

The President called the meeting to order at 5:00 p.m. after the Invocation, given by Blake Harris, 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.

City staff present: Stuart Hamilton – IT Manager, Eric Wobser, City Manager

City staff via teleconference: 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 May 24, 2021 meeting and suspend the formal reading. The President declared the motion passed.

#### **AUDIENCE PARTICIPATION**

*Matt Ames, 2204 Mills Street, Sandusky*

He would like to hear comments received by the commission in relation to the designated outdoor refreshment area (DORA) downtown. Though most people are supportive of DORA they do want to provide their feedback and ensure the commission provides adequate public safety for residence and visitors alike. He wants to ensure policies are in place and are being communicated well ahead of the rollout. During the summer months, Sandusky will be seeing more foot traffic, vehicle traffic, scooters, bicycles, segways, golf carts and motorcycles. What plan is in place for enforcing 121 area acreage downtown? What penalties will be in place if the policies are broken? Will additional police resources be allocated for events? Will that understaff policing in the neighborhoods?

*Tim Schwanger, 362 Sheffield Way, Sandusky*

Please explain why the DORA is being passed under Emergency legislation. When the City tried to pass the Downtown SID, the legislation was passed as non-emergency.

*Sharon Johnson, 1139 Fifth Street, Sandusky*

What obligations is the city under in both the Dora and Jackson Street Pier contracts? Is there any out of pocket expenses on both or any in-house in-kind services performed by the city? Why is Dora being done on emergency legislation? This is the first time people are seeing the contract, so this is not fair to have legislation done on emergency legislation. Sharon Johnson 1139 Fifth Street.

*Ryan Whaley, 316 E. Water Street, Sandusky*

I support DORA for a few reasons:

1. I've lived and visited locations with DORA or similar programs. These towns and cities show an increase in foot traffic for both locals and out-of-town visitors.
2. Sandusky has a burgeoning restaurant and pub scene. Retail locations, however are still lacking. DORA will allow retail patrons to grab a to-go drink from a bar or restaurant and take them into shopping locations to browse and spend money. This move will stimulate our shopping and retail downtown and encourage growth.
3. As a bar and entertainment venue owner I have had guests ask me firsthand if we have DORA because they've experienced it in other cities and had a favorable experience.
4. DORA will help increase event attendance, as guests can bring a drink while supporting local business.
5. We have a beautiful walkable waterfront. Enjoy it with your favorite beverage.

*Nikki Lloyd, 247 East Market Street, Sandusky*

I'm sending this email in Support of the DORA program for tonight's city commission meeting.

I would like to thank city staff for working with our local business owners to bring this to commission. I have talked to many of the downtown business owners that are in support of an outdoor refreshment area. As a property owner and entrepreneur of multiple downtown businesses, I welcome an outdoor refreshment area. I'm sure some will say it will create more garbage, but with mindfully set trash cans, the benefits outweigh any possible negatives. We look forward to increased foot traffic it will bring to our downtown entertainment district. It's truly a win win - supporting our bars and restaurants, possibly creating more jobs downtown which means more tax revenue for the city. This will be a great addition to make Downtown Sandusky even more attractive to our community and our tourists.

*Lou Schultz, 125 Sunset Drive, Sandusky*

As you know, The Landmark Commission has rejected the plans submitted by MAC Builders because of their plan to add a deck to the roof accessible by elevator or a stairwell. While I applaud the ongoing efforts of the Landmark Commission to preserve our city's historic streetscape, I disagree with their decision to reject the plans for the Hemminger Saloon for three reasons: First, MAC Builders is committed to restoring and preserving the facade of the building which is of paramount importance. Second, if we hope to preserve historic structures they must be made economically viable. Without the deck, this may not be the case with the Hemminger Saloon. Third, Many other historic buildings along Water Street already feature rooftop decks. Why should MAC Builders be denied the option to add a deck when others have received permission to do so?

I don't take the request that the Landmark Commission's decision be overturned lightly, but in this case, I think it is warranted.

#### **LANDMARK COMMISSION APPEAL – 333 W. Market Street**

Brendan Heil provided feedback on how the appeal would be conducted—the commission had an appeal regarding the Sandusky Landmark Commission's decision denying a certificate of appropriateness for a rooftop structure at 333 W. Market Street. The commission is tasked with simply approving or denying the certificate of appropriateness of that rooftop structure, in short the relevant question is, whether the structure should be constructed in a historic district under our landmark preservation guidelines. Within their packet they will find the written findings of the Landmarks Commission. There is a communication from staff describing what the appeal is, supporting documentation from the appellate, including their application, and a link to the Landmark Commission's meeting and the transcript of that meeting. Additionally, he will be swearing in the witnesses, anyone who will be providing testimony including the appellate, their witnesses and staff. If you want to take any additional comments from the public, the commission is welcome to do so. This is an appeal, and it is a hearing format. The witnesses will be sworn in so the commission can directly ask them questions and they will give evidence in which the commission will base their final decision. At the close of that, there will need to be a motion granting the appeal or denying the appeal, and then a simple majority vote.

Brendan Heil swore in the witnesses, asking them to swear to tell the truth, the whole truth, and nothing but the truth.

Tom Horsman provided background on the appeal—the applicants submitted an application that contained numerous exterior renovations, including changes to the façade, storefront, windows, and an addition to the rooftop structure and rooftop deck. The Landmarks Commission elected to view the application in two parts: everything from the roof down, and one on the rooftop structure and rooftop deck. This building is within the downtown historic district and is listed on the National Register of Historic Places individually. Essentially, there are

two reasons it needs to go before the Landmarks Commission for any approvals. The commission did approve the exterior renovations that were proposed, with the exception of the rooftop deck structure and the rooftop deck itself. Those are the two pieces that have been appealed and sent to the city commission for consideration. Staff indicated past precedent of adding rooftop structures. There is nothing specific in the Sandusky preservation design guidelines that speak to these types of structures, however they have been typically approved in the past, which was noted in the report. The full presentation the applicant shared with the Landmarks Commission is available to view.

Dick Brady asked Tom Horsman what staff's recommendation was regarding this application.

Tom Horsman said staff recommended approval of the certificate of appropriateness. Staff had no objection to the revised plans submitted for the May meeting. Staff is currently requesting approval of this certificate of appropriateness.

Dennis Murray asked Brendan Heil if the commission is able to base their decision based on the testimony taken in tonight, in addition to all the documents submitted in the record.

Brendan Heil said that is correct. The transcript, decision made at the Landmarks Commission meeting, any supporting documents made into evidence, and anything presented tonight.

