charter.

Discussion: Pervis Brown said he would like the Sandusky Municipal Court to adopt a replacement schedule for the future as parts have not been available for this system for two years.

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

ITEM #8 – Submitted by Kathryn K. McKillips, Engineer

Budgetary Information: The city contributes 50% of all capital improvements to the facility, which cost more than \$1,000. For the resurfacing of the parking lot, the city's share is \$17,000, to be funded with city capital funds.

ORDINANCE NO. 10-081: It is requested an Ordinance be passed **authorizing the City Manager to enter into a Building Occupancy and Maintenance Agreement between the City of Sandusky, the Board of County Commissioners of Erie County and the Erie County General Health District for the period of January 1, 2010 through December 31, 2010; appropriating funds for the resurfacing and striping of the Erie County Health Department parking lot;** 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 approve this Ordinance under Section 14 of the City Charter.

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

ITEM #9 – Submitted by Jane E. Cullen, E.I.T.

Budgetary Information: The original contract price was \$880,993.45. The final contract cost including the change order in the amount of \$15,511.81 is \$896,505.26. Community Development Block Grant (CDBG) will fund \$299,968.75 from the regular CDBG allocation and from CDBG-R which is American Recovery and Reinvestment Act (ARRA) will fund \$218,407.00. The Sewer Fund will fund \$37,457.51 and Ohio Public Works Grant will fund \$340,672.00 which is the maximum 38% of the project cost that will be covered by OPWC.

ORDINANCE NO. 10-082: It is requested an Ordinance be passed **authorizing and directing the City Manager to approve the first and final change order for work performed for the Hayes Avenue Corridor project – Perkins Avenue to Columbus Avenue project – in the amount of \$15,511.81 to be paid to Smith Paving & Excavating, Inc., of Norwalk, Ohio;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Kim Nuesse and second of Dave Waddington, the Commission voted to approve this Ordinance under Section 14 of the City Charter.

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

ITEM #10 – Submitted by Kathryn K. McKillips, Engineer

Budgetary Information: The cost of the engineering services is not to exceed \$91,000.00, to be paid with Water Funds.

ORDINANCE NO. 10-083: It is requested an Ordinance be passed **authorizing and directing the City Manager to execute an Amendment to the Agreement for Professional Design Services with Arcadis U.S., Inc., for the Cedar Point Road water main looping project;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Julie Farrar and second of Kim Nuesse, the Commission voted to approve this Ordinance under Section 14 of the City Charter.

Discussion: Dave Waddington said he spoke with Kathy McKillips about the placement of a new 100,000 gallon water tank on the Cedar Point Chaussee. He said he understands some members of the Cedar Point Property Owners Association are looking at the placement of a 750,000 gallon water tank and believes we can work with them to tie these together. Kathy McKillips said a meeting should be scheduled in the new few weeks about this.

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

ITEM #11 – Submitted by Kathryn K. McKillips, Engineer

Budgetary Information: The total estimated project cost including inspection, advertising and miscellaneous expenses is \$284,757.00. \$15,000 is being funded with a Lake Erie Commission grant. The remaining balance of the project cost will be funded with CDBG and CDBG-RLF funds.

RESOLUTION NO. 026-10R: It is requested a Resolution be passed **declaring the necessity for the City of Sandusky, Ohio, to proceed with the Lions Park project, Phase I, 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 Pervis Brown, the Commission voted to approve this Resolution under Section 14 of the City Charter.

Discussion: Dave Waddington thanked Carrie Handy, Kathy McKillips and members of the Sandusky Lions Club who helped on Saturday. He said the vision to the water is getting clearer with the recent tree removals. He said this is a 900' long shoreline and 300' will be available at the west end for a beach or swimming area. He said the slope will enhance the view for the whole park and swimming is only here for a few months each year. Carrie Handy said the environmental review is being completed; the city recently received notification of the \$15,000 Lake Erie Commission grant, \$15,000 in CDBG-RLF funds for demolition of the trailer park and specifications will be ready this week for the shoreline work. Dave Waddington said the Huron Park Master Planning process is also exciting and there are lots of players involved to help rejuvenate both neighborhoods.

