

The President called the meeting to order at 5:00 p.m. followed by the Invocation, given by Blake Harris, and the Pledge of Allegiance.

The Clerk called the roll and the following Commissioners responded: Wes Poole, Dennis Murray, Dick Brady, Steve Poggiali, Dave Waddington, Blake Harris and Mike Meinzer.

City staff present: Eric Wobser - City Manager, John Orzech – Assistant City Manager, Cody Browning - IT Director, Don Rumbutis - IT Technician, Brendan Heil - Law Director, Michelle Reeder - Finance Director, Jonathan Holody - Development Director, Jared Oliver – Police Chief, Mario D’Amico – Fire Chief, Aaron Klein – Public Works Director, Jason Werling – Recreation Superintendent, Marcus Harris – Diversity and Economic Opportunity Manager, and Cathy Myers - Commission Clerk.

Upon motion of Mr. Waddington and a second by Mr. Murray, the commission voted to approve the minutes of the March 28 regular meeting and suspend the formal reading. The President declared the motion passed.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, inquired about Item #1, Chapter 735 Public Vendors, 735.4 fee schedule looks like it is being changed to the discretion of Planning, #4 (Paper District Marina Seasonal Dockage Increase) & #7 (Pipe Creek Wharf Abatement) were both taken off the agenda last meeting – perception that there was not enough votes and that is why they were tabled. This is the second or third time the Recreation Department has come before Commission to increase dockage, more seasonal dockage that means one of two things – that the operators are not making enough money, or the idea of a transient marina is not working. He is being told that the marina wants more seasonal dockage for Chesapeake residents, but he would like proof that the seasonal dockage is for Chesapeake residents. He also inquired about 629 E. Adams Street rezoning for transient rental. He does not believe it is in the overlay district, is Planning saying that it is close enough. Where is the line drawn? It seems to be “spot zoning”.

Charlie Murray, 1409 Cedar Point Drive, is here to address Item #4 (Paper District Marina Seasonal Dockage Increase), he stated he is in the marina business. The original promise to the community was that this was to be a transient marina, and not a seasonal marina. The City received grant money for this project, and he believes the City has lost its way in the promise it made. The community subsidized a public facility, with a private marina right down the road. The City could and should lose its tax dollars if it goes forward with this plan because it would be less than half transient and more seasonal dockage. Therefore, it should fall into the private sector and taxed accordingly. Right now, the City charges \$2850 for a 40’ dock. He charges \$3500 for a 40’ dock. The reason for the difference – is in part that he pays taxes. He has to keep up his marina and employ staffing. The City has a waiting list because of this, and he built his first. If the waiting list for the City are denied seasonal dockage – they will come to the private sector for dockage. There is no shortage of private sector dockage. There is no proven need for this change. In fact, there is more need for transient dockage. If you consider the bike rally – the City is overwhelmed with boats; all marinas are sold out of transient slips. If the City has transient slips available this is probably because the City has not properly marketed them. He does not believe that the Chesapeake residents should have an opportunity to rent these on a seasonal basis.

KEY TO THE CITY: Victory Kitchen, Rev. Luke Walters

We have the pleasure of granting the keys to the City to an organization that has nourished hundreds of thousands of people in the last thirty-one years, right here in the City of Sandusky. Victory Kitchen began when Rev. Lonnie Walters fed the homeless with the help of his entire family. His ministry grew and now his family continues his legacy and his mission of insuring no one is left hungry in our city. Victory Kitchen has served one million hot meals to the homeless, the battered, the broken and helpless members of our community. Full course breakfasts and lunches, groceries, holiday meals, holiday gifts, and food bags are served Monday through Friday. During the winter months blankets, coats, hats, and gloves are given to those in need. They supply children’s school supplies and cold weather attire to help alleviate the costs to struggling families. Showers are provided three days a week with toiletry items for the homeless. They offer

free counseling and assistance in completing applications for employment and for community assistance programs, so there people can have a chance at getting a job. There facilities are not government funded, but they continue their mission with the support of our community. Victory Kitchen began humbly but has grown to meet the ever-changing needs of our community. With the pandemic halt, the staff knew they could not shut their doors. Instead, they served the hungry through a pass-thru window. That happened so often, the window was worn out and had to be replaced. They never stopped providing life-changing services to so many families in this city. Pastor Lake, Pastor Carolynne, and everyone on your staff, you will never know the magnitude of your work. However, your community sees the immense good you do each and every day. We thank you for your unwavering dedication to fighting hunger in Sandusky. To commemorate your efforts, I am pleased to present you with the keys to the city of Sandusky.

Rev Luke Walters commented that it was a great honor to serve such a great community. This community is so strong, when things get tough – they always pull together. We always get a helping hand from someone else. I thank the Commission for supporting us in doing our mission. As his father would say, we met as friends, and now we are family. I want to say thank you.

