

**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: Greg Lockhart, Naomi Twine, Wes Poole, Dennis Murray, Dick Brady, Nikki Lloyd and Dave Waddington.**

**City staff present: Aaron Klein – Director of Public Works, Scott Dahlgren – Police Lieutenant, Rick Wilcox – Fire Chief, Matt Lasko – Chief Development Officer, Angela Byington – Director of Planning, Don Rumbutis – IT, Stuart Hamilton – IT Manager, 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 June 10, 2019, meeting and suspend the formal reading. The President declared the motion passed.**

#### **AUDIENCE PARTICIPATION**

Tim Schwanger, 362 Sheffield Way, said it is his pleasure to be the first public speaker at our new City Hall, whatever the cost may be. He asked if the \$1.95 million for the Sandusky Bay Pathway project is only for engineering (Item #5). He asked if there are estimates for the construction phases and if there is an estimate of how much funding is available from the two Tax Incremental Financing (TIF) funds and how much they will provide for the project.

Don Shepherd, 1034 Cove Park Boulevard, said part of the plan for the bicycle path will come across his property and has no doubt the city will eventually take his property, but right now he has clear title to it. This is the fourth time he has attended a City Commission meeting and has shown deeds and titles and suggests he will not do anything to make it easy for the city. He has owned his property since approximately 1960 and his is the only piece of property which did not convey into the railroad. He has done his own title searches commissioned by the city which shows the property should never have transferred to the railroad. Also, with regard to the two lots at the foot of Ogontz Street, the deed states whenever those properties stop being used for railroad purposes, they would automatically revert back to the original heirs, owners or assigns. The day they ran their last train, they failed to own the property. They could not sell it to the city and the city did not want to clean it so it could not possibly be vacated to Tony Guerra. A local title company has said this is the clearest chain of title he has ever seen. He does not want to make this difficult, but does not want a bike path built in his front yard.

#### **PRESENTATION**

Dennis Murray said he is pleased we have three representatives of our state government here today who have been such critical partners in the process of getting to where we are today and so many other things we have been accomplishing in Sandusky lately. They are here to address the great success we recently have had and said we are very proud to have won the 2019 Best Coastal City award. We have enjoyed a tremendous relationship with the State of Ohio and said this may be State Representative Arndt's last trip here as a State Representative and wished him the best going forward.

Senator Theresa Gavarone said she is very excited to be at the very first City Commission meeting in this beautiful new building and said it is truly spectacular. It is tremendous the city won the 2019 Best Coastal Small Town award and she is looking forward to spending a lot of time here this summer and seeing everything Sandusky has to offer. Senator Gavarone presented a commendation from the Ohio Senate recognizing this award.

State Representative Steve Arndt, said most of us have been watching all of the vibrant activity going on Sandusky which has been going on for a number of years. It is even better when someone recognizes what we sometimes may take for granted. This took a lot of hard work and

a lot of synergy and presented a commendation from the Ohio House of Representatives recognizing Sandusky for its efforts and success.

Larry Fletcher, Lake Erie Shores & Islands, said it is a great pleasure to be at the first City Commission meeting in the new City Hall and congratulated the city, the residents and staff members. He congratulated the city and everyone who helped it to be named the 2019 Best Coastal Small Town. A number of things had to happen for this to occur and two of the main things are the nomination which was done through a committee of travel experts by USA Today. Sandusky was one of twenty in this country who had the opportunity for this to go to a vote and this was the second big thing which had to happen. Once a city got on the list of 20, it is up to the community residents, its business partners and people from across the state who helped keep Sandusky at or near the top of the voting. Sandusky was in competition with a list of some very formidable locations. On behalf of Lake Erie Shores and Islands, Larry Fletcher presented two plaques to the city, one for the City Commission and the other to City Manager Eric Wobser.

Pat McCauley, Public Affairs Officer for Ohio Treasurer Robert Sprague, congratulated the City of Sandusky on its great new facility and said it shows the progress Sandusky is making which is wonderful. He presented a certificate for Sandusky being named the Best Coastal Town in the United States by USA Today from its amusement parks and indoor water parks, outdoor water parks, shopping, dining and said Sandusky beat communities from Texas, Alabama, South Carolina and Michigan which says a lot about the community. He said Treasurer Sprague is proud of Ohio, specifically Northwest Ohio, and is proud of what Sandusky has done. A Proclamation was presented recognizing Sandusky for receiving this award.

