

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, April 10, 2018 at 6:30 p.m.

A regular meeting of the City Council of the City of Huron, Ohio was called to order by Mayor Brad Hartung on Tuesday April 10, 2018 at 6:30p.m. in the Council Room of City Hall, 417 Main Street, Huron, Ohio.

The Mayor called for a moment of silence. After the moment of silence, the Mayor led in saying the Pledge of Allegiance to the Flag, and then directed the Clerk to call the roll. The following members of Council answered present: **Rick Schaffter, Trey Hardy, Christine Crawford, Brad Hartung, Joe Dike, Sam Artino, and Glen Ginesi.**

Also present: City Manager Andy White, Law Director Laura Alkire, Assistant to the City Manager Mike Spafford, Parks and Recreation Operations Manager Doug Steinwart, Street Foreman Steve Didelot, Sergeant Nate Orzech, City Engineer Doug Green, Fire Captain Kurt Schafer and Management Services Coordinator-Clerk of Council Christine Gibboney.

There were no minutes available for approval; the next item on the agenda was Audience Comments.

Audience Comments

- Gina Woody, 327 Berlin Road: Ms. Woody referenced the various comments that have been made by those opposed to medical marijuana dispensaries in Huron and noted she would like to provide fact based information as to the benefits of cannabis for those suffering from a variety of conditions. She referenced her son's rare genetic brain disorder that causes other health issues that could be improved by the use of cannabis medication and referenced the uses of cannabis for the treatment of epilepsy, autism, cancers, downs syndrome, crohns disease, MS, dementia and Alzheimer's. She referenced the federal government patent to the chemical makeup of the plant, and scientific research that concluded that cannabis is effective in reducing seizures, relieving pain, shrinking tumors, treating gastrointestinal issues, and narcolepsy and referenced specialized strains of cannabis that are used to treat depression, anxiety, nausea, Parkinsons, PTSD and other conditions for which patients currently take patented pills. She referenced the government patent for cannabinoid marinol (#6,630,507) citing cannabinoids, which are the chemical compounds of the cannabis plant, as antioxidants and neuroprotectants. She then read the patent which referenced the benefits of cannabinoids and uses for treatment of various conditions and diseases. The Mayor reminded Ms. Woody of the time restriction.
- Steve Fisher, 214 Ohio Street: Mr. Fisher addressed the City Manager Law Director, and the Mayor stating they are the leaders responsible for this issue; commenting they should have admitted mistakes and corrected the problem rather than covering things up and hiring a marketing firm using taxpayer's money. He expressed the city did not do what's good for families and citizens; noting that medical marijuana is available if people truly need it and that this is not good for Huron because it can change the character of the city. He referenced statistics stating that 18-24 year olds are the largest users and they are abusing it and do not have medical conditions to qualify. He addressed Mr. Ginesi commenting that he has negotiated in moving the dispensary, expressing his opposition to this action and noting that Huron would still have a dispensary and that Mr. Ginesi would be making money from it. He referenced the Council agenda format, noting citizens only get 3 minutes to speak with no discussion entertained. He expressed that if Council was sincere they could have taken action and could have used the marketing money for road and other city improvements. He stated the city was stalling and

delaying action so the dispensary will be grandfathered in. He referenced those in opposition including: the Planning Commission, Erie County Board of Health, Huron School Board, Huron Township, 400 signatures on a petition, and those who have attended meetings. He noted many others in the community do not want a dispensary or a farm in the community. He advised Council of outcomes, stating Council can vote out dispensaries in Huron or the citizens will have to clean out the swamp.

- Glen Szatala, 713 Kingfisher Court: Mr. Szatala noted he would finish reading Ms. Woody's statement. He referenced the opioid crisis and cited statistics that in states where medical cannabis is available the number of opioid prescriptions decreased by 14%. He commented that the city has a suboxone clinic that does not have the safety regulations or partnership with the Police Department like the cannabis dispensary will have. He addressed those in opposition; asking them to consider if a member of their family had one of the qualifying conditions to be treated with medical marijuana and if they would want to deny them the benefits of this medicine or make them go out of town to get the medication. Ms. Woody's statement referenced her own son's condition explaining the only prescription option currently available and noting that cannabis oil is a safe non-addictive alternative. Addressing those who oppose; questioned why they would want to deny people the opportunity to have a legal, safe, dispensary within the community especially when none of them have voiced opposition to the suboxone clinic that already exists in the community. He asked for Council to consider those in the community who may be suffering from a condition that can be treated by medical cannabis and asking for consideration when voting on this issue.

