

**THE CITY OF HURON, OHIO**  
**Proceedings of the Huron City Council**  
**Regular Meeting Tuesday, June 25, 2019, at 6:30 p.m.**

Mr. White advised of the necessity to appoint a temporary chair due to the absence of Mayor Hartung and Vice Mayor Hardy. **Motion by Ms. Crawford to appoint Councilman Ginesi as temporary chair. All in favor, motion passes.**

A regular meeting of the City Council of the City of Huron, Ohio was called to order by Councilman Ginesi on Tuesday, June 25, 2019, at 6:30p.m. in the Council Room of City Hall, 417 Main Street, Huron, Ohio.

Councilman Ginesi called for a moment of silence. After the moment of silence, he 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, Christine Crawford, Joe Dike, Sam Artino, and Glen Ginesi. Members absent: Trey Hardy and Brad Hartung.

Also present: City Manager Andy White, Law Director Aimee Lane, Finance Director Cory Swaisgood, Assistant to the City Manager Mike Spafford, City Engineer/Zoning Inspector Doug Green, Water Superintendent Jason Gibboney, and Management Services Coordinator-Clerk of Council Christine Gibboney.

**Motion by Mr. Schaffter to excuse Mayor Hartung and Mr. Hardy from the meeting.** Councilman Ginesi directed the Clerk to call the roll on the motion. Mr. Dike asked if there was any communication as far as the absences of Mr. Ginesi and Mr. Hardy as he was unaware of the reason for the absences. Mr. White advised that Mr. Hardy had a work conflict and Mayor Hartung was ill. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi (3)**

**NAYS: Dike, Artino (2)**

There being more than a majority in favor of the motion, the motion passed and Mayor Hartung and Mr. Hardy excused.

**Approval of Minutes**

**Motion by Mr. Dike that the minutes of the work session meetings of June 1, and June 11, 2019, be approved as printed and received.** Mr. Ginesi asked if there was any discussion on the motion. There being no discussion, he directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Dike, Artino, Schaffter, Crawford, Ginesi (5)**

**NAYS: None (0)**

There being more than a majority voting in favor of the motion, the motion passed and minutes approved.

**Audience Comments**

- Stacey Hartley, 310 Canterbury Drive. Ms. Hartley addressed Council noting her attendance at the work session meeting and expressing concerns over discrepancies between information in the work session presentation relative to Sunshine Laws from OML and the information presented by

the Attorney General's office in their trainings. She referenced two discrepancies that she reported to the Attorney General's office which they are looking into. She urged the city to schedule a mandatory training for Council members through the Attorney General's office and include staff and the public in order for all to be able to ask questions and be on the same page. She commented that the reason the city is in litigation is due to misunderstanding of the Sunshine Laws. She referenced executive sessions, commenting that anyone can discuss the content of executive sessions per the Sunshine Laws, advising if Council members had done so with regard to OPC and gauged public interest, the city would have learned that the majority of people didn't have a problem with medical marijuana operations in the city, only with the location of the dispensary being close to a school and stating the situation the city is in could have been avoided. Lastly, she asked Council to drop the charges against Ms. Hanners.

### **Old Business**

#### **Resolution 2019-35 (third reading)**

**Motion by Mr. Schaffter that Resolution No. 2019-35 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE CITY OF HURON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.) be placed upon its third/final reading. Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:**

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**

**NAYS: None (0)**

There being a majority in favor of the motion, the motion passed and Resolution 2019-35 was placed upon its third/final reading. Mr. Ginesi directed the Law Director to read the Resolution by its title only. Mr. Ginesi asked if there was any discussion. There being no discussion, Mr. Ginesi directed the Clerk to call the roll on the final adoption of Resolution 2019-35. Members of Council voted as follows:

**YEAS: Schaffter, Crawford Ginesi, Dike, Artino (5)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 2019-35 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Ordinance 2019-9 (2<sup>nd</sup> reading)**

