

The President called the meeting to order at 5 p.m. after the Invocation, given by Greg Lockhart, and the Pledge of Allegiance.

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

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

#### APPROVAL OF MINUTES

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to approve the minutes of the December 21, 2018, meeting and suspend the formal reading. The President declared the motion passed.

#### AUDIENCE PARTICIPATION

Dennis Murray wished everyone a Happy New Year and said he hopes it will be another great one for the City of Sandusky and looks forward to the work ahead and the partnership with the staff and members of the community.

Kathryn Carter, 5309 Columbus Avenue, said at the last meeting it was stated commissioners cannot bid on jobs for the city according to the charter. Open bidding does not make any difference and other bidders cannot be commissioners or relatives of the commissioners, or anyone else who has their hand in running the city in some way; keep it in the family or keep the bid low for a favor later. This seems to be a safeguard to keep corruption out and we just saw corruption in the L.A. City Council. It seems pretty straightforward and does not need an explanation. She does not know Dick Brady personally, but said he seems to be an upstanding person with a reputable business. He is also a commissioner and his bid should never have been submitted or accepted. If this situation had happened and been overlooked in the past, it should not have been, but it is not a pass to let it happen again. These signs will not be needed for a while and the bidding should be reopened to see if the city can attract more companies to submit bids and Dick Brady would be safe from controversy. It was interesting Nikki Lloyd stated the vote should proceed and they can clean up the charter later, but asked how and when a charter would be cleaned up when it has been working for this long.

#### PRESENTATION

Debi Eversole, Housing Development Specialist, said she is here to review the **2018 Housing, Development & Beautification program grant funding** as well as to show comparisons with previous years and introduce new incentives for the program year 2019. As in previous years, the 2018 program provided grant funding for property owners to make exterior home repairs or make substantial redevelopment to their properties. Additionally, the program provided assistance to purchase new homes within the City of Sandusky. In 2018, there was \$300,000 of funding in the program with added carryover funding of \$59,569 from the 2017 program year. The carryover funding came as a result of rescinded funds committed for projects but not completed within the guideline requirements. The program also started with \$528,964 in funds designated exclusively to the six Sandusky neighborhood initiative areas also known as the model block areas. Approximately \$71,000 of the initial \$600,000 was funded in 2017. During the program year, there was a total of 242 approved applications consisting of 21 substantial redevelopment projects, 161 exterior repair projects (including 36 landscape projects) and 60 applicants received down payment assistance. The 242 parcels were mapped using GIS to show the locations of funded projects across the city. Over \$717,000 was committed toward the projects for the year. Of this, \$339,000 was committed to repairs, improvements and development. Project costs for repairs, improvements and development exceeded \$2.5 million leveraging private dollars 3.7 times. The down payment assistance portion awarded almost \$178,000 for buyers to come into the city. To

highlight comparisons from 2016, the number of approved applications has increased about two and one half times because of additional funding sources, but also through word of mouth, neighborhood meetings coordinated by commissioners and staff, placing signs at completed projects, information on the city's website and social media along with speaking with contractors, mortgage lenders and real estate agents to make them aware of our programs. There were 21 substantial redevelopment projects awarded increasing from ten in 2017 and two in 2016. The 161 approved applications for exterior repair increased from 97 in 2017 and 60 in 2016. There were 36 landscape projects which are now add-on options to the exterior repair program and 60 down payment assistance grants were awarded. This is an increase from 51 in 2017 and 30 in 2016. Of the 60 homes purchased in the city, 52 were for first-time homebuyers for 87% of the applications; 27 were previously vacant homes which was 45% of the applications; and 24 buyers moved into the city for about 40% of the applications. The average purchase price was \$86,000. Comparisons for the down payment assistance program were 60 homes purchased in 2018 compared to 51 in 2017 and 30 in 2016. The number of first time homebuyers is always the largest percentage of the applicants although not a requirement. There were 52 approved applications for first time homebuyers or 87% of the applications as compared to 45 in 2017 or 88%, and 27 in 2016 or 90%. Previously vacant homes included 27 in 2018, or 45% as compared to 23 in 2017 or 45%, and 11 in 2016 or 37%. Twenty-four applications or 40% moved into the city in 2018 compared to 22 in 2017, or 43%; 8 in 2016, or 26%. The average purchase price stayed the same around \$86,000. One of the direct goals of the program is to eliminate code violations. In 2018, the program assisted applicants in correcting 27 code violations with seven yet to be completed in early 2019. Incomplete projects will not be awarded funding and they will also be assessed administrative penalties for code violations if not corrected. Several examples of corrected code violations were shown including peeling paint, lead abatement and safety repairs. The city also provided assistance for three newly constructed homes within the municipal boundaries of Sandusky; one was through Firelands Habitat for Humanity and two were privately-funded projects. The city provided \$5,000 for a family room addition under the substantial redevelopment for a total project cost of \$23,800. A siding and landscape improvement was made on Harrison Street, a porch and landscape project on Shelby Street, driveway repairs on Heritage Drive, and driveway and sidewalk repairs on Wayne Street. There are some exciting new initiatives planned for 2019 and we are getting ready to roll out the 2019 housing development and beautification guidelines and application. We plan to announce the availability through the city's website, a mailing for those on a wait list and attending a workshop hosted by the Code Enforcement Office (landlord/tenant-based audience) and a real estate workshop later in the spring. The city-wide tax abatement is in full effect. Due to the expansion of the former downtown community reinvestment area, we were fortunate enough to have the ability to offer residents a ten-year, 75% tax abatement on new construction or the improved value of a home due to restoration. We plan to strategize ways for employers to offer these incentives to their current employees to relocate. This may bring in additional funding and we can continue to grow the program. Aaron Klein and staff in the Public Works Department are ready to introduce a new grant program called the Utilities, Health and Safety program. This program will provide grant assistance to residents to repair or replace the water or sewer lines on their portion of the property. The program is designed to aid in the repair or replacement of private water service lines or sewer laterals which post a health and safety risk to the property owners, tenants or to the general public. The program has very similar standards as the current Housing, Development and Beautification program. Assistance will be offered for utility work in the amount of fifty percent of the eligible project cost per property. Each category of the program will be funded \$100,000 and the maximum grant awarded for sewer line projects will be \$8,000. The maximum grant awarded for water line projects will be \$6,000. If it is determined both water and sewer lines need to be replaced or repaired, a maximum of \$12,000 may be awarded to eligible applicants. Standard eligibility for the program includes full replacement of lead water service lines, repair or replacement of sewer laterals with significant defects which will cause large amounts of infiltration or exfiltration, and repair or replacement of sewer laterals in poor condition or with obstruction. There are also emergency situations which may include full replacement of leaking water lines resulting in no or low water pressure to the point of no water or high utility bills, repair or replacement of sewer

