

Dennis Murray **called the meeting to order** at 5 p.m. after **the Invocation**, given by Greg Lockhart, and the **Pledge of Allegiance**.

The clerk called **the roll** and the following Commissioners responded: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington.

City staff present: Dave Degnan– Fire Chief, John Orzech – Police Chief, Aaron Klein – Public Works Director, Matt Lasko – Chief Development Officer, Angela Byington – Director of Neighborhood Development & Planning, Brad Link – Director of Public Services, Don Rumbutis – IT, Stuart Hamilton – IT Manager, Trevor Hayberger – Acting Law Director, Hank Solowiej – Finance Director, Eric Wobser – City Manager and Kelly Kresser – Commission Clerk.

Mr. Murray asked for a moment of silence in honor of George Mylander who was one of the great City Commissioners of Sandusky and was affectionately known as Mr. Sandusky.

ORGANIZATIONAL SESSION

Mr. Murray asked if there were **nominations for the office of President of the City Commission**. Mr. Brady nominated Mr. Murray for the President. There being no further nominations from the floor, Mr. Murray declared the nominations closed. Mr. Murray said he will continue as President of the City Commission for 2016 – 2017, and thanked the commission for their support.

Mr. Murray asked if there were **nominations for the office of Vice President of the City Commission**. Mr. Lockhart nominated Mr. Poole; Mr. Murray nominated Mr. Brady. There being no further nominations from the floor, Mr. Murray declared the nominations closed. Ballots were distributed and counted by the Commission Clerk and Law Director. Ms. Kresser announced Mr. Brady will be the Vice President of the City Commission for 2016 – 2017.

AUDIENCE PARTICIPATION

Sharon Johnson, 1139 Fifth Street, said she does not endorse a hotel or condominiums at the Battery Park site. This looks like another downtown with retail and the original downtown is not yet completed. The city already has an amphitheater and parking will be a problem in this area. Volleyball courts and tennis courts have been mentioned as a selling point for the condos, but she could care less about them. The Jackson Street Pier looks like it will be a complete park without parking and does not know how this will work.

Lance Warner, 1421 Columbus Avenue, spoke in support of the Comprehensive Plan (Item #1) and said the difference between this and past plans is the execution. The commission has displayed a proactive stance and is encouraged to move forward.

Rick Scheel, representing the Old House Guild of Sandusky, said as part of the vibrant city plan, buildings are to be repurposed and the Old House Guild supports the owners retaining the original office building rather than demolishing it. It is safe, has no health hazards and could be mothballed for future use.

PRESENTATION

Michael Graham, Strategy Design Partners, said during the outreach period, over 2,000 persons participated and their thoughts are reflected in the plan. There is a groundswell in the community by persons who feel the city is headed in the right direction. Being a vibrant city is focused on the economy and jobs and employment are paramount; Sandusky is the regional leader in the Firelands and this can be leveraged to develop and attract a talented workforce. Being a livable city means building upon neighborhoods and overall, Sandusky's neighborhoods are strong and this is a great place to live. Housing programs were identified and can be implemented to maintain supply and stimulate demand. The nearby assets (schools, churches, libraries, etc.) need to be convenient, accessible and walkable. People need to feel safe and secure while walking in their neighborhood and safety is a big part of this plan. Sandusky must be connected to the world and within itself; walking and biking paths are important as well as automobile access. Sandusky offers the only public transportation system in Erie County and

this could, potentially, be regionalized. Wayfinding signage is important to help people find what they need easily. Strong healthy corridors are essential and specific ones are called out in the plan. A five-year capital plan is identified for adoption and technology is essential for everyone. Sandusky's status as a destination city and a tourist attraction is important and can be built upon. The downtown and the waterfront are focal points. Indoor and outdoor recreation are important to a destination city and this builds capacity and quality of life amenities for people who live here. There are strong arts and cultural institutions in the community which can be built upon. Sandusky's Bicentennial will take place in 2018 and the Comprehensive Plan being presented is a five-year plan and can be utilized to tell our story and to attract interest in the community. Moving forward, planning has begun and the oversight of the plan is now in the hands of the city staff and community members for implementation. Dick Brady extended his appreciation to Strategy Design Partners, staff members and citizens who all played a role in developing this plan. Dennis Murray said all of the different thoughts have been compiled into a document and synthesized in a comprehensive way.