**Motion by Ms. Crawford that Ordinance 2019-9 (AN ORDINANCE AMENDING SECTION 1121.04, "DEFINITIONS," SECTION 1125.03, "B-3 GENERAL DISTRICT," SUBSECTION (f), "INDUSTRIAL DEVELOPMENTS," OF SECTION 1126.05, "PLANNED DEVELOPMENT PROJECTS," SECTION 1126.09, "UNIVERSITY PARK PLANNED INDUSTRIAL DEVELOPMENT PROJECT OVERLAY ZONE", AND ENACTING NEW 1126.17, "REGULATIONS FOR INDUSTRIAL GREENHOUSES," OF THE PLANNING AND ZONING CODE WITHIN THE CODIFIED ORDINANCES OF THE CITY OF HURON TO REGULATE INDUSTRIAL GREENHOUSES, AND DECLARING AN EMERGENCY) be placed upon its second reading. Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:**

**YEAS: Crawford, Ginesi, Dike, Artino, Schaffter (5)**

**NAYS: None (0)**

There being a majority or more in favor of the motion, the motion passed and Ordinance 2019-9 was placed upon its second reading. Mr. Ginesi directed the Law Director to read the Ordinance by its title only. Mr. Ginesi asked if there was any discussion. Mr. White referenced the Planning Commission meeting on June 26th and their review of these amendments addressing lighting regulations to control light trespass. He explained the Planning Commission will provide recommendation back to Council and Council, following the public hearing that will be held on July 23, 2019 would consider adoption.

**Ordinance 2019-10 (2<sup>nd</sup> reading)**

Mr. Ginesi referenced this ordinance was on its second reading and explained it is recommended to suspend the three reading rule in order to place the ordinance on its final reading for consideration of adoption.

**Motion by Mr. Artino that the three reading rule be suspended and Ordinance 2019-10 (AN ORDINANCE AMENDING ORDINANCE NO. 2018-36, ADOPTED DECEMBER 11, 2018, RELATING TO EXHIBIT "A" APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019,) be placed upon its final reading.** Mr. Ginesi asked if there was any discussion on the motion. Mr. White explained the recommendation to suspend the three reading rule for budget appropriation ordinances to reconcile finances. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Artino, Schaffter, Crawford, Ginesi, Dike (5)**

**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three reading rule passed and Ordinance 2019-10 placed upon its final reading. Mr. Ginesi directed the Law Director to read the Ordinance by its title only. Mr. Ginesi asked if there was any discussion. Mr. White referenced previous review of Exhibit "A" of the ordinance. There being no further discussion, Mr. Ginesi directed the Clerk to call the roll on the final adoption of Ordinance 2019-10. Members of Council voted as follows:

**YEAS: Artino, Schaffter, Crawford, Ginesi, Dike (5)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2019-10 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**New Business**

**Public Hearing- 2020 Tax Budget**

**Motion by Ms. Crawford that the regular meeting of June 25, 2019, be recessed for the purpose of holding a Public Hearing on the 2020 Tax Budget.** Mr. Ginesi asked if there was any discussion on the motion, there being none, he directed the Clerk to call the role on the motion. Members of Council voted as follows:

**YEAS: Crawford, Ginesi, Dike, Artino, Schaffter (5)**

**NAYS: None (0)**

There being a majority vote in favor of the motion, motion passes and the public hearing was called to order at 6:43p.m. Mr. White noted this is a statutory requirement for the establishment of the 2020 budget and noted the document has been available for public view as required. Mr. Swaisgood explained the public hearing is being held as required pursuant to ORC 5705, explaining the tax budget is the first step in the budget process. He referenced submission of the tax budget to City Council on May 31 by Mr.

Spafford and reviewed the process for the certificate of estimated resources provided through the county budget commission. He reviewed the tax budget document noting the ending balance in the General Fund is expected to increase by 6% and an increase of 566% expected in the electric fund ending balance mainly due to Mucci Farms. With no further discussion or questions, Mr. Ginesi closed the public hearing and the regular meeting resumed at 6:45pm.

**Motion by Mr. Schaffter to approve the 2020 Tax Budget as presented.** Mr. Ginesi asked if there was any discussion on the motion, there being none, he directed the Clerk to call the role on the motion. Members of Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**

**NAYS: None (0)**

There being a majority vote in favor of the motion, motion passes and 2020 Tax Budget approved as presented.