PUBLIC HEARING: Amending Zoning Map 629 E. Adams Street, Arin Blair, Chief Planner

Ms. Blair is here to conduct a public hearing for consideration of a single parcel to extend the transient rental overlay district to cover that parcel. Parcel #56-00584.000, was heard by the Planning Commission in a public meeting on February 23, 2022. The Planning Commission recommended to City Commission to approve this zoning change. Mr. Murray wanted to be sure to point out that we are extending the boundaries of the transient rental district overlay. Ms. Blair noted that the underlying zoning of this parcel would not change; the only change is the expansion of the overlay district, if approved. Since this parcel is contiguous to the existing transient rental overlay, we felt it was most appropriate to expand it to allow the use of transient occupancy onto this parcel. The overlay district was expanded once before to a couple other parcels, and we are following that same precedent. Mr. Poole inquired where the existing overlay was currently. Mr. Poggiali explained that this item had been presented to Planning Commission and the commission agreed to extend this, it was close enough to the Cove Street area where there is transient housing now. This is a subject that the Planning Commission has wrestled with in the past few months, and the commission intends to put some processes and procedures in place that will make it less subjective. Mr. Meinzer agreed to the rezoning since this parcel was adjoining the bike path. He knows Mr. Holody has been working on criteria to bring more neighborhoods in. He believes the bike path is a great barometer to measure. Mr. Schwanger questioned the overlay parameters on the map. Ms. Blair stated the parcel was contiguous to the overlay district. Mr. Meinzer stated that Mr. McCarthy owns the corner lot and the City owns the one next to it. Maybe the City would purchase that lot to make it desirable for development. **Without further discussion, President Brady declared the Public Hearing closed.**

PRESENTATION: Federal Rescue Plan Funds, Eric Wobser, City Manager

Mr. Wobser, City Manager, stated that the City's budget was dramatically impacted by the pandemic in 2020. Our city was probably the hardest hit city in the state, as the impact of our per-capita revenue. Sandusky lost 7 million off our projected revenue. We were hit so hard by the pandemic because of being so highly dependent on Cedar Point for Admissions taxes, and those dollars went off the cliff. It forced us to make some very difficult decisions, including suspending most of our capital programs for up to a two-year period, as well as restructuring staff and eliminating some positions. In total in 2020-2021, we lost almost 9 million from the General Fund. In the midst of that there was a general conversation going on about Stimulus Dollars that led to the very narrow passage in March of 2021 of 350 billion Stimulus Package for states, counties and cities. We want to thank congressional representative Marci Kaptur and Senator Sherrod Brown who were big champions for passing that bill for cities like Sandusky who were impacted. We were allocated a little over 18 million, which is one of the largest allocations between the cities of Toledo and Lorain, along the north shore of Ohio, because of Sandusky's demographics and how hard we were hit by the pandemic. There were four categories that the funds could be used for: replacing that lost public sector revenue, responding to the far-reaching public health and negative economic impacts of the pandemic (such as improving open air recreation – so people could spend more time outdoors), to provide premium pay for essential

workers, and to invest in water, sewer, and broadband infrastructure. One of the restrictions on the use of the funds, and partially what is driving many of our expenditures, is that the funds have to be obligated by December 31, 2024. Long-term projects can take a long time to plan and implement. As we began to look at priorities for the city, we looked at the existing pipeline, and some projects that were in place and planned. In addition to that, we took into account feedback that we received in the 2016 Bicentennial Vision Plan as well as the 2020 Downtown Master Plan, and input from neighborhood discussions. The reinvestment into parks and recreation, repaving streets, safety, and insuring affordable housing and strong housing options in city neighborhoods were prioritized. We have the opportunity to make significant investments into Sandusky that has not come around before and is unlikely to come around again. One of the things realized through a great staff is that for decades Sandusky's demographics have been in decline, which put an increase in pressure on city budgets and services. Because of that and in trying to maintain levels of police and fire departments for example – a lot of the infrastructure that the city is responsible for maintaining was neglected. Sandusky was in serious state of deferred maintenance. One of the things we have heard the most about is our local streets and our 30 local parks – in 2014 with the passage of Issue 8 only one park had been renovated in over a dozen years. There was a very under-maintained park system. In addition, we are very proud of the investments that we have made since the passage of Issue 8 on our parks and streets, but it is hard to try to make up in seven years after decades of years of neglect, while still trying to keep up with police, fire and other services to the city. The other infrastructure that people do not see is the vehicles that we use, and the facilities that provide those services. How can we shore up, and build on the success that we have had in the last seven years, by making generational investments in our streets, in our parks systems, and in our vehicles and facilities. We recommend that about 5.5 million go into streets, underpasses, and transportation. Recreation and neighborhood revitalization would get 4.65 million. Community Assets would receive 2.741 million such as the State Theatre, Sandusky Library, and Sandusky City Schools; because they were not eligible for stimulus funding – we felt it was our obligation to support them since they support our community. Also investing in staff 5.2 million to continue to provide services in spite of a 9 million hit to our budget in a 2-year period. In addition, 4.785 million has already been allocated and voted on by Commission, the largest portion - 3 million has been to our local street resurfacing program. The Commission also voted to put funding into the engineering and design of the Justice Center, so we can have a solid facility for court and the police department to operate. These funds will be in addition to the money the City has invested into street resurfacing – it does not replace it, so we can accelerate what has already been accomplished. With Issue 8, we have resurfaced about a total of 80 segments of street over a 4-year period, when we complete this year's plan – we will have done 270 segments or over 7 miles of streets within the city of Sandusky. We are doing everything we can to catch up fast and make this paving go forward. Mr. Snyder is working on a plan to work on our underpasses; they are always in a continual state of decline. The railroad works on the overpass portion but we are making sure that we have funds to do our part, so they do not continue to deteriorate. For recreation and parks revitalization: Churchwell Park, the skate park; which is fifteen years past its useful life, the Battery Park tennis courts will be relocated to the new Rec Center at the American Crayon site in hopes to have a partnership with Sandusky City Schools, the Rec Center site itself, the Sandusky Bay Pavilion; to tear down the abandon pool, and the right of way acquisition for the Sandusky Bay Pathway. In Community Assets: Commissioner Waddington set the tone when he made a motion to invest in OHgo, Victory Kitchen and Care & Share. We hope to provide front line services for those that have been directly impacted by the pandemic. The Goodtime 1, the Library capital improvement plan, the Sandusky City Schools new swimming pool project and the State Theatre renovations – we are recommending that this commission vote to make additional investments to support the institutions that make this city a great place to live. Affordable housing – which is an expressly stated uses of stimulus money, is a goal of supporting a one-time, large-scale median multi-family housing project. Municipal services and facilities: vehicle replacements, facility upgrades for the Greenhouse, the Golf Course, the Cemetery, and local fire stations. We have set aside funds each year in 2020-2021 by funding staff positions. Mr. Wobser wanted to make it clear that these are just recommendations for the Commission. While we set aside recommended amounts and budgets, everything will have to be approved by commission. Staff needs good direction to plan and press forward because of the deadlines in 2024. Mr.

