

**THE CITY OF HURON, OHIO**  
**Proceedings of the Huron City Council**  
**Regular Meeting Tuesday, November 27, 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 November 27, 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, Christine Crawford, Brad Hartung, Joe Dike, and Glen Ginesi. Members absent: Trey Hardy and Sam Artino.**

Also present: City Manager Andy White, Law Director Laura Alkire, Interim Finance Director Mike Spafford, City Engineer/Zoning Inspector Doug Green, HFD Captain Doug Nash, Parks and Recreation Operations Manager Doug Steinwart, Police Chief Bob Lippert, and Management Services Coordinator-Clerk of Council Christine Gibboney.

**Motion by Mr. Schaffter to excuse Mr. Hardy and Mr. Artino from the meeting.** 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, Crawford, Hartung, Dike, Ginesi (5)**

**NAYS: None (0)**

There being more than a majority in favor of the motion, the Mayor declared the motion passed and Mr. Hardy and Mr. Artino excused. **Note: Mr. Artino later joined the meeting in progress at 6:55p.m.**

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

**Audience Comments**

Jason Hinnners, 1130 Mudbrook Road. Mr. Hinnners addressed Council regarding the Council mid-term pay increase issue with regard to the finding by the State Auditor, and collection efforts by the Attorney General against three Council members and two former Finance Directors. He referenced his public records requests and provided the following comments/questions: Referring to the minutes of July 10<sup>th</sup> and August 14<sup>th</sup> of 2018 regarding the request for an outside legal opinion and anticipation of receiving same, Mr. Hinnners commented the opinion still has not been received. Referring to the minutes of September 11, 2018 regarding a reference that administration had email correspondence from the State Auditor confirming the finding would not be sent for collection, Mr. Hinnners stated he was provided three emails but none state this. Referring to the minutes of September 11, 2018 regarding the statement that Ms. Snell objected to the mid-term pay increase after the fact, Mr. Hinnners referenced an email dated May 26, 2016 in which Ms. Snell stated she had emailed objections to Mr. White and Ms. Alkire in June and December of 2013 and stated her objection was overruled and the salary increase was paid at their direction. He referenced correspondence from Ms. Alkire stating that Ms. Snell deleted all of her emails before leaving the city and commented that Ms. Snell has said she did not delete her emails, that she created a sub-folder which two city employees were made aware of; noting he made a public records request for the subfolder on May 9, 2018 and has not received a response. Mr. Hinnners commented it has been stated that Council passed the mid-term pay increase over the advice of city administration, he referenced his public records request for the written advice and acknowledged receipt of a legislative

agenda from the May 1<sup>st</sup>, 2013 meeting, confirming it was stated that the salary increase would only be effective for successors who gained a seat through election, but referenced discussion at the meeting regarding administration doing additional research on the successor issue with a report due back to Council. He referenced the third and final reading of the legislation and a reference to the report to the Council subcommittee, stating with this information Council adopted the legislation to pay the increase to all members of Council. Mr. Hinnners noted he made a public records request for the research; stating it has been 2 weeks and he has not received a response. Mr. Hinnners questioned if the City Manager and Law Director advised Council that the mid-term pay increases were improper, why then were the Finance Directors allowed to make the payments subjecting them to findings and collection efforts. He noted he would be glad to meet with Council members to discuss the issue, but asked Council to investigate the matter further. The Mayor responded to Mr. Hinnners, stating he would speak to him following the meeting to set up an appointment.

