

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, May 11, 2021 at 6:30 p.m.

Call to Order

The Mayor called the meeting of the Huron City Council to order at 6:30pm on May 11, 2021 at Huron City Hall. 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.

Roll Call

The Mayor directed the Clerk to call the roll for the regular meeting of Council. The following members of Council answered present: **Mark Claus, Monty Tapp, Sam Artino, Joe Dike, Trey Hardy and Joel Hagy**. Members absent: **Christine Crawford**.

Motion by Mr. Claus to excuse Ms. Crawford's absence from the meeting. The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy (6)
NAYS: None (0)

There being a majority in favor of the motion, the motion passed.

Staff participating in the meeting: City Manager Matt Lasko, Interim City Manager Mike Spafford, Finance Director Cory Swaisgood, Law Director Todd Schrader, City Engineer Russ Critelli, , Police Sergeant Sean Ryan and Clerk of Council Terri Welkener.

Approval of Minutes

None.

Audience Comments

None.

Old Business

Ordinance No. 2021-14

Motion by Mr. Hardy that Ordinance 2021-14 (AN ORDINANCE ESTABLISHING RATES, TERMS AND CONDITIONS FOR ELECTRIC SERVICE THROUGH HURON PUBLIC POWER) be placed upon its second reading.

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Hardy, Hagy, Claus, Tapp, Artino, Dike (6)
NAYS: None (0)

There being a majority of votes in favor, Ordinance 2021-14 was placed upon its second reading. The Law Director read the Ordinance by its title only.

Mr. Lasko said that he had nothing additional to add as it relates to the rate agreement itself, but was certainly happy to answer any additional questions. As this is the second reading, he noted that this was

discussed at the Finance Committee meeting last night in detail, and they did provide a recommendation in support.

New Business

Ordinance No. 2021-18

Motion by Mr. Tapp that the three-reading rule be suspended and Ordinance 2021-18 (AN ORDINANCE AMENDING AND RESTATING CHAPTER 557 NUISANCE CONDITIONS PROHIBITED (GRASS, WEEDS AND VEGETATION) AND DECLARING AN EMERGENCY) be placed upon its first reading.

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Tapp, Artino, Dike, Hardy, Hagy, Claus (6)
NAYS: None (0)

There being a majority of votes in favor, Ordinance 2021-18 was placed upon its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Tapp to place Ordinance 2021-18 as an emergency measure.

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Member of Council voted as follows:

YEAS: Tapp, Artino, Dike, Hardy, Hagy, Claus (6)
NAYS: None (0)

There being five or more votes in favor, Ordinance 2021-18 was placed as an emergency measure.

Mr. Lasko said that he would have Mr. Spafford walk Council and the public through the legislation, but wanted to acknowledge the work that Mr. Schrader and his team have put in on this, and also mention the addition of Erik Engle to the team has given us the ability to start looking more deeply into some of our codified ordinances as it relates to zoning, nuisance issues, etc.

Mr. Spafford said the additional of a part-time Code Enforcement Officer and the new Planning and Zoning Manager made modification of these regulations with the research of Mr. Schrader and his firm, more effective. The issues we are trying to address are expediency and also escalating the scale from an enforcement standpoint. As things currently stand, anytime a property becomes within violation, we send certified mail the them and they get a 10-day window to abate the issue. This 10-day window doesn't open until they have actually received the violation, so you can imagine that by the time your grass hits 6", add 3-4 days to get the certified notice, and then add another 10 days, it could be 2 weeks after the violation for the deadline to expire. What the proposed legislation allows the City to do is to post notice in a conspicuous manner on the property immediately upon the violation being noticed and certified by staff. Secondly, we shortened the timeframe from 10 days down to 7 days for abatement, feeling that 10 days leads to 2 weeks of additional growth, exacerbating the issue. Prosecutor Kaufman assisted in revising the language pertaining the enforcement, resulting in a sliding scale of enforcement from a penalty standpoint by increasing for repeat offenses within the same calendar year. Each additional charge is then escalated from a minor misdemeanor in the first degree to becoming a misdemeanor of the fourth degree. We don't want the City to become the law mover of choice for some of problem properties. We are trying to bolster our code enforcement efforts.