Waddington is in agreement with these projects, but stated he was concerned about the Tiffin Avenue wall because it has eroded. He inquired if someone was informing the railroad about this needing repair. On Camp Street and Hayes Avenue – there is a lot of debris there as well. Mr. Waddington believes that because of this erosion cars are being hit with stones. Mr. Wobser stated that was why they included the underpasses in these projects. Mr. Heil stated that most likely the overpasses are the railroad responsibility, but the question is where the property starts and stops. The actual bridge is usually the railroads responsibility, but the walls could be theirs or ours. Mr. Poggiali stated that at the MPO the repairs were found to belong to the railroad. However, maybe if we did invest in our portion we could push the railroad to do their portion. Mr. Poole commented that there was only \$700,000 left to spend on streets and transportation, if we have already spent 4.7, out of 5.5 or 7.2. Mr. Wobser corrected Mr. Poole that only a little over 2 million has been spent on local streets, we have about 3 million left to spend, a big portion of that is under contract for this coming year. Then an additional 1.4 million for 2023 and 2024. We are about 40% through of that 4.785 million. What has been spent is 2 million on streets, 1 million for streets this year, \$150,000 for the Southside plan, \$30,000 for OHgo, Victory Kitchen and Care & Share, \$100,000 for the Goodtime, \$800,000 for the Justice Center design, \$125,000 for staff level support to offset salaries and an employee retention bonus. Mr. Poole stated he did not believe we were getting enough done on streets to spend the money for other wished for items. He is afraid that once we get actual figures on some of these projects that some other things may have to be taken off the list and figures moved around. He requested that when staff gives presentations in the future, he would like a printed copy beforehand. Mr. Wobser said Mr. Poole's comments were well taken and copies will be emailed to all. Mr. Brady commented that he was pleased with the presentation and it appears to him that more than 70% of these funds are being spent directly for the benefit our neighborhoods and residents. He also stated that this presentation was a broad outline of where we were going, he never expected a report broken down into \$1000 increments and what specific projects they were going into. This is exactly what he was looking for since we received the stimulus monies. He is very supportive of the direction and categories that have been outlined in this report. He also wanted to point out that every one of these dollars is coming back to Commission for approval. No one is giving anyone blanket authority to spend 18 million dollars. Mr. Murray injected a couple thoughts; he appreciated the thoughtful way this presentation was put together, too many communities jump forward with a wish list. He also believes that the investments in local institutions for the same constituency is a good idea. He wanted noted that this money is not a windfall – the state and federal government have been disinvesting in local governments for decades and its wrong and immoral, and hurtful to the people who live in this community, and it should stop. This is a once in a lifetime opportunity to correct a little bit of that. The trajectory we have been on for the last eight years has been one of taking care of things that have been neglected for decades. He believes this is a good plan, and he looks forward to each piece going forward. Mr. Harris inquired what the budget for the affordable housing allocation was. Mr. Wobser stated that currently the allocation is 1.2 million for that project. There is the potential for one of the schools (Osborne School for example) that is no longer being used being turned into an apartment building, which would be a dual benefit – restoring a historical building, and supplying housing needs at the same time. Mr. Meinzer really would like the focus to be on the Master Plan going forward and the recreation revitalization with the bike path – he wants us to finish what we started. Mr. Wobser stated that many of these projects are a layering of funds between Issue 8, the Cedar Point agreement and the stimulus package to complete these projects. Mr. Poole asked as we move forward he questions that we have enough money to do all these things well or right. He wants to see the whole package to deliberate and choose what projects are higher on the list. Mr. Wobser stated that not all construction needs to be completed by 2024, but the projects do have to be legally contracted by 2024 and be finished by 2026. Mr. Murray stated that having the plan allows us to go forward and find the money to complete these projects.