Old Business

Resolution 2018-19

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2018-19 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, ON BEHALF OF THE CITY OF HURON, OHIO, WITH HURON LAGOONS MARINA, INC., FOR THE LEASE OF A SWIMMING POOL FOR USE BY THE HURON PARKS AND RECREATION DEPARTMENT) be placed upon its second reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this resolution through Resolution 2018-25 and Ordinance 2018-8 were all introduced and placed on their first reading at the last meeting, therefore they are all on their second reading today. Mr. White explained this is annual legislation for the use of the Huron Lagoons Marina pool for the Parks & Recreation Swim Program and referenced a slight increase in the lease fee. Mr. Steinwart explained there were 80 participants in this 8 week program last year and referenced the program being cost effective. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-19. Members of Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-19 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-20

Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2018-20 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH OHM ADVISORS FOR THE PROVISION OF SURVEYING, GEOTECHNICAL SERVICES AND PRELIMINARY ENGINEERING RELATED TO THE RECONSTRUCTION AND RESURFACING OF SAWMILL PARKWAY AT A COST NOT TO EXCEED THIRTY FIVE THOUSAND SIX HUNDRED TWENTY ONE AND 00/100 DOLLARS (\$35,621.00)) be placed upon its second reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Artino, Ginesi, Schaffter, Hardy, Crawford, Hartung, Dike (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained that Sawmill Parkway is rated at a critical level referencing the subgrade issues with the roadway which have been discussed previously, explaining the cost for the reconstruction is estimated at over \$1 million. The Mayor referenced the poor conditions of the roadway and complaints received over the years. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-20. Members of Council voted as follows:

YEAS: Artino, Ginesi, Schaffter, Hardy, Crawford, Hartung, Dike (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-20 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-21

Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2018-21 (AN ANNUAL RESOLUTION EXPRESSING COUNCIL'S INTENT TO SELL PERSONAL PROPERTY DEEMED TO BE NO LONGER NEEDED FOR PUBLIC USE OR FOUND OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED BY INTERNET AUCTION UTILIZING GOVDEALS, INC.) be placed upon its second reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Dike, Artino, Ginesi, Schaffter, Hardy, Crawford, Hartung (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this is annual legislation which provides the city the option, in addition to other means, to dispose of property no longer needed by the city. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-21. Members of Council voted as follows:

YEAS: Dike, Artino, Ginesi, Schaffter, Hardy, Crawford, Hartung (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-21 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-22

Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2018-22 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH THE ERIE COUNTY HEALTH DEPARTMENT FOR THE PROVISION OF AN ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) MONITORING PROGRAM IN AN AMOUNT NOT TO EXCEED FOUR THOUSAND EIGHT HUNDRED SEVENTY FIVE AND 00/100 DOLLARS (\$4,875.00)) be placed upon its second reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Ginesi, Schaffter, Hardy (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this agreement with the Erie County Health Department provides for illicit discharge monitoring associated with the city's MS4 permit. He reviewed the requirements of the MS4 permit. He referenced the program that was in place previously with Erie County Soil and Water, noting that the fee for that program was \$10,000 annually. Ms. Crawford referenced responses from Mayor Hartung and Mr. White relative to her inquiry following an inquiry from a citizen with concerns as to if the city was getting the same level of service for so much less money. Ms. Crawford explained from the responses she understood that the city has drawn a tighter box around the services the city is getting for less than half the price. Mr. White noted that was correct, explaining that the initial program through Erie Soil & Water collected \$10,000 from each of the entities participating regardless of the permeable size and there was a heavy reliance on city staff as well. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-22. Mr. Hardy noted he would abstain due to a conflict. Members of Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Ginesi, Schaffter (6)

NAYS: None (0)

