

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Work Session Meeting Tuesday, January 28, 2020 at 5:30 p.m.

A work session of the City Council of the City of Huron, Ohio was called to order by Vice-Mayor Monty Tapp on Tuesday, January 28, 2020 at 5:30p.m. in the conference room of City Hall, 417 Main Street, Huron, Ohio.

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

Also present: City Manager Andy White, Law Director Benjamin Chojnacki, Finance Director Cory Swaisgood, Assistant to the City Manager Mike Spafford, City Engineer/Zoning Inspector Doug Green, Executive Administrative Assistant and Clerk of Council Terri Welkener.

Old Business

Revisions to Ordinance 2019-33 Section 1369 Rental Registration

Mr. Chojnacki stated that he has shared a draft of the revised ordinance with Mr. Claus that incorporates the substantive changes made to the original draft in light of conversations with the Building Official, John Zimmerman, which is now ready to go. The parallel track for zoning purposes requires the rezoning of the R-1 and R-1A districts to allow for usage as a transient rental within those districts. That matter was approved at the Planning Commission. The Planning Commission raised two specific questions that Council should be aware of. Mr. Chojnacki does not view them as being significant, but wanted to flag them for attention. The first question related to amending the City's zoning code to provide for neighborhood-by-neighborhood permitted or not permitted transient rental occupancy usage (particular neighborhoods or streets). Legally, that is not allowed or sufficient because it is considered "spot zoning" and simply not allowed. The alternative, which is an overlay district, which allow it to be in certain locations on a more tangible basis, is an option but it was Mr. Chojnacki's recommendation to either allow it in both R-1 and R-1A, or in one and not the other. To create an additional layer of zoning is likely going to create problems from an administration and enforcement standpoint, and could potentially create a legal challenge down the road. Asked by Mr. Hagy if an association could make that decision for itself, Mr. Chojnack stated that is a relationship between private parties, and could do so. If there is a rational reason why Council would want to create an overlay district, now would be the time to discuss that option, but it seems that the best course going forward would be to move forward with R-1 and R-1A having the permitted use, and only those districts. Absent someone having a different feeling on that, Council would move forward with potentially introducing the draft as proposed and modified through the process so far. The other policy issue that Council should discuss, and is ongoing, is the hiring of an individual to enforce and/or the fees to be collected.

Mr. Green said that when the administration had discussions with the Building Official about him doing the inspections, there would be no charge for that. Council and staff should be sure that the fee is commensurate with the fees charged in other cities around our area, and that those fees will allow the City to hire a part-time or full-time inspector. As well as rental registration inspections, it is hoped that the inspector can also be used for code enforcement.

Council discussed a registration fee of \$400, which is "rounding up" of the calculated cost of \$362 per inspection to cover the actual expenses of the inspector and administration. With \$362 being the best-case scenario, Mr. Hagy believed it would be wise to have some padding while the volume is unknown. Mr. Chojnacki explained that Council can make adjustments to the fees on an annual basis. Right now, the

working goal of the administration is to create that fee structure so that when the ordinance is enacted, there is a fee structure in place that can be renewed and/or updated on an annual basis based on costs and expenses.

Council also discussed the fee for re-inspections in case a registrant doesn't pass the initial inspection. A \$50 fee was discussed. Mr. White recommended that the discussion regarding the fees be discussed by the Finance Committee to make sure the amount is sufficient to cover the costs.

Mr. Claus asked if the implementation date of May 1, 2020 would still work, to which Mr. Chojnacki explained that even with three readings starting at the next Council meeting, there would be sufficient time to implement the program before that date. If an application is submitted, you are allowed to rent until a decision has been made on your certificate, which was done to protect people who have done this for years. Once the approval comes through, they are lawful, but they are also lawful once they submit their application.

Mr. Claus indicated that Mr. Zimmerman asked that the life safety inspection details be added back in under Definitions. Another change relates to there only being a 12-month certification as opposed to both 12-month and 24-month certifications. That way, inspections will be conducted annually. Mr. Claus also pointed out several typos to be corrected relating to labeling.

