

CITY COUNCIL

August 17, 2026

The August 17, 2026 City Council meeting was called to order at 7:00 p.m. in Council Chambers by Juila Lemire, President. A moment of silence was observed followed by the Pledge of Allegiance to the Flag of the United States of America. City Council members present were Aaron Korte, Julia Lemire, Scott Moore, Kate Niederkohr, John Walker, Kenneth Wessler, and Tom Karcher.

Others present included: Kyle McColly, Mayor; Ben Buckland, Law Director; Nickie Coppler, City Auditor; Mike MaGinn, Fire Chief; Bob Orr, Firefighter; Heidi Moore; Sharon Huffman; Jean Grove; Marsha Thomas; Deb Michener; Bob Michener; Bryce Cameron; Amanda Watson; Robert Waxlax, Louis Dreyfus Company; Randall Besecker, Louis Dreyfus Company; Marlene McCleary; Suzy Cross; Mike Cross; Mark Albert; Trish Frazzini; Kevin Lok; Rose McCloud; Adalee Wagner; Chad Baker; Christine Baker; Becky Krock; Sarah Knapp; Bill Knapp; Jim Stauffer; Josh Rall; Brett Kohn; Jill Rall; Molly McCarthy; Craig Swartz; Lisa Lehman; Dave Lehman; Angela Huffman; Bill Spitler; Lyssa Riedel; Tom Martin; Anne Brown; Steve Cook; Brian Hemminger, Daily Chief Union; and Sarah Bennett, Clerk.

The minutes of the August 3, 2026 City Council meeting, having been mailed to each City Council member, were approved as received.

The minutes of the August 3, 2026 Safety Committee meeting, having been mailed to each City Council member, were reviewed.

The minutes of the August 3, 2026 Service Committee meeting, having been mailed to each City Council member, were reviewed.

The minutes of the August 3, 2026 Planning Commission meeting, having been mailed to each City Council member, were reviewed.

The minutes of the August 10, 2026 special Safety Committee meeting, having been mailed to each City Council member, were reviewed.

The minutes of the August 10, 2026 Park Board meeting, having been mailed to each City Council member, were reviewed.

The minutes of the August 10, 2026 Downtown Committee meeting, having been mailed to each City Council member, were reviewed.

Visitors to the meeting, including Upper Sandusky residents and Wyandot County residents (including: Heidi Moore, Sharon Huffman, Deb Michener, Amanda Watson, Suzy Cross, Kevin Lok, Adalee Wagner, and Craig Swartz) addressed City Council regarding a variety of issues. Mrs. Heidi Moore inquired about the City livestreaming meetings for those not in attendance and what steps have been taken into the data center moratorium. Ms. Sharon Huffman voiced her opposition to LDC tapping into the City reservoir, her concerns about a lot of questions that don't get answered, the proposed swimming pool, fire wages, and the two (2) minute time limit given to visitors who attend these meetings to speak. Mrs. Deb Michener inquired about issues with the City's website and water not draining near the intersection of Houpt Drive and North Sandusky Avenue. Mrs. Amanda Watson voiced her concerns about police safety, the former Fairhaven home being donated to the City, and she would like to see the City invest in people who make the City safe. Mrs. Suzy Cross expressed her concerns about a data center and issues with noise and harm that could be caused to humans and animals. Mr. Kevin Lok stated that everyone needs to work together positively on issues. Miss Adalee Wagner, Upper Sandusky FFA President, presented a request for a fundraiser for the FFA to hold a Turkey Trot in Harrison Smith Park on Saturday, November 21, 2026. Mr. Craig Swartz voiced his input on a data center, the Louis Dreyfus Company, and weeds that need to be removed from an intersection at the edge of town to improve motorists' visibility.

Mayor McColly reminded City Council members about the modeling information presented by Waterworth at the August 3, 2026 City Council meeting regarding increases in sewage rates. Mayor McColly indicated that an increase in sewage rates will need to be addressed in October in order to take effect in January 2027.

Mayor McColly reported that next Wednesday, August 26, 2026 there will be an informational meeting in the conference room at the Wyandot County EMS building from 4:00 p.m. to 7:00 p.m. to discuss the newly proposed swimming pool.

A motion was made by Mr. Korte, seconded by Mr. Walker, to place Ordinance No. 79-14 entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A BROWNFIELD REMEDIATION PROGRAM GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT FOR THE UPPER SANDUSKY VANCREST REMEDIATION PROJECT.", on its second reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 79-14 for the second time by title only.

A motion was made by Mrs. Niederkohr, seconded by Mr. Karcher, for the adoption of Ordinance No. 79-14. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 79-14 was duly adopted.