#### **PUBLIC HEARING**

**The President declared the Public Hearing regarding the 2020 Tax Budget open.**

Hank Solowiej, Finance Director, said the purpose of this Public Hearing is to comply with the Ohio Revised Code (ORC) as part of our annual audit. The ORC requires certain information to be contained in the tax budget including historical and budget data. Prior to 2011, the Erie County Budget Commission waived this requirement and this is starting to become a routine part of our city business. According to the Erie County Budget Commission, the main reasons for approving this is to assist the Erie County Auditor in setting property tax rates to help allocate local government funds and help start the planning process for next year. At the city, our general budget process is governed by the ORC and our Charter. According to Section 50, the first draft of the 2020 budget will be presented to the City Commission by November 1 and the annual appropriation ordinance, per Section 51 of the Charter, will be passed after the second Monday in January and voted on before the end of March. The city is very transparent and there is a wealth of financial information available on our website and we are probably the most transparent political subdivision in Erie County. Some of the information available on our website includes our monthly financial reports, our Comprehensive Annual Financial report, Agendas and Minutes of the Audit/Finance Committee, Issue 8 reports and our Audit reports. We are also on the State Treasurer's Office open checkbook: [www.OhioCheckbook.com](http://www.OhioCheckbook.com).

**The President asked if there were any questions or comments regarding the 2020 Tax Budget. There being none, the President declared the Public Hearing closed.**

#### **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.**

#### **CONSENT AGENDA ITEMS**

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

**SECOND READING****A. Submitted by Todd Gibson, Sr., Facilities & Properties Supervisor****APPROVAL TO REQUEST REIMBURSEMENT FUNDS FROM ERIE COUNTY SOLID WASTE MANAGEMENT DISTRICT FOR CITY-WIDE CLEANUP AND YARD WASTE DROP-OFF EVENTS**

**Budgetary Information:** Reimbursement funds, if received, will be deposited into the general fund for the Horticultural Services Department.

**RESOLUTION NO. 022-19R:** It is requested a resolution be passed requesting reimbursement from the Erie County Solid Waste Management District through the community grants program for expenses relating to the city's cleanup and recycling events.

**B. Submitted by Hank Solowiej, Finance Director****APPROVAL OF TAX BUDGET FOR CY 2020**

**Budgetary Information:** The tax budget will establish initial funding for 2020.

**RESOLUTION NO. 023-19R:** It is requested a resolution be passed adopting the tax budget for the City of Sandusky for the calendar year 2020; authorizing the submission of the tax budget to the Erie County Auditor; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

**C. Submitted by Matt Lasko, Chief Development Officer****CHANGE ORDER WITH BARNES NURSERY FOR DEMOLITION OF 624 CAMP STREET (TIME ONLY)**

**Budgetary Information:** There is no budgetary impact with this legislation. This is merely impacting the deadline for completion.

**ORDINANCE NO. 19-108:** It is requested an ordinance be passed authorizing and directing the City Manager to approve the first change order for work being performed by Barnes Nursery of Huron, Ohio, for the asbestos abatement and demolition of 624 Camp Street project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**D. Submitted by Angela Byington, Planning Director****SUBRECIPIENT AGREEMENT WITH ERIE COUNTY HEALTH DEPARTMENT FOR 2-1-1 INFORMATION & REFERRAL SERVICE**

**Budgetary Information:** The City of Sandusky will award the Erie County Health Department a total of \$5,000 for the 2-1-1 Information & Referral service for CDBG program year FY 2019. The award shall be paid with CDBG grant monies and there will be no impact on the general fund.

**ORDINANCE NO. 19-109:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with the Erie County Health Department to provide a 2-1-1 Information & Referral services program and to expend an amount not to exceed \$5,000 from the FY Community Development Block Grant funds; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**E. Submitted by Angela Byington, Planning Director****SUBRECIPIENT AGREEMENT WITH THE ERIE COUNTY SENIOR CENTER FOR MEALS ON WHEELS PROGRAM**

**Budgetary Information:** The City of Sandusky will award the Erie County Senior Center a total of \$30,000 for the Meals on Wheels program for CDBG program year FY 2019. This award shall be paid with CDBG grant monies and there will be no impact on the general fund.

**ORDINANCE NO. 19-110:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with the Erie County Senior Center to assist with the Meals on Wheels program and to expend an amount not to exceed \$30,000 from the FY 2019 Community Development Block Grant funds; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**F. Submitted by Angela Byington, Planning Director****SUBRECIPIENT AGREEMENT WITH OHgo FOR MOBILE FOOD PANTRY AND MARKET**

**Budgetary Information:** The City of Sandusky will award OHgo a total of \$15,000 for the OHgo Mobile Food Pantry and Market for CDBG program year FY 2019. This award shall be paid with CDBG grant monies and there will be no impact on the general fund.

