

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, November 26, 2019 at 6:30 p.m.

A regular meeting of the City Council of the City of Huron, Ohio was called to order by Mayor Trey Hardy on Tuesday, November 26, 2019 at 6:30p.m. in the Council Room of City Hall, 417 Main Street, Huron, Ohio.

The Mayor directed the Clerk to call the roll. The following members of Council answered present: **Sam Artino, Christine Crawford, John Jones and Trey Hardy.**

Motion by Ms. Crawford to excuse Mr. Schaffter and Mr. Ginesi from the meeting for the reason that they are on vacation, and to excuse Mr. Dike from the meeting due to a work conflict. The Mayor asked if there was any discussion on the motion, there being none, he directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Crawford, Jones, Hardy, Artino (4)
NAYS: None (0)

There being a majority in favor, the motion passed and Mr. Schaffter, Mr. Dike and Mr. Ginesi are excused.

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 and Executive Administrative Assistant and Clerk of Council Terri Welkener.

Approval of Minutes

Motion by Mr. Artino that the minutes of the regular meeting of November 12, 2019 be approved as written. The Mayor 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: Artino, Crawford, Jones, Hardy (4)
NAYS: None (0)

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

Audience Comments

- **Steve Fisher – 214 Ohio Street.** Mr. Fisher stated that the \$20 Million lawsuit is a joke that isn't funny. Years back, he was involved in a situation he accepted responsibility for even though it was an accident. He said he would pay all of the expenses up front which totaled \$3,000-\$4,000. Next thing he knew, he received a letter in the mail from a dishonest attorney, who by the way is still practicing law in Sandusky, stating that they were suing him for \$250,000. To make a long story short, his attorney represented his insurance company, offered to settle with them for \$9,000. But after seeing how dishonest they were, they withdrew the offer and took them to court, where they won. Mr. Fisher stated that the City should tell OPC, who he sees has changed their name now and their actions stink like their products... that is going to be nothing more than a glorified pot shop. He stated that we can get medical marijuana at a local pharmacy if needed. Also, he saw last week there has been a 400% increase in children marijuana poisoning in Colorado. No state that has legalized marijuana can claim financial success at this time. A \$20 million lawsuit – really nice people to deal with. His regret is that he didn't

pursue this harder. It doesn't belong in Huron. God bless Huron. Have a nice Thanksgiving to you and your family.

Old Business

Ordinance 2019-25 (second reading)

ORDINANCE NO. 2019-25 (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).

Mr. Hardy asked the Law Director to read Ordinance 2019.25 by its title only. Mayor Hardy asked if there was any discussion.

Mr. White stated that there were substantive policy initiatives put forth and the Law Director has kept a tally on those. We will try to incorporate them into the existing legislation for consideration at an upcoming meeting. Mr. White felt that we answered a lot of questions and provided some additional input that was beneficial to full adoption consideration, potentially at the December 10th meeting.

New Business

Motion by Mayor Hardy to set the time and date for the Organizational Meeting of Huron City Council for Monday, December 2, 2019 at 5:30pm.

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

YEAS: Hardy, Artino, Crawford, Jones (4)
NAYS: None (0)

There being a majority of votes in favor, the motion to set the date and time for the Organizational Meeting of Huron City Council passed.

Motion by Ms. Crawford to change the date of the last Huron City Council Meeting from December 24, 2019 to Monday, December 30, 2019 at 5:30pm.

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

YEAS: Crawford, Jones, Hardy, Artino (4)
NAYS: None (0)

There being a majority of votes in favor, the motion to change the date and time of the last meeting of Huron City Council in 2019 passed.

Motion to Refer a Rezoning Application to the Planning Commission

The Mayor referenced the receipt of a rezoning application from Gary Savage.

Motion by Mr. Jones to refer the rezoning request submitted by Gary Savage to the Planning Commission.

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

YEAS: Jones, Hardy, Artino, Crawford (4)
NAYS: None (0)

There being a majority of votes in favor, the motion to refer the zoning request submitted by Gary Savage to the Planning Commission passed.

Public Hearing- 2020 Proposed Municipal Budget

Mayor Hardy announced the Public Hearing for the 2020 Proposed Municipal Budget is convened at 6:36. Mayor Hardy asked Mr. White and Mr. Swaisgood to comment.