Mr. Chojnacki explained that Council has a couple of action items to keep moving on with the goal of introducing a draft for first reading at the February 11, 2020 meeting, being, (1) review the job description and provide feedback to staff with the goal being to move forward with advertising the position for an inspector; (2) give marching order to the Administration to finalize the fee schedule for presentation at the same time the ordinances are put on their first reading. The fee schedule will be completed by motion at a Council meeting as presented by administration. From there, the hiring decision will be made if Council is okay moving forward with a part-time inspector with the finalized job description. In response to Mr. Dike's query about the necessity of hiring both the zoning inspector and services directed at this time, Mr. White explained that staff is focusing on the zoning inspection piece first. The service director is a longer-term conversation, and structural change to the way the City is currently set up. Huron's building contract is with the Huron Township Trustees, and the Building Official is the Zoning Inspector or his designee. For the last several years, John has designated a City individual to run those day-to-day things for the zoning inspections. Mr. Dike commented that at the ECEDC Work Session, Ted Kastor said that a lot of Sandusky was cleaned up using zoning and code enforcement and staying on top them. If someone comes in and explains to Council, the members must stand behind the zoning inspector. Mr. White said that an underlying component of this entire process is to have the inspector not only available to step up this program, but to also dedicate time every week to go out into the community and find the problems before they get reported to Council, which will be a significant improvement.

Council agreed that implementation of the bed tax and revisions to the rental registration ordinance should be done over three readings, which still fits into the timeline. The zoning inspector position would initially be part-time, with a 3-day work week at 24 hours total at \$20/hour. The inspection program may not consume 24 hours per work, but any extra hours could be dedicated to zoning and/or building code enforcement. Mr. Swaisgood provided a printout of his research regarding current classifieds, job descriptions, etc. for part-time zoning inspectors at \$31,600 with related costs. 68% of the part-time cost is associated with implementation of Chapters 1369 and 189. That leaves another 32% for code enforcement. The position would report to Doug Green. Mr. Swaisgood asked Mr. Claus, being a member of the Finance Committee, if he would prefer to have the fee discussion at the next meeting scheduled for February 11, 2020 at 5:00pm, which is also the date of the next Council meeting.

At this point, John Zimmerman, Building Official, joined the meeting and the prior discussions were recapped for his benefit. Mr. Zimmerman expressed his agreement to the matters previously discussed, including the issue of spot zoning and the inspector's duties being limited to those outlined in the ordinance (and not enforcement of association rules).

Mr. Chojnacki asked Council members what their marching orders are for the administration. Ms. Crawford suggested that Council review the job description in detail so that it is ready to go. Mr. White suggested that the job description be reviewed at the next work session to be sure that it is what Council wants to accomplish, with the administration moving forward with the financing analysis on the fee schedule and get it to the Finance Committee on February 11th. Mr. Chojnacki asked Mr. Claus if he wanted to introduce the legislation after the Finance Committee discussion, or put it on the agenda on the same night of the work session. Mr. Claus agreed that the first readings on the rental registration and bed tax legislation can occur at the February 11th Council meeting.

Mr. White asked Council if they were comfortable with staff updating the financial analysis to include a fee of \$400 and a reinspection fee of \$50, which would be discussed by the Finance Committee and adopted by Council. Mr. Hardy expressed a concern that there may be a learning curve on the inspections, and thought that a lot of inspections may not pass on the first try during this first year. After discussion among Council, Mr. Swaisgood and Mr. Zimmerman, Council decided to recommend a waiver of the first reinspection fee, with subsequent re-inspections incurring a fee of \$50. Mr. White explained that the plan would be to have someone available on staff to review the process with applicants, with the entire registration process happening at City Hall.

New Business

City Hall Improvements

Mr. White explained that City Hall, which was building in 1974, has had numerous system failures over the past several years. Several upgrades have been made relating to a report that came out of a report several years ago. Mr. White suggested that staff should do a walk-through with the new Council members. The police department is in a state of disrepair, and is in need of updates. With regard to the zoning department, the plan is to move Mr. Green and Ms. Gibboney to the office at the far west end of the building to allow public access to the zoning department. Currently, when a person enters the building most of the business is conducted at the Finance window. Our staff is all the way in the back of the building. It is not uncommon for three people to come into the building, Cory is working with someone in his office and the other clerk is on the phone, and you are waiting to be dealt with. Ms. Gibboney's office at the north end of the building, and Mr. Green is somewhere out in the city or down the hallway past the conference room. The goal is to upgrade the facility by pushing everything to the door at Finance, move the staff up to the window, and zoning would go on the other side, which is currently storage. After the improvements are completed, there will be someone available at the window. With the belief that these improvements would be less than \$50,000, staff obtained three quotes for the renovations. The lowest quote was \$71,000 and the highest was over \$100,000. The City cannot legally award those contracts without going through a competitive bidding process. With the recent lean toward committee assignments, Mr. White recommended that Council appoint several individuals to start the process of sponsoring legislation. He is concerned that if the project goes to competitive bidding with a requirement to pay prevailing wages, the cost will go up. The Law Director suggested that staff look into putting together a Request for Proposals (RFP) and then bring in a design/build firms and let them tell us what should be done. Either way, there are some upgrades to the building that are necessary, but Mr. White could not suggest that Council approve moving forward with them based on the numbers in hand. The work needs to be done, but it there will be a pause to rethink things.

