

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, July 24, 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 July 24, 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, Trey Hardy, Christine Crawford, Brad Hartung, Joe Dike, Sam Artino and Glen Ginesi.**

Also present: Law Director Laura Alkire, Assistant to the City Manager Mike Spafford, City Engineer Doug Green, and HFD Captain Doug Nash. Note: Mike Spafford, Assistant to the City Manager served as Clerk of Council during the meeting.

Approval of Minutes

Motion by Mr. Artino that the minutes of the work session meeting of July 10, 2018 be approved as printed and received. 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, Ginesi, Schaffter, Hardy, Crawford, Hartung, Dike (7)

NAYS: None (0)

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

Audience Comments

- Brian Henderson, 355 Berlin Road: Mr. Henderson thanked the city for all the improvements that have been made throughout the city and inquired about repairs to the walkway across the river citing safety concerns due to the condition of the walkway/sidewalks for pedestrians and bike traffic. The Mayor reference the future US6 Corridor Improvement Project and Mr. Green confirmed the sidewalk will be widened as the grass strip between the walkway and the road will be removed as part of the project which is slated for spring of 2019.
- Joe Catri, 902 Superior Drive: Mr. Catri inquired about regulations for setbacks, specifically referring to Huronia Beach, where there is no stop sign and overgrown brush is causing site line obstructions. He also referenced other locations where overgrowth is causing site line obstructions. Ms. Alkire noted that if there is an area of overgrown brush obstructing views- the city will conduct enforcement via the property maintenance code and asked Mr. Catri to provide a listing of locations. Mr. Catri inquired about the boulders on the ConAgra site, the Mayor referenced that Kokosing is doing a project and is leasing a portion of the site from the city for storage of these boulders. Lastly, Mr. Catri asked who is checking the slump on the concrete, Mr. Green replied that inspectors are overseeing this and explained that MS concrete is being used on the project and can be driven on the next day.

New Business

Resolution 2018-60

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2018-60 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF THE MCCORMICK SCHOOL DIAMOND JUBILEE COMMITTEE FOR THE PLACEMENT OF A BANNER IN THE MEDIAN AREA ADVERTISING THE MCCORMICK SCHOOL DIAMOND JUBILEE CELEBRATION ON AUGUST 4, 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, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

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. Ms. Alkire referenced the executive summary and the request received by Mr. Jones for median signage to promote this event. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-60. Members of Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-60 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-61

Motion by Mr. Hardy that the three reading rule be suspended and Resolution No. 2018-61 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF SAINT PETER CATHOLIC CHURCH, FOR THE USE OF CITY STREETS, TRAFFIC CONTROL SERVICES, AND PLACEMENT OF A BANNER IN THE MEDIAN AREA ADVERTISING THEIR 5K RACE AND FUN RUN TO BE HELD ON SATURDAY, OCTOBER 27, 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: Hardy, Crawford, Hartung, Dike, Artino, Ginesi, Schaffter (7)

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. Ms. Alkire referenced the executive summary and exhibit from St. Peter's for their annual event. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-61. Members of Council voted as follows:

YEAS: Hardy, Crawford, Hartung, Dike, Artino, Ginesi, Schaffter (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-61 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-62

Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2018-62 (A RESOLUTION AUTHORIZING THE EXECUTION OF THE 2018-2025 FIXED VOLUME ENERGY SUPPLY SCHEDULE(AMP CONTRACT NO. 2018-004647) WITH AMERICAN MUNICIPAL POWER, INC. (“AMP”)) 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, Schaffter, Hardy (6)

NAYS: None (0)

ABSTAIN: Ginesi (1)

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. Ms. Alkire referenced previous discussions with City Council, noting this is the first step in securing the sufficient energy and power supply that the city will utilize at the Rye Beach substation to feed the Mucci Farms development. She recognized Mr. Spacek in attendance, referenced the legislative history of the substation project contained in the summary, and reviewed terms of the agreement noting the following: term of 7 years and 30 days of energy supply at a fixed rate (rate not to exceed), the contract does not become effective until the city has an end user, in the event the city would lose Mucci Farms as a customer the city would be able to terminate the contract. She referred to the financials supplied to Council, noted the endorsement of the Finance Committee relative to the debt repayment schedule and explained the next step will be a contract with Mucci Farms for the utility rate. Ms. Alkire provided an overview of Mucci Farms anticipated electrical needs and corresponding phases of development, noting she would be requesting an executive session to discuss the utility rate. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-62. Members of Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Hardy (5)

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter (2)

There being a majority vote in favor of adoption, Resolution No. 2018-62 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-63

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2018-63 (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, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

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. Ms. Alkire referenced the Exhibit, noting entries were all

budgeted transfers prepared in accordance with the ORC. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-63. Members of Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hardy, Dike, Artino (6)

NAYS: None (0)

ABSTAIN: Ginesi (1)

There being a majority vote in favor of adoption, Resolution No. 2018-63 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-64

Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2018-64 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH OHIO PATIENTS CHOICE IN SUPPORT OF THE LOCATION OF A MEDICAL MARIJUANA RETAIL DISPENSARY WITHIN THE CORPORATE PARK) 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, Hardy (7)

