

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

The Clerk called the roll and the following Commissioners responded: Nikki Lloyd, Greg Lockhart, Naomi Twine, Dennis Murray, Dave Waddington and Wes Poole.

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to excuse Dick Brady. The President declared the motion passed.

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to appoint Paige Doster Acting Clerk for the meeting. The President declared the motion passed.

City staff present: John Orzech – Police Chief, Jim Greene– Fire Captain, Aaron Klein – Public Works Director, Matt Lasko – Chief Development Officer, Angela Byington – Planning Director, Stuart Hamilton – IT Manager, Don Rumbutis – IT, Hank Solowiej – Finance Director, Justin Harris - Law Director, Eric Wobser – City Manager and Paige Doster– Acting Commission Clerk.

Upon motion of Dave Waddington and second of Naomi Twine, the Commission voted to approve the minutes of the August 28 meeting and suspend the formal reading. The President declared the motion passed.

#### **AUDIENCE PARTICIPATION**

Tim Schwanger, 362 Sheffield Way, asked if the legislation regarding backflow devices is for commercial properties only, or if it also pertains to residential properties (Item A). Dennis Murray said his recollection is this legislation is for commercial properties.

#### **CONSENT AGENDA ITEMS**

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

The President asked if anyone wished to remove any of the Consent Agenda Items; there were no requests to do so.

#### **SECOND READING**

##### **A. Submitted by Aaron Klein, Director of Public Works**

##### **REPEAL OF SECTION OF CODIFIED ORDINANCES & CREATION OF NEW CHAPTER PERTAINING TO BACKFLOW**

**Budgetary Information:** There is no budgetary impact. Any fees collected will be deposited to the city water account. Invoices will be sent to each affected customer by the Customer Accounting/Finance Department.

**ORDINANCE NO. 17-169:** It is requested an ordinance be passed amending Part Nine (Streets, Utilities and Public Services Code), Title Three (Utilities), by the repeal of Section 939.50 (Backflow Prevention Devices) and the addition of Chapter 943 (Backflow Prevention and Cross-connection Control) of the Codified Ordinances, in the manner and way specifically set forth hereinbelow.

##### **B. Submitted by Angela Byington, Planning Director**

##### **CONTRACT ADDENDUM WITH ERIE COUNTY JOB & FAMILY SERVICES FOR TRANSPORTATION SERVICES**

**Budgetary Information:** STS will bill at a per-mile rate, as established in the contract from Erie County Job & Family Services for the length of the proposed contract extension. The revenue from this agreement will be used as matching grant funds for the Ohio Department of Transportation program grant.

**ORDINANCE NO. 17-170:** It is requested an ordinance be passed approving and ratifying a transportation services contract addendum #2 with the Board of County Commissioners of Erie

County; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**C. Submitted by Brad Link, Director of Public Services**

**2017 TREE REMOVAL & TRIM PROJECT – CHANGE ORDER #1 (TIME EXTENSION ONLY)**

**Budgetary Information:** Change Order #1 will not impact the contract amount. The contract amount will remain as \$71,689.84 at this time.

**ORDINANCE NO. 17-171:** It is requested an ordinance be passed authorizing and directing the City Manager to approve the first change order for work being performed by Tree Experts of Huron, Ohio, for the 2017 tree removal and trim project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**FIRST READING**

**D. Submitted by Aaron Klein, Director of Public Works**

**PAYMENT FOR OHIO EPA LICENSE TO OPERATE BIWW DURING CY 2018**

**Budgetary Information:** The total amount of \$12,180 shall be paid with water funds and has been appropriated in the operating and maintenance budget for 2017.

**PASSED AT FIRST READING:** It is requested an ordinance be passed authorizing and directing the Finance Director to make payment to the State of Ohio Environmental Protection Agency for the renewal of the license to operate a public water system for the CY 2018.

**FIRST READING**

**E. Submitted by Aaron Klein, Director of Public Works**

**PAYMENT FOR OHIO EPA ANNUAL DISCHARGE FEE FOR WWTP DURING CY 2017**

**Budgetary Information:** The total amount of \$15,550 shall be paid with sewer funds and has been appropriated in the operating and maintenance budget for 2017.

**PASSED AT FIRST READING:** It is requested an ordinance be passed authorizing and directing the Finance Director to make payment to the State of Ohio Environmental Protection Agency for the annual discharge fee for NPDES permit #2PF00001 for the Waste Water Treatment Plant for the CY 2017.

