

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

The Clerk called the roll and the following Commissioners responded: Dick Brady, Steve Poggiali, Dave Waddington, Blake Harris, Mike Meinzer, (Wes Poole arrived late), Dennis Murray, 7. Mr. Murray made motion, second by Mr. Poggiali to excuse Mr. Poole arriving late.

City staff present: John Orzech – Interim City Manager, Colleen Gilson – Interim Asst. City Manager, Cody Browning – IT Manager, 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, Arin Blair – Chief Planner, Debi Eversole – Housing Development Specialist, Jason Werling – Recreation Superintendent, and Cathy Myers - Commission Clerk.

Upon motion of Mr. Waddington and a second by Mr. Harris, the commission voted to approve the minutes of the October 10 regular meeting and suspend the formal reading. President Brady declared the motion passed.

AUDIENCE PARTICIPATION

Jennifer Ashburn, 2112 Parkview Blvd., spoke representing Sanduskians for Sandusky, she stated about Item 5, Ballot for Proposed Amendment to the Charter, that the Secretary of State states that the dates for special elections; what process was used by the City to declare March 14, 2023, as the election date? Charter Section 82, amendment of the Charter, and the Ohio Revised Code Section 731.211 method of giving notice of a proposed chart amendments not less than 30 days prior to the election at which the amendment is to be submitted to the electors. The clerk of the municipality shall mail a copy of the proposed chart amendment to each elector. The City charter and the Ohio Revised Code does not provide provisions for the clerk’s mailing to include city commissioner’s opinions and encouragement to vote yes or no. Any such letter will be recognized as a violation of the charter and the Ohio Revised Code and subject to election law violations. Thank you.

Tim Schwanger, 362 Sheffield Way, Asked about five items. He inquired about the Golf Course cameras, is there a history of incidents or is this a preventative measure installing \$20,000 worth of cameras. Item K, the audit, is that audit being done by the State of Ohio, or a third party as done in the past. Item 1, Paper District Marina rate increase, could we have a more in-depth explanation. Is the City losing money? How does this contract compare to the previous contract of we get the first \$10,000, and it is a 50/50 split after \$45,000 is made? Item 4, Cedar Point Policing contract, how many full-time officers do we expect to hire for that, \$529,000 is quite a bit of money for that. Item 6, the Justice Center financing, he believes that cost went from \$12.5 million down to \$10.6 million and there are questions from the public are we cutting corners with that reduction given inflation and rising costs of materials. How did that price drop?

PRESENTATION: Omni Fiber, Brian McAfee

Mr. McAfee stated that Omni Fiber is based in Mason, Ohio, and they are a privately funded broadband service provider company that utilizes 100% fiber optic. That is fiber optic to the premises not some architecture like we have today with other incumbent providers. Our leadership have been in the business for over thirty years, he himself has been in telecommunications for thirty-three years. They have over eighty years of experience combined in just fiber optics. They have done a lot of different cities, all north Dayton – 65,000 households. They are looking to bring fiber optics to approximately fifty communities throughout Ohio. Their key focus is on the communities like Sandusky, that do not qualify for federal funding to expand broadband. They are financing the entire thing, without local, state, or federal funding whatsoever. They are investing \$17 million into Sandusky. That is to wire the entire community with fiber optics. It is a future proof technology so that forty or fifty years down the road fiber will be the go-to for broadband. What is the big interest in fiber? Fiber provides the ability to have upload speeds and download speeds at the same speed. What we have been experiencing previously with incumbent providers is that you get one speed down – which is always much

faster, but only 10% of the speed going back up. What does that mean? We have learned over the last three years how dependent we have all become on having a fast internet speed at home. Whether it is from working at home, or doing schoolwork at home, or just entertainment. The faster speed is extremely important, and our appetite has grown so much larger, because many times there is more than just one computer or laptop, we may have fifty or sixty devices utilizing plugs, lightbulbs, appliances, screens, cellphones, and everything else that is Wi-Fi dependent. This fiber allows you to have a better experience with those devices. Great speed and greater reliability. The beauty of fiber optics is you do not have to amplify or regenerate the signal, at the frequency you do with wire based or metal-based products. We are also big on community development. Since we have been working with the City since April, we have been working to find what are other things we can do to support the community. It also helps from an Economic Development standpoint. Many builders, many enterprise companies – they look at communities like Sandusky to see what technology is available for them to support or build their businesses. It is technology for tomorrow, not technology from yesterday. It also increases home values and increases the ability to attract those partners. Why us? First, because we do not require any sort of contract, we have no upfront fees, we keep our pricing as simple as possible, what we say it is – is what it is going to be. There are no hidden fees, no installation fees, you get unlimited data, no usage cap. Wi-Fi is included with our internet, and a thirty-day money back guarantee. Our local customer service is based in Marion and Milford, Ohio. When you call in, you get someone local. There are special discounts for firemen, police, military, and teachers. The timeline: the process began in April, they are 70-80% complete with their designs. They have begun their permitting packages with the local utility companies, such as First Edison, AT&T, to access their poles. We will bury lines underground where can, they will utilize existing poles where they cannot. We hope to start construction the end of January. Hoping to disrupt as little as possible during tourism season. They hope to complete the entire project by the end of May 2023. They do a lot of communication on pre-construction as well as during construction. A lot of communication will be done at the residential and business level. They want people to know who they are and why they are here. Construction will include fiber distribution hubs about every 250-300 homes. Everything else is seamless. Aesthetically it makes it much more appealing. There is no electricity used other than at the main point hut, it is all passive optical. Pre-construction letters and construction yard signs, door hangers, all these things are utilized by our construction crew as they, our vehicles and apparel are branded as well, so everyone knows who we are. They use construction feedback forms, so the calls will not come to the City. They make it easy for residents to be able to communicate with them. All information is on their website Omnifiber.com.