Conor Whelan, the appellant, said their team are residents that are putting a great amount of personal energy and making family sacrifices towards a project that they believe will beautify our city, and restore the property. It was disheartened to be denied the right to restore their property in a way they feel is consistent with those around it. He has come to understand Mike Meinzer's point at that meeting, voting no as a Landmark member but being in favor of putting the responsibility upon our elected officials at the City Commission. The Landmark Commission is appointed to advise City Commission, not make difficult decisions for them. He is personally baffled at how their particular project is a difficult decision, but the Landmark chair and one other member seem to think it was. The only other member who voted against it, was Mike Meinzer who he believes is in favor of the project, but was not in favor of putting that decision on the Landmarks Commission. Four (4) members expressed support of approving their project at the May 19<sup>th</sup> meeting. Ryan Whaley and Alan Griffiths made excellent points about why they voted yes—they emphasized why the doghouse over the elevator was a preexisting structure, as was the A-tram rooftop access that was there. Essentially what they have done is put those together under one roof to help solidify that corner of the building, which was a water hazard and waiting to deteriorate, and will ultimately allow ADA access to the rooftop. They are asking for the freedom to continue to be transparent and responsible neighbors in their rehabilitation of the property. Their plan is to return the building to its original use while enjoying its proximity to the great lake, which is the reason so many of us live here. Their plan, including their rooftop structure does fall within the city's updated masterplan, to celebrate rooftops, and is well within the scope of what the Landmarks Commission has previously approved. Their plan has zero loss of historic character, and in fact, enhances the historic character of the building and is going to beautify the block it sits on. As the owners, it is on them to construct and execute the plan in a time frame and budget that is cost effective. He is asking the city commission to allow them to do just that. The approval of the rooftop structure is important to move forward with the next phase, which is to water tight the roof, and construct the stairway underneath this area. The approval of the plan is important to the economic viability of the project. While not here to prove their worthiness as developers, he would like to point out their portfolio of projects they are proud of, and he has purposely made the decision to expend most of his expendable capability into improving properties around Sandusky, this being the latest. They are committed to doing their part to improve Sandusky. He is hoping the commission can break the 3-3 tie from the Landmarks Commission. Tom Horsman showed the views from the rooftop via a PowerPoint slide show. Conor Whelan said the rooftop is the reason visitors will

come to the space, for the view. When they viewed the property in May of 2019, the view is what made up their mind to purchase. The view from the front angle is probably the best view. Lastly he wanted the commission to see all the rooftop structures that have been previously built in Sandusky, including the one approved at the March 17<sup>th</sup> meeting at 125 E. Water Street which can actually be seen from the street, and the new one is much higher. He is in favor of all the rooftop additions, and believes Sandusky could be a rooftop town, which was seen in the recent masterplan. He was recently in Asheville, North Carolina and rooftop tours were part of the things to do there. He reiterated their project fits well within the scope of what has already been approved and is seen in the historic district, they meet the standards as much if not more than other projects, and nothing of historic value is being lost in their project, including going with more historic materials such as wooden windows and façade.

Brendan Heil confirmed the commission's role is to affirm or overturn the decision of the Landmark Commission on whether or not the rooftop structure fits within the historic district or within a historic building.

Dick Brady invited the public to make comments:

*William Shram, 914 W. Washington, Sandusky*

Said this is not about spoiling Conor Whelan's dream. He moved here in 1996 from Bay Village and saw Sandusky 20 years ago being basically nothing. Now he sees it growing and developing. He is not the old stodge that has been here for 40 years but he is not the young 20 year old either. What concerns him is precedent. Sandusky has had many lawsuits over splitting hairs that the tax payers have spent millions of dollars on. To clarify, they bought the building and had a dream. He just put up a fence, and had to get a permit. Why would someone with Conor Whelan's track record build something on top of a building, and not go through the proper channels first. When they designated the Landmarks Commission they designated smart people to help protect buildings downtown, and it also falls to a federal and state guidelines. That is the only reason we have a split vote of 3-3. He said Conor Whelan jumped the gun, and has a structure up there without the proper permissions. When we do this, we fall into other lawsuits down the road. We need to slow down. We are talking about building a hotel downtown and we are rushing to change, which is great, but we have had some lawsuits by rushing things through. We love your project, we embrace your project, but let us get some P's and Q's in order. If the city commission is not entrusting the landmarks commission to make those decisions, why have that commission?

*Ed Stout, 1222 Marlboro Street, Sandusky*

He is present representing the Old House Guild, an organization dedicated to the preservation of historic structures and the site manager of the Cooke-Dorn House which is on the National Registry of Historic Buildings. He is aware of the rules and regulations that govern what can and cannot be done with the building on the National Registry. It was the Old House Guild along with the Sandusky Library that over 40 years ago spent thousands of volunteer hours to get a thorough categorizing of historic structures in Sandusky, and get them on the National Registry. Making Sandusky the city with the most buildings on the National Registry within the state of Ohio. It was with the Guild's help the city obtained its historic district downtown, and not long ago the expansion of that district was on the ballot and passed by voters. The request for current alterations of 333 W. Market Street violate the national registry's guidelines, they oppose. If allowed to receive approval, it will represent the most flagrant example of violation within the heart of that district. Why authorizations and permits were not issued is in suspect and shows personal involvement that never should have occurred. Giving approval would place in jeopardy the continued existence of Sandusky's historic designated district along with any future grant monies and tax abatements from any state or national governments, if they pull our availability to them. He asks the commission to deny the request for appeal.

Dick Brady said Ed Stout is talking about things that have nothing to do with this appeal, the process is a separate issue. At some point that can be brought up under new or old business, but to dwell on permit is not the decision the city commission has to make.

*John Feick, 629 Columbus Avenue, Sandusky*

He is also the architect for the project. A building permit was applied for. The Landmarks Commission is empowered with the guidelines from the National Parks Service. These are guidelines not absolutes. One of the nice things about having a public policy group like the Landmarks Commission and the City Commission is that we are allowed to put our own thoughts into it. We feel this project is within the best interest of the city, which is why it was brought to the Landmarks Commission. There was a split decision, and now it is here to get a final decision.

Mike Meinzer said the commissioners understand there is preference.

Naomi Twine asked Mike Meinzer to clarify that statement.

Mike Meinzer said commissioners often hear the comment that individuals are getting sweet deals or preference. The comparison of the Shores and Islands building was brought up, Bryan Kasper's rooftop example. The architect should have known it needed two forms of egress, they came back a year later and requested that second egress, well into the construction of that building, which had to go on the front of the building. The Landmark proposes setbacks, roof slants, etc. and there are a lot of things people can do to appease the Landmarks Commission as far as aesthetics. He is just explaining how that came about. The Landmarks Commission has a duty to preserve historic structures. He can say as the liaison, the group is dedicated and passionate. He felt like it did not belong in the laps of a volunteer board to make this difficult decision, and it should be vetted out at this table so the public understands there is no sweet deal going on. Everyone recognizes saving buildings of historic significance. Most city aesthetics and the culture of the building are being preserved. Conor Whelan talked about sandstone window sills, tuck pointing the building, and the façade being brought back to original character. It is a 99% win. The city administration desires to promote downtown development and rooftop structures and bars are part of our character and culture. Does this rooftop miss the mark as far as aesthetics? Yes, he believes it does. Does he think improvements could have been realized if it had been presented to the Landmarks Commission first? Yes. He thinks a compromise could have been reached. They could have helped develop an elevation drawing that would have been more appealing to the community. With that being said, the project is being built by private owners, not with public tax dollars, and it is already underway. At this point it is imperative the building division, the fire presentation division address what we have left as life safety issues. What is the intended use of this? It will be for assembly, a bar, or air bnb. What is the weight of the rooftop deck? What are the live loads? Can the structure handle environmental loads such as wind and snow? He is going to vote yes tonight, and thinks from here on out, we need to follow the process from landmarks and planning. Or we need to change the process.

Wes Poole asked Tom Horsman to show the photos that were presented at the Landmarks meeting by Tim Berkey, photos taken from the street, and provide his comments as to why they did not approve this, and the violations they suggested this building is not in compliance with.

Tom Horsman said to give a general summation, they believed since it was on a pitched roof, it was an inappropriate addition. That distinguished it from other types of buildings rooftops have been built on. Secondly, to go back to the Secretary of the Interior guidelines those are generally discouraged for buildings with three or fewer stories. That was noted in staff's report, granted they did recognize that those are guidelines and exceptions have been made to that in the past. He believes those were the two primary reservations made by Landmarks members.