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

ITEM #12 – Submitted by Kelly L. Kresser, City Commission Clerk

Budgetary Information: The cost of the revisions of the Codification Supplements and the Code in Folio VIEWS for internet reinstallation will be taken from the contractual services line item in the City Commission Clerk's budget. This item is appropriated each year.

ORDINANCE NO. 10-084: It is requested an Ordinance be passed **approving current replacement pages to the Sandusky Codified Ordinances;** and declaring that this Ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to approve this Ordinance under Section 14 of the City Charter.

Discussion: Diedre Cole asked if the amendment to the traffic code (Item #1), would be included in the codification and Don Icsman said the cutoff is July 31 so this code change will be included next year.

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

ITEM #13

ORDINANCE NO. 10-085: It is requested an Ordinance be passed **authorizing and approving a Supplement to Compensation Agreement with the Sandusky City School District**, and declaring an emergency.

Upon motion of Kim Nuesse and second of Julie Farrar, the Commission voted to approve this Ordinance under Section 14 of the City Charter.

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

CITY MANAGER'S REPORT

Don Icsman shared **an email received from a resident of Delray Beach, Florida, expressing appreciation for efforts made by Dan Hedberg, Manager of Oakland Cemetery.**

Don Icsman said **members of the Brownfields Committee have volunteered to canvass the area around Sandusky Cabinets to distribute information (Neighborhood Fact Sheet) regarding the tank removal project in accordance with the city's UST grant for the Sandusky Cabinets property.**

Don Icsman said **the city received notification on August 19, 2010, of a grant award in the amount of \$155,909.00 for the FY 2010 Weed and Seed program.**

Don Icsman said there are numerous **contractors soliciting business in the city and said city inspectors can be identified by their city uniform, by driving a city vehicle or by their city identification card.** He said questions about registration can be directed to the Engineering Department by calling 419.627.5940.

Don Icsman said he, along with the city's bond counsel, **recommends not granting an extension to the agreement with Gene Hawk for development of The Keller Building** (an extension was requested after denial of the historic tax credits). He also recommends the city use its policy concerning the Sale or Lease of Real Personal Property if others step forward with an interest in developing this property. He said Bob and Ruth Haag have volunteered to pre-screen potential developers to put them in touch with the right people. He said anyone with a specific development proposal would be vetted through the policy and brought to the City Commission for consideration. Kim Nuesse said she understands Don Icsman is recommending the city not extend its option to Gene Hawk at this time and Don Icsman affirmed this. He said the city must comply with the terms of the Memorandum of Agreement and this would help with this side of the issue.

OLD BUSINESS

Dave Waddington said the newspaper recently reported on the **"city/county water fight"**. He said in December, 2006, the wholesale price for the sale of water to the county was \$1.34/ccf. He said for the period January 1, 2007 – December 31, 2009, the city and county agreed to change this wholesale rate to \$1.26/ccf. On January 1, 2010, and every third year thereafter, the new wholesale rate is established according to Schedule A in the agreement. He said the rate study commissioned by Jones & Henry determined the new rate(s) and there is a Regional Water Advisory Board (RWAB) and a city/county water contract to address this. He said the wholesale total rate was \$1.26/ccf and he did not feel it was fair for the county to say the city is top heavy in administrative costs when, in fact, the treatment rate is \$1.10, transmission rate is \$.06, administration rate is \$.10 (for a total wholesale rate of \$1.26/ccf). He said according to the contract, the county was supposed to sell 500,000 gallons outside of the county for the last three years and he does not feel the city should be responsible for the county's old debt. He said his first obligation is to the residents of the City of Sandusky. He said the county is selling 150,000 – 200,000 gallons per day to Bellevue and if Sandusky was moving 500,000 gallons per day, we could probably work with them. He said he did not feel it was good for the county to say they could join