**ORDINANCE NO. 19-111:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with OHgo to assist with their Mobile Food Pantry and Market program and to expend an amount not to exceed \$15,000 from the FY 2019 Community Development Block Grant funds; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

**LIQUOR PERMIT TRANSFER**

**The Ohio Division of Liquor Control has submitted a Notice to Legislative Authority for the transfer of ownership of a D5J (*Spirituuous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers until 2:30 a.m. in a community entertainment district*) and D6 (*sale of intoxicating liquor on Sunday between the hours of 10 a.m. or 11 a.m. and midnight*) liquor permits from Jami S. Tallman Ltd., LLC dba Scarlett O’Hair Salon to Jax Bar, LLC dba Jax Bar, 123 Market Street. It is requested the Commission Clerk be authorized to notify the Ohio Division of Liquor Control the city does not request a hearing regarding this transfer.**

**Upon motion of Nikki Lloyd and second of Dave Waddington, 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: Greg Lockhart, Naomi Twine, Wes Poole, Dennis Murray, Dick Brady, Nikki Lloyd and Dave Waddington, 7. Roll call on the ordinances and resolutions: Yeas: Greg Lockhart, Naomi Twine, Wes Poole, Dennis Murray, Dick Brady, Nikki Lloyd and Dave Waddington, 7. The President declared the ordinances and resolutions contained in the Consent Agenda passed in full accordance with the City Charter.**

**REGULAR AGENDA ITEMS**

**ITEM #1 – Submitted by John Storey, Economic Development Specialist**

**GRANT AGREEMENT WITH CUSTOM SIGN & DESIGN, LLC**

**Budgetary Information:** The city will be responsible for providing a total of \$15,000 in grant proceeds from the economic development capital projects fund on a reimbursable basis at the completion of the project.

**ORDINANCE NO. 19-112:** It is requested an ordinance be passed authorizing and approving a grant in the amount of \$15,000 through the small business assistance grant program to Custom Sign & Design, LLC, in relation to the property located at 1030 Hayes Avenue; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

**Upon motion of Dick Brady and second of Wes Poole, the Commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.**

*Discussion:* Matt Lasko said this company was formed in 2018 upon acquiring assets of the sign shop from Ability Works. The company fabricates high density polyurethane-based signage for customers such as the State of Ohio and the Ohio Department of Natural Resources. The partners are Jeff & Lauralee Krabill and Charlie & Celeste Hillman. They currently operate in leased space at One Superior Street and have acquired two properties at 1030 Hayes Avenue and plan to relocate their operation to this address. In terms of their scope of work for this building, they are looking to make electrical upgrades to operate their sign-making equipment and connecting the two buildings with a breezeway enclosure as well as landscape the exterior. The total cost, based on existing estimates, is \$83,935 and financing has been secured through owner equity, bank financing and this grant by the city (\$15,000). The city’s Economic Development Incentive Committee considered this request on June 11 and unanimously approved it pending approval by the City Commission. They anticipate the project to be completed by October, 2019, and are requesting the permits being granted through December 31, 2019. Dick Brady said this is the kind of opportunity which the city relishes and applauds the Krabill’s. This investment is appropriate and we would do this for anyone who would take this kind of chance. They are

improving a building, hiring people, buying equipment and will be performing construction work which will return dollars to our tax base. This is a win/win for everyone and is pleased they are asking for this and is pleased to vote for it.

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

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

**CONTRACT WITH PRO SUPPLY, INC. FOR CDBG FY 2018 DEMOLITION PROJECT #1**

**Budgetary Information:** The total cost for this project including advertising and miscellaneous expenses is \$89,261.40. The cost for five of the demolitions will be paid with FY 2018 CDBG funds totaling \$76,517.40; 707 Warren Street will be demolished using the real estate fund totaling \$12,744. A tax lien will be placed upon the properties for the costs of asbestos abatement and demolition.

**ORDINANCE NO. 19-113:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Pro Supply, Inc., of Cleveland, Ohio, for the CDBG FY 2018 demolition project #1; 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 Wes Poole, 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: Greg Lockhart, Naomi Twine, Wes Poole, Dennis Murray, Dick Brady, Nikki Lloyd and Dave Waddington, 7. Roll call on the ordinance: Yeas: Greg Lockhart, Naomi Twine, Wes Poole, Dennis Murray, Dick Brady, Nikki Lloyd and Dave Waddington, 7. 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 Josh Snyder, Assistant City Engineer**

**PROFESSIONAL DESIGN SERVICES AGREEMENT WITH THE MANNIK & SMITH GROUP, INC. FOR THE MEIGS STREET RECONSTRUCTION AND MULTI-USE PATH PROJECT**

**Budgetary Information:** The not to exceed cost for professional design services is \$339,690.92. This project will be funded with federal highway administration funds through the Ohio Department of Transportation. The funding available for design services and construction costs is capped at \$1,517,158.52.

**ORDINANCE NO. 19-114:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for professional design services with The Mannik & Smith Group, Inc., of Maumee, Ohio, for the Meigs Street reconstruction and multi-use path 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 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 this project is something we originally applied for in September, 2016, with the Ohio Department of Transportation and this is a highly used collector roadway in poor condition. The portion of road and curbing, between Washington Street and Water Street, will be similar to the work recently completed on Venice Heights Boulevard. The southern portion of road and curbing between Washington Street and Sycamore Line will have 2.5" milling and asphalt paving. Of the \$339,690.92, the city's share for the professional design services will be \$23,549.35 of which \$16,485 will come from capital projects funds (Issue 8 - Street) and \$7,064.35 from capital project funds (Issue 8 – Sandusky Bay Pathway). The remaining portion of the project will be funded with state and federal highway administration funds through the Ohio Department of Transportation.