Brendan Heil confirmed the transcript and the meeting are already part of the record.

Wes Poole said he is trying to provide context, showing the other side to the story, and the city commission has been presented one. The guidelines suggest rooftops should not go on buildings that are three stories, we have done that in other locations. The difference is in other locations, it does not substantially alter the look of the building. Those other projects are not surrounded by shorter buildings on either side of them that makes it stand out like this one does. Those rooftops were also on flat roofs. He is prepared to accept this if the commission would like to make the change today. On the face of the record, there is no reason to accept this appeal. Mike Meinzer realized this is in violation. The three individuals who voted yes stated why they voted yes, which included that this is in violation but we are desperate development, and we are trying to ensure this becomes a bar. There is no guarantee that putting a rooftop facility there means it will be a successful business. If the city commission would like to relax the objectives of the Landmarks Commission, so everyone gets treated the same, let us have conversation at the table. If the city commission would like to abandon the quaint land marking of downtown, let us move on. The members of the Landmarks Commission said there is no purpose of them attending the meetings, if the city commission is not going to uphold their votes. He said clearly the building in question is not like the other buildings that have been granted rooftop approval.

*William Shram, 914 W. Washington, Sandusky*

He said the issue here tonight is not the development. The issue is the gray area and the missteps that leave us wondering how he is going to finish the project. He is also a member of the Old House Guild and his concern is that we are changing what is on the record now. We have Jim's Pizza Box who wants to put on a rooftop deck. This is where we get into lawsuits down the road, because we rush things through. He is not here to oppose anything. He is here to oppose what is on the record now. We have to follow the rules and regulations. If we go by and say we like Conor Whelan, we want Sandusky to grow, then we get into the legalities of the next guy, Mr. Pizza Box, Mr. Whoever, who says you granted this for him, what about for me? Let us protect ourselves and get out of this sue atmosphere. The city commission is spending his tax dollars and he is tired of it. Kudos to all of them for their comments.

Dick Brady said the concept of passing legislation in the middle of an appeal is probably inappropriate. The city commission finds themselves in the middle of an appeal and they need to make a decision based on the information in the record and what has been discussed tonight. The charge of the Landmarks Commission is a charge for a future meeting, and he thinks they owe that to them, to provide some guidance to the Landmarks Commission for the future. But for tonight, they are in the middle of the appeal.

Naomi Twine said she has a better understanding of each side. Conor Whelan has been a developer and loves this community. He is trying to do the right things to bring additional people to this area. She said she does not always see eye to eye with Wes Poole but he made some great comments tonight in regards to the Landmark Commission and what it should be doing, as well as the appeal coming to this table tonight. She is relying on the people of the Landmarks Commission to do what they have been asked to do, and their job is to understand the historical aspect of what changes do to a building. When buildings or districts have this historical assignment to it, and we want to do something to change it, it is difficult when those changes are obvious. In the 1880s, there probably were not rooftop structures. That is not to say that engaging in rooftops is something we should not be doing now. She is having a hard time agreeing to the appeal. She supports what the Landmarks Commission decided. She is going to agree with the Landmarks Commission. There are some steps we can take to not end Conor Whelan's desire to do this, but we need to follow those steps appropriately and not miss the mark on what we have been asking the Landmark Commission to do.

**Upon motion of Dennis Murray and second of Dave Waddington, the city commission voted to grant the MAC Building and Development's appeal of the Landmark Commission's decision, in other words, to approve the certificate of appropriateness and the rooftop structure.**

Wes Poole asked if that motion is to approve his appeal.

Brendan Heil said yes. A yes vote is to grant the appeal, and approve the rooftop structure. A no vote would be the opposite.

**Roll call on the motion: Yeas: Blake Harris, Dennis Murray, Dick Brady, Mike Meinzer, Dave Waddington, 5. Nays: Naomi Twine, Wes Poole, 2. The President declared the appeal granted, and the certificate of appropriateness granted. (This can be found under Resolution 029-21R.)**

### **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**

**The President asked if the commissioners wished to remove any of the items on the Consent Agenda. The commission chose to leave as is.**

#### **ITEM A – Submitted by McKenzie Spriggs, Commission Clerk LIQUOR PERMIT TRANSFER FOR HY MILER – CLEVELAND ROAD**

**Budgetary Information:** There is no budgetary impact.

The city is in receipt of a Notice to Legislative Authority from the Ohio Division of Liquor Control for a C1, C2, D6 liquor permit (*beer only in original sealed container for carry out only, wine and mixed beverages in sealed containers for carry out, sale of intoxicating liquor on Sunday between the hours 10AM and midnight*) for Capl Retail LLC dba Hy Miler 2200, located at 1631 Cleveland Road. It is requested the Commission Clerk be authorized to notify the Division of Liquor Control the City does not request a hearing on this matter.

#### **ITEM B – Submitted by McKenzie Spriggs, Commission Clerk LIQUOR PERMIT TRANSFER FOR HY MILER – VENICE ROAD**

**Budgetary Information:** There is no budgetary impact.

The city is in receipt of a Notice to Legislative Authority from the Ohio Division of Liquor Control for a C1, C2, D6 liquor permit (*beer only in original sealed container for carry out only, wine and mixed beverages in sealed containers for carry out, sale of intoxicating liquor on Sunday between the hours 10AM and midnight*) for Capl Retail LLC dba Hy Miler 2221, located at 3223 Venice Road. It is requested the Commission Clerk be authorized to notify the Division of Liquor Control the City does not request a hearing on this matter.

#### **ITEM C – Submitted by McKenzie Spriggs, Commission Clerk LIQUOR PERMIT TRANSFER FOR BETTER WAYS LLC**

**Budgetary Information:** There is no budgetary impact.

The city is in receipt of a Notice to Legislative Authority from the Ohio Division of Liquor Control for a D5 liquor permit (*spirituous liquor for on premises consumption only, beer, wine and mixed beverages for on premises, or off premises in original sealed containers, until 2:30AM*) for Better Ways LLC, located at 1109 Warren Street. It is requested the Commission Clerk be authorized to notify the Division of Liquor Control the City does not request a hearing on this matter.

#### **ITEM D – Submitted by McKenzie Spriggs, Commission Clerk LIQUOR PERMIT TRANSFER FOR THE CLUB**

**Budgetary Information:** There is no budgetary impact.

The city is in receipt of a Notice to Legislative Authority from the Ohio Division of Liquor Control for a D1, D2, D3, D3A liquor permit (*beer only for on premises consumption or in original sealed*

*containers for carry out only until 1AM, wine and mixed beverages for on premises consumption or in original sealed containers for carryout only until 1AM, spirituous liquor for on premises consumption only until 1AM, extend issued permit privileges until 2:30AM)* for Orphanage LLC dba the Club, located at 1220 Sycamore Line. It is requested the Commission Clerk be authorized to notify the Division of Liquor Control the City does not request a hearing on this matter.

**ITEM E – Submitted by Joshua Snyder, Assistant City Engineer  
ENCROACHMENTS ALONG WARREN STREET**

**Budgetary Information:** The cost of recording the documents is estimated to be \$418.00 and will be paid with Capital Funds.