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. Ms. Alkire recognized Mr. McCourt and Mr. Rapport of Ohio Patients Choice (OPC) in attendance and recapped the legislative action adopted by Council to date. She referenced the executive summary, noting OPC has initiated correspondence with the State to introduce the concept of moving the dispensary into the Corporate Park to be in compliance with the city's zoning code. She explained the BZA met and heard presentation from OPC and unanimously approved of the conditional use permit. She explained this development agreement codifies what OPC's requirements are under the city ordinances and noted that by entering into a development agreement will be recorded with Erie County and therefore will run with the property. She noted the next step is the site plan review by the Planning Commission and Design Review Board. She referenced once modification to be made to the agreement explaining that OPC corporate headquarters will be located in the Corporate Park as opposed to the Cleveland address. She reviewed the exhibits that will be required as part of the agreement which include: site plans, applications, and designs. She explained pursuant to Chapter 751, OPC will have to submit an application to operate a medical marijuana dispensary noting that this completed application is anticipated soon and if approved will be included as an exhibit as well. Ms. Alkire summarized that this agreement will reinforce OPC's intent and desire to relocate the retail dispensary in accordance with Council's direction in this properly zoned district. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-64. Members of Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Ginesi, Schaffter, Hardy (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-64 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2018-21

Motion by Mr. Schaffter that Ordinance 2018-21 (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, Hardy, Crawford, Hartung, Dike, Artino, Ginesi (7)

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. Ms. Alkire reviewed the revenue and expense entries appearing on Exhibit "A" of the ordinance noting the bulk of revenue represents the Rye Beach paving revenue and on the expense side, the \$55,000 increase relates to part time wages and general equipment expenses in the Fire Department and \$18,000 relates to the Assistant Prosecutor position, noting the contract was authorized previously for an amount not to exceed \$25,000 but the prorated amount for the year is \$18,000. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2018-21. Members of Council voted as follows:

YEAS: Schaffter, Hardy, Crawford, Hartung, Dike, Ginesi (6)

NAYS: Artino (1)

There being a majority vote in favor of adoption, Ordinance 2018-21 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion (Law Director)

- Referenced a letter of resignation from Mr. Chuck Thompson of the Finance Committee.
- Referenced vandalism to the Sea Quest yacht docked at the Huron Boat Basin, noting the HPD is investigating the matter.
- Request for two (2) executive sessions: 1) Litigation and 2) Investment and expenditure of public funds for utilities in connection with an economic development project. No business expected to follow the sessions.
- Recognized Mr. Biddlecombe in attendance and congratulated the committee for their work and the success of the River Fest event.

Mayor's Discussion

- Referenced he would work with the Clerk to coordinate a replacement for the Finance Committee.
- Referenced the Tiger Pride Run-Friday at 6:30p.m.

For the Good of the Order

- Mr. Schaffter, Mr. Hardy, Ms. Crawford, and Mr. Ginesi thanked Mr. Thompson for his years of dedication in serving on the Finance Committee.
- Ms. Crawford referenced attending the Lake Erie Shores and Islands learning series presentation by Dr. Winslow, referencing his knowledge and being a valuable resource on the topic of algal blooms.
- Mr. Ginesi inquired about the sidewalks on Main Street and the paving of the Showboat property. Mr. Green replied that he has quotes for the sidewalks as well as the restoration of the yards. Mr. Spafford noted that if an appropriation is required this could be done at a future meeting as well

as for the expense relating to the paving of the Showboat property. A brief discussion regarding a design plan for the Showboat parking lot ensued.

Executive Sessions

Motion by Ms. Crawford that the regular meeting of July 24, 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, Hardy (7)
NAYS: (0)

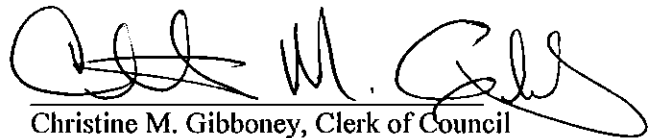
There being a majority voting in favor of the motion, the Mayor declared the motion passed and the executive session to order at 6:59p.m. The City Council and the Law Director discussed matters relating to pending litigation. The Mayor noted the discussion had concluded and declared the regular meeting of July 24, 2018 reconvened at 7:41p.m.

Motion by Ms. Crawford that the regular meeting of July 24, 2018 be recessed for the purpose of holding an executive session to discuss economic development assistance requested by an economic development project and the extension of utilities for that project. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Hardy (5)
NAYS: (0)
ABSTAIN: Ginesi, Schaffter (2)

There being a majority voting in favor of the motion, the Mayor declared the motion passed and the executive session to order at 7:42p.m. Councilmen Ginesi and Schaffter left the meeting at this point; the remaining members of Council and the Law Director discussed matters relating to economic development assistance requested by an economic development project and the extension of utilities for that project. The Mayor noted the discussion had concluded and declared the regular meeting of July 24, 2018 reconvened at 7:57p.m.

There being no further business to come before the Council, the Mayor declared the regular meeting of July 24, 2018 adjourned at 7:57p.m.


Christine M. Gibboney, Clerk of Council

Minutes prepared from administrative notes and audio recording.