

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

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

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to excuse Dennis Murray. The Vice President declared the motion passed. *Note: Dennis Murray arrived to the meeting at 5:25 p.m.*

Upon motion of Wes Poole and second of Naomi Twine, the commission voted to excuse Nikki Lloyd. The Vice President declared the motion passed.

Dick Brady welcomed Commissioner-Elect Mike Meinzer to the meeting and said Sandusky has had a tradition of inviting elected officials prior to their actually taking office. He was invited to sit at the table with us and to participate in discussion although Commissioners-Elect do not get to vote. Jonathon Monroe was also invited but he had a prior commitment this evening and will be with us in the future, if elected.

City staff present: Aaron Klein - Director of Public Works, John Orzech - Police Chief, Jim Green – Fire Captain, Matt Lasko – Chief Development Officer, Don Rumbutis - IT, Stuart Hamilton – IT Manager, Sally Martin – Interim Finance Director, Trevor Hayberger – Law Director, Eric Wobser – City Manager and Kelly Kresser – Commission Clerk.

Upon motion of Dave Waddington and second of Greg Lockhart, the commission voted to approve the Minutes of the October 28 meeting and suspend the formal reading. The Vice President declared the motion passed.

AUDIENCE PARTICIPATION

None.

PRESENTATION

Naomi Twine presented a **Proclamation recognizing Zonta International on their Centennial anniversary** and thanked the ladies with the Zonta Club of Greater Sandusky for being here this evening. Dick Brady said the District 5 Governor of Zonta is with us, Margo Hoffman, and said her District includes Kentucky, Ohio and West Virginia. Additionally, Zonta's oldest living member, Marilyn Canada, was welcomed to the City of Sandusky. Margo Hoffman thanked the Commissioners for this wonderful recognition. The club has been around for over 100 years but has a bit of brand identity. She is glad to see all of the great work being done in the City of Sandusky. Sandusky's club has been around for almost 60 years and District 5 has clubs as old as 98 years so Ohio has had a presence almost as long as International has been around and doing work to advance the status of women.

CURRENT BUSINESS

Upon motion of Dave Waddington, and second of Wes Poole, the commission voted to accept all communications. The Vice President declared the motion passed.

CONSENT AGENDA ITEMS

The Vice President asked if any of the commissioners wished to remove items from the Consent Agenda. There were no requests to do so.

A. Submitted by John Orzech, Police Chief

DISPOSAL OF ITEMS

Budgetary Information: There is no budgetary impact stemming from this disposal.

ORDINANCE NO. 19-178: It is requested an ordinance be passed authorizing and directing the City Manager to dispose of personal property and equipment as having become unnecessary and

unfit for city use pursuant to Section 25 of the city charter; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

B. Submitted by Josh Snyder, Assistant City Engineer

APPROVAL OF CHANGE ORDER #1 AND FINAL FOR LIONS PARK REVETMENT PROJECT (DEDUCTION)

Budgetary Information: Change Order #1 and final is a deduction of \$20,508.60 which will revise the original contract amount of \$74,600 to \$54,091.40 and will be paid with \$50,000 from the city's Parks & Recreation capital projects funds and \$4,091.40 from the Issue 8 Parks & Recreation funds from the capital projects fund.

ORDINANCE NO. 19-179: It is requested an ordinance be passed authorizing and directing the City Manager to approve the first and final change order for work performed by Mark Haynes Construction of Norwalk, Ohio, for the Lions Park shoreline revetment project; 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 ORDER #2 WITH PRO SUPPLY, INC. FOR CDBG FY 2018 DEMOLITION PROJECT #1 (DEDUCTION AND TIME EXTENSION)

Budgetary Information: The total deduction of all items included in this Change Order #2 is \$19,679. These funds will remain within the CDBG funds.

ORDINANCE NO. 19-180: It is requested an ordinance be passed authorizing and directing the City Manager to approve the second change order for work being performed by 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.

D. Submitted by Aaron Klein, Director of Public Works

ANNUAL DISCHARGE FEE PAYMENT TO THE OHIO EPA FOR THE WWTP FOR CY 2019

Budgetary Information: The total amount of \$15,550 shall be paid with sewer funds and has been appropriated in the operation and maintenance budget for 2019.