**(1) ORDINANCE NO. 21-080:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Mack Iron Works Company, to provide for the use of a certain portion of the City's right-of-way located at 124 Warren Street, as described in the Grant of a License for Encroachment, for purposes of retaining an existing parking field; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**(2) ORDINANCE NO. 21-081:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Ernest Robinson, to provide for the use of a certain portion of the City's right-of-way located at 410 Warren Street, as described in the Grant of a License for Encroachment, for purposes of retaining existing wood steps; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**(3) ORDINANCE NO. 21-082:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Kevin Dickens, to provide for the use of a certain portion of the City's right-of-way located at 426 Warren Street, as described in the Grant of a License for Encroachment, for purposes of retaining an existing brick planter and building; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**(4) ORDINANCE NO. 21-083:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Joshua Losey, to provide for the use of a certain portion of the City's right-of-way located at 432 E. Washington Street, as described in the Grant of a License for Encroachment, for purposes of retaining existing concrete stairs; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**(5) ORDINANCE NO. 21-084:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Gregory and Barbara Sheets, to provide for the use of a certain portion of the City's right-of-way located at 433 E. Adams Street, as described in the Grant of a License for Encroachment, for purposes of retaining existing concrete stairs; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**(6) ORDINANCE NO. 21-085:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Gregory and Marlene Gosser, to provide for the use of a certain portion of the City's right-of-way located at 504 Madison Street, as described in the Grant of a License for Encroachment, for purposes of retaining an existing wood fence; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**(7) ORDINANCE NO. 21-086:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Tommie McDonald, to provide for the use of a certain portion of the City's right-of-way located at 506 E. Adams Street, as described in the Grant of a License for Encroachment, for purposes of retaining an existing chain link fence; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**(8) ORDINANCE NO. 21-087:** It is requested an ordinance be passed authorizing the City Manager to enter into a license agreement with Gregory and Marlene Gosser, to provide for the use of a certain portion of the City's right-of-way located at 610 Warren Street, as described in the Grant of a License for Encroachment, for purposes of retaining an existing wood fence; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.



**ITEM F – Submitted by Joshua Snyder, Assistant City Engineer****ADOPT THE 2020 ERIE COUNTY NATURAL HAZARDS MITIGATION PLAN**

**Budgetary Information:** This item has no budgetary consequence with the exception that in the future, the City will be eligible for federal and state mitigation funding.

**RESOLUTION NO. 030-21R:** It is requested a resolution be passed approving and adopting the 2020 Erie County Natural Hazards Mitigation Plan; authorizing participation by City representatives in the mitigation core group; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM G – Submitted by Jeffrey Meinert, WWTP Superintendent****RATIFY EMERGENCY PURCHASE OF ALLEN-BRADLEY VARIABLE FREQUENCY DRIVE AT WWTP**

**Budgetary Information:** The cost of \$16,498.39 for equipment purchase will be paid with Sewer Funds.

**ORDINANCE NO. 21-088:** It is requested an ordinance be passed ratifying the emergency purchase of a new Allen-Bradley variable frequency drive (VFD) for primary pump #4 at the Wastewater Treatment Plant (WWTP); authorizing and directing the City Manager and/or the Finance Director to expend funds to Rexel USA of Sandusky, Ohio, in the amount of \$16,498.39; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Dennis Murray and second of Wes Poole, the Commission voted to accept the Consent Agenda and declare all ordinances, resolutions, and liquor permits 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: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. Roll call on the ordinances, resolutions, and liquor permit: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. The President declared the ordinances, resolutions, and liquor permit contained in the Consent Agenda passed in full accordance with the city charter.**

**REGULAR AGENDA****ITEM #1 – Submitted by Jared Oliver, Police Chief and Stuart Hamilton, IT Manager****PURCHASE AXON AUDIO & VIDEO IN-CAR SYSTEMS**

**Budgetary Information:** The total cost of the fifteen (15) Axon cruiser in-car systems, software, hardware and accessories is \$152,100 and will be paid in annual payments of \$30,420 for five (5) years. Year One - \$10,920 will be paid with Capital funds and the remaining \$19,500 will be paid with Enforcement & Education Funds. The remaining four (4) years will be paid from the police operating budget.

**ORDINANCE NO. 21-089:** It is requested an ordinance be passed authorizing and directing the City Manager to purchase fifteen (15) Axon Fleet 3 in-car audio and video systems including software, hardware and accessories from Axon Enterprise, Inc. of Scottsdale, Arizona, for the Sandusky Police Department; 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 Blake Harris, the Commission voted to approve the ordinance in accordance with Section 14 of the City Charter.**

*Discussion:* Jared Oliver said there are many fail safes with this new system. This moves the city into the next generation of cameras that would benefit the department.

Dick Brady asked if the equipment is out of date after five years.

Jared Oliver said it is but this new system works a bit differently. He does not foresee the new system going out after five years. Axon provides new cameras with their body-worn cameras. They will start replacing equipment as part of the maintenance agreement.

**Roll call on the motion: Yeas: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. Roll call on the ordinance: Yeas: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. The President declared the ordinance passed under Section 14 of the City Charter.**

**ITEM #2 – Submitted by McKenzie Spriggs, Commission Clerk**

**AGREEMENT WITH THE LIBRARY ASSOCIATION OF SANDUSKY TO SPONSOR PROGRAMMING EVENTS AT THE JACKSON STREET PIER THROUGH THE LANGE TRUST**

**Budgetary Information:** The Lange Trust will provide \$50,000 to the City of Sandusky to assist with the curation of these cultural events at the Jackson Street Pier. These dollars will be reimbursed into the programming fund.

**ORDINANCE NO. 21-090:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a sponsorship agreement with the Library Association of Sandusky, Ohio, for programming events at the Jackson Street Pier; 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 Dave Waddington, the Commission voted to approve this ordinance in accordance with Section 14 of the City Charter.**

*Discussion:* Dennis Murray said the Lange Trust gets so many people pointing and arguing about art. What is art? It causes a conversation, some reflection, if they are in a bad mood it distracts them, it puts you in a different frame of mind. The fact that we get to rotate this is a gift to us. We get to have expensive art because of their gift. He loves arguing with his friends and kids about what it all means.

Dick Brady said the Lange Trust has been responsible for a lot of programming, and it is all free. People just have to show up.

**Roll call on the motion: Yeas: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. Roll call on the ordinance: Yeas: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. The President declared the ordinance passed under Section 14 of the City Charter.**

Sarah Prout, the chairperson of the Lange Trust of the Sandusky Library said she appreciates the city's support. The city has been a good partner. They hope to have another series of sculptures coming as soon as the requirements are lifted in Europe to get a Polish artist here to install some suspension sculptures. Tonight's \$50,000 commitment is in regard to concerts on the Jackson Street Pier. There are hopefully four (4) concerts they would like to present this summer. They will be family friendly and of high representation.

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

**SUBMERGED LANDS LEASE WITH OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE CEDAR POINT CAUSEWAY WETLAND PROJECT RELATED TO THE SANDUSKY BAY INITIATIVE**

**Budgetary Information:** Since the project is a public environmental and habitat improvement, it is considered a "governmental non-income producing" facility. The 50-year lease will cost \$1.00 per annum, which will be paid from the General Fund.

**ORDINANCE NO. 21-091:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a submerged lands lease with the State of Ohio, Ohio Department of Natural Resources, for the Cedar Point Causeway Wetland Project related to the Sandusky Bay Initiative for property adjacent to Cedar Point Road; 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 Dennis Murray, the Commission voted to approve this resolution in accordance with Section 14 of the City Charter.**

*Discussion:* Dick Brady asked Aaron Klein to discuss this and the companion legislation in items #4 & #5.

