

The President called the meeting to order at 5:00 p.m. after the Invocation, given by Mike Meinzer, and the Pledge of Allegiance.

The Clerk, McKenzie Spriggs, called the roll and the following Commissioners responded: Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer and Dave Waddington. Commissioners Blake Harris, Dennis Murray, Dick Brady, and Mike Meinzer were in attendance via teleconference due to the COVID-19 pandemic.

City staff present: Stuart Hamilton – IT Manager

City staff via teleconference: Eric Wobser – City Manager, John Orzech – Assistant City Manager, Brendan Heil – Law Director, Michelle Reeder – Finance Director, Aaron Klein – Director of Public Works, Development Director – Jonathan Holody, Jim Green – Acting Fire Chief, Jared Oliver – Police Chief, McKenzie Spriggs – Commission Clerk.

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to approve the minutes of the January 11, 2021 meeting and suspend the formal reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

None.

CURRENT BUSINESS

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

CONSENT AGENDA

The President asked if the commissioners wished to remove any of the items on the Consent Agenda.

The Commissioners wished to leave the Consent Agenda as is.

CONSENT AGENDA ITEMS

ITEM A – Submitted by Aaron Klein, Public Works Director

CHANGE ORDER FIRST & FINAL FOR DIGESTER CLEANOUT PROJECT (DEDUCT)

Budgetary Information: Change Order No. 1 and final is a deduction of \$19,572, which will revise the original contract amount of \$69,991.00 to \$50,419.00, and will be a savings to the Sewer Fund.

ORDINANCE NO. 21-005: It is requested an ordinance be passed authorizing and directing the City Manager to approve the first & final change order for work performed by Burch Hydro Inc. of Fredericktown, Ohio, for the Wastewater Treatment Plant (WWTP) Digester Cleanout Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM B – Submitted by Aaron Klein, Director of Public Works

CONTRACT WITH BROWNING-FERRIS INDUSTRIES dba REPUBLIC SERVICES FOR 2021 YARD WASTE COLLECTION

Budgetary Information: Based on service for a one day per week pick up at \$12.60 per home per month and a contract for nine months, the estimated amount for the 2021 Yard Waste Collection Service is \$73,143.00 based on last year's figure of 645 customers. This amount is subject to change due to additions and deletions of customers to the program. The cost of the service will be charged back to the customers in addition to a charge of \$0.50 per month for administrative costs.

ORDINANCE NO. 21-006: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a one (1) year contract extension with Browning-Ferris Industries of Ohio, Inc. d.b.a. Republic Services of Sandusky, Ohio, for yard waste collection service in calendar

year 2021 which is available for the period of April 1, 2021, through December 31, 2021; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter

ITEM C – Submitted by Aaron Klein, Director of Public Works

EXPENDITURE WITH CORE & MAIN, LP, FOR PARTS FOR WATER SERVICE INFRASTRUCTURE

Budgetary Information: The budgeted cost for Core & Main, LP, as presented in the O&M and capital budgets, is based on historic annual repairs in the field totaling \$785,000. This year's allocations are for hydrants and valves (\$92,500), miscellaneous materials (\$92,500) and meters (\$600,000 – split evenly with sewer maintenance) and will be paid with Water Funds in the amount of \$485,000 and Sewer Funds in the amount of \$300,000. A portion has already been spent for recent water main repairs via purchase order. Purchases exceeding this amount from Core & Main, LP would require approval from City Commission.

ORDINANCE NO. 21-007: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds to Core & Main, LP, of Ashland, Ohio, for the purchase of materials and parts for improvements and repairs to water service infrastructure in calendar year 2021; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM D – Submitted by Stuart Hamilton, I.T. Manager

EXPENDITURE WITH INSIGHT PUBLIC SECTOR FOR OFFICE 365 FOR GOVERNMENT RENEWAL

Budgetary Information: The cost for this service for a 12-month period will be \$24,928.75 and will be paid by the IT's operating budgeting the amount of \$12,464.37, by the Water Fund in the amount of \$6,232.19, and by the Sewer Fund in the amount of \$6,232.19.

