

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, April 23, 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 Brad Hartung on Tuesday April 23, 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 directed the Clerk to call the roll. The following members of Council answered present: **Rick Schaffter, Trey Hardy, Christine Crawford, Brad Hartung, Joe Dike, Sam Artino and Glen Ginesi.**

Also present: City Manager Andy White, Law Director Aimee Lane, Interim Finance Director Mike Spafford, City Engineer/Zoning Inspector Doug Green, Water Superintendent Jason Gibboney, HPD Sergeant Nate Orzech, HFD Captain Kurt Schafer and Management Services Coordinator-Clerk of Council Christine Gibboney. Additional Attendees: Dennis Burnside of Juniper CRE.

Approval of Minutes

Motion by Mr. Hardy that the minutes of the regular meeting of March 26, 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: Hardy, Crawford, Hartung, Dike, Artino, Ginesi, Schaffter (7)

NAYS: None (0)

There being more than a majority voting in favor of the motion, the Mayor declared the motion passed. The Mayor noted that prior to Audience Comments, Mr. Rob Smith would be addressing Council regarding the Poet Laureate Program.

Rob Smith, Williams Street. Mr. Smith addressed Council relative to the Poet Laureate Program, providing background on program, the poetry contest, recent winners, referencing numerous submissions, and distributing copies of the "44839 Poetry from a Zip Code". Mr. Smith referenced his appreciation to the City Council members on their work and forward thinking.

Audience Comments

- Kyle Wright, 1005 Dockway. Mr. Wright distributed pictures of the east cove at Beachwood Cove, noting the flooding issues due to the high water levels in the lake and the blocked channels which will not allow the water to release. He explained the homeowners association has used a mini-excavator to clear and remove blockages when needed. He advised he had spoken with the county on the matter and referenced the water from Hoffman Ditch draining into the Beachwood Cove lagoon. He referenced over 100 properties whose water is draining into the ditch and noted his understanding of the Hoffman ditch maintenance program through the county. He explained the Beachwood Cove HOA is not prepared to handle the work needed to remedy the issue and asked for assistance from the city to aid in facilitating collaboration with the county, noting that the HOA has spent over \$10,000 in the past year on the issue but would like to work together to try and resolve the matter. The Mayor advised he would be available after the Council meeting to discuss the issue further.
- Bob Reno, 416 Dockway. Mr. Reno also addressed Council on the matter, asking if the city could assist with talking to the county to help determine who is responsible for the maintenance

of the ditch. Mr. Reno also mentioned the option of a declaratory judgement action to determine who is responsible in the matter, noting this would be a way to finalize a determination of responsibility. He mentioned the property owners who are having flooding issues and inquired about the storm water management fee on utility billing inquiring if the revenue from this fee could assist with this issue. The Mayor invited Mr. Reno to discuss the matter further following the meeting.

New Business

Resolution 2019-23

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2019-23 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD AND ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WATERCRAFT, FOR A MARINE PATROL ASSISTANCE GRANT FOR THE HURON POLICE HARBOR PATROL PROGRAM IN THE CITY OF HURON IN THE AMOUNT OF THIRTY THOUSAND THREE HUNDRED TWENTY FOUR AND 32/100 DOLLARS (\$30,324.32)) 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, Crawford, 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. 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 terms of the grant agreement, noting the 25% city share (\$10,108.00) and reviewed the basics of the marine patrol program. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-23. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2019-23 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2019-24

Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2019-24 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH THE ERIE COUNTY HEALTH DEPARTMENT FOR THE PROVISION OF AN ILLICIT DISCHARGE DETECTION AND ELIMINATION (IDDE) MONITORING PROGRAM IN AN AMOUNT NOT TO EXCEED FOUR THOUSAND EIGHT HUNDRED SEVENTY FIVE AND 00/100 DOLLARS (\$4,875.00)) 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: Artino, Ginesi, Schaffter, Crawford, Hartung, Dike (6)

NAYS: None (0)

ABSTAIN: Hardy (1)

