

President Brady called the meeting to order at 5:00 p.m. followed by the Invocation, given by Mr. Waddington 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, 6. Mr. Murray made motion, second by Mr. Poggiali to excuse Mr. Meinzer. President Brady declared this motion passed.

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, James Stacey – Transit Administrator, and Cathy Myers - Commission Clerk.

Upon motion of Mr. Poggiali and a second by Mr. Harris, the commission voted to approve the minutes of the January 9, regular meeting and suspend the formal reading. President Brady declared the motion passed.

#### **AUDIENCE PARTICIPATION**

Alan Griffiths, 1231 Wayne Street, Chair of the Landmarks Commission, is here to speak on Item 1 – The Agreement for Sandusky Preservation Design Guidelines Update with Designing Local. He wished to congratulate Ms. Blair for her ability to secure funding for that project, he believes \$18,000 or so. From a commission perspective the ability to update these guidelines this will help provide clarity to homeowners, to businesses, to investors on how to advise applicants. It helps to balance the two issues that they face with each application which is preserving our cultural heritage and making sure that they are enabling investment and progress in the city.

Shameka Owens, 1126 Sycamore Line, wished to comment on a meeting that was brought to her attention, where Mr. Poole asked a question and was silenced by the President of Commission. She and others would like to know why his first amendment right was squashed on the table. She would also like to know what he was going to say.

President Brady informed Ms. Owens that this portion of the meeting was for agenda items, but she could speak on any item at the Audience Participation portion of the meeting at the end of this meeting.

#### **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.

#### **INTRODUCTION OF NEW POLICE OFFICER**

Chief Oliver stated he was happy to introduce our new full-time police officer, Amanda Blodgett. She is the first lateral transfer that we were able to hire in the department. She comes to Sandusky with almost nine years previous law enforcement experience from the City of Norwalk. She started with the department earlier this month. She will be going to night shift.

#### **PUBLIC HEARING: Naming of Unnamed Alley, Arin Blair, Chief Planner**

A petition was received by David Bowie, 320 East Washington Street, which was signed by the majority of property owners touching the alley behind Washington. His petition was entertaining the naming of the alley to Heritage Way. His attention was to be able to direct guests to the rear parking access to his property. This was discussed at Planning Commission and did not hear any opposition, but the procedure would be to have a Public Hearing at Commission to move that forward if desired.

Mr. Murray inquired why we would be doing this. He feels it opens a can of worms because we have a hundred-fifty or two hundred alleys throughout the City. This would be the first one named, and there be an exception to that. There is an expense to put a sign on it, then people think we have an obligation to maintain it. Alleys are private property, not public, we

are not required to maintain them. He would discourage Commission from traveling down this slippery slope.

Mr. Waddington remarked he has a firetruck alley behind him that he maintains from 1910.

President Brady stated his concern was once we started naming alleys that we would be naming them at every meeting. He also stated that we already have a Heritage Drive, that would be confusing for emergency services.

Chief D'Amico stated he was aware of the alley on the east side, but most of the fire trucks now are too large to travel down alleys without damage to the vehicles.

Mr. Poole stated he thought the City owned the alleys; he was unaware that they were private. He would like written confirmation of such. If it is private property, how can they name it anyway.

Mr. Heil stated the alleys designed as public access right-of ways, but they are not improved roads. So, they are not maintained like platted streets are. All named roads are improved roads. Property owners are responsible to the halfway mark of the alley that are adjacent to it.

Mr. Poole stated that in plain terms we do control the alleys, although we do not maintain them. He does not have a problem naming an alley with reasonable criteria. He does not believe this petition is sufficient of him supporting to name this alley. He inquired about it going to Planning Commission already.

Ms. Blair stated it did, they were following subdivision regulations, which was not the procedure that should guide this process. The procedure is Ohio Revised Code for it to come to Commission.

Mr. Poole asked what was the logic for Planning Commission to agree to submit it here to Commission?

Mr. Poggiali stated that this property owner came to Planning Commission about his Bed and Breakfast. It was difficult for people to find his business because he would have them enter from the rear alley. Maybe we should check that he is licensed business now that we are talking about it. He came with a group that wanted to do a group transient housing that was denied.

Mr. Poole stated that perhaps there was a better way to direct people to his business other than naming the alley, maybe using a printed map or one online.

Mr. Harris stated a thought would be that a distinction could be used that he was asking because of a business was operating there, maybe an exception could be made.

