

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

The Clerk called the roll and the following Commissioners responded: Mike Meinzer, Wesley Poole, Dennis Murray, Dick Brady, Steve Poggiali, Dave Waddington, and Blake Harris, 7.

City staff present: John Orzech – Interim City Manager, Colleen Gilson – Interim Asst. City Manager, Cody Browning – IT Manager, Don Rumbutis – IT Technician, Justin Harris – Interim Law Director, Michelle Reeder – Finance Director, Jared Oliver - Police Chief, Mario D’Amico - Fire Chief, Aaron Klein – Public Works Director, Nicole Grohe – CDBG Program Administrator, Jason Werling - Recreation Superintendent, and Cathy Myers - Commission Clerk.

Upon motion of Mr. Waddington and a second by Mr. Poggiali, the commission voted to approve the minutes of the July 10, regular meeting and the July 17, special meeting and suspend the reading. President Brady declared the motion passed.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, stated she has a couple concerns. The contract for Interim Law Director, Justin Harris, she is concerned that the City does a lot of business with Cedar Point and we will probably be doing a contract with Greater Sandusky Partnership and Justin has a client with Cedar Point and is on the board of the Greater Sandusky Partnership. Her second concern is with the two economic development grants, one for \$140,000 and one for \$15,000 that have Brady signs attached to them. The applicant totals all their expenses including a new sign, and then they are awarded 10% of that total for the grant. When she was on the Economic Development Committee, Mr. Heil told her that there is no conflict because Mr. Brady does not own the company, and hasn’t for three and a half years. But when she looked up his financial disclosure which was filed April 2023, for 2022, that s not the case. It states he is the owner and the President of Brady Signs and has common stock in the company. She stated that she hopes Mr. Brady can put this issue to bed tonight.

Mark Harper, 2015 Foxborough Circle, wished to address the tax levy for the recreation center. He stated he has never in ten years voted no for any levy in any municipality he has resided in. He stated he is typically for levies for rec centers, schools, bonds for infrastructure projects. In part for voting no, it is because of the selection of the American Crayon site. First and foremost, of one of the two municipalities in the state that has experienced a train derailment from Norfolk Southern, he does not know in good conscience can decide to put a rec center on a site that abuts up to the same railroad that is owned by that company. Why would we put our residents in that position, especially considering that Norfolk Southern has basically wiped out an entire city in East Palestine. He hopes that more residents will speak up about this and he will make sure to encourage that. Folks should vote no for this levy as long as the American Crayon site is the site for this recreation center. Given the options we had with the presentation a couple meetings ago, JC Park would be a significantly better site for the recreation center. It is ample land with ample opportunity for expansion, ample opportunity to redesign that park to fit this community. It is next to transit, and more centrally located. Hopefully going forward, this body will choose a different site, as opposed to building on a site that abuts the railroad.

PRESENTATION: 2023 Ironman Race Director, Casey Gilvin

Mr. Gilvin thanked the commission for an awesome event that raced 1600 athletes. Each athlete brought two to three people with them. Ten or eleven countries were represented including Bolivia and Ukraine. Triathlons are empowering events, it is great for the community and for the athletes to see the beauty of this region. He presented the commission with the finish line tape, which had the first finisher crossing in four hours, which is impressive. He presented the City with a plaque thanking them for their support. Each commissioner was presented with a finisher medal.

Comment:

President Brady stated his biggest fear was that when the City Manager and himself held the finish line tape that they would fail to drop it appropriately and would trip the finisher. That didn’t

happen. He also stated that this event could not have been held at a more appropriate time, you got to see our city at its very best. We had great weather; we delivered a gang of volunteers with included many staff as well as city residents. We had a great marketing opportunity from this. History shows that people who visit our city come back for the next five years, they bring their families, they bring their children, relatives, and friends. He was surprised by some friends in the hotel business with the financial impact study that this event made last year, overall \$5.3 M, direct impact \$3.6M, over \$600,000 in food alone. This is such a benefit to our community. The fee we paid for this event leveraged 4.5 times the benefit just in taxes. He is hopeful that this commission will renegotiate and extend a longer contract for this event after next year. Mr. Poole stated it was a great experience volunteering for this event.

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.