Mr. Dike asked if his grass is overgrown and the City sends him a letter, that it's not until he signs for it that the 7 days begins. Mr. Spafford answered that once the City can confirm that the certified letter has been received, that is when the 7 days starts. That time can be speeded up by posting the violation conspicuously on the property, which starts the 7 days. The second our code enforcement officer notes that the grass is over a certain height limitation, we will have signs made up that can go right on the property, and that starts the 7-day clock. The City will be more proactive in locating these violations with the additional staff. Mr. Dike asked who cuts the grass. Mr. Spafford said that we contract through Barnes. The cost mechanism doesn't change, but we bill back to the resident 125% of the City's cost. If that invoice is not paid, it then gets added on the tax duplicate as an assessment. Mr. Dike said we may get a question of why we use Barnes as opposed to another local company. Mr. Spafford said we use Barnes because of their responsiveness and have had that relationship for 10+ years. Mr. Dike said maybe there should be a method where there's 5 contractors and just go down the list.

Mr. Schrader said another important feature of the revised legislation is that if we send out a certified letter and we can't find the citizen (comes back unclaimed or undeliverable), we previously would have to publish something every time that happened. We have changed it now so that if we can't find you/serve you, we are going to publish once and that one publication is going to last for all violations for the balance of the calendar year. Therefore, the staff is not constantly chasing their tail every 7-10 days when you have to send another notice out. That was done in collaboration with the staff and Attorney Kaufman so we don't have to continue going through the process to give notice and it lasts for the year. For those that believe they are aggrieved, there are actually three (3) notices: one notice at the beginning the year stating that we are going to enforce grass cutting; the second notice is if we can't find you, we will notify you by published notice, and the third is the ordinance itself.

Mr. Dike asked if this combats anything with the railroad properties that are overgrown. Mr. Spafford said that if the property is located within the City, they are subject to our ordinances. Mr. Dike said that he didn't think anything was really going to happen, and just wanted to make that point.

Mr. Claus asked how many properties are currently being cut each year. Mr. Spafford said that he would be guessing, but believes it would be approximately 20-30. Mayor Artino asked if we have repeat offenders. Mr. Spafford said that we do (in the single digits). Mr. Spafford said the number has increased since they have added code enforcement staff able to proactively get out in the field.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2021-18. Members of Council voted as follows:

YEAS: Tapp, Artino, Dike, Hardy, Hagy, Claus (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2021-18 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 27-2021

Motion by Mr. Claus that the three-reading rule be suspended and Resolution 27-2021 (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 FRIDAY, JUNE 11, 2021 AND SATURDAY, JUNE 12, 2021) be placed upon its first reading.

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy (6)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 27-2021 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko asked Mr. Spafford to walk Council through this legislation, and thanked the Chamber of Commerce for their leadership on this event.

Mr. Spafford said this is the third annual (would have been the 4th, but for Covid) event. It has been very successful and has grown each subsequent year. This year's program has been reduced just a little bit to acknowledge social distancing and various Covid regulations. The major modification that is different from years past is that there is a proposal to extend the timeframe. What was traditionally a 1-day event is now being expanded to include a private event on Friday evening. A small portion of the park will be partitioned off that would be an exclusive event on Friday night to pre-shop. The roped off area is highlighted in the agreement, and is the area surrounding the shop location. The private event hours will be from 5-9pm on Friday, and then the event itself will be held on Saturday. For the additional usage of the park, the proposed fee has been increased from \$500 to \$750 (1-1/2 days). From an operations standpoint, the agreement acknowledges that this event involves road closures, specifically Wall Street, Ohio Street and portions of Park Street, to allow additional space for food truck vendors, dining areas, etc. The Chamber of Commerce will coordinate with those property owners to ensure that (a) they are properly noticed ahead of time, and (b) they are also required to man the gates at the barricades in the event any of the property owners need to get in or out. All vendors abide by the City's festival regulations. Officer(s) needed for overnight site security will be contracted directly with the police department at actual cost.