Mr. White deferred to Mr. Swaisgood, who thanked all of the department heads, the leadership, Council and especially the Finance Committee. There was a lot of time taken to sift through all of the budget discussion and he really wanted to thank the Committee Chair, Chuck Norton, who actually called in to some meetings when he was out of the middle of the mountains just to listen in on the presentations. That shows the dedication from not only the Council members, but also from the volunteer members, including Kevin Kieffer, Larry Leaman, Randy Drewyor and Chuck Norton. He wanted to thank them and thank all of the department heads for all of their input into this budget. For a quick background on the budget, this is a very detailed budget – one of the most comprehensive budgets that has been done in the City. Mr. Swaisgood encouraged any Council member or even the public that has not done so to go back to listen to the audio from the first several meetings where we talk about governmental accounting and the City’s fund structures and why the budget is laid out the way it is. Those were very important meetings and he feels that Mr. Jones and Ms. Crawford were there and, hopefully, can vouch that those were very helpful and easy to follow. The budget does include the City’s financial policies – the entire budget process, which includes the General Fund reserve policy, our newest purchasing policy, and the City’s legal level control. That is the biggest piece with this appropriation measure that is on tonight’s agenda, which he knows won’t be passed until the next meeting. The appropriation measure looks a little different than it has in the past. In the past, the appropriation measure was passed at the fund level. There were inconsistencies with the Ohio Revised Code with the way the budget was passed in the past in that Council should be passing the appropriation measure at the fund level, and then for the General Fund at the department and object level, with the object level being at the salaries and benefits level of the General Fund for the Police Department or other expense within the Police Department. That is why the appropriation measure looks a little different. Going forward, and I will explain this as we go forward in 2020, Council really is approving the budget at the personnel services level for, say, the Fire Department in Fund 214. For any budget transfers in Fund 214 within wages, the administration could make those transfers if the Fire Department has excess budget in overtime, and they are going to have a deficit in full-time wages. For those specific line items, we can make that transfer rather than wait for the next meeting to get Council’s approval on that. It will look a little different going forward, but it will be explained at each meeting why we are doing the transfers that we are doing. That is a big difference and there are also items in front of Council for consideration which are included in the City Manager’s memo, including the bed tax expansion, any potential water rate increases, garbage increases, creation of two particular funds, one of which is on the agenda tonight (Fund 655 Enterprise Fund), the Finance Committee discussed combining the Parks & Recreation Funds into one fund to more consistently account for the current operation with the Parks & Recreation Department. Some additional asks for 2020 that weren’t initially included in the 2020 budget, but then as we went through the process and with the most recent legal opinion on Fund 655, we will come back to Council for a few FTE’s in the Police Department and potential FTE’s with the Street Department, and for a potential Service Director/Engineer. Those were all discussed by the Finance Committee and Administration, but are not included in the budget.

With no further discussion or questions, Mayor Hardy closed the public hearing and the regular meeting resumed at 6:42pm.

Ordinance 2019-27

Motion by Ms. Crawford that Ordinance No. 2019-27 (AN ORDINANCE MAKING APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF HURON, OHIO DURING THE FISCAL YEAR ENDING OCTOBER 31, 2020) be placed upon its first reading regarding adoption of the 2020 Budget.

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

YEAS: Crawford, Jones, Hardy, Artino (4)
NAYS: None (0)

There being a majority of votes in favor, Ordinance 2019-27 was placed upon its first reading. The Law Director read the Ordinance by its title only.

Mr. White stated that we don't have the legislative authority to approve the 2020 Budget tonight, which will pass this back into the next Council's lap after December 2, 2019.

Ordinance 2019-29

Motion by Mr. Artino that Ordinance No. 2019-29 (AN ORDINANCE ESTABLISHING FUND No. 655 – COMMUNITY INFRASTRUCTURE FEE FUND AND DECLARING AN EMERGENCY) be placed upon its first reading.

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

YEAS: Artino, Crawford, Jones, Hardy (4)
NAYS: None (0)

There being a majority of votes in favor, Ordinance 2019-29 was placed upon its first reading. The Law Director read the Ordinance by its title only.

Mr. White explained that we don't have the votes to carry this through, but pointed out the conversation had at the end of the work session whereby staff has requested consideration of two items to be placed on the organizational meeting set for Monday, December 2, 2019 at 5:30pm, specifically Ordinance 2019-29 and Resolution 2019-71. He requested that both matters be closed on the agenda for emergency adoption with the full body. Generally speaking, the establishment of Fund 655 is to allow for the segregation of proceeds between electrical sales to Mucci Farms, which he noted was in attendance this evening, and allow the City to reconcile the accounts with the State Auditor by the end of year so that we make absolutely certain that the account methodologies we are using for the placement of these funds is appropriate. We need to do that before the end of the year.

Mr. Swaisgood explained that creation of the Fund does not mean that we can spend out of the Fund – it has to be appropriated budget and revenue. Creation of the Fund at Monday's meeting is just one step in this process to be able to utilize this Fund in December of 2019.

