

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, September 10, 2019 at 6:30 p.m.

A regular meeting of the City Council of the City of Huron, Ohio was called to order by Mayor Trey Hardy on Tuesday September 10, 2019 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 asked the City Manager to introduce the new staff, at which time Mr. White introduced Terri Welkener as the new Clerk of Council, who was filling in for Christine Gibboney due to an unforeseen personal issue. Mr. White indicated that Ms. Welkener would appear before the Council for consideration for that appointment at the next scheduled meeting per the commitment to the personnel modifications made this year as part of the third and final position made relating to the budget adoption last year. After welcoming Ms. Welkener to the community, the Mayor directed the Clerk to call the roll. The following members of Council answered present: **Rick Schaffter, Christine Crawford, John Jones, Trey Hardy, Joe Dike and Sam Artino. Members absent: Glen Ginesi.**

Motion by Ms. Crawford to excuse Mr. Ginesi from the meeting due to being detained out of town unexpectedly. The Mayor asked if there was any discussion on the motion, there being none, he directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

NAYS: None (0)

There being a majority in favor, the motion passed and Mr. Ginesi is excused.

Also present: City Manager Andy White, Law Director Aimee Lane, Finance Director Cory Swaisgood, Assistant to the City Manager Mike Spafford, City Engineer/Zoning Inspector Doug Green, and Water Superintendent, Jason Gibboney.

NOTE: Clerk of Court Christine Gibboney was not in attendance. Terri Welkener served as Clerk of Council during meeting.

Approval of Minutes

Motion by Mr. Dike that the minutes of the regular meeting of August 13, and the work session meeting of August 27, 2019 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, Schaffter, Crawford, Jones, Hardy (6)

NAYS: None (0)

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

Audience Comments

None.

Old Business

Resolution 2019-47

Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2019-47 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO THREE AGREEMENTS WITH THE GREAT LAKES OBSERVING SYSTEM REGIONAL ASSOCIATION FOR EQUIPMENT OPERATION AND MAINTENANCE, DATA SERVICES AND EQUIPMENT, AND DATA SUBSCRIPTION SERVICES, EACH FOR A PERIOD OF ONE-YEAR AND AT NO COST TO THE CITY OF HURON.) be placed upon its first reading.

Mr. Schaffter asked the Mayor if the matter had to be untabled first, at which time the Law Director confirmed that there has to be a motion to take it from the table first. **Motion by Mr. Dike to untable Resolution No. 2019-47.** 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, Crawford, Jones, Hardy, Dike, Artino (6)

NAYS: None (0)

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

Motion by Mr. Dike that the three-reading rule be suspended and Resolution No. 2019-47 be placed upon its first reading.

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

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

NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 2019-47 placed upon its first reading. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion on the motion. Mr. White indicated that Resolution 2019-47 was on the table pending response from Great Lakes Observing System to the contractual modifications made, which response was subsequently received. Jason Gibboney spoke to the specifics of the project, referencing the map indicating placement of buoys in different portions of the lake, explaining that roughly a dozen cities were granted funds a couple years ago for data sound buoys that measure a couple of parameters of the lake water, such as chlorophyll, blue-green algae counts, things that could indicate microsystem bloom in the water. This will integrate all of the sounds together on a platform, and they are developing an early warning system including live microsystem readings, specifically from the western basin. If we have a bloom coming, we will have advance notice by seeing it on their buoys. Similarly, we will be sharing our data with those other communities as well. It was delayed from the last meeting due to some small legal changes, mainly with Michigan and Ohio, due to different regulations there.

The Mayor asked if there was any further discussion. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-47. Members of the Council voted as follows:

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

NAYS: None (0)

There being more than a majority voting in favor of the motion, Resolution 2019-47 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

New Business

Ordinance 2019-20

Motion by Mr. Artino that the three reading rule be suspended and Ordinance 2019-20 (AN ORDINANCE AMENDING ORDINANCE NO. 2018-36, ADOPTED DECEMBER 11, 2018, TO PROVIDE FOR ADDITIONAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES AND AN INCREASE IN ESTIMATED RESOURCES AND FURTHER APPROVING CASH TRANSFERS BETWEEN FUNDS, 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, Schaffter, Crawford, Jones, Hardy, Dike (6)

NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Ordinance 2019-20 placed upon its first reading. The Mayor asked the Law Director to read the Ordinance by its title only. The Mayor asked if there was any discussion on the motion.

