

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, September 11, 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 September 11, 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: **Trey Hardy, Christine Crawford, Brad Hartung, Joe Dike, Sam Artino and Glen Ginesi. Members absent: Rick Schaffter.**

Motion by Mr. Hardy to excuse Mr. Schaffter 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: Hardy, Crawford, Hartung, Dike, Artino, Ginesi (6)

NAYS: None (0)

There being more than a majority in favor of the motion, the Mayor declared the motion passed and Mr. Schaffter excused.

Also present: City Manager Andy White, Law Director Laura Alkire, Interim Finance Director Mike Spafford, City Engineer/Zoning Inspector Doug Green, HFD Captain Mike Hohler, and Management Services Coordinator-Clerk of Council Christine Gibboney.

Approval of Minutes

Motion by Mr. Dike that the minutes of the regular meeting of August 14 and the work session and regular meeting August 28, 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: Dike, Artino, Ginesi, Hardy, Crawford, Hartung (6)

NAYS: None (0)

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

Audience Comments

- Beth Marxmiller, 410 South Street. Expressed support for and approval of amenities the citizens group is promoting for a community wellness facility including a pool, daycare, and health component.
- Gina Sterett, 405 Southampton Court. Expressed support of a community center with inclusion of a walk track, pool, urgent care, and day care. Noted the benefit of such a facility for all ages in the community.
- Randy Lehrer, Swim Coach for HHS and Junior High, 821 Strowbridge Dr. Mr. Lehrer expressed support of a community center, referencing the importance and benefits of exercise for all in the community and referencing the 80 students in grades 7-12 on the swim team. He

explained that currently the team must travel daily to Danbury for practice. He encouraged Council to continue in cooperation to determine what it may take to bring this to fruition.

- Jenny Hagy, 407 Winona- Ms. Hagy explained the benefit a wellness center would have for the elderly in the community and referenced her support for a center with some type of senior therapy.

New Business

Resolution 2018-72

Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2018-72 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE A GRANT APPLICATION SUBMISSION BY THE HURON FIRE DEPARTMENT TO THE MYLANDER FOUNDATION) 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, Hardy, Crawford, Hartung, Dike (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 referenced the summary, explaining this resolution authorizes the HFD to submit a grant application for potential funding toward the purchase of two automatic chest compression machines. Captain Hohler explained the benefits of this equipment. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-72. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-72 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-73

Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2018-73 (A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ACCEPT A PERPETUAL RIGHT OF WAY EASEMENT AGREEMENT FOR DRAINAGE AND STORM SEWER PURPOSES WITH KYLE T. HAMMOND AND MORGAN K. HAMMOND, 106 FOREST HILLS DRIVE, HURON, OH - PARCEL NO. 42-00991.000) 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, Hardy, Crawford, Hartung (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 referenced the summary, explaining this right of way easement agreement is consistent with policy; and noting the numerous drainage issues within the city. He explained in exchange for a perpetual easement for maintenance, the city can engage the infrastructure improvement subject to staff being able to have access to the site. Mr. Green referenced the long term plans of the Street Department to address the issues in this area and commented on the old clay tiles and

issues with sinkholes appearing at the joints which are contributing to the problems in this area. In response to a question by Mr. Dike as to how this process is initiated, Mr. White explained it can be either initiated from a resident or suggested by the city. Mr. White referenced similar easements and discussions with other residents that have similar issues. Mr. White explained a perpetual easement allows the city to address these specific types of issues because of the benefit that is residual to the rest of the drainage of the city. Mr. Dike noted he has been approached by residents on the east side of town relative to their retention basins and asked if the city can help them. Mr. White referenced the eastside has drainage ways, creek lines, and ditches, and in that instance the city has talked with Erie County Soil and Water relative to their maintenance regulations which include drainage areas up to the city limits, explaining the city has asked the county to provide a cost to continue into the city limits. He noted at other times the issue relates to outflows that may have been installed inappropriately prior to establishment of the city. Mr. White explained the process begins with negotiation to establish a perpetual maintenance easement and then Council would need to discuss financing the operation. He recommended that Council endorse this position insofar as the property owner will provide for the perpetual maintenance easement. Mr. White advised Mr. Dike, if Council was in agreement, to advise people with the same type of issue to consider a perpetual maintenance easement in order for the city to enter into a discussion with the owner. The Mayor advised Mr. Dike of that typically when the drainage problem is tied into the public storm drain the city considers this type of action, but noted a private issue would be a different matter. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-73. Members of Council voted as follows:

YEAS: Dike, Artino, Ginesi, Hardy, Crawford, Hartung (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2018-73 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2018-25

