

**THE CITY OF HURON, OHIO**  
**Proceedings of the Huron City Council**  
**Regular Meeting Tuesday, May 28, 2019 at 6:30 p.m.**

Mr. White advised of the necessity to appoint a temporary chair pursuant to 121.01, due to the absence of Mayor Hartung and Vice Mayor Hardy. **Motion by Ms. Crawford to appoint Councilman Ginesi as temporary chair.** All in favor, motion passes.

The regular meeting of the City Council of the City of Huron, Ohio was called to order by Councilman Glen Ginesi on Tuesday May 28, 2019 at 6:30p.m. in the Council Room of City Hall, 417 Main Street, Huron, Ohio.

Councilman Ginesi called for a moment of silence. After the moment of silence, Councilman Ginesi led in saying the Pledge of Allegiance to the Flag, and then directed the Clerk to call the roll. The following members of Council answered present: **Rick Schaffter, Christine Crawford, Joe Dike, Sam Artino and Glen Ginesi.** Members absent: **Brad Hartung and Trey Hardy.**

Also present: City Manager Andy White, Law Director Aimee Lane, Interim Finance Director Mike Spafford, City Engineer/Zoning Inspector Doug Green, Police Chief Bob Lippert, and Management Services Coordinator-Clerk of Council Christine Gibboney.

**Motion by Mr. Schaffter to excuse Mr. Hardy and Mr. Hartung from the meeting.** Councilman Ginesi asked if there was any discussion on the motion. Councilman Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

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

**Approval of Minutes**

**Motion by Mr. Schaffter that the minutes of the regular meeting of April 23, 2019 be approved as printed and received.** Councilman Ginesi asked if there was any discussion on the motion. There being no discussion, he directed the Clerk to call the roll on the motion. Members of Council voted as follows:

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

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

**Audience Comments**

The following individuals addressed City Council regarding the incident at the May 14, 2019 meeting, noting their support of Ms. Hinnners and their disagreement with City Council and Huron Police action taken at the meeting:

- Monty Tapp, McKinley Street. Mr. Tapp referenced the work of the Hinnners in requesting public records advising this was due to the lack of transparency on the part of the city. He referenced the actions of Council on May 14<sup>th</sup> being an embarrassment, advising that Council needs to abide by the rules/polices and apply these to all.

- Marty Long, Norwalk, Ohio. Ms. Long read a letter from Francine Chubak, 916 Berlin Road, mother of Stacey Hinnners, providing a history of her employment and referenced training advice she provided to Officers during her time with the HPD; recognizing the work of her daughter and son-in-law in the community and pro bono legal services they have provided to several individuals; and expressing words of encouragement and support of her daughter, son-in-law, and grandson.
- Cheryl Zimmerman, 920 Superior Drive. Ms. Zimmerman referenced her shock in seeing the video and expressing concern for the son of Ms. Hinnners in witnessing the incident. She referenced the work of the Hinnners stating they should have been thanked by Council for their research and advice. She noted her disappointment in members of Council, suggesting they listen to the information provided, and referenced the negative adverse publicity this matter is bringing to Huron.
- Maria Fry, 308 Canterbury Drive, referenced data she has gathered: ConAgra Development site was not put up for public bid, and the public still does not know the status 2) OPC contracts were signed before public hearings and locations were too close to schools 3) bonus pay was awarded to the City Manager without public reviews 4) Ms. Hinnners was targeted for bringing some of these issues to light 5) lawsuits from OPC and the Hinnners will cost taxpayers. She referenced the public records requests made by Mr. and Mrs. Hinnners were done to verify facts, stating the city is not meeting expectations. She asked that Council respond to the items mentioned, recognize mistakes, operate with transparency, and asked that Council drop the charges against Ms. Hinnners.
- Mary Murphy, 410 Seneca Ave. Ms. Murphy stated adherence to guidelines for process during meetings has not been universally enforced, information provided to the public has been incomplete; and advised audience comments provide Council the opportunity to address the concerns of the public. She referenced that the attorney for Ms. Hinnners asked that charges be dropped, but the city added more charges and hired a special prosecutor. She referenced a councilperson speaking to the leadership of the church Mr. Hinnners attends, questioning his leadership in the church and suggesting this was a personal attack.
- Pamela Snell, 124 Ohio Street. Ms. Snell commented that the constitutional rights of Ms. Hinnners were violated, suggesting this was due to her pursuit for the truth, criticism of the process, and lack of transparency on several topics which she brought to light. She commented on her experience with the city as Finance Director, referencing she was forced to resign and sign a letter maintaining she would not sue the city, and referenced the following during her time at the city: related party transactions, coerced restructuring of staff within the Finance Department, illegal handling of council mid-term pay increases, and mistreatment upon pushback. She referenced hours of critique of comments made at council meetings on mornings following the meeting. She wished luck to the new Finance Director, Cory Swaisgood acknowledging his background and experience.
- Meredith Miller, 310 River's Edge Drive. Ms. Miller stated that the actions taken were done to embarrass Ms. Hinnners and infringed upon her freedom of speech. She advised there were other actions the city could have taken, questioned the handling of the situation by officers, and suggesting abuse of power by Council.
- Steve Fisher, 214 Ohio Street. Mr. Fisher referenced the research work of Ms. Hinnners, stating what happened at the meeting was an overreaction and a setup. He asked that charges be dismissed, stating that Ms. Hinnners did not do anything wrong and that inconsistent rules have been applied. He expressed disappointment in that no discussion takes place with the public at meetings.
- Christy Jones, 24 Oakwood Ave. Ms. Jones noted she was disappointed and appalled at the actions of council and the treatment of Ms. Hinnners. She asked members to consider the Mayor's