**President Brady declared the Public Hearing closed. President Brady asked if anyone would like to move any items from the Consent Agenda, none were noted.**

#### **CONSENT AGENDA ITEMS**

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##### **ITEM A – Submitted by James Stacey, Transit Administrator**

##### **AGREEMENT WITH CEDAR POINT FOR TRANSPORTATION SERVICES**

**Budgetary Information:** STS will receive \$200,000 for the length of the proposed contract. This money collected will be used to offset the capital planning and operating expenses through the 2023 5311 Rural Grant Program.

**ORDINANCE NO. 23-008:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for transportation services between the City of Sandusky and Millennium Operations LLC, D.B.A. Cedar Point for the period of January 1, 2023, through December 31, 2023; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

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

##### **AMENDING RESOLUTION NO. 066-22R FOR THE WPCLF APPLICATION FOR MILLS STREET HIGH-RATE PROJECT**

**Budgetary Information:** There is no budgetary impact for submitting the application. Formal legislation will be needed for acceptance of the loan after both projects are awarded and final costs are known. The interest rate, any partial grants, and/or principal forgiveness will be known at that time. Direct payment will be made from Ohio EPA to the contractor.

**RESOLUTION NO. 001-23R:** It is requested a resolution be passed amending Resolution No. 066-22R, passed on December 12, 2022, authorizing and directing the City Manager to file an application with the Ohio Environmental Protection Agency (OEPA) for a loan through the Water Pollution Control Loan Fund (WPCLF) Program for the design, construction and inspection of the Mills Street High-Rate Treatment Project and the Ultraviolet (UV) Disinfection Refurbishment Project; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM C – Submitted by Mario D’Amico, Fire Chief**

**APPROVAL FOR FIRE TO PURCHASE TEN SETS OF TURNOUT GEAR FROM MUNICIPAL EMERGENCY SERVICES**

**Budgetary Information:** The total amount of this expenditure is **\$40,490.00** with each set costing \$4049.00. These purchases will be paid with monies from the EMS Fund.

**ORDINANCE NO. 23-009:** It is requested an ordinance be passed authorizing and directing the City Manager to purchase ten (10) Morning Pride Tails Turnout Gear, fire coat and pant sets, through the Sourcewell Cooperative Purchasing Program from Municipal Emergency Services, Inc., of Southbury, Connecticut, for use in the Fire Department; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM D – Submitted by Mario D’Amico, Fire Chief**

**APPROVAL FOR FIRE TO APPLY FOR OBWC FEEEG PROGRAM GRANT**

**Budgetary Information:** The total amount of the grant project is **\$11,050.00** and will be paid with grant funds if awarded.

**RESOLUTION NO. 002-23R:** It is requested a resolution be passed authorizing the submission of a grant application to the Ohio Bureau of Workers’ Compensation for the Firefighter Exposure to Environmental Elements Grant (FEEEG) Program for the Sandusky Fire Department; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

**ITEM E – Submitted by Mario D’Amico, Fire Chief**

**APPROVAL FOR FIRE TO APPLY FOR OBWC SAFETY INTERVENTION GRANT**

**Budgetary Information:** With this grant the recipients are eligible for a 3 to 1 matching grant, up to a maximum grant award of \$40,000.00. The total price of the power load system is \$65,702.03.

**RESOLUTION NO. 003-23R:** It is requested a resolution be passed authorizing the submission of a grant application to the Ohio Bureau of Workers’ Compensation for the Safety Intervention Grant (SIG) Program for the Sandusky Fire Department; and declaring that this resolution shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Mr. Harris, and second by Mr. Murray, the commission voted to accept the Consent Agenda and declare all ordinances and/or resolutions as drafted and presented to the City Commission under the Consent Agenda shall take effect in accordance with the Section reflected in the ordinance and/or resolutions, whether it be in accordance with Section 13 or Section 14 of the City Charter.**

**Comment:**

Mr. Poggiali inquired if the amount of funding for Item A was the same as last year.

Mr. Holody responded this is an increase over last year. Mr. Stacey stated it was increase of \$75,000.

**Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the ordinance: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared these ordinances and/or resolutions passed.**

**REGULAR AGENDA ITEMS**

**ITEM 1 – Submitted by Arin Blair, Chief Planner**

**AGREEMENT FOR SANDUSKY PRESERVATION DESIGN GUIDELINES UPDATE WITH DESIGNING LOCAL**

**Budgetary Information:** The professional services will not exceed \$18,800 including all normal reimbursable expenses and will be funded by the Certified Local Government Grant from Ohio History Connection, accepted in Sandusky Ordinance No. 22-136.