Mr. Green stated that there are some things that can be done short-term, at least with the Ms. Gibbons and him, to help the flow for customers/applicants coming in. The IT staff is currently working on moving the servers out of their current location into the electrical room next to Mr. Green's office, where HVAC has already been added to handle the heat load from the servers. Once that is completed, hopefully in the next 2-3 weeks, zoning will be moving in that office so there will still be a one-stop shop. It won't be the setup desired, but it is a lot better than the current situation.

Mr. White stated that staff doesn't have the qualifications to be building designers, and there may be a benefit for the City to bring someone else in to take a look at things, including the exterior of the building. City Hall sits 75' off the frontage on Main Street, and 80' off of Williams Street. We have all of that space available, and we can't do anything with it. It is worthwhile to establish a working group to come up with some parameters and then start making decisions in the form of recommendations to the City Council. Council should take a physical appraisal of the facility as a first step. The City made a considerable investment in roof repairs and upgrades to the HVAC system. There are chunks of tile missing within the police department and we have not had dispatch in the City in 10 years, yet we still have the facility there. The bathroom that is back there has failed, so it is closed off. Mr. Hardy suggested that we pay a professional to look at the footprint, come up with a design, and have meetings to let them know what we are looking for. It will probably cost \$5,000 to \$10,000. Mr. White said that we also have to consider ADA conformance, so it is important that we create that functionality at the same time. Mr. Spafford explained that the purpose of the task force would be to decide what the scale is going to be. Ultimately, the City has a list of \$85 Million of capital projects and we have \$50,000-\$100,000 for City Hall improvements. A full-scale retrofit of this building could be a couple million dollars. The biggest thing would be, rather than staff driving the discussion, to have a contingent of Council to be on the ground floor to set the overall direction of where City Hall is going to go. A scope is needed before an RFP can be submitted. Is this a blank slate project or is there a cap at \$200,000 for general improvements? The improvements could potentially be more than cosmetic, depending on Council's direction. It was suggested that Council have roundtable discussions at the next few work sessions after Council members have had an opportunity to tour the building. Mr. Swaisgood said that at his first interview, when he walked through the Finance Department, he was immediately aware that the servers are not secure in the current location with no climate control, and the finance area is not secure.

Mr. Chojnacki said that Council may consider, in lieu of a small working group, creating some sort of public works/capital improvements group that would guide the policy and direct the administration in where they should put their energies for big ticket expenditures, meaning this project, road improvements, other major municipal investments in excess of \$50,000-\$100,000 so that you are not getting piecemeal proposals for big ticket items you are going to have to start spending your money on. Having a dedicated group to make these decisions would benefit the administration in terms of guidance for how they put their efforts into putting these charts together. A group is needed to tell the administration where they need to invest their time on big ticket items. Mr. Chojnacki does not see that there currently exists a clean pipeline on how those things should be done. Today is the first time he had heard anything about the potential renovations, but it seems like there may be other things going on around the City that Council is spending money on or will have to spend money on in the next two years that should be taken into consideration. Mr. Swaisgood said that after the two major projects on US 6 are completed, we have budgeted \$350,000/year going forward for just street repair and maintenance, and thought that would be a perfect committee/group to sit down every year and talk about what administration should be doing the next year, and is that enough or is it too much. Mr. Green said that we are right around the corner from getting our new street ratings, which is what the administration has historically used to determine what is next with regard to the local street repairs. Ms. Crawford said that the worst streets were taken care of over the last year. Mr. Claus emphasized that the \$85 Million list of improvements must be looked at and prioritized, and perhaps adding or removing projects. The economic development discussions being run by ECEDC play directly into this process.