CONSENT AGENDA

ITEM A – Submitted by Nicole Grohe, CDBG Program Administrator

APPROVAL OF FY2023 CDBG SUBRECIPIENT AGREEMENT WITH NEW JERUSALEM CHURCH SHELTER

Budgetary Information: The City of Sandusky will award New Jerusalem Missionary Baptist Church a total of \$6,500 for the Heating and Cooling Shelter Program for CDBG Program Year FY2023. This award shall be paid with CDBG grant monies and there will be no impact on the General Fund.

ORDINANCE NO. 23-149: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with New Jerusalem Missionary Baptist Church to assist with their Warming and Cooling Shelter Program and to expend an amount not to exceed \$6,500.00 from the FY2023 Community Development Block Grant (CDBG) funds; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM B – Submitted by Nicole Grohe, CDBG Program Administrator

APPROVAL OF FY2023 CDBG SUBRECIPIENT AGREEMENT WITH OH-GO FOOD PANTRY

Budgetary Information: The City of Sandusky will award OH-GO a total of \$19,764.20 for the Food Pantry Program for CDBG Program Year FY2023. This award shall be paid with CDBG grant monies and there will be no impact on the General Fund.

ORDINANCE NO. 23-150: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with OH-GO to assist with their Food Pantry Program and to expend an amount not to exceed \$19,764.20 from the FY2023 Community Development Block Grant funds; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM C – Submitted by Nicole Grohe, CDBG Program Administrator

APPROVAL OF FY2023 CDBG SUBRECIPIENT AGREEMENT WITH ERIE COUNTY MEALS ON WHEELS

Budgetary Information: The City of Sandusky will award Erie County Senior Center Auxiliary a total of \$25,000 for the Meals on Wheels Program for CDBG Program Year FY2023. This award shall be paid with CDBG grant monies and there will be no impact on the General Fund.

ORDINANCE NO. 23-151: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a subrecipient agreement with the Erie County Senior Center Auxiliary to assist with their Meals on Wheels Program and to expend an amount not to exceed \$25,000.00 from the FY2023 Community Development Block Grant (CDBG) funds; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM D – Submitted by Michelle Reeder, Finance Director

APPROVAL 2023 BUDGET AMENDMENT

Budgetary Information: Appropriation amendments are required to update the 2023 budget for these funds:

- General Funds

- Capital Projects Funds
- State Grant Funds
- General Bond Retirement Funds
- Water Funds

ORDINANCE NO. 23-152: It is requested an ordinance be passed adopting Amendment No. 4 to Ordinance No. 23-002 passed by this City Commission on January 9, 2023, making general appropriations for the fiscal year 2023; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

ITEM E – Submitted by Josh Snyder, Public Works Engineer

APPROVAL OF CHANGE ORDER 1 & FINAL FOR 2023 LOCAL STREET RESURFACING PROJECT

Budgetary Information: The original contract with Precision Paving, Inc., was \$761,363.90. Change order #1 is a decrease of \$23,401.07 (3.1%), decreasing the contract total to \$737,962.83. All funding for this project came from American Rescue Plan Act (ARPA) Stimulus Funds.

ORDINANCE NO. 23-153: It is requested an ordinance be passed authorizing and directing the City Manager to approve the first & final change order for work performed by Precision Paving, Inc. of Milan, Ohio, for the Local Street Resurfacing Project; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Meinzer, and second by Mr. Poggiali, the commission voted to accept the Consent Agenda and declare all ordinances as drafted and presented to the City Commission under the Consent Agenda shall take effect in accordance with the Section 14 of the City Charter. Roll call on the motion: Mr. Meinzer, Mr. Poole, Mr. Murray, Mr. Brady-abstain, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. Roll call on the ordinances: Mr. Meinzer, Mr. Poole, Mr. Murray, Mr. Brady-abstain, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 6. President Brady declared these ordinances passed.

REGULAR AGENDA

ITEM 1 – Submitted by Aaron Klein, Public Works Director

APPROVAL OF EASEMENT AGREEMENT WITH TOFT DAIRY FOR SANDUSKY BAY PATHWAY

Budgetary Information: There will be no negative impact on the City's budget to accept these easements other than recording fees.