CURRENT BUSINESS

Upon motion of Dave Waddington and second of Naomi Twine, the Commission voted to approved the minutes of December 28, 2015, meeting and dispense with the formal reading. The President declared the motion passed.

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to accept all communications. The President declared the motion passed.

SECOND READING

ITEM #1 – Submitted by Casey Sparks, Assistant Planner

APPROVAL OF THE BICENTENNIAL VISION/COMPREHENSIVE PLAN

Budgetary Information: There is no impact to the general fund.

ORDINANCE NO. 16-001: It is requested an ordinance be passed **approving and adopting the Bicentennial Vision/Comprehensive Plan for the City of Sandusky.**

Upon motion of Naomi Twine and second of Dave Waddington, the commission voted to approve this ordinance at second reading.

Discussion: Wes Poole said this is, overall, an excellent document, but there are differences within the community regarding interpretation. This is not a blueprint and not everything written is intended to be implemented as shown. There are things to get excited about and others which we may never do in the community. Going forward, these are suggestions about what can be done and retrieving volleyballs from Sandusky Bay does not seem like a good idea, but having this somewhere on the former Surf's Up property is. Dennis Murray said there will be ample opportunity to look at implementation and this presents an exciting vision for the city as a whole.

Roll call on the ordinance: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. The President declared the ordinance passed at second reading.

ITEM #2 – Submitted by Eric Wobser, City Manager

APPROVAL OF THE BICENTENNIAL VISION/STRATEGIC PLAN

Budgetary Information: There is no impact to the general fund.

PASSED AT FIRST READING: It is requested an ordinance be passed **approving and adopting the Bicentennial Vision/Strategic Plan for the City of Sandusky.**

Upon motion of Naomi Twine and second of Wes Poole, the commission voted to approve this ordinance at first reading.

Discussion: Wes Poole said this is an excellent document and will be a blueprint for the kind of things that are necessary.

Roll call on the ordinance: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. The President declared the ordinance passed at first reading.

ITEM #3 – Submitted by Trevor Hayberger, Law Director

ACCEPTING RESOLUTION OF SANDUSKY BUILDING CODE BOARD OF APPEALS REGARDING PROPERTY LOCATED AT 1706 HAYES AVENUE

Budgetary Information: The exact amount is unknown at this time.