**ORDINANCE NO. 23-010:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement for professional services with Designing Local, LTD, of Columbus, Ohio, for the Sandusky Preservation Design Guidelines Update Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter. **Upon motion of Mr. Murray, and second by Mr. Poole, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.**

**Comment:**

Mr. Murray would like to commend the Landmark Commission Chair for the right attitude that he has noted commission members have. Some people think that the Landmark Commission will be an impediment to an increase of beautification and an increase in value to their property. It is exactly the opposite; it helps them to maintain historical character and they make reasonable accommodations.

Mr. Brady added that from time to time these guidelines need to be updated in our changing world, to provide a clear path for our Landmark Commission to move forward. There is nothing more frustrating for members of committees and advisory boards to not have clear direction of how they can proceed.

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

**ITEM 2 – Submitted by Aaron Klein, Public Works Director****MOU FOR REPAIRS FROM TRAIN DERAILMENT ON COLUMBUS AVE WITH MOSSER**

**Budgetary Information:** There is no cost to grant permission to sign the MOU, but all cost estimates and final construction costs will be provided to City Commission, including total reimbursements from Norfolk Southern. It is yet unclear if the City will have to pay Mosser or if Norfolk Southern will be willing to pay them directly. Staff is tracking all time and material associated with this work and will seek reimbursement at current wage rates, plus fringes.

**ORDINANCE NO. 23-011:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a Memorandum of Understanding with Mosser Construction, Inc, of Fremont, Ohio, for emergency repairs resulting from the train derailment at the Columbus Avenue underpass in Sandusky; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Mr. Murray, and second by Mr. Harris, the commission voted to pass this ordinance under suspension of the rules and in full accordance with Section 14 of the City Charter.**

**Comment:**

Mr. Waddington stated he spoke with Ms. Reeder before the meeting and stated the part that states the city will have to pay Mosser unless Norfolk and Southern will be willing to pay them directly, and staff is tracking the time associated with work etc. He inquired if there was a delay, especially since the railroad has not displayed being a great partner at this time, would the city be stuck with this bill.

President Brady stated he agreed with Mr. Waddington's assessment with the railroad at this time but believed we must take that risk to move forward, because they are not willing to guarantee that payment.

Mr. Klein stated he will not comment if they are a good partner or not at this time. He also stated he has not been able to get anything in writing that will guarantee that they will reimburse us 100% for everything that we feel needs to be done. As an example: the handrail has some issues. When the derailment occurred, the train cars hit the handrail and destroyed it. When the cleanup

crews came in, they pushed with a dozier and pulled with chain, the cars that were now lying on the road bounced off the handrail. The thought is instead of replacing a section here and a section there, with something that does not match the current design. They should be replacing it in kind and in full. We are trying to work with them to say that maybe we do not need an exact specialty item, with the S engraved into the railing. Maybe we can get something that can be better maintained. They also damaged some of the curbing, that the post for the handrail drives into. Some of the curbing will need replaced as well. We have been working with them for eight or nine years to try to get them to improve the aesthetics of that property. Now we are trying to work with them to do what is right and replace the items that they damaged. We have not been able to get a full guarantee, even when we stated we would help replace sections that they feel they need not replace and have not gotten any response to that. At this point we want to expedite this as soon as possible – it has been closed since October. In going through everything we feel is 100% their responsibility, we would like to get Mosser on contract, which the railroad originally said they would pay them directly. The last conversation he had with the railroad, they said they would reimburse the City for the things that they agreed were their responsibility. Mosser would like the assurance from the City that they will be paid. At this point this project will work that Mosser will do a full design, they are already doing the lift station there. We will have them prepare that set of plans and send them to the railroad for approval. He will try his hardest to get full approval. Obviously, there will need to be a timeframe that we will have to decide of whether we are going to hold out for the railroad to give full approval on the plans or a partial approval. He will come back to the Commission when we get the estimate. The question is if we can agree on what the railroad is responsible for, he has had pushback from the railroad. The contract that we are looking at tonight is just a contract to get Mosser to move forward with that design. Asphalt, curb and gutter, recently resurfaced roads in 2022 that were damaged, cleanup activities, sewer, pumps, the lift station that was filled with wax, the wax hardened, and they used steam to thaw the wax out, the steam damaged a lot of the electrical components – and there is lead time on many of these items. We want to get equipment ordered in as timely a manner as possible. He wants to assure everyone that they are working on a one-way road opening as quickly as we can. He has the maintenance traffic plan updated today from the railroad. We do have a temporary life station that they have supplied. We will operate it in case there is a rain event or snow melt that the temporary pump station will turn on. We are sending that water to the wastewater treatment plant instead of into the stream because we are not convinced that they got 100% of the material out of the pipes. Once he can finalize the traffic plan, we will have the one-way northbound lane open. The reason for only one-way is because there is still quite a bit of construction activity that needs to be done on the railroad bridge itself, and the life station walls are not very safe at this point. We will slow traffic to 10 mph, we will have detour signs setup to use Hayes Avenue as well.

