

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday July 25, 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, July 25, 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, and extended condolences to the Rosenberg family on the recent passing of Sandi Rosenberg. 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, Phyllis Wassner, Brad Hartung, Joe Dike, Sam Artino and Glen Ginesi. Members absent: Trey Hardy.**

Also present: City Manager Andy White, Law Director Laura Alkire, Assistant to the City Manager Mike Spafford, City Engineer Doug Green, Fire Captain Kurt Schafer, and Management Services Coordinator-Clerk of Council Christine Gibboney. Also in attendance: Mike Spacek, EPS.

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

YEAS: Schaffter, Wassner, Hartung, Dike, Artino, Ginesi (6)
NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed and Mr. Hardy excused.

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

Audience Comments

- Resident of Boulder Shores Condominiums addressed Council and asked for status of their inquiry relative to garbage/recycling/yard waste service raised at the last Council meeting. The Mayor noted that there would be discussion provided under City Manager's Discussion further on in the agenda.

New Business

Resolution 2017-55

Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2017-55 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, TO ENTER INTO A UTILITY SERVICE AGREEMENT WITH MIMI LAND COMPANY, LLC FOR THE PURPOSE OF THE SUPPLY OF GENERAL ELECTRICAL UTILITY SERVICES) 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. Mr. Ginesi noted he would be abstaining from voting and exited the meeting at this point. *(Note of clarification: Mr. Ginesi abstained from all voting on the matter due to a conflict of interest and removed himself from the meeting during the discussion).* Members of the Council voted as follows:

YEAS: Dike, Artino, Schaffter, Wassner, Hartung (5)
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. Mr. White referenced this agreement will provide for general electric utility service to Mucci Farms. He explained that once adopted, per the terms of the agreement, Mucci Farms will provide \$200,000 to the city for the construction of several hundred feet of electrical conduit and trenching to be able to bring preliminary electricity to their location. He referenced discussion at the work session regarding the need for the city to acquire a 5 acre parcel to contain the needed electrical substation required to provide the future electrical power needed for the operation. He referenced the future legislation that will be required for Council adoption. Ms. Alkire noted the terms of the agreement, she noted that the same level of service provided to the customers within Corporate Park has been confirmed with AMP as to exactly what the amount is that the city is able to service outside of its jurisdictional limits and this agreement guarantees that the city will not go over the amount outside of the jurisdiction. The Mayor noted that the city has been informed that Mucci Farms has received title on the property. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-55. Members of Council voted as follows:

YEAS: Dike, Artino, Schaffter, Wassner, Hartung (5)

NAYS: None (0)

ABSTAIN: Ginesi (1)

There being a majority vote in favor of adoption, the Mayor declared that Resolution No. 2017-55 had been adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Mr. Ginesi returned to the meeting at this point.

Resolution 2017-56

Motion by Ms. Wassner that the three reading rule be suspended and Resolution No. 2017-56 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID AND ENTER INTO AN AGREEMENT WITH SCHALK BROTHERS INCORPORATED FOR LABOR AND MATERIALS RELATED TO THE FABENS PARK-ADAMS AVENUE ENTRANCE PROJECT IN AN AMOUNT NOT TO EXCEED TWO HUNDRED SEVENTY TWO THOUSAND SEVEN HUNDRED FIFTY TWO AND 50/100 DOLLARS (\$272,752.50)) 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 (6)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained that ODOT required a modification to this entrance and culvert in conjunction with the Michigan Left Median Crossover Project. He explained the city had applied for grant funding through OPWC for this project, but was unsuccessful in obtaining a grant award, however, OPWC advised that the city would be eligible for a zero interest loan in the amount of \$174,987.00 payable over a 30 year term. The city would be responsible for the remaining expense of \$97,765.50 which can be accommodated from the Capital Improvement Fund. In response to a question from Mr. Dike, Mr. Green confirmed that OHM did validate the bids and checked references. Mr. Green noted that construction is anticipated to begin this fall with completion by next May. Mr. Green noted that

a detailed schedule will be known once the pre-construction meeting is held. In response to a question by the Mayor, Mr. Green confirmed he has spoken to the property owner abutting the project regarding the plans and he is supportive. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-56. Members of Council voted as follows:

YEAS: Wassner, Hartung, Dike, Artino, Ginesi, Schaffter (6)
NAYS: None (0)

There being a majority vote in favor of adoption, the Mayor declared that Resolution No. 2017-56 had been adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2017-31

Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2017-31 (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: Schaffter, Wassner, Hartung, Dike, Artino, Ginesi (6)
NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Ordinance by its title only. Mr. White reviewed the revenue and expense entries on Exhibit "A" of the ordinance which reflect the revenue and reciprocating expense associated with Resolution 2017-55. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2017-31. Members of Council voted as follows:

YEAS: Schaffter, Wassner, Hartung, Dike, Artino, Ginesi (6)
NAYS: None (0)