RESOLUTION NO. 001-16R: It is requested a resolution be passed **accepting Resolution 16-001 of the Sandusky Building Code Board of Appeals and authorizing the Building Official of the City of Sandusky, Ohio, to take the necessary action to abate the nuisance by demolition located at 1706 Hayes Avenue pursuant to Section 1345.06 (b) of the Codified Ordinances of the City of Sandusky;** and declaring that this Resolution shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dave Waddington and second of Naomi Twine, the commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Dennis Murray said the city commission is tasked with either accepting or rejecting this recommendation and five votes are necessary if rejected. Trevor Hayberger said he also prepared a Resolution if it is rejected. A two hour hearing was held last week and the members of the Building Code Board of Appeals consisting of a licensed mechanical engineer, licensed/practicing architect, a plumbing contractor, an individual with an electrical engineering degree and one person with a business degree who runs a heating and air conditioning business. George Poulos presented the case and stated the buildings were an immediate danger to the public and they should be torn down. From this testimony, it was determined homeless persons had been in this building and juveniles arrested from the area, there are holes in the fencing and the property is unsecured with an open gate to the immediate east. There were issues with concrete stacked in the parking lot which possessed a danger. As far as the buildings, there is a 150' stack with a 15' crack down the middle visible from fifty yards out and also with structural issues. The administrative building is attached with a common roof and is marked with a red "X" meaning the building poses a danger so if there were a fire, the fire fighters would not go inside. The testimony then turned to the exhibits and findings of fact regarding trusses which had failed, portions of buildings collapsed and not cleared, and gaping holes not fortified which caused the Board to find the building was an imminent danger to the public. The Findings of Fact and ultimate decision made by the Board was executed and is now before the City Commission to either accept or reject. Naomi Twine asked George Poulos to speak to the question about repurposing the building and if it would be worth saving. George Poulos said anything can be repurposed; the issue with this building is not that it cannot be repurposed, it is how long the city wants to live with the situation. The administration building is attached to the factory portion so it is one encompassing building without separate firewalls and we are dealing with it as it sits right now. A number cannot be put on this and it is a very stout building made of concrete similar to how hospitals are being built. These renovations are running in excess of \$200 per square foot. Naomi Twine said we are looking at safety issues and not allowing fire fighters to enter the building. Trevor Hayberger said the intent of the Appellee, Born Again Salvage, was to tear this building down and there were no plans to repurpose any building as far as he knows. Dick Brady said documents were provided to share the very limited scope the commission has regarding this issue. This scope deals with supporting the unanimous decision made by the Residential Building Code Board of Appeals and if rejected, the basis is to find they have acted in an arbitrary and capricious way. We are not here to debate the quality or worthiness of the structure, this has already been determined by George Poulos. Wes Poole said he had an opportunity to look at the police reports and pictures provided and is satisfied with the Board's decision. There is no way to defend this and the building is going to fall down at any moment. Wes Poole asked if the additional documents which were distributed could be placed as part of the record including the exhibits, pictures, power point presentation, and recording of the hearing and Dennis Murray asked for these to be appended to the record. Dennis Murray asked if anyone wished to speak on behalf of the

property owner and noted there was no one present. Dennis Murray said it is obvious this presents a great danger in the judgment of qualified professionals, including members of the Residential Building Code Board of Appeals and does not wish to second judge this and supports the Resolution.

Roll call on the motion: Yeas: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. Roll call on the resolution: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

**ITEM #4 – Submitted by Angela Byington, Director of Neighborhood Development & Planning
DEMOLITION OF RESIDENTIAL PROPERTIES**

Budgetary Information: The project cost based on the bid, including asbestos abatement and demolition is \$49,691.40. This project will be paid with FY 2015 Community Development Block Grant funds.

ORDINANCE NO. 16-002: It is requested an ordinance be passed **authorizing and directing the City Manager to enter into a contract with Master Renovations, Inc., of Orrville, Ohio, for the CDBG FY 2015 residential demolition project, #1;** and declaring that this ordinance shall take immediate effect in accordance with Section 14 of the city charter.

Upon motion of Dave Waddington and second of Nikki Lloyd, the commission voted to approve this ordinance under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Angela Byington said the city requested bids for residential asbestos abatement and demolition of five properties. All but one of these properties are vacant and blighted; some are owned by the city while others are privately owned. We are only testing the garage portion of the property which is occupied. The city received bids from four contractors and Master Renovations, Inc. was found to be the lowest at \$49,500. Nikki Lloyd thanked Angela Byington and her team for all they have done and for helping to clean up the city.

Roll call on the motion: Yeas: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. Roll call on the ordinance: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. The President declared the ordinance passed under suspension of the rules and in accordance with Section 14 of the city charter.

**ITEM #5 – Submitted by Angela Byington, Director of Neighborhood Development & Planning
RESOLUTION OF NECESSITY TO BID RESIDENTIAL DEMOLITION PROJECT - ISSUE 8 FUNDING**

Budgetary Information: The total estimated cost for this project including advertising and miscellaneous expenses may exceed \$10,000. The cost will be paid through the Community Development Capital Project fund (Issue 8). A tax lien will be placed upon the property at 2026 Tiffin Avenue for cost of asbestos abatement and demolition.