A motion was made by Mr. Korte, seconded by Mr. Karcher, to place Ordinance No. 80-14 entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CIVIL & ENVIRONMENTAL CONSULTANTS, INC. FOR CONSTRUCTION MANAGEMENT AND BROWNFIELD REMEDIATION GRANT ADMINISTRATION SERVICES RELATED TO THE REMEDIATION AND DEMOLITION OF THE FORMER FAIRHAVEN/VANCREST PROPERTY LOCATED AT 850 MARSEILLES AVENUE, APPROVING THE PROPOSAL ATTACHED AS EXHIBIT A.", on its second reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 80-14 for the second time by title only.

A motion was made by Mr. Karcher, seconded by Mr. Moore, for the adoption of Ordinance No. 80-14. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 80-14 was duly adopted.

A motion was made by Mrs. Niederkohr, seconded by Mr. Karcher, to place Ordinance No. 81-14 entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CHARITABLE GIFT AGREEMENT WITH UPPER SANDUSKY HEALTH FACILITIES, LLC FOR THE ACCEPTANCE OF CERTAIN REAL AND PERSONAL PROPERTY.", on its second reading by title only. Upon Roll Call, all members voted as follows:

Mr. Korte	-	Yes
Mrs. Lemire	-	Yes
Mr. Moore	-	Yes
Mrs. Niederkohr	-	Yes
Mr. Walker	-	No
Mr. Wessler	-	Yes
Mr. Karcher	-	Yes

The President declared the motion carried by a 6-1 vote. The Clerk read Ordinance No. 81-14 for the second time by title only.

A motion was made by Mr. Korte, seconded by Mrs. Niederkohr, for the adoption of Ordinance No. 81-14. Upon Roll Call, all members voted as follows:

Mr. Korte	-	Yes
Mrs. Lemire	-	Yes
Mr. Moore	-	Yes
Mrs. Niederkohr	-	Yes
Mr. Walker	-	No
Mr. Wessler	-	Yes
Mr. Karcher	-	Yes

The President declared the motion carried by a 6-1 vote and Ordinance No. 81-14 was duly adopted.

A motion was made by Mr. Walker, seconded by Mrs. Niederkohr, to place Ordinance No. 82-14 entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT FOR CERTAIN REAL PROPERTY LOCATED IN THE CITY OF UPPER SANDUSKY, OHIO, AND DECLARING AN EFFECTIVE DATE.", on its second reading by title only. Upon Roll Call, all members voted as follows:

Mr. Korte	-	Yes
Mrs. Lemire	-	Yes
Mr. Moore	-	No
Mrs. Niederkohr	-	Yes
Mr. Walker	-	Yes
Mr. Wessler	-	Yes
Mr. Karcher	-	No

The President declared the motion carried by a 5-2 vote. The Clerk read Ordinance No. 82-14 for the second time by title only.

A motion was made by Mrs. Niederkohr, seconded by Mr. Korte, for the adoption of Ordinance No. 82-14. Upon Roll Call, all members voted as follows:

Mr. Korte	-	Yes
Mrs. Lemire	-	Yes
Mr. Moore	-	No
Mrs. Niederkohr	-	Yes
Mr. Walker	-	No
Mr. Wessler	-	Yes
Mr. Karcher	-	No

The President declared the motion carried by a 4-3 vote and Ordinance No. 82-14 was duly adopted.

A motion was made by Mr. Karcher, seconded by Mrs. Niederkohr, to place Ordinance No. 83-14 entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN INFRASTRUCTURE IMPROVEMENT COST-SHARING AGREEMENT WITH UNI-GRIP, INC. FOR IMPROVEMENTS TO HIGHLAND PARKWAY AND APPROVING THE AGREEMENT ATTACHED HERETO AS EXHIBIT A.", on its second reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 83-14 for the second time by title only.

A motion was made by Mr. Karcher, seconded by Mrs. Niederkohr, for the adoption of Ordinance No. 83-14. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 83-14 was duly adopted.

A motion was made by Mr. Moore, seconded by Mr. Korte, to place Ordinance No. 84-14 entitled, "AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A DELINQUENT DEBT COLLECTION AGREEMENT WITH THE OHIO ATTORNEY GENERAL FOR THE COLLECTION OF DELINQUENT MUNICIPAL INCOME TAX DEBT.", on its second reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 84-14 for the second time by title only.

A motion was made by Mr. Karcher, seconded by Mrs. Niederkohr, for the adoption of Ordinance No. 84-14. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 84-14 was duly adopted.