CURRENT BUSINESS

Upon motion of Mr. Waddington and a second by Mr. Poggiali, the commission voted to accept all communications. President Brady declared this motion passed.

The President asked if anyone wanted to move any items from the Consent Agenda. Mr. Poole requested that Item B (US 6 RAISE GRANT CONSENT TO ODOT) be moved from the Consent Agenda to the Regular Agenda.

CONSENT AGENDA ITEMS

ITEM A – Submitted by Cathy Myers, Commission Clerk

TRANSFER OWNERSHIP LIQUOR LICENSE TO CHILL PLACE LLC

Budgetary Information: There is no budgetary impact for this item.

Notice to Legislative Authority for Transfer of Ownership for D5 (on and off sales permit all liquor sales – beer, wine & spirits – for consumption on-site and “to go” in the original container) **and D6** (allows sale between the hours of 10 a.m. and midnight on Sundays) **liquor permit for Chill Palace LLC, (formerly Evenbreaks LLC) 1st Floor Rear, 1319 Tiffin Avenue.**

ITEM C – Submitted by Michelle Reeder, Finance Director

BUDGET AMENDMENT #1

Budgetary Information: Appropriation amendments are required to update the 2022 budget. Examples include, but are not limited to Street Funds, Water Funds, Sewer Funds, and Capital Funds.

ORDINANCE NO. 22-071: It is requested an ordinance be passed adopting Amendment No. 1 to Ordinance No. 22-004 passed by this commission on January 10, 2022, making general appropriations for the FY 2022; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Murray and a second by Mr. Waddington, the commission voted to approve the Ordinance and Liquor License under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. Roll call on the Ordinance and Liquor License: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. President Brady declared this motion passed.

REGULAR AGENDA ITEMS

ITEM 1 – Submitted by Aaron Klein, Public Works Director

US 6 RAISE GRANT CONSENT TO ODOT

Budgetary Information: The total construction budget is \$29,930,745.10 for this application. The grant request is \$18,974,167.35 (70%) with a local match of \$8,131,786.01 (30%) for a total of \$27,105,953.36. The remaining \$2,824,791.74 is dedicated to design and acquisition fees. The City’s share is currently budgeted to be paid with Capital Funds, proceeds from various Tax Incremental Financings (TIFs), and/or Issue 8 Funds.

RESOLUTION NO. 022-22R: It is requested a resolution be passed authorizing the filing of a grant application with the U.S. Department of Transportation for discretionary grant funding through the FY 2022 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program 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 Mr. Waddington and a second by Mr. Poggiali, the commission voted to approve the Resolution under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

Mr. Poole requested explanation of the bike path funding. Mr. Wobser stated that there is a variety of ways in which the pathway project will be funded. The largest of which is through tax increment financing through the Cedar Point and Sports Center project, but staff will continue to look for federal and state funding to layer into this project. We would not be in the position to chase down the funding and make this project a reality had we not put the project in place to begin with. Mr. Klein commented that the 29.9 million grant includes a bridge over Cedar Point Drive to eliminate the pedestrian conflict; it includes the pathway and the bridge that would go behind old city hall and Battery Park. This includes everything that was included in the original concept. Mr. Poole commented that if we can accomplish the bike path for 8 million of our funds that is great, but the bridge across First Street and the bridge across Pipe Creek are additional projects that he believes does not enhance the bicyclist experience. He would like the record to state that he has concerns that money we spend on the bike path takes funds away from other projects that he feels are a higher priority. Mr. Meinzer disagrees with Mr. Poole, he believes the

bike path, which may take decades to complete, is worth it, depending on the funding. Mr. Poggiali inquired if this RAISE grant was a one-time deal. Mr. Klein stated we did apply for this grant last year, he does not think it is a one-time grant. They do not let us know if it will be available again next year. Mr. Poggiali believes it is a smart move since Erie County is applying for another project – it may tie together and both be funded. Mr. Wobser stated we are part of the Erie County's application, so we are supporting both applications hoping that one or both receive funding.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. Roll call on the Resolution: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. President Brady declared this motion passed.

ITEM 2 – Submitted by Arin Blair, Chief Planner (FIRST READING)

CHAPTER 735 PUBLIC VENDORS

Budgetary Information: There will be a positive budgetary impact from the increase in permit sales and new business. Vending from small locations such as food trucks, stands, and carts is a lower cost, lower risk option than opening a brick-and-mortar restaurant or retail location. These types of businesses often act as incubator spaces for new concepts and new entrepreneurs who, with continued success, later decide to lease a more permanent location within a city. The proposed ordinance change is expected to help grow the number and variety of vendors operating in the City of Sandusky and improve the quality of life for our residents and visitors.