RESOLUTION NO. 002-16R: It is requested a resolution be passed **declaring the necessity for the city to proceed with the proposed Issue 8 residential demolition project #1; 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 Wes Poole and second of Nikki Lloyd, the commission voted to approve this resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

Discussion: Angela Byington said this will be for residential asbestos abatement using Issue 8 funding. There are four residential properties, three of which are privately owned and one is only for the garage. All properties are privately-owned and liens will be placed on the properties to recoup our costs testing and demolition costs.

Roll call on the motion: Yeas: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. Roll call on the resolution: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

**ITEM #6 – Submitted by Angela Byington, Director of Neighborhood Development & Planning
RESOLUTION OF NECESSITY TO BID RESIDENTIAL DEMOLITION PROJECT – CDBG FY 2015
FUNDING**

Budgetary Information: The total estimated cost for this project including advertising and miscellaneous expenses may exceed \$10,000. The cost will be paid with FY 2015 Community Development Block Grant funds. A tax lien will be placed upon the properties on Forest Drive for the costs of asbestos abatement and demolition.

RESOLUTION NO. 003-16R: It is requested a resolution be passed **declaring the necessity for the city to proceed with the proposed CDBG FY 2015 residential demolition project, #2; 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 Nikki Lloyd and second of Wes Poole, the commission voted to approve this resolution under suspension of the rules and in accordance with Section 14 of the city charter. Roll call on the motion: Yeas: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. Roll call on the resolution: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. The President declared the resolution passed under suspension of the rules and in accordance with Section 14 of the city charter.

CITY MANAGER'S REPORT

Eric Wobser **thanked the commission and the public for their participation in creating the Bicentennial Vision for the City of Sandusky.** This has been a labor of love during the last year and he is most excited about beginning to detail and assist with work plans with guidance from the City Commission. Implementation, plans and programs are being broken down to determine which department, task force or committee will put these items into play.

Eric Wobser said the **search for a new Law Director** will begin soon and the search committee will be made up of Naomi Twine, Lynne Gast-King, Brad Wells and Justin Harris. This brings civil and criminal law backgrounds together to review a job description and set a timeline for the process. A recommended candidate will be brought forward for the City Commission to review in the next couple of months.

Eric Wobser said he has several **board and commission appointments** to make with the approval of the City Commission including:

Erie County Board of Health

1. Dr. Marsha Cooper
2. One Vacancy – seeking volunteers (replace George Mylander)

Housing Appeals Board

1. Janice Warner
2. Dana Gamblin
3. Frank Valli

Income Tax Board of Review

1. Keri May

Plumber Examining Board

1. Mark Dunn
2. John Luipold
3. John Zoellner
4. Dave Swander

Eric Wobser said **Officer Mark Gilliam worked his last shift** on January 2, 2016. Officer Gilliam is retiring after serving 37 years in law enforcement. He has 26 years of full-time employment with the City of Sandusky and thanked Officer Gilliam for his many years of service. Chief Orzech said Officer Gilliam worked up to the last minute and appreciates his time and commitment to the city.

Eric Wobser said **Chief Degnan traveled to Horton Emergency Vehicles facility last week to see our new ambulance** which is expected to be delivered toward the end of February.

Eric Wobser **water and sewer rates will increase with the January, 2016 bill**. Information regarding the annual rate increases through 2021 are available on the city's website.

Eric Wobser said the city highly recommends citizens contact our offices to **turn off the water at dwellings which are expected to remain vacant and unoccupied during the winter months**. This will help prevent water lines from freezing and breaking which could lead to costly repairs for the property owner. The Customer Accounting Office number is 419.627.5893.