Catherine Ramey, 207 Canton Ave. Ms. Ramey also addressed Council regarding the Council mid-term pay increase issue. The Mayor welcomed Ms. Ramey and noted for the record that he believes that she and Ms. Snell being included in this matter is wrong. Ms. Ramey recapped her history with the city, retirement, and re-hire in December 2014 as an interim Finance Director. She referenced the audit findings for 2014 and 2015 relative to increase in pay to three Council members explaining per the audit, Mr. Kilbury, Mr. Schaffter and Mr. Solet were not entitled to the increased compensation until their existing term expired in November 2015 and the money would need to be paid back, adding if members did not pay this back or if the state could not recover the money from them, she and Ms. Snell as Finance Directors would need to pay the money back. She noted that neither she nor Ms. Snell were the ones who approved the legislation or received the compensation. She referenced the amounts in the findings of \$19,800 for 2014, \$19,800 for 2015, plus 4% interest and collection costs of 11% and explained being told since 2016 by some Council members and administration that she did not need to worry about this as the matter was being taken care of and that this would not impact her personally. She explained in April 2018, the Ohio Attorney General's Office garnished her tax return and she continues to receive letters advising of actions that can be taken against her. She referenced the stress this matter has caused and this contributing to her resignation. She explained there were continual conversations with administration as to possible solutions to the issue affecting her, explaining that one of the ways suggested was the city providing a bonus to her and then she could write a check to the State Auditor to pay for the amount that was due for her part; noting she refused this suggestion as she did not believe this was the way to handle the matter. She stated she did not cause this problem, that seven members of a legislative body caused the issue and received increases. She referenced the final vote on the legislation authorizing the increase was a 6-1 vote, with one Council member opposing, but noting he did not give the money back. She referenced concern with future actions and garnishments against her and the need to have this matter solved. She referenced comments made by Council and Administration sympathizing with her situation, but noting this is not affecting them, and reiterating the effect it is having on her personally and also referencing the same situation for Ms. Snell. She stressed that action must be taken; asking for confirmation from Council and inquiring if Council and Administration will file again through the legal process to collect the money from the three individuals who received the increase.

The Mayor addressed Ms. Ramey referencing the ongoing discussions on the matter, noting that he and Mr. Ginesi have offered to take a reduction in pay, but the city continues to work with the State to confirm this is acceptable. He explained the last he was told, the late fees and penalties have been waived. He noted for the record that he is willing to take a reduction in pay to help pay this off, noting he feels strongly that this shouldn't be happening to her. He explained that he went down to Columbus with Mr. Solet on her behalf and had a discussion with the Attorney General's office and they were unaware of some of the previous discussion with the Auditor's office regarding payments and collection issues. He explained the city is trying to get the two offices to work together on the resolution in order for the city to pay this back. The Mayor also explained he was part of the Council sub-committee when this began, and

acknowledged the initial legal opinion was that four members would receive the increase and three would not get the increase, but referenced discussions relative to Section 2.06 of the Charter as well as additional language in the Charter which specifies that Council shall consist of 7 members and discussion of interpretation that if Council consists of 7 members, then how can Council not do an increase for all. He noted he personally believes the three members put in the same amount of time and work and therefore all members should receive the increase as Council is defined as seven members. He added this is why he believes Council members, as a whole, should pay back the amount due and noted that he believes that neither of the Finance Directors should be responsible as they were just doing their jobs, and questioning how they were supposed to go against the people who authorized the legislation. He noted the matter has to be concluded and asked for status from the Law Director.

Ms. Alkire reported the city hired an attorney, Chris Jones, who is representing the city in discussions with the Attorney General's office on behalf of Ms. Ramey and Ms. Snell. She referenced an email from Mr. Jones this afternoon noting he is speaking to his point of contact within the Attorney General's Office, Victoria Garry, and they are discussing whether or not a payment plan can be established either representative of the three members that received the salary or whether or not it would be feasible for a reduction in Council salary for payback. She also referenced discussions include the points the city is asking for including: confirmation of the waiver of collection costs and interest, and confirmation that any payment plan would represent technically an overpayment because of the offsets of the income tax returns from Ms. Ramey and the three Council members who have had their tax returns offset, noting the goal would be to have Ms. Ramey's income tax return returned to her. Ms. Alkire explained the suggestion of providing additional compensation to Ms. Ramey through the city's merit bonus program and her issuing payment to the state was proposed to the city by the Attorney General's office and not a suggestion established in-house. She further explained of the concern that if Council takes a reduction in salary and the city pays the money back, it would result in another finding for recovery the following year, noting the point is to try and find a way for the three members to pay this back or find a another resolution acceptable to the state. Ms. Alkire reference the process for the collection action that exists on an internal level, explaining it is referred to the Law Director's office to determine whether or not collection needs to take place, noting that due to a conflict, she had referred the matter to Erie County Prosecutor, Kevin Baxter to review and determine if he was going to collect against the three individuals. She explained he declined collection and that is when it goes to the Attorney General's office, noting the collection action exists within the Attorney General's office at this time. She also referenced the initial hiring of the attorney by the city was to provide the city a legal opinion in the matter, explaining that the reason the legal opinion has not been presented to Council is because the attorney's recommendation was to try and find a resolution. She explained he found the collection actions against the three Council members and Finance Directors was legal, but is working to find a resolution, and therefore has not drafted a legal opinion and this is why there isn't one to provide.