Mr. Tapp asked if there will be more officers scheduled on that date. Mr. Spafford said that it is typical during the summer months to have more patrols on the weekends with the additional "beach control officer." During the day on Saturday, we will have an additional officer from 11am-9pm.

The Mayor asked if there were any questions or discussion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 27-2021. Members of Council voted as follows:

YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 27-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution No. 28-2021

Motion by Mr. Hagy that the three-reading rule be suspended and Resolution 28-2021 (A RESOLUTION ADOPTING THE ERIE COUNTY NATURAL HAZARDS MITIGATION PLAN) be placed upon its first reading.

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Hagy, Claus, Tapp, Artino, Dike, Hardy (6)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 28-2021 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said this resolution would adopt Erie County's Natural Hazard Mitigation Plan, which has received conditional approval from FEMA. That approval is conditioned on 9 separate communities adopting that plan, one of which is the City of Huron. This plan is required to be adopted for those communities to be able to be eligible for post-disaster mitigation grant funds. There has been a great deal of planning that has gone on to bring this up to date as of the end of 2020. This plan was adopted by Erie County in January of this year. It's a very thorough and extensive document covering risk of hazards locally and mitigation measures that each community can take and should take.

Mr. Hagy said the document was incredibly interesting. He wonders if there is an action plan for each of the communities – there is a lot of great data about each community, but he didn't see a plan for each community. Mr. Lasko said there is a plan for each community, but it is buried later on in the document. The document goes through all 9 communities in a grid pattern in which they discuss some of the hazards that each community is at risk for, and recommended mitigation measures that can be put in place. There is a localized plan for each jurisdiction embedded within the document.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 28-2021: Members of Council voted as follows:

YEAS: Hagy, Claus, Tapp, Artino, Dike, Hardy (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 28-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution No. 29-2021

Motion by Mr. Tapp that the three-reading rule be suspended and Resolution 29-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WATERCRAFT, FOR A MARINE PATROL ASSISTANCE GRANT FOR THE HURON POLICE HARBOR PATROL PROGRAM IN THE CITY OF HURON IN THE AMOUNT OF THIRTY THOUSAND THIRTY-ONE AND 87/100 DOLLARS (\$30,031.87); AND FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO A MARINE PATROL EQUIPMENT LOAN COOPERATIVE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES DIVISION OF PARKS & WATERCRAFT FOR WATERCRAFT LAW ENFORCEMENT) be placed upon its first reading.

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Tapp, Artino, Dike, Hardy, Hagy, Claus (6)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 29-2021 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said we are once again excited about the support from ODNR through this grant program. This is seeking acceptance of the grant for 2021. The grant for this year is just over \$30,000. There is a required 25% local match, which is just over \$10,000 for the City of Huron as part of that program. That has been included and accounted for in the budget for 2021.

Mr. Hagy asked if the fire department has a similar grant. Sergeant Ryan answered that this grant relates only to police, and there is no similar program for the fire department.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 29-2021. Members of Council voted as follows:

YEAS: Tapp, Artino, Dike, Hardy, Hagy, Claus (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 29-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Motion by Mr. Dike setting a Public Hearing for the Fiscal Year 2022 Tax Budget for Tuesday, June 22, 2021 at 6:30pm

Mr. Swaisgood said that this an annual requirement under the Ohio Revised Code and the City's Charter. The annual tax budget must be submitted to Council by June 1st, and in June there has to be a public hearing (second meeting in June). The tax budget will be presented to Council at that meeting and following approval of the tax budget, will then be submitted to the County for approval at the County level. The City will then receive certified tax rates back from the County, which will then require Council's approval by October 1st of that year. This is an annual process that every municipality goes through, and this motion sets the date and time for that public hearing.

The Mayor asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Dike, Hardy, Hagy, Claus, Tapp, Artino (6)
NAYS: None (0)

There being a majority of votes in favor, the motion passed and a public hearing on the Fiscal Year 2022 Tax Budget was set for Tuesday, June 22, 2021 at 6:30pm.