Eric Wobser said the **traffic signal at Columbus Avenue and Parish Street** has been operational since January 5.

Eric Wobser said the **design of Caldwell and Fifth Streets** is being done in-house through the work of our Engineering Department. Caldwell Street will be completed in two phases, and both streets will be completed this year.

Eric Wobser said the city received a total of six proposals/bids from demolition and abatement contractors for the **removal of the former American Crayon facility**. The city is currently reviewing those proposals and hopes to move forward with contract award quickly.

Eric Wobser said proposals are being accepted for a **Phase II Environmental Assessment of the former Thakar Aluminum site**, 1364 Old Street until January 19 at 3 p.m.

On January 7, 2016, the city published the annual notice in the Sandusky Register outlining **revisions to solid waste disposal requirements**. Any properties found to have trash, debris, garbage and other refuse in the public right-of-way or boulevard outside of the permitted times shall be declared a nuisance and the City may cause said refuse to be immediately removed without further notice. If the city removes the nuisance, the cost of doing so, along with a \$100 administrative fee, shall be assessed to the property owner. As a reminder trash, debris, garbage and other refuse or recyclables may be placed upon a curb for curbside collection no earlier than 6 p.m. on the evening prior to the scheduled collection of materials, and any such materials or containers which remain after collection shall be removed from the curb no later than 8 p.m. on the date of collection.

Eric Wobser said in 2015, we saw an **increase in on-time performance of SPARC and demand-response** even with major construction on Perkins Avenue and U.S. Rt. 250. For 2016, we look to continue this improvement and grow ridership with a redesign of the SPARC routes.

Eric Wobser said Steve Ritzenthaler, the Electrical/Building Inspector within the Building Division, will be retiring on January 29. During his 32 years of service, he has served as an expert in his field and has served the city and the customers of this city admirably and professionally. The city is pleased to announce the hiring of Greg Capucini as Electrical Inspector in the Building Division effective January 11, 2016. Mr. Capucini has been employed with the city for nine years, most recently with the Department of Public Services.

Eric Wobser said staff from the Erie County Health Department has conveyed since the city has increased code enforcement efforts, they have seen a **consistent decline in the number of nuisance calls received**.

Eric Wobser said the **Sandusky Recreation Division will be at the AAA Great Vacations Travel Expo** with members of the Sandusky Main Street Association January 22 through January 24 at the Greater Columbus Convention Center in Columbus, Ohio.

OLD BUSINESS

None.

NEW BUSINESS

Kelly Kresser thanked the IT staff for assisting with placing the **City Commission meetings on YouTube**. Starting with tonight's meeting, these will be available through the city's home page, www.cityofsandusky.com, and each meeting will be uploaded the morning after it takes place. Additionally, the air times for viewing on Buckeye Cable have been adjusted to the day of the meeting at 8:30 p.m., the day after at 5 p.m. and the following Monday at 8:30 p.m.

Dick Brady asked if we purchased an option for the Fire Department to **change the traffic lights to green for safety services (Opticom) as part of the Perkins Avenue signalization project**. Chief Degnan said the option is always out there, but he is not aware of this on Perkins Avenue, but will ask.

Dennis Murray asked for a recap of the **snow emergency streets** and what they mean to our residents. Brad Link said once two inches of snow falls, vehicles are required to be moved from these streets. Chief Orzech said if snow exceeds two inches, staff in the Police Department checks to see if the plowing crew needs assistance with enforcement. This information is then released to the public and generally, vehicles are towed beginning the following day which is a typical 24-hour violation enforced without snow on the ground. This makes it safer and easier for the plow drivers to clear snow from the streets. Wes Poole said it is important to keep snow routes open, but we should also pay more attention to neighborhood streets and vehicles sitting on these streets for several days as they also pose a hazard. Chief Orzech said 24-hour violations are normally enforced on a complaint-driven basis and snow streets take priority. Last year there was an exorbitant amount of snow which kept piling up and staff then went down these streets.