ORDINANCE NO. 23--154: It is requested an ordinance be passed approving an Easement Agreement granting permanent and temporary easements to the City by the Toft Dairy, Inc. for the Sandusky Bay Pathway; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Waddington, and second by Mr. Harris, the commission voted to adopt this ordinance as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

Mr. Murray wanted to express thanks for the magnanimity of Toft's and for being such a great municipal partner in offering the easements free of charge. We are very thankful for them. They are real team players. Mr. Klein stated from Edgewater to RheTech, after this acquisition, we only have U S Tsubaki left to finalize, hopefully we will in August or September, then we can proceed with final design over the west end. The most difficult part will be getting over the railroad tracks on Monroe Street. His goal is to have final design sometime next year. In talking with Denny and Chuck Meisler at Toft's, they are very excited about it as well and have been great to work with, in fact all the people in this whole process have been great to work with. He receives phone calls weekly from people asking how quickly we can get this finished. Mr. Poole stated that regarding crossing railroad tracks, they should not be a big obstruction. People ride their bikes across railroad tracks all the time, we should not spend a great deal of money on this crossing of the tracks. Mr. Klein stated on Edgewater we have the width between the railroad vertical posts for the safety of the cyclists. The concern is if you are outside of these posts, the railroad crossing arm will not deter a cyclist from crossing the tracks when a train is coming. On Monroe there is a switch right in line with the bike path. The railroad is asking us to come on the north side then cross the road on both sides of the tracks to go along the south which means the cyclists would be crossing twice, which is just not safe. We are working through these details to make it safe, they will not relocate the switch on Monroe. Their first request was for us to build a bridge or

tunnel under the railroad. We are obviously not going to do those things. We will build it out as approved in the Sandusky Bay Pathway in 2018. Mr. Poole stated that people do ride across the tracks now and no one has been killed. It sounds like you are wanting a dedicated bike lane across the tracks, he is suggesting that you terminate your bike trail before you reach the tracks and people can cross as they do now. The bicycle traffic is not overwhelming. There is no reason one or two bicycles cannot navigate the tracks as they have been doing for seventy-five to one-hundred years since the tracks were built. We need to spend the taxpayer's money wisely.

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

ITEM 2 – Submitted by Josh Snyder, Public Works Engineer

PERMISSION TO BID THE BUTLER STREET RECONSTRUCTION PROJECT

Budgetary Information: The engineers' estimate for construction is \$930,740. Funds for this project are made available through the American Rescue Plan Act Stimulus Funds.

RESOLUTION NO. 028-23R: It is requested a resolution be passed declaring the necessity for the City to proceed with the proposed Butler Street Reconstruction 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. Poole, and second by Mr. Meinzer, the commission voted to adopt this resolution as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter. Roll call on the motion: Mr. Meinzer, Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 7. Roll call on the resolution: Mr. Meinzer, Mr. Poole, Mr. Murray, Mr. Brady, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 7. President Brady declared this resolution passed.

ITEM 3 – Submitted by Scott Kromer, Streets & Utilities Superintendent

APPROVAL FOR REPAIR OF SEWER MAINTENANCE JET TRUCK WATER PUMP FROM JDC

Budgetary Information: The total cost for repairs and materials from JDC will not exceed \$23,042.63 and will be paid with Sewer funds.

ORDINANCE NO. 23-155: It is requested an ordinance be passed authorizing and directing the City Manager to expend funds for parts and the repair of a water pump for the Vactor jet sewer cleaner truck from JDC of Twinsburg, Ohio, in the amount of \$23,042.63; 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 adopt this ordinance as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comment:

President Brady asked Mr. Klein why this was so expensive to purchase. Mr. Klein stated that these are the big trucks with the big hoses that go down into the manholes and sucks out the sewers. This truck has been down for a couple months, it is a very specialty item, and is specific to these trucks and the only ones who can do this repair. Mr. Poole inquired what the cost would be to replace the truck. Mr. Klein stated he did not know that cost off hand, but they are around \$600,000.

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

ITEM 4 – Submitted by Colleen Gilson, Assistant City Manager/Interim Community Development Director

APPROVAL OF ED FUND GRANT AGREEMENT WITH BROWN-ROBINSON FUNERAL HOME

Budgetary Information: The City will be responsible for providing \$15,000 in grant proceeds from the Economic Development Capital Projects Fund on a reimbursement basis.