Motion by Mr. Hardy that the three reading rule be suspended and Ordinance 2018-25 (AN ORDINANCE AUTHORIZING THE TAX LEVIES FOR THE CITY OF HURON FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019 AS DETERMINED BY THE BUDGET COMMISSION AND CERTIFYING SAID LEVIES TO THE COUNTY AUDITOR 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: Hardy, Crawford, 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. **Motion was made by Mr. Hardy that Ordinance 2018-25 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: Hardy, Crawford, Hartung, Dike, Artino, Ginesi (6)
NAYS: None (0)

There being five or more votes in favor of the motion, the Mayor declared the motion passed on the emergency measure. The Mayor asked if there was any discussion. Mr. White explained this is an annual ordinance required by the County Auditor related to tax levies for the coming year. He explained it is an

estimate based on conditions today and reviewed the estimates appearing on the ordinance. He noted the recommendation is to accept the estimates as presented, but advised that the city is under the re-evaluation period and noted this is not reflected in the rate calculation. He referenced discussions with the County Auditor regarding the reevaluations and their forecast at the local level of a 5%-10% increase, explaining that the total valuation of the entire city today is \$199,000,000 and in the event of an increase of 5-10%, the valuation would be \$208,000,000 - \$218,000,000; noting this valuation is a factor in the city's debt financing strategy and capacity to borrow. He referenced the healthy reserve available today and the city's debt schedule with debt falling off in 2023 which will afford the city even more availability for capital financing. Lastly, he noted administration estimates \$50,000- \$75,000 additional revenue in 2019 based on the 5%-10% increase. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2018-25. Members of Council voted as follows:

YEAS: Hardy, Crawford, Hartung, Dike, Artino, Ginesi (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2018-25 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2018-26

Motion by Ms. Crawford that the three reading rule be suspended and Ordinance 2018-26 (AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 305.01, TRAFFIC CONTROL MAP, AND CODIFIED ORDINANCE SECTION 305.02, TRAFFIC CONTROL FILE, REGARDING ESTABLISHMENT AND POSTED SPEED LIMIT SIGNAGE OF 15 MPH WITHIN ANDREW L. FABENS MEMORIAL PARK 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: Crawford, Hartung, Dike, Artino, Ginesi, Hardy (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. **Motion was made by Ms. Crawford that Ordinance 2018-26 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: Crawford, Hartung, Dike, Artino, Ginesi, Hardy (6)
NAYS: None (0)

There being five or more votes in favor of the motion, the Mayor declared the motion passed on the emergency measure. The Mayor asked if there was any discussion. Mr. White explained this ordinance was recommended following discussion and endorsement at the Safety Committee level and will establish a speed limit of 15mph in Fabens Park. Mr. Crawford noted the ordinance was prepared as a result of discussion and recommendation from the Safety Committee. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2018-26. Members of Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Ginesi, Hardy (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2018-26 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2018-27

Motion by Mr. Artino that the three reading rule be suspended and Ordinance 2018-27 (AN ORDINANCE AMENDING SECTION 1321.06-BUILDING FEES; CONSTRUCTION, ALTERATIONS AND ADDITIONS, OF CHAPTER 1321 PERMITS AND FEES, WITHIN THE BUILDING CODE 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: Artino, Ginesi, Hardy, Crawford, Hartung, Dike (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. **Motion was made by Mr. Artino that Ordinance 2018-27 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: Artino, Ginesi, Hardy, Crawford, Hartung, Dike (6)

NAYS: None (0)

There being five or more votes in favor of the motion, the Mayor declared the motion passed on the emergency measure. The Mayor asked if there was any discussion. Mr. White referenced the summary, noting this amendment has been recommended by the Building Official, John Zimmerman, in order to bring the building fees up to current market standards and in line with the other municipalities he oversees. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2018-27. Members of Council voted as follows:

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

NAYS: Dike (1)

There being a majority vote in favor of adoption, Ordinance 2018-27 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion

- Referenced Mike Spafford is now working in the capacity of Interim Finance Director, following the resignation of Cathy Ramey. He reviewed the terms of Ms. Ramey's employment agreement relative to severance compensation, explaining at the time of appointment, the contract contained six-month severance compensation, but due to the Part-time nature of the agreement, the agreement was amended and severance compensation reduced to three months with a required notice period. He noted Ms. Ramey provided her notice in April and administration is prepared to accommodate the three month compensation, but is asking Council for a motion due to the fact that the agreement language reflects a noticing period of six months. Mr. White and Ms. Alkire explained that in most contracts, the specification is a 6 month severance with a 6 month notification period, and in this case when administration presented the PT contract to City Council, Council modified the severance compensation from 6 months to 3 months and believes it was the intention to have the notification period be reduced to 3 months. Mr. White explained he believes a motion by Council will be sufficient to finalize the 3 month severance pay out. In response to questions by Mr. Dike,