Mr. Waddington inquired if the railroad comes back agreeing to only pay for A-K, do we have insurance to cover the balance of the project?

Mr. Klein states he will have to defer the insurance question but believes they will only insure the lift station. The railroad is self-insured, so we will have to have those discussions with both insurance companies before we move forward.

Mr. Murray inquired if he had a rough ballpark estimate of the cost, and is this something likely to be completed in 2023? He asked Mr. Heil what are standing is in terms of the railroad's liability.

Mr. Heil stated that generally speaking there are hiccups with railroads in the sense that they are governed by federal law, that tends to pre-empt state law claims against them, but he can investigate that and give a more thorough answer of our liability.

Mr. Klein hopes to have the road open two-way before spring, and one-way in the next couple weeks. He has not received a commitment from the railroad when they will have all the traffic control devices procured and installed. The equipment that will take the longest to get will be

the lift station equipment, and if we can keep the temporary lift station out there. Mr. Klein does not have a good estimate to date on the total costs.

Mr. Poole inquired if the railroad would pay for the design fees from Mosser.

Mr. Klein stated the railroad told him that they will not only reimburse us for the design that Mosser does but also for the time that our staff has put into this project as well. We are keeping track of all our hours.

Mr. Poole asked if the railroad did not want to pay for the railing curbs.

Mr. Klein stated he has not had the discussion about them paying for that exact item, but all their conversation is they would like the railings to go right to the surface of concrete rather than drilling and epoxy the posts into the sidewalks. That creates maintenance issues for snow removal, the plow would hit the plate that would be sitting there. We do not want that.

Mr. Poole stated the railroad should be responsible for things that do not make this whole. This needs to be what it was before this incident. It may not be fancy but make it as it was.

Mr. Poggiali inquired that they have been working since October there. Can we go back and correct any inferior work that they did? Is that any of the work that we are looking to do?

Mr. Klein stated the work the railroad has done is on their own infrastructure, on the retaining walls and bridge deck itself. They did dive and grind and some work on the sewers, we are still pushing them to actually pressure test the force main, those types of things. They are saying their engineer does not require that. We are telling them that it is required. The infrastructure they have done has not been done improperly, but there are still some punch list things that we are asking them to correct. The City will be responsible for things such as the crash barriers, the signals and the electrical. We are requiring them to give us submittals and inspecting that work as well.

Mr. Poggiali asked if that road was on the functional classification list? It can be opened to ODOT funding. He wondered if there was anyway that ODOT would come in with some safety funds to repair that road under emergency basis.

Mr. Klein stated he has not asked ODOT that when he has talked to them, and they have been amazing to work with. He will reach out and see our options.

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

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

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**PERMISSION TO BID ULTRAVIOLET DISINFECTION REFURBISHMENT PROJECT**

**Budgetary Information:** The engineer's estimate for the construction costs is \$4,700,000. The City will be applying for funds through Water Pollution Control Loan Fund (WPCLF) program through the OEPA. The WPCLF program has a lower interest rate than the OWDA program and is therefore more enticing for a project of this magnitude. Additionally, Erie County will be responsible for paying their share of this project, including design and inspection which is 46.18%, pursuant to the Sewer Services Agreement.

**RESOLUTION NO. 004-23R:** It is requested a resolution be passed declaring the necessity for the City to proceed with the proposed Ultraviolet (UV) Disinfection Refurbishment 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. Waddington, and second by Mr. Poggiali, the commission voted to pass this resolution under suspension of the rules and in full accordance with Section 14 of the City Charter.**

**Comment:**

President Brady inquired if this was a redo.