Aaron Klein said this project has been discussed for about five years now. When you have a pilot project that has never been done in the Great Lakes before, we have to check a lot of the regulatory boxes. The first piece of legislation (Item #3) is to get the submerged lands lease finalized with the ODNR. We already have littoral rights given to us by Cedar Point, which allow us to enter into this agreement and it will only be for one year as it is a governmental, non-income producing facility. The next item on the agenda (Item #4) is acceptance of another \$100,000. What we have encountered as we have gone through the project is a lot of additional regulatory requirements. One of those is to determine the depth from the channel, dredged by the Corps of Engineers and seeing if their vessels can make it to these wetlands. ODNR has supplied us with another \$100,000 in grant money which brings us up to \$5.2M that we have accepted so far, that does not accept the \$1M from U.S. EPA that they will give to the Corps of Engineers to cover the dredging cost. The last item (Item #5) is for KS Associates who will be doing the final construction plans. We expect to have those by the end of this month. We hope to proceed with construction bidding in July, which we will come back to the City Commission for. That is part of the \$4M that was accepted in June of 2020.

Dennis Murray said he will be advising on this and the next two, as he has in a prior piece of legislation, given the proximity of this project to his home. He does not know that he is required to abstain, but is going to out of caution.

**Roll call on the motion: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 6. Abstain: Dennis Murray. Roll call on the ordinance: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 6. Abstain: Dennis Murray. The President declared the ordinance passed under Section 14 of the City Charter.**

**ITEM #4 – Submitted by Aaron Klein, Public Works Director**

**ACCEPT FUNDS FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE CEDAR POINT CAUSEWAY WETLAND PROJECT – PHASE 1 RELATED TO THE SANDUSKY BAY INITIATIVE**

**Budgetary Information:** There is no impact to the City budget as all project activities will be paid for with the available funds from ODNR on a reimbursable basis.

**ORDINANCE NO. 21-092:** It is requested an ordinance be passed authorizing and directing the City Manager to accept grant funds in the amount of \$100,000 from the Ohio Department of Natural Resources in cooperation with the Ohio Environmental Protection agency for the Cedar Point Causeway Wetland Project – Phase 1 related to the Sandusky Bay Initiative; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Mike Meinzer and second of Naomi Twine, the Commission voted to approve this ordinance in accordance with Section 14 of the City Charter.**

**Roll call on the motion: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 6. Abstain: Dennis Murray. Roll call on the ordinance: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 6. Abstain: Dennis Murray. The President declared the ordinance passed under Section 14 of the City Charter.**

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

**PROFESSIONAL SERVICES AGREEMENT WITH KS ASSOCIATES, INC. FOR THE CEDAR POINT CAUSEWAY WETLAND PROJECT – PHASE 1 RELATED TO THE SANDUSKY BAY INITIATIVE**

**Budgetary Information:** There is no impact to the City budget as all project activities totaling \$49,800 will be paid for through the acceptance of \$100,000 of funds from ODNR on a reimbursable basis.

**ORDINANCE NO. 21-093:** It is requested an ordinance be passed authorizing the directing the City Manager to enter into an agreement for professional services with KS Associates, Inc. of Elyria, Ohio, for the Cedar Point Causeway Wetland Project – Phase 1 related to the Sandusky Bay Initiative; 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 in accordance with Section 14 of the City Charter.**

**Roll call on the motion: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 6. Abstain: Dennis Murray. Roll call on the ordinance: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 6. Abstain: Dennis Murray. The President declared the ordinance passed under Section 14 of the City Charter.**

**ITEM #6 – Submitted by Tom Horsman, Transit Administrator  
CREATE A DESIGNATED OUTDOOR REFRESHMENT AREA (DORA)**

**Budgetary Information:** There are no direct costs associated with passage of this legislation.

**ORDINANCE NO. 21-094:** It is requested an ordinance be passed creating a Designated Outdoor Refreshment Area; establishing requirements to ensure public health and safety within such area; 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 Blake Harris, the Commission voted to approve this ordinance in accordance with Section 14 of the City Charter.**

*Discussion:* Dave Waddington said he was initially concerned because of the size of this. His concerns regarded litter and safety. He met with the Police Chief and Jonathan Holody who think we can handle this. In the future, any four (4) commissioners can shrink it down or make changes. He is going to support it tonight.

Wes Poole asked Chief Oliver if he was going to be able to manage this without overtime.

Chief Oliver said he believes we will be able to handle this. Staffing levels are what they are, but they constantly manage downtown. They started bike patrols last week, and will continue to do that. They will evaluate the program a couple weeks in and see if they need to adjust anything. He does not foresee and issues with overtime, he thinks it is going to generate excitement, and does not foresee a big policing issue. They will have to monitor littering and trash but he is not too concerned.

Wes Poole said DORA is intended to bring additional people downtown. If it does begin draining additional resources to make it work, those benefitting from the DORA should expect that we will be looking for ways to compensate us for those additional hours. He does not believe in taking resources from the rest of the community to add business profits. If you need special security for your event, you are expected to pay. He does not think it will be a problem, but would like to put it out there, in case additional resources are needed. He asked Tom Horsman why Washington Park was included in the boundary.

Tom Horsman said this was a topic of discussion among staff and the considerations were that there are events that take place in Washington Park such as at the Gazebo, car shows, or farmers market. The patrons that attend those could use the DORA. We additionally had questions about whether to include a park, but other cities include their main square and have had generally positive feedback.

Wes Poole asked if the folks that use the gazebo came to us and asked for the DORA, or did staff just decide this was a good idea?

Tom Horsman said we did not hear from that group. Anecdotally, staff received positive interest from people using the park.

Wes Poole asked who we heard from that utilizes that space.

Tom Horsman said he cannot name anyone specific off hand.

Wes Poole said there are more than the 20 and 30 year olds who want to drink. He does not think Washington Park is necessary. People deserve quiet places to sit quietly, read a book, enjoy your lunch without 20 something stumbling by without a beer. He is representing those that are not the avante garde for Sandusky, where everything must have liquor and beer and excitement, but he thinks we have gone overboard taking over Washington Park. There is the boy with the boot, monuments to various clubs, and now there is no place to get away from the party gang. Essentially the staff got together and decided it was a good idea, nobody said no, so it must be alright. Folks who live on the ground floor of the Chesapeake are going to think those walking by at midnight are not necessary. It was nice that this is easy to draw. Other than the core of downtown, this is unnecessary.

Mike Meinzer said we can reevaluate this annually, we do not need to wait very long. Four commissioners can vote and we can assess how it goes, and make decisions at that time. As far as small businesses are concerned, if this helps them make money, it behooves them to police their own area and watch for the litter. Empty cups may be the problem. If the businesses are benefitting, they should have staff looking for additional litter. He will be supporting this tonight.

Dick Brady said the questions the public had tonight are in the application that was sent out to commission. Can Tom Horsman share broadly those plans and show this is not a half baked idea, with restrictions included.

Tom Horsman said the state of Ohio mandates that as part of this application, the city submits a safety plan and sanitation plan, which outlines public safety and public health are maintained. We will have regular patrols, as Chief Oliver indicated he believes that to be sufficient, without putting additional stress on the Police Department. That is in line with the 10-15 communities we have spoken with while doing our process. None of them have had to add additional patrols in their downtown district. The sanitation plan will be constantly reviewed to ensure that litter is not a problem, and we will be working with businesses too. Any patron who wants to consume a beverage outside in the public right of way must purchase it directly from a participating business establishment. It is in a specific cup so enforcement can see it. People are not able to bring their own alcohol from home. This has to be reviewed every five years by state law, but the city commission can review it anytime. It can be dissolved or modified with a simple majority vote by the city commission.