ORDINANCE NO. 19-181: It is requested an ordinance be passed authorizing and directing the Finance Director to make payment to the State of Ohio Environmental Protection Agency for the annual discharge fee for NPDES permit #2PF000001 for the Waste Water Treatment Plant for the CY 2019; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

E. Submitted by Aaron Klein, Director of Public Works

PURCHASE OF BULK ROCK SALT FOR CY 2020

Budgetary Information: Funds for the purchase of bulk rock salt are routinely included in the Division of Traffic's operating budget each year. The total allocation for 2020 would be \$200,925.

ORDINANCE NO. 19-182: It is requested an ordinance be passed authorizing and directing the City Manager to purchase bulk highway deicing rock salt for the Division of Streets & Traffic to be used in the CY 2020 from Morton Salt, Inc., of Chicago, Illinois; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

F. Submitted by Rick Wilcox, Fire Chief

DISPOSAL OF OLD FIRE HOSE AND PURCHASE OF NEW SECTIONS OF FIRE HOSE

Budgetary Information: The total amount for this purchase is \$15,620 through the State of Ohio purchasing program #800818. This purchase will be paid with funds from the EMS account.

ORDINANCE NO. 19-183: It is requested an ordinance be passed declaring fire hose as unnecessary and unfit for city use pursuant to Section 25 of the city charter; authorizing and directing the City Manager to purchase Key fire hose through the State of Ohio, Department of Administrative Services, Cooperative purchasing program from Sutphen Corporation of Dublin, Ohio, for the Fire Department; 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 Dave Waddington, the Commission voted to accept the Consent Agenda and declare all ordinances 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 in accordance with Section 14 of the City Charter. Roll call on the motion: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. Roll call on the ordinances: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. The Vice President declared the ordinances contained in the Consent Agenda passed in full accordance with the city charter.

REGULAR AGENDA

ITEM #1 - Submitted by Debi Eversole, Housing Development Specialist

PURCHASE & SALE OF PARCEL LOCATED AT 1215 CENTRAL AVENUE THROUGH LAND BANK PROGRAM

Budgetary Information: The cost associated with this purchase and sale agreement is the total amount of the title examination, transfer fees, advertisement and any other customary fees that may be due and payable in the ordinary course of the sale and purchase transaction. These expenses shall be recouped from the purchase price. The proceeds of the sale shall be deposited into the land bank account for future acquisitions. The sale and rehabilitation of this property will revitalize the neighborhood by enhancing the surrounding property values and reducing noticeable blight. The taxing districts will begin collecting real estate taxes of approximately \$1,324 on an annual basis if not more.

ORDINANCE NO. 19-184: It is requested an ordinance be passed declaring that certain real property owned by the city as part of the land reutilization program identified as Parcel #58-00805.000, located at 1215 Central Avenue, Sandusky, is no longer needed for any municipal purpose and authorizing the execution of a purchase and sale agreement with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this ordinance under suspension of the rules and in full accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. Roll call on the ordinance: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. The Vice President declared the ordinance passed under suspension of the rules and in full accordance with Section 14 of the city charter.

ITEM #2 – Submitted by Talon Flohr, Neighborhood Outreach Coordinator

RESOLUTION OF SUPPORT FOR CENSUS COMPLETE COUNT INITIATIVE

Budgetary Information: There is no monetary cost to support the Census Complete Count Initiative.

RESOLUTION NO. 042-19R: It is requested a resolution be passed in support of the 2020 Census Complete Count Initiative; 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 full accordance with Section 14 of the city charter.

Discussion: Talon Flohr, Neighborhood Outreach Coordinator, said the goal of the Complete Count initiative is to engage all of our community partners who are trusted voices within the community to all be on the same page pushing the message about the upcoming 2020 Census, its importance, and the importance of making sure everyone is counted. We will have events and promotional things within our community and will be pushing to make sure everyone is counted. Dick Brady said this is such an important effort and the Census is important to us as a city. We build this city out with our infrastructure with other people's dollars whether they are from the state or federal government. The moment a city falls below a certain threshold, the mix changes entirely and he has learned this from Aaron Klein. Cities are categorized entirely different according to population thresholds so it is very important we find a way to count everyone and hopes Sandusky can stay at the 25,000 threshold.