City Manager's Discussion

Mr. Lasko spoke on the following topics:

- **ConAgra.** On May 6th, the City released the Request for Qualifications and Preliminary Development Proposals, which are collectively referred to as the "RFP Process." Those responses are due to the City no later than 5:00pm on June 21st. Upon receipt of those proposals, there will be selection process that starts with internal team review and scoring of proposals and developer qualifications, followed by development team interviews and ultimately, public and Council presentations with either a proposed finalist or group of finalists so that everyone can understand the projects proposed for that site. We hope to identify that development partner by late summer or

very early fall. We have proactively, with the help of Montrose Group, provided that proposal and RFP to about 50 development companies, and we have also proposed the RFP on the City's website under the Development tab.

- **Rye Beach TIF.** There was an ordinance passed in 2012 establishing a Tax Increment Financing District, commonly referred to as the "Rye Beach TIF Area" that declared property improvements within the district exempt from real property taxation. Instead of paying property taxes, the property owners would make service payments to the City to support infrastructure investments in or around the Rye Beach area. The TIF included 79 parcels and approximately 375 acres. We found out that after the ordinance was adopted, the required DTE forms were not submitted to the Ohio Department of Taxation, and the Tax Commissioner had not formally approved that TIF, which means that TIF is not enforceable. We have partnered with Bricker & Eckler out of Columbus, in addition to Seeley, Savidge, Ebert & Gourash to review that TIF paperwork to clean it up and update it so that it can be enforceable. Through that process, we have reduced the number of parcels that will be included in this amendment to be presented to Council, partly because some of the parcels are not eligible if they were City owned or residential in use. There will be an updated list that's slightly lesser than the original ordinance, and will include 79 parcels. We will present that to Council for consideration on May 25th and if approved, we would file the requisite forms with the Ohio Department of Taxation so that we can begin receiving service payments that can support future infrastructure investments in the area. We have alerted the school system and put them on notice, as required. They are not required to take action because this is a non-schools TIF and their traditional revenue streams are not impacted. They have been put on notice of the amendment we hope to present to Council at the May 25th Council meeting.
- **Route 6 Street Lighting.** The advertisement for bids was published in the Sandusky Register on May 10th and May 17th. There is a pre-bid meeting to be held on May 18th, with bid opening on May 27th. Allowing time for ordering and delivery of those lights, we are expecting that work to commence in late summer.
- **Master Plan Update.** We have completed two work sessions of Council and have settled on a series of decision-making principles, goals and vision statement that will guide the update to the Master Plan for the next 3-5 years. Staff is hard at work evaluating draft capital projects and initiatives in a work session on May 25th at 5:00pm, which will be presented to Council and the public. He is looking forward to that in the upcoming weeks. Through that, we hope to eventually adopt an updated Master Plan in late June or very early July.
- **Water Department.** The majority of road surfaces have been repaired from the water main breaks. There are a few that are still finishing up at the moment. The tube settler and building project, which will result in the expansion of capacity to the water plant, is out to bid. It was advertised on May 5th and May 12th, and those bids will be due in the upcoming weeks. The repairs to the Rye Beach water tower have been completed.
- **Street Department.** The new signage on North Port (speed limit and no parking) have been installed, and the radar speed signs have been moved back to Laguna Drive, where they were a couple of months ago.

Mr. Dike asked what the game plan for restriping – he doesn't want to see it get so far into the summer to where we are once again worrying about the winter months. He wants to make sure that we give enough time for the general public to provide their feedback. Individuals have approached him giving both positives and negatives, and he tells them to please pass them along to the Clerk. He wants to make sure to where everyone feels that they have had a fair chance to give their opinions. Mr. Lasko said that we do need to make updates to the temporary striping, which is fading. Mr. Critelli has completed the walkthrough with CTL to identify those areas that need to be restriped. That restriping will, hopefully, be done next week – a date has not been selected, but should be next week. He spoke with Mr. Spafford and Mr. Critelli today as relates to the visuals/renderings for the public as to what a potential bike lane might look like in terms of

coloration and additional delineation. Our hope is to get that out in the next couple of days. That will include cross-sections, aerials and pictures of what bike lanes look like in other communities – this is very important. Data collection for Phase 1 is underway and we hope to be able to present that to Council in early-/mid-summer. We do want to hit some of the summer months so that we understand the boat traffic and the additional tourism traffic coming into town. Our timeline is to come up with a determination/recommendation in mid-/late-summer so that final striping plan, no matter what it is, can be done in September.