#### **Resolution 2019-36**

**Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2019-36 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH IS'S OF HURON, INC. FOR A PORTION OF THE GROUNDS AND WALKWAYS SURROUNDING THE CITY'S SMALL BOAT MOORING BASIN IN THE AMOUNT OF TWO THOUSAND SEVEN HUNDRED TWENTY AND 00/100 DOLLARS (\$2,720.00) PAYABLE TO THE CITY OF HURON) be placed upon its first reading.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Artino, Schaffter, Crawford, Ginesi, Dike (5)**

**NAYS: None (0)**

There being five votes or more in favor of the motion, the three reading rule was suspended and Resolution 2019-36 was placed upon its first reading. Mr. Ginesi directed the Law Director to read the Resolution by its title only. Mr. Ginesi asked if there was any discussion. Mr. White referenced the current lease agreement and noted the change in ownership prompting the need to revise the agreement. He explained there were no changes to the terms of the lease agreement. There being no further discussion, Mr. Ginesi directed the Clerk to call the roll on the final adoption of Resolution 2019-36. Members of Council voted as follows:

**YEAS: Artino, Schaffter, Crawford, Ginesi, Dike (5)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 2019-36 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 2019-37**

**Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2019-37 (A RESOLUTION AUTHORIZING AND DIRECTING THE FINANCE DIRECTOR TO PERFORM A CERTAIN INTERFUND ADVANCE. ) be placed upon its first reading.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike Artino (5)**

**NAYS: None (0)**

There being five votes or more in favor of the motion, the three reading rule was suspended and Resolution 2019-37 was placed upon its first reading. Mr. Ginesi directed the Law Director to read the Resolution by its title only. Mr. Ginesi asked if there was any discussion. Mr. White recognized Mr. Swaisgood explaining he had identified the need for this legislation due to two outstanding invoices relative to agreements pertaining to the School Resource Officer. Mr. Swaisgood explained the inter fund transfer is a \$50,000 advance that acts like a loan from the general fund to the SRO fund until such time as the invoice payments are receipted and then a repayment to the general fund would be made. There being no further discussion, Mr. Ginesi directed the Clerk to call the roll on the final adoption of Resolution 2019-37. Members of Council voted as follows:

**YEAS: Schaffter, Crawford Ginesi, Dike, Artino (5)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 2019-37 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**Ordinance 2019-11 (1<sup>st</sup> reading)**

**Motion by Mr. Artino that Ordinance 2019-11 (AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF HURON TO REFLECT THE REZONING OF APPROXIMATELY 94.7 ACRES OF LAND LOCATED AT 1101 RYE BEACH ROAD, PARCEL NUMBER 42-67003.000, FROM THE CURRENT R-1 (SINGLE FAMILY RESIDENTIAL ) TO B-3 (GENERAL BUSINESS) PUD AND TO INCLUDE THE PARCEL IN THE PLANNED INDUSTRIAL OVERLAY ZONE; AND DECLARING AN EMERGENCY) be placed upon its first reading.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Artino, Schaffter, Crawford, Ginesi, Dike (5)**

**NAYS: None (0)**

There being a majority in favor, the motion passed and Ordinance 2019-11 was placed upon its first reading. Mr. Ginesi directed the Law Director to read the Ordinance by its title only. Mr. Ginesi asked if there was any discussion. Mr. Ginesi explained that this ordinance pertains to a zoning change and would go through three readings. A brief discussion and clarification by the Law Director relative to three readings of legislation and emergencies which pertain to effective dates ensued. Mr. White referenced the proposed rezoning of the Mucci Farms parcel from the current R-1 to B-3 PUD overlay and explained that following the three readings, adoption as an emergency measure will allow for the ordinance to take effect immediately upon adoption.

**Ordinance 2019-12**

**Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2019-12 (AN ORDINANCE AMENDING CHAPTER 1307, "PROPERTY MAINTENANCE CODE" REGARDING ENFORCEMENT PROCEDURES, AND DECLARING AN EMERGENCY) be placed upon its first reading.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**

**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three reading rule passed and Ordinance 2019-12 placed upon its first reading. Mr. Ginesi directed the Law Director to read the Ordinance by its title only. **Motion by Mr. Schaffter that Ordinance 2019-12 be passed as an emergency measure.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**  
**NAYS: None (0)**