Comments:

Mr. Murray stated that he understood that Mr. McAfee was here to let everyone know what to expect. There is no action required by any city official or commission. Mr. McAfee stated that Mr. Murray was correct. They have been working in a partnership with the city leaders to ensure that they are following all ordinances and all the items for communication with the city and public works, so everyone knows what area they are going to be doing. Mr. Murray asked how the cable gets to the home from the telephone pole. Mr. McAfee stated it depends on whether the current existing structure is a buried drop or an aerial drop. Some homes will still need a cable line that runs to the home unless it is a buried drop. Each home will only need one connection point. The home will get a much more robust connection from the mesh network used and even signal throughout. Mr. Poggiali asked what the incentive was for them to pay the costs? Mr. McAfee stated because it is an opportunity to win those customers over and they will make the revenue from their monthly subscription. Mr. Poggiali asked if the City applied for this. Mr. McAfee stated they selected out city based on our demographics, the competitive structure, and because they were able to build a great relationship with the city's leaders. Mr. Poggiali stated it sounds like a great program. Mr. Brady stated to be clear, they are a for-profit enterprise, and they intend to charge the customers for the use of the fiber. Mr. McAfee stated that customers will be pleasantly surprised at the savings customers will receive compared to what they are used to paying. Typically, the average customer will save 25-50% per month. They do not just offer internet, they also offer digital or voiceover IP phone, and video products as well. Many of us like to choose exactly what we want to watch. We do not always subscribe to linear television service, so the beauty of having a faster pipeline, you can pick and choose every single thing you want to

watch no matter who it is from - Hulu, Netflix, Amazon Prime, or Apple TV. Mr. Brady asked if discounts would be given to the elderly. Mr. McAfee stated he was certain that there is. Mr. Meinzer asked when the project would be complete. Mr. McAfee stated it depended on the poles being released, but the goal was the end of May.

PUBLIC HEARING: Vacation of Superior Street, Arin Blair, Chief Planner

Ms. Blair stated this discussion is about the petition for vacation for a part of Superior Street, applied for from the Erie County Board of Health, from a recommendation from the Public Works Department to vacate a portion of Superior Street parcel #59-62001.000, 59-00889.001, 59-00889, and 59-64010, located contiguous to 301 Superior Street and 420 Superior Street. The Health Department is constructing a new entry their facility to make it much more approachable and install a sidewalk. Part of this is signage they wish to install and the ability to orient people to the different places they can park. They were seeking approvals to construct part of that in a public right-of-way due to the streetscape standards that we have it would be a lot easier for them to construct their new entry if it was in their private property, so they sought just a small vacation of public-right-of-way from the Planning Commission and at the September 28 meeting the commission recommended approval of the vacation.

Comments:

Mr. Poole inquired if there was a visual display showing the public where this is. Ms. Blair stated that in the Planning Commission report that is also attached to the City Commission packet online, all the diagrams are available.

Mr. Schwanger stated that Ms. Blair mentioned that the Planning Commission approved this. He was not sure if Commission got the minutes from the Planning Commission meeting, but there were concerns at that meeting regarding the inability to do anything with the Sandusky Bay Pathway once this is vacated. He thought Mr. Zuilhof led that conversation. He was not sure if it was too late for Commission to do anything or make adjustments.

Mr. Poole stated since there was not a drawing to understand what we are doing here, could Ms. Blair address what Mr. Schwanger just noted. If it is going to interfere with the bike path, please explain.

Mr. Klein stated that they have obtained the easements that are needed for the east-west route of the bike path from the Health Department, just south of the parking lot. This will not affect the bike path as it goes east-west. There was an idea of taking the bike path from the northeast corner of Lions Park around the northern shoreline and connecting it around the back of the rehab facility down to Superior Street. That is something that we would still like to do, but the County Commissioners own the parcel to the north of the rehab facility. This property and just to the south of it is owned by the Health Department, it was transferred. We have gotten everything that we can, and we would still like to eventually take that route north of the building near the waterfront and then back to Superior Street. Superior Street does dead-end into property owned by the Health Department. He thinks there was a misconception that the right-of-way went all the way to the shoreline at the Planning Commission Meeting. That is not the case – it dead-ends. It is sort of a round-about to help with the traffic flow. It would have been hard to main it otherwise and plow snow. This will not affect any of the bike path plans. The Health Department has been very good to work with to ensure that the bike path will not be affected negatively. To extend the bike path to the waterfront we would need easements from both the Health Department and the County. A portion of the existing road is owned and maintained by the Health Department.

Mr. Poole stated that the plans for the round-about look very good.

Mr. Poggiali stated he recalled that when the Health Department and the County wanted to change the use of that building, they had a public hearing, and at that time they would give consideration to allow us to extend the north piece of the bike path along the coastline.

President Brady stated that he has informally reached out to Commissioners Shenigo and Lewis and provided them with a drawing that Mr. Klein provided himself. That very thing is under consideration. He was hesitant to mention it because he did not want to front-run their decision or put any undue pressure on them.

PUBLIC HEARING: Zoning Map Amendment for Superior Street, Arin Blair, Chief Planner

Ms. Blair stated that the second public hearing was to consider the zoning of the parcel that is going to be created with the vacation of the right-of-way, if you pass the vacation of the right-of-way tonight. There is no clear process on how to zone a parcel that has been vacated from a public right-of-way except for our normal amendment of the zoning code process. As it stands today, in our code, if we vacated that piece of right-of-way, it retains no underlying zoning. The Planning Commission recommended in the same meeting when they heard the vacation petition, to zone the property public facility so it would then match the surrounding land use and zoning for the Health Department. This public hearing is set to discuss the zoning designation for that future parcel vacated from Superior Street – referred to as parcels previously read in the first public hearing tonight.

Hearing no further comments, President Brady declared the public hearing closed.

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. President Brady asked if anyone would like to move any items from the Consent Agenda, none heard.

CONSENT AGENDA ITEMS

ITEM A – Submitted by Arin Blair, Chief Planner

VACATION OF SUPERIOR STREET

Budgetary Information: There is no impact to the budget.

