

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday May 9, 2017 at 6:30 p.m.

A regular meeting of the City Council of the City of Huron, Ohio was called to order by Mayor Hartung on Tuesday, May 9, 2017 at 6:30 p.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, Phyllis Wassner, Brad Hartung, Joe Dike, Sam Artino and Glen Ginesi.**

Also present: City Manager Andy White, Law Director Laura Alkire, Assistant to the City Manager Mike Spafford, Finance Director Cathy Ramey, Fire Captain Doug Nash, Water Superintendent Jason Gibboney, City Engineer Doug Green and Management Services Coordinator ~ Clerk of Council Christine Gibboney. Also in attendance: Dennis Burnside of Juniper CRE.

Approval of Minutes

Motion by Ms. Wassner that the minutes of the work sessions and regular meetings of April 11 and April 25, 2017 be approved as printed and corrected. Ms. Wassner commented she notified the Clerk of a couple corrections needed to the minutes. 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: Wassner, Hartung, Dike, Artino, Ginesi, Schaffter, Hardy (7)

NAYS: None (0)

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

Audience Comments

- Ben Reid, Director of the Huron Public Library- Mr. Reid discussed the past and current Poet Laureate Program and explained that the Library will introduce a new structure for the program beginning this year. He explained that the Library worked with the current and past Poet Laureate to restructure the program. He explained instead of having one Poet Laureate as a figure head, they have devised a contest that will encourage those who write poetry for fun, seek out local community talent, and encourage the development of future poets. He referenced that information will be contained in the Library's upcoming newsletter.

New Business

Resolution 2017-38

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2017-38 (A RESOLUTION AMENDING RESOLUTION 2017-33, ADOPTED APRIL 25, 2017, AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF THE HURON GARDEN CLUB FOR THE PLACEMENT OF EVENT SIGNAGE IN THE MEDIAN AREA PROMOTING THEIR ANNUAL PLANT SALE) 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, Wassner, 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. Mr. White noted the Garden Club informed the city of a change to the date of their sale; therefore an amendment to the previous resolution was required. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-38. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, the Mayor declared that Resolution No. 2017-38 had been adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-39

Motion by Ms. Wassner that the three reading rule be suspended and Resolution No. 2017-39 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF THE HURON PLAYHOUSE, INC., FOR THE PLACEMENT OF EVENT SIGNAGE IN THE MEDIAN AREA PROMOTING THEIR 2017 SEASON) 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: Wassner, 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. Mr. White noted this is an annual request by the Huron Playhouse for the placement of signage and noted the request is supported by administration. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-39. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, the Mayor declared that Resolution No. 2017-39 had been adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-40

Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2017-40 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF THE HURON PUBLIC LIBRARY FOR THE PLACEMENT OF EVENT SIGNAGE IN THE MEDIAN AREA PROMOTING THEIR BOOK SALE) 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, Hardy, Wassner, Hartung, Dike (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. Mr. White explained this is an annual request for the placement signage and supported by administration. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-40. Members of Council voted as follows:

YEAS: Artino, Ginesi, Schaffter, Hardy, Wassner, Hartung, Dike (7)
NAYS: None (0)

There being a majority vote in favor of adoption, the Mayor declared that Resolution No. 2017-40 had been adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-41

Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2017-41 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND AGREEMENT OHM ADVISORS FOR CONSTRUCTION SERVICES RELATED TO THE NEEDLE ICE RAMP AND COASTAL REPAIR/REVTMENT IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED FIFTY EIGHT THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$58,500.00)) 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, Hardy, Wassner, Hartung (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. Mr. White explained that the original project related to construction of a Needle Ice Ramp, but due to a catastrophic weather event causing shoreline erosion behind the Water Filtration Plant, the project has expanded to include both components. He noted this is estimated to be a \$900,000 project and Engineering and the Water Superintendent have been working on the project with the corresponding agencies (Army Corps of Engineering, ODNR). Mr. White referenced that the Ohio EPA had been pressing the city to have this work completed. Mr. White referenced the impact of the project cost to Water Department budget, noting the expense would be provided for out of the Water Capital Projects budget, but explained that the city is applying for a bond through OWDA for the project which will require annual repayments for the period term. Mr. Green noted that permits have been granted through the Army Corps of Engineers and ODNR and added that no construction can begin on the project until after July 1, 2017 due to fish spawning. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-41. Members of Council voted as follows:

YEAS: Dike, Artino, Ginesi, Schaffter, Hardy, Wassner, Hartung (7)
NAYS: None (0)

There being a majority vote in favor of adoption, the Mayor declared that Resolution No. 2017-41 had been adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2017-13

Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2017-13 (AN ORDINANCE REPEALING SECTION 1126.01-OFF STREET PARKING AND LOADING REGULATIONS, SECTION 1126.03- SIGN REGULATIONS, AND SECTION 1126.13 LANDSCAPE REQUIREMENTS, WITHIN CHAPTER 1126-SPECIAL PROVISIONS OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, AND DECLARING AN EMERGENCY) 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, Wassner, 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. **Motion was made by Mr. Schaffter that Ordinance 2017-13 be passed as an emergency measure.** The Mayor asked if there was any discussion. There being no discussion, the Mayor directed the clerk to call the role on the motion. Members of Council voted as follows:

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

NAYS: None (0)

There being five or more votes in favor of the motion, the Mayor declared the motion passed on the emergency measure. Mr. White explained that this ordinance will repeal the specified sections of the Planning and Zoning Code to eliminate duplicative or conflicting language as they have each been addressed and incorporated into the major Zoning Code changes that Council has adopted over the past year. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2017-13. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, the Mayor declared that Ordinance 2017-13 had been adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2017-14

Motion by Mr. Artino that the three reading rule be suspended and Ordinance 2017-14 (AN ORDINANCE AMENDING ORDINANCE NO. 2016-32 ADOPTED DECEMBER 27, 2016 RELATING TO EXHIBIT "A" APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017) 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, Hardy, Wassner, Hartung, Dike (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. Mr. White referenced the summary and reviewed the entries on Exhibit "A" which he noted reflects reconciliation of the Marine Patrol Program Fund. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2017-14. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, the Mayor declared that Ordinance 2017-14 had been adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion

- Recapped discussion held in the Finance Committee meeting prior to the Council meeting: 1st Quarter Review- Income Tax collection down by 5% most likely due to a result of timing in collection and noted some issues/concerns with the automotive industry. He noted a motion was made by the Finance Committee relative to the refuse fee and noted the importance of timing with regard to setting the rate. He recapped current service and the rate to city and to the customer. He noted the city received a 38% increase in cost and recapped the details of the bid specification, service changes and the proposed options for rate structures that administration prepared for Finance Committee review and recommendation. Administration had prepared options which included the recommendation of a 5-year fixed quarterly rate of \$75 which included an administration fee and stormwater fee. He explained that following lengthy discussion the motion by the Finance Committee was to set the rate at \$70/quarter for the fixed five-year term commencing on July 1, 2017. He explained that this recommendation to set the rate at \$70/quarter will require that administration reduce the administrative fee and will retain the Stormwater fee of \$5 single/\$7 multi-family/\$10 Commercial. He explained the need for the storm water fee and noted that this fee, in addition to generating revenue for storm water management items, will also provide for funding for the return of a leaf pick-up machine or leaf pick up service for 2018 in addition to the yard waste service through Republic. He then went on to recap the residential service details as well as noting that Commercial and Multi-family residential customers will be contracting directly with Republic or the carrier of their choosing. He noted that administration will be preparing financial spreadsheets to provide to Council for the next Council meeting. He asked that action be taken at the Council meeting of May 23, 2017 in order for the city to meet the timelines for informing the public and implementation.
- Advised members that the city was contacted by Ohio Edison as they will be replacing a transformer unit that may affect service at City Hall and the bank for a period of time during the repair. The city was advised that if repairs are made during business hours, there would be no charge, however, if after hours or weekend repair is requested, then there will be a charge upwards of \$3,000. Administration will be talking to the bank and following up with Ohio Edison to establish a date. He noted he would want to schedule the repair after hours or on a Saturday.
- Administration, ECEDC, and Jobs Ohio took a tour of IAC recently and met with the new Plant Manager. He noted a follow-up site visit is being planned for some time in June and asked that any members interested in going contact him.
- Mr. White noted administration had been working on and off for the last several months with the owners of Gathering Grounds Coffee House relative to their development agreement terms. He reported on the items in breach within the development agreement and the most recent

conversations with property owners. He reviewed the items that have not been rectified including sidewalks and landscape requirements and stated that they discussed the possibility of the city providing the construction on these and then assessing the property owner. He reported the property owners were open to that option, and in exchange for that, they would agree to do the sealing and striping of the parking lot and remove and replace the signage as required. He referenced the timeframe due to the contractor being on site for the Main Street Streetscape project. The Mayor commented and inquired: the property owner is asking the city to provide the sidewalks and landscaping and then have the city assess them for the expense and then they were willing do the rest of the items in the contract or just the sealing and striping of the parking lot and removal and replacement the signage? Mr. White confirmed that the owner would be doing the sealing and striping of the parking lot and removal/replacement of the signage only. Mr. White stated that believed the only other item they are eliminating from the agreement was the exterior stone siding of the building and added that administration's recommendation to Council would be to leave the building envelope alone and focus on the components of the parking lot. He noted that the areas of work that the city would be doing would be in the city right of way. The Mayor noted all of these things were supposed to have been done per the agreement. Mr. White agreed, noting that the property owners have not done so and suggested it was an opportunity to resolve the breach. A lengthy discussion ensued regarding the fact that the business has not fulfilled the terms of their agreement which has been in breach since September 30, 2016. The Mayor asked if the city got anything in writing from the property owners on this newest communication. Mr. White said he did not, as it is subject to Council approval. In addition, Mr. White noted the urgency with regard to the contractor that will be in place working on the Main Street project that the city would then use to perform the work if Council was in agreement. He explained that the city wants to work with the business, if possible, and would be able to assess them for costs expended which are estimated at approximately \$12,000. The Mayor noted he would want something in writing and possibly a bond as well. Mr. Artino commented that he agreed with the Mayor, that while he would like to work with the business, they have showed a lack of respect for the community and the city should not accommodate them at this point. Mr. Schaffter noted his agreement with the Mayor and Mr. Artino, referencing that the city has gone over and above in trying to work with this business. Ms. Wassner stated to get it in writing and then enforce it. Mr. Ginesi asked what the alternative would be. The Mayor referenced the conditional use permit and explained the permit allowed the drive thru window per the terms specified in the agreement which were agreed to by the property owner, so the city could pull the permit and curb in the lot to shut down the drive thru. Mr. Ginesi noted he understood the situation and realizes that the city has been abused by this business, but would not be in favor of curbing in the drive thru. A discussion about bonds and escrow options, assessments, and liens ensued. Ms. Alkire explained that both assessments and liens may be reduced or not collected in the event of a foreclosure. She noted that no one disputes they are in breach of their agreement and have been since the end of September and the city has been trying to bring them to the table. She added that the property owners are now at the table and this would require them to put money into the project now. The Mayor noted he is not opposed, but the city must have it in writing and require a bond. Mr. White explained that this matter was brought to Council for discussion to define the terms that Council desires to include and also explained that the property owner was advised that City Council would have to authorize any action. Mr. Ginesi noted his support of an assessment. The Mayor noted he is requiring a bond. Mr. White noted that he would reach out to property owner and report on the discussion tonight.