ORDINANCE NO. _____: It is requested an ordinance be passed amending Part Seven (Business Regulation Code), Chapter 735 (Public Vendors) of the Codified Ordinances of the City of Sandusky, in the manner and way specifically set forth hereinbelow.

Upon motion of Mr. Meinzer and a second by Mr. Poggiali, the commission voted to approve the Ordinance under suspension of the rules and in full accordance with Part 7, Chapter 735 of the Codified Ordinances of the City of Sandusky.

Comments:

Ms. Blair stated this change was to make it easier to operate a business as a vendor in the City of Sandusky. Many vendors start with a table, and then move up to a trailer, then maybe to a food truck. Currently there is only two levels of fee structure in our Ordinance (\$250 to operate in the City, \$350 to reserve a space). That is actually a lot higher than other cities; we would like to reduce the baseline fee to register as a vendor. The reason they wanted to leave it to staff to determine these fees annually is to leave room to grow and determine what is best for our vendors annually, and maintain flexibility. Mr. Waddington inquired if a vendor is located on the Jackson Street Pier in a reserved space, do they have to move for a special event. Currently the Jackson Street Pier is only available for four total vendors; we would like to expand that to more. The vendors that reserve their space on the pier are allowed to operate there all year during regular hours except for special events. That is how the ordinance was written. We changed the definition to be clearer. Mr. Murray thought it was a good updating of the ordinance. Times have changed since this ordinance was adopted. Mr. Poole agreed that the update was good. We currently have four reserved spaces on the Pier, Bates Farm on Jackson Street is reserved as well, and all other spaces are first-come, first served. Mr. Poole does not believe reserved space vendors should have to move for events. Mr. Heil interjected that we do not allow vendors to remain during special events per the current ordinance. Mr. Poole does not agree with the practice that vendors have to move during special events. Mr. Wobser commented that we do have some preexisting events that bring their own vendors. For example, Bike Week is a free event to the public and they make their revenue through their vendors. Mr. Poole recognizes that with the Jackson Street Pier layout, it does make sense for that, but for other reserved vendors he does not feel it makes sense. Mr. Heil commented that the new language is to make it easier and more flexible for vendors to thrive. Ms. Blair added that with the planning of special events, the footprint is very important. They often invite our vendors to participate in their events. No existing vendors made comment that they had issue with rules for vendors during special events. The change to the ordinance allows reserved space vendors to move alongside a special event to take advantage of sales during those special events.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. Roll call on the Ordinance: Mr. Poole - nay, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 6. President Brady declared this motion passed.

ITEM 3 – Submitted by Arin Blair, Chief Planner

REZONE 629 E. ADAMS STREET IN TRANSIENT OCCUPANCY OVERLAY DISTRICT

Budgetary Information: The proposed redevelopment is expected to result in increased property and income revenue for the city.

ORDINANCE NO. 22-072: It is requested an ordinance be passed amending the Official Zone Map of the City of Sandusky to expand the Transient Occupancy Overlay District to include Parcel No. 56-00584.000, located at 629 East Adams Street; and declaring that this ordinance shall take effect under suspension of the rules as contained in and in accordance with Section 13 of the City Charter.

Upon motion of Mr. Murray and a second by Mr. Poole, the commission voted to approve the Ordinance under suspension of the rules and in full accordance with Section 13 of the City Charter. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. Roll call on the Ordinance: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. President Brady declared this motion passed.

ITEM 4 – Submitted by Aaron Klein, Public Works Director

JUSTICE CENTER ROOFTOP AIR HANDLING UNIT PROJECT BID

Budgetary Information: The estimated cost of the project construction costs is \$70,000.00 and paid with Capital Funds.

RESOLUTION NO. 023-33R: It is requested a resolution be passed declaring the necessity for the City to proceed with the proposed Justice Center rooftop air handling unit project; approving the specifications and engineer's estimate of cost thereof; and directing the City Manager to advertise for and receive bids in relation thereto; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Meinzer and a second by Mr. Poggiali, the commission voted to approve the Resolution under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Mr. Klein commented that a lot of the equipment at the old City Hall is out of date, and unfortunately, one of the air-handling units that we have at that facility that cools the IT room and detective's area and a portion of the court and judge's chambers failed a couple months ago. We need to replace it and it will be built into the future project. This unit will stay with the new construction. It will be added into the agreement that this piece of equipment is cleaned and re-installed after construction of the new Justice Center.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. Roll call on the Resolution: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. President Brady declared this motion passed.

ITEM 5 – Submitted by Jason Werling, Recreation Superintendent

PAPER DISTRICT MARINA INCREASE SEASONAL DOCKAGE

Budgetary Information: The agreement will not result in any additional budgetary expenses. Any proceeds generated annually by said seasonal and transient rentals will be deposited in the Parks and Recreation Marina Fund.

RESOLUTION NO. _____: It is requested a resolution be passed amending Section 1 of Resolution No. 014-13R, passed on April 8, 2013, authorizing limited seasonal dockage at the Paper District Marina; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Meinzer and no second, the President declared this motion failed.