Administration provided information on the total severance amount and the years of service Ms. Ramey worked for the city. Ms. Alkire noted the parody established in other agreements as to the compensation and notification period and did note that each contract stands on its own. **Motion by Mr. Dike to approve the payment of the 3 month severance compensation.** A brief discussion on the language of the motion needed ensued as the Mayor clarified the motion needed is to **accept the recommendation to reduce the 6 month notification period to a 3 month notification period.** Mr. Dike acknowledged the corrected language of 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, Hardy, Crawford, Hartung (6)

NAYS: None (0)

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

- **Fire Committee Meeting Report:** Referenced the relationship with Huron Township, the terms of the agreement, and Station 2 operations. Fire Committee met to discuss the township agreement and discuss the potential purchase of a third ambulance and new engine truck. Township Trustees graciously acknowledged that they would pay for half the cost for a third ambulance. Referenced the number of increased calls/runs and benefit of having a third vehicle. The Fire Committee supported and made recommendation to Council to match the funding for this purchase. Staff is working on bid specifications for a new engine which will be needed in the future. Captain Hohler noted the need for the addition of an ambulance. The Mayor noted the extensive discussion at the Fire Committee level, the committee's endorsement, and recognized the working relationship with the Township. Mr. White referenced the origins of the Fire Committee, the work of the committee with HFD staff during the time of transition, the restrictive department budget at that time, and referenced the health of the department budget at this point, recognizing the efforts of management and staff within the department, and the relationship with the Township.
- Referenced WKYZ interview-noting an upcoming segment on the city in their "Unzipped" spotlight to be aired next week.

Questions from Members

Mr. Dike asked for status on the audit regarding mid-term Council pay increases. For the benefit of those not on Council at the time, Mr. White recapped the action of Council at the time, explaining Council went through an exercise to determine the process of implementing a pay increase, noting this had not been done in almost twenty years. He referenced extensive discussion over several months at the Council level based on the language within the Charter which describes that City Council is a body of seven individuals and the opinion of Council was that every two years a new Council is sworn in, explaining this was publicized at the time and Council approval determined by a vote of 6-1, with Mr. Kilbury being the lone vote against the increase in the final vote in December of that year, to modify Council wages. He explained the State issued the city a citation relative to the fact that they wanted the three individuals who were not up for election in that year to wait two years to get the compensation increase. He explained this was brought to the city's attention in 2014 as a potential issue noting the city worked with the local audit representatives at length on the matter, referencing email correspondence that demonstrates that this would not be sent to finding for collection, stating that this was relayed to Council at the time. He added that following 2015, the city received notice of finding for collection on the 2014 issue which eliminated any opportunity for City Council to act to guard against 2015 explaining that discussions have continued since then, but at this point there is nothing that the city can do relative to the collection. He explained the city has tried to influence the decision makers relative to the two individuals (Ms. Ramey & Mrs. Snell) who did not receive any compensation but processed the payments in accordance with the direction provided by Council. He referenced that Ms. Ramey has suffered a financial loss and Mrs. Snell who objected to the payments after the fact, processed the payments, and has also received a citation along with Mr. Schaffter, Mr. Kilbury, and Mr. Solet. He stated the direction the city gets from the State is between the State Attorney General's Office, the Auditor of State, the three individual council members,

and the two individual Finance Directors who processed the payments. Mr. White recapped efforts of Administration and Council through discussions with state agencies, and a meeting with the Attorney General's office to attempt to find a resolution to the matter. He noted there have been conversations back and forth between state agencies, but there has not yet been a conclusion, adding that as long as Council supports the effort of Administration, then Administration would like to continue to pursue some resolution. Lastly, Mr. White pointed out that Ms. Snell and Ms. Ramey were only doing their jobs as Finance Directors, City Council made a determination based on an honest interpretation of the Charter, and voted to appropriate the funds which were budgeted and spent accordingly. He referenced again that he would like to continue to pursue an effort to help work with the individuals, but noted that the matter is an issue between the state and the five individuals explaining the city has attached itself to this in an effort to try and assist in resolution.

Mr. Dike apologized for being absent last week and missing the meeting regarding the ConAgra update, asking if the city has put a price on the ConAgra property, or has it been discussed that the city will sell or give the property to Liberty Development. Mr. White and the Mayor replied that has not been determined at this time and Council would have to determine the market value and discuss the matter. Mr. White recapped the presentation provided by Liberty and AECOM at the work session meeting with regard to the conceptual plans presented, public spaces, and compaction issues noting that he anticipates contact from Liberty in terms of how they wish to proceed which will be provided to Council. He invited members to contact him with questions or if members wanted to review information. Mr. Dike asked if there was discussion about who will pay for the wick drain process; the Mayor and Mr. White replied this was not discussed. Mr. Dike asked if the plans will go through the Planning and Zoning process. Mr. White noted this would be Council's prerogative.