forces with Vermilion as it would be up to the RWAB to look into the rate(s) and said the city followed the contract. He said he does not consider this a fight and believes it can be worked out. Dave Waddington said once Sandusky's water hits Perkins Avenue, the rate is doubled by the county (from \$1.26/ccf to \$2.52/ccf). Dan Kaman said one of the Executive Sessions that will be asked for tonight involves approving a letter addressed to the county in response to their letter to the city. He said at the last meeting of the RWAB, it was agreed the City of Sandusky mirrors setting its rate(s) in the same way as the City of Huron and the county commissioners liked the way Huron determines their rate(s). He said Commissioner Pat Shenigo did not reengineer why the water costs double or triple when crossing Perkins Avenue but he (Pat) likes to spin this that people have to pay the city's 'high' rate. Dan Kaman said people in Perkins, Groton and Oxford Townships are paying the same rate as city residents *plus* the county fees. He said it was made clear at the last meeting the city does not have the answers for their (county) debt and the city cannot handle the landfill debt, debt from putting in water lines or debt for the engineering of the county water tower placement. Kim Nuesse said she is sympathetic with the county regarding their heavy debts. She said the city is taking on its own financial difficulties and it has not been easy to tackle our debt and balance our budget; it is not the city's responsibility to take this on for the county. She said the recommended rate came from the study and was insisted upon by the county. The study actually recommended charging a higher rate but in the spirit of cooperation, the city agreed to lower this rate temporarily to help out while still being fiscally responsible. She said residents need to talk with the county commissioners to find out their plan to address their deficit. Dave Waddington said it was pointed out by the county that the calculation includes the wages of the city commissioners which is miniscule.

Diedre Cole said she was at **the splash pad in Huron Park** on August 15 and the equipment was not working and there was no water. She said a police dispatcher contacted Scott Miller who came to the site (on a Sunday afternoon) to turn the water back on. She said a family from Pittsburgh was at the splash pad and they had never seen one and was amazed at Scott Miller's responsiveness. Diedre Cole said Scott is a wonderful example of a city employee and what makes Sandusky proud.

Diedre Cole said the **annual Hancock Street block party** was held on August 22 and over 1000 persons attended throughout the day. She thanked Commissioners Farrar, Hamilton and Waddington for attending and acknowledged assistance provided by city staff from the Sandusky Fire Department. Paul Ricci said Captain Dave Degnan, Lt. Matt Lesch and Firefighters Bill Reyes, Jeff Danevich, John Strachan, Dustin Hammonds, Rob Bott, Bob Holmes and Frank Malinowski all assisted during the event. Diedre Cole said Paul Ricci participated in the dunk tank.

Diedre Cole said she received **a letter and plaque from the U.S. Department of Commerce commending the City of Sandusky for its participation in the 2010 Census** and turned it over to Dave Waddington who was also on the local committee.

Julie Farrar distributed an article from Lake Havasu City in regards to the firing of a City Manager over a bid process. She said she respectfully disagrees with Don Icsman not to go out for bid for the **comprehensive analysis of the police and fire departments by the International City/County Management Association (ICMA)**. She said there are other companies which do the same work and they were mentioned during the presentation. She said she spoke with representatives from a couple of these companies who said they were not given a Request for Proposals (RFP) nor were they asked to give a presentation. She said her concern is that \$68,500 is a large enough amount of money that this should have been put out for an RFP. She said it may come back to haunt us and we should check this out before having the ICMA perform any work.

Upon motion of Julie Farrar and second of Pervis Brown, the Commission voted to have the Acting City Manager contact the Attorney General's Office and ask if the city should prepare a Request For Proposals (RFP) for the efficiency study for the police and fire departments.