ORDINANCE NO. 21-008: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the subscription licensing for Microsoft Office 365 for government from Insight Public Sector of Hanover Park, Illinois, for the city's emailing and Office 365 systems; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM E – Submitted by Brendan Heil, Law Director

AGREEMENT WITH DYNEGY ENERGY SERVICES LLC FOR ELECTRICITY AGGREGATION PROGRAM

Budgetary Information: There is no cost to the City. In addition, the City will receive \$31,000 per year (\$124,000 total) in Dynegy Greenback Program funds to be used on energy efficiency projects.

ORDINANCE NO. 21-009: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a four (4) year agreement with Dynegy Energy Services, LLC, of Cincinnati, Ohio, to provide electricity to both residential and small commercial customers within the City of Sandusky's Aggregation Program; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM F – Submitted by Jim Green, Interim Fire Chief

GRANT APPLICATION TO US DEPARTMENT OF HOMELAND SECURITY FOR FY 2020 ASSISTANCE TO FIREFIGHTERS GRANT

Budgetary Information: The amount of the grant funds being applied for are \$650,000.00. The matching funds required for this grant is \$65,000.00 (10%) which will be paid for from the EMS account, 431-1330.

RESOLUTION NO. 001-20R: It is requested a resolution be passed authorizing the filing of a grant application to the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD) for the FY 2020 Assistance to Firefighters Grant (AFG) Program and, if awarded, authorizing the City Manager to execute any required agreements; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Dennis Murray and second of Naomi Twine, the Commission voted to accept the Consent Agenda and declare all ordinances and resolutions as drafted and presented to the

City Commission under the Consent Agenda, and shall take effect in full accordance with the Section reflected in the ordinances or resolutions whether they be in accordance with Section 13 or Section 14 of the City Charter.

Roll call on the motion: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7. Roll call on the ordinances and resolutions: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7. The President declared the ordinances and resolutions contained in the Consent Agenda passed in full accordance with the city charter.

REGULAR AGENDA

ITEM #1 – Submitted by Aaron Klein, Public Works Director

CONTRACT WITH REPUBLIC SERVICES FOR REFUSE AND RECYCLING COLLECTION

Budgetary Information: The cost of refuse and recycling pick-up and disposal is paid through the General Fund, Recreation Fund, and Water Fund based on the usage (number of pick-ups per week and the container size). It is recommended that the City enter into a one (1) year contract for a total amount not to exceed \$76,040.02.

ORDINANCE NO. 21-010: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Republic Services of Sandusky, Ohio for refuse & recycling collection on city property for the period of March 1, 2021, through February 28, 2022; 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.

Discussion: Dick Brady says this is a slight increase in what we paid a year ago and asked Aaron Klein to explain.

Aaron Klein said in 2019 and 2020 we had some construction projects going on downtown, meaning we had less trash receptacles at those sites that needed to be emptied. We have a slight increase at a couple locations. We also went detail by detail through every park and every city property to look at what was used: totes, dumpster, etc. Those containers added downtown are now year round containers, requiring additional collection. They are making more trips in 2021 than they did in 2020, plus he had a conversation with Republic today, their past pricing was dramatically reduced due to errors within the organization. They are trying to get more in-line, and we are still well below the market average, roughly 20% below the market average, keeping us at a very good rate. It went up for all those reasons and because they're looking at their accounting a bit more closely.

Roll call on the motion: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7. Roll call on the ordinance: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 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 Aaron Klein, Public Works Director

CHANGE ORDER THIRD & FINAL WITH DONLEY INDEPENDENCE, INC FOR THE JACKSON STREET PIER REHABILITATION PROJECT (DEDUCT)

Budgetary Information: The original contract with Donley's, per ordinance 18-193 was \$7,865,993.00. Change Order #1 increased the total contract amount to \$8,044,686.00. Change Order #2 increased the contract to \$8,324,186.00. Change Order #3 and Final reduces the total completed contract amount by \$71,491.18 to \$8,252,694.82. The below information shows the final breakdown of costs and proposed funding sources for the project.