resignation, asked that the two officers involved be placed on administrative leave, and the charges against Ms. Hinnners dropped, noting Ms. Hinnners should receive a public apology.

- Cindy Sowecke, 1021 Harbor Drive. Ms. Sowecke advised the public should be able to trust elected officials and shouldn't have to come to meetings. She criticized Mr. Ginesi on looking down during the meeting stating it was disrespectful. She criticized the Mayor for not being in attendance, stating that nothing should be more important, adding that all members should be in attendance.
- Stacey Hartley, 310 Canterbury. Ms. Hartley referenced the Sunshine Laws, obligations of the city to adhere to laws, and explaining that the conflict has been about the process, not about topics. She referenced the research done by the Hinnners to ensure the proper process is followed and suggested that Council is taking the matter personally, asking that council respect the process, admit mistakes, and take corrective action. She asked that Council stop continually suspending the three reading rule on legislation, schedule trainings through the Attorney General's Office and Ethics Commission for all and invite the public as well. She asked that the city drop the charges against Ms. Hinnners.
- Jim Murray, 3608 Turfside Circle. Mr. Murray referenced he was an attorney explaining he was limited in what he can say, but spoke as a citizen, stating that many mistakes have been made, and the city needs to focus on next steps. He advised of looking at healing the situation, offering pro bono mediation services in the matter. He advised that the city learn from the experience, learn from the work of Mr. and Mrs. Hinnners, and consider mediation for the benefit of the community. He noted he was not in attendance on May 14<sup>th</sup>, but did see the video.
- Tony Legando, 817 Cleveland Road West. Mr. Legando questioned the original charge of disturbing a lawful meeting and the subsequent charge of resisting arrest, referencing he doesn't believe it was the intention of Ms. Hinnners to prevent or disrupt a public meeting, but instead believes Ms. Hinnners turned around out of respect for those in attendance, and suggested the action that was taken was due to the content of her message. He referenced civil rights in being able to turn and address the public if desired, and stated the disturbance came from Mayor Hartung. He advised Council to respect and represent the citizens of the community, referenced an article in the paper relative to the public records requests the Hinnners family has made, suggesting if there was transparency, there would be no need for records requests. Mr. Legando referenced misuse of power by a Council member, and proceeded to read from a deposition of a local priest "Councilman Ginesi felt Mr. Hinnners was acting in a non-Christian way when he criticized Council and said he was bewildered to learn Mr. Hinnners was under consideration for any prominent position in the church". Mr. Legando stated it was time for some members of Council to step down.
- Lisa Kenning, 415 Newport Drive. Ms. Kenning referenced knowing many on Council as well as Mr. and Mrs. Hinnners, and spoke to the character and generosity of the Hinnners family and their works in the community, noting she appreciates the work they have done to keep the community informed and stating that if the city was doing the right thing none of this would be happening. She stated the city needs to operate with transparency. She advised its time to do what's right; asking that the city tell the public what it needs and how the public can help.
- Mark Claus, 416 Winona. Mr. Claus referenced his attendance at meetings over the past 17 months, referencing he was at the May 14<sup>th</sup> meeting, and commented that he had never seen the 3 minute time limit strictly enforced; stating that others have been allowed to speak longer. He stated that the action taken was retaliatory due to the content of the comments made by Ms. Hinnners. He asked for the status of the PA system for the council chambers which was approved in February and stated if this was in place it may have changed the outcome of the May 14<sup>th</sup> meeting.
- Lorna Findley, 212 Ashland Ave. Ms. Finley noted her appreciation for the information on city issues provided by Ms. Hinnners over the last two years. She referenced seeing the video from the

May 14<sup>th</sup> meeting on social media venues, expressing her concern for the action and behavior at the last meeting.