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

**ITEM #4 – Submitted by Josh Snyder, Assistant City Engineer**

**PERMISSION TO BID PIERCE STREET RECONSTRUCTION AND RESURFACING PROJECT**

**Budgetary Information:** The estimated cost of the project including engineering, inspection, advertising, construction and miscellaneous costs is \$385,000 paid with Issue 8 infrastructure funds from the capital projects fund.

**RESOLUTION NO. 024-19R:** It is requested a resolution be passed declaring the necessity for the city to proceed with the proposed Pierce Street reconstruction and resurfacing project; approving the specifications and engineer's estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the city charter.

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

*Discussion:* Aaron Klein said this is to resurface Pierce Street between Campbell Street and Hayes Avenue. In the digital 2015 pavement condition rating, this street was rated at: Poor/47 between Hayes Avenue and Thomas Street; Poor/43 between Thomas Street and Sherman Street; and Serious/21 between Sherman and Campbell Street. Dennis Murray said he does not know who engineered this street in the 1970's, but if he were able, he would have a word with him or her if they were still around, about these concrete streets which continue to plague us.

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

**ITEM #5 – Submitted by Aaron Klein, Director of Public Works**

**PROFESSIONAL DESIGN SERVICES AGREEMENT WITH ENVIRONMENTAL DESIGN GROUP, LLC FOR SANDUSKY BAY PATHWAY**

**Budgetary Information:** The total cost of this project is \$1,948,871 and will be paid from the capital projects fund. The city intends to finance the professional design services with short-term notes that will be reimbursed from proceeds from various tax increment financings.

**ORDINANCE NO. 19-115:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for professional design services with Environmental Design Group, LLC of Akron, Ohio, for the Sandusky Bay Pathway; 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:* Aaron Klein said this professional design services agreement is for acquisition and partial design of the Sandusky Bay Pathway which stretches along the waterfront from the east corporation limit to the west corporation limit and includes several other ancillary on-street and off-street trails networking city roads connecting the city-wide park system. During the Bicentennial Vision process in 2015, residents and stakeholders expressed much interest in restarting this idle project. Equipped with the public's direction, the city updated the Sandusky Bay Pathway Master Plan in 2017 and issued a Request for Qualifications from consulting firms to prepare geotechnical reports, acquisition documents, wayfinding, branding, detailed design,

specifications and construction documents for implementation of several phases of the Sandusky Bay Pathway. Five qualification packets were received and three firms were interviewed. Of the five consulting firms, EDG was selected as the most qualified to complete this work based on their experience, professional expertise and technical ability necessary to complete the required tasks, as well as their previous work on the Sandusky Bay Pathway – Update Project, and was asked to prepare the Scope of Services. As with all projects like this, one of the first and most important tasks is to finalize the layout of the pathway. This process includes environmental due diligence, geotechnical analysis, topographic and boundary surveys, title research, property appraisals, negotiations and preparation of transfer documents. Therefore, as part of this project, staff has included acquisition of all needed rights-of-way: 1) within the intersection of Cedar Point Drive and First Street to connect to the western end of the Landing Park project currently under design; 2) along the north side of First Street between Cedar Point Drive and Meigs Street; 3) on the former Pier Track between First Street and Battery Park; 4) along Water Street between Meigs Street and Franklin Street which will connect to the Shoreline Drive section currently under construction; 5) the portion of the project between the current western terminus of the Pathway near Mills Street and Venice Road, which would be a path along Mills Street, Madison Street, Sloane Street, Monroe Street, Jefferson Street, the Health Department and Edgewater Drive, to connect to the Venice Road section that will be under construction later this year. Although geotechnical, environmental and acquisition are not split out into a completely separate task, costs for these services are included in the appropriate design tasks listed below. Each of these items is critical to understand the best and most cost-effective route for the Sandusky Bay Pathway and maximize public access to the waterfront. The updated plan included a primary multiuse path along the former Pier Track between First Street and Battery Park with a secondary multiuse path along First Street, connecting to Meigs Street. Since Meigs Street will be reconstructed with a multiuse path by 2022, staff feels it is necessary to develop this scenario first as it may be the quicker timeline to connect the Landing Park to Shoreline Drive. In addition, the route along the Pier Track will entail a costly planning and design process for a bridge and a boardwalk that will require much more due diligence on the city and the design team. Therefore Task 1 includes trail design from Cedar Point Drive to Shoreline Drive, along First Street, while working towards acquisition of the needed land not currently owned by the City of Sandusky along the former Pier Track. Once the land is acquired, that portion of the pathway can be designed as funding sources allow. Task 2 includes the trail design to connect the current westerly terminus near Mills Street to Venice Road. The updated plan indicated separate routes with the most probable route shown along Monroe Street. Staff desires to have discussions with the Erie County Health Department to determine if there is an opportunity to route the trail closer to the waterfront which would be more scenic and safer while connecting to the northeast corner of the Lions Park loop. The design also includes two railroad crossings at Monroe Street and Edgewater Drive and environmental due diligence related to a stream crossing on the current vehicular bridge over Mills Creek. Task 3 includes finalization of the Sandusky Bay Pathway brand that will be utilized along the trail and on any connecting nodes including colors, signage, materials, fonts, etc. Site amenities will be selected, located and designed such as benches and seating areas, shade structures, water filling stations, bike repair stations, trash collection, mile markers, etc. These improvements will be included along the portions of the pathway already installed (Mills Street to Lawrence Street), are under construction (Shoreline Drive), or are in the design phase (Venice and Landing Park to Cedar Point Drive). Task 4 allows the consultant to proceed with grant applications as opportunities become available. If used, staff will ensure communication regarding each application is provided in a timely manner. A schedule will be established within two weeks of the contractual execution date and will be dependent on permitting timelines. Much of the environmental field work is time sensitive and must be done during specific seasons. Therefore, it is imperative to get the contract completed in a timely manner. It should be noted while the project includes fees related to title research, negotiations and paperwork for filing, all direct payments to property owners to acquire the real property are not included. The total cost of this project is \$1,948,871 and will be paid from the capital projects fund. The city intends to finance the professional design services with short-term notes to be reimbursed from proceeds from various TIF funds.