ABSTAIN: Hardy (1)

There being a majority vote in favor of adoption, Resolution No. 2018-22 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-23

Motion by Mr. Ginesi that the three reading rule be suspended and Resolution No. 2018-23 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH KS ASSOCIATES FOR THE PROVISION OF ENGINEERING AND SURVEYING SERVICES RELATED TO THE MAINTENANCE DREDGING OF THE HURON BOAT BASIN AT A COST NOT TO EXCEED TWENTY THREE THOUSAND TWO HUNDRED AND 00/100 DOLLARS (\$23,200.00)) be placed upon its second reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Ginesi, Schaffter, Hardy, Crawford, Hartung, Dike, Artino (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained that it has been 10 years since this maintenance dredging was done and noted that at that time the city had received a grant which covered 100% of the expense. He noted that KS Associates has worked closely with staff on a number of projects and explained that they are familiar with the marina itself and the proposal is recommended for approval. Mr. Steinwart reviewed the first two phases of the engineering agreement (Exhibit A) which include the dredge analysis and the permitting process, noting that permits will be required which can take upwards of 6 months to obtain approval. He also referenced open lake disposal will no longer be an option after 2020 with the adoption of Senate Bill 1 and also noted restrictions with regard to dumping through ODNR from April 15 through June 15, noting that this shortens the timeline further. The Mayor referenced using KS Associates on the Showboat property and recalling some difficulties with them near the end when they didn't get the inspection portion of the project. Mr. White stated that there were some delays relative to the completion of the design, but explained that that was a different type of project and noted administration is comfortable moving forward because they have worked so closely with Parks & Recreation and are familiar with the marina, but noted it is Council's decision if other options are desired. He noted he believes this is the most cost-effective option and referenced the complexity of the showboat project. The Mayor asked if Mr. Matricardi was going to be working on this project, Mr. Steinwart noted he is on the KS staff and commented he has completed the last two cycles of dredging and has over 30 years experience. Mr. Artino asked if KS designed the shoring of the Showboat, noting that he realizes the weather pattern has been unusual but the property has been flooding more, noting his concern that something could have been done and expressing concern with using the same company. The Mayor confirmed KS did the design, and acknowledged the issue with regard to inspection, but noted the high water tables and winds out of the north. Ms. Crawford noted the water is 63" above chart data. Other members commented on the flooding throughout the area. Mr. Steinwart confirmed that any land touching the lake is having flooding issues and referenced the flooding on the entire pier. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-23. Members of Council voted as follows:

YEAS: Ginesi, Hardy, Crawford, Dike (4)

NAYS: Schaffter, Hartung, Artino (3)

There being a majority vote in favor of adoption, Resolution No. 2018-23 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-24

Motion by Mr. Hardy that the three reading rule be suspended and Resolution No. 2018-24 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID AND ENTER INTO AN AGREEMENT WITH PROFESSIONAL ELECTRIC PRODUCTS COMPANY (PEPCO) FOR LABOR AND MATERIALS RELATED TO THE ELECTRICAL SUBSTATION EQUIPMENT PROJECT IN AN AMOUNT NOT TO EXCEED TWO MILLION FIVE HUNDRED THIRTY EIGHT THOUSAND AND 00/100 DOLLARS (\$2,538,000.00)) be placed upon its second reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Hardy, Crawford, Hartung, Dike, Artino (5)

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter (2)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White noted this is a significant component of the substation that will supply power to Mucci Farms. He noted the total project cost is anticipated at \$3.5 million and in order to meet the timeline, the city has been working with the contractor in order to stay on schedule to provide electricity by October of 2018. He noted the contractor has been advised that Council just didn't have the votes at the last meeting to be able to take action on the award at that point. He noted that there will be one additional piece of legislation associated with this project between now and the end of the year (Phase 2), referencing that once adopted, administration will present information to the Finance committee to structure the rate for the wholesale agreement. He explained that as a utility this does not rely upon any general tax dollars of the city as it is paid by the utility customers. He noted the substation has an estimated at 50-60 year shelf life and the debt can be paid off in 10 years. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-24. Members of Council voted as follows:

YEAS: Hardy, Crawford, Hartung, Dike, Artino (5)

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter (2)

There being a majority vote in favor of adoption, Resolution No. 2018-24 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-25

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2018-25 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF HURON, OHIO, WITH THE HURON CHAMBER OF COMMERCE RELATIVE TO THEIR LAKE FRONT MARKET EVENT TO BE HELD AT LAKE FRONT PARK ON SATURDAY JUNE 9, 2018.) be placed upon its second reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White recognized Ms. Roldan in attendance. He reviewed the event details for the planned outdoor market at Lake Front Park on June 9, 2018. Mr. White referenced support of the Chamber bringing in such an event. He noted the Chamber will be responsible for the administration of the event with some help from the Parks and Recreation staff and explained the Chamber will be contacting residents affected by their proposed road closure. Ms. Roldan noted that the Chamber was requesting the \$500 fee be waived for the first year and explained that they are charging a low fee to vendors, trying to promote small businesses, and bringing a new event to the community. The Mayor noted he would not have an issue with waiving the fee, and asked if there was a rain date and if they had contacted affected residents around the park. Ms. Roldan said that they have not yet contacted residents as they were waiting until Council had approved of the event. Ms. Roldan reviewed the event details, noting that there is no admission fee to the event. Mr. Artino noted he is in support of the event, but stated that typically the Council would ask that the Safety Committee review this and also would like to know more about the proposed fee, but has no problem waiving it. The Mayor noted he believed the proposed fee was based on a 3-day rental fee. Mr. White noted that there is no formal fee schedule, but explained that staff looked at similar events to come up with a fee. He explained that in the future a fee

schedule may need to be established or determine a percentage of sales agreement like is done for Nickel Plate concessions or a flat rate. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-25. Members of Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-25 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2018-8

Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2018-8 (AN ORDINANCE AMENDING ORDINANCE NO. 2017-45, ADOPTED DECEMBER 27, 2017, RELATING TO EXHIBIT "A" APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018) be placed upon its second reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Ordinance by its title only. The Mayor asked if there was any discussion. Mr. White reviewed the entries appearing on Exhibit "A" of the ordinance which correlate with expenditures of items discussed earlier in the meeting. He noted the expenses include: \$23,650 for dredging associated with the boat basin marina, \$35,621 relative to the design of Sawmill Parkway, and \$2,538,000 for the substation project for Mucci Farms. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2018-8. Mr. Ginesi noted he would abstain from the final vote since a large portion relates to the electric fund. Members of Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino (6)

NAYS: None (0)

ABSTAIN: Ginesi (1)

There being a majority vote in favor of adoption, Ordinance 2018-8 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

New Business

Motion(s) setting Public Hearings- Zoning Code Amendments

The Mayor noted that motions are in order to set two public hearings relative to proposed Zoning Code amendments:

- 1) **Prohibition of recreational marijuana sales/dispensaries within the City of Huron.**

Motion by Mr. Artino to set a Public Hearing on May 22, 2018 at 6:30p.m. relative to a prohibition of recreational marijuana sales/dispensaries within the City of Huron. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Artino, Ginesi, Schaffter, Hardy, Crawford, Hartung, Dike (7)

NAYS: None (0)

There being more than a majority voting in favor of the motion, the Mayor declared the motion passed, and the public hearing set.

2) Zoning Code modifications relative to medical marijuana dispensaries within the City.

The Mayor recognized Mr. Artino and asked if he would report on action/recommendation from the Planning Commission. Mr. Artino explained that the Planning Commission made the recommendation to prohibit dispensaries anywhere within the city limits, noting that a public hearing is to be set and final decision to be made by Council. Ms. Alkire explained that the motion tonight will set the public hearing and noted the motion that went to the Planning Commission had zoning modifications, the recommendation that came back from the Planning Commission was a prohibition. Council can accept, modify, or reject that recommendation but Council must hold a public hearing first and it has to be advertised for a minimum of 30 days. Ms. Crawford asked if one public hearing could be held for both motions; Ms. Alkire advised that there should be two separate hearings but can be held on the same night. **Motion by Mr. Artino to set a Public Hearing on May 22, 2018 at 6:30p.m. relative to medical marijuana dispensaries within the city.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Artino, Ginesi, Schaffter, Hardy, Crawford, Hartung, Dike (7)

NAYS: None (0)

There being more than a majority voting in favor of the motion, the Mayor declared the motion passed, and the public hearing set.