- Jason Hinnners, 1130 Mudbrook. Mr. Hinnners provided background and reason for locating in Huron, referencing their care for the community and the importance of an open, honest and transparent government. He referenced the failure of elected officials and city administration, and the work of themselves and others in the community to address issues including lack of transparency with OPC, response to lighting issues at Mucci Farms, speaking out against the giveaway of public land at ConAgra, and demand for the resolution of the auditor finding relative to the Council mid-term pay increase. He referenced continued lack of transparency with regard to the approval of two merit bonus payments in 2018 to the City Manager which he said were not discussed in open session explaining they had advised council of this in a letter in April and when council didn't respond appropriately, they filed a lawsuit on May 13, 2019. He referenced personal attacks against himself and Ms. Hinnners: 1) stating that Councilman Ginesi spoke to his parish priest relative to concerns he has with Mr. Hinnners acting in a non-Christian way and concerns relative to him being considered as a deacon or in any leadership position in the church and stating he also asked Father to be part of the solution regarding his issues with Council 2) Ms. Hinnners came to speak under audience comments at the May 14<sup>th</sup> meeting to address the lawsuit and two resolutions on the agenda related to it. He stated the Mayor abused his authority by having Police remove her and charged her with two crimes for not looking at him. He referenced the impact the personal attacks have had on their family.

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- Jim Werleg, 925 Dallas Drive. Mr. Werleg thanked Council members for their service and asked for status/information of the former ConAgra property, lime plant, railroad owned properties, Huron River and referenced concerns relative to brownfields. Mr. Ginesi advised of the format of audience comments, noting it is not a dialogue, but explained his inquiries would be either addressed later in the meeting or via a follow-up response.
  - Rick Scheels, 4520 Galloway Road. Mr. Scheels referenced his inquiry at the last meeting relative to Resolutions related to signage in the right of way and asked if he could be provided with information if there was time this evening. He stated that many people commenting this evening are basing their opinion on a video. He noted he was in attendance on May 14<sup>th</sup> and stated that he didn't believe the action taken had to do with the content of what Ms. Hinnners was saying, referencing disregard for Council and the public, and noting the disrespect Ms. Hinnners showed by not taking the podium and addressing City Council when being asked to and when she continued to speak after told her time was up. He suggested the way to change things with government is through the ballot box. He commented he didn't like what he saw at the meeting, referenced a staged event with cameras in the audience, and video edited for the media. He advised there are two sides to every story.

Vice Mayor Hardy arrived at 7:13pm during Audience Comments and then presided over the meeting beginning with New Business.

### New Business

#### **Resolution 2019-35**

**Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2019-35 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE CITY OF HURON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.) be placed upon its first reading.** Vice Mayor Hardy asked if there was any discussion on

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

**YEAS: Crawford, Hardy, Ginesi, Schaffter (4)**

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

There being less than the required five votes needed to suspend the three reading rule, the motion failed and Resolution 2019-35 was placed upon its first reading. The Vice Mayor directed the Law Director to read the Resolution by its title only. The Vice Mayor asked if there was any discussion. Mr. White explained this resolution would allow for application for a zero interest loan toward mandated improvements to the water filtration system relative to algal bloom issues. He recapped the history and nature of the mandatory improvement and the imposed EPA timeline for completion; urging consideration at the next meeting. A brief discussion on the submission timeline ensued, Mr. White to verify deadline and suggesting Council consider adoption on the second reading.

**Motion to set a Public Hearing for the Fiscal Year 2020 Tax Budget**

**Motion by Ms. Crawford to set a Public Hearing date of June 25, 2019 at 6:30pm for the Fiscal Year 2020 Tax Budget.** Vice Mayor Hardy asked if there was any discussion on the motion. Mr. White explained the city is required to submit an annual tax budget to the County as the first step in the municipal budget process. Vice Mayor Hardy directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

**NAYS: None (0)**

There being more than a majority voting in favor of the motion, the motion passed and Public Hearing date set.