Eric Wobser said there are three TIF funds available to potentially support some of this project. The most certain of these TIF's is the one in Phase II of the Cedar Point sports center project. Over the 30-year life of monies coming into this fund, it will be approximately \$15 million and ultimately there is an upcoming piece for the infrastructure which will come before the City Commission later this summer. There is also the first phase of the design for The Landing portion of the project currently being designed. Some of this will be bonded upfront for the interest cost as well as for the share which goes to the schools. Assuming the TIF would cover all of the design phase, we will still be looking at a pretty significant amount left over for construction before tapping into other funds. A potential source for this project and for the construction in later phases of the pathway will be a portion of the admissions tax which Cedar Point asked us to set aside for a catalytic infrastructure project. We undertook a Comprehensive Plan in 2015 and recommended money in the following year's budget to set aside a portion of it each year for construction of the pathway. This will provide a significant source of funding for the project although not for the design and/or engineering. This will help to cover the gaps. We also have a \$500,000 philanthropic donation from the Wightman Wieber Foundation, have had very productive conversations with others and believe state and federal sources can be tapped into as well. There is also some funding left in the Chesapeake TIF and because it touches the waterfront, we believe these funds could be set aside although it will unlikely be necessary. Finally, Eric Wobser said the least certain are the various parcels in the downtown and Battery Park TIF's. There are several projects, including City Hall, the Feick Building, the Cooke Marketplace and the BGSU project downtown as well as any other future development of Battery Park which, when appraised by the Erie County Auditor, would be well funded over the years. The most certain form of TIF funding to help pay this is The Landing Park portion and we hope to replace it as quickly as possible with other funds so we can make sure to use as much as possible in the construction of these trails throughout the city. Dennis Murray said this is the first time he has heard about this particular issue and this is a very complicated larger puzzle given all of the different parcels involved and is something we will encounter when trying to do something new in an old city with a lot of history. If he is understanding correctly, Dennis Murray said the process is to have conversations with property owners and as a result of these conversations, we will see where this goes moving forward whether it be with an offer of acquisition or learning what the title issues are. Dick Brady said he intends to live to be a very old man and asked what the timeframe is on the pathway. Aaron Klein said a schedule will be established within two weeks of the contractual execution date and the project is not slated for completion.

Wes Poole said this is an extremely large project going from one end of the city to the other and the gentleman who spoke earlier (Don Shepherd) was very clear he would not be willing to give his property rights up for the pier track to be developed. At this point, he asked if the plan is for the city to take this property for this node and said he is not prepared to spend dollars to litigate this issue which would be extremely costly. Wes Poole asked if the pier track portion of this project is included with this item and Aaron Klein said it is not. The project would be better off if broken down into segments and allow us some flexibility and does not want to commit \$2 million to design a project we already know is significantly flawed and likely to not ever come to fruition. Dennis Murray said the ambitious scale of this is warranted and we should allow this process to unfold and see where it goes. Dick Brady said there probably will be a hundred or more different properties the city will be looking at during this process and said it is foolhardy to stop the progress of this pathway because of just one parcel in the middle not willing to have it on his land. Perhaps there will be a way around this or a way to negotiate around it. Wes Poole said over one year ago, our previous Law Director said the Law Department was undertaking the task of contacting the neighbors and by this time, we should have a preliminary idea of ownership for each of the properties along the pier track node to the Police Department. It is not in our interest to commit \$2 million of taxpayer money, when we recognize there is a good possibility one node will never happen, and using thirty years of bonds to pay for information we do not need. There is no reason the staff does not know what the trouble spots are by now and is quite certain Mr. Shepherd is not the only person. There is another person on Cleveland Road area where the pier track runs through who has said he will be happy to give the property to the city for \$2 million. We should have done our due diligence ahead of time, long before we get into serious negotiations. Most progressive cities plan and build these paths as they can, but he will not