**F. Submitted by Brad Link, Director of Public Services**

**AUTHORIZATION TO DISPOSE OF BICYCLES & OTHER EQUIPMENT**

**Budgetary Information:** Proceeds from the sale of these items will be placed in the general fund, law enforcement trust and street fund.

**ORDINANCE NO. 17-172:** It is requested an ordinance be passed authorizing and directing the City Manager to dispose of personal property and equipment as having become unnecessary and unfit for city use pursuant to Section 25 of the city charter; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**G. Submitted by Hank Solowiej, Finance Director**

**ACCEPTING AMOUNTS AND RATES AS DETERMINED BY THE ERIE COUNTY BUDGET COMMISSION**

**Budgetary Information:** The city is required to accept the tax rates as determined by the Erie County Budget Commission before October 1, 2017. This approval establishes funding for 2018. The prior year resolution was passed by the City Commission on September 12, 2016 (Resolution #046-16R).

**RESOLUTION NO. 045-17R:** It is requested a resolution be passed accepting the amounts and rates as determined by the Erie County Budget Commission; authorizing the necessary tax levies and certifying them to the County Auditor; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**H. Submitted by Hank Solowiej, Finance Director**

**SUBMERGED LANDS LEASE RENTAL PAYMENT FOR SANDUSKY SAILING CLUB**

**Budgetary Information:** This submerged lands lease is payable by the City of Sandusky as the leaseholder. 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-leaseholder to make a submerged lands lease payment on the city's behalf. Ordinance 15-116 was passed by the City Commission on August 24, 2015, approving payment in the amount of \$18,020.14 for the period September 1, 2015 to August 31, 2016.

**ORDINANCE NO. 17-173:** It is requested an ordinance be passed authorizing and directing the City Manager to make payment to the Ohio Department of Natural Resources, Office of Coastal Management for rental payment on submerged lands lease File #SUB-0530-ER for the period of September 1, 2016, through August 31, 2018; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**I. Submitted by Hank Solowiej, Finance Director**

**SUBMERGED LANDS LEASE RENTAL PAYMENT FOR MID-STATES BAYFRONT DEVELOPMENT, LLC**

**Budgetary Information:** This submerged lands lease is payable by the City of Sandusky as the leaseholder. The Chesapeake Lofts Condo Association will reimburse the city for the cost of the lease. ODNR does not allow a sub-leaseholder to make a submerged lands lease payment on the city's behalf. Ordinance #15-046 was passed by the City Commission on March 23, 2015 approving payment in the amount of \$13,764.34 for the period April 1, 2015 to March 31, 2016.

**ORDINANCE NO. 17-174:** It is requested an ordinance be passed authorizing and directing the City Manager to make payment to the Ohio Department of Natural Resources, Office of Coastal Management for rental payment on submerged lands lease File #SUB-2119B-ER for the period of April 1, 2016 through March 31, 2018; 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 Nikki Lloyd, the Commission voted to accept the Consent Agenda and declare all ordinances and/or resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in full accordance with the Section reflected in the ordinances and/or resolutions, whether it be in full accordance with Section 13 or Section 14 of the City Charter.**

*Discussion:* Dennis Murray said the submerged lands lease payments (Items H & I) are for two years' worth of payments and because of litigation, the ODNR decided to not issue invoices during this time. Hank Solowiej said both parties will reimburse the city for these payments.

**Roll call on the motion: Yeas: Nikki Lloyd, Greg Lockhart, Naomi Twine, Dennis Murray, Dave Waddington and Wes Poole, 6. Roll call on the ordinances and resolutions: Yeas: Nikki Lloyd, Greg Lockhart, Naomi Twine, Dennis Murray, Dave Waddington and Wes Poole, 6. The President declared the ordinances and resolutions contained in the Consent Agenda passed in full accordance with the City Charter.**

**CURRENT BUSINESS**

**FIRST READING**

**ITEM #1 - ORDERED IN 8.28.17**

**AMENDMENT TO LEGISLATION PERTAINING TO GOLF CARTS ON CITY STREETS**

**PASSED AT FIRST READING:** It is requested an ordinance be passed amending Part Three (Traffic Code), Title Nine (Pedestrians, Bicycles and Motorcycles), Chapter 379 (Golf Carts), of the codified ordinances, in the manner and way specifically set forth hereinbelow.