**City Manager's Discussion**

- Addressed the audience comments by Mr. Werling: Provided a recap of past discussions and actions relative to the ConAgra property, and provided information on the Lime Plant operation, noting the property is owned by Norfolk Southern.
- Addressed the audience comments by Mr. Claus: New public address system is installed as is the new audio software, but noted there are issues that are being addressed with regard to compatibility.
- Oster's Mobile Home Park: City continues to have conversations with the State and legal review continues to determine city authority for property maintenance issues.
- Referenced several inquiries from local businesses on Sawmill Parkway on interest in Huron Public Power.
- Meeting to be held this week with Beachwood Cove and Erie County relative to lagoon drainage issues.

**Questions/Comments from Council members:**

- Mr. Dike questioned whether Council could, by motion, direct Mr. White to direct the Law Director to drop the charges against Mrs. Hiners. Mr. White noted he would defer to the Law Director, but noted that because Ms. Lane was a witness to the events of the May 14, she is not able to proceed in addressing prosecution; stating there will be a special prosecutor reviewing the charge. Ms. Lane explained the case has been delegated to a special prosecutor who is in the process of reviewing the investigatory material from the Police Department and will be making a decision on the issue, noting the matter will not be handled through her office. Mr. Dike inquired if Council has to approve of the Special Prosecutor. Mr. White replied he didn't believe the

threshold is such that Council would have to move on an agreement, however, at some point the possibility of the need for a modification by an appropriation ordinance may be required. Mr. Dike referenced the comments of the public, and noted he did not wish to see this matter drag out and cause turmoil within the community. He questioned whether there was a violation of section 4.05 of the City Charter. Mr. White noted he would have to review this section and follow up.

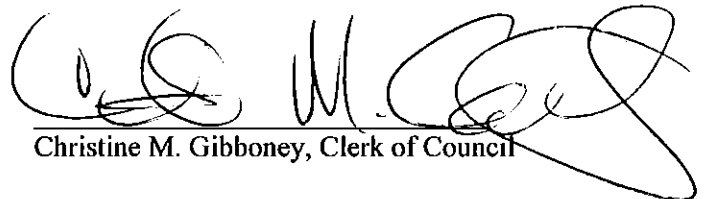
#### Mayor's Discussion

- Mr. Hardy noted he did not have anything prepared for this evening and referencing that the Mayor was absent due to illness. He advised of the June 1<sup>st</sup> Council & Committee group work session at the Huron Library from 9am-noon.

#### For the Good of the Order

- Ms. Crawford asked all to keep the residents and safety services of the Dayton area in their thoughts and prayers following the recent tornado.
- Mr. Dike wished luck to Jimmy Harkelroad in State competition for Track & Field. Referenced discussions within the Planning Commission meeting, most recently with the members of the Huron Joint Port Authority who are actively looking into projects and sharing ideas and encouraged the public to attend meetings. He referenced the incident on May 14<sup>th</sup> and apologized to Ms. Hinnners and the Hinnners family.
- Mr. Artino referenced the incident of the meeting of May 14<sup>th</sup>, stating it was a sad day for the community and commented it has made him question whether he wants to remain on Council. He stated respect, dignity, and common sense were absent at the meeting; adding he does not feel sorry for the Councilman who took the matter to a personal level in speaking to the church, stating that God would address that. He advised regardless of the decision that will be made by a Judge, it will not heal the community, stating that a wound was opened and urged all (the City and Mr. and Mrs. Hinnners) sit down and try to resolve the matter.
- Mr. Ginesi reported overgrown grass on the sidewalks along Cleveland Road, reported a property maintenance issue on a vacant home on Shawnee Place, and referenced his previous suggestion of a Customer Response System software program to aid with responding to customer issues and noted he would bring this up at the work session meeting. Mr. Ginesi noted the conversation he had was between his priest and himself about his concerns, noting that what was said tonight did not represent the conversation that he had with his priest. He added the conversation was concern to make Mr. Hinnners successful in his role. He noted he was offended at the comments and applause by some in the audience following Mr. Artino's statement. He explained he spent the last week speaking to each of the religious leaders in the community over concerns of this and spent the afternoon with a prayer group concerned for the city.

There being no further business to come before the Council, Vice Mayor Hardy declared the regular meeting of May 28, 2019 adjourned at 7:51p.m.



Christine M. Gibboney, Clerk of Council