ORDINANCE NO. 23-156: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$15,000.00 through the Economic Development Fund Program to Mid Ohio Funeral Services LLC d.b.a. Brown-Robinson Funeral Home in relation to the property located at 1814 Milan Road; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Waddington, and second by Mr. Harris, the commission voted to adopt this ordinance as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

President Brady stated that Mr. Heil never made the comment that he had no ownership in Brady Signs, that comment was made by the Economic Development Committee. Mr. Heil indicated that there was no conflict in awarding grants to businesses that purchase a sign from Brady Signs. He has a minority ownership and has never denied that. That does not preclude people from applying for an Economic Development grant. His purpose for abstaining from this vote was to look absolutely appropriate. Once his company knows he is doing business with someone, that does not preclude them from seeking a grant from the City. None of our past four Law Directors have found this to be a conflict. He will continue to encourage residents of this City to seek Economic Development grants, but he will not hamstring his company from doing business with those businesses. Mr. Murray stated thank you to Mr. Robinson for his investment and welcome to the City of Sandusky. Mr. Poole stated this issue is bigger than that. He will bring it up again under new business. He stated Mr. Brady has done nothing inappropriate, but the appearance of impropriety is important, and we should make a decision about it.

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

ITEM 5 – Submitted by Colleen Gilson, Assistant City Manager/Interim Community Development Director

APPROVAL OF ED FUND GRANT AGREEMENT WITH S&S REALTY LTD

Budgetary Information: The City will be responsible for providing \$140,000 in grant proceeds from the Economic Development Capital Projects Fund on a reimbursement basis.

ORDINANCE NO. 23-157: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$140,000.00 through the Economic Development Fund Program to S&S Realty Ltd in relation to the property located at 1935 Cleveland Road; 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 adopt this ordinance as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

Mr. Waddington stated he knows George and Jimmy and they have been in business there since 1982. With this addition it will jump their payroll from \$2.4M to \$3.5M, which is great for our City. It is nice to see a business that is outside of downtown get some of these grant funds. Mr. Poggiali stated he echoed Mr. Waddington's sentiments. He thinks about the eastern corridor, years ago that was a booming corridor. The Sortino's are good business men and have remained in an area where other's have failed. He appreciates that they are invested in Sandusky and keep improving.

Roll call on the motion: Mr. Meinzer, Mr. Poole, Mr. Murray-abstain, Mr. Brady-abstain, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 5. Roll call on the ordinance: Mr. Meinzer, Mr. Poole, Mr. Murray-abstain, Mr. Brady-abstain, Mr. Poggiali, Mr. Waddington, and Mr. Harris, 5. President Brady declared this ordinance passed.

ITEM 6 – Submitted by Colleen Gilson, Assistant City Manager/Interim Community Development Director

APPROVAL OF ED FUND GRANT AGREEMENT WITH SANDUSKY BOOK BAR LLC

Budgetary Information: The City will be responsible for providing \$15,000 in grant proceeds from the Economic Development Capital Projects Fund on a reimbursement basis.

ORDINANCE NO. 23-158: It is requested an ordinance be passed authorizing and approving a grant in the amount of \$15,000.00 through the Economic Development Fund Program to Sandusky Book Bar LLC in relation to the property located at 2101 West Perkins Avenue; 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. Meinzer, the commission voted to adopt this ordinance as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

Mr. Waddington stated that this is the former YMCA in the Southside neighborhood that we are currently working to restore. It is nice to see a business move into that end. Mr. Poggiali stated he agreed with Mr. Waddington again, and one of the biggest complaints he gets is that we need to invest in the east and west and south sides.

Roll call on the motion: Mr. Meinzer, Mr. Poole, Mr. Murray, Mr. Brady-abstain, Mr. Poggiali, Mr. Waddington, and Mr. Harris-abstain, 5. Roll call on the ordinance: Mr. Meinzer, Mr. Poole, Mr. Murray, Mr. Brady-abstain, Mr. Poggiali, Mr. Waddington, and Mr. Harris-abstain, 5. President Brady declared this ordinance passed.