Mr. Klein stated no that we got a letter in 2021 from the manufacturer that they were going to stop making the parts for the existing equipment we had at the WWTP. At that time, we purchased several replacement parts for our shelves so we could try to time this replacement project with the High-Rate Treatment Project in hopes that we could save some money, knowing we would have a UV disinfection with that project as well. We worked hard to have the flow to this system and save costs by only having to have one. That was infeasible and would have cost several million to redo the piping. Knowing we were going to get a loan for it, it is a separate project in full, we are including it with the loan because we are going to get such a good interest rate for a WPCLF instead of a OWDA loan.

Mr. Poggiali asked was some of it obsolete, and we were going to a newer system that was not. Are UV systems going to be obsolete?

Mr. Klein stated it was similar to his flip phone he used to have when they told him they were no longer going to support it or have a plan for it. He had to change. It is really an upgrade; we must purchase a new ultraviolet system through them or through another manufacturer. It is something that we need. They just do not support the old version anymore. We looked at other manufacturers and Trojan was still the most cost effective and the best.

President Brady noted that the counties share is higher on this item than the high-rate treatment project.

**Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the resolution: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this resolution passed.**

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**ITEM 4 – Submitted by Jason Werling, Recreation Superintendent**


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**AGREEMENT WITH LIBRARY ASSOCIATION FOR JACKSON STREET PIER PROGRAMMING**

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

**ORDINANCE NO. 23-012:** It is requested an ordinance be passed authorizing and directing the City Manager to enter into a sponsorship agreement with the Library Association of Sandusky, Ohio, for programming events at the Jackson Street Pier in 2023; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

**Upon motion of Mr. Harris, and second by Mr. Poggiali, the commission voted to pass this 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, and Mr. Harris, 6. Roll call on the ordinance: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this ordinance passed.**

**CITY MANAGER'S REPORT**
**DONATIONS**

- A donation of \$2,000 was received for the K-P Program from the Veterans of American Legion Post 83. **Upon motion of Mr. Poggiali, and second by Mr. Waddington, the commission voted to accept this donation. President Brady declared this motion passed.**
- The City would like to thank Construction Equipment and Supply for lending us their lift for use in installing the Christmas lights. The value rental would have been \$1050.00, and they gave it to us free of charge. **Upon motion by Mr. Murray, and a second by Mr. Poole, the commission voted to accept this donation. President Brady declared this motion passed.**

**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.

The annual notification has also been published in the Sandusky Register to comply with Section 955.15 of the Codified Ordinances of Sandusky, Ohio. Containers within which solid waste, garbage, refuse and/or other discarded materials, or recyclables have been deposited may be placed upon a curb for curbside collection no earlier than 6:00 p.m. from April 1 through September 30 and no earlier than 4:00 p.m. from October 1 through March 31, on the evening prior to the scheduled collection of said materials, and any such materials or containers which remain after said collection shall be removed from said curb no later than 8:00 p.m. on the date of said collection.

**FINANCE**

- General reminder for property owners of vacant dwellings – if your dwelling is expected to remain vacant and unoccupied during the winter months, we highly recommend that you contact our office to turn off the water. This will help prevent your water lines from freezing and breaking which would lead to costly repairs for the property owner. The Customer Accounting Office number is 419-627-5893.

**PUBLIC WORKS**

- Installation of ramps, markings and pedestrian activated signs is planned for the south side of the Campbell and Buchanan intersection in early spring 2023. This crossing aligns with the new school location and will provide a safer, more formal route for students East of Campbell Street walking/biking to school.

**PLANNING DEPARTMENT**

- The Public Arts & Culture Commission has adopted their 2023 Public Art Work Plan. The work plan outlines seven projects for celebrating the community and increasing the vibrancy of the city with public art. The work plan and corresponding project documents are available on the Public Art page of the city website. We invite and encourage all who have a passion for public art to get involved.

**SANDUSKY TRANSIT SYSTEM**

- A Request for Proposals (RFP) has been issued to identify a third-party operator to provide contracted services for the operation of the Sandusky Transit System. Responses are due February 15. The new contact will begin on April 1.
- The Sandusky Transit System has announced the consolidation of the Orange and Yellow fixed route lines effective February 1, 2023. Staff is working to coordinate with First Transit and provide notice to riders in anticipation of the service changes.