Mr. Ginesi explained he, Ms. Crawford, and Mr. Dike were not members of Council when this was done, and referenced the motion he made two months ago for Council members to reduce their salaries to pay this back explaining that Council as a whole voted for the increase and Council as a whole should remedy the situation. He referenced discussion at the meeting to table the motion because of the ongoing discussions with the state. He noted he believes the taxpayers need to be paid back, but the city must satisfy the state as to the way to rectify the matter. He referenced that he did not believe the action taken by the Council at the time was correct, but referenced his belief that Council as a whole needs to resolve the matter stressing that the resolution has to be supported by the state.

The Mayor noted he would like to have a meeting set with the Attorney General's Office, Attorney Chris Jones, all parties involved, and any other council members interested in attending. A brief discussion ensued regarding Ms. Ramey's availability to attend. The Mayor noted as soon as the date is established he would contact Ms. Ramey.

Mr. White addressed Ms. Ramey, stating he has previously told her many times that he is very regretful that this is happening to her. He addressed comments and allegations that have been made about himself and members of administration over the past year with regard to this matter; acknowledging a mistake was made, but noting allegations of something other than this are not true and referencing that members on Council at the time know this is not true and there is no documentation that says otherwise. He recapped the actions of the Council committee with regard to research and discussion on the matter, noting the committee looked at Charter language throughout Ohio and finding through consensus that Huron's Charter language was not as specific as in other cases and this information was presented to Council and discussed for a few months prior to execution. He referenced the timeline of the audit results, explaining the city didn't receive the audit finding of the first mistake until another year had past and it had been reproduced. He explained this information has all been presented to various state level agents and on several occasions the city has been to the point of resolution only to have it not come to fruition. He confirmed the Attorney General's office had suggested that because the city has a merit compensation program, the simplest thing would be to pay the individual (s) the amount due and have them pay the Attorney General's office and this is why this option was talked about with Ms. Ramey. Mr. White addressed the comments regarding suggestions of emails from Ms. Ramey's predecessor, and noting there were no emails sent to him or Ms. Alkire as has been stated. He referenced the email received from Ms. Snell in 2016 requesting release of responsibility and explaining that Ms. Alkire sent an email reply immediately asking for the records and never heard back again until earlier this year when individuals began to experience financial penalties. He noted suggestions that lies are being told is not accurate, adding that there has been no malicious intent, but a mistake was made, and the city has sought diligently to try and correct it and will continue to do so. He apologized for not being in contact with Ms. Ramey for the last month, but explained the city did not have any other answers from the contacts at the state. Mr. White emphasized again this was an honest mistake that was made, the matter was submitted to the county prosecutor's office and wasn't pursued, and submitted to the city's insurance carrier who said there wasn't anything there. He explained the city can't compel the state to allow resolution in the matter, but vowed to continue to work with Council on the issue and publicly apologized to Ms. Ramey.

Ashley Modolo, 426 Cleveland Road West. Ms. Modolo inquired if within correspondence between the city's attorney and the Attorney General was there a request made to clear Ms. Ramey and Ms. Snell names from liability. Ms. Alkire replied there was.

Lorie Legando, 202 Drive Blvd. Ms. Legando expressed concerns with the light emission from Mucci Farms, referencing statements from Mucci Farms that this would not be happening and urged Council to address these complaints; noting the matter is a quality of life issue affecting residents.

Scott Schlessman, 610 Bogart Road. Mr. Schlessman expressed concern and frustration over the light emissions from Mucci Farms; inquiring what the city is going to do about the matter and urging the city to take immediate action. Mayor Hartung address the concerns, acknowledged Mucci's statements originally, and referenced that Mucci had notified the city that they were making adjustments but acknowledged that the time period they had asked for has passed and advised that the city would need to look at some type of regulations to address the matter.