**Upon motion of Naomi Twine and second of Nikki Lloyd, the Commission voted to approve this ordinance at first reading.**

*Discussion:* Dennis Murray said at the last meeting, there was a discussion about extending the existing ordinance to cover Gators and other vehicles as identified in the Ohio Revised Code. This effort was spearheaded by Greg Lockhart who saw a need to expand this. Greg Lockhart said the legislation adds utility vehicles which are actually safer and will match the Ohio Revised Code. Dennis Murray said there is a difference between a golf carts and utility vehicles on a four-lane road with a speed limit of 35 miles per hour. The concern is someone changing lanes to avoid a

slow moving golf cart and invited further thoughts about this. Justin Harris said he also has some concerns about slow-moving vehicles on roadways with a 35-mile per hour speed limit and said Gators or Mules do have the ability to travel 35 miles per hour although golf carts do not. Dave Waddington asked if there have been any accidents since this legislation was originally adopted and Justin Harris said there has not. John Orzech said there are some golf carts registered which are utilized regularly, but there have not been issues with them. Wes Poole said he supports the legislation and understands the concerns about slow moving vehicles but there are accidents with regular cars at the same speed. We are moving our community toward attracting folks who treat this like a summer resort and Cedar Point Road is privately owned and these should be treated like pedestrians and bicycles. There have not been any accidents and this is overkill. If there was to be a flotilla of golf carts going to Cedar Point, the risk would go up, but the occasional golf cart going across the roadway is not a real safety problem.

**Roll call on the motion: Yeas: Nikki Lloyd, Greg Lockhart, Naomi Twine, Dennis Murray, Dave Waddington and Wes Poole, 6. The President declared the motion passed. Roll call on the ordinance: Yeas: Nikki Lloyd, Greg Lockhart, Naomi Twine, Dennis Murray, Dave Waddington and Wes Poole, 6. The President declared the ordinance passed at first reading.**

**ITEM #2 - Submitted by Aaron Klein, Director of Public Works**

**AGREEMENT WITH ODOT FOR MAINTENANCE OF STATE ROUTE 2 IN SANDUSKY CITY LIMITS**

**Budgetary Information:** The total cost for the State Route 2 maintenance services for July 1, 2016 through June 30, 2017 is \$12,256.07 and will be paid with the City of Sandusky State Highways fund.

**ORDINANCE NO. 17-175:** It is requested an ordinance be passed authorizing and directing payment to the Treasurer of State, Ohio Department of Transportation for the maintenance of State Route 2 in the City of Sandusky by the Ohio Department of Transportation for the period of July 1, 2016 through June 30, 2017; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

*Discussion:* Dennis Murray said this is for a section of State Route 2 which the State of Ohio maintains within our corporate limits and has been in place for a long time.

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

**ITEM #3 - Submitted by Aaron Klein, Director of Public Works**

**AWARD OF 2017 SIDEWALK REPAIR & REPLACEMENT PROJECT**

**Budgetary Information:** The estimated cost of the project based on bids, including engineering, inspection, advertising and miscellaneous costs is \$94,000 and will be paid with capital projects funds made available through Issue 8. Issue 8 proceeds have allocated \$100,000 annually. Including this project, the sidewalk sub-fund was also used for the concrete walkway repairs behind the art wall (\$9,800) and installation of a curb ramp at Facer Park (\$2,600) removing ADA impediments in conjunction with other existing projects. By awarding Alternate #1, the total allocation from this sub-fund for 2017 totals \$106,400 which slightly exceeds the annual allocation.

**ORDINANCE NO. 17-176:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Pit Concrete Masonry, Ltd. of Chesterland, Ohio, for the 2017 sidewalk repair and replacement project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.**

*Discussion:* Aaron Klein said there were 27 properties on the repair list for 2017 and we perform inspections and respond to complaints for service. We also take recommendations from the ADA Advisory Board and there were two large intersections in the downtown area added for improvement this year because of steep curb ramps. We have rolled some of the reseeding areas together to make sure they were accounted for by the contractor as the cost of cement has increased by fifteen to twenty percent this year. We have also added curb and gutter to this year's program and other line items so the contractor will not have to go back separately to account for drainage issues. We would still like to award the \$8,000 contingency with Alternate #1 to bring the total to \$92,198.50. Greg Lockhart thanked Aaron Klein for paying attention to the details brought forward by the ADA Advisory Board and said people were almost falling out of wheelchairs because of the condition of the ramps and this is a great thing to do for them. Wes Poole asked what is currently on the waiting list and Aaron Klein said this is probably in the four to five year range. Wes Poole suggested we accelerate this because a five-year window to catch up will only make us further and further behind. Eric Wobser said we have discussed ways to expand this program and one way is to look for additional funding as we prepare the capital budget. Another option is the potential to do an assessment program where residents pay fifty percent and the city pays fifty percent to leverage local dollars. This has been popular in other communities but we would want to have a conversation with the public and the Commissioners prior to making this recommendation. Nikki Lloyd asked if it would be possible for a property owner to tag onto our sidewalk program and pay one hundred percent to take advantage of the group savings. Aaron Klein said he can put citizens in touch with the contractor to work this out with the property owners.