There being a majority in favor, the motion passed and the ordinance was placed as an emergency. Mr. Ginesi asked if there was any discussion. Ms. Lane referenced meeting with the Assistant Prosecutor relative to inspection and enforcement of the Property Maintenance Code and noted the Prosecutor suggested changes to the code to provide for enforcement provisions. She reviewed the proposed amendments, referencing provisions addressed for failure to comply and a step approach to address repeated violations with regard to penalties. Mr. White and Mr. Artino referenced the need to waive the three reading rule in order to have the ordinance in place and allow enforcement efforts as this has been a matter discussed for some time. There being no further discussion, Mr. Ginesi directed the Clerk to call the roll on the final adoption of Ordinance 2019-12. Members of Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2019-12 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Ordinance 2019-13**

**Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2019-13 (AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LAKE ERIE DIVING, INC. FOR LABOR AND MATERIALS FOR THE INSTALLATION OF AN ALTERNATE INTAKE RISER IN AN AMOUNT NOT TO EXCEED SEVENTY-TWO THOUSAND NINE HUNDRED EIGHTY-SEVEN AND 00/100 DOLLARS (\$72,987.00), WAIVING COMPETITIVE BIDDING; AND DECLARING AN EMERGENCY.) be placed upon its first reading.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three reading rule passed and Ordinance 2019-13 placed upon its first reading. Mr. Ginesi directed the Law Director to read the Ordinance by its title only. **Motion by Mr. Schaffter that Ordinance 2019-13 be passed as an emergency measure.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**  
**NAYS: None (0)**

There being a majority in favor, the motion passed and the ordinance was placed as an emergency. Mr. Ginesi asked if there was any discussion. Ms. Lane referenced the legislative summary and explained the bases for waiver of competitive bidding in this case, citing ORC 735.051. She explained the issue in Water Filtration with needle ice and the need to authorize the agreement in order for installation to be

complete before winter. She cited case law relative to sole source providers, explaining that Lake Erie Diving is a sole source provider, referencing the alternative options researched and noted this option was the best value and has been in operation at another plant. Mr. Gibboney referenced the cost of \$73,000 and commented that other options were upwards of \$2 million. He explained the needle ice issue and how the proposed improvement works, referencing this system has been in place in Avon Lake for three years with success. There being no further discussion, Mr. Ginesi directed the Clerk to call the roll on the final adoption of Ordinance 2019-13. Members of Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2019-13 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Ordinance 2019-14**

**Motion by Ms. Crawford that the three reading rule be suspended and Ordinance 2019-14 (AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,700,000 TO PAY COSTS OF IMPROVING STREETS AND ROADS IN THE CITY BY CONSTRUCTING, RECONSTRUCTING, RESURFACING, PAVING, GRADING, DRAINING AND MAKING OTHER IMPROVEMENTS AND, IN CONNECTION THEREWITH, CONSTRUCTING AND RECONSTRUCTING, AS NECESSARY, CURBS, GUTTERS, SIDEWALKS, CONCRETE APRONS, STORM SEWERS AND RELATED DRAINAGE FACILITIES, TOGETHER WITH ALL NECESSARY RELATED IMPROVEMENTS AND APPURTENANCES THERETO, ALL AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY) be placed upon its first reading.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Crawford, Ginesi, Dike, Artino, Schaffter (5)**

**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three reading rule passed and Ordinance 2019-14 placed upon its first reading. Mr. Ginesi directed the Law Director to read the Ordinance by its title only. **Motion by Ms. Crawford that Ordinance 2019-14 be passed as an emergency measure.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Crawford, Ginesi, Dike, Artino, Schaffter (5)**

**NAYS: None (0)**

There being a majority in favor, the motion passed and the ordinance was placed as an emergency. Mr. Ginesi asked if there was any discussion. Mr. White noted that Ordinance 2019-14 and 2019-15 both pertain to bond legislation. He referenced that Ordinance 2019-14 is a conversion of notes that are due on August 4, 2019, and Ordinance 2019-15 provides the city portion of funding for the US6 Project. Mr. Swaisgood noted the August deadline and the need to pass the legislation in order to take advantage of the current low rates. He referenced a comprehensive Capital Improvement Plan will be prepared this year. Mr. Ginesi noted the matter was reviewed and supported by the Finance Committee and Mr. White noted the legislation follows the recommendation of the Municipal Bond Advisor and Bond Counsel. There being no further discussion, Mr. Ginesi directed the Clerk to call the roll on the final adoption of Ordinance 2019-14. Members of Council voted as follows:

**YEAS: Crawford, Ginesi, Dike, Artino, Schaffter (5)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2019-14 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**Ordinance 2019-15**

**Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2019-15 (AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,100,000 TO PAY COSTS OF IMPROVING THE PORTION OF US-6 LOCATED IN THE CITY BY CONSTRUCTING, RECONSTRUCTING, RESURFACING, PAVING, GRADING, DRAINING AND MAKING OTHER IMPROVEMENTS AND, IN CONNECTION THEREWITH, CONSTRUCTING AND RECONSTRUCTING, AS NECESSARY, CURBS, GUTTERS, SIDEWALKS, CONCRETE APRONS, STORM SEWERS AND RELATED DRAINAGE FACILITIES, AND REPLACING OR ADDING LIGHTING AND TRAFFIC SIGNALS, TOGETHER WITH ALL NECESSARY RELATED IMPROVEMENTS AND APPURTENANCES THERETO, ALL AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.) be placed upon its first reading. Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:**

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three reading rule passed and Ordinance 2019-15 placed upon its first reading. Mr. Ginesi directed the Law Director to read the Ordinance by its title only. **Motion by Mr. Schaffter that Ordinance 2019-15 be passed as an emergency measure.** Mr. Ginesi asked if there was any discussion on the motion. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**  
**NAYS: None (0)**

There being a majority in favor, the motion passed and the ordinance was placed as an emergency. Mr. Ginesi asked if there was any discussion. There being no discussion, Mr. Ginesi directed the Clerk to call the roll on the final adoption of Ordinance 2019-15. Members of Council voted as follows:

**YEAS: Schaffter, Crawford, Ginesi, Dike, Artino (5)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2019-15 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Mr. Ginesi advised before the next item on the agenda is discussed he would recuse himself due to a potential conflict, explaining that the city's consultant for electric is an employee of a company he has ownership in and pursuant to an Ethics Commission opinion, would abstain. He asked Ms. Crawford to preside over the meeting during his absence. Mr. Ginesi exited the meeting at 7:09 pm.



**Motion regarding negotiations of an electric aggregation rate.**

Ms. Crawford referenced the request for a motion to allow the City Manager to negotiate an electric aggregation rate. **Motion by Mr. Schaffter to allow the City Manager to negotiate an electric aggregation rate. Ms. Crawford asked for a role call on the motion:**

**YEAS: Schaffter, Crawford, Dike, Artino (4)**

**NAYS: None (0)**

**ABSTAIN: Ginesi (1)**

**There being a majority vote in favor, the motion passed.** Mr. White referenced this matter pertains to electric aggregation, briefly recapped the current aggregation program, and recognized the city's consultant, Mike Spacek in attendance. Mr. Spacek explained the current aggregation program ends on October 1, 2019, explaining four firms were interviewed before narrowing down to two firms (Dynergy and AEP). He explained both firms offer a 3 year aggregation agreement and a \$20,000/yr. incentive grant to the city. He reviewed the rates under the current aggregation plan and the slightly lower rates anticipated under a new aggregation plan. He explained that he is receiving daily quotes and the quotes are only good for that day, therefore, the need to allow the City Manager to negotiate and lock in a rate is needed. He noted that the city would need to accept an offer by August 1, 2019. He provided aggregation program overview: opt-out program, customers with other suppliers can't leave them without a penalty being imposed and noted that penalties vary by company. Mr. White suggested that Council may want to specify a not to exceed rate, recommending 5 cents. A brief discussion ensued regarding the need to do so and Ms. Lane advised of her recommendation to set such a parameter. **Mr. Schaffter noted he would amend his previous motion: A motion to allow the City Manager to negotiate an electric aggregation rate not to exceed 5 cents per KWH. Members of the Council voted as follows:**

**YEAS: Schaffter, Crawford, Dike, Artino (4)**

**NAYS: None (0)**

**ABSTAIN: Ginesi (1)**

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

Mr. Ginesi returned and presided over the remainder of the meeting.