Discussion was held regarding Ordinance No. 85-14. Mr. Buckland indicated that City Council is not voting in support or opposition of the proposed Charter amendment to ban data centers, City Council's adoption of Ordinance No. 85-14 is only certifying that a sufficient number of signatures were obtained on the petitions circulated and then submitted to and certified by the Board of Elections to place the Charter amendment measure on the November 3, 2026 General Election ballot pursuant to the Ohio Constitution. Mrs. Lemire stated her belief that there is no place in the City's Charter to ban or permit businesses, the City Charter addresses the formation of the City's government. Mrs. Lemire noted that regulations and guidelines to address this issue belong in the City's planning and zoning code.

A motion was made by Mr. Wessler, seconded by Mr. Moore, to place Ordinance No. 85-14 entitled, "AN ORDINANCE PROVIDING FOR THE PLACEMENT BEFORE THE ELECTORS OF THE CITY OF UPPER SANDUSKY OF A PROPOSED CHARTER AMENDMENT CERTIFIED BY THE WYANDOT COUNTY BOARD OF ELECTIONS, AND DECLARING THIS ACT AN EMERGENCY.", on its first reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 85-14 for the first time by title only.

A motion was made by Mr. Walker, seconded by Mrs. Niederkoehr, to suspend the rules of the Municipal Charter calling for separate readings on different days. Upon Roll Call, all members voted Yes. The President declared the motion carried.

A motion was made by Mr. Moore, seconded by Mr. Walker, to place Ordinance No. 85-14 on its second reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 85-14 for the second time by title only.

A motion was made by Mr. Korte, seconded by Mr. Moore, for the adoption of Ordinance No. 85-14. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 85-14 was duly adopted.

A motion was made by Mr. Karcher, seconded by Mrs. Niederkoehr, to place Ordinance No. 86-14 entitled, "AN ORDINANCE APPROVING AND ADOPTING THE CITY OF UPPER SANDUSKY FEDERAL AWARDS ADMINISTRATION POLICY, AND DECLARING THIS ACT AN EMERGENCY.", on its first reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 86-14 for the first time by title only.

A motion was made by Mr. Walker, seconded by Mr. Korte, to suspend the rules of the Municipal Charter calling for separate readings on different days. Upon Roll Call, all members voted Yes. The President declared the motion carried.

A motion was made by Mr. Moore, seconded by Mrs. Niederkoehr, to place Ordinance No. 86-14 on its second reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 86-14 for the second time by title only.

A motion was made by Mr. Walker, seconded by Mr. Moore, for the adoption of Ordinance No. 86-14. Upon Roll Call, all members voted Yes. The President declared the motion carried and Ordinance No. 86-14 was duly adopted.

A motion was made by Mr. Karcher, seconded by Mrs. Niederkoehr, to place Ordinance No. 87-14 entitled, "AN ORDINANCE TO MAKE SUPPLEMENTAL APPROPRIATIONS TO THE ANNUAL APPROPRIATIONS ORDINANCE NO. 44-14, TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF UPPER SANDUSKY, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2026.", on its first reading by title only. Upon Roll Call, all members voted Yes; the President declared the motion carried. The Clerk read Ordinance No. 87-14 for the first time by title only.

In effort to address some concerns expressed by visitors earlier in this meeting City Council members and Mayor McColly addressed issues being experienced with the City's website and requests to live streaming meetings. It was noted that the City recently changed to a new website and Mayor McColly indicated that attempts are being made to get issues corrected. It was noted that issues faced with live streaming meetings include storage and no control when using social media websites.

It was noted that Mayor McColly, Mrs. Lemire, and Mr. Karcher attended a tour in New Albany recently. Mr. Karcher explained that the tour was not a tour of a data center facility, instead participants rode a bus around New Albany's large industrial park. Mrs. Lemire added that the first data center located in the industrial park was built in 2015 and since that time there have only been four (4) noise complaints. Mrs. Lemire indicated that the City of New Albany partnered with the City of Columbus for their water supply with seventeen million (17,000,000) gallons of water per day allocated to the entire industrial park, including fifteen (15) data centers with those data centers using seven million (7,000,000) gallons of water per day. Mayor McColly indicated that the Ohio legislature wants to make sure every community is well prepared when approached by a data center.

Addressing additional concerns expressed by visitors earlier in this meeting regarding the City's safety forces, it was explained that the Police Department, including the Police Lieutenants, Police Officers, and Police Dispatchers, all signed union contracts approving their wages. The hiring of additional personnel for the Fire Department and Police Department was addressed and it was noted that the City is moving forward with hiring for these positions. Mayor McColly addressed a question presented earlier regarding non-disclosure agreements (NDAs) and Mayor McColly and the members of City Council indicated that they have not signed NDAs.