commit \$2 million on the front end of a project because much of it may never happen; he would be happy to do this in several phases. We need a bicycle path and likes riding but for the amount of money tied up with this, it could be used to improve the lives of more citizens of Sandusky in a different way. He does not see a bunch of citizens in town starting at The Landing Park and using this path to go across town. Greg Lockhart said he agrees and said there should be some due diligence because there could be properties we may be able to go around. He asked if staff has spoken to any of the property owners along the way. Eric Wobser said we have and this process is set up to answer them and is the process where more detail can be provided. Michelle Johnson with Environmental Design Group said they have promised the city through this entire process they would always be looking for additional funding sources for these projects. They were successful in obtaining \$500,000 from ODNR for The Landing Park which was more of a park setting and this was a good funding source. For the pathway which is more urbanized, it is not ideal for ODNR dollars so we are instead embarking on a very time consuming journey with the Planning and Engineering Departments to apply for a BUILD grant (formerly the TIGER program) with the federal government. With this intention, they have declared a federal nexus which means intent has been shown and they would like to bring in \$14 million from the federal government. Because federal dollars may be used in this process, they now have to follow the federal process to acquire property. They are not able to simply contact the property owners as the city's representative or design consultant; they have to follow the entire right-of-way procedures even though they are not applying for design dollars; rather they are applying for construction dollars. The city did this upfront in the way it bid the project, selected the consultant and the way the scoring was done. All of the firms which are onboard with the contractors are ODOT-qualified. Greg Lockhart said he is not up on all of this but if he is clear, he is hearing we cannot now ask who will grant the city an easement or who will sell their property. Michelle Johnson said the right-of-way manual from ODOT is significant and lays out step-by-step exactly how property owners are to be contacted per the Ohio Revised Code. Letters have to be sent out every month whether we wish to acquire the properties or not. The notification of property owners' rights is one of the first thing to be sent out including the options for easements, lot splits or donations. Like any federal or state process, it is very clear and Environmental Design Consultant's subcontractor for the acquisition negotiations, O.R. Colan, is one of the state's leaders and are committed to following this process. They have to rely on the pre-qualified firm to do this. Donations happen a lot as well as lot splits and there will be conversations with individual property owners. Wes Poole said we did not start this process with a federal nexus but now we are locked into this and he treats his neighbors better than this. He does not like using the law to find a way to take people's property and saying "the feds made me do it". The discussion about where we are going to run this bicycle path and what we are prepared to do with taxpayer money on legal fees should have happened at the earliest stages. Unless we had the federal nexus the day we started, this is where he stands on this concept. As for using TIF's to pay for this, this is like saying we are going to use potential future lottery winnings. He does not know the specifics of how much these may generate in the future and investors will decide whether to purchase bonds. He accepts we may generate \$15 million over 30 years. Eric Wobser said this is one of three TIF funds which could contribute to the project and will yield about \$15 million in gross revenue. A portion will go toward infrastructure and the design of the first phase of the pathway for The Landing Park in addition to this item. It is estimated about \$8 million to \$10 million will remain for the park portion and for construction after all contributions to the project itself. Wes Poole said he does not support this because we are not treating people fairly. Greg Lockhart asked if there are any alternate routes considered with this plan and Dennis Murray said he understands the alternative would be to use First and Meigs Streets. Dennis Murray said this is a big and complex project, will go on for many years and will add to our ability to partner with the state and federal government for the public. There are questions which will come at us as this enormous project unfolds.

**Roll call on the motion: Yeas: Naomi Twine, Dennis Murray, Dick Brady, Nikki Lloyd and Dave Waddington, 5. Nays: Greg Lockhart and Wes Poole, 2. Roll call on the ordinance: Yeas: Naomi Twine, Dennis Murray, Dick Brady, Nikki Lloyd and Dave Waddington, 5. Nays: Greg Lockhart and Wes Poole, 2. 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 Naomi Twine and second of Dave Waddington, the commission voted to accept the donation of 250 sheets of unused Staples mailing labels for use in the Customer Accounting Office (\$60 value). The President declared the motion passed.**
- **Upon motion of Dick Brady and second of Dave Waddington, the commission voted to provide authorization to sign off on the TREX transfer form indicating the City of Sandusky endorses and acknowledges this transfer will be for an economic development project which will benefit the Sandusky community.**

*Discussion:* Eric Wobser said this proposed TREX transfer will come back to the City Commission one additional time in the near future (by the Division of Liquor Control) for one more step where the city will indicate whether a hearing is requested prior to being authorized by the state. When completed, the city will see approximately \$400,000 of investment with the creation of 10 to 15 new jobs and upward of \$25,000 in tax revenue annually.