There being a majority vote in favor of adoption, the Mayor declared that Ordinance 2017-31 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

- Boulder Shores Condominiums-Refuse issue: Referenced the previous Council meeting noting the statement that was read by Ms. Janet Cramer Blahnik. He recapped the bid and terms of service with Republic. He referenced the anomaly that exists with this and one other condo association, both of which do not have garages. He noted he has spoken to Mr. Dave Kidder of Republic who would be willing to work with the city and this association. He explained the suggestion was that the association consider either retaining the dumpster or provide carts if that is the consensus of the residents of the complex. He explained the funds that would be paid to the city would be used to off-set the cost to the association for the dumpster if that is the decision and noted that Mr. Kidder was open to this option. He noted that an email was sent to Ms. Blahnik last evening to provide this status and noted the matter was discussed at the work session meeting. Mr. White also advised that should the association have further questions, they should contact Administration and a meeting can be entertained. Mr. White also referenced issues with

service in general and advised that if someone is missed for pick up, he advised residents contact the city with reports of missed pick-ups or inquiries.

- City continues discussions with Ohio EPA relative to open lake dredging. Noted that grants are available relative to wetland studies. A Letter of Intent is required to be submitted on or before August 1, 2017. No cost to participate and no obligation to continue following the study. The Mayor referenced the cost if the city were to decide to continue which would be a 35% cost share (65/35 split). Mr. White advised the city would be advised of cost in advance in order to make a decision. Mr. White also referenced previous discussion about the Corps of Engineers and infrastructure upgrades to the pier area. Mr. White stated that he would prepare and submit the LOI if there were no objections. No objections were voiced.
- Recognized Fire Captain Kurt Schafer in attendance. Provided status on Station 2 operation at the Huron Township location. Captain Schafer reported on stats for run times. Mr. White noted that a meeting of the Fire Committee with Captains should be scheduled. Clerk to coordinate meeting.
- Reported on the recent meeting of the Economic Development Committee, noting this committee will be utilized in the same manner as the Finance Committee.
- Provided status updates on the Oklahoma Water Line and Paving Project and the Main Street Streetscape Project: Oklahoma project still ahead of schedule, waiting for a date from the contractor as to when milling of Center Street and the final paving will get underway. North Main Street is substantially completed. City has had a couple issues regarding the parking bump-outs, and the city is working with utilities to coordinate removal of overhead electrical cables and then the removal of the poles and coordination for new light fixtures from the Pier area south to Route 6. He noted he would get information to Council once quotes have been received. Proposals for landscaping materials and screening on North Main Street have been requested. Mr. Dike inquired about the timeline for the overhead cable removal. Mr. Green noted he did not have a firm timeline yet as there is still some underground infrastructure to finish. He noted Mr. Spacek is getting some pricing for boring work near the bowling alley that will have to be done. Mr., Green also referenced the lighting task and noted that he does not want to remove the current lighting until the city is ready to go with the replacement lighting. He referenced the ODOT contract timeline which provides the city until the end of October- which may be needed to allow time to coordinate the lighting tasks. Mr. Dike noted he is hearing comments about the unpaved Showboat property, dumpster, and port a potty and noted he hopes the city can make this more appealing. Mr. White replied that administration is still looking into options, one of which is using the asphalt grindings similar to what was done on Maple Avenue for the Showboat parking lot and different landscape ideas. Mr. White also spoke of the curve area on Main Street and the potential to create a paver/bench area there similar to what Vermilion has as well as changes in front of the City Hall building near the Memorial and flag pole. Mr. Artino asked if something can be done to the parking lot temporarily (Showboat property). Mr. White and Mr. Green replied that it has been discussed previously and would be relatively inexpensive (\$4,000 to \$5,000) utilizing the asphalt grindings. Mr. White noted with no objections, administration will move forward with this. No objections were voiced. Mayor inquired about the need for more conduit. Mr. Green replied that Ohio Edison is requiring crossings to close the loop from Harbor House down to the entrance to the hotel and this needs to be bored. He noted Mr. Spacek secured a quote which came in high and he is trying to get the cost down or secure another quote.

Mr. Hardy arrived and joined the meeting in progress at 7:06p.m.

Mayor's Discussion

- Referenced the Huron Football- Tiger's Pride Run to be held on Friday at HHS.

- Referenced the program underway by the HPD relative to car checks being performed as a community service.
- Referenced an email received by a couple who visit the city often and their compliments on all improvements being made.