Discussion: Dave Waddington said he received an email from Andy White about their ICMA analysis which outlined significant savings realized by the City of Huron. Julie Farrar asked if actual financial records were received and stated she knows of an email sent by a Huron resident to Andy White on August 13 requesting financial information which has not yet been answered. Julie Farrar said in April, Andy White stated the City of Huron saved \$354,000 but in an article in The Sandusky Register, the City of Huron has saved \$700,000 since April. Dave Waddington said he would take \$354,000 anytime for \$64,500. Julie Farrar asked if the numbers received were from Huron's Finance Department.

Julie Farrar said the City of Belton, TX has reported no savings since November, 2008; Alameda, CA reported no savings but the closure one fire station; East Providence, RI reported no savings. Dave Waddington said he is a Sandusky commissioner and was the only "yes" vote previously regarding this and he feels it would be a good thing and even if the savings is only \$100,000, we would still be \$40,000 ahead. Dave Waddington said he asked about bidding this out and Don Icsman said the article distributed from Lake Havasu concerned a City Manager who awarded a contract without the knowledge of the legislative body. Don Icsman said the city commissioners voted to enter into this contract, it could be bid, but did not have to be. He said this is similar to hiring John Hancock or George Poulos to perform work because of their unique knowledge, experience and qualifications and is exempt from competitive bidding. He said one could have an opinion about whether we should bid or not as a best practice, but the ICMA is a unique group and brings expertise to the table in performing this study. He said he is confident and comfortable with an exemption from competitive bidding.

Kim Nuesse said she appreciates differing opinions and viewpoints. She said at one point in time, this issue was voted down and her objections were heard but not listened to. She said she respectfully deferred to her fellow commissioners' vote. She said this has been voted upon and no one questioned Don Icsman until union personnel became upset and she does not understand the scrutiny for greater efficiency, cost savings and trying to operate more effectively. She said we are doing what is best for the city and that the unions serve a useful purpose. The city is operating fairly but does not dictate how she chooses to vote and she represents the citizens of the community. Kim Nuesse said there are communities that have realized savings and good will come from this study. She said it will come down to what we are willing to implement once the recommendations are made. She said the ICMA operates internationally and will give us the best product for our money. She said she understands sour grapes and people not being happy, but believes having this study is best for the City of Sandusky to find out if we are delivering the best service possible in its current economic condition.

John Hamilton said he does not believe the timing is good to perform this study now without knowing the results of the 2010 Census. He said contracts have been negotiated with our unions and we should wait another 24 months to commission this study prior to the startup of the next round of negotiations. Diedre Cole said the census projections for Sandusky are currently at 24,687 plus or minus three percent (3%). She said the final numbers will be delivered to the President of the United States by December 31, 2010, and the new numbers will be released in March, 2011. She said if we wait until March to have exact census figures, it will be too late. She said we are wasting time everyday that we wait for something to be done after passing this democratically by the city commission and there comes a time to 'let it go'. Julie Farrar said she respects what is being said and *can* let this go. She is asking for this to be reviewed before moving forward and said two other items have been brought back to the table to vote upon again.

Vote on the motion: Yeas: Julie Farrar, Pervis Brown and John Hamilton, 3. Nays: Dave Waddington, Diedre Cole, Dan Kaman and Kim Nuesse, 4. The President declared the motion fails.

NEW BUSINESS

Julie Farrar said she has been asked by several residents to look into **putting a stop light at the corner of Hancock and Washington Streets** because people are running the stop sign and causing accidents. Dan Kaman said this light was recently taken down and staff could meet to discuss the statistics at this intersection. John Hamilton said he has also received calls from residents in this area asking if the light could be put back up.

Julie Farrar said the city belongs to **the Ohio Municipal League (OML) and pays an annual membership fee. She said their annual conference being held in Columbus on September 29 – October 1 and she would like to attend.** She said the training fund for the City Commission has money to cover the \$433.00 cost, including two overnight stays. She asked if any other City Commissioner wished to attend. Dan Kaman said with the condition of the budget, he does not believe it would be a good idea to approve overnight travel. Julie Farrar said she has been with the city for two years and has only attended one training session. She said we pay to be a member of the OML and has heard members of the public say the Commissioners need training and training is part of why we are a member of the OML. The training is cheap, is close by and the city does have the money set aside. Dave Waddington said he has no problem with this. Hank Solowiej said there is approximately \$8,000± in the line item for travel and training in the Commission budget. Diedre Cole said she is interested in the workshop entitled "Greening of the Community".