ORDINANCE NO. 22-211: It is requested an ordinance be passed vacating a portion of Superior Street located north of West Monroe Street and adjacent to 301 Superior Street, 420 Superior Street, and Parcel No. 59-62001.000, within the City, as set forth on the vacation plat, a copy of which is marked as Exhibit “A”, attached to this ordinance and incorporated herein; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM B – Submitted by Arin Blair, Chief Planner

ZONING MAP AMENDMENT FOR SUPERIOR STREET

Budgetary Information: There is no impact to the budget.

ORDINANCE NO. 22-212: It is requested an ordinance be passed amending the official zone map of the City of Sandusky to assign a zoning destination for a portion of Superior Street located north of West Monroe Street and adjacent to 301 Superior Street, 420 Superior Street, and Parcel No. 59-62001.000 upon completion of vacation to “PF” Public Facilities District; 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.

ITEM C – Submitted by Debi Eversole, Housing Development Specialist

LAND BANK MOU WITH ECLRC FOR PROPERTY TRANSFER OF 1228 OSBORNE STREET

Budgetary Information: There is no impact to the budget.

ORDINANCE NO. 22-213: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a Memorandum of Understanding (MOU) with the Erie County Land Reutilization Corporation for the acceptance and acquisition of a condemned commercial structure identified as Parcel No. 58-01981.000, located at 1228 Osborne Street, Sandusky, into the Land Reutilization Program; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM D – Submitted by Debi Eversole, Housing Development Specialist

LAND BANK PURCHASE AND SALE OF 612 NEIL STREET

Budgetary Information: The expenses associated with this purchase & sale agreement is the total amount of the title search, closing costs, deed preparation, and any other customary fees that

may be due and payable in the ordinary course of the sale and purchase transaction. The City will recoup the cost of the expenses from the sale. The taxing districts will begin collecting approximately one thousand seven hundred ninety dollars (\$1,790.00) per year in real estate taxes once the structure is built.

ORDINANCE NO. 22-214: It is requested an ordinance be passed declaring that certain real property owned by the City as part of the Land Reutilization Program identified as Parcel No. 57-01699.000, located at 612 Neil Street is no longer needed for any municipal purpose and authorizing the execution of a purchase agreement with respect to that real property; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM E – Submitted by Cody Browning, IT Manager**WINDOWS SERVER 2022 DATACENTER AND USER CAL LICENSING WITH VTECHIO**

Budgetary Information: The cost will be \$30,884.08 and will be paid by the IT's operating budget in the amount of \$15,442.04, by the Water Fund in the amount of \$7,721.02, and by the Sewer Fund in the amount of \$7,721.02.

ORDINANCE NO. 22-215: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for Windows Server 2022 Datacenter and User CAL to Computers at Work, Inc., D.B.A. vTECHio of Naples, Florida for upgrades and licensing for all city servers; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM F – Submitted by Cody Browning, IT Manager**SPD SERVER AND STORAGE REPLACEMENT WITH VTECHIO**

Budgetary Information: The total cost of the servers and storage will be \$59,287.81 and will be paid with funds from the Police Department's operating budget.

ORDINANCE NO. 22-216: It is requested an ordinance be passed authorizing and directing the City Manager to purchase two (2) Poweredge Servers and Dell Storage Array from Computers at Work, Inc., of Naples, Florida D.B.A. vTECHio, through the State of Ohio Department of Administrative Services Cooperative Purchasing Program for the Police Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM G – Submitted by Cody Browning, IT Manager**LICENSING AND SUPPORT SERVICES FOR SARA SUPPORT FROM STATUS SOLUTIONS**

Budgetary Information: The cost for this licensing and support agreement for a 12-month period will be \$12,000 and will be paid with funds from the IT Department operating budget in the amount of \$6,000 by the Water Fund in the amount of \$3,000 and by the Sewer Fund in the amount of \$3,000.

ORDINANCE NO. 22-217: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an Innovation Program Agreement with Status Solutions, LLC of Westerville, Ohio, for annual support, maintenance and unlimited software licenses for the City's Situational Awareness and Response Assistant (SARA) alarm system for a twelve (12) month period beginning on November 18, 2022; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM H – Submitted by Cody Browning, IT Manager**MILLS GOLF COURSE VIDEO SURVEILLANCE FROM JOHNSON CONTROL**

Budgetary Information: The total cost of this project will be \$20,125.00 will be paid from the Capital Fund.

ORDINANCE NO. 22-218: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for the purchase and installation of video surveillance at the Mills Creek Golf Course to Johnson Control, Inc., of Cleveland, Ohio, through the Sourcewell Cooperative Purchasing Program; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM I – Submitted by Scott Thom, Chief Building Official

BUILDING CONSULTING CONTRACT FOR CY2023 WITH GEORGE POULOS

Budgetary Information: Mr. Poulos will be paid at the rate of \$2,500 per month for work performed for a total of \$30,000.00. The cost of this contract will be paid with the Building Division operating budget. The plan review expense will be paid by the collection of plan review fees by the Building Division. This contract can be terminated at any time, by either party, with thirty (30) day-notice to the other party.

ORDINANCE NO. 22-219: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a consulting contract with George J. Poulos for CY 2023; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM J – Submitted by Scott Thom, Chief Building Official**BUILDING CONSULTING CONTRACT FOR CY2023 WITH ROBERT STADLER**

Budgetary Information: Mr. Stadler will be paid at the rate of \$55.00 per hour for work performed up to a maximum of \$7,500.00. The cost of this contract will be paid with the Building Division operating budget. The plan review expense will be paid by the collection of plan review fees by the Building Division. This contract can be terminated at any time, by either party, with thirty (30) day-notice to the other party.

ORDINANCE NO. 22-220: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a consulting contract with Robert G. Stadler for CY 2023; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM K – Submitted by Michell Reeder, Finance Director**2022 FISCAL AUDITING AGREEMENT**

Budgetary Information: The total cost of \$53,218 will be paid from the general fund (\$26,609), water fund (\$13,304.50) and sewer fund (\$13,304.50).