For the Good of the Order

- Mr. Ginesi complimented the contractor on the Oklahoma Improvement project. He referenced the curb area on Main Street near Anchor Point, glad to hear the city is looking at shaving that off. He asked for status on improvements needed in the municipal building, referencing the recent roof leaks and issues with heating/air. Mr. Green noted he was in the process of getting quotes for the roof now.
- Mr. Artino referenced his attendance with guests to recent boat basin concerts/events. Noted the size of the crowds in attendance and recognized and thanked the Parks and Recreation Department for their work.
- Mr. Hardy apologized for his late attendance, noting that he was at a Health Department Board Meeting. He noted that the Health Department is approximately 80% complete with the detox facility which should be online by late September or early October and working on a secondary plan for a residential treatment facility to house those following their stay in the detox facility. He advised that if anyone wanted a tour, to let him know.
- Mr. Schaffter referenced the upcoming annual Dawg Daze Tournament beginning on August 5th and the large attendance this event generates, recognized the Parks & Recreation Department for this tournament.

Ms. Alkire referenced the need for two executive sessions: Employment of a Public Official and Economic Development matters requiring confidentiality. She noted that there may be business following the second executive session.

Motion by Ms. Wassner that the regular meeting of July 25, 2017 be recessed for the purpose of holding an executive session to discuss employment of a public official. 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 7:12 p.m. Mr. Ginesi exited the meeting at this point. The City Manager, remaining Council members and the Law Director discussed a matter relative the employment of a public official. The Mayor noted the discussion had concluded and declared the regular meeting of July 25, 2017, reconvened at 7:26 p.m.

Mr. Ginesi returned to the meeting at this point.

Motion by Ms. Wassner that the regular meeting of July 25, 2017 be recessed for the purpose of holding an executive session to discuss economic development matters 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 7:27 p.m. The City Manager, Council and, Law Director discussed matters of economic development requiring confidentiality. The Mayor noted the discussion had concluded and declared the regular meeting of July 25, 2017, reconvened at 8:05 p.m.

The Mayor noted that Resolution 2017-57 would be the next item on the agenda. Resolution 2017-57 was distributed to Council members.

Motion by Mr. Hardy that the three reading rule be suspended and Resolution No. 2017-57 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, TO ENTER INTO A MASTER SERVICES AGREEMENT WITH LIBERTY DEVELOPMENT COMPANY FORMING A DEVELOPMENT RELATIONSHIP RELATIVE TO THE CONAGRA PROPERTY) 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, Wassner, Hartung, Dike, Ginesi, Schaffter (6)

NAYS: Artino (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. Mr. White noted this resolution authorizes a 180 day agreement with Liberty Development for professional services relative to the marketing of approximately 2 acres of property on the ConAgra peninsula, the assessment of geotechnical conditions at the site with a total cost of \$10,000/month for a period of 180 days, and a shared cost between the city and the developer for necessary engineering studies to be done at the site. He added that if everything goes according to forecast, the construction of 20 high end homes with a valuation of \$6 million for Phase 1 of the project would follow. Mr. White asked that the Law Director describe several modifications suggested to the legislation. Ms. Alkire referenced Exhibit A (Master Services agreement) of the resolution and reviewed modifications suggested:

- Clarified that the city is focusing this agreement specifically on the ConAgra parcel at an amount not to exceed 3 acres, with potential development being defined as 2 acres of development and 1 acre of a public park.
- Removal of any reference to any other parcels within the city.
- Modification to be made with regards to the testing to be done, (Geotechnical Phase 1 and Phase 2 Environmental and any Topographical surveys) will be applicable to the entire ConAgra parcel, not just the 3 acre area.
- Council desires to have additional quid pro quo language in Section 8 protecting the city from any financial liability should the developer not meet his/her benchmarks.
- Section 12.6- any requirement that the city has within the 180 period relative to the restriction on any other marketing would be focused on the 3 acre area only.

She noted that these are the modifications that she would like to put in front of Council for consideration. Ms. Wassner asked if the Memorandum of Understanding would need to be revised. Ms. Alkire replied that it would not be required as it would be superseded by the Master Services Agreement and would be attached for historical reference to demonstrate the communication between the parties. Mr. Schaffter referenced the \$10,000 per month fee for the 6 month period; referencing the chance to recover this fee if the city goes to the next stage with a developer's agreement and they build and sell units. Mr. Dike asked

if this was correct. Ms. Alkire referenced the language in the terms and conditions outlined in the agreement and confirmed this was correct.

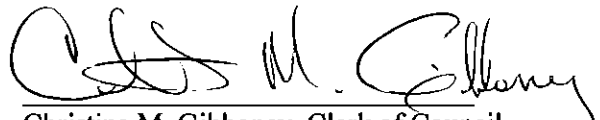
There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-57. Members of Council voted as follows:

YEAS: Hardy, Wassner, Hartung, Ginesi, Schaffter (5)

NAYS: Dike, Artino (2)

There being a majority vote in favor of adoption, the Mayor declared that Resolution No. 2017-57 had been adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

There being no further business to come before the Council, the Mayor declared the regular meeting adjourned at 8:12p.m.



Christine M. Gibboney, Clerk of Council