laterals causing a safety concern (such as sinkholes in the right-of-way or the street), or a total collapse of a sewer lateral resulting in sewage backup in a residence. The administration of the grant programs will be through the Community Development Department and anyone interested may contact Debi Eversole, Arielle Blanca or Matt Lasko. Staff in the Public Works offices will respond to calls regarding the utility program. Dave Waddington said he is pleased to see this improvement and thinks it is becoming more noticeable as he drives around the community. Greg Lockhart said now that we have Debi Eversole on full-time, the transition for those coming in is even more seamless to obtain grants and to understand them. Wes Poole asked if there are photos of all of the houses and Debi Eversole said there are before and after pictures of all of them. Wes Poole said it would be in our interest to look at these every three years to see what the properties look like and evaluate how well the program is actually working. Aaron Klein said this program is something we wanted to do for a while but have not been able to find the time to get it in order. This will benefit the city and the residents. If there is a sinkhole under the road, the resident is responsible for fixing their sewer lateral as well as fixing the road and this could be very costly. We will be paying for half of this cost which will improve safety, but the inflow and infiltration will not get into the sewer system and have to be treated at the Waste Water Treatment Plant. If it were going into the combined sewers, it would also be contributing to overflows. One of the goals municipalities deal with on a regular basis is infiltration issues and this is a large reason why we have overflows throughout the city. There are still service lines with lead and this is a significant issue. If someone has a frozen water line in the winter and have an emergency callout, this could be a \$4,000 to \$5,000 cost as these are sometimes under driveways. There is mutual benefit and this is a good way of increasing the program which has already been successful and positively received. This additional component would help property owners with massive repairs. Wes Poole asked where we are coming up with the money to pay for it. There are approximately 15,000 homes in Sandusky and this would be a lot of \$100,000 items. Wes Poole asked to investigate how the utility company's program insurance works where a property owner can pay to cover the area from the street to the house. Dennis Murray said he believes there is such a program for the electric lines and Wes Poole said he believes there is also one for water, but later clarified he thinks this may have been for gas lines. It is not particularly likely this would happen to any one of us, but if it did, the costs would be covered. Dennis Murray thanked Debi Eversole and said there has been a consistent increase year-to-year and the program is being accepted more broadly in the community. This is great and he spent so much time at 308 East Adams Street as a child as this is where his father grew up and was saddened to see the home fall into disrepair. He went by recently and sees it has been fixed up and now knows the back story to it.

### **CURRENT BUSINESS**

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

**Dennis Murray asked if anyone wished to remove any items from the Consent Agenda. There were no requests to do so.**

### **CONSENT AGENDA ITEMS**

#### **A. Submitted by John Orzech, Police Chief**

#### **AUTHORIZING GRANT APPLICATION WITH OHIO ATTORNEY GENERAL FOR PURCHASE OF BODY ARMOR**

**Budgetary Information:** The total amount being requested is \$23,763.19 for the purchase of body armor for officers of the Sandusky Police Department to replace body armor vests that are nearing the end of their useful life and the purchase of Shot Stop ballistic plates and carriers and body armor for an SRT member. This will require a 25% local match of \$5,940.80 which will be paid out of the police operating budget.

**RESOLUTION NO. 001-19R:** It is requested a resolution be passed authorizing and directing the City Manager to submit a grant application to the Office of the Attorney General for financial assistance through the Ohio Law Enforcement body armor program; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**Submitted by Jason Werling, Recreation Superintendent****AUTHORIZING AGREEMENT WITH GREAT WHITE NORTH (GWN) FOR 2019 DRAGONS & BACON FESTIVAL**

**Budgetary Information:** The amount payable by the City of Sandusky Recreation Division to GWN Communications, Ltd. Under the agreement for the 2019 Dragons & Bacon Festival is \$16,268. A 25% deposit totaling \$4,067 is due upon signing the agreement, on or before January 31, 2019. The City of Sandusky shall have the right to terminate the agreement due to the cancellation of the event or lack of team registrations, if written notice of cancellation is received before August 15, 2019, at which the 25% deposit will be refunded. If paid, the city will recoup these costs from the registration fees paid by the participants.