Dave Waddington questioned **truck routes in the city** and was told by a resident Marlboro Street was being used by trucks. The east end grade separation project is taking place and asked if truck route streets are being identified for drivers during this construction. Aaron Klein said he will speak with the project manager and ensure they are routing traffic in the appropriate direction. There was a problem last year during construction on First Street.

Dave Waddington said on January 23, **Coffee with Commissioners** will start again at Mr. Smith's, 140 Columbus Avenue, from 9 a.m. – 10 a.m. City Manager Eric Wobser will be the first guest along with Dick Brady, Wes Poole and himself.

Dave Waddington said the **Business Roundtable** meetings will start up again in March and meetings will take place quarterly.

Upon motion of Dick Brady and second of Dave Waddington, the commission voted to hold an executive session regarding pending litigation. Roll call on the motion: Yeas: Dick Brady, Greg Lockhart, Naomi Twine, Dennis Murray, Nikki Lloyd, Wes Poole and Dave Waddington, 7. The President declared the motion passed.

Upon motion of Dave Waddington and second of Wes Poole, the commission voted to hold a Public Hearing on January 25 regarding an alley vacation for the property West of Sycamore Line and located between 723 Garfield Avenue and 515 Sycamore Line. The President declared the motion passed.

Dennis Murray said Kelly Kresser will be distributing a list of **board and commission appointments/reappointments** for consideration at the next meeting.

Dennis Murray said as President of the Commission, he makes **liaison appointments to departments and to boards and commissions**. A form has been prepared and he asked each commissioner to consider these and provide their preferences to him for appointment.

Dennis Murray read a **speech which he gave two years ago after the election about renewing the city's role with business owners, residents, other stakeholders and the media**. This is the last commission elected prior to Sandusky's Bicentennial and it is their job to act as stewards and to prepare Sandusky for its third century. It is interesting to look back and see how far we have come in two years.

AUDIENCE PARTICIPATION

Peter Gaitan, acting partner with Born Again Salvage, apologized for arriving late as he thought the meeting began at 6 p.m. Peter Gaitan asked for the privilege of tearing down the rest of the American Crayon complex and said it has been stagnant for 1½ years as he is involved in litigation with his partner from Texas. A settlement agreement has been reached and the property is being turned over to Born Again Salvage and this happened recently. He asked for the city's indulgence in granting a demolition permit, but was told in the Common Pleas Court he would only be granted a 45-day permit, but could not do this within that timeframe without creating a public endangerment. Quite a bit of money has been put into this property after purchasing it out of bankruptcy because of Joe Yost; his company has had great success in recycling over 90% of a project. The most notable was in Ft. Wayne where ninety nine percent of a 147,000 square foot building was recycled. Peter Gaitan said he is 59 years old and has been in the demolition business for over 28 years and started out as Vice President for one of the largest demolition firms in the United States with over 650 employees in the field. They do quite a bit of work for union houses, even though they are not unionized, and specialty work. All demolition is controlled and they do not just rip and tear walls out, falls are controlled. Most cities nowadays are mandating 50% – 75% recycling and this project will achieve over 80%. Most importantly, over \$200,000 has been invested into this project and there still is that much more tied up to be recovered. Peter Gaitan said he is looking for a six-month demolition permit to clean up the site to the city's satisfaction and does not feel there is a public endangerment as suggested and a masonry contractor and demolition contractor have been out and said it is not; he welcomed any commissioner wishing to take a look at the project. Peter Gaitan said they came in to save the city some money with demolition and to make some money as well and it is their intention to redevelop the property. They do wish to save the administrative building as it is one of the first precast buildings to be built in the country and is built like a bomb shelter. Once the historic elements are gone from the city, they will never return and American Crayon has contributed quite a bit to the City of Sandusky and is the oldest crayon company in the world – it is 40 years older than Crayola Crayon. There is a lot of architectural significance and this would be developed with these architectural plans and he would like to save what has been invested. Dennis Murray said the commission has already voted this evening on this item and this was to accept the recommendation of the Residential Building Code Board of Appeals and unless someone now or at a future meeting makes a motion to reconsider, this is the decision of the commission. Peter Gaitan said there have been no previous building violations for this property except for high grass which was brought into compliance right away and it is unfair to be able to step in right away, without any previous building violations during his watch. They have invested heavily into this project and it is unfair to have it taken away like this without any city official coming out after several requests to do so. Dennis Murray said he is sorry this has not worked out, but noted the city has been waiting many months for action and there was a falling out between the business partners over some issues, but the building has deteriorated further and this evidence was presented and the Commission has accepted these recommendations. The decision of the City Commission stands. Wes Poole asked when the property was purchased and Peter Gaitan said in June, 2012. Wes Poole asked when the last time work was done and Peter Gaitan said it was in September, 2014. Wes Poole said there has been a one year and fourteen month gap where nothing was done and asked where the plan is to be executed. Peter Gaitan said his was because the Judge has ordered no further work