Upon motion of John Hamilton and second of Dan Kaman, the Commission voted to have an Executive Session regarding Personnel, Fire Department. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Kim Nuesse, the Commission voted to have an Executive Session regarding Personnel, Police Department. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Pervis Brown, the Commission voted to have an Executive Session regarding Personnel, Information Technology Department. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of Kim Nuesse and second of Pervis Brown, the Commission voted to have an Executive Session regarding Personnel, Engineering Department. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of Kim Nuesse and second of Pervis Brown, the Commission voted to have an Executive Session regarding the Purchase and Sale of Personal Property, water. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Pervis Brown, the Commission voted to have an Executive Session regarding the Purchase and Sale of Real Property. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of John Hamilton and second of Kim Nuesse, the Commission voted to have an Executive Session regarding Personnel, City Manager. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the motion passed.

Upon motion of Dan Kaman and second of Diedre Cole, the Commission voted to appoint Thomas Tucker, Sandusky City Schools Superintendent, to the Bayfront Corridor Committee to replace the former Sandusky City Schools Superintendent, Bill Pahl. All Ayes. The President declared the motion passed.

Dan Kaman stated there will be a meeting of the Regional Water Advisory Board on Tuesday, September 7 at 9 a.m. at City Hall.

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

Wesley Poole, 1939 East Oldgate, asked how decisions are made to erect stop lights (vs. stop signs) at different intersections and asked to review the study which determined removal of the stop light at Hancock and Washington Streets. He asked what the criteria are for a stop light and said we should not put up a stop light every time someone runs an intersection. Dan Kaman said some intersections with stop lights were changed to a four-way stop after a review of incidents and neighborhood complaints. He said the one at Hancock and Washington Street was changed to a stop sign because the neighbors, at the time, did not feel one was needed. Wesley Poole said the city should not make changes just because someone complains.

John Ginty, 5055 Providence Drive, asked for an update about the oil plume problem and Dan Kaman said there is a Brownfield meeting tomorrow at 7:30 a.m. at the Central Fire Station which he (John) could attend.

Sharon Johnson, 1139 Fifth Street, asked for clarification about the northwest plaza at Chesapeake Lofts and if it has been excluded from the project and how the city will pay for it. John Hancock said the northwest plaza area and the plaza on the south corner are in the preliminary design stage. He said the thought is that these would be funded from the Tax Incremental Financing (TIF). Sharon Johnson asked

if the city learned it could not use TIF money for this purpose. John Hancock said the plaza areas are both within the urban revitalization area and the TIF would apply; he said he did not know that they have been removed, they are just not in the current phase for construction and will be addressed when the time comes. Sharon Johnson said the total amount is \$2.7 million and asked if that was all. John Hancock said the whole Paper District project is \$3.1 million. John Hancock said \$2.1 million is for the first Phase scheduled to be completed on October 6. Phase II will automatically proceed so long as the contractor is not given notice that we do not intend to proceed. He said this is because of the availability of grant funding and because we could not make a firm commitment until we knew if we would obtain the grants. He said it may be some time before we know if we have the grant and we are working with the ODOD regarding CORF funding and this will all take some time. John Hancock said he and George Poulos are recommending the city proceed with the project in order to get the marina open and in use for next (spring) season. He said if Phase II were withdrawn from the contract, it will not allow continuation of the construction phase and will not ensure the opening of the marina by the spring of 2011. He said there are cost savings in seamlessly proceeding with the construction in Phase I. Don Icsman said we are still pursuing grant(s) reimbursement but do not want to delay or take the chance of not having the marina opened in 2011. John Hancock said he is making a request, on the city's behalf, to the ODNR asking to be able to expend match funds prior to the grant award. George Poulos said the project is currently proceeding under favorable conditions with about 75% of the project completed without any change orders. Kim Nuesse said when she first became a commissioner, there were a lot of challenges with this project and she commended John Hancock, George Poulos and Don Icsman for working through the challenges and understanding its importance. She hears frequently from residents and visitors how they cannot wait for this to be completed so they can dock their boats, use our restaurants, etc. and it ties directly into the downtown market study. Don Icsman thanked the City Commission and said he trusts John Hamilton and George Poulos implicitly. Dan Kaman said this project is moving forward and is six months ahead of schedule. George Poulos asked the City Commission for authorization to continue so as not to delay the project.