Resolution 2019-71

Motion by Mr. Jones that Resolution No. 2019-71 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT

OF TRANSPORTATION (ODOT) RELATING TO LPA FEDERAL LOCAL-LET PROGRAM FUNDING IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED THIRTY-TWO THOUSAND EIGHTY-SIX AND 20/100 DOLLARS (\$832,086.20) RELATING TO THE U.S. 6 PAVING PROJECT PHASE I (ERI-6-17.52 PID 100421)) be placed upon its first reading.

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

YEAS: Jones, Hardy, Artino, Crawford (4)
NAYS: None (0)

There being a majority of votes in favor, Resolution 2019-71 was placed upon its first reading. The Law Director read the Resolution by its title only. The Mayor asked if there was any discussion on the motion.

Mr. White stated that this resolution will also be presented for consideration on December 2nd. This is purely a function of timing. As you will note from the summary, there are several hundred thousand dollars of grant funds eligible for the City and we need to produce this legislation for Phase I of the project, which will start at the east corporate limits and run west to Williams Street. That will be in the spring of 2020. While Council can't take action on this matter this evening, it is prudent that it be considered prior to your next meeting because of time limitations.

Mr. Green stated that this is a typical boilerplate legislation that we have passed for every LPA project that receives funding through either ODOT or the federal government (both in this case). The final amount of the urban paving funding portion of this will be determined once bids are received, but ODOT locks down these projects and the federal funding the first week of December and that is why, as Mr. White said, this is a priority for the next meeting. This is not a contract that ties us to a certain dollar amount, like a bid would, but it is something we have to do for all LPA projects.

The Mayor explained that the next four items on the agenda are resolutions regarding the Paving Program that started in 2018 and finished in 2019. Mr. Hardy asked the Law Director if Council should request first readings. Mr. Chojnacki responded that Council could either place the legislation on first readings, or table them. The Mayor requested a motion on Resolution 2019-72 for its first reading.

Resolution 2019-72

Motion by Mr. Artino that Resolution No. 2019-72 (A RESOLUTION AMENDING RESOLUTION 2018-66, ADOPTED AUGUST 14, 2018, AUTHORIZING THE CITY MANAGER TO ACCEPT CHANGE ORDER NO. 1 FROM SMITH PAVING AND EXCAVATING FOR LABOR AND MATERIALS RELATED TO THE EXPANSION OF THE 2018 ROAD PAVING PROGRAM (PART 1) IN AN INCREASED AMOUNT NOT TO EXCEED NINETEEN THOUSAND THREE HUNDRED EIGHTY-SIX AND 81/100 DOLLARS (\$19,386.81) be placed upon its first reading.

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

YEAS: Artino, Crawford, Jones, Hardy (4)
NAYS: None (0)

There being a majority of votes in favor, Resolution 2019-71 was placed upon its first reading. The Law Director read the Resolution by its title only. The Mayor asked if there was any discussion on the resolution.

Mr. White recognized Mr. Green and also noted that Smith Paving is in attendance. This was a significant undertaking for the City as this project essentially incorporated two calendar year worth of resurfacing into

one, and the modifications to the contract are necessary because we came into inside field conditions that required modifications we are used to in most of these types of jobs, but nothing compared to Resolution 2018-52 – Change Order No. 1, which was for \$1,380,000 – that was when we expanded the program. We’re not looking at that amount.

Mr. Green explained that his description will include Resolutions 2019-72 through 75. This project was split into two halves, Part 1 and Part 2. The reason for the split being Part 1 is the Rye Beach neighborhood where we received OPWC funding for that section only. As Mr. White mentioned on day one when the project was started this project, we roughly doubled the size of the scope of work to the point where the total was just over \$2.6 Million. It is the largest local street program that the City has ever attempted, and since the time we originally did this out in 2017 and finished the summer of this year, there were additional panels that had cracked in that timeframe. There were underground structures such as catch basins and manholes that had to be adjusted to grade or were defective and had to be rebuilt. There were also some unforeseen underground conditions that developed over on Beachwood Cove; for instance, we found a section of storm sewer that had collapsed over the years that we were able to replace. Looking at this from a top down view, on this \$2.7 Million project, the change orders together represent a 2.9% increase in the total project.

Mr. Artino asked if any more change orders are anticipated. Mr. Green indicated that these are the final change orders that we go through at the end of every project. In response to Mr. Hardy’s inquiry, Mr. Green stated that the total for all four change orders is \$81,000 and change.