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

#### **CITY MANAGER'S REPORT**

- **Upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted to accept a donation of \$1,666 from Cynthia Carrier-Vajda for a bench in memory of her parents, Mary K. and Earl L. Carrier. The bench will be located in Washington Park to the right of the gazebo. The President declared the motion passed.**
- The Sandusky Police and Fire Departments will be joining forces for **"Sub-zero with a Hero"** at Toft Dairy on September 14 from 6 p.m. to 8 p.m. This is the annual evening event of ice cream and conversation mirrored from "Coffee with a Cop".
- **Logan DeMuth and Ronta Hill-Morton were sworn in as full-time Police Officers by Eric Wobser** on August 31 and Eric welcomed them to the city.
- The next scheduled **Audit/Finance Committee meeting** is Friday, September 15 at 7:45 a.m.
- An informational meeting for the **Gartland Avenue Reconstruction project** will be held on September 12 from 6 p.m. to 7 p.m. in the conference room at the Service Center, 1024 Cement Avenue. Invitations have been sent to all property owners and tenants on Gartland to provide a summary of the upcoming construction project for the public.

- The Division of Streets & Traffic met with staff from Norwalk and the City of Cleveland to gain information and insight for fine-tuning **leaf collection and snow removal** processes. Not all ideas can be implemented immediately but it is allowing us to review current procedures to be more proactive rather than reactive.
- Because of the future school building project, the city and Erie County Regional Planning requested ODOT to complete a safety study on Hayes Avenue from Perkins Avenue to Columbus Avenue. Recommendations are being analyzed for potential implementation as part of the planned **Healthy Hayes Corridor or Safe Routes to Schools projects** to ensure safe pedestrian access for hospital employees and students using that corridor.
- **Drive Thru Drop-Off** day has been scheduled for Saturday, September 30. For questions about the event, please call 419.627.5884.
- Dennis Murray said he attended the **dedication of two Habitat for Humanity Homes** this weekend. The city made contributions to both of these projects and everyone was complimentary of all city departments who provided assistance.

#### **OLD BUSINESS**

None.

#### **NEW BUSINESS**

**Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to provide a donation to the American Red Cross in the amount of \$1,000.**

*Discussion:* Dave Waddington said he and Dick Brady spoke over the weekend about how to help folks who are dealing with the flooding. This will send a message to other communities. Dennis Murray said he supports this motion and it is a small gesture. Dave Waddington said someday this could be us and he is big in helping others and giving back.

**The President declared the motion passed.**

Naomi Twine said on **September 19 at 6 p.m., she and Dennis Murray will host City Commission Office Hours at City Hall.**

#### **AUDIENCE PARTICIPATION**

Sharon Johnson, 1139 Fifth Street, asked if a site has been chosen for the new Justice Center and Dennis Murray said a decision has not yet been made. Eric Wobser said the committee is doing site plans, fit plans and site analysis of the potential locations. Sharon Johnson asked when the City Hall developer will get paid for the start-up costs and Eric Wobser said Matt Lasko will follow up on this after the meeting. Matt Lasko said construction is anticipated to start this month and we are still in final plan review but can issue interior demolition and asbestos abatement permits. We are likely to close on financing during the next five to ten days and at this point, the city will disburse the funds to the title company which will also be matched by the construction loan and tax credit investors. Sharon Johnson said she is hearing the Jackson Street Pier plans are final and have been shown to a couple of groups, but one has been left out. Dennis Murray said there will not be final plans until the City Commission votes. Staff continues to work with different interested groups about possible compromises and there are active discussions taking place this week and next.

**At 5:37 p.m., upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted to adjourn. The President declared the motion passed.**

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Kelly L. Kresser, CMC  
Commission Clerk

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Dennis E. Murray, Jr.  
President of the City Commission