Roll call on the motion: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. Roll call on the resolution: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. The Vice President declared the resolution passed under suspension of the rules and in full accordance with Section 14 of the city charter.

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

PROFESSIONAL SERVICES AGREEMENT WITH STRAND ASSOCIATES, INC. FOR COMBINED SEWER MODEL CALIBRATION

Budgetary Information: The amount for the professional services agreement is \$174,000 which will be funded entirely with sewer funds and will be updated in the 2020 Five-Year Capital Improvement Plan and annual evaluation of sewer rates.

ORDINANCE NO. 19-185: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for professional services with Strand Associates, Inc., of Cincinnati, Ohio, to provide a combined sewer model calibration; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

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

Discussion: Aaron Klein said about four or five years ago, we started re-negotiating with the Ohio EPA through our CSO Plan. At the time, they wanted us to do about \$86 million worth of projects, but we negotiated knocking this down and agree to about \$18.5 million and defer the rest so we could do sewer model updates and analyze what our sewer system looks like. We have implemented the first \$8 million. The last project we agreed to do is around \$10.5 million and was money estimated a couple of years ago. We want to make sure we are getting a project which is designed properly so this is to analyze our sewer system and update the model to make sure this project does not become \$18 million. This will also help us in three years when we go back to re-negotiate with the EPA so we can update this model one last time while incorporating the first five projects. We can make sure we are doing projects which are actually required rather than just agreeing to projects the EPA is forcing on us. We get several emails and calls about the rates and the projects being required are great for the environment and reducing the sanitary sewer or combined sewer overflows. It is great for the environment, but he is analyzing the rates at the same time every year and making sure we are staying within budget. These were included in the rate study from years ago and we should not be looking at increasing rates again because of these projects. This \$174,000 will be in the five-year Capital Plan. The \$10.5 million project referenced will start later in 2020 with the design work and we want to make sure we move on this project very quickly. He was originally told it would take about 1½ years to implement everything but this was not going to work as we needed about six to eight months and is why this is being requested on emergency. Dick Brady said the original numbers the EPA gave us seem astronomical and the Engineering staff has done a great job of drilling these numbers down and finding ways for us to do green infrastructure in a variety of ways and soften these numbers by the millions of dollars. Hopefully this will be reflected in our rate structure.

Roll call on the motion: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. Roll call on the ordinance: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. The Vice President declared the ordinance passed under suspension of the rules and in full accordance with Section 14 of the city charter.

FIRST READING

ITEM #4 – Submitted by Matt Lasko, Chief Development Officer

AMENDMENT TO CHAPTER 531 – ADDING GRAFFITI AS A PUBLIC NUISANCE

Budgetary Information: There is no budgetary effect of the proposed amendments and additions to Chapter 531 of the city's Codified Ordinances (nuisances generally).

PASSED AT FIRST READING: It is requested an ordinance be passed amending Part Five (General Offenses Code), Chapter 531 (Nuisances Generally), Sections 531.01 (Definitions) and 531.02

(Public Nuisance) and adopting new Section 531.05 (Graffiti) of the Codified Ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

Upon motion of Naomi Twine and second of Dave Waddington, the Commission voted to approve this ordinance at first reading.