**ORDINANCE NO. 19-001:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a services agreement with Great White North Communications, Ltd., of Toronto, Ontario, for services related to the third annual Dragons and Bacon Festival for the Recreation Division; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**C. Submitted by Matt Lasko, Chief Development Officer****CHANGE OF FUNDING SOURCE FOR DEMOLITION PROJECTS**

**Budgetary Information:** The proposed expenditure transfer will decrease the CDBG revolving loan fund balance by \$40,000 and will increase the CDBG fund by \$40,000.

**ORDINANCE NO. 19-002:** It is requested an ordinance be passed amending Ordinance No. 18-111 passed on May 29, 2018; authorizing and directing the City Manager to enter into a contract with Ed Burdue & Co., LLC, of Sandusky, Ohio, for the CDBG FY 2017 demolition project #2; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**D. Submitted by Kelly Kresser, Commission Clerk**

**A notice was received from the Ohio Division of Liquor Control for the transfer of C1 (beer only in original sealed container for carryout only), C2 (wine and mixed beverages in sealed containers for carryout), and D6 (sale of intoxicating liquor on Sunday between the hours of 10 a.m. or 11 a.m. and midnight) TREX liquor permits from DHRUV, LLC to EKDANTA, LLC dba Sandusky Food & Wine, 303 Fremont Avenue. It is requested the Commission Clerk be authorized to notify the Ohio Division of Liquor Control the city has no objection to this transfer.**

Upon motion of Nikki Lloyd and second of Wes Poole, the Commission voted to accept the Consent Agenda and declare all ordinances and/or resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in full accordance with the Section reflected in the ordinances and/or resolutions whether it be in full accordance with Section 13 or Section 14 of the City Charter. Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. Roll call on the ordinances and resolutions: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. The President declared the ordinances and resolutions contained in the Consent Agenda passed in full accordance with the City Charter.

**REGULAR AGENDA****SECOND READING****ITEM #1 – Submitted by Matt Lasko, Chief Development Officer****INTERIOR SIGNAGE FOR THE NEW CITY HALL**

**Budgetary Information:** The total cost estimate for this project, based on bids, including advertising and miscellaneous costs is \$10,000. The project will be expensed from the capital projects fund.

**FAILED:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Brady Sign Co. of Sandusky, Ohio, for the City Hall signage and wayfinding project – interior signage; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Wes Poole and second of Greg Lockhart, the Commission voted to approve this ordinance at second reading.**

*Discussion:* Dennis Murray said as he understands it, Dick Brady has indicated he does not want this controversy and that he bid this low as a matter of pride and because it is our City Hall. He wanted to do whatever the right procedure would be and proceed. His understanding is the commission should vote this legislation down and then award the contract to the second lowest bidder. Trevor Hayberger said to be clear, it would be appropriate to have the motion and vote as this has actually been voted on one time and passed; it is cleaner to make the motion and vote no. Nikki Lloyd said if the bid has been withdrawn and the vote is no, this means the commission is voting no on the withdrawal. Dennis Murray said his understanding from the Law Director is we are simply voting it down and is the cleanest way to deal with this and move on to the next bid. Naomi Twine said if the bid has been withdrawn, there is nothing to vote on. Trevor Hayberger said the problem we have is Dick Brady has withdrawn his bid and some of the provisions in our contract allow him to do this. It would be much cleaner to vote the legislation down. There is a bid before the commission which has been arguably withdrawn but the commission could actually contest the withdrawal and is the reason for the vote. Wes Poole said we need to do this appropriately and does not believe the bid can be withdrawn. This is complicated and he can withdraw the bid just as he was allowed to make it. At this juncture, because it has gone as far as it has, it is inappropriate for the commission to allow him to withdraw his bid. The reason the bidding process exists is to ensure the citizens get the lowest and best bid. Had this been withdrawn before they were opened for everyone to see what the bids were, or perhaps the commission voted to accept the bid, it might have been okay. The commission has voted to accept this and at this point, this vendor owes it to us to fulfill the contract (after the vote); letting him leave now opens up the system to question. If one bidder is allowed, at this juncture, to withdraw his bid, then the only remaining bidder also should be able to withdraw his bid without explanation. The city would be stuck rebidding; we have exposed what should have been done for \$10,000. The \$20,000 bid could be moved up to \$30,000 and we cannot put ourselves in this position. Wes Poole said this is a written process which the city approved and moving down the line, if any bidder would like to get out, we should get this in writing, debate it on its pros and cons, and simply approve the withdrawal and move to the next question as to what bids are left. We can take the next bid, or recognize the difference between them is so large, perhaps it should be re-bid. Switching this and taking a \$9,000 loss because one bidder decided to leave – or whatever the reason - is perfectly acceptable as a businessman. Wes Poole said a businessman is in business to make money and if after the bids are opened, a bid was significantly less and a lot of money is left on the table because of a very low bid and not much money is to be made, it may be a business decision to get out of this because they could take another bid to get something else and make more money. Dennis Murray asked Wes Poole what he was suggesting and Wes Poole said the situation is, without Dick Brady or not, bidders at this juncture should not be able to walk away because the city will be left with this. This has nothing to do with Dick Brady and he is sorry it is him. Dennis Murray asked if Wes Poole agrees with Trevor Hayberger the commission should vote this down and Wes Poole said the commissioners can vote how they want and he is not sure and wishes they had not tried all these different angles. Dennis Murray asked what he (Wes) is advocating for. Wes Poole asked Trevor Hayberger to explain what the original issue was with the charter and Dennis Murray said we went through this at the last meeting and does not want to go through it again. Wes Poole said this is part of the process. Dennis Murray said he has the right to tell him (Trevor) whether to answer this question or not based upon the fact we have gone through it before and he chairs the meeting. Wes Poole said he did not wish to do this, but suggests the reason given by the Chairman is inaccurate and inappropriate. This is a cover-up for the fact we are not allowed to give a contract to a member of the commission and rather than just saying we made a mistake and voting it down, we have come up with this discussion about underbidding and not wanting to create a problem and this is what this is all about and is what he objects to. He would have voted this away just fine if this had not been done. People are not honest and it is as simple as that. Dick Brady should never have been allowed to bid and should have been told before he did it was inappropriate. Staff allowed this and tried to slide it through;