Resolution 2018-26

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2018-26 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE A GRANT SUBMISSION BY THE HURON POLICE DEPARTMENT TO THE OHIO ATTORNEY GENERAL'S OFFICE FOR THE 2018-2019 OHIO DRUG USE PREVENTION GRANT PROGRAM) be placed upon its first reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this is an annual grant submission related to funding for the Drug Abuse Resistance Education (D.A.R.E.) program and the School Resource Officer. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-26. Members of Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-26 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-27

Motion by Mr. Hardy that the three reading rule be suspended and Resolution No. 2018-27 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT STATE PRICING AND ENTER INTO AN AGREEMENT WITH TCF EQUIPMENT FINANCE FOR THE LEASE/PURCHASE OF A 2018 FREIGHTLINER M-2 WITH A TRUCK MOUNTED VAC LEAF PICKUP UNIT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY SIX THOUSAND SIX HUNDRED AND 00/100 DOLLARS (196,600.00)) be placed upon its first reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Hardy, Crawford, Hartung, Dike, Artino, Ginesi, Schaffter (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this purchase follows Council's strategy with regard to Storm Water Management fees and provides for the return of the curbside vacuum leaf pickup service. He reviewed the current service and noted that this expanded service will provide scheduled dates in the fall for the vacuum pickup of leaves at the curb. He referenced this service is one component of the revenue from Storm Water Fees, and reviewed the lease payments associated with purchase of the vehicle. He recognized Street Foreman, Steve Didelot, in attendance. Mr. Didelot provided details about the truck, noting it will be a one-man operation and the truck is ready for delivery. In response to a question from the Mayor about the issues in the past with leaves not being able to be picked up due to being snow covered, Mr. Didelot stated that according to the demonstration, the machine is capable of vacuuming up snow covered leaves. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-27. Members of Council voted as follows:

YEAS: Hardy, Crawford, Hartung, Artino, Ginesi, Schaffter (6)

NAYS: Dike (1)

There being a majority vote in favor of adoption, Resolution No. 2018-27 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-28

Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2018-28 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT DOCUMENTATION TO ODNR- DIVISION OF WATERCRAFT FOR APPROVAL OF THE PLACEMENT OF NAVIGATIONAL AIDS (BUOYS) AND ACKNOWLEDGING THE CITY'S INTENT OF ENFORCEMENT) be placed upon its first reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Ginesi, Schaffter, Hardy (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White referenced discussion on this topic for the last year relative to inquiries the city had received from some residential properties in the city. He noted Mr. Dike has been an advocate of the project and the city prepared the necessary legislation to be adopted by

Council in order to submit the plan to ODNR-Div. of Watercraft for approval of the placement of the buoys to enable enforceability. Mr. White noted once adopted the city will submit and advise Council of ODNR's response. He noted as has been talked about in the past, the issue has been raised with regard to enforcement and if the city's plan for placement is approved it will provide the authority for enforcement. Mr. Dike inquired of the spacing of buoys, confirmation of the location of the swim and boat lane buoys represented on the maps, and asked for a recap of the process to date. Ms. Alkire recapped the efforts, noting that ODNR required the city to first submit information to the Coast Guard, which the city did, and the Coast Guard advised they did not need to provide further approval on it. ODNR then instructed the city to utilize the grant application form even though the city is not applying for a grant at this time, but can submit a grant in the fall for next year. ODNR noted that once they receive the application they will expedite as soon as possible. Mr. Ginesi questioned the location of some buoys, a brief discussion ensued. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-28. Members of Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Ginesi, Schaffter, Hardy (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-28 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-29

Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2018-29 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH OHM ADVISORS FOR THE PROVISION OF SURVEYING, ENGINEERING, BIDDING AND CONSTRUCTION SERVICES RELATED TO THE SAFE ROUTES TO SCHOOL SIDEWALK PROJECT ON CLEVELAND ROAD WEST AT A COST NOT TO EXCEED FIFTY SEVEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$57,500.00)) be placed upon its first reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Artino, Ginesi, Schaffter, Hardy, Crawford, Hartung, Dike (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White recognized the efforts of the Engineering Department and referenced previous reporting of the grant award for the Safe Routes to School Grant Award in the amount of \$370,000 for Cleveland Road West (south side only) which is an 80/20 grant split. He reviewed the need for sidewalks in this area, reviewed the grant award and explained that in order to prepare for the project, acceptance of the OHM proposal is in order. Mr. White referenced previous discussions relative to modifications to the zoning code pertaining to asphalt paths as opposed to concrete and referencing areas such as Bogart Road from Rye Beach to Main Street where this could be constructed if Council is in support. He acknowledged Mr. Green and Huron City Schools and the Mayor recognized Carrie Whitaker from MPO for her efforts as well. Mr. Artino inquired about pedestrian crossing lane markings. Mr. White and Mr. Green noted the matter will be brought up with the state and information will be reported back to Council. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-29. Members of Council voted as follows:

YEAS: Artino, Ginesi, Schaffter, Hardy, Crawford, Hartung, Dike (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-29 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-30

Motion by Mr. Hardy that the three reading rule be suspended and Resolution No. 2018-30 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID AND ENTER INTO AN AGREEMENT WITH SMITH PAVING AND EXCAVATING FOR LABOR AND MATERIALS RELATED TO THE 2018 ROAD PAVING PROGRAM IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED NINETY FIVE THOUSAND TWO HUNDRED SIXTY SEVEN AND 75/100 DOLLARS (\$795,267.75)) be placed upon its first reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Hardy, Crawford, Hartung, Dike, Artino, Ginesi, Schaffter (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this bid award would be one of two relating to the 2018 Road Paving Program which is comprised of critical rated streets, noting that the Rye Beach neighborhood base bid will be awarded later in the year due to restrictions in the timeline associated with the OPWC funding. He reviewed the streets included in this bid award: Village Green-base bid, Alternates: Portland, Brunswick, Beachside, Gateway, Hawthorn, Ironwood, Magnolia, and Waterworks. Mr. White noted Mr. Green has talked to the contractor regarding holding his unit costs, based on Council desires to potentially add additional streets following discussions about the Beachwood area with regard to the mix of asphalt and concrete roadways. He noted the additional costs will be brought back to Council for consideration as directed. Mr. Green noted he has taken measurements of the 16 additional street sections that Council discussed and has put together cost information based on the unit costs in the bid and is awaiting final verification from the contractor before providing this to Council for direction. Mr. White noted he has spoken to Mr. Wright who is on the association board at Beachwood regarding their concerns of the appearance of the asphalt and concrete streets in the neighborhood. Mr. White advised the city may not be able to commit to all additional portions in 2018, but suggested doing these over a few years. Mr. Dike advised a public informational meeting be held. Mr. White explained this can be done once Council has made final determination of the additional work. Mr. Green recapped the timelines of the project and Mr. White referenced the efforts of Engineering in bidding out the project this early explaining the advantage in doing so early in the year referencing the bids came in lower than the estimate by approximately 15%. Mr. White advised that in the future the city should continue to get these projects bid out early. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-30. Members of Council voted as follows:

YEAS: Hardy, Crawford, Hartung, Dike, Artino, Ginesi, Schaffter (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-30 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion

- Recapped discussion at the Work Session meeting this evening relative to the recommendation from the Erie County Tax Incentive Review Council (TIRC) to terminate the tax abatement for

the Huron Senior Residence. He explained Huron Senior Residence has argued for a lower market valuation on the property and have been delinquent with their payments to the schools. He recapped how the tax abatement and gift back in the agreement works. He advised that no action was required this evening as more investigation is needed and explained the city can try to compel them to make their payments or can terminate the abatement. He noted he would talk to the Mayor about the matter and suggested perhaps inviting the county to come to a work session meeting. The Mayor recognized school board members in attendance and asked for input from the school and suggesting the school be included in the meeting as well. The Mayor noted Huron Senior Residence was a year late in making their payment to the school and also referenced creation of a policy in the future specifying that a company cannot receive both tax abatement and seek a reduction in valuation. The Mayor stated that the city would set something up and notify the school.