- Two executive sessions were being reported with no business expected to follow.

Mayor's Discussion

- Congratulated Mr. Ginesi on being the Business and Community Leader of the Month in the North Coast Business Journal.

- Referenced correspondence from the Community Action Commission regarding the Poverty Town Hall – Thursday May 25th.
- Referenced a discussion with the City Engineer Doug Green and Mr. White regarding roadway paving for this year. The Mayor noted he was asked if the city could bid out the project in the winter for construction in early 2018, as the city may get better pricing than going out to bid now. He also referenced the paving that will be done this year as part of the Oklahoma Project. The Mayor noted that since the city is paving in Oklahoma, he asked to have Taylor Ave south of the tracks and the section of Center Street where the bump is to be taken care of. He noted he asked for a quote for these items.
- Recognized and thanked Michelle and Paul Siegfried- owners of McDonalds, referencing the ribbon cutting this evening that he and other members attended. He noted that they donated \$10,711 to Huron City Schools Athletic Department for a new speaker system in the gym.

For the Good of the Order

Mr. Ginesi asked if Council members would consider a motion to request legislation be prepared to amend the ordinance pertaining to the Economic Development Committee to add a second member of the public to the committee, given the number of applications that the city received. The Mayor referenced the application packet that each Council member was provided and stated that interviews will be set up for these applicants. The Mayor also referenced that letters were also sent to the other members of the committee and once the committee gets together, then a motion coming out of the committee itself to change the composition would be recommended. He also referenced the applications that have been received and stated that interviews will be held at the next Council work session meeting of those applicants. **Motion by Mr. Ginesi to request legislation be prepared for Council consideration to amend the ordinance to include a second member of the public to the Economic Development Committee.** The Mayor asked if there was any discussion on the motion. A brief discussion on the current composition of the committee and number of members ensued. There being no further discussion, the Mayor asked the Clerk to call the roll on the motion. Members of Council voted as follows:

YEAS: Ginesi, Schaffter, Dike, Artino (4)

NAYS: Hardy, Wassner, Hartung (3)

There being a majority vote in favor of adoption, the Mayor declared that the motion had passed and legislation be prepared by administration for Council consideration.

Executive Session(s)

Motion by Ms. Wassner that the regular meeting of May 9, 2017 be recessed for the purpose of holding an executive session to discuss economic development requiring confidentiality. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

NAYS: None (0)

There being a majority voting in favor of the motion, the Mayor declared the motion passed and the executive session to order at 7:20p.m. The Council, City Manager, Law Director and Mr. Burnside discussed issues pertaining to economic development matters requiring confidentiality. The Mayor noted the discussion had concluded and declared the regular meeting of May 9, 2017 reconvened at 8:10 p.m.

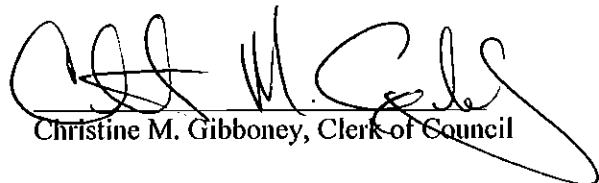
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YEAS: Wassner, Hartung, Dike, Artino, Ginesi, Schaffter, Hardy (7)

NAYS: None (0)

There being a majority voting in favor of the motion, the Mayor declared the motion passed and the executive session to order at 8:11p.m. Mr. Ginesi was excused; the remaining members of the Council, City Manager, and Law Director discussed issues pertaining to economic development matters requiring confidentiality. The Mayor noted the discussion had concluded and declared the regular meeting of May 9, 2017 reconvened at 8:40 p.m.

There being no further business to come before the Council, the Mayor declared the regular meeting adjourned at 8:40p.m.



Christine M. Gibboney, Clerk of Council