regarding the demolition to be done. Wes Poole asked how much communication there has been with city staff about these problems and Peter Gaitan said he submitted a demolition application with a 30 – 60 day schedule last Wednesday.

Rick Scheel, representing the Old House Guild, asked the cost for demolition of the former American Crayon property and Dennis Murray said this is out for bid and does not know. Rick Scheel asked who will pay for this and Dennis Murray said the money will come from the EMS fund and this is not a tax. Rick Scheel said this money comes from the citizens and could be used somewhere else such as for hiring fire fighters or police officers. It may be worthwhile to sit down with Peter Gaitan and see what he has to offer. If the city can save \$700,000 or \$800,000 and within a specific timeline redevelop the property, it makes sense for him to do it. The city spent a lot of money on a Comprehensive Plan and one of the points was to support small business and here is a small businessman. This Plan also stated we should save old buildings and stop tearing down historic buildings. These are two points and it is worthwhile to sit down and talk and perhaps come to an agreement to complete this project without costing the city any money. Wes Poole said the city has already voted on this and the authorization to move forward is here but would like to have a recommendation made by staff regarding this. Trevor Hayberger said George Poulos just received Mr. Gaitan's plan this morning and it is still being reviewed. It is in the hands of the City Manager and he can decide and do what he thinks is best. Dennis Murray said given the order sustained by the board and accepted by the commission, Eric Wobser may have the latitude to request an emergency meeting and change this decision. Absent this, he does not have the discretion to stop the demolition process. Dennis Murray said the question has been asked if Mr. Gaitan could be part of the bidding process; the bids have already gone out and cannot be rebid without getting ourselves into issues with other bidders. Trevor Hayberger said it would not benefit the city to give him money to tear down his own building either. Peter Gaitan said outside of the money invested, if he is not granted the demolition permit and his LLC will be assessed, he will have to bid into bankruptcy as he will not be able to absorb this expense. Peter Gaitan said he is trying to do something great in the city and has heavily invested, but disputes not being told what is wrong with the building and would like the opportunity to prove it is not a danger; there are not walls bowing out and taxes are being paid; several requests have been made for the city to show what the issues are with the property. Peter Gaitan asked if the city is not a friendly place to do business and has the rights. There has not been a public hearing held, only a letter stating the city is going to take over the property. This is not due process. Dennis Murray said there was a public hearing and an opportunity to present a case and it was shown this property does pose an imminent danger to the public.

At 6:47 p.m., the commission recessed the regular session of the meeting. At 6:51 p.m., the commission went into Executive Session. At 7:03 p.m., the President announced adjournment of the meeting.

Kelly L. Kresser, CMC
Clerk of the City Commission

Dennis E. Murray, Jr.
President of the City Commission