ITEM 6 – Submitted by Scott Kromer, Streets & Utilities Superintendent

PURCHASE BRUSH CHIPPER FOR FORESTRY

Budgetary Information: The total cost for one (1) Vermeer-BC1500XL Brush Chipper shall not exceed \$61,230.00 and will be paid from American Rescue Plan Act Stimulus Funds.

ORDINANCE NO. 22-073: It is requested an ordinance be passed declaring a 1992 Brush-Bandit 250-Chipper as unnecessary and unfit for City use pursuant to Section 25 of the City Charter; authorizing and directing the City Manager to purchase a Vermeer Brush Chipper from Vermeer All Roads of Findlay, Ohio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program for the Forestry Division; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Waddington and a second by Mr. Murray, the commission voted to approve the Ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. Roll call on the Resolution: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. President Brady declared this motion passed.

ITEM 7 – Submitted by Scott Kromer, Streets & Utilities Superintendent**PURCHASE MINI EXCAVATOR FOR WATER DISTRIBUTION**

Budgetary Information: The total cost for one (1) Kubota U Series, U55-5R3AP Mini Excavator shall not exceed \$64,236.70 and will be paid from ~~American Rescue Plan Act Stimulus~~ Water Funds.

ORDINANCE NO. 22-074: It is requested an ordinance be passed authorizing and directing the City Manager to purchase a new Kubota U Series Mini Excavator from Streaker Tractor Sales, Inc., of Fremont, Ohio, through the Sourcewell Cooperative Purchasing Program for the Water Distribution Division; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Harris and a second by Mr. Waddington, the commission voted to approve the Ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

Mr. Klein commented that this legislation was submitted with the incorrect fund source – it should be Water Funds and not the American Rescue Plan Act Stimulus Funds.

Upon motion of Mr. Murray and a second by Mr. Poole, to amend the current motion to change the Fund source. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. Roll call on the Ordinance as amended: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7. President Brady declared this motion passed.

Upon motion of Mr. Poggiali and a second by Mr. Harris Item 7 is tabled until next meeting due to information not provided by the owner about questions to design and specifications to the building. Roll call on the motion: Mr. Poole, Mr. Murray-abstain, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 6.

ITEM 7 – Submitted by Jonathan Holody, Community Development Director**ENTERPRISE ZONE TAX ABATEMENT WITH PIPE CREEK WHARF**

Budgetary Information: The project will have an ongoing positive impact on the general fund, as 25% of the increase in assessed value will be subject to real estate taxes during the abatement period. The project will also help sustain employment in the local economy and will create at least twelve (12) permanent full-time positions subject to City income tax.

ORDINANCE NO. _____: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an Enterprise Zone Agreement with Pipe Creek Wharf, LLC, relating to property located at 2330 River Road, and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

CITY MANAGER'S REPORT

DONATIONS

- The Sandusky Police Department was recently awarded \$1,000 from the Colonel Joseph E. Pizzi Donor Advised Fund of the Columbus Foundation. The funds will be used to purchase equipment and uniforms for the youth sports programs that our Community Impact Officers are coordinating. **Upon motion of Mr. Waddington and second by Mr. Poggiali, commission accepted the donation.**

NEW & OLD BUSINESS

CODE COMPLIANCE

- The annual notification has been published in the Sandusky Register to comply with Section 531.08 of the Codified Ordinances of Sandusky. The ordinance requires the owner or occupant having the care of any lot or land within the City to cut down and remove all noxious weeds and grass of a height of eight inches or more. Properties found to be in violation will be served with a written notice posted on the property. Failure to comply with this notice within five (5) days from the date of the notice will result in the City causing such weeds and grass to be cut and removed. Such cutting and removing shall be at the owner's expense. Voluntary cooperation by all property owners is appreciated.

FIRE

- Sandusky Fire Department has partnered with the Erie County Health Department to assist victims of opioid overdoses connect with drug abuse treatment programs. Through this partnership, Sandusky EMT's and Paramedics will provide information to the Erie County Health Departments Drug Overdose Response Teams allowing them to assist in treatment options for overdose victims. They will also provide victims with naloxone leave behind kits containing narcan and informational materials directing these overdose victims to medical treatment.

FINANCE

- Due to Emancipation Day, the municipal income tax filing deadline for 2021 income tax returns is April 18, 2022. All individuals and businesses can utilize the Regional Income Tax Agency's website at www.ritaohio.com to file their taxes. RITA has also extended the hours for their call center through the filing deadline to assist taxpayers.

PUBLIC WORKS

- Trash receptacles have been placed at all city properties for use by park patrons and Republic has begun implementation of the summer pick-up schedule. Unfortunately, we have already received an increased number of complaints that residents are disposing of normal household refuse bags in these bins. We have also seen an increase in non-recyclables being disposed of in the recycle bins at the Service Center. Not only does this misuse lead to increased costs to the residents and reduce available capacity for park users, but each incident will be turned over to the Sandusky Police Department for video review and follow-up.
- It is time to spring clean Sandusky, as we get ready to enjoy summer and welcome back visitors! We are launching a new Community Clean-Up and Beautification Series, Love Where You Live, that will include the following events:
 - Neighborhood clean-ups are taking place in various areas throughout the city every Saturday until October thanks to Commissioner Waddington.