**Abstain: Nikki Lloyd, 1. The President declared the motion passed.**

- **On the 4<sup>th</sup> of July, there have historically been numerous complaints of fireworks being discharged** in the city. Although it is legal to purchase fireworks, it is still illegal to discharge fireworks in the State of Ohio. Eric Wobser asked people to please be respectful of their neighbors and said extra patrols will be out on July 4 due to the large number of calls for service.
- **Farwell Park has been adopted by Fire Station #3** and led by Community Impact Officer Jeff Danevich. Every morning, they clean trash around the park and interact with the children who attend the playground program on days they can.
- **The Sandusky Bay Initiative was featured on Detroit Public Television's Great Lakes Bureau [www.GreatLakesNow.org](http://www.GreatLakesNow.org)** highlighting the key role the city is playing in reducing harmful algal bloom in Lake Erie and transforming Sandusky Bay into a cleaner, friendlier body of water.
- Eric Wobser congratulated **Curtis Lofties who was promoted from a Maintenance II to a Maintenance III position in the Division of Water Distribution.**
- Kokosing plans to begin the next phase of the **Shoreline Drive** project between Jackson and Wayne Streets tomorrow morning. Notifications have been sent to the stakeholder list.
- The city's application for **buoys along the residential sections of Cedar Point Beach** with the Cedar Point Property Owner's Association was approved through ODNR's Navigational Aids Grant program.
- Because of the very low unit prices received from Smith Paving on the sidewalk contract, there was still about \$20,000 available in annual sidewalk funding. Staff decided to do new **sidewalks in the southwest quadrant of Washington Park**, rather than the northeast quadrant because there was quite a bit more quantity allowing for greater flexibility for future projects. Final quantities will be presented on the last change order.
- Garza Dirt Works has begun the second and final phase of **demolition activities at the former Wisteria Farms site**. The work will entail scraping the entire hardscape surface from the approximate two-acre site and remediating a small portion of contaminated soil. Once completed, the State of Ohio-owned site will be returned

to a passive greenspace. Work is anticipated to be substantially completed by the end of July.

- The next **Walk Wayne/Hike Hancock event** will be held July 10 from 5 p.m. to 7 p.m. The walk area includes Wayne and Hancock Streets between and including Monroe and Scott Streets.
- A **neighborhood ice cream social is scheduled for July 3 from 6 p.m. to 7 p.m. at the Erie Boulevard Parklet.**
- The city will be issuing two Requests for Qualifications associated with Sandusky's **Opportunity Zone designation**. One will be for the physical master plan and policy recommendations and the second will be a prospectus and marketing plan. When a consultant is selected, the contracts would come before City Commission for approval.
- **Advertising spaces are starting to fill up on the transit buses.** Anyone interested in purchasing space on the STS buses is encouraged to call our marketing partner, Mark Advertising, at 419.626.9000 for more details.
- A **neighborhood clean-up event** is scheduled for Saturday, June 29 at 9 a.m. focusing on the Sandusky Bay waterfront area from Meigs Street to Shelby Street.
- The **Planning Commission** meeting is scheduled for June 26 at 4:30 p.m. at 222 Meigs Street in the first floor conference room.
- The **Board of Zoning Appeals** meeting scheduled for June 20 was canceled due lack of applications.
- The **Landmark Commission** is scheduled for July 17 at 4:30 p.m. at 240 Columbus Avenue (new City Hall).
- The **Public Arts and Culture Commission** meeting is scheduled for July 16 at 5 p.m. at 240 Columbus Avenue (new City Hall).

### **OLD BUSINESS**

Greg Lockhart said it was brought to his attention **fireworks have been getting out of control for the past few years, especially in the Hancock Street area**. The owners of the Consolidated Biscuit factory said it seems people are having too much fun and a fire was started a couple of years ago, trash is left out in the street and sidewalk areas and asked if we can have more of a police presence. Eric Wobser said we do have extra patrol; there are a lot of traditions and the fourth of July is usually active, especially on Hancock Street. While Police Officers allow people to have fun, they also pay extra attention to this area. Lt. Scott Dahlgren said they do have the equivalent of an extra shift working on July 4 to help with this issue. Officers were reassigned to work this shift during the two-week pay period and this did not cost the city any overtime.