ITEM 7 – Submitted by Colleen Gilson, Assistant City Manager/Interim Community Development Director

APPROVAL OF AGREEMENT FOR EXAMINATION OF SERVICES TO STS FROM HDR

Budgetary Information: Total cost not to exceed \$39,969.57 of which \$25,000.00 will be paid with Community Development Block Grant (CDBG-CV) Covid Recovery Funds and \$14,969.57 will be paid with Capital Projects Funds.

ORDINANCE NO. 23-159: It is requested an ordinance be passed authorizing and directing the City Manager to enter into a Professional Services Agreement with HDR, Inc. of Cleveland, Ohio, to conduct an examination of services for the Sandusky Transit System and Amtrak Station; and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the City Charter.

Upon motion of Mr. Meinzer, and second by Mr. Poole, the commission voted to adopt this ordinance as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

Mr. Murray supports undertaking this study. Transit is an incredibly important service we provide, not only to Sandusky residents, but to all of Erie County. It is a lifeline of economic vitality. As we all know, the state and federal commitments to mass transit have been shrinking. The state in particular is getting smaller, because additional people are asking for a piece of that pie. The pie is not getting larger. Ohio is the 48th worst state in funding mass transit. We have seen some projections where Transit is headed deep into the red in the next two to three years if we do not change things. He stated he believes we can change things. We have a very capable Transit Administrator, but it is always helpful to get other perspectives from those who may have decades of experience who may be able to help us figure out a solution long-term. The rate we are headed to will force us to close Transit. We need to spend some money to find out what our options are and see if we can build larger partnerships and a more sustainable funding model.

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

ITEM 8 – Submitted by Colleen Gilson, Assistant City Manager/Interim Community Development Director

APPROVAL TO PROCEED WITH TAX LEVY FOR RECREATION CENTER

Budgetary Information: This tax levy is necessary to help offset the cost of operating and maintaining a Recreation Center.

RESOLUTION NO. 029-23R: It is requested a resolution be passed to proceed with an additional tax on property in excess of the ten-mill limitation for Parks and Recreation for the City of Sandusky and to Submit the Question of the Tax Levy to the Electors of the City at the November

7, 2023, election; 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 adopt this resolution as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

Mr. Poggiali stated that relative to the earlier comments about this item. He believes this is the way the system should work. We are giving the people a chance to vote and a chance to vote on this levy – if it doesn't go forward, it doesn't go forward. No one can say we made the decision without giving the people a chance to vote. The location may be another issue, one thing at a time. Mr. Murray stated that there will be a thousand reasons to vote no on this project. Some people won't like the amenities, some people will not like the cost, some will not like the appearance, some will not like the selections we made in terms of interior design, some will not like the location we have chosen. That is the nature of any large municipal project such as this. If we are going to move forward, it requires people to embrace it and say yes. If people do not want it, that is fine. That is their choice. He hopes that we are able to look at this as a community benefit and something that is not a specific benefit to any one of us, and embrace the concept that we have been requested to build a rec center for at least twenty years. This is our opportunity to do so, and he hopes the residents come out to support this. He stated he certainly will. We have talked about the importance of having a dedicated source of funding, and if we take a look at the long view, we will see that this is the right thing for our residents. President Brady stated he hoped that the message that is sent out tonight is one of fiscal responsibility. We all understand we have the funding to build this, what we cannot assure is the ability to manage it long term. This guarantees that ability or not. This is a decision the residents will make. Mr. Poole inquired what exactly we are going to build. We have a point to talk about the public being involved and vote on this. There are three proposals on the table for this rec center, one is a small facility for \$13M, another at \$15M, and a large facility at \$18M. Also, we have not given them any say in where we build it. What are we asking them to approve. Why can't they vote on the whole package? Mr. Orzech stated that the staff's objective is over the next thirty to forty-five days to put all those details together. We will certainly engage all the commissioners and narrow down what programming will be, site selection, and further details that we need to have for an educational flyer and engagement with the community on what exactly the rec center will be. We will try to come to a consensus with the seven commissioners and the public survey as well. The goal is to have something formal in place by mid-September at the latest. Mr. Meinzer stated that in addressing the hazmat concern, having been a hazmat specialist, we preplanned all the intersections with railroad cars coming through the City. Hayes Avenue tracks hazmat encompasses Sandusky High School and Firelands Hospital, which is a lot more than we can handle with the fire department. However, at Mill Street, Mills School and JC Park would be encompassed. It just depends on when and if a tanker derails, we have tracks running all throughout town every day.