Funding Source	CO #1 & #2 Contract	Change Order #3	Updated Contract
OWDA, Sewer Fund, Storm*	\$ 349,542	- \$ 555.73	\$ 348,986.27
OWDA, Water Fund*	\$ 476,580	- \$ 3,000.93	\$ 473,579.07
OWDA, Sewer Fund, Sanitary*	\$ 166,585	- \$ 3,015.26	\$ 163,569.74
CDBG (Revolving Loan Fund)	\$ 210,157		\$ 210,157.00
Capital Fund (Chesapeake TIF Proceeds)	\$4,361,129	-\$39,919.26	\$ 4,321,209.74
State of Ohio*	\$ 70,000		\$ 70,000.00
Private Donation (Hogrefe)	\$ 50,000		\$ 50,000.00
Private Donation (Civista)	\$ 150,000		\$ 150,000.00
Private Donation (LESI)	\$ 25,000	-\$25,000	\$ 0.00
Private Donation (Mylander)	\$1,350,000		\$ 1,350,000.00
Private Donation (Mylander)	\$ 157,000		\$ 157,000.00
Private (Owen Sound)	\$ 779,500		\$ 779,500.00
Programming / Marketing Funds (Issue 8)	\$ 148,693		\$ 148,693.00
Private (Joe Lamb)	\$ 15,000		\$ 15,000.00
EDIC Appropriation*	\$ 15,000		\$ 15,000.00
Total	\$8,324,186	-\$71,491.18	\$ 8,252,694.82

*OWDA loans were approved via ordinance 18-218. Acceptance of the State of Ohio grant was approved via ordinance 001-20R. The EDIC appropriation was approved by the City Commission via Ordinance 20-029 on February 10, 2020.

ORDINANCE NO. 21-011: It is requested an ordinance be passed authorizing and directing the City Manager to approve the third & final change order for work performed by Donley's Independence, Inc. (formerly known as Donley's, Inc.) of Cleveland, Ohio, for the Jackson Street Pier Rehabilitation Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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

Roll call on the motion: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7. Roll call on the ordinance: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 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 Jared Oliver, Police Chief

PURCHASE OF THREE (3) SUV's FOR THE SANDUSKY POLICE DEPARTMENT

Budgetary Information: The cost per vehicle is \$32,763.50 for a total cost of \$98,290.50 and will be paid with Capital Funds.

ORDINANCE NO. 21-012: It is requested an ordinance be passed authorizing and directing the city manager to purchase three (3) 2021 Ford utility police SUV's through the State of Ohio Department of Administrative Services Cooperative Purchasing Program from Larkin Greenwood Ford of Connersville, Indiana, for the Police Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Blake Harris and second of Naomi Twine, the Commission voted to approve this ordinance.

Discussion: Mike Meinzer said he saw the supporting documents and this is a great price for these vehicles. He said he had three questions. First, what kind of mileage is on the vehicles the city is trading in? Why are we moving to SUVs—does it have to do with cost, weather, etc.? How are we going to pay for them, what accounts do these come out of?

Jared Oliver said he was told the three cars to be traded in are over 100,000 miles. The price is great because it is state termed, and Mike Meinzer is familiar with that due to working in public

safety, which always provides a great price. The SUVs are bigger and better. They provide a better line of sight, the equipment fits better, and it is easier for the officers. The weather we deal with six months a year, the all-wheel drive feature is worth the price. We are hoping to take the entire fleet over to the SUVs.

Mike Meinzer said he gives a lot of credit to the fleet maintenance, to get a 100,000 hard miles out of those cruisers is great.

John Orzech responded to Mike Meinzer's final question. He said the mileage is 160,000+ on one vehicle. The other two have 125,000+. It is about a 100 day turnaround to get delivery. Then it will take several months for the fleet department to get those in service. We are averaging anywhere from 12,000-15,000 per year meaning significant mileage on all three vehicles. He reiterated that fleet does do an incredible job. We were not able to order vehicles in 2020 due to the pandemic, and it is important to get these on the road and not get behind in vehicle rotation.

Roll call on the motion: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7. Roll call on the ordinance: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 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 Michelle Reeder, Finance Director

AGREEMENT WITH OHIO DEFERRED COMPENSATION FOR ROTH 457 OPTION PLAN

Budgetary Information: There is no budgetary impact.