ORDINANCE NO. 22-221: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with the Auditor of the State of Ohio for services to perform the City's audit for the fiscal year 2022; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM L – Submitted by Michelle Reeder, Finance Director**APPROPRIATION BUDGET AMENDMENT #7**

Budgetary Information: Appropriation amendments are required to update the 2022 budget. Amendments included for these funds:

- General Fund
- Sewer Funds
- Internal Service Funds
- Park & Recreation Funds
- Coronavirus Relief Funds
- Special Assessment funds
- Federal & State Grant Fund

ORDINANCE NO. 22-222: It is requested an ordinance be passed Adopting Amendment No. 7 to Ordinance No. 22-004 passed by this City Commission on January 10, 2022, making general appropriations for the fiscal year 2022; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM M – Submitted by Aaron Klein, Public Works Director**PURCHASE AND INSTALLATION OF NEW TRAFFIC CABINET**

Budgetary Information: The cost of \$20,021.00 for the traffic cabinet and equipment from Path Master, Inc., and \$10,320.00 for installation performed by National Light & Power will be paid with Traffic funds. All costs associated with the repair will be billed to the driver's insurance company.

1. ORDINANCE NO. 22-223: It is requested an ordinance be passed ratifying the emergency purchase of a new traffic cabinet and equipment for the intersection at U.S. Route 6/Tiffin

Avenue and State Route 101/George Street; authorizing and directing the City Manager and/or the Finance Director to expend funds to Path Master, Inc., of Twinsburg, Ohio, in the amount of \$20,021.00; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

- 2. ORDINANCE NO. 22-224:** It is requested an ordinance be passed ratifying the emergency installation of a new traffic cabinet and equipment for the intersection at U.S. Route 6/Tiffin Avenue and State Route 101/George Street; authorizing and directing the City Manager and/or the Finance Director to expend funds to National Light and Power, Inc., of Sandusky, Ohio, in the amount of \$10,320.00; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM N – Submitted by John Orzech, Assistant City Manager

SOFTWARE AGREEMENT THROUGH CY2023 WITH LEXIPOL

Budgetary Information: The total cost for the subscription purchase with Lexipol is \$7,500. The costs of the subscription will be paid from the Administrative Services operational budget.

ORDINANCE NO. 22-225: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with Lexipol, LLC, of Frisco, Texas, for a subscription to LocalGovU full library for the Administrative Services Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Mr. Harris made motion, second by Mr. Poggiali to accept agenda items A-N and declaring that all ordinances and resolutions as drafted and presented to the commission under the Consent Agenda shall take effect in accordance with Section reflected in those ordinances and or resolutions.

Comments:

President Brady asked Mr. Browning to answer the golf course questions presented earlier. Mr. Browning stated that it was a mixture of both, people have stolen golf carts in the last six months and cameras would be a great preventative measure as well. There is currently no security at all.

Mr. Murray stated that the State of Ohio will continue to perform the audit pursuant to this legislation.

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

REGULAR AGENDA ITEMS

ITEM 1 – Submitted by Jason Werling, Recreation Superintendent

2023 PAPER DISTRICT MARINA RATE INCREASES – FIRST READING

Budgetary Information: The agreement will not result in any additional budgetary expenses. The City will benefit from Towboat Marine's management and operation of the Marina, as well as the agreed upon first \$10,000.00 revenue each year going to the City of Sandusky, with an additional 50% split after revenues received meets \$45,000.00 for the season.

ORDINANCE NO. _____: It is requested an ordinance be passed approving a new fee schedule for the Paper District Marina.

Mr. Meinzer made motion, second by Mr. Poole to accept this ordinance at first reading.

Mr. Werling stated they are raising the rates just for seasonal dockage in 2023. It is in reaction to costs with staffing and maintenance costs. They are also adding a weekly transient rate. The contract reading is exactly the same otherwise.

Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray(abstain) 6. Roll call on the ordinance: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray(abstain) 6. President Brady declared this ordinance passed on first reading.

ITEM 2 – Submitted by Jane Cullen, Assistant City Engineer

AWARD CONTRACT TO WWTP SECONDARY DIGESTER #3 CLEANOUT PROJECT TO BURCH HYDRO

Budgetary Information: The total cost for this cleanout work is \$68,737.68, which includes the alternate bid, and will be paid from the Sewer Fund.

ORDINANCE NO. 22-226: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a contract with Burch Hydro Inc., of Fredericktown, Ohio, for the WWTP (Wastewater Treatment Plant) Secondary Digester #3 Cleanout Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Mr. Waddington made motion, second by Mr. Murray, to accept this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

Mr. Klein stated that this project is the kickoff to the die store unit, replacing that membrane. We need to clean the digester, dispose of the material. We were planning to do this project in 2023. This was on our Capital Plan last year; we are just moving it up a little bit to get it contracted this year and move forward now. So, we can do the membrane early next year.

Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer(absent), Mr. Poole, and Mr. Murray 6. Roll call on the ordinance: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer(absent), Mr. Poole, and Mr. Murray 6. President Brady declared this ordinance passed.

ITEM 3 – Submitted by Josh Snyder, Public Works Engineer

PERMISSION TO BID 2022 WEST MONROE STREET DRAINAGE PROJECT

Budgetary Information: The estimated cost of the project construction costs is \$108,180 paid entirely with Sewer funds.

RESOLUTION NO. 061-22R: It is requested a resolution be passed declaring the necessity for the City to proceed with the proposed 2022 West Monroe Street Drainage 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.

Mr. Harris made motion, second by Mr. Poggiali, to accept this resolution under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Mr. Klein stated that the rain events we have had over the last few years really caused some flooding issues on Fulton and Decatur Streets and intersections of Monroe. All the flooding is surface water flooding. The existing combination sewers cannot handle the capacity. Right now, there is a ten-inch that flows from Fulton Street east to Decatur Street and heads all the way to the bay. Then there is a fifteen inch that goes from Fulton Street west to Central Avenue to the south then over to Mills Creek. Both of those are combination sewers, they really reach their capacity quickly in heavy downpour. What we did this year, we sat down and looked at all the problem areas, this was one that we wanted to focus on, especially with the fact that we are resurfacing Monroe Street from Decatur all the way to Meigs Street in the beginning of 2023. We wanted to get this completed and out of this intersection as quickly as possible. Our hope is the new twelve inch we are going to install in the boulevard area in the curb, the northside of Monroe Street. In Central Park there is a large trunk sewer we can connect to. We recently have been awarded the reconstruction of Monroe Street from Broadway to First Street over the next four to five years.