Discussion: Greg Lockhart said he has had some discussion with staff and wants to make sure the public knows it is in their best interest to address graffiti properly. There is always the concern of first amendment issues when it comes to expression of art and there is a difference. Graffiti as he knows it, is unwanted and can be on public or private property, and thinks this is generally what we are addressing today. Matt Lasko said this is the addition of graffiti under our public nuisance code which currently covers things such as high grass and junk vehicles and are considered a public nuisance. Currently, the city does not have the ability to cite a private property owner for having graffiti on their property, nor can the city abate graffiti on private property or on a structure in the public right-of-way. This legislation will allow the city to have the right to cite and abate if necessary. This is not the most prevalent nuisance in our city but it does exist. Many times, graffiti appears behind commercial properties, on vacant properties and on garages which abut alleys in residential neighborhoods. We are looking for one more tool in our toolbox. It is his recommendation to suggest one amendment which is stating who can provide authorization of its existence. If the private property owners does not authorize it through their First Amendment rights, graffiti would be permissible. The definition needs an amendment to be very clear on who can provide authorization. Wes Poole asked if there is a list of property owners who have refused to remove graffiti which the city will move on once this legislation is passed and Matt Lasko said there is an initial list. Properties on the list include those who have had complaints filed against and others are from Code Compliance Officers. We have tried to manage people to voluntarily do this to address graffiti and do have a handful of properties which would be in violation if the graffiti is not voluntarily removed. Trevor Hayberger said Commissioner Lloyd had expressed wanting to address the word graffiti as sometimes “graffiti art” has a positive connotation and asked to consider amending the word graffiti to “deface” property and he does not have issue with this. Initially, when this was written, it was designed for authorization from the property owner and has no objection to making it more explicit. Dick Brady said the key is anything which is unauthorized by the property owner would be considered graffiti and asked if the wording in this draft is sufficient. Trevor Hayberger said he believes it is sufficient but would never be opposed to making something clearer. He can edit the legislation to include who can authorize graffiti (or having prior authorization) and bring it back for the next meeting if the commission so desires. Wes Poole said changing this from the word graffiti to the word deface will minimize defacing to the words used here and is not sure this is a good idea. Graffiti covers it and defacing is limited to inscriptions, words, figures or designs which are marked, etched, scratched, drawn or applied or painted on any premises including buildings or structures and said there are probably other ways to deface buildings. Wes Poole said Trevor Hayberger is the lawyer and if he (Trevor) does not mind, he (Wes) does not care, but thinks all kinds of other things have been taken out which could deface a building. If someone decides to throw mud on the side of a house, it is defacing and has nothing to do with graffiti but expects we will wish we had not done this later since graffiti covers it just fine with the definition given. Greg Lockhart said he agrees with regard to the word graffiti and it seems to be the most common word in the English language and people know what we are talking about when we say it. Defacing can be a lot of other things. If the nose were cut off of the Sphinx in Egypt, this is defacing as well and saying graffiti is right on target with what we mean. Wes Poole asked Trevor Hayberger what he thought about this as he is trying to get a balance for what will work. Trevor Hayberger said if we change the word graffiti to defacement we are okay and defacement is not used anywhere else where this would be an issue. Wes Poole said this would apply just to this law and that would be the end of it.

Upon motion of Greg Lockhart and second of Wes Poole, the commission voted to amend the legislation by replacing the word ‘graffiti’ with the word ‘defacement’ as it appears throughout. Roll call on the motion: Yeas: Wes Poole, Dick Brady, Dennis Murray, Naomi Twine, Greg Lockhart and Dave Waddington, 6.*

**Dennis Murray arrived to the meeting during discussion of Item #4.*

Upon motion of Wes Poole and second of Greg Lockhart, the commission voted to add a sentence to Section 531.01 (Definitions) (b) “Such inscription, word, figure or design, word, figure or mark of any type shall be deemed unauthorized if the property owner has not granted written permission prior to its application to the structure.”

Discussion: Dennis Murray said his concern is this seems to really place an undue onus on someone who might be making a mark at the direction of the owner by not having this permission in writing. Greg Lockhart said he agrees and said permission could be given orally or in writing and if he were to do something like this, he has given them permission already and having to go back and put it in writing could be burdensome. The wording needs to be taken out but the amendment should stand otherwise. Wes Poole said if someone is going to draw something on a house, he asked why permission could not be written down. If we do not do this, for example, someone doing artwork on the side of a building with written permission could show it to the city and there is no problem. There also would not be arguments later on as to whether permission was or was not granted. It would be okay to change to “written or oral” permission but this is not a burden and it will be a pain trying to enforce oral permission. If someone wants to take “written” from the motion he is fine, but does not think we are doing ourselves a favor because it is not that difficult for an owner to state what they intended to be done.

Dennis Murray made a motion to delete the word “written” from this amendment; there being no second to this motion, the motion failed.

Roll call on the motion to amend: Yeas: Wes Poole and Greg Lockhart, 2. Nays: Dick Brady, Dennis Murray, Naomi Twine and Dave Waddington, 4. The Vice President declared the motion failed.