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

ITEM 9

APPROVAL FOR AGREEMENT WITH REMINGER FOR PROFESSIONAL LAW DIRECTOR SERVICES

Budgetary Information: The cost for the professional law director services is \$6,500.00 per month and will be paid with funds from the Law Department's operation budget (50%), Water Funds (25%), and Sewer Funds (25%).

ORDINANCE NO. 23-160: It is requested an ordinance be passed authorizing and directing the City Manager to enter into an agreement with Justin Harris of Reminger Co., LPA of Sandusky, Ohio, for professional law director services for the City of 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. Poggiali, the commission voted to adopt this ordinance as drafted under suspension of the rules and in full accordance with Section 14 of the City Charter.

Comments:

Mr. Murray stated that when Mr. Heil announced he was leaving, his first thought was reaching out to Mr. Harris, which Mr. Orzech already had. He is appreciative that Mr. Harris said yes, he served the City well before, it is great having him back. Mr. Orzech stated that Mr. Harris notified him prior to agreeing to serve again that he may have a conflict with Cedar Fair, which is understandable in his practice. He assured Mr. Harris that in any Cedar Fair issues we would get outside council for. It was standard before, and he believes there will be no issue now. He assured Mr. Harris before he accepted that the conflict would be addressed. Mr. Harris stated it is good to work with everyone in the City again. He stated it was good to see Mrs. Johnson still serving as a watchdog for the City, we appreciate that. This issue with Cedar Fair was addressed. But a true conflict of interest is when two sides cannot coexist based on serving two masters at one time. Just like doctors and lawyers have different specialties, the work he does at Cedar Fair is litigation, when they have contracts they retain Squires. He is not involved in the actual contractual aspect of Cedar Fair. He stated in speaking with Mr. Heil the runway with Cedar Fair and the City is down the road with some of the major projects. Depending on how long he will be wearing the interim hat is worn by him, he does not believe we will run into any issues. As far as the greater Sandusky Partnership, this organization has received funds from the City, this is an organization designed to help move the City forward from an economic development standpoint. The interests of Greater Sandusky Partnership and the City will not be adversarial. They may come to the City for funding in the future, but he stated he is not a voting member, the commissioners are the ones who vote. The Greater Sandusky Partnership has their own attorney. Brady Signs is not a conflict, it has been researched by himself, by his predecessors, by others in Columbus, a conflict would be if we were only giving funds to those as a condition that they use Brady Signs. That is not how we operate. They can use any sign company they choose. It's the same as if any commissioners banked at Civista, that we could not do business with Civista Bank, or have to abstain. It is not a conflict. Mr. Poole stated he appreciates the forethought that went into this hiring by the City Manager, he has already researched it and has an answer. We can move on, it is refreshing.

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

CITY MANAGER'S REPORT

DONATIONS

- The Sandusky Police Department received a \$100.00 donation from the Sandusky Memorial Day Association. **Upon motion by Mr. Waddington, and a second by Mr. Poggiali, the commission voted to accept this donation. President Brady declared this donation accepted.**
- The Sandusky Rec Department received 100 cases of water, 2 cases of bananas, and a case of oranges from the Ironman 70.3 Ohio Team event and will be used for the participants and summer break camp this week. **Upon motion by Mr. Meinzer, and a second by Mr. Waddington, the commission voted to accept this donation. President Brady declared this donation accepted.**

NEW & OLD BUSINESS

FIRE

- For the he sixth year in a row Sandusky Fire Department was awarded The Mission Lifeline Gold Award from the American Heart Association. Mission: Lifeline recognizes EMS healthcare providers for excellence in care to patients suffering from strokes, and cardiac emergencies.

- Sandusky Fire Department first responders were recognized by The Western Lake Erie Chapter of the Red Cross for their heroic actions on December 23, 2022 responding to a 50-car pile-up on the Ohio Turnpike. Congratulations and thank you to all Sandusky Fire personnel who contributed to Sandusky Fire Department receiving these awards.