**City Manager's Discussion**

- Referenced Mr. Dike's previous comments relative to safety concerns on the pier and noting contact with Army Corps of Engineers (USACE) who owns the property, explaining they were unaware of the recent incident and referencing they would be placing signage on the west side of the pier area. He referenced the city lease with the USACE.
- Referenced correspondence from a resident relative to the condition of the flag pole at the Veteran's Memorial in front of City Hall. He explained the pole needs to be replaced, but for the time being the pole will be repainted and replacement would need to be included as a capital project.
- Recapped the anticipated revenue from the state gas tax increase of \$185,000 to the city and the need for discussion for the use on roadway repairs/resurfacing and storm water issues.
- Referenced a meeting attended relative to Federal EMA funds available for public property impacted by coastal conditions.
- Referenced the meeting tomorrow night of the Planning Commission noting their collaboration with the Huron Joint Port Authority relative to activation of the ConAgra site for a USGS facility and review of conceptual plans. Mr. White noted the required tasks associated with the site which include: legal descriptions and land transfer with the state and roadway dedication, noting these are being worked on and referencing the utility infrastructure that will be needed.
- Marketing: Recognized Intern Gretchen Blackwell and her work involving marketing efforts. He explained the city is still looking at efforts for a smaller scale publication for 2019.

- Staffing: Reported the employment search for the Executive Administrative Assistant/Clerk of Council has closed, explained with the Finance Director in place, Mr. Spafford has moved back into administration and able to devote time to marketing efforts.
- Executive session requested for the purpose of pending litigation.

Questions by members:

- Mr. Artino inquired as to the cost or spending limit related to the Special Prosecutor. Mr. White responded it is impossible to tell until the final accounting, but referenced the Finance Director had reached out to inquire as to an estimate. Ms. Swaisgood advised the cost could be anywhere from \$1,500 to \$15,000.

**Mayor's Discussion**

- Referenced the resident letters in the Council correspondence packet: Mr. Majestic provided comments on ConAgra and his opinion that it be used as a public park and opposing boat storage on the site. A letter from River's Edge Condominiums regarding their request for fire hydrant painting. Mr. Gibboney noted the supplies for hydrant painting are on order and the department anticipates finishing the painting of the remaining yellow hydrants and then begin repainting the red hydrants that have faded due to a product default. He estimated it would take a month and a half for completion.

**For the Good of the Order**

- Ms. Crawford acknowledged and thanked Administration and Ms. Blackwell for the noticeable increase in city outreach of information. She referenced the need for a Safety Committee meeting due to the resident requests for a reduction to the speed limit in Chaska Beach. Referenced the upcoming Rotary Festival weekend and encourage support of the Rotary Club and this event.
- Mr. Artino referenced safety concerns relative to grass clippings in the roadway for motorcycles, asking if the city has an ordinance to address this and/or if this topic could be included in the Safety Committee meeting.
- Mr. Ginesi commented he would like to revisit the topic of city wide internet/municipal broadband service, referencing the many inquiries he gets about the topic. He clarified that there is no monopoly or exclusive agreement in place that would prohibit a company from coming in. Mr. White referenced the need to discuss this within 2020 budget meetings and the first step recommended would be a feasibility study and the need to identify costs.

**Executive Session(s)**

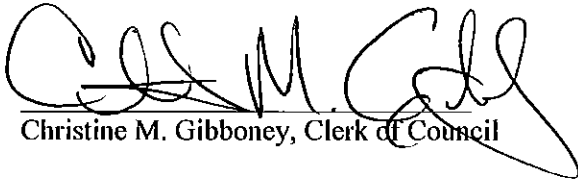
**Motion by Ms. Crawford that the regular meeting of June 25, 2019 be recessed for the purpose of holding an executive session for the discussion of pending litigation.** Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Crawford, Ginesi, Dike, Artino, Schaffter (5)**

**NAYS: None (0)**

There being a majority voting in favor of the motion, the motion passed and the executive session called to order at 7:35p.m. City Council members, the City Manager, and the Law Director discussed matters relating to pending litigation. **Motion by Mr. Schaffter to close the executive session and return to the regular meeting of June 25, 2019 at 8:08p.m.** All in favor, motion passes and regular meeting of June 25, 2019, reconvened.

There being no further business to come before the Council, Mr. Ginesi declared the regular meeting of June 25, 2019, adjourned at 8:09p.m.



Christine M. Gibboney, Clerk of Council