it came up at the last meeting and now we have an issue and are trying to get by. Nikki Lloyd said absolutely nothing is being slid through. Before Trevor Hayberger was asked about any type of legislation like this, she asked the previous Law Director if one of her businesses could bid on another project if something came up for a public relations or marketing project because of being on the commission. She was told and advised if it was a competitively bid process and her company's bid came in the lowest, she would or could be awarded the job. Perhaps this is just a problem with interpreting our charter. This was prior to Trevor Hayberger being the Law Director and he is not in the hot seat. This is following what everyone has done in past years. If the new interpretation is Dick Brady should not have put in a bid, this is all news to her and is why she was comfortable voting this through last time. She is still comfortable awarding this to Dick Brady if he does not want to withdraw. We are trying to keep dollars in our community and award jobs to local businesses; the other company may be in Ohio, but they are not in our community and the city will spend another \$9,000 because our charter is being interpreted this way. This is a complete mess and it should not have been. Nikki Lloyd said she has no idea what to do with Item #1 or Item #2 and truly thinks whatever Dick Brady is most comfortable with is what we should probably do. She was very sad to see the Agenda get sent and the first thing she did was make a phone call because it is not where our dollars should be going. If a business owner chooses to make a little less profit to help our community, there is no reason to not allow them to be able to do so as long as they are kept to the highest standards. All of the standards would have to be met with the bid and what is agreed to as would any other company which bids. Dick Brady has done nothing wrong by putting in his bid and she is sorry there is confusion but, obviously, we have some legislation to reword to make it absolutely clear it is okay for a commissioner to bid a project. We are not going to be commissioners forever and we have a lot of small businesses opening up and is what we are attracting to our community. We want small business owners to be on the commission and it is very helpful; we want to be sure we are not deterring them from running. Greg Lockhart said at the last meeting, he asked for clarification and was told staff would come back with information. Small business is one of the greatest things we have in this country and if it is possible for Dick Brady to have this contract, so be it. We are looking at formality, rule and/or law and asked for clarity about this and a genuine legal perspective. Trevor Hayberger said Article 43 of the Charter states no commissioner shall have an interest in a contract and feels it would be improper for the commission to vote to approve the contract as there is an interest by a commissioner. Greg Lockhart said a second reading does not call for a vote but we should just vote it yes or no and this will be the end of this issue. Dennis Murray said Dick Brady has done exactly what was requested regarding the objection raised and this is an attempt to address it.

**Roll call on the motion: Nays: Dave Waddington, Greg Lockhart, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 6. Abstain: Dick Brady, 1. Roll call on the ordinance: Nays: Dave Waddington, Greg Lockhart, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 6. Abstain: Dick Brady, 1. The President declared the ordinance fails.**

**ITEM #2 – Submitted by Matt Lasko, Chief Development Officer**

**INTERIOR SIGNAGE FOR NEW CITY HALL**

**Budgetary Information:** The total cost estimate for this project, based on bids, including advertising and miscellaneous costs is \$20,140. The project will be expensed from the capital projects fund.

**ORDINANCE NO. 19-003:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Adams Signs of Massillon, Ohio, for the City Hall signage and wayfinding project – interior signage; 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 Naomi Twine, the Commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Wes Poole said with the discrepancy of the differences between these bids of almost fifty percent, he is not comfortable the bid is acceptable for \$20,000 as it is \$9,000 more than the other one. We are possibly overpaying for this and thinks it should be re-bid. We know the job is worth \$10,000 and paying \$20,000 out of hand just because it is convenient does not make sense to him. Dennis Murray said we do not know it is worth \$10,000 and disagrees with this as Dick Brady took a blow being the lowest bid as a matter of honor and we have been through this. Dennis Murray asked Trevor Hayberger if the commission is in a position to reject the bids without legal liability. Trevor Hayberger said he does not think they can reject it at this point although they can always vote no; however, he does not know what the grounds for a rejection would be. We have two bidders and one was voted down; this is the second bid and we would be subject to some liability if we said no to this one. There is nothing of substance to disqualify it. Greg Lockhart said his understanding is the commissioners must approve any expenditure above \$10,000 so prior to their approval, there is nothing committed. Dennis Murray said if he understands correctly, when we issue requests for bids and receive a qualified bid, we are obligated to award the bid and this is part of the bidding process. We are not free to reject it without a reason as this creates liability for the profits the bidder would have made on the job. Wes Poole said Trevor Hayberger is correct and we are stuck; when we did not apply this reasoning to the first bid, we lost our ability to apply it to the second one.

**Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 6. Abstain: Dick Brady, 1. Roll call on the ordinance: Yeas: Dave Waddington, Greg Lockhart, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 6. Abstain: Dick Brady, 1. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.**

**Item #3 - Submitted by Matt Lasko, Chief Development Officer**

**PERMISSION TO BID PHASE 2 DEMOLITION AT THE FORMER SITE OF WISTERIA FARMS**

**Budgetary Information:** The total estimated cost for this project including advertising and miscellaneous expenses will exceed \$10,000. After receipt and review of bids, staff will present to City Commission a recommendation to enter into a contract with the firm that provided the lowest and best bid for demolition. The proposed funding source for the demolition is the EMS fund.

**RESOLUTION NO. 002-19R:** It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed Phase 2 demolition of the former Wisteria Farms project; 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 Naomi Twine and second of Dave Waddington, the Commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Matt Lasko said this is the second and hopefully last phase of what was always intended to be a complete demolition of this two-acre site at Campbell and Boalt Streets. We undertook a Phase II in 2017 to clean up the above-ground issues (garage structures and abandoned vehicles) and some brick piles containing asbestos. Since then, we have experienced several delays and continue to perform due diligence including updating our environmental report because it had become dated. We also needed to look for orphaned underground storage tanks which fortunately do not exist. We tested the basements of the existing buildings to make sure there were not materials containing asbestos. We also needed to delineate a portion of the site which contains PCB's above residential development standards. We have completed all of our reporting and are in the final stages of completing our demolition specifications and now are looking to go forward with the second phase to fully bring the site back to greenspace for the neighborhood. We have not done contractor's cost estimates for our commercial and industrial projects. Fortunately the first phase of demolition included significant amounts of demolition and removal of asbestos-containing materials; all of the materials went to a certified landfill. The first phase cost \$144,000. His expectation is these bids will come in significantly less than \$100,000 as

the existing site area does not contain asbestos and materials will go to a normal landfill. Dennis Murray asked if this parcel can go into residential use once it is cleaned up and Matt Lasko said once we clean it up, it will be developable to a residential standard. This could mean if the neighbors wanted to, we could divide the site to provide additional greenspace or backyards for some of the homes. Until then, the site is owned by the State of Ohio as it was forfeited through state tax foreclosure. Once we clean up the site, if we determine residents want it, the city or the county land bank could have ownership and turn it over for re-platting. Dennis Murray said he does not think we have any demolition projects on our agenda tonight, but we should be discussing this with the public as we are running out of demolition funds. We have been extraordinarily successful for the last number of years based on state and federal grants and a lot of hustle to find funding but are running out of sources. The state is not contributing additional dollars and it does not look like the federal government is contributing, so we need to develop a funding source for our land bank program; otherwise, we are going to be out of business pretty soon. Greg Lockhart said he has seen these results all over the state and funding is drying up on demolition funds. This seems to be the trend and he would like to see more rehabilitation than demolition to reinvigorate our neighborhoods and improve property values. We may think about partnering with entities like Habitat for Humanity as they can rehab rather than demolish although some should certainly be torn down. Dennis Murray said this is very important and as we wind down the demolitions, he agrees, but does not think we are quite there yet. We still have an inventory of about 200± houses on the property survey some years ago which really need to be torn down. Matt Lasko said the original Western Reserve survey had 191 properties including commercial, industrial and residential. As we were able to dig into this number through code compliance, we have added to it as well. At this point, we have about 125 left which we are tackling through the CDBG annual allocation and Erie County's Land Bank funding. The County land bank is sitting on about \$225,000 and this will carry us through 2019; after this, there is no other state or federal funding earmarked or identified for any land bank. We are in initial discussions to come up with a sustainable operating source. Land banks have limited liability compared to municipalities coming into ownership positions and addressing these properties. Keeping the health of our community land bank is of the most importance going forward. The initial \$1.5 million was set aside through legislation a couple of years ago and we are down to about \$1.25 million not yet committed. Dennis Murray said he would appreciate the commission being updated with more information in the months ahead as we look at alternative sources. Matt Lasko said it is fair to say we are halfway through with the initial list of houses which we believe was actually closer to 300 (not 191).

**Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. Roll call on the resolution: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.**

**ITEM #4 - Submitted by Matt Lasko, Chief Development Officer**

**SALE OF PROPERTY LOCATED ON VENICE ROAD**

**Budgetary Information:** The city will be due \$500 (less closing costs) for the sale of the property. The funds will be deposited into the real estate development fund.

**ORDINANCE NO. 19-004:** It is requested an ordinance be passed declaring that certain real property owned by the city located on Venice Road, Sandusky, and identified as Parcel No. 60-00043.111 is no longer needed for any municipal purpose and authorizing and directing the City Manager to enter into an agreement to sell the designated real property to Joanne M. Hoelzer; 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 accordance with Section 14 of the city charter.**



**Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. Roll call on the ordinance: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.**

**Item #5 - Submitted by Matt Lasko, Chief Development Officer**

**PERMISSION TO BID ASBESTOS ABATEMENT AND DEMOLITION OF HOUSE LOCATED AT 1114 FIFTH STREET**

**Budgetary Information:** The total estimated cost for this project including advertising and miscellaneous expenses will exceed \$10,000. After receipt and review of bids, staff will present to City Commission a recommendation to enter into a contract with the firm that provided the lowest and best bid for the demolition. The proposed funding source for the demolition will be recently received fire insurance funds being held by the city from the insurance company providing coverage for the property.