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

ITEM 4 – Submitted by Jared Oliver, Police Chief

AGREEMENT WITH CEDAR POINT FOR POLICING SERVICES FOR 2023

Budgetary Information: For the 2023 park operating season Cedar Point will reimburse the city a total of \$529,185.58.

ORDINANCE NO. 22-227: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a services agreement with Millennium Operations LLC, D.B.A. Cedar Point for law enforcement/police services to be provided by the Sandusky Police Department;

and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Mr. Waddington made motion, second by Mr. Harris, to accept this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Chief Oliver stated he has been in conversation with Cedar Fair since early this year before opening season. In years past Sandusky provided one officer during operating hours, this year we added another officer during HalloWeekends, and they always paid for that officer on an overtime basis. Nationwide amusement parks have a security contingent, and they have the local police force provide policing service. Cedar Fair would like to follow this plan here. After much discussion Cedar Fair agreed to pay this amount for us to hire five fulltime officers which will give us sufficient staffing for where we need to be during park operations, and those officers will also work on patrol in the City of Sandusky. We look at this as a win-win for the Sandusky Police Department. We are there now, and this will give us a greater presence. President Brady added he understood this was a template for what Cedar Fair does at their other parks, so we are not reinventing the wheel here, we are just following best practices. Chief Oliver added that was correct and was told our local park was the only park that still had their own police department. They will still maintain their security staff to deal with internal matters, but we will handle all law enforcement matters and investigations at the park.

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

ITEM 5 – Submitted by Brendan Heil, Law Director

BALLOT FOR PROPOSED AMENDMENT TO THE CHARTER

ORDINANCE NO. 22-228: It is requested an ordinance be passed providing for the submission to the electors of the City of Sandusky a proposed amendment to the charter of the City of Sandusky as set forth in a petition submitted to this City Commission and declaring an emergency.

Mr. Murray made motion, second by Mr. Poggiali, to accept this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Mr. Murray stated he was going to vote for this because we are required to do so but it should be read in no way as an endorsement of this language. Two things he wanted to point out; there has been some discussion in the public that we did not act promptly when presented with this petition, that is not correct. The proponents miscalculated and provided the petition documents ten days too late. So, this petition was always headed for a special election. The supreme court changed its approach, which it is entitled to do, we are following the supreme court's directives and have not in any way violated those or acted in contempt, all of that is nonsense. The second point is he is very disappointed to learn that a lot of commissioners spoke with people who signed the petition and inquired why. Many of those residents were told that the City was proposing to sell Battery Park. That is not true, nor has it ever been true. Battery Park has been subject to a long-term lease for decades since the sixties or seventies. He just wanted to clear that up.

Mr. Poole inquired, just out of curiosity, the lease on Battery Park and the proposed project – how does someone develop a leased piece of property? This seems to be what the confusion is. People are under the impression that we are going to let a developer put private condos on that property. There is no explanation of how the City retains ownership.

Mr. Heil explained that the existing lease for Battery Park gives the developer the right to develop the land, but the City will always own the land. A good portion of Battery Park is submerged land, which neither the City nor the developer owns – we the City lease it from the State of Ohio, the developer is a sublessee of that. Generally, when these leases are done, they a long-term lease so structures are allowed to be built, but the land ownership is retained by City or in the case of submerged land – the State of Ohio.

Mr. Poole inquired what access to this land does the public have that they are putting buildings on that people will live in? What is the relationship between the condo renter and the owner of the land?

Mr. Heil stated he could not speak to the plans for Battery Park.

Mr. Poole stated that currently people can walk across the grass at Battery Park. If condos are built – how will this effect the public.

Mr. Heil stated that from his understand the plans that were published in the newspaper included a large park and some private development.

Mr. Poole stated land that we own but cannot use is not of much value. This is what he feels people are concerned about. If he cannot walk it, what does that mean? That is a problem.

Mr. Murray wanted to point out that plans that were presented have not been approved yet. The plans that were presented in the newspaper called for 50% more green space available to the public than we have today.

President Brady added at the conclusion of this project the green space would go from six acres to nine acres. The discussion with Marous Brothers has been to not come back without any less green space for the public.

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

Mr. Poole added that perhaps going forward it would be helpful if we would provide more information to the public about the project at Battery Park. We need to answer any questions anyone may have. This may help going forward.

President Brady stated he agreed.

ITEM 6 – Submitted by Michelle Reeder, Finance Director

JUSTICE CENTER FINANCING

Budgetary Information: This notes sale will finance Justice Center construction costs. The construction contract was awarded to Mosser Construction for a total cost of \$10,623,800, with 40% being attributed to Sandusky Municipal Court operations and 60% attributed to Sandusky Police department operations. It is anticipated that the City will issue long term debt next year with debt service payments being paid from the Capital Projects and General Bond Retirement funds. The project is estimated to be ongoing for eighteen months.

ORDINANCE NO. 22-229: It is requested an ordinance be passed providing for the issuance and sale of notes in an aggregate principal amount not to exceed \$6,000,000. in anticipation of the issuance of bonds, for the purpose of paying costs of the construction, renovation, furnishing and equipping of the City's Justice Center, and declaring an emergency.

Mr. Murray made motion, second by Mr. Poole, to accept this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Mr. Murray stated that the consideration that went back and forth with the Finance Committee is whether we should go out with permanent financing and Ms. Reeder brought her expertise to make a sensible decision here. The question to go out to the financing community for a version public financing, there are many options of this. One consideration was called a certificate of participation, which may be where we find ourselves a year from now. The question was should we stay in short-term notes for now and see where the bond rates and interest are in a year, he thought that was the prudent course was to stay in short-term notes and see where we are. The other question was if we went for financing now, we would be financing the entire development, because that is how it works, then you pay interest for the entire period of time. The short-term

financing provides financing for the next year of construction. The Finance Committee had much discussion, and this was the direction that they favored.