Upon motion of Pervis Brown and second of Kim Nuesse, the Commission voted to continue moving forward with the project and to notify the contractor, Hoty Enterprises, so as not to cause any delays. All Ayes. The President declared the motion passed.

John Hancock displayed a map showing a request for an amended dock expansion scheme for the Sandusky Yacht Club project. He said four fingers, with a total of eight docks, have been added adjacent to the location of the existing docks. He said the scheme has been greatly reduced from what was presented before. He said there are no plans for the western basin as covered in the SYC's last proposal. He said this will necessitate approval of another Resolution which will be presented at the next city commission meeting and will supersede the original one. John Hancock said this map represents changes as made by the ODNR regarding the land use classifications. The ODNR wanted a classification added for an erosion control area around the outer perimeter of Surfs Up. He said there are modifications that reflect the usage of the area. John Hancock showed a drawing of the previous scheme showing an extension of about 40' from the present lease area. Diedre Cole asked what the anticipated length is for the boats to be used in this area and John Hancock said they are up to 60' in length and currently there are two that sit 16' – 17' above the water. Sharon Johnson said she did not understand why the Sandusky City Schools (SCS) are asking for a 30-year TIF at 100% and felt it is excessive. Don Icsman said 30 years is the maximum amount of time legally permissible for these agreements. He said the members of the school board and the administrative staff approved this and are protecting their interests. Kim Nuesse said this agreement is not unusual and there other communities who have them. She said this has been negotiated by the attorneys for both the school board and the city. She said continuing to debate this is a waste of time and said that minute detailed information is available in city offices any day through a public information request. Sharon Johnson said a shorter length of time for the TIF could have been approved rather than asking SCS for money through a levy. Kim Nuesse suggested talking with the attorney for the school district to have this question answered.

Sharon Johnson said the city has an understanding with Gene Hawk for The Keller Building and asked how the property can now be put on the market. Don Icsman said the terms of the agreement with Gene Hawk ended when he (Gene) learned he did not obtain the tax credits and the city notified him (Gene) as specified in the contract.

Jason Brake, 118 East Mason Road, Clyde began discussing Article 14 of the Bill of Rights and Dan Kaman asked Jason Brake to keep his comments local.

At 7:44 p.m., Dan Kaman announced adjournment of the regular session for a three minute recess. Seven Executive Sessions were held beginning at 7:50 p.m.

At 9:23 p.m., the City Commission returned to the table in regular open session.

RESOLUTION NO. 027-10R: It is requested a Resolution be passed authorizing and directing the City Manager to execute a Separation Agreement with Mike Meinzer; and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Kim Nuesse and second of Diedre Cole, the Commission voted to approve this Resolution under Section 14 of the City Charter. Roll Call on the motion: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. Roll call on the Resolution: Yeas: Julie Farrar, Dave Waddington, Diedre Cole, Pervis Brown, Dan Kaman, John Hamilton and Kim Nuesse, 7. The President declared the Resolution passed.

At 9:25 p.m., Dan Kaman declared adjournment.

Kelly L. Kresser
Clerk of the City Commission

Daniel J. Kaman
President of the City Commission