**RESOLUTION NO. 003-19R:** It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed demolition and asbestos abatement of 1114 Fifth Street project; 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 Wes Poole, the Commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Dave Waddington said he is happy he will be able to walk down Fifth Street again with his dog. This house has been a mess since the fire. Dennis Murray said this is a burned out house which has sat for a long time and knows this can be frustrating for the public. There are a lot of hoops to go through including the homeowner insurance and we do not want to act too abruptly and impact the homeowner's options but at some point, we need to act on behalf of the residents in the community. It is time to bring this to a close regardless of the reason(s) it is still standing. Dick Brady said this highlights staff looking at setting aside funds for this very purpose as this will end up taking dollars from the city at some point in time. There is another property on Camp Street that is probably in just as bad of a condition and our citizens are going to have to bear these costs. It is so unfair to leave this type of a hazard in any neighborhood whether in one of our finest, or in one of our needy ones. Stepping in and taking private property is a dicey affair but is optimistic we can find some way to set aside dollars for this reason. There may be years we may not need these funds, but there may be others where we have them set aside and it is prudent to be thinking in these terms.

**Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. Roll call on the resolution: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.**

**Item #6 - Submitted by Jeff Keefe, Project Engineer**

**PROFESSIONAL SERVICES AGREEMENT WITH K.E. MCCARTNEY & ASSOCIATES FOR COLUMBUS AVENUE/SCOTT STREET/CAMPBELL STREET PROJECT (PHASE 3)**

**Budgetary Information:** The cost of the professional services is not to exceed \$13,851.60 and will be paid with Issue 8 infrastructure funds from the capital project funds.

**ORDINANCE NO. 19-005:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for professional services with K.E. McCartney & Associates, Inc., of Mansfield, Ohio, for contract administration and inspection services for the Columbus/Scott/Campbell intersection project, Phase 3; 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 accordance with Section 14 of the city charter.**

*Discussion:* Dennis Murray said this was one of the projects laid out as far back as the Bicentennial plan when we were looking at what we wanted to do with the layout of some of the streets and intersections which were tough to get through. This is the last of three phases we are going to go through to complete this project and it is a much improved area and safer for pedestrians.

**Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. Roll call on the ordinance: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.**

**Item #7 - Submitted by Aaron Klein, Director of Public Works  
ACCESS & UTILITY EASEMENT FOR 246 EAST MARKET STREET**

**Budgetary Information:** There will be no impact on the city's budget to approve this easement.

**ORDINANCE NO. 19-006:** It is requested an ordinance be passed authorizing and directing the City Manager to grant an access and utility easement to Wagner Building, LLC, for the purpose of general access to 246 East Market Street, Sandusky; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

*Discussion:* Aaron Klein said the Schmidt Building, which is immediately adjacent to the parking lot at Hancock and Market Streets, was recently renovated with the parking shifted to the South side of the facility. This easement provides a 10' access for utilities, for rear parking and for exterior maintenance of the structure itself with the understanding the parking lot owned by the city is the site selected for future development. We have been making sure both parties are completely onboard with the language and there are a couple of minor legal things that need to be cleaned up. For the most part, both parties are onboard with this and we wanted to get it transferred.

**Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. Roll call on the ordinance: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.**

**Item #8**

**APPROVAL OF COLLECTIVE BARGAINING AGREEMENT WITH AFSCME LOCAL #1519**

**ORDINANCE NO. 19-007:** It is requested an ordinance be passed ratifying, accepting and approving a collective bargaining agreement between the City of Sandusky, an Ohio Charter Municipal Corporation; and the American Federation of State, County and Municipal employees Local #1519, the collective bargaining unit for certain employees of the City of Sandusky, for the period January 1, 2019, through December 31, 2021, a copy of which is attached to this ordinance; 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 Dave Waddington, the Commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Dennis Murray said this is the last of the three union contracts we need to approve every three years. This one includes non-administrative employees from the street department, water and sewer, parks and others. Trevor Hayberger said some of this is very similar to the other two contracts. Aaron Klein said he spoke with the President of the AFSCME union after negotiations and he expressed how happy many of the union members were with the administration and the way the city is moving forward and the relationship(s) gained during the past three to five years. There is a lot more confidence from many of the union members and when it was voted on, it passed easily.

**Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. Roll call on the ordinance: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.**

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

- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept a donation from Kathleen Fitz in the amount of \$40 for the K9 fund. The President declared the motion passed.**
- **Upon motion of Dick Brady and second of Naomi Twine, the commission voted to accept a donation valued at \$13,030.84 from The Pioneer Committee.**

*Discussion:* Eric Wobser said The Pioneer Committee donated materials to be placed at the Freedom Shrine in Washington Park including brick pavers, concrete and the Martin Luther King, Jr. bust. The total monetary value of this donation is \$13,030.84.

**The President declared the motion passed.**

- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept a donation valued at \$2,500 from Balconi Monuments.**

*Discussion:* Eric Wobser said Balconi Monuments donated the pedestal for the bust of Martin Luther King, Jr. which will be erected at the Freedom Shrine in Washington Park. Dennis Murray said this is a very substantial contribution and we appreciate it; Balconi Monuments has been a great partner with this entire project and bringing it to completion.

**The President declared the motion passed.**

- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to accept a donation from Allison and Mike Will, c/o San Marino Development Company, LLC, in the amount of \$500 to be used to purchase holiday lights for Washington Park. The President declared the motion passed.**
- **Upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted for the commission to allow sending a letter of application to the Dorn Foundation for potential funding of the body worn camera project.**

*Discussion:* Eric Wobser said the Police and IT Departments are finalizing a decision to purchase new body worn cameras. The first cameras were purchased in 2015 with a generous donation by Mel Stauffer through the Dorn Foundation. In light of the Dorn Foundation's generous support of the Police Department and this program, we will be sending a letter to determine if they want to continue their funding/support of this program. If they determine they want to make a donation to the program, acceptance of the grant dollars will appear in the legislation that will come before the commission.