Resolution 2019-73

Motion by Mr. Hardy that Resolution No. 2019-73 (A RESOLUTION AMENDING RESOLUTION 2018-66, ADOPTED AUGUST 14, 2018, AUTHORIZING THE CITY MANAGER TO ACCEPT CHANGE ORDER NO. 2 FROM SMITH PAVING AND EXCAVATING FOR LABOR AND MATERIALS RELATED TO THE EXPANSION OF THE 2018 ROAD PAVING PROGRAM (PART 1) IN AN INCREASED AMOUNT NOT TO EXCEED THREE THOUSAND SIX HUNDRED SEVENTY-FIVE AND 00/100 DOLLARS (\$3,675.00) be placed upon its first reading.

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

YEAS: Hardy, Artino, Crawford, Jones (4)
NAYS: None (0)

There being a majority of votes in favor, the motion passed and Resolution 2019-73 placed upon its first reading. The Law Director read the Resolution by its title only.

Resolution 2019-74

Motion by Mr. Jones that Resolution No. 2019-74 (A RESOLUTION AMENDING RESOLUTION 2018-30, ADOPTED APRIL 10, 2018, AUTHORIZING THE CITY MANAGER TO ACCEPT CHANGE ORDER NO. 2 FROM SMITH PAVING AND EXCAVATING FOR LABOR AND MATERIALS RELATED TO THE EXPANSION OF THE 2018 ROAD PAVING PROGRAM (PART 2) IN AN INCREASED AMOUNT NOT TO EXCEED FIFTEEN THOUSAND TWO HUNDRED EIGHTY-THREE AND 22/100 DOLLARS (\$15,283.22) be placed upon its first reading.

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

YEAS: Jones, Hardy, Artino, Crawford (4)
NAYS: None (0)

There being a majority of votes in favor, the motion passed and Resolution 2019-74 placed upon its first reading. The Law Director read the Resolution by its title only.

Resolution 2019-75

Motion by Ms. Crawford that Resolution No. 2019-75 (A RESOLUTION AMENDING RESOLUTION 2018-30, ADOPTED APRIL 10, 2018, AUTHORIZING THE CITY MANAGER TO ACCEPT CHANGE ORDER NO. 3 FROM SMITH PAVING AND EXCAVATING FOR LABOR AND MATERIALS RELATED TO THE EXPANSION OF THE 2018 ROAD PAVING PROGRAM (PART 2) IN AN INCREASED AMOUNT NOT TO EXCEED FORTY-THREE THOUSAND THREE HUNDRED SEVENTY-EIGHT AND 95/100 DOLLARS (\$43,378.95) be placed upon its first reading.

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

YEAS: Crawford, Jones, Hardy, Artino (4)
NAYS: None (0)

There being a majority of votes in favor, the motion passed and Resolution 2019-75 placed upon its first reading. The Law Director read the Resolution by its title only.

Ordinance 2019-28

Motion by Ms. Crawford that Ordinance 2019-28 (AN ORDINANCE AMENDING ORDINANCE NO. 2018-36, ADOPTED DECEMBER 11, 2018, TO PROVIDE FOR ADDITIONAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES AND AN INCREASE IN ESTIMATED RESOURCES AND FURTHER APPROVING CASH TRANSFERS BETWEEN FUNDS, AND DECLARING AN EMERGENCY) be placed upon its first reading.

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

YEAS: Crawford, Jones, Hardy, Artino (4)
NAYS: None (0)

There being a majority of votes in favor, the motion passed and Ordinance 2019-28 placed upon its first reading. The Law Director read the Ordinance by its title only.

Mr. Swaisgood stated that this appropriation is specifically related to the change orders for the paving program, so those resolutions will be pending approval next meeting with appropriate numbers on Council to increase appropriations for \$85,000, which as Mr. Green said, is the total of the change orders. There are sufficient funds available in Fund 401, which this will be paid out of.

City Manager's Discussion

In the interest of the Thanksgiving holiday and out of respect for our public in attendance, Mr. White stated that he would be brief. First, he recognized members from the Huron Boosters Club, the Huron City Schools and Mucci Farms to make a special announcement on a community-based project. Mr. White recognized Ajit Saxena from Mucci Farms, who approached the podium.

Mr. Saxena is the Public Relations and Digital Marketing Manager of Mucci Farms. Mr. Sazena stated that for the past couple of years since arriving in Huron, Mucci has been trying to figure out how to get settled

in before getting involved in the community. Huron is very similar to their home base of Kingsville, Ontario, and they know what a local sports team can do for a community. Obviously, in Canada hockey is really big, and here in Huron, football probably takes a similar space. They are really excited to be a part of this program, and know that this way they contribute to the youth as well and just kind of sink into the community and seek some common ground to settle in and be a part of this. It is hard to do that when we are just doing business, so as we settled in and do more things. I think it will help us to feel a bit more a part of the community. They are very excited to be here and are very happy to work with the Boosters and with the Tigers, and are very excited for the upcoming season.