- Residents are also welcome to drop-off yard waste at Barnes Nursery, 1630 Camp Road, Huron, on Saturday, May 7 from 8am-4pm and on Sunday, May 8 from 11am to 4pm.
- For further details about these events, please our website or contact 419.627.5829.
- Various divisions have begun seasonal preparation throughout the City; this includes installation of docks and buoys, as well as traffic calming measures for state routes and neighborhoods, activation of park fountains and operation of restrooms, and more frequent waste collection in the downtown business district. To report an issue or for questions or concerns, please call 419.627.5829.
- Crews at Oakland Cemetery will be conducting spring cleanup on Monday, April 18. All items placed at gravesites during the fall and winter months will be removed and no artificial flowers will be permitted for spring and summer months.
- Garner Sanitation has begun placing portable restrooms on city properties as per the schedule in the contract. Others will arrive in May and June.
- The Division of Water Distribution will commence flushing fire hydrants within the City, starting Monday, April 18th. Periodic flushing of water mains is required to ensure high quality of water. Crews will move through zones in consecutive order, starting with Zone 1. It takes approximately one week to complete each zone. All questions about hydrant flushing and water quality may be directed to Big Island Water Works at 419.627.5805.

COMMUNITY DEVELOPMENT

- Through the City's Fair Housing program, three free trainings will be held at the Sandusky Library in April. Landlord training events will be held on April 22 at 2pm and on April 25 at 4pm and a fair housing clinic for tenants will be held on April 22 at 3:30pm. Registration is not required. For questions, please call 1-800-850-0467.
- The Community Development Block Grant Program is soliciting applications for grant funding of food pantry related community projects. Applications are due May 6. Applications are available online at the Community Development webpage and at city hall. Questions can be directed to Nicole Grohe at 419-627-5730.

SANDUSKY TRANSIT SYSTEM

The Ohio Department of Transportation has selected Sandusky Transit System to receive grant funding to complete a transportation development plan. The plan will identify various options for improved public transportation in the greater Sandusky region. RLS and Associates will lead the planning effort. The scope of the project will be divided into two phases. Phase I (April 1, 2022 through June 30, 2022) will include documentation of existing conditions, peer system review, and initial stakeholder engagement. Phase II (July 1, 2022 through December 1, 2022) would encompass the development of alternatives, public input, and an implementation plan.

Comments:

Mr. Waddington noted that when he drove past Kreimes, he saw workers inside, and it was good to see construction going forward. Mr. Poole noted that the unpassed legislation Item 5 (Paper District Marina), if the staff came back with more information he would be open to look at it again, after answering raised questions and why this was needed would be a place to start. Mr. Poggiali stated it was great to see we were funded for the Transit Development Plan.

OLD BUSINESS

NEW BUSINESS

Mr. Poggiali made motion with a second by Mr. Murray to appoint Mr. Meinzer to the Erie County Correction Planning Board. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7.

Mr. Poggiali made motion with a second by Mr. Murray to appoint Don Sharrah as alternate to the Housing Code Board of Appeals Committee. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7.

Mr. Murray made motion for an Executive Session for pending litigation seconded by Mr. Poole. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7.

Mr. Murray made motion for an Executive Session for collective bargaining seconded by Mr. Poggiali. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris and Mr. Meinzer, 7.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, inquired whether the commission had watched any other boards or commission meetings, you may want to watch maybe a couple times. The Planning Commission meeting where they discussed in-depth the idea of transient overlay districts. It sounds like the Planning Commission is highly in favor of developing additional overlay areas. The one on Monroe Street keeps being discussed; he believes that is coming up at the next Planning Commission. There is discussion of not only having transient overlay districts but also having another number of transient rentals throughout the entire city of Sandusky. The number being thrown out so far is 500. As this comes before the Commission in the months to come, he wants all commissioners to consider the idea that every time we lose a home to transient rentals we are losing households within the city of Sandusky that are permanent residents. Notice in our last census Sandusky was barely over 25,000. If they consider 500 transient rentals throughout the entire city plus transient overlays, that impact could be significant when it comes to the next census. Mr. Poggiali responded that the Planning Commission is wrestling with all those issues. They are cognizant of everything that Mr. Schwanger said, and they want to keep the integrity of the neighborhoods. However, in some areas where we have rental housing already we are kind of splitting hairs. He did not recall the 500 number mentioned. Mr. Poole remarked that he did watch the Planning Commission meetings and 500 was a high number mentioned. His concern in regards to transient rental, it was started with a good idea – to try to get up to date replacing dilapidated houses. It now becomes a concern when we begin approving transient overlays and putting people out of rentals, so they can become transient. Mr. Poggiali asked that Mr. Poole attend the next meeting to make these thoughts and opinions known. Mr. Murray cautioned against forming opinions without a full presentation from staff and allowing it to go through the full Planning Commission process. That is how we are going to get the best results. He believes these instantaneous, gut reactions in this context are not helpful to reaching the best results. He urges commission to proceed down the orderly path.