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

President Brady stated that there was a special guest with us tonight, Mr. Wobser, former City Manager. He invited him here this evening so Commission could express their gratitude to him for the more than eight years spent in this community and congratulate him for the recent opportunity he has received to be the Chief of Staff for Cuyahoga County Executive-Elect, Chris Ronayne. President Brady asked Mr. Wobser to step to the podium and take the beating that Commission was about to give him.

Mr. Waddington stated that he would miss Mr. Wobser's energy, passion, and vision. He finds it hard to imagine that anyone applying will have the drive that he has. Mr. Waddington added he appreciates the time Mr. Wobser served this City.

Mr. Poggiali added that when he saw Mr. Wobser walk in, he believed he looked younger already. Our loss is certainly Cuyahoga County's gain. Mr. Wobser told him long ago that he and Chris go way back, and he wanted to work with him if ever given the opportunity. Mr. Poggiali stated he only wished him the best and it has been great working with him. He knows he will do a fine job.

Mr. Harris stated he made some notes, some key words, courageous, focused, innovative, resilient, trusting, and inspiring. These are just a few qualities that our great leader possessed. The City of Sandusky was the beneficiary of that. Mr. Harris appreciated all that Mr. Wobser has done, not for just the Coty, but for the wisdom he shared personally over the last few years. Mr. Harris wished Mr. Wobser and his family the best. Mr. Harris stated thank you from the bottom of his heart for being such an inspiration.

Mr. Meinzer stated what impressed him most about Mr. Wobser, after going to school with his mom and dad and knowing them, he is always proud to see one of our local kids take over and lead and be successful. That is always what he has wanted for his kids. He stated he was always surprised by Mr. Wobser's energy, he was always worried he would have a heart attack. Good luck.

Mr. Poole stated that Mr. Wobser was leaving our city much better than he found it. He stated he has given more than 100% all the time. We feel better about ourselves and the path you have left for the success of the city is something that we will be able to follow even after he is gone. We have weathered the good days and the bad days like a trooper, all in all he was glad that Mr. Wobser was here. He stated Mr. Wobser did a good job for us and good luck in the future.

Mr. Murray stated that their paths have intersected for a long time now. We started talking back when you first applied to the City Commission around 2011. That was not the right time, but later it was. I had left the State House, and you, Mr. Wobser would not stop pestering me. I wanted to be out of politics and here I am still into it with three more years to go. He stated when he first ran in 2005, he would go around and talk with business leaders and ask for their support. What he said then proved to be true; As Sandusky goes, so goes Erie County. We have seen that in the eight and a half years since Mr. Wobser has been here at the helm. It is true that imitation is the sincerest form of flattery. What Mr. Wobser has adopted in Sandusky has spread like wildfire, and we are delighted to see Perkins, Huron, Vermilion, and all the townships do well, it is a wonderful thing. He stated he believed the county owed that to Mr. Wobser in great measure. We also live in northeast Ohio, we used to be part of northwest Ohio. That has migrated; Erie County is now much closer aligned economically with Cleveland than it is with Toledo. As Cuyahoga County goes, so will Erie County go. It will be important for our long-term success that the office of the Executive of Cuyahoga County, which has not yet found its footing in the last couple times of having good people there did not quite get going right. He stated he was

optimistic that Mr. Wobser would bring that support to the leadership of that office to succeed. Mr. Murray stated when his children left home, he embarrassed each of them, they remember, but they are back. He stated he can see why they had to leave so they could come back home. And he expects Mr. Wobser will be back.

President Brady stated he was old enough to realize that you do not get many do-overs. Mr. Murray constantly reminds him of his age. President Brady stated that Mr. Wobser is his do-over. In 2011 he took a call from a very energetic, artistic, and eloquent young man that was trying to get his foot in the door to be considered as the City Manager in this city. The company that commission hired to conduct that search limited applicants to city managers or those that were former city managers. They had to have that experience. Mr. Wobser had neither. He never got an interview. President Brady stated it turns out he has less experience as a commissioner than he had a city manager. President Brady allowed that to happen, and he did not get an interview. President Brady said he and Mr. Wobser had relived that decision many times socially at parties over the last eight years. He stated Mr. Wobser let him off the hook by telling him that in 2011 he did not really have the qualities needed for the city manager position. He stated in a large part Mr. Wobser was the reason so many of the commissioners ran for their seat. The rest is history – a really good history. Mr. Wobser deserves credit for much that we have accomplished. The final chapter has not been written yet, we have so many opportunities that are still right on our doorstep. And when we get these things accomplished you Mr. Wobser, will still get some of the credit for that. President Brady stated that Mr. Poole said it very eloquently; you left us better than you found us.