**The President declared the motion passed.**

- **Fire Fighters continue to be active in the community** including helping twice a month with OHgo's mobile food party and Project Happy. They also assisted with Sandusky Recreation's Spring Break Camp at Sandusky High School.
- Throughout the month of December, **Fire Fighters and Explorers volunteered at Victory Kitchen** as an extension of No Shave November.
- On Christmas Eve, the **Fire Department turned into Santa's workshop** with Fire Fighters putting toys together and serving as Santa's elves. Dennis Murray said he loved this clever idea and wishes it had been around when he himself was putting toys together.
- **Lt. Bodle and Community Impact Officer Jeff Danevich provided drone coverage for the Shine on the Shore event** which took place the week before last.
- The next scheduled **Audit/Finance Committee meeting** is February 22 at 8 a.m.
- Congratulations to **Chris Hamilton for his promotion to Plant Maintenance I at the Waste Water Treatment Plant and welcome to Scott Romick who joined Oakland Cemetery as a Maintenance II.**
- The **unveiling of the MLK bust in Washington Park** will be presented by the Pioneer Committee on January 21 at 3 p.m. We want to thank all who have worked hard to make this possible. It will be a wonderful tribute to Dr. King in one of our most civic spaces.
- ODOT has awarded \$1,285,470 of safety funds to the City of Sandusky for **safety-related improvements on Hayes Avenue between Orlando Pace Drive and Columbus Avenue.** The project will consist of re-striping, signal replacements, pedestrian crossings, pre-emption and other infrastructure improvements and construction is planned for 2023.
- The Ohio Public Works Commission has awarded funding for the **Thorpe Drive culvert replacement** project which includes complete replacement of a large, damaged culvert pipe, resurfacing from the culvert to Venice Road and partial sidewalk replacement.
- On January 2, the city published its annual notice in the Sandusky Register outlining **solid waste disposal requirements.** Any properties found to have trash, debris, garbage and other refuse in the public right-of-way or boulevard outside of the permitted times shall be declared a nuisance and the city may cause said refuse to be immediately removed without further notice. If the city removes the nuisance, the cost of doing so, along with a \$100 administrative fee, shall be assessed to the property owner. As a reminder, trash, debris, garbage and other refuse or recyclables may be placed upon a curb for curbside collection no earlier than 6 p.m. on the evening prior to the scheduled collection of solid waste, and any solid waste or containers which remain after collection shall be removed from said curb no later than 8 p.m. on the date of collection. As a reminder, Code Compliance can be reached at 419.627.5913 for questions or concerns related to code issues. Code Compliance strives to return calls within two business days. Dennis Murray said a couple of years ago, the city modified the legislation and trash can now be put out no earlier than 4 p.m. because of it getting dark earlier during the winter months.
- **Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to allow a reduction of \$3,100.69 to Tracey Dennis for a previously-issued CHIP loan.**

*Discussion:* Eric Wobser said Tracey Dennis is requesting a satisfaction of mortgage for her 2005 CHIP owner occupied rehabilitation program loan. Ms. Dennis received a \$22,216

loan in 2005; the current amount owed to the city is \$11,108. Ms. Dennis is requesting to pay back \$8,007.31, a reduction of \$3,100.69 to her loan. The \$8,007.31 is the amount that will be remaining to pay off the balance of the loan after the property is sold. If sale of the property does not take place, the bank will continue to foreclose on the property. City staff is recommending approval of the satisfaction to allow the sale to take place so the property does not go into foreclosure.

**Roll call on the motion: Yeas: Dave Waddington, Greg Lockhart, Dick Brady, Dennis Murray, Wes Poole, Nikki Lloyd and Naomi Twine, 7. The President declared the motion passed.**

- **The Sandusky Transit System will be adding Sunday service to the Blue Line, on fixed routes, starting February 3.** No Dial-A-Ride service will be offered on Sunday.
- **Sandusky Transit will be releasing a request for proposals for a new transit advertising partner on January 15.** Completed packets will be due to the Planning Department no later than 10 a.m. on January 29.
- The regular **Planning Commission** meeting is scheduled for January 23 at 4:30 p.m.
- The regular **Board of Zoning Appeals** meeting for January has been canceled.
- A **Landmark Commission** meeting is scheduled for January 16 at 4:30 p.m.
- The Sandusky Recreation Department would like to thank the following businesses and programs for their **donations of time and food for our New Year/New You Winter Break Camp at Sandusky High School:** Lee's Famous Recipe Chicken, Berardi's Family Kitchen, Pizza House East, the Sandusky Junior Sailors, Diversity Dance, Sandusky Fire and Police Departments, chess players of Huron, Erie, Seneca and Sandusky Counties, Color Me Pretty with Bridget Sanders and Leslie Griffin with the Crooked Canvas. Morgan Johnson with OHgo also donated her time for the three-day camp. Eric Wobser commended Tondra, Jason and Annette from the Recreation Department and the volunteers who did a great job with this event. Thanks to Sandusky City Schools for providing the space, the newly-renovated Sidney Frohman Planetarium and Colin Irish and the boys basketball teams. Dennis Murray said this was an extension of what our Recreation Department is doing and was a great collaboration with Sandusky City Schools.