Motion by Mr. Artino that Ordinance 2019-20 be passed as an emergency measure. The Mayor asked if there was any discussion on the motion, there being none, he directed the Clerk to call the roll on the motion.

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

NAYS: None (0)

There being five votes or more in favor, the motion passed and the ordinance was placed as an emergency.

The Mayor asked the Finance Director to speak to the matter. Mr. Swaisgood explained that some unanticipated estimated resources/revenue that was not included last year as part of the initial budget, specifically, a \$25,000 (approximate) transfer to the water fund that was mistakenly omitted from the budget revenue. The \$125,000 that was supposed to be transferred from the water fund to capital projects was budgeted appropriately, so this is just to agree those two sides.

With regard to street lighting fund, the street lighting assessment initial budget is \$16,000 lower than the actual street light assessment collections anticipated through the end of the year, which is the reason for the \$16,000 in excess funds.

Mr. Swaisgood explained that the Huron Joint Recreation District was required to be audited this year because the State Auditor's Office determined several years ago that the Huron Joint Recreation District is a jointly governed body. The State Auditor's Office agreed to come in this year and perform a 2-year financial audit. During that audit, Mr. Swaisgood was told by the auditors that the \$1,640 fee for the audit must be paid out of the Huron Joint Recreation District fund, so this is showing a transfer into the fund and then payment to the State Auditor's Office. This payment will be made out of the City's general fund that was not budgeted for. This will be a bi-annual audit, and is something that the State requires.

The additional supplemental appropriations for the marine patrol capital equipment, general obligation retirement, and storm water were mistakenly omitted from the budget last year. These will be included in the budget going forward, and there is plenty of unrestricted balance in the fund to pay for these liabilities.

Also included in this legislation is cash advance back to the general fund from the school resource officer fund. The Council previously approved an advance into the school resource officer fund to temporarily fund the policy officer's salary. Now that the Township and the schools have agreed to extend the contract, the \$50,000 advanced a couple of months ago will be advanced back to the general fund. This is asking for approval to do that advance.

The Mayor asked if there was any further discussion. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2019-20. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2019-20 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion

- Recognized the impact the Finance Director's comprehensive reports have had on the legislative process. As we move into the budget adoption for 2020, the staff has been working diligently to meet our deadlines for the budget for 2020. We are also taking a look from a longer tenure perspective that will be beneficial for Council's policy considerations.
- Later this week, staff will meet with ODNR regarding the land swap to finalize the deal. A lot of the documentation is in place, it is more a familiarization with the process moving forward. It will be a relatively simple legislative action to effectively transfer what is the State's boat ramp back to the State in exchange for the parcel that is on the southeast corner of the ConAgra peninsula which was deemed to house the USGS. In addition to that meeting, we have been working with the engineers to put together a proposal for the utility layout design to include water, storm, cable, conduit and drainage to get the sight active, at least from the curb. We'd have some additional considerations regarding compaction construction we might need to do. Having reviewed the soil analysis report we have already received, there is an opportunity for us to review that again, and it may not be as significantly challenging as we had once thought. That would give a design going forward in terms of really having the sight not only active from a standing of the infrastructure standpoint, but also that it is buildable. I would like to move those three pieces at an upcoming meeting. I relayed this information to Mr. Moore, the Chairman of the Joint Port Authority, and plan to meet with him.
- In correspondence, there was a letter from Mr. Tappan relative to the use of his property. There appears to be some miscommunication. While I understand the concern over the use of his property, it is our staff's understanding that the project as it is being laid out right now would be a County operation, that the City, the County and the Association would anticipate the cost for. The cove at Beachwood has been significantly challenging with these lake levels, as have several others. The County, the City and the Association have met several times to discuss a remedy. We have a construction price, and it is being reviewed by Doug's office and the County. The letter was given to us, but we think it should be referred to the County because we do not anticipate doing the work, and would contract with the County to do the work, with Council's approval. The project they are looking at is an electrical pump that would serve as a float and an additional pipe out of the pond without going through the excavation of the entire cove itself. They have done similar projects at other places in the County.
- We were noticed early this year or at the end of last year that the Army Corp of Engineers would be doing some maintenance dredging, which has ongoing for the last week or so.