Mr. Wobser thanked everyone for the kind words. He also thanked Commissioners for the eight plus years he has worked with them in the opportunity of a lifetime, working as the City Manager in his hometown. He stated he can say based on the community, the staff, the commission, that he does not believe he will love another job or be as passionate or work quite as much as he did in this position. He said he is aware that there are a lot of people in this room that are not his biggest fans, and he wants to say that he knows he has made mistakes over the years as the City Manager. He can tell though that every single one of those mistakes was made with passion and belief that what we were doing was best for the city of Sandusky. When we look back at everything we have accomplished, not my accomplishments, not the commission's accomplishments, not the staff's accomplishments – but the community's accomplishments. He sees entrepreneurs that were here well before he was back, and part of the reason I wanted to come back to Sandusky was because I saw one of my best friend's growing up, Joey Castile was making videos and posting them online called "Town Go Boom" and he would send them and it would make him so emotional. When he came back, he saw places like Zinc opening, and he could feel the spark and see the potential. He wanted to come back because he believed in Sandusky. HE cannot thank everyone enough for believing in him and giving him that opportunity. What we did here was belief in Sandusky enough to ask it to invest in itself. To support those who stayed here, those who came here and those that are coming here and making investments. He thanked not only the staff that are here tonight, as great as they are, but also some of the staff that came before them who have moved on to some really great opportunities. There are some communities out there that are emulating Sandusky's success, He does not believe we would have seen that a decade ago. Erie County, Huron, Perkins are trying to hire the best talent from Sandusky because they consider the best talent is coming from Sandusky. The fact that it is happening now, that people continue to reinvest into this community is a testament to all the hard work. For that hard work to continue all Sandusky has to do is continue to believe in itself, continue to push forward to make positive changes in this community. I know that will happen, because of the leadership in this community, because of the amazing talent of this staff, and because of what an incredible community this is, that at the end of the day we are blessed. He believes Mr. Meinzer said to him once; Where else would you want to build a city other than Sandusky, Ohio. Look at our shoreline, the islands, and peninsulas, it is just a naturally beautiful place. It is the type of place where people would want to build a city. And to be able to do that in my hometown over the last eight-and-a-half years has been the greatest honor of my lifetime. He stated thank you for giving him that opportunity. He hopes that he is back in some capacity

someday whether as a resident or professionally. This is his home; it is where his family is. Thank you so much for everything we have been able to do together.

CITY MANAGER'S REPORT

Mr. Orzech, Interim City Manager, wished to thank Mr. Wobser for the trust he had in him, a couple years ago, much like you – he was slick with his talk – he convinced you to run for commissioner, he convinced Mr. Orzech to retire from Police Chief and come over to City Hall. Mr. Orzech is still debating whether that was a good idea or not, but he did want to thank Mr. Wobser for everything he has done for him, and for the trust that has in him.

DONATIONS

- The City of Sandusky Recreation Department would like to thank Sandusky Witches Walk for the \$6,125 donation for providing internet for Mills Rec Center for a year. This will also cover the purchase of a desktop so leaders can help check grades and also be able to sign up youth for programming.
- The City of Sandusky Recreation Department would like to thank Sam's Club #4962 for their community grant donation of \$5,000. This will be used for our out of school Mills program. This will supplement our educational materials that we use with the program participants with a focus on diversity and homework assistance.
- The City of Sandusky Recreation Department would like to thank Erie Metroparks for their donation of 6 bags of candy. The candy was used for Trick or Treat and Halloween bags for Out of School Mills Program
- The City of Sandusky Recreation Department would like to thank Barnes Nursery for their donation of 24 pumpkins for the 16th annual downtown trick or treat pumpkin drop.
- They City of Sandusky Recreation Department would like to than Isaac and Cristina Hurst for the donation of a 70-inch TV for the Rec Room at Mills.
- The City of Sandusky Recreation Department would like to thank Sandusky City Schools for their donation of 36 basketballs for the gym at Mills.

Mr. Waddington made motion, second by Mr. Poggiali for these donations. President Brady declared this motion passed.

NEW & OLD BUSINESS

FINANCE

- The first draft of the 2023 budget is available on the City's website, under the Finance Department page. Once final adjustments are made to the budget, it will be presented to the City Commission in December.

PUBLIC WORKS

- Staff has been working diligently with Norfolk Southern as they perform the structural repairs on the Columbus Avenue overpass, the safety repairs on the abutment walls and the mechanical repairs to the lift station so the road can be opened. Unfortunately, this process has been moving much slower than we would like.

COMMUNITY DEVELOPMENT

- The City of Sandusky has received notification of satisfactory performance from the Department of Housing and Urban Development regarding their 2021 Consolidated Annual Performance and Evaluation Report (CAPER) Program Year 2021. As a result of this the city is eligible to continue receiving and administering CDBG funds for the next program year.

PLANNING DEPARTMENT

- The first public meeting to discuss the design for the Sandusky Action Sports Park (which is the area currently known as the Skate Park and Pump Track) will be held this week. The meeting will be open house format, from 5:00 pm to 6:30 pm at Mylander Pavilion on West Shoreline Drive this Thursday, November 17th. Please join us to share your thoughts and help shape the design for this exciting new all-wheel facility! An online survey is also available on our website and social media.

RECREATION

- Registration is still open for the Race before The Game on Saturday, November 26 at 9:00 a.m. at Cameo Pizza near Central Park. Buckeye Broadband has agreed to be a major sponsor for this year's event. Race Day registration is available at 8:00 a.m. the morning of the event or online registration is still available at www.runsignup.com/RaceBeforetheGame.

OLD BUSINESS

- Just a reminder that we are collecting new coats, hats, and gloves in sizes infant to adult 2XL. Our Community Impact Officers will deliver these to members of the Southside Enrichment and Empowerment group in December so they can be given to children in need.

Comment:

Mr. Murray added that it did gail him that the railroad has reopened the railroad, but we cannot get the street open below. He wanted to express that frustration, and it does fall on deaf ears because no one at the railroad listens anyway. He inquired if we have received any kind of estimate of when we will be able to reopen the street? Will it be in 2022 or 2023?

Mr. Klein stated that unfortunately he has not heard anything, he even asked late last week for an updated schedule, they said they would get that to him. He has asked for the list of repairs. The document that they sent shows that the repairs they intend to do is less than what we wanted. We are planning on meeting this week internally to develop a list of demands for them of what our expectations are. Unfortunately, we are trying to balance that with not having to do the repairs and having to ask for reimbursement. The reason we cannot open the road currently is because our lift station is not operational. That storm water lift station only serves the underpass, nothing else, but if we have a rain event, we cannot guarantee that the road will not be flooded, which would be dangerous to the drivers. We cannot repair the lift station until the abutment walls are repaired because there are big chunks of concrete that could fall at any time onto the road below. There was a meeting today with Ohio Edison to get some things restrung, if that happens soon then they can move in and do their repairs on the concrete and then we can repair the lift station. We will probably have to add some cold mix into the areas on the road where the train cars hit and there are some deep depressions three to four inches deep. This will be just to get us through the winter, if we do open it, then they will have to come back in the spring to resurface everything that they did damage. We are looking at repairs to some sidewalk, curbs, handrails, crash barriers, lights, signals, and the lift station improvements that need done as well.