Dennis Murray said he will be abstaining as the DORA boundary includes his office property.

Eric Wobser commended Tom Horsman, he has transitioned from a planner to a transit administrator and lost all of our planners, did a really good job and a deliberate process to engage the community. He visited over 10 DORAs throughout the state, in his own time outside of work. We have heard a lot as to the precautions that should take place, but a lot of thoughtful work went into this and he thinks it will be a well run program.

**Roll call on the motion: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 6. Abstain: Dennis Murray, 1. Roll call on the ordinance: Yeas: Blake Harris, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 6. Abstain:**

**Dennis Murray, 1. The President declared the ordinance passed under Section 14 of the City Charter.**

**ITEM #7 – Submitted by Aaron Klein, Public Works Director (walked into the meeting**

**RESOLUTION 031-21R:** It is requested an resolution be passed authorizing the filing of a grant application with the US Department of Transportation for discretionary grant funding through the fiscal year 2021, Rebuilding American Infrastructure with Sustainability & Equity grant (RAISE) for the Sandusky Bay Pathway; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Blake Harris and second of Dave Waddington the Commission voted to approve this resolution in accordance with Section 14 of the City Charter.**

*Discussion:* Aaron Klein said this was read at the May 24<sup>th</sup> meeting, that we would be applying for these funds, and we would come back if awarded. He found out Friday a resolution is needed in order to be able to submit an application. The total budget for the project is estimated under \$30M and that includes the Pier track, the bridge, all the amenities and everything that is left along the Sandusky Bay Pathway outside the landing. The connector along the Monroe and Edgewater neighborhood and the connector on the west end of the downtown piece, and Venice Road, and First Street, connecting to Meigs Street. This includes the wayfinding, educational signage, etc. The \$30M price tag includes the design and acquisition. It is a pretty large project. The \$18.7M ask is 70% of the total construction cost. \$8.1M is 30% and represents the city's contribution towards that. That will be paid for through the various TIFs, capital funds, and Issue 8 funds that have already been set up. This will allow us to speed up the project rather than piece mealing it over the next 10ish years. We can do one big project once we get the acquisition phase completed

**Roll call on the motion: Yeas: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. Roll call on the resolution: Yeas: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. The President declared the resolution passed under Section 14 of the City Charter.**

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

- **Upon a motion from Dave Waddington and a second of Naomi Twine, the commission voted to accept a donation of tropical plants and flowers, valued at \$1,000 from Cedar Point. The President declared the motion passed with the city's thanks.**
- **Sergeant Kevin Youskievicz retired from the department on Thursday, June 10<sup>th</sup>.** He served the community with professionalism and pride for over 25 years. Congratulations and enjoy retirement Sergeant. Eric said he is a tremendous Sandusky person with a Sandusky family, and we hope to continue his involvement with the City.
- **Officer Anthony Bath was promoted to the rank of Sergeant on Friday, June 11.** We look forward to watching him grow in his new leadership role as a supervisor.
- **A Fire fighter entrance exam was giving through the National Testing Network. A total of 58 people took the test.** The physical agility test was given June 8 – 10. The new entrance exam list will be certified at the next Civil Service Commission meeting on June 22 at 3:30 pm.
- **The next Finance Committee meeting is scheduled for Friday, June 18 at 8 am.**
- **A grant update: the Brownfields grant application submitted to US EPA and the two transportation alternative applications submitted to Erie County MPO for the**

**Meadowood Subdivision Sidewalk Project and Hancock School Neighborhood Walkability Project will not receive funding.** Staff will continue to investigate opportunities for each of these items.

- All of the drinking fountains are up and running in the parks. COVID-19 warning signs have been removed from playgrounds and restrooms.
- **Congratulations to Brandon Dority for his promotion to Plant Maintenance at the Wastewater Treatment Plant.** Brandon was previously an operator at the same facility. **Also, I'd like to welcome Matt Cullen and Michael Bush who have started in the sewer maintenance division.**
- **The local street resurfacing project and the Camp Street resurfacing project will begin on Wednesday or Thursday this week.** The contractor will be working in zones with the first zone being within the neighborhood around Barker, Clinton, Harrison, and Pearl. We urge all residents to stay up to date through the City's website and to pay attention to all of the No Parking signs, which will be used as needed for daily contractor tasks. Over 1500 notification letters have been forwarded to abutting residents and there will always be a representative from the City or the contractor on-site to assist with immediate needs. Please contact Megan Stookey at 419.627.5878 with any questions.
- **The Department of Community Development intends to bid the asbestos abatement and demolition of three (3) city-owned properties that surround Churchwell Park.**
  - 2132 Parkview Boulevard, 4 unit vacant structure purchased October 16, 2020
  - 1501 S. Forest Drive, 2 unit vacant structure purchased on November 4, 2020
  - 2111 Parkview Boulevard, 4 unit vacant structure purchased on May 27, 2021

The project will be paid with CDBG funding.

- The City of Sandusky released the newest program to assist non-profit organizations, including religious entities that offer food and/or meals and personal hygiene products to low/moderate income individuals or families free of cost as well as delivery of food or meals free of cost. **This new program is called "Covid 19 Food Assistance Grant Program" and applications can be accessed through the city website at [www.cityofsandusky.com/cdbg](http://www.cityofsandusky.com/cdbg).** Applications are due to the City of Sandusky by 5:00 p.m. Monday June 21, 2021.
- **Five of the Cold Creek lots are under contract to be sold at full asking price.** There continues to be strong interest in that area.
- **The Department of Community Development is pleased to announce the hiring of Arin Blair as Chief Planner. Arin will start work on June 21<sup>st</sup>. She will join Assistant Planner Alec Ochs in the Planning Division. Alec joined the City this past May and is off to a great start!**
- The next **Arts and Culture Commission meeting is scheduled for Tuesday, June 15 at 5:15 PM.**
- The next **Landmark Commission meeting is scheduled for Wednesday, June 16 at 5:00 PM.**
- The next **Board of Zoning Appeals meeting is scheduled for Thursday, June 17 at 4:30 PM.**

- The next **Planning Commission meeting is scheduled for Wednesday, June 23 at 5:00 PM.**
- Transit ridership continues to improve over numbers from 2020. In May 2021, fixed route ridership was 17,085 passenger trips, which was a 144% increase over May 2020, but still 31% lower than May 2019. Demand response service had 1,773 passenger trips in May 2021. Full ridership data is posted online at SanduskyTransit.com every month.
- The Sandusky Recreation Department would like to thank the **Wightman-Wieber Safety Fair & Kids Fun Fest Committee for sponsoring the 2021 Movies by the Bay program for this summer. Movies by the Bay will be shown on the new Firelands Regional Health System LED screen at the Jackson Street Pier on Tuesday nights this summer starting at 7 pm.** Full a full listing of dates and movies can be found by visiting [www.cityofsandusky.com](http://www.cityofsandusky.com).

### **OLD BUSINESS**

### **NEW BUSINESS**

**Upon motion of Dave Waddington and second of Dennis Murray, the commission voted to name the park on Cleveland Road and Erie Boulevard, "Talon Flohr Park."**

*Discussion:* Dave Waddington sent an email to the commission and city manager, regarding changing the name of the small park in the Erie Boulevard neighborhood, to rename it the Talon Flohr Park. He worked with Talon Flohr on repurposing this park, and this was a shining moment for him. He owes this to his young spirit, who was a caring leader to the city. Dennis Murray was there for the ribbon cutting, and the neighborhood loved Talon and the new park. This park has no real name, and he believes it to be fitting. He believes Talon would have went on to become something larger than the city of Sandusky. When we called him back from being laid off, and Talon came to the commission meeting that really touched him.