- Integrated Wellness Partners (IWP) feasibility study: Report being finalized at this time. Mr. White explained that based on some positive input from BGSU Firelands, FRMC, and some of the private dollars, it looks optimistic for a wellness facility in close proximity to the Firelands campus which would include the wellness component, lease space for medical, and an aquatics component. He noted continued discussions with stakeholders explaining that some issues must be approved by main campus and possibly at the state level. He referenced the consideration that will be needed in the event of any momentum with Cedar Fair and the Sandusky YMCA relative to a relocation next to the Sports Force location as there is not an adequate footprint to have two of these facilities within that close of proximity.
- Referenced presentation by Liberty Development at the work session this evening relative to the redevelopment of the ConAgra site. Referenced the public forum to be held on April 26th at BGSU Firelands with landscape architects to work with the public to determine aspects of the public space of the site and a general overview of the site.
- Referenced correspondence from Regional Income Tax Agency (RITA)- RITA petitioning its membership to pass legislation in opposition to a measure to limit their ability to communicate with their members via marketing materials. The Mayor added the hearing is on April 11 at 10am, noting it's an amendment to Senate Bill 239.

The Mayor asked if there were any questions for the City Manager:

- Mr. Dike asked for status of the removal of light poles on Main Street by Ohio Edison. Mr. Green noted that Mr. Spacek reported that he expects the lighting to be done at the end of the month.
- Mr. Dike asked for clarification on the May 22nd Public Hearings, referencing the motions on the zoning portion, prohibition of recreational marijuana dispensaries, and the business code aspect. The Mayor responded that Council will go through and review this at a work session prior to the meeting. The Mayor referenced the motions made by Council and the recommendations made by the Planning Commission to Council explaining that Council can accept, modify or reject the recommendations. He explained unless the recommendation by the Planning Commission to prohibit medical marijuana dispensaries is accepted, there will be legislation to consider addressing the second part of Mr. Ginesi's motion (business regulations) and the 1,000 ft. distance to be incorporated into the ordinance language. Mr. Dike asked for confirmation of what would happen if the state were to grant a dispensary license before the meeting. The Mayor referenced the motion that City Council made and passed, and Ms. Alkire confirmed the same, noting it is premised on the receipt of an occupancy permit which the city, through City council action, has already stated would not be issued by the city. The Mayor and Ms. Alkire referenced recent information from the State on timelines for licensing awards: 50 applications submitted in the first round for Physician certifications with the state possibly announcing those this week, testing laboratory certifications anticipated the first part of May, dispensary licenses in mid-May and processing licenses in June. Mr. Artino commented that while he believes Mr. Ginesi and

the Mayor have done a good job in explaining Mr. Ginesi's motion previously, the recent survey questions caused confusion.

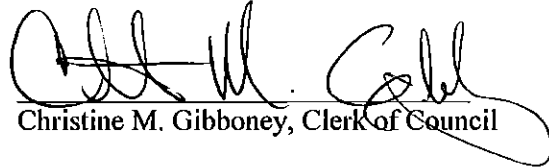
Mayor's Discussion

- Referenced the public meeting on April 26th 6:30p.m. at BGSU Firelands for public input on the public areas on the former ConAgra site. He recapped some of the ground issues on the site. He also noted the 53rd Annual Community Action Commission luncheon on May 3, 2018.

For the Good of the Order

- Mr. Ginesi reported for the record that Wilkes and Company was not awarded the bid for work at OPC or Mucci Farms.
- Ms. Crawford referenced attendance at the recent Lake Erie Shores and Islands annual meeting and referenced the article in the *Sandusky Register* today with a rendering of the Lake Erie Love signage to be placed at Nickel Plate Beach, noting that this was mentioned at the annual meeting and had shared statistic tourist information.

There being no further business to come before the Council, the Mayor declared the regular meeting of April 10, 2018 adjourned at 7:52p.m.



Christine M. Gibboney, Clerk of Council