President Brady stated we are a long way off. Mr. Murray added that if someone between Mr. Heil and Mr. Klein could give commission some advice as to what the standard is here. Mr. Murray would assume that there is federal law that requires in a derailment that the railroad is responsible, we are not the first community to sustain a derailment, although ours it a bit unusual. We need to get some guidance in term of what our leverage is.

OLD BUSINESS

None.

NEW BUSINESS

Mr. Murray made motion, second by Mr. Poggiali to appoint Mr. Brady and Mr. Harris to the Finance Benefit Committee. Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington,

Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray 7. President Brady declared this motion passed.

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

Mr. Murray made motion to move into Executive Session to discuss the process of selecting a new City Manager under Personnel, seconded by Mr. Poggiali. Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray 7. President Brady declared this motion passed, Executive Session set.

AUDIENCE PARTICIPATION

Tim Schwanger, 362 Sheffield Way, wished to make a few comments about the Charter Amendment for the parks, he stated he was not on that committee but did help circulate the petitions. They started the campaign on July 4th at the downtown celebration and at the farmers market and they went door to door. In the six hours on the 4th of July festival, we gathered approximately two-hundred signatures. Mr. Murray I can assure you that everyone that signed that petition knew what they signed. I do not know if you kept a tally of how many people you talked to and how many actually signed, but he assures that everyone who signed knew what they were signing. We actually took a copy of what Marous Brothers want to do at Battery Park with us. And they asked where do we sign. If Battery Park is subject to private development, then all of our parks are subject to private development. None of those parks are protected by the original plat of Sandusky and we only have a handful of parks that are protected by the plat, all the other parks will be subject to the same thing that past commission did to Battery Park. We can play the blame name game all day long, who held the petitions too long, who didn't hold the petitions too long, but I can assure you that the Board of Elections indicated that you folks were the ones who turned it in late.

Chris Weidel, 403 East Adams Street, states because he was removed from the podium on October 17th, I was in my third sentence. He stated he would like to read from the Sandusky meeting procedures. Paragraph eight, subsection fifteen: Audience Participation: open discussion on matters of city business 5-minute limit. Members, other officials, and administrative representatives shall not respond to or debate public speakers and shall only answer questions as directed by the President of Commission. When the Law Director presented the park petition to this body last August, he stated it was not properly formatted. He recommended that the Commission not certify it to the Board of Elections. You did not. Sanduskians for Sandusky, who initiated the petition appealed the commissions failure to certify the petition to the Ohio Supreme Court. The Ohio Supreme Court rejected your actions as advised by the Law Director as illegal and ordered a special election forthwith. Instead of advising the city to follow the Ohio Supreme Court's directive he asked their decision to be reconsidered, legally jeopardizing each commissioner in the process. The Ohio Supreme Court again found your actions illegal, reaffirming their previous decision. The Law Director stated before this commission on October 11th, that the petitions were not presented timely. If this is true, then you should have rescinded that information to the Commission back in August. He did not. So, his making that statement two months later after the Ohio Supreme Court already ruled against his recommendation is at best hindsight. As pertaining to the pending special election, it is totally irrelevant, therefore diversion from the prior actions. On October 11th, the Law Director also stated to this Commission and all residents that the petitions had not been certified. This is an untruth. Reading from the Ohio Supreme Court decision, Paragraph twenty; the Erie County Board of Elections verified the signatures although they were submitted after the deadline, three-hundred, twenty-three signatures were needed for the amendment to proceed on the ballot, and the petition has four-hundred, sixty-six valid signatures. Additionally, the Erie County Board of Elections finished verifying valid signatures on August 16th, at 3:41 p.m. A board member witnessed by another member, then immediately called the City to inform them of the sufficient signatures on this petition. The only certification not received was by the very individual he addressed – that would be you. Rather than call for a Commission certification he moved on leaving the impression to the casual observer that the Board of Elections had not certified the election. The former City Manager, and his subservient Law

Director advised this body to disrespect the residents who signed these valid petitions. The City of Sandusky Organizational Chart codifies the residents as the ultimate authority. Their actions also disrespected you as the resident's elected representative. By placing their desires above the obligation to provide all Commissioners and all residents with accurate information. This disinformation is continuing. The information being forwarded to the local newspapers states the proposed charter amendment addresses only the sale of parks. That the amendment also includes the leasing or development is being omitted to further cloud the ongoing construction activity at Battery Park. I thank all Commissioners for serving as the resident's representatives in this administration of our City. Please remember your allegiance needs to be to the residents and not to the employees that you hire. Thank you very much for your time.

The Commission moved into Executive Session at 6:28 p.m. and returned to Regular Session at 6:48 p.m. Mr. Murray made motion, second by Mr. Poggiali to commence advertising for the position of City Manager, we have a job description we have considered, and make part of the motion, and further ask that we advertise in the Sandusky Register, the Morning Journal, the Cleveland Plain Dealer, the Columbus Dispatch, the ICMA Website, the OML website, and the Cincinnati Inquirer with applications due to the City by December 31st, with a tentative objective of having a new City Manager in place in early February of which that will be governed by the process in which we are able to organize interviews. As we did the last time, which was successful, all seven of City Commissioners participated in the process, the screening of applications, voting on them in rank order, and he would suggest they follow that same process; that we rank the top ten, that they be collected by HR, and that they be presented to us for action at that point in time. Roll call on the motion: Mr. Brady, Mr. Poggiali, Mr. Waddington, Mr. Harris, Mr. Meinzer, Mr. Poole, and Mr. Murray 7. President Brady declared this motion passed.

ADJOURNMENT

Upon motion of Mr. Waddington, the Commission moved to adjourn at 6:51 p.m. President Brady declared the meeting adjourned.



Cathleen A. Myers
Commission Clerk



Richard R. Brady
President of the City Commission