**RECREATION**

- Sandusky Recreation, in collaboration with Open Way Yoga, intends to apply for grant funding for up to \$12,000 with the Erie County Community Foundation to offer a 200-hour yoga instructor course. The course would provide instruction for a diverse staff of yoga mindfulness teachers, who can offer targeted programming to a diverse group of



area residents. No city funds would be used for the instructor. I would like to ask for a motion to allow Sandusky Recreation to apply for the Erie County Community Foundation Grant. **Upon motion by Mr. Harris, and a second by Mr. Poggiali, the commission voted to consent for application for a grant from the Erie County Community Foundation. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed.**

**Comment:**

Mr. Poggiali raised the question on trash dumpsters timeframe, does the City enforce that, and if so, who enforces this?

Mr. Orzech responded that Code Compliance enforces the five zones within the City. The day after pickup, Code inspects the area to be sure all items are picked up.

Mr. Poggiali inquired if Code removes the items, or do they write orders to the residents?

Mr. Orzech responded that they tag the property and remove the items within twenty-four hours. The property owner is then billed for this service.

Mr. Poole inquired about mowing, how are residents notified that they have five days to mow? Because a notice can be put in the mailbox or on the door, but if it is a vacant lot, how do we insure they get a five days' notice?

Mr. Orzech replied that it is posted on the property, a notice is placed on a post for vacant property.

Mr. Poole stated that five days would be hard to respond to, maybe it is something that should be investigated further.

**OLD BUSINESS**

Mr. Waddington took a tour at the State Theatre, and it was an eye opener, a lot is going on there. If any other commissioner would like to tour call Chris Parthemore.

**NEW BUSINESS**

Mr. Poole stated he has received a lot of phone calls about the notice that was sent out regarding the amendment election asking what he thought and why he did not sign the letter. He wanted to clear the air, there were two reason he did not sign; He thought the letter was confusing; the first page states if this amendment passes residents may be required to vote on every use of every park facility each year. When he turns to page three it says the charter change will require the City Manager and City Commission shall not approve sale, lease, or private development on existing or future park property without approval by the majority of the electors, it does not say much about use. My interpretation is that this amendment says if a park is a park and you want to change it into something else, by sale or lease, you have to ask our permission. I do not believe there is anything in this legislation that says anything about use of the park. I recognize the statement is not untrue, the City Commission has the power to put anything on the ballot that they want at any time, so it could happen. Just as that light could fall from the ceiling at some time. That is why this is confusing to people. They are led to believe that if they vote for this there will be a problem that they do not want. That I do not think truly exists per the wording in the amendment. The second reason is I said I was not comfortable using tax dollars to promote a political position, whether it is mine or not. I think that the charter tells us that we must tell the citizens what is in the charter change and signing a document where I am telling you how I want you to vote, what my position is, and paying for it with tax dollars, it may be perfectly legal – but I am uncomfortable with it.

Mr. Murray stated he did sign the letter because he does believe that we have many leases of various parks whether it is for Great Lakes Grinders, or Dockside Café, or ballfield use. These are leases – documents that are enforceable governing the use of property. I thought it was fair advise. We were going to send out the publication anyway. There is no additional expense to

include what these six commissioners' thought was a proper evaluation of this legislation. I have had the privilege to serve the public for a long period of time. The public is entitled to my advice. They do not have to take it. I should offer my best advice, what I think the right answer is.

**Upon motion by Mr. Poggiali, and a second by Mr. Murray, Naomi Twine was appointed to the Tax Incentive Review Council. Roll call on the motion: Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared this motion passed.**

#### **AUDIENCE PARTICIPATION**

Nick Katsaros, First Energy, stated he is our contact for First Energy and has been for five years. He wanted to stop by to see if there is anything needed on his end. They have had a busy last month after that storm rolled through with the negative temperatures and high winds. He wanted everyone to know they can reach out to him for any concerns with First Energy. Please utilize the website as well to report an outage.

President Brady remarked he was impressed with the communication they have had with their customers on outages and restore times. There is nothing more concerning when you are without power, with sixty mph winds, and fifteen degrees outside, you want to know when you will have power restored.

#### **ADJOURNMENT**

**Upon motion of Mr. Murray, the Commission moved to adjourn at 5:59 p.m. President Brady declared the meeting adjourned.**



Cathleen A. Myers  
Commission Clerk



Richard R. Brady  
President of the City Commission