#### **OLD BUSINESS**

Nikki Lloyd said as we are looking at the competitive bid process, she would like Trevor Hayberger to take a look at what we just finished with the Public Arts & Culture Commission. If there are artists on this commission who may wish to bid a project, they are unable to vote on it and this has a **huge potential for savings for our public arts program.**

Dennis Murray said he appreciates Stuart Hamilton and Aaron Klein putting something together giving the city some ability to **monitor what is going on with trains blocking crossings on the west end of the city.** This is terribly important to our residents and Senator Brown's office reached out and put the city in touch with folks in Columbus who are looking at similar issues for additional resources. His office immediately responded and we are looking forward to their help.

#### **NEW BUSINESS**

**Upon motion of Wes Poole and second of Dave Waddington, the commission voted to set a Public Hearing on February 25 regarding an amendment to Chapter 1161, Landmark Preservation. The President declared the motion passed.**

**AUDIENCE PARTICIPATION**

Kathryn Carter, 5309 Columbus Avenue, said all utilities have some kind of policy for broken lines. She ran into a situation where an aunt had one of the companies doing a water, electric and gas line but when there was low pressure, this was not covered. If it would have burst or failed, they would have covered it. When paving the driveway, the gas line had to be moved and this was not paid for either. The Hogrefe property on East Market Street always has sun on it and her concern is she cannot tell what footprint the new building will take and if there will be enough room between the two buildings. She asked how cars will get to the parking spaces in the back and if there will be enough air circulation. They put a lot of money into this building and it is gorgeous, and with freezing and thawing of the brick, this would be of concern when it will be shaded by a five- or six-story building. They also just lost all of their views. Meghan Hogrefe has a business with paddleboats and kayaks and the city opened up a hole in the stone to get them to the water. She asked if the city is going to close this up in the winter because when it freezes, someone will try to get on the water because it is easier to access. Today was a sad day for some people because construction started on the Jackson Street Pier. There has been sniping in the newspaper and Dennis Murray stated this has been a large controversy. There are people who are upset, people looking forward to it and people who are just waiting to see what is going to happen and hopes it does not get too nasty. They are looking forward to see what happens and how this turns out as the fencing is up and it does cut off the line of sight and it already feels closed in.

Kim Eberhardt, 618 Sycamore Line, said part of the funding for the Jackson Street Pier included private funds and asked if the public could have an update on whether this has been obtained. If it has not been obtained, she asked when changes will be made in the plan. Kim Eberhardt asked if any contracts have been signed for the Pelee Islander or the Jiimaan. Dennis Murray said Eric Wobser is still collecting information and will address this at a future meeting.

Tom LaMarca, 206 48<sup>th</sup> Street, said he is concerned about the building going up next to the Hogrefe's property on East Market Street. A five or six story structure right up against a building which just had over \$3 million of investment is a slap in the face and would be similar to building in front of the Murray Building and blocking their beautiful view. There are other locations and he does not understand why the city did not choose the lot on East Market and Franklin Streets or the former Sandusky Cabinets site. This would have extended the downtown footprint plus the former Sandusky Cabinet site would have allowed for expansion if the college really grows. Another option might be the site of the former Keller Building which was going to be overpriced condominiums but has disappeared. The parking lot should be preserved and we will need parking downtown when these apartments are filled and storefronts are occupied. We are going to have cars for a long time and are going to have a parking problem. The campus is a great idea and loves the development taking place, but this is the wrong location. The city has opened up a can of worms where the lowest bidder can set up his buddy, who may be the next highest bidder, to get a job. A guy bids a job \$100,000 low and the contract is awarded when the second highest bid is \$100,000 higher; the first one can say he made a couple of mistakes and withdraws the bid and is let out. Dennis Murray said if what has been suggested had actually occurred, this would be a crime, but is sure this did not happen and understands the pause being suggested.

Sharon Johnson, 1139 Fifth Street, said Dick Brady is liaison to the Engineering Department and this looks inappropriate to her as this is where all of the bids come to. This bid was fifty percent lower than the other one and if she were the second bidder, she would be asking some hard questions as to what is going on. The commissioners are all beating the bush on whether this is ethical or not; if it is ethical for Dick Brady to do this, he should be allowed to bid. If it is not, we need to know about this because there are others in line doing the same thing. Dennis Murray said Dick Brady did address this last question and the Ohio Ethics Commission cleared him to bid on the project. Sharon Johnson said Trevor Hayberger stated the charter does not allow him to have interest in a contract whether directly or indirectly. Dennis Murray said these are two different questions and they have been answered. She would like to know why there is a fifty percent difference. Dennis Murray said Dick Brady bid low on this as a matter of pride and it was

below his cost. There was one other competitive bid and can assure the Law Director and Public Works Director make certain when there is a bid, Dick Brady is not involved and has nothing to do with this process. He receives the bid like any other contractor who is interested. As far as demolitions, if the city would quit giving grant money away, it would have enough money to take every condemned house down.

Wes Poole said if the Ohio Ethics Commission ruled Dick Brady could bid on the contract and the Law Director's interpretation is he could not, he is willing to accept whichever one. He needs to decide which is proper in the future. Trevor Hayberger said there are two separate issues here. The first is the issue with the Ohio Ethics Commission who analyzed this and said there is no ethics issue. When things are sent to them, many times they will give you the answer at the state level, they would not look to our charter. Their analysis is through the state law but they do not review local charters; Article 43 of the city's charter is the sticking point.

**At 6:35 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