Discussion: Greg Lockhart said there seems to be a slight discrepancy with a word in this legislation which happens from time to time and said perhaps there is a compromise with it. Dennis Murray said this legislation is new to him and would appreciate a little more context as to what other communities do with respect to graffiti and how they govern interaction between law enforcement, property owners and the person alleged to have done something with respect to a property. He feels as if he would like more background and if we are required to place this on the next Agenda, fine, but his preference is to table or defer the discussion for one month so it can be considered after the Law Department does a little more research. Wes Poole said the wording for his proposed change came from the City of Cleveland. Dick Brady said he will look forward to discussing this again at the December 9 City Commission meeting.

Roll call on the ordinance, as amended: Yeas: Wes Poole, Dick Brady, Naomi Twine, Greg Lockhart and Dave Waddington, 5. The Vice President declared the ordinance passed at first reading.

CITY MANAGER’S REPORT

- **Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept donation in the amount of \$800 from the Remember Cruisin’ Car Club sponsor, Smith Top Notch, for the K9 program. The President declared the motion passed.**
- **Upon motion of Naomi Twine and second of Dick Brady, the commission voted to accept a donation in the amount of \$1,000 from the Sandusky Community Celebrations Council for the purchase of holiday lights for Washington Park. The President declared the motion passed.**
- **Upon motion of Naomi Twine and second of Wes Poole, the commission voted to accept a donation in the amount of \$800 from David and Paula Rengel and the Erie County**

Community Foundation for the purchase of two benches for the Sandusky Transit System. The President declared the motion passed.

- **Barnes Nursery will kick-off the strategic tree planting project** this week starting near AMVETS and Cholera Cemetery.
- The **2019 leaf collection program** is off to a great start and currently on schedule. Any changes due to inclement weather will be shared via press release and the city website.
- **Congratulations to David Schafer who was promoted from a Lab Technician to the Lab Compliance Officer at Big Island Water Works.**
- The **Planning Commission** meeting is November 26 at 5 p.m. in the City Commission Chambers.
- The **Board of Zoning Appeals** meeting is November 21 at 4:30 p.m. in the City Commission Chambers.
- The **Landmark Commission** meeting is November 20 at 4:30 p.m. in the City Commission Chambers.
- The **Public Arts and Culture Commission** meeting is November 19 at 5 p.m. in the City Commission Chambers.
- **An artist reception will be held on November 16 from 12 p.m. to 2 p.m. at Carrington Art Gallery for Jordan Arnell Evans**, the artist who designed the transit shelter murals. This will be an opportunity for the community to learn more about Jordan and his work; he is from Sandusky and is a graduate of Sandusky High School.
- The City of Sandusky Recreation Department will be releasing their **2019-2020 Winter Fun Guide** soon. This year the guide will include returning camps like Cookies for Santa, Baseball, Winter Break Camp, Cheer, Greenhouse Yoga and Bowling. The guide will also include new camps like Softball Pitching. Midtown Supper Club will be returning for a second season and a new lineup of movies will be shown at the Sandusky Greenhouse in 2020 including Aladdin and the Lion King. The 2019 - 2020 Winter Fun Guide will be sent home with all students in Sandusky City and Sandusky Central Catholic Schools districts. Residents can find more information on the Recreation Department's Facebook and Twitter pages or contact the department at 419.627.5886.
- The **2019 - 2020 Winter Break Camp** will be held Mondays and Tuesdays, December 23 - 24 and 30 - 31. The annual camp will be held at Sandusky High School and will host over 100 students. The camp will conclude with a Noon Year's Eve party featuring a DJ and entertainment from Prodigal Son of Holy-Wood Records.
- **The Ohio Parks & Recreation Association (OPRA) has named the Sandusky Recreation Department's programs as "Best of 2019"**. The Midtown Supper Club won the Recreation program category "2019 OPRA Award of Excellence". This award is a first for our Recreation Department for the inaugural season of the program. This 2019 program introduced youth to the culinary arts utilizing local chefs which culminated in a four-course dinner with entertainment. The Sandusky Recreation Department will be recognized during a banquet at the 2020 OPRA Conference and Trade Show in February at Kalahari Resort & Convention Center. Eric Wobser commended staff in our Recreation Department and said they worked hard with a lot of different partners and it is great to be recognized as a leader in the field by this state association.