Questions/Comments from Council members:

Mr. Jones asked Mr. White for an update on the bed tax legislation. Mr. White explained that Ordinance 2018-32 or 33 was before Council earlier this year, but did not have a full board – Mr. Artino was absent. A motion to table the issue was made after significant discussion, which failed as a result of a 3-3 vote. This essentially removed it from the legislative calendar. Mr. White explained that if this is what Council wishes, the first step would be to revisit the matter with the Finance Committee and reengage in the conversation for next year's budget.

Motion by Mr. Jones to reconsider the bed tax issue and refer it back to the Finance Committee for review and bring it back to Council.

The Mayor asked if there were any comments, discussion, questions on the motion. Mr. White responded with a recommendation to go back to those minutes to review the specifics regarding the timing of the placement because there could have already been already rooms rented in some of these establishments. Mr. White said he would go through and pull some of that information and refer that specifically to the Finance Committee.

Ms. Crawford stated that it were had the understanding the County had not yet started collecting their portion of the bed tax, but afterwards it was clarified that they were already collecting their 4%. Mr. White indicated that that is correct. Ms. Crawford stated that when they revisit the issue, that all they need to concentrate on is the City's 3% because it is not related to the County's 4%. The County has already enacted their 4%, which was confirmed by the Mr. White.

The Mayor indicated that there is a registration ordinance that was passed that has not been acted on, which was also confirmed by Mr. White. Mr. Mayor stated that the staff has not acted on that ordinance for collection. Mr. White confirmed that the regulation has been established, but hadn't worked on the template to follow for forms because the City did not have a Law Director at the time. Mr. White has asked Ms. Lane to review the ordinance and she may have a few revisions to make before implementation. Mr. White mentioned possible implementation in 2020, and also pointed out that the budget document established in 2019 anticipated that his change would go through, which has affected the revenue to the Parks and Recreation Department. The Mayor asked if this matter should be reviewed in work session to discuss implementation after review by the Law Director. Mr. White suggested (1) a reconsideration of the expansion of the bed tax by the finance Committee, and (2) a legal review of registration process to the Law Director. That would take those two pieces back to a work session.

The Mayor stated that the motion on the floor is to send the discussion of the bed tax back to the Finance Committee for further comment back to Council.

Mr. Artino stated he has a concern that the people with vacation rentals that are doing the right thing and are already reporting to the City, that this is going to come on them. Mr. Artino would like to find a way to explore a way to look at the people that aren't reporting. There is enough of that going on to not keep going after people are doing the right thing, but go after the other people, too.

Ms. Crawford referred to an Article regarding the City of Portland about legislation enacted requiring the operating companies, such as Air BNB and Home Away, to collect that same data, and offered to further investigate. The Mayor indicated that detail could be discussed in at the committee level.

Mr. White indicated that the County would require the City to remit 2% of any dollar collected on the bed tax to handle their oversight of the operation. They have some mechanism in place, including cold calling the listed rentals to get people to sign up, and assumes that their operation would include similar efforts.

The Mayor asked if there was any further discussion on the motion. There being no further discussion, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, the motion was passed and the matter was referred to the Finance Committee.


Mayor's Discussion

- Reminded everyone of Mr. Moore's discussion at the last meeting of a potential partnership through the Huron Port Authority at the ConAgra site.
- The City is also having an event next Wednesday on the 18th from 4:00 to 6:00 p.m. at the ConAgra site for the community to meet with some developers and see the ideas and concepts that could potentially happen over there, in addition to options we are talking about with the Port Authority.

For the Good of the Order

- Mr. Artino thanked all for coming.
- Mr. Dike, Mr. Jones, Ms. Crawford and Mr. Schaffter welcomed Ms. Welkener to Huron.

With no further business, the Mayor declared the regular meeting of September 10, 2019 adjourned at 6:53 p.m.


Terri S. Welkener, Clerk of Council