ORDINANCE NO. 21-013: It is requested an ordinance be passed approving an employer adoption agreement with the Ohio Public Employees Deferred Compensation Board to participate in the Roth 457 Option Plan; 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.

Discussion: Michelle Reeder said this is part of the Ohio Deferred Compensation Program where the city is already participating. The employees currently only have the option of putting away funds pre-tax. The Roth 457 option allows employees to put away funds post-tax.

Roll call on the motion: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7. Roll call on the ordinance: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 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 a motion from Dave Waddington and second of Naomi Twine, the commission voted to accept \$500 from David Stedman for the Red Popcorn Wagon fund. The President declared the motion passed.**
Discussion: Eric Wobser said the donation was given in the name of Lynne Nota (Grathwol) Stedman and will be used to replace the wagon's kettle for the upcoming season.
- **Upon a motion from Dave Waddington and second of Wes Poole, the commission voted to accept \$50 from Naomi Twine for the Sandusky Recreation Department. The President declared the motion passed.**
- **Collection for Transient Rental Lodging tax will now be collected and reported online beginning February 1, 2021 through the Erie County Auditor's website:**

<https://lata.localgov.org>. This website will collect both the City and County's lodging tax in a single transaction.

- **As of February 1, 2021, the Customer Accounting Office will discontinue the use of a Post Office Box** to receive mail. Please mail all utility bills and correspondence with the city to 240 Columbus Avenue, Sandusky, OH 44870.
- **Water and sewer rates for 2021 have increased by 3%. This measure was approved in 2015, and additional information can be found in Codified Ordinances 939.13 and 933.25.**
- **Effective January 2021, all billing statements will be sent only to the property owner.** Tenants are still welcome to pay the bill. Bills can be paid through the City's free automatic bill pay service. Payments are also accepted online (for a fee), in-person in the city hall lobby or by mailing the payment to the City of Sandusky at 240 Columbus Avenue, Sandusky, Ohio 44870. Payments can also be dropped in the drop box located curbside at the corner of Columbus Avenue and E. Washington Row.
- The spring city-wide clean-up event, aka. **Dump Day has been set for Saturday, April 24.** Further details will be shared as the date approaches. Questions can be directed to 419.627.5829.
- Update regarding accident damages to traffic signals at W. Perkins and Caldwell: The equipment needed for the repair has arrived much sooner than expected and work crews were on-site today with plans to install the new cabinet tomorrow. Once installation is complete, cameras and sensors will need to be inspected and programmed prior to the intersection being fully operational.
- **The Landmark Commission Annual Report was submitted to the City Manager and City Commission as an attachment to the Manager's Report, as required by the Landmark Preservation Ordinance. (It is attached at the final pages of these minutes.)**
- The next **Arts and Culture Commission meeting is scheduled for Tuesday, February 16 is scheduled for 5:15 PM.**
- The next **Landmark Commission meeting is scheduled for Wednesday, February 27 at 4:30 PM.**
- The next **Board of Zoning Appeals meeting is scheduled for Thursday, February 18 at 4:30 PM.**
- The next **Planning Commission meeting is scheduled for Wednesday, January 27 at 5:00 PM. There will be a presentation of the Downtown Sandusky Master Plan at 7:00 PM during this meeting.**
- **Beginning January 31, the Yellow Line and Blue Line will temporarily reduce their operating hours from 5am-12am to 6am-10pm until the spring due to low ridership.**
- **The City of Sandusky Recreation Department is excited to announce the return of some familiar programs and the debut some new programs in 2021. The award-winning Midtown Supper Club returns for its third season.**

Gymnastics and Make it "Sew" Easy programs are also returning to the Sandusky Rec lineup in 2021. Snow Sailing, an introductory American Sign Language class, basic

Spanish are two new programs this year.

Get Growing – Indoor Plants and Soil Painting are two new programs to be offered at the Sandusky Greenhouse that extend the partnership with Sandusky Rec and the Erie Conservation District.