OLD BUSINESS

Dennis Murray apologized for being late this evening and said he was subject to the jurisdiction of the federal court which overlapped with the start of this meeting tonight.

Wes Poole said when the graffiti legislation comes back for a second reading he would like to provide the Law Director with more direction to understand the concerns about giving written permission. We need to protect homeowners when someone defaces their property and the defense of having oral permission which could be a “he said - she said” situation. He gave an opportunity for Dennis Murray to explain why written permission bothers him so much but he (Wes) sees this as giving homeowners protection. If the homeowner, by chance, gave oral permission, it will never be an issue. It is not important at all whether it is written or not because the owner will step up and say it was given verbally. He would like the Law Director to give some thought to this going forward. It is irresponsible for the commissioners to place homeowners in this position where oral permission cannot be proved if property is defaced. Dennis Murray said he would like to get more feedback and would like to hear from other Directors including the Police Chief and the Prosecutor. This strikes him as an oddity as it relates to his understanding about most municipal misdemeanor laws and this could be a felony in some circumstances. Putting the onus on the defendant to have written permission seems to go too far and he is concerned this could put people in a bad place. A homeowner could say someone did work on their property without having permission (written) and a person could be charged. He cannot think of too many circumstances where this would be a problem and most of the time it would be pretty darn obvious, but he would like more feedback about it. Wes Poole said anyone from outside of his family who does just about anything to his house (plumber, electrician, and painter), generally there is a written contract. Second thought should be given to these concerns and he is having trouble understanding why, in this case, it would not be the same thing as this is no greater burden in his mind.

NEW BUSINESS

None.

AUDIENCE PARTICIPATION

Tom Lamarca, 206 48th Street, said at the September 13 City Commission meeting, a change order was approved for additional costs related to the demolition of 707 Warren Street (\$7,244). This was to remove approximately 50,000 SF of concrete in a 3” to 4” slab across the entire area. In doing some research, this really equates to the whole site and he knows this property was not all concrete. The concrete really was the drive aprons and the location of the office because when the previous owner had to remove the fuel storage tanks on the site through the State of Ohio, all of the concrete was cracked up and replaced with asphalt. He is concerned the contractor did not finish the job as the contract read. The contract stated they would clean up all of the debris and backfill it with topsoil capable of growing vegetation, namely grass. His other concern with the incompleteness of this project is it appears to him the contractor abandoned the site because he was to be done by October 20 but was done well before this date because he knocked it out in two days. There is an immediate drop-off where the approach/aprons are where he did remove some concrete (5” to 6” from the road surface). After last night’s snow storm, someone in a vehicle could have slid when trying to stop at the stoplight and cause significant damage to their automobile, or cause injury and asked whose responsibility this would have been. This is an unsafe condition and two orange cones are in the center of the two aprons but this is insufficient and the city would not have left something like this. He suggested the commission declare an emergency under suspension of the rules and stop payment on the check for the site until it is made safe. Tom Lamarca noticed there was a survey crew at Battery Park over the past weekend and wonders if the commission has plans for developing this site. We all know certain parts of Battery Park are prohibited from being removed from public access but there are three or four acres which could be sold or leased off. If this is the city’s plan, he would appreciate this being put on the ballot for the citizens to vote on. If he is to hunt on a farm, he needs written authorization from the property owner. Perhaps this should be kept in mind with regard to verbal permission for graffiti. If there is a domestic situation where a divorce is coming about and the wife gives verbal permission for a home which the husband is to take control of, or vice versa,

this could be problematic. The city crews did a fantastic job on the Washington Park holiday decorations. Dennis Murray asked Matt Lasko to update the commissioners, via email, about the project/property at 707 Warren Street. Dennis Murray said he does not know why a survey crew would have been at Battery Park as there is no plan he is aware of with the City Commission.

Upon motion of Naomi Twine and second of Greg Lockhart, the commission voted to adjourn at 5:55 p.m. The President declared the motion passed.

Kelly L. Kresser, CMC
Commission Clerk

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