Mayor's Discussion

- Referenced correspondence from the Chamber of Commerce relative to a request for a 2018 contribution of \$2,500. The Mayor referenced various events and activities of the Chamber this year and noted support for the funding. No objections were voiced from members.
- Referenced correspondence from Mr. Walt Johnson of Huron Township relative to status on a Quiet Zone for the city. Mr. White noted that he had also received an inquiry from Mr. Norton on this subject and mentioned that administration could coordinate a meeting with the consultants the city had worked with if this was desired. He advised that this could be project included in the 2019 budget if desired. Members discussed the interest expressed by the community, the study results and options. Mr. Ginesi noted his review of the study and options suggesting he believes there are ways to establish a Quiet Zone that would not be so costly. Members expressed their support for administration to revisit the matter. No objections voiced.
- Referenced correspondence from Mr. Leaman regarding transient rentals; referencing one in the By the Shores area, noting this topic was discussed at the Safety Committee level. Mr. Artino commented that he thought there is an ordinance against this or regulating occupancy when it comes to non-relative occupancy. The Mayor and Law Director referenced the Building Code which has an ordinance relative to a hotel being defined as over five people and occupancy limits may be addressed in the code. Ms. Alkire referenced discussions relative to implementation of a bed tax on these rentals. The Mayor noted that the city can regulate occupancy when reported. Mr. Artino noted the advertising of these rentals containing their occupancy accommodations. Mr. Ginesi suggested a work session be devoted to this topic noting he wants to move forward with implementing the bed tax. The Mayor asked that the Clerk coordinate a work session meeting to include a Building/Zoning, HFD, and HPD to discuss this topic.
- Referenced a meeting and email correspondence from Joe Harkelroad relative to status of the 2020 Master Plan, specifically for improvements to Main Street. The Mayor noted he would

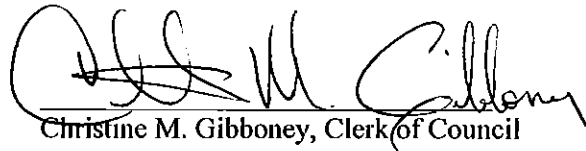
distribute the email and suggested that this topic could be addressed at the Economic Development Committee level.

- Flood Plain Ordinances- Referenced conversations with Mr. Weyer regarding updating the city's code with regarding to regulations. Noted speaking with Administration and the City Engineer on this matter. Asked if any members of Council would like to work with him on a committee to review the ordinances or hire a consultant to review and recommend updates. Ms. Crawford referenced her interest in being on this committee.
- Grass/Weed Ordinance: Mr. Green noted he would be suggesting some changes to the code to streamline enforcement, notification process and fees. He noted that Mr. Spafford has worked on this in the past as well. Mr. White recognized the past enforcement efforts of Mr. Spafford and Mr. Green, referenced the responsiveness to date and code enforcement efforts, noting the lack of resources and need to hire staff this fall to assist in all the maintenance issues referenced. Regarding the culvert issue that Mr. Weyer wants the city to address; the city would recommend that contact be made with the railroad.
- Extended good luck to the Huron Tigers Football team.

For the Good of the Order

- Mr. Dike referenced a letter from Mr. Krockner, the Mayor noted this was addressed last meeting and has been taken care of. Mr. Dike asked about the Trailer Park status. Mr. White recapped the discussion in July with the state and noted the state has not yet put in place the final regulations relative to local authority. Mr. Dike inquired if a walking track was included in the proposed Wellness Center. Mr. White responded that he did not recall, but noted these details are yet to be known as they will be determined by the community & entities. Mr. Dike asked the Swim Coach, Mr. Leherer, in attendance about the desired pool size. Mr. Lehrer replied that an 8 lane pool would be preferred. Mr. Dike asked the members of the Citizens for Wellness Center Committee if they would be fundraising. Ms. Mast of the committee noted the group would not be going out to raise funds. Dr. Craig Johnson of the committee responded his intention is to start private fundraising immediately but is hoping to get the blessing of support from Council to be able to approach donors and can then reference this support.
- Mr. Ginesi suggested that businesses along Sawmill Parkway be contacted and provided a status regarding the roadway improvement. Mr. White noted that the matter is in the design stage at this time and he would advise calls to be directed to administration. Noted property maintenance issues in his neighborhood and the need to address the enforceability of violations.

There being no further business to come before the Council, the Mayor declared the regular meeting of September 11, 2018 adjourned at 7:33p.m.



Christine M. Gibboney, Clerk of Council