Dennis Muratori, 423 Gateway Blvd. Mr. Muratori thanked Councilwoman Crawford for inviting him and noted he was in attendance representing the school district to address the schools actions that have been taken following an incident of alleged bullying that occurred at Huron City Schools. He explained details of a recent incident of alleged bullying; referencing that the matter has gone viral on social media, noting numerous commentaries and unchecked rhetoric have ensued. He provided a report of the actions the school has taken in the matter as soon as the incident was reported which included the commencement of an investigation immediately, interviews with the student, interviews of other students, writing

samples, review of several hours of surveillance footage, School Resource Officer involvement, meeting with the parents of the alleged victim, and a locker change to a location closer to video access. He noted at this point the matter is now being investigated by the Huron Police Department. He referenced the negative comments and unchecked rhetoric on social media suggesting that the school doesn't care or hasn't taken action in the matter and explained the priority of Huron City Schools is to ensure the physical and mental security of all students. He explained he came to Council to note for the record the efforts the district has taken in this matter and referenced several programs the schools has in place to promote kindness, caring and respectful behavior. He commented on the responsibility of adults with regard to civil discourse at public meetings and on social media, referencing the name calling and liberal use of facts appearing on social media and suggesting adults need to be setting the examples and the tone used in public, private, personal, and professional settings.

### **New Business**

#### **Resolution 2018-90**

**Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2018-90 (A RESOLUTION SETTING THE DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE MUNICIPAL BUDGET FOR FISCAL YEAR 2019) 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 (6)**

**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 at the Finance Committee level, their recommendations and endorsement of the proposed 2019 budget which will be prepared and distributed prior to December 1<sup>st</sup> as required. He noted this resolution sets the required public hearing for the proposed budget. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-90. Members of Council voted as follows:

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

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2018-90 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 2018-91**

**Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2018-91 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY OF HURON, OHIO WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS/HURON LOCAL 4168, HURON, OHIO FOR THE CONTRACT PERIOD JANUARY 1, 2019 THROUGH DECEMBER 31, 2021) 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, Crawford, Hartung, Dike (6)**

**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 noted this resolution authorizes the collective bargaining agreement with the IAFF for a contract period of 2019 through 2021. Ms. Alkire referred to the executive summary and noted the following changes in the contract which include: incorporation of the staffing MOU, three personal days, wage increases over the term of 3%, 3%, and 2.5%, and an increase to probationary wages. A brief discussion relative to the probationary increase ensued with Captain Nash explaining this was a collaborative effort in order to secure new hires. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-91. Members of Council voted as follows:

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

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2018-91 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 2018-92**

**Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2018-92 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH OHM ADVISORS FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES PROVIDED TO THE CITY OF HURON AT A COST NOT TO EXCEED TWO HUNDRED FORTY NINE THOUSAND AND 00/100 DOLLARS (\$249,000.00) FOR THE CONTRACT TERM OF JANUARY 1, 2019 THROUGH DECEMBER 31, 2020) 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: Dike, Artino, Ginesi, Schaffter, Crawford, Hartung (6)**

**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 will authorize an agreement with OHM for a two year period incorporating an increase of 2.5% each year, and changes to both the Design Rate Schedule and the Inspection Rate Schedule, reviewing rates in the proposal (Exhibit "A"). A discussion regarding anticipated projects for 2019 ensued. Mr. White referenced the need for Council to finalize the project list, but reviewed some projects underway or to be carried over which include completion of the 2018 road paving program-noting that OHM costs for this project are under the current contract, US 6 Corridor Improvement Project to span a couple years at a cost of \$3.5 to \$4.5 million, the resurfacing of Sawmill Parkway, and noting administration is looking into costs for the paving in Chaska. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-92. Members of Council voted as follows:

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

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2018-92 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**Ordinance 2018-31**

**Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2018-31 (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 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, Crawford, Hartung, Dike, Artino, Ginesi (6)**

**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 entries appearing on Exhibit “A” of the ordinance which included \$220,800.08 in revenue comprised of transfers from the Parks and Recreation Department to long term capital and employee reserve funds and an accounting error relative to an OPWC project. He referenced \$555,835 on the expense side which was comprised of the reciprocal entries of the revenue transfers, city portion of the third ambulance purchase, police cars, Adams Ave project and fitness equipment expenses. Mr. Artino referenced the need for the purchase of the third ambulance and in response to a question by the Mayor, Mr. Spafford explained the OPWC error was related to a project that was a direct pay and payment should have gone directly to the contractor. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2018-31. Members of Council voted as follows:

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

**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2018-31 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**Ordinance 2018-32**

**Motion by Ms. Crawford that Ordinance 2018-32 (AN ORDINANCE AMENDING SECTIONS 189.02-DEFINITIONS, 189.03-IMPOSITION OF TAX, 189.07-STATEMENT AND CHARGE OF TAX, AND 189.08-REGISTRATION; ALL OF CHAPTER 189 LODGING TAX OF THE CITY OF HURON CODIFIED ORDINANCES) be placed upon its first of three readings.** 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 (6)**

**NAYS: None (0)**

There being four votes or more in favor of the motion, the Mayor declared the motion passed and Ordinance 2018-32 placed upon its first reading. The Mayor directed the Law Director to read the Ordinance by its title only. The Mayor asked if there was any discussion. Mr. White explained this ordinance and the following are being recommended for the full three readings. He noted Ordinance 2018-32 and 2018-33 relate to vacation rentals and the implementation of bed tax on transient/vacation on these rental properties. He explained Ordinance 2018-32 incorporates the county expansion of bed tax to transient rental property which will be collected through the county and provided to the city. He also referenced the annual registration program for rentals. There were no further comments or discussion on the proposed ordinance.

**Ordinance 2018-33**

**Motion by Mr. Schaffter that Ordinance 2018-33 (AN ORDINANCE REPEALING CHAPTER 1369-ROOMING HOUSES OF THE CITY OF HURON CODIFIED ORDINANCES; AND REPLACING IT WITH CHAPTER 1369-RENTAL REGISTRATION OF THE CITY OF HURON CODIFIED ORDINANCES.) be placed upon its first of three readings.** 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, Crawford, Hartung, Dike, Artino, Ginesi (6)**  
**NAYS: None (0)**

There being four votes or more in favor of the motion, the Mayor declared the motion passed and Ordinance 2018-33 placed upon its first reading. The Mayor directed the Law Director to read the Ordinance by its title only. The Mayor asked if there was any discussion. Mr. White explained this ordinance will establish a rental registration program within the city and is similar to established programs in other municipalities. There were no further comments or discussion on the proposed ordinance.

**Ordinance 2018-34**

**Motion by Mr. Artino that Ordinance 2018-34 (AN ORDINANCE AMENDING SECTIONS 905.1-INSPECTIONS FOR DEFECTIVE CONDITIONS, 905.2-NOTICE TO CORRECT DEFECTS, AND ADOPTING SECTIONS 905.7-APPROPRIATION OF FUNDS BY COUNCIL, AND 905.8 ENFORCEMENT; ALL OF CHAPTER 905 CULVERTS, DRAINS AND DITCHES OF THE CITY OF HURON CODIFIED ORDINANCES.) be placed upon its first of three readings.** 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, Crawford, Hartung, Dike (6)**  
**NAYS: None (0)**

There being four votes or more in favor of the motion, the Mayor declared the motion passed and Ordinance 2018-34 placed upon its first reading. The Mayor directed the Law Director to read the Ordinance by its title only. The Mayor asked if there was any discussion. Mr. White explained this ordinance allows for proactive enforcement for removal of debris in drainage ways within the city. There were no further comments or discussion on the proposed ordinance.

**Resolution 2018-93**

**Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2018-93 (A RESOLUTION AUTHORIZING AND DIRECTING CERTAIN TRANSFERS AMONG THE VARIOUS FUNDS OF THE CITY) 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, Crawford, Hartung, Dike, Artino, Ginesi (6)**  
**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 Exhibit "A" of the resolution and reviewing entries. He explained all entries reflect adjustments made in Ordinance 2018-31 as required for



transfer submission. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-93. Members of Council voted as follows:

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

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2018-93 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **City Manager's Discussion**