### **NEW BUSINESS**

Dave Waddington said the **city is hosting a downtown parking meeting at 8 a.m. on June 25 at the Central Fire Station.**

Dick Brady said there has been recent news about projects which the **city's economic development grant funds** assist with. If projects do not go through, the city's money is the last to be provided. Eric Wobser said this recently came up regarding the Cooke Building which the owners hope to bring to fruition. A \$500,000 grant was provided for this property and \$150,000 of this amount was specifically dedicated to be granted to the developer upon completion of The Marketplace at Cooke with the additional \$350,000 for completion of The Cooke Building. If they do not complete the project, these funds would not be granted and they could then be

reprogrammed by the city. We are very active and in collegial conversations with Rick and Meghan Hogrefe who are still very committed to the area and are trying to find the best solution for Cooke Building. We have always known this is one of the tougher buildings in the city and they have encountered some obstacles as everyone knew they would. Ultimately, we are working through these obstacles and look forward to continuing this dialogue. Greg Lockhart said this is unfortunate and asked when the barricades around this building might be removed. Eric Wobser said our first concern is to secure the safety of the building and engineers are actively evaluating the safety of the building. They are probably still weeks away from providing a very specific report. While we would love to open access to the sidewalk, safety is a first priority and ultimately we will give them the time they need to do the evaluation. We will have a lot more answers about when construction may commence, or alternatively, if it cannot, when we can safely provide access to the sidewalks and parking. Every grant agreement is different, but we specifically designed them for the city to be the last money in to protect us to the extent possible. They are not always identical, but this is our goal in every negotiation.

Dave Waddington said the topic of **relocating City Hall downtown** came up when he previously served on the City Commission. He is happy to see this happening and applauds Eric Wobser for his efforts and for helping to make this a reality.

### **AUDIENCE PARTICIPATION**

Tim Schwanger, 362 Sheffield Way, said the topic of the pier track being part of the Sandusky Bay Pathway has been before City Commissions since about 1988. We have had surveys and title searches performed at least four different times. It has been proven time and time again the city owns at least a portion of the pier track; the city maintains it between certain termini and likes the idea of getting around the issues or having a lawsuit if we run into a stumbling block. This is an issue talked about in public sessions and meetings and the public was given the choice of either going down First Street or the Pier Track and the latter was the one chosen. He completely understands the concerns of the property owners and said it has been shown pathways will increase property values but this is about “NIMBY”, not in my backyard syndrome. One of the things which came out of the public sessions was to forget about the node and make it like the one at the end of Mills Street. The plan was to go from Mills Street east over to King Street which was removed and a node could be created at the end of Ogontz Street. The people in areas around First Street have no access whatsoever.

Nicholas McGooney, 1422 Ogontz Street, asked if there is a schedule of maintenance for area parks and if a couple more benches could be added at the Skate Park for people to enjoy the area.

Tom LaMarca, 206 48<sup>th</sup> Street, congratulated the city on its new building and said he recalled showing it as a real estate agent in 1975 and at that time, it was listed for about \$125,000 and the back wall was falling out. It had continued to deteriorate over the years and this is a great improvement. He is not comfortable with the staff having their backs to the audience and said it is sometimes difficult to hear. His concerns are about the amount of goose poop around the Chesapeake Lofts walkway. He does not know who is responsible for this but when King Baer resided here, he (King) took it upon himself to police the sidewalks and keep them clear. While walking a couple of times each week, he notices the amount on the walkways, especially on the west side. It has been this way for weeks and we are trying to be the “city of all cities” and thinks we have a lot of people walking around downtown from out of the area. He asked if this is how the Jackson Street Pier will be maintained once, and if ever, it is completed. This project is getting to be the mistake on the Bay because there has been no work done for months. He does not want to hear it is about the weather because we all know there is bad weather. Many contractors throughout the state have continued to nibble and work on their projects and get things accomplished, but we are not. This was a man-made jetty 100+ years ago which is surrounded by sheet piling and the Bay so any contractor worth his oats would have done enough core sampling or obvious observation to know they would have had some water and/or problems. There was not enough forethought in the project and not enough borings done and, quite frankly, if people had not spoken up at previous City Commission meetings about the level of the floor of

the proposed commercial building to be built here, this would be under construction today on the flood tablet at the base of the parking lot. Someone is rushing ahead and trying to push a project forward before it goes before the Planning Commission and now this building is going to be elevated 12" to 18" to stay out of the water. People who live here are familiar with the water levels and this is a 20± year cycle. This is nothing new to us and he hopes the Shoreline Drive project does not follow suit with the Jackson Street Pier project although someone started working at the west end of Shoreline Drive today. This project also sat idle for weeks and does not understand why these contractors are working so lightly on these projects. This was an \$8 million project for one stretch of road. Meigs Street will cost \$1.5 million and thinks this is a longer stretch than Shoreline Drive. The Cooke Building unfortunately is really sagging and is afraid it will not last. It was not taken care of for a large amount of time and perhaps something was not done and it was supposed to have come down. We do need the parking, but we are losing the historical character of our downtown by losing these buildings one at a time. The charm and character tend to go away when they are knocked down. Tom LaMarca congratulated the folks who put together the PRIDE Festival over the weekend and said there was a lot of activity and people seemed to be enjoying themselves. He also congratulated them on their cleanup efforts and said they did a commendable job.

**ADJOURNMENT**

**At 6:31 p.m., upon motion of Greg Lockhart and second of Dave Waddington, 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