OHM Utilities Design Update

Mr. Green spoke with designer Chad Lewis, who is trying to get the 30% complete plans put together in the next week or two so that we can sit down with people from the Water Plant, the County and all of the other utilities to talk about capacities, location, etc. so that we can then continue with the plans. There will probably be some internal discussion as to whether the utilities will be run to the dead end, stop some of them halfway and/or choose some other strategic place to put connection points given that nobody in the room truly knows what ConAgra is going to be. It all starts with the utility companies first. Given all of their approvals and everything that is necessary, they are hoping to have something wrapped up by May or June, when it would be put out to bid and it could still be done this year, if Council chooses to do so.

Route 6 (West) Project

Mr. Claus asked Mr. Green what the timeline is for the Route 6 West project. Mr. White said that he met yesterday with the stakeholders and the State of Ohio out at Erie County. Mr. White provided packets to Council members on what the proposed impacts are within the City and Township. The State of Ohio is going to come in and run this project. The concepts and ideas are all theirs, and covers the stretch of Cleveland Road (US 6) all the way into Cedar Point. The City's cost out of pocket is 5%, down from 10%. Mr. Green explained that the three roundabouts project would cost approximately \$4 Million, with ODOT safety funding paying for 90% of improvements. ODOT would put the grant application together themselves with the support of Council. From the meetings with Russ Critelli and ODOT Mr. Green had this morning in Ashland, they rank the Rye Beach intersection as #1 on their list. 2/3 to 70% of the traffic going into Cedar Point is going through this point. The cost would typically be split 90/10, but the center line of Rye Beach Road is the separation between the City of Huron and Huron Township, so they would further divide that 10% with 5% for the City and 5% for the Township. The Township, being that they are not a municipality, wouldn't have to pay anything. The only local match would be our 5% and that is \$200,000. There may be certain elements of their design, such as survey, right of way acquisition, etc. that wouldn't fall in that \$4 Million, which would increase the costs. ODOT will design and manage the project, hold the public meetings and answer all questions, and handle inspection of the project. ODOT will have final decision on design. Julie Cichello, who is the head of the transportation district said it would be her plan to more than one local meeting, and would also attend Council meetings. The timing of the project would be the middle of 2023, which lines up well with the City's financial situation. The applications will be submitted mid-March, so something from Council would be needed by the last meeting in February. The grade rating for the Rye Beach Road intersection at Cleveland Road is the worst in ODOT's entire study at D/F. A second recommendation was to do minimal restriping of the road and retiming of the existing lights, which buys only a couple of years before it is a grade F again. With what ODOT is proposing, which is the three roundabouts, it had the traffic eastbound at grade A and westbound grade B through 2043, which takes into account additional traffic estimates.

With regard to the gateway to the west improvements mentioned by Mr. Dike, Mr. White suggested commingling that project as part of the Route 6 West Project, as it will be right in that area. Each section of the project will be bid out separately because the project funding is capped at \$10 Million. If you do an \$18 Million project from Huron to Sandusky, you are out \$8 Million. If you do six projects, each one of them is eligible up to the \$10 Million limitation, and our cost, because of the Township's inclusion at the west end (which the State picks up) will be in the 10's or 100's of thousands as opposed to \$6 Million. From a financial standpoint, this is a huge opportunity to get out of a tremendous liability.

Mr. Green said that he would get the boilerplate document for approval from them in the next few days. His recommendation is to take the second meeting in February for approval and have them come in to the work session before the meeting. Any legislation would be support of a grant only, not approval of a plan.

Phase 2 Paving Project

Mr. Green said that a public meeting must be set for the project, which is currently being bid out. ODOT has a process to follow for the public meetings. That should be kicked off soon, and Mr. Green will be working with Mr. Critelli to get it done. Mr. White stated that the project has been scaled back with the cost to the City reduced significantly.

City Manager

Mr. White confirmed the news that he has been presented with an opportunity with the City of Powell, Ohio. He will speak about it at the Council meeting this evening, but wanted to lay the groundwork going forward. He had no start date at this point as he is still working through the process, and as soon as he has that information, he will provide it to Council and put in notice. Mr. White has been exploring options that he would like to discuss with Council in terms of strategies that may be considered for the transition of the City. He wants the very best for Council and for staff, and would like to be a part of that process. He had intended to have this conversation with Council prior to any articles coming out. Mr. Artino and Mr. Tapp had a conversation with him before it was a possibility, but it was alarming the way it showed up, for which he apologizes. There will be more information to come, and he appreciates the opportunity he has been given in this City. It has been the most important thing he has ever done.

Adjournment

At 6:25 pm, Mr. Tapp adjourned the meeting.


Terri S. Welkener, Clerk of Council

Adopted: 11 FEB 2020

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