Mr. Hardy asked for confirmation that we are staying with the design as it sits for the summer. Mr. Lasko confirmed that is correct. It doesn't mean that it can't change, but if it changes it would happen in September. Mayor said that is up to Council – Council set the date for June 1st and there was some concern from citizens that asked us to extend it at least through June so we could get a better idea, but when the decision is made is entirely up to Council. Mayor Artino asked if the decision is made quicker, can the final striping be done earlier than September. Mr. Claus said they are collecting data to make sure we get the summer traffic included. Mr. Critelli said, from a process standpoint, we are doing the data collection per Council's request – that has to get to ODOT to have them weight in. That is a formality to the study itself, and at that point, depending on the direction Council chooses, ODOT is going to have to approve those final pavement marking plans. We have that timeline that has to be built in, which is why September is our goal to have the information ready for the contractor to put the striping down. Prior to that, OHM's job is to make sure the community outreach is done, ODOT has the study, feedback is received, and the public outreach is documented properly. That process has an end date of September to get information to the contractor for final striping application. Mr. Tapp said it is important to get those renderings out to the community, as we as to Council. We get positives and negatives on both sides, but the negatives are usually the safety issues, which are more important. People are going to have to see what the end product will look like. It is hard for them, and Council, to envision right now. Mr. Critelli said they are anticipating having some renderings for internal review by the end of this week. They are working on the exhibits themselves, which will be from both an education standpoint, as well as representative of what this could potentially look like. Mr. Claus said he believes there are people on the fence because of safety issues if they think it is going to stay how it is currently striped, which is very limited. Mr. Critelli said they are working on a meeting with ODOT to discuss all of this information to make sure everyone is on the same page (tentative date is June 3rd). He is working with ODOT District 3 relative to both Phase 1, road diet, bridge lighting and the future railroad bridge crossing.

Mayor's Discussion

None.

For the Good of the Order

- **Mr. Claus** – Nothing.
- **Mr. Hagy** – Nothing.
- **Mr. Hardy** – Nothing.
- **Mr. Dike** – Nothing.
- **Mr. Tapp** – Reminder that here is a funeral service for Officer Bowens this Saturday at 11:30am at the Berlin Heights cemetery, with a get-together afterwards to the Harbor House.

Executive Session

Mayor Artino said that staff has requested an executive session, and that there would be no legislative action taken following the executive session.

Motion by Mr. Tapp to enter into executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion or compensation of a public employee or official, and to invite Mr. Lasko, Mr. Spafford and Mr. Swaisgood.

Mayor Artino asked if there was any discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

YEAS: Tapp, Artino, Dike, Hardy, Hagy, Claus (6)
NAYS: None (0)

There being more than five votes in favor of the motion, Council moved into executive session at 7:08pm.

Return to Regular Session

Council returned to regular session at 8:04pm.


Adjournment

Motion by Mr. Hardy to adjourn the meeting.

The Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

YEAS: Hardy, Hagy, Claus, Tapp, Artino, Dike (6)
NAYS: None (0)

There being more than a majority voting in favor of the motion, the Mayor declared the meeting of May 11, 2021 adjourned at 8:04pm.


Terri S. Welkener, Clerk of Council

Adopted: 25 MAY 2021

Upon approval by the City Council, the official written summary of the meeting minutes will become a permanent record, and the official minutes may also consist of a permanent video and/or audio recording, excluding executive sessions, in accordance with Section 121.01(III) of the Administrative Code.