Dennis Murray said we are at a loss to understand why he was taken away so early. This introspection happens when someone causes us rededicate ourselves for family, the cause he believed in. Talon was going to go a lot further than anyone in this room. He was an extremely capable young man and we were delighted to have him here for the period of time we had him. He is so sorry that he is gone, and he has known his grandparents for many years, they are fine people. We are lucky anytime we have a special young person who wants to come back and call Sandusky home. He also believes renaming the park is fitting.

Dick Brady said Dave Waddington is referring to the week after Talon Flohr and other coworkers were let go during the pandemic, Talon stood in the back of a 2.5 hour commission meeting to get to audience participation. He stood there for those 2.5 hours simply to thank the commission for the opportunity to work in the city. That speaks to the quality of that individual. He supports Dave Waddington's motion. It is incumbent upon us not only to name a park after him, but to reach out and get into the community much like he did.

Naomi Twine said she supports renaming the park. Talon was a talented individual. He was young but he loved what he did for the community. His family should be very proud of the things that Talon did. Sitting there in the service, we are not supposed to question God on what he does, but he thought about how Talon was a force, and a quiet force. He was a strong individual who believed in what he believed in. He was not loud or boisterous. He could become that but it was not how he operated. It is fitting to name the park after Talon who put so much time and energy into the neighborhoods of Sandusky. Through small gestures such as this, we hope to remember him.

**Roll call on the motion: Yeas: Blake Harris, Dennis Murray, Dick Brady, Naomi Twine, Mike Meinzer, Dave Waddington, Wes Poole, 7. The President declared that motion passed.**



Wes Poole asked about the scooters going up and down Shoreline Drive. He said they are going fast. He is wondering what is going on with them.

Eric Wobser said we are working on formalizing an agreement with Scooter Ding Ding, which is owned by a local group of investors. The scooters can go upwards of 15mph. they should only be able to go that fast if operated by the rental system, which we can confirm. We also allow bikes to travel along the pathway. The rules for the Pathway are currently being developed – electric bikes and scooters are appropriate. Anything that is motor operated or of a certain weight may not be permitted. He has seen a lot of activity with the scooters, and has heard many positive comments about the young and diverse people they are bringing into the downtown. Many people have been thrilled with the increased vibrancy that have come from the scooters. This will be a year to year agreement the city is looking to enter into with Scooter Ding Ding and if we have issues we can further regulate this, whether in regard to speed or location where they are operating. While there have been some questions about their speed or where they are going, most people have noted the increased vibrancy along Shoreline Drive this summer.

Brendan Heil said there are existing state laws, and some local laws that apply to scooters. Scooters must operate at certain speeds, similar to e-bikes. If they do not, they can be cited for that. It also caps what can and cannot be used on the pathway, which mostly includes vehicles that are operated at lower speeds, for safety.

Wes Poole asked what the law for speed is.

Brendan Heil said he believes it is 18mph for e-bikes and scooters. If they go faster than that, they do not fit into the classifications allowed on pathways, sidewalks, etc.

Wes Poole asked if e-bikes are permitted on the sidewalk.

Brendan Heil said scooters may be ridden on the sidewalk. Certain classifications of e-bikes can be permitted and certain cannot be. He does not mean to lawyer this one, but there are different classifications of e-bikes that have different rules.

Wes Poole said we are seeing the sidewalks become a racetrack, and he would like to know how soon we can get this legislation. We pay the whole police department to have radar guns, we can establish how fast these scooters are going, easily enough.

Dennis Murray said he first saw these bikes in Columbus and has since read many articles about it. We could read all day long how cities have wrestled with these to determine what is appropriate. We can learn a lot from other places. His general impression is that these things have a period of excitement and then it settles down.

Eric Wobser said one of the things we like about the company doing this in Sandusky, is that the scooters have designated spaces to park them, and the meter does not stop charging unless it is brought back to a designated parking area. As compared to some cities, you can just lay them down on the sidewalk, which looks disheveled and cluttered.

Mike Meinzer said he saw some close calls that blew across the street in front of vehicles. He thinks it might be an educational issue or an age issue.

### **AUDIENCE PARTICIPATION**

*Thomas LaMarca, 206 48th Street, Sandusky*

I am concerned about the hazardous situation created by the mailboxes and bike path along Venice road. Probably 2,000 + cars travel that road daily vs 5-6 bikes and golf carts a week. You should have also included a turn lane onto Thorpe. What were you thinking? What are your plans to fix this?

*Jennifer Ashburn, 2112 Parkview Boulevard, Sandusky*

The city recently purchased the building across the street from her and evicted three families in that process. One of those families went to the homeless shelter. She purchased a crack house in MacArthur Park 10 years ago, after retired from Washington DC and she moved back to Sandusky. They fixed up that building. There are several buildings in MacArthur Park that the city has slated to tear down, and when that happens, we are evicting those poor people. Some of the money being spent downtown needs to be spent in the neighborhoods. MacArthur Park could be a thriving area, it could be a Parkview for poor people. Sandusky has a substantial homeless and poor population that the commission is not addressing. We need to move the funds. The building across the street from her could be renovated and it could be a good place for people to live, similar to how she has renovated the building she has done. People are willing to put that into it. She heard the city manager mention something on Parkview, and perked up. Jonathan Holody called her and told her that building is slated to be torn down. Do not tear the buildings down. Let people like herself renovate these and create places for people to stay. There is like \$30M going for a bike path when you have so many poor people who need places to stay, and they are forced to go to homeless shelter. She has no clout, no money, and is using her retirement funds to provide housing for three families. She pays their utilities, they cannot afford to go anywhere else. Sandusky has more than enough to put some money back into the neighborhoods.

*William Shram, 914 W. Washington, Sandusky*

He is a real estate agent. As part of the Old House Guild, do you go back and save something from the 1600s, 1900s? He thinks our streets should be paved with gold. Sandusky was 60% rental when he moved here in 1996. Today we are up to 70%. We need to come up with some program in the city that creates a pathway to home ownership. We lost \$267,000 or about that which had to be given back to the federal government years ago. Nobody taught people how to buy a home. He ran an association of 2000 realtors in Lake County, Ohio. He became a selfish citizen in 1996, he enjoyed everything for him. As he gets older, his opinions get stronger and his mouth gets weaker. He is going to be Sharon Johnson's surrogate son. The city will be seeing a lot more of him. He wants the commission's skeletons to relax. When he comes here to say no or maybe, there is a yes there somewhere. It is not that we are saying no. Simply to say, he does not know how to solve Jennifer Ashburn's issue. He called our city manager when he was given a raise and told him we are going to hold him accountable for that raise, not that he does not deserve it. When a mayor of Cleveland with hundreds of thousands of people makes less than the city manager of Sandusky, we are wasting some money. Not saying Eric Wobser is not worth his weight in gold. He is upset MAC builders did not have the courtesy to sit through the entire commission meeting, after receiving a yes vote. He is going to be proactive, not a rebel, but proactive.

Wes Poole said we have a disconnect between the people who live in MacArthur Park (and the city). Jennifer Ashburn's comment about this is a place poor people can build, he tends to agree. He is trying to figure out why we are buying up properties, obviously not getting them all, what we are going to put in there and whom will it attract? We are driving out the poorest in our community, which is probably not good. The concept that we are spending \$100,000 on a consultant to tell us to do something extraordinary with that area, he is having a hard time figuring out who wants to go there. There is an industrial plant across the street. The outer ring has been rehabbed by people like Miss Ashburn. Having someone who is concerned about people who have less means than we have is heartwarming, and he thanked her for attending and doing what she does. He thinks the city needs to rethink our position. He is embarrassed.