Mr. Robert Waxlax, head of Business Development with the Louis Dreyfus Company (LDC), addressed City Council again regarding a proposed infrastructure improvement agreement. Mayor McColly inquired about a hard cap number and Mr. Waxlax indicated that the remedy for the cap would be a walk-away clause. Mrs. Niederkohr indicated that the current build-out being discussed is specifically for LDC and she is in favor of charging the out of town rate while the projected raw water usage by LDC is unknown, and she would like more information on the walk-away clause. Mr. Moore stated that he is okay with the walk-away clause and he prefers LDC be charged the out of town rate. Mayor McColly noted that six (6) years ago a build-out of the plant was discussed, prior to LDC locating here.

Due to the upcoming Labor Day holiday on Monday, September 7, 2026, it was agreed that all City meetings to be held on that date will be moved to Tuesday, September 8, 2026.

Mrs. Nickie Coppler, City Auditor, reviewed the Finance Report for July 2026 with the members of City Council.

Mayor McColly reported on the following:

- The City was approached in 2017 about a waterline to Crawford. Funding for this \$2,900,000.00 project was applied for and awarded with half of the cost to be forgiven and the remainder to be repaid over a thirty (30) or forty (40) year loan with Crawford residents and businesses to be charged a monthly fee to repay the loan. The next meeting with the Crawford residents will be held on Tuesday, August 25, 2026.
- The Ohio Department of Transportation (ODOT) representatives will be meeting to discuss the repaving of all State Routes within the City in 2027. The City's will be responsible for 20% of this expense. The City has a couple projects that need to be completed prior to the ODOT repaving project.
- There are currently two (2) projects that are going out for bid including the full-depth roadway restoration on Highland Parkway which has been awarded a grant of 50% or up to \$112,000.00 for this project, and the ADA sidewalk project on Fourth Street at the intersection of West Wyandot Avenue.
- Precision Safe Sidewalks has completed the inventory of the City's concrete sidewalks. No report of the findings has been received yet.
- Information from RunnerStone was presented by Mayor McColly. It was noted that RunnerStone partnered with the Village of Sunbury to assist with communications regarding data centers. Mayor McColly inquired if City Council

would like to partner with RunnerStone to assist with data center communications. City Council members will further consider this matter.

- Grant funding has been made available for the Upper Sandusky Schools to have a school resource officer provided by the Police Department for the 2026/27 school year.

Visitors to the meeting, including Upper Sandusky residents and Wyandot County residents (including: Bryce Cameron, Heidi Moore, Mark Albert, Steve Cook, Chad Baker, Craig Swartz, Trish Frazzini, Kevin Lok, Becky Krock, Sharon Huffman, Joshua Rall, Tom Martin, and Suzy Cross) were provided another opportunity to address City Council. Mr. Bryce Cameron suggested other communities be contacted regarding meetings being recorded/live streamed. Mrs. Heidi Moore inquired about the procedure to get information in front of City Council. Mr. Mark Albert voiced his concern about a codicil being added to the ordinance to ban data centers and City Council deciding that whatever the vote is we can still ignore the words and the will of the people. Mr. Buckland clarified the inquiry from Mr. Albert noting that the debate for the City has been where should regulations for data centers be addressed. Mr. Steve Cook spoke in favor of the referendum to amend the City's Charter to ban data centers. Mr. Chad Baker asked if any City representatives have visited any small communities with data centers that haven't worked out. Mr. Craig Swartz referenced former Governor John Kasich's secret agreement involving data centers. Ms. Trish Frazzini spoke in favor of live streaming meetings. Mr. Kevin Lok spoke about data centers and their operations. Mrs. Becky Krock expressed her disappointment with the first publication of the Daily Chief Union since it was sold and the inability to access an article continued online. Ms. Sharon Huffman voiced her concern about the Louis Dreyfus Company accessing the City's water supply. Mr. Joshua Rall expressed his concern with the Interceptor Sewer Project and repairs needed to the soccer field area and repaving the roadways affected by the project. Mr. Tom Martin voiced his concern about the closure of North Sandusky Avenue as part of the First Thursday event in July with the roadway detours within the City as part of the Interceptor Sewer Project. Mr. Martin would like to see everything that is part of the First Thursday event moved to South Sandusky Avenue and North Sandusky Avenue be left open for vehicular traffic. Mrs. Heidi Moore responded to Mr. Martin's suggestion to move everything to South Sandusky Avenue as part of First Thursday, as she owns a business in the 100 block of North Sandusky Avenue, noting that her business sees a decrease of 62% in sales if North Sandusky Avenue is not closed for First Thursday events. Mrs. Suzy Cross suggested that if attendance at the City meetings remains consistent that the committees consider moving their meetings to another site.

There being no further business, the President declared the meeting adjourned.

Sarah J. Bennett, Clerk

Julia Lemire, President