The Commission moved into Executive Session at 6:43 p.m.

The Commission moved out of Executive Session at 8:26 p.m.

Law Director, Mr. Heil called the roll and the following Commissioners responded: Wes Poole, Dennis Murray, Dick Brady, Steve Poggiali, Dave Waddington, Blake Harris and Mike Meinzer, 7.

Mr. Murray made motion to reject the fact finders recommendations on the Fire Contract with a second by Mr. Brady.

Discussion:

Mr. Brady stated he believed we are abdicating our position by not rejecting this due to several issues, but predominately the staffing issue is his deepest concern. He believes if the city gives

up its ability to staff the fire department that we are doing a disservice to the entire community. Mr. Murray noted there are questions we can address about appropriate staff levels. That is a separate question of whether staff levels should be set forth in the contract. He likened it to this situation: I own a shop, I have three employees, some of those employees have businesses on the side – a little construction and a little lawn mowing, and they all decide to take vacation at the same time. Someone comes into my shop and says Mr. Murray what is wrong with you, all of your employees are out on vacation or out on one thing or another at the same time. You do not have enough people in your shop. The answer is no, I have plenty of people in my shop. Therefore, we go to fact-finding, and the fact finder says to me: the solution is, instead of having three employees; you need to have six employees. However, I say I only need three people. He replies, no you need six, so that all three of those people can go on vacation at the same time. What about the new three, they could go on vacation at the same time too. That is over simplified, but that is in effect what the fact finder is saying. He encouraged his colleagues to find a solution that is good for the residents of the city of Sandusky, and good for the members of the fire department. He does not begrudge the firefighters one bit for seeking what they wanted in this contract that is their right. However, we on the same token are looking to have a disinterested person serve as a fact finder, we did not get rationality. Mr. Meinzer stated that only two go on vacation at a time and that never happens. He does not like many things in the contract and he is a certified firefighter. He does like the fact that the fact finder recommends minimum staffing. They have been trying to get minimum staffing for years. They have run fire trucks with one or two staff and it definitely is not safe. They have never come to an agreement with the City, and this should have been addressed a long time ago. Mr. Wobser inquired if Mr. Meinzer could vote on a contract when his son in law is a member of that union. Mr. Heil stated that a son in law was not a close enough contact to cause an abstention, but also that an abstention would be a no vote. Mr. Poole believed we should not give up our right to determine staffing levels. However, he is more worried about the service that is provided to the community. He is not hearing anyone talking about the staffing. That seems what the tradeoff is. Mr. Poole inquired if this vote had to be made tonight. Mr. Heil informed the Commission that yes, they had to decide within 7 days of receiving the fact finding report. Mr. Murray stated that he did not recall in the last 8 years anyone suggesting that we should add additional firefighters. Mr. Poggiali stated that if the addition of more firefighters is the issue, was there some sort of guarantee that we could give that issue that would be addressed directly. Mr. Brady inquired if Commission had the latitude to amend the fact finders report. Mr. Heil stated that they had to either accept or reject the fact finder report. Then negotiations could move forward from there. Then Commission could set policy for those to follow on staffing or other issues. Mr. Wobser stated what he could guarantee that the administration will prioritize staffing levels and look for solutions outside of the contract that get us to those staffing levels we can all mutually agree on. Mr. Brady stated that this Commission was not opposed to negotiating after this vote is taken in some manner. He does not think anyone here is opposed to getting to the level of 48. We cannot give up the right to set the staffing. Mr. Poggiali stated but that issue is that we do not want to include in this agreement, because we do not want to give up that right. If that is correct, why can't we guarantee that we will add 3 additional staff outside of this agreement? Mr. Heil stated that there are ways to budget for additional staff, that the Commission has control over, obviously, if they want to increase the staffing budget for the fire department to provide for additional bodies, they can. There are other ways to explore an agreement with union and through negotiations and outside of negotiations on staffing without putting it in a specific clause in the contract. Mr. Heil does want to caution Commission that in some of this they are veering into territory where they are discussing the collective bargaining process. He would like all comments to be circumspect. Mr. Poggiali stated the only reason he made that suggestion was maybe it was more palatable if it is rejected, if there is some sort of agreement. Not necessarily an agreement. Again, Mr. Heil commented that there were many, many other options, for future negotiations. Mr. Wobser added all of which would be preferable from staff's opinion. Mr. Poole stated he was comfortable that Commission has heard the concerns that we all have. I can only hope that the fire department will sit down and continue negotiations. I will support what is on the table – we should reject this for the reasons stated. We cannot give up our right to decide staffing levels.

Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali-nay, Mr. Waddington-nay, Mr. Harris and Mr. Meinzer-nay, 4. Mr. Heil stated the contract is ratified, it must be by 3/5 vote.

ADJOURNMENT

Upon motion of Mr. Murray, the Commission voted to adjourn at 8:39 p.m. The President declared the meeting adjourned.



Cathleen A. Myers
Commission Clerk



Richard R. Brady
President of the City Commission