Naomi Twine said she appreciates Jennifer Ashburn's comments tonight, but it is not our intention or desire to create homelessness situations. We need to figure out a way to fix that problem, but she will also say many of those properties in MacArthur Park should have been torn down or properly renovated a long time ago. When we say we have poor people living out

there, some of those homes are inappropriate for anyone, regardless of economic status, to live in. We are working to strike a balance between renovating, tearing down, and building back up, but it is a process. While we go through that process, there may be things that happen that appear like we are heartless or not caring. She believes Miss Ashburn brought up some things where we can provide assistance. She appreciates that information and this was not the city's desire. We are trying to improve the area so we have affordable housing. It is inappropriate for us as a city for us to leave some of these structures in place. We began strengthening code compliance years ago to ensure appropriate housing is being rented to people.

Jennifer Ashburn said if there is any plan that is going on, it has not been shared with the people there. She saw three families being evicted. Whatever plan is going on, the residents need to be included, and give the people building it up a say. She had written in saying she had an interest in the buildings, and the next week they were torn down.

Eric Wobser said he is hearing Miss Ashburn and knows she wants what is best for her neighborhood. We have been doing outreach, and he met with Miss Ashburn. He and Jonathan Holody have been meeting with people in the Southside neighborhood including Dora Grant, JaMarcus Hampton- who has rehabbed eight houses in that neighborhood, the Sandusky City Schools, and we have asked for names of more residents that we can meet with. Jonathan Holody called Miss Ashburn about the houses on tonight's managers' report, and he said do not buy anything else out there without calling Miss Ashburn and JaMarcus Hampton, to see if they have interest. We are doing our best to describe the city's strategy. We know it is a complicated strategy. We want to build up that neighborhood, but some of the housing there is so substandard that you cannot put enough money back into it to bring it up to a standard, that justifies the investment. We do not believe that of every property in that neighborhood but do believe it of many. The goal is to consolidate enough land. We believe this is a place where quality, affordable housing should exist, in a quality neighborhood. Wes Poole is cynical about what the Southside plan might bring, but we are intending to issue the RFQ for the Southside Masterplan as soon as the new Chief Planner comes aboard. Trying to be as transparent as possible, the goal is to have a resident led initiative in that neighborhood, to ask them directly what they want for their future. We hope to include students because of the massive investments made by Sandusky City Schools. We want the hospital to be involved because of the massive presence throughout the Southside. We think there are great possibilities for employment because KBI is coming back as a usable facility across the street. That is a large reason why that neighborhood exists. Our goal is to provide as much quality, affordable housing, that is safe and walkable to things like a revitalized Churchwell Park, the schools, to healthcare and employment opportunities, and to provide programming to those things. They have not seen a draft of the stimulus plan, but there is a specific section of the plan with four projects for the Southside Neighborhood Implementation that gets at many of these things. It is hard to ask folks like Miss Ashburn who are toiling away in neighborhoods like this to wait a little bit longer, but that outreach has begun. We have lost the planners who were doing this work but we are putting the department back together. Our housing resources are being spent significantly in that neighborhood. Our infrastructure dollars, whether park or recreation or Hayes Avenues investments, are happening. This is a neighborhood we care about very deeply. We do not have all the answers but we want to provide a better quality of life for the people that grow up in that neighborhood, and we need to prove that over the next year, and as we begin to implement the plan coming out of its adoption. He has an open door and hopes to continue this conversation with Miss Ashburn.

Jennifer Ashburn said Jonathan Holody told her the city's plan was to purchase and demolish, and put up a water spout across from her.

Dick Brady said we have a plan going forward, and the city's plan is to share that with the residents, the sooner the better. The piece that was missed here and he is asking Eric Wobser

to look into this, is if we take over a property, staff needs to take the people in that property and be sheparded into another dwelling, and not cut loose. He is not saying the city pays for their rent, but exposes them to another place to live.

Eric Wobser said the units purchased tonight used CDBG funds, there is a federal relocation act and we would not be legally allowed to move people out of those units without doing exactly what you said. These were already vacant properties. We have not always used CDBG dollars, which is to say there may have been tenants in other properties we bought, that needed to be relocated by the landlord, but the properties tonight did not have that scenario. We would have to pay for the relocation according to CDBG and those are vacant properties already. Dick Brady's point is well taken, and we will continue to do the outreach to that neighborhood. Finally the water spout is because we have heard, perhaps more than anything, that residents there want a splash pad similar to those in Huron or Lions Park.

Wes Poole said we are missing the point. We accept the responsibility to switch back and forth between various finance accounts. He fully supports all the words Eric Wobser used about our intentions and how we expect it to work for the community. He would suggest that us telling people what they need is where the disconnect is. Miss Ashburn said we live there, and the city coming in and telling the neighborhood what is good for us, when the City is evicting people, is not good for them. The people ought to be involved. When we roll out it out, it is going to be better than before. But in spite of our intentions, people are homeless. When we bought the property, he said there were people being evicted when he voted no on the sale. Going forward, any property we buy, he would like to see code enforcement's reports to see how destitute it is. Secondly, he will pay attention to the funding source we use, and we cannot throw them out either way. There is no reason to take properties where people are paying taxes, demolish them, and throw the people out so we do not even get their income tax yet. There is no reason for us to buy the property today. He cannot believe we are throwing people out of homes to turn that parcel into grass for the next year and half.

Dennis Murray said the city manager said when using CDBG funds we are required to help folks find homes, and we do adhere to the law. When we have otherwise purchases properties, those have been vacant.

Jennifer Ashburn said the word on the street is that the owner of the house sold it to the city, on the contingency that the people be out. The city made the contingency for him to get paid. Eric Wobser flowering over this and saying the city is going to give the people a splash pad is so insulting.

Naomi Twine asked that everyone calm down. There are a lot of assumptions being made. There is hearsay being repeated. Eric Wobser said he would get in touch with you regarding what is going on. We need to not let our imaginations run away. Miss Ashburn made a very important point and it is well taken, and the city is going to follow up. We are not trying to paper over anything or make excuses, but we are trying to respond truthfully and appropriately.

Blake Harris echoed Naomi Twine. Since that of the masterplan being introduced, Eric Wobser and the city staff have stressed the importance of getting stakeholders from the Southside involved in conversations. One individual in particular we reached out to was Pastor Curtis Johnson, and we tried to set up a meeting with him, but he was taking a family vacation. We have not yet been able to establish a time for that meeting. That being said, many understand the potential redevelopment of that area as a delicate one. This is one that must handle with kid gloves. He has the utmost confidence in our city and our staff that we will be mindful of the concerns of those citizens and stakeholders, while trying to create something that will be sustainable. As Naomi Twine mentioned, it can be difficult, but it is not the city's intention to leave anyone in the dark. Perhaps we do not want to get ahead of ourselves when we do not

have a definitive plan in place, or something concrete to present to people. The goal is to create a concrete plan that is beneficial to everyone. His hope is that we can be patient so we can get this right.

**ADJOURNMENT: Upon motion of Naomi Twine and second of Wes Poole, the commission voted to adjourn at 7:18 p.m. The President declared the motion passed.**



McKenzie Spriggs  
Commission Clerk



Richard R. Brady  
President of the City Commission