- Noted staff will coordinate another meeting with state offices to discuss the proposed option of repayment by Council members per Mr. Ginesi's motion relative to the issue with the Council mid-term pay raise matter. The Mayor noted the state just needs to tell the city what option can be done. Mr. White noted the option of City Council paying the money back from Council salaries has been presented to the state previously, but to no avail. Mr. White suggested that perhaps Council may wish to remove the motion from the table at a future meeting and vote on the motion as a show of good faith to the state.
- Mucci Farms lighting issue: Mr. White noted that the continued lighting emission is not consistent with what was presented from Mucci Farms. He referenced a meeting with Mucci and Huron Township officials last week at which time the city was told of possible modifications, but acknowledged that the light is still being seen in the early morning hours. He noted he would contact Mucci Farms to set another meeting and also referenced that legislation to create regulations would be needed as there is currently nothing in the code to allow enforcement to address such an issue. He invited members interested to attend the meeting. The Mayor noted the need to set a meeting, noting Mucci Farms had advised the city that the light would be blacked out. Mr. Dike and the Mayor noted they would both like to attend and asked to be included on meeting information.

#### **Mayor's Discussion**

- The Mayor referenced the following upcoming meetings: Volunteer FF Dependent Fund Meeting-December 5 at 5pm. The MPO meeting for December was cancelled, but an MPO Selection Committee meeting has been set for December 17<sup>th</sup> at 10am. Mr. Green confirmed he would be attending.
- Referenced an email inquiry from Tom Mack regarding status on the preliminary design for Sawmill Parkway. Mr. Green stated he did not have the drawings, but expects them soon.

#### **For the Good of the Order**

- Mr. Ginesi recognized the Fire Department and Administration for the work on the collective bargaining agreement, noting he believes the terms are reasonable.
- Mr. Artino apologized for being late to the meeting.
- Mr. Dike stated that he would like to be a part of the meeting with Attorney Chris Jones regarding the Council mid-term raise matter, as he wants to help find a resolution to the matter. He also referenced that Mr. Mucci has mentioned their interest in community partnership and noted the importance of getting the lighting issue resolved as soon as possible.
- Ms. Crawford recognized and thanked Mr. Muratori and Chief Lippert for their continued work relative to the incident being investigated and referenced the time and resources that have been spent, noting that the schools are taking this matter very seriously. She commented that social media has a tendency to allow a lack of filter on comments and believes this body has a

responsibly to gather the facts and details to quell that. She noted she was proud of both of them for their work on the matter.

- Mr. Schaffter commented the issue with lighting at Mucci Farms has to be solved quickly.

The Mayor commented that two executive sessions were being requested. Ms. Alkire referenced the two sessions being requested: 1) Employment/compensation of a public employee and 2) Pending litigation and noted that no action was expected following the sessions. The Mayor thanked all for coming.

**Executive Session(s)**

**Motion by Ms. Crawford that the regular meeting of November 27, 2018 be recessed for the purpose of holding an executive session to discuss employment/ compensation of a public employee.** The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

**NAYS: Artino (1)**

There being a majority voting in favor of the motion, the Mayor declared the motion passed and the executive session to order at 7:51p.m. The City Council and City Manager discussed matters relating to the employment/compensation of a public employee. The Mayor noted the discussion had concluded and declared the regular meeting of November 27, 2018 reconvened at 8:05p.m.

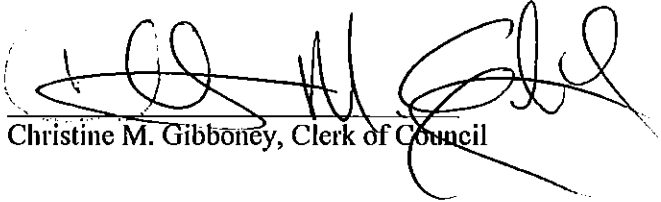
**Motion by Ms. Crawford that the regular meeting of November 27, 2018 be recessed for the purpose of holding an executive session to discuss pending litigation.** The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

**NAYS: (0)**

There being a majority voting in favor of the motion, the Mayor declared the motion passed and the executive session to order at 8:06p.m. The City Council, City Manager, Law Director, and outside legal counsel discussed matters relating to pending litigation. Mr. Artino left the meeting prior to the session ending. The Mayor noted the discussion had concluded and declared the regular meeting of November 27, 2018 reconvened at 10:00p.m.

There being no further business to come before the Council, the Mayor declared the regular meeting of November 27, 2018 adjourned at 10:00p.m.

  
Christine M. Gibboney, Clerk of Council