Registration for all programs is available at www.cityofsandusky.com/Recreation

For more information or questions regarding the **Sandusky Recreation Event**, please call the Sandusky Recreation Department at 419-627-5886 or 419-627-5888. Or contact Jason Werling at jwerling@ci.sandusky.oh.us or Tondra Frisby at tfrisby@ci.sandusky.oh.us

Discussion: Dave Waddington said the recreation department puts on lots of great programs. For some programs, they are only taking eight (8) kids per class. With the COVID going on, he encouraged the public and fellow commissioners to sponsor kids. It would be \$25ish dollars and for many kids, that is too much for their families. He worries about losing kids right now, especially with the isolation and burden of COVID. If anyone would like to donate, please reach out to Jason Werling at the Recreation department at jwerling@ci.sandusky.oh.us

OLD BUSINESS

Mike Meinzer asked if there was any movement on the SAFER grant for man power and if any city staff could speak to the status of that.

Jim Green said they have not received word on the grant yet. The only thing that came up right now is the vehicle replacement.

Wes Poole asked for further clarification, asking whether the grants have not opened up or we are waiting to find out if the grants will be available.

Jim Green said one grant the city applied for was for equipment and vehicles. That opened up through FEMA. The other grant is for personnel, and that one has not opened up yet.

NEW BUSINESS

Upon motion of Dennis Murray and second of Naomi Twine, the commission voted to go into executive session, regarding a pending legal matter. Roll call on the motion: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7.

AUDIENCE PARTICIPATION

Tim Schwanger 362 Sheffield Way, Sandusky

Greetings Commissioners and staff.

My concern for this evening's meeting pertains to the amount of time City staff takes to fill public information requests in accordance with the Ohio Sunshine and Open Records Law.

On November 4th 2020 I submitted a Public Information Request for documents regarding plans Marous Brothers submitted for future use of the Damon's Restaurant and other areas of Battery Park. I have resubmitted that request a total of 3 times and each time the answer has come back "we are putting the information together". It's been nearly 60 days since the first request.

There are a number of other documents regarding other City issues I've been waiting for a response for up to 3 weeks as well.

Transparency and openness in a timely manner is vital and necessary.

Dick Brady said that is a question we will send to the law department for a formal response. Without blame, we have changed hats in the law department recently, and that is no excuse, but we have slowed down on gathering information and providing information. We too value openness and transparency.

Wes Poole asked if he could receive a copy of that response, when law director, Brendan Heil responds to Tim Schwanger. He asked what is the fine or penalty for failing to respond to people in a timely fashion.

Brendan Heil said there are statutory requirements for responding in a timely manner. A response needs to be issued in a reasonable amount of time and the city has not violated any of these terms. If someone does not feel they have received public records in a reasonable amount of time, they can bring a lawsuit. We are going to fully comply with our obligations to the Ohio Revised Code.

Wes Poole said he was not suggesting that we were in violation. Instead he was asking what the penalty is for those found in violation.

Brendan Heil said you can be assessed fines or court costs if found in violation.

The COMMISSION RECESSED FOR EXECUTIVE SESSION.

Dick Brady said they are back from their recess and he will entertain a motion.

Upon motion of Dennis Murray and second of Naomi Twine, the commission moved to adopt a resolution, authorizing the City's Law Director to resolve a pending employment dispute and to expend funds in an amount not to exceed seventeen thousand dollars to settle the matter, and that this resolution shall take immediate effect in accordance with section 14 of the City Charter.

Discussion: Brendan Heil clarified the resolution calls for an amount not to exceed seventeen thousand five hundred (\$17,500).

Dennis Murray amended his motion with a second of Naomi Twine, the commission voted to adopt a resolution authorizing the City's Law Director to resolve a pending employment dispute and to expend funds in an amount not to exceed seventeen thousand five hundred dollars to settle the matter, and that this resolution shall take immediate effect in accordance with section 14 of the City Charter.

Roll call on the amended motion: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7. Roll call on the resolution: Yeas: Dave Waddington, Wes Poole, Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, 7. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

ADJOURNMENT

Upon motion of Dennis Murray and second of Naomi Twine, the commission voted to adjourn at 6:05 p.m. The President declared the motion passed.



McKenzie Spriggs
Commission Clerk



Richard R. Brady
President of the City Commission