Amy Springer from the Huron Boosters wanted to add a thank you to the Mucci family. They had a great day today at 4:00pm. We had our School Board, our Boosters, members of Mucci, BCSN and the Register; we had a great group and the weather was perfect to take some pictures and we did some interviews. They are really excited to start this project and it has been great to get to know Mr. Saxena, Bert and Dave and thinks this is going to be a great thing for our community. It is exciting, and will hopefully start at the end of May or beginning of June. It is going to take 20 days and just those 20 days are going to be exciting for a lot of little kids that like trucks. It is going to be fun summer. We can't thank Mucci enough for working with us. Ms. Springer thanked Andy White and Brad Hartung to get this going. Mr. Saxena said that they appreciate the warm welcome and thinks that everybody has been very warm and friendly and helped our transition into the community. Ms. Springer indicated that the School Board President and School Superintendent are both in attendance.

Ms. Crawford asked for the sake of those in attendance what is actually happening. Ms. Springer stated that Mucci Field is going to be our stadium field sponsor and will have a logo on the field. All the steeples where the tiger will have four signs changed out as well, and the big huge sign on the side of the home stand will be changed as well. Once the work is completed, there will be another invite to a party at the stadium.

Mr. White jokingly said that he and Mr. Mucci had a conversation, and he identified some upgrades to City Hall that we would be talking about. Mr. White added that one of the great benefits of working in a small community is the relationships. In just about the time it will take for this field project to be completed, we had a communication network of a few people that got this decision through the School Board, committed to by the Booster Club, and signed off on by Mr. Mucci, I think because of the proximity of this community. It was really fun to work on, and he commended everyone for letting him be a part of it. It is a great deal going into this holiday season.

(Applause.)

Mr. White did not want to understate the work that went into the 2020 Budget. It is the work of a lot of people, all under the coordination and direction of Mr. Swaisgood, which has put the City on a path to define its financial position for the next decade. That is something we have tried ardently to do in the past, and we have come close, but the comprehensive that Mr. Swaisgood was able to oversee was excellent. Without his leadership, that wouldn't happen. At the department head level and the way he incorporated everything, he has tied off the administrative team. He is really glad to have Mr. Swaisgood aboard.

Mr. White also acknowledged Smith Paving regarding the amount of work completed over a 2-year period. He was very impressed with the work they have done out there. Finally, as you may know, this past week has been a bit challenging in that he lost a close member of his family, but just wanted to reach out and thank you all – staff, counsel and all of those that reached out – to help me through the last week when absent from the office. We didn't miss a beat, and expressed his thanks for that.

Mayor's Discussion

Mr. Hardy thanked Mr. Jones for his months of service filling in. He wished everyone coming on a warm welcome. We are excited to get going after the first of the year and obviously, start doing some stuff next week with the new team up here. Happy holidays to everyone, and be safe.

For the Good of the Order

- Mr. Artino. Mr. Artino wished everyone a Happy Thanksgiving and enjoy that time with the family.
- Mr. Jones. Mr. Jones said that it has been a privilege to sit up here, and to have the opportunity over the last four months. He appreciates it and really has enjoyed it. It was somewhat of an eye-opener, but was fortunate to be in the audience for quite a while. There weren't a whole lot of surprises, but you will see him again – he is not going away, which some might desire perhaps. Mr. Jones is really appreciative of staff, for sure. Everybody has been extremely welcoming and helpful. The opportunity to be on the Finance Committee is going to be very helpful as he moves to the School Board in January, and he really appreciated the opportunity to have that assignment. Mr. Jones thanked Bert and Dave of Mucci Farms for being here and for their amazing support, the Boosters and the School Board for putting something together, and obviously, Mr. White for his valuable input. Thank you so much.
- Ms. Crawford. Ms. Crawford thanked Mucci Farms and well done. It is wonderful to witness community collaborations. It really is one of the things that makes this small town the place that we love so much. Happy Thanksgiving to everyone, and remember your local businesses – Shop Small Saturday. Again, our small town is growing with a lot of excitement. Safe travels to all of you, and Mr. Jones, it has been a pleasure.

With no further business, the Mayor declared the regular meeting of November 26, 2019 adjourned at 7:04p.m.


Terri S. Welkener, Clerk of Council