PUBLIC WORKS

- The current Perkins Ave closure from Hayes to Campbell will remain in place until mid-August, this closure allows for roadway restoration and installation of curbs/sidewalks. In addition, the contractor constructing the new waterline will move into the next phase by closing Perkins Ave westbound from Columbus to Campbell in August. All detour routes will be set to use Strub Road, with local traffic using alternate routes throughout the City to reach their destination.

PLANNING DEPARTMENT

- On July 18th and 19th, respectively, the Public Arts & Culture Commission and Landmarks Commission approved a new mural to be applied to the north façade of 303 East Washington Street. It is expected to be completed within the next 1-2 months and will be Sandusky's largest outdoor mural to date. The artwork theme is Sandusky Warbler Migration & Local Wildflowers. The artist, Derek Brennan, has completed murals across Ohio and in Sandusky including the Live Green mural on West Washington Street at A&B Hobbies & Cycles and multiple murals interior to the Marketplace and Hogrefe building. For more information, check out the agendas and YouTube videos for each of those meetings on the city website.

OLD BUSINESS

Mr. Waddington and Mr. Poggiali will be looking for two residents to help with the City Annual Volunteer awards selection committee. Please contact the Commission Clerk to volunteer at commissionclerk@cityofsandusky.com.

NEW BUSINESS

Mr. Waddington stated he has been following the total eclipse event on April 8, 2024. The Shores and Islands are involved, and the schools are as well. Chief Oliver and Chief D'Amico and other city staff have been involved in meetings on this event from the start of this year. There will be more coming out regarding this event. Mr. Murray reminded all to vote on August 8th on this important issue. Mr. Poole stated he wanted to review the issue of selling signs and having them included on their grant applications for Economic Development grants. He asks that staff research this and let us know if we must leave the sign portion in the grant application. Mr. Murray stated he has a different view of this issue. We are not granting money for a sign, and when a sign is involved, Mr. Brady does abstain, what about who does the drywall, or their legal services. This is life in a small town, we will have conflicts, and we will abstain. Do we have people that complain about one thing or another, yes. It comes with the office. They will always be complaints. Just because they keep saying the same wrong thing, it does not make it more accurate. He is comfortable with the system as it is today. Mr. Poole stated that if Mr. Murray would take the time to watch the ED meetings, there are things that are excluded in these grants. It is arbitrary that we include signs. They pick and choose what is covered and what is not. We do not have to include signs. Signs are the least reliable as far as long-term investments for the community. If the business fails, the sign is obsolete. He is not comfortable as a commissioner to get funding even if it is a small increment, on its face it looks bad.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, stated she agreed with Mr. Murray and would be very sad if Transit folds. She does understand we cannot take a \$1M hit with Transit. She is hoping that the study will be made public and shared with Erie County and the Greater Sandusky Partnership to see. The County are tightwads, shame on them. We have all this development going on, and we need people to participate in whatever is developed. There are a lot of poor people what need that bus to get to work. These surrounding communities do not understand that. She hopes this

study will be proof to show that we need Transit partnerships. She stated she does not know how Mr. Brady can abstain and still make the sign.

Helen Thompson, 1527 Wayne Street, stated she is a Commission candidate. She could not help but recall as she is collecting signatures for her petition for office, one of the things she is hearing from people is a concern over conflicts. She knows it isn't technically a conflict of interest. But the bigger issue is confidence as we are doing business as a city government. It is the appearance of impropriety that turns citizens off to government. She asks that they consider that as they look at this issue. Mr. Meinzer questioned Mr. Poole's math in the 10% of the grant. Mr. Poole stated that the sign's portion in any grant is minimal. Ten percent of the sign cost is not going to cause any business to exist if we do not include the sign in the grant application. Mr. Poggiali questioned if there was a way that an applicant could show that they paid for the sign out of their own pocket, then there are no city funds going into the sign. We hire a lawyer, he gives us an opinion, then he is going to follow his opinion. He is the lawyer, if he says there is no conflict, he will live with that.

ADJOURNMENT

Upon motion of Mr. Murray, the Commission moved to adjourn at 6:15 p.m. President Brady declared the meeting adjourned.



Cathleen A. Myers
Commission Clerk



Richard R. Brady
President of the City Commission