There being five votes or more in favor of the motion, the Mayor declared the motion passed. 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 agreement with the Health Department, recognizing Mr. Bob England in attendance. Mr. White referenced the Storm Water Management requirements, and noted the annual amount not to exceed fee of \$4,875, then reviewing the actual expenditures over the years which have been under this figure. Mr. England provided a brief overview of the services and in response to a question by the Mayor, reviewed the GIS system and illicit discharge detection results. The Mayor referenced that this agreement is related to the storm water fee, noted OHM Advisors involvement, and the MS4 Permit. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-24. Members of Council voted as follows:

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

NAYS: None (0)

ABSTAIN: Hardy (1)

There being a majority vote in favor of adoption, Resolution No. 2019-24 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2019-25

Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2019-25 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE A GRANT APPLICATION SUBMISSION BY THE HURON PARKS AND RECREATION DEPARTMENT TO THE ERIE METROPARKS LOCAL PARK CAPITAL IMPROVEMENT GRANT PROGRAM FOR POTENTIAL FUNDING TO BE USED FOR THE PURCHASE OF A BIKE RACK AT LAKEFRONT PARK.) 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, Schaffter, Hardy (7)

NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White recognized Mr. Steinwart, referencing this being an example of how the department maximizes dollars, and noting that if awarded it would allow for the purchase of a bike rack at Lakefront Park. Mr. Steinwart thanked Erie Metroparks for bringing this grant opportunity back and recapped previous grant awards through the program. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-25. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution No. 2019-25 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2019-26

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2019-26 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF HURON, OHIO, WITH HURON RIVER FEST, INC. TO HOLD THE 28th ANNUAL RIVER FEST EVENT IN THE CITY OF HURON, OHIO DURING THE

PERIOD OF JULY 12, 2019 THROUGH JULY 14, 2019.) 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, Crawford, 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. 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 terms of this annual agreement for River Fest, noting the 3 day facility usage charge of \$1500. Mr. Ginesi reminded all to be cognizant of needed access to Dr. Williamson's office during the festival. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-26. Members of Council voted as follows:

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

There being a majority vote in favor of adoption, Resolution No. 2019-26 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2019-27

Motion by Mr. Hardy that the three reading rule be suspended and Resolution No. 2019-27 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF HURON, OHIO, WITH THE HURON ROTARY CLUB TO HOLD THE HURON ROTARY FINE ART & FOOD FESTIVAL IN THE CITY OF HURON, OHIO ON JUNE 28th AND 29th, 2019.) 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, Schaffter (7)
NAYS: None (0)

There being five votes or more in favor of the motion, the Mayor declared the motion passed. 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 terms of this annual agreement, facility usage fee, and noted the change to the dates of this year's event. Ms. Crawford acknowledged the services the city provides related to this event and River Fest, but suggested that when discussing the 2020 budget perhaps a reduction or elimination of the fees could be considered for these service organizations, noting their community engagement and involvement. The Mayor referenced the fees go to the Parks & Recreation Department and suggested discussion/review of the budget at the Huron Joint Recreation District level with the Department Manager included in discussions. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-27 Members of Council voted as follows:

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

There being a majority vote in favor of adoption, Resolution No. 2019-27 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2019-7

Motion by Mr. Artino that the three reading rule be suspended and Ordinance 2019-7 (AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE DONA J. DIDION LIVING TRUST U/A/D 11/4/93 AND AS AMENDED THEREAFTER, TO PURCHASE CERTAIN PARCELS OF REAL PROPERTY KNOWN AS PERMANENT PARCEL NOS. 43-00087.000, 43-00257.000, 43 00098.000, 43-00258.000, 43-00099.000, 43-00136.000 AND 43-00137.000 LOCATED IN THE CITY 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, Schaffter, Hardy, Crawford, 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. **Motion was made by Mr. Artino that Ordinance 2019-7 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, Schaffter, Hardy, Crawford, Hartung, Dike (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. The Mayor asked if there was any discussion. Mr. White referenced the location of the vacant land, noting the city has routinely maintained the area due to property maintenance issues and noted it is in a flood plain. He referenced potential site line improvements and a neighborhood park for the location. He also referenced potential grant opportunities for improvements and the purchase price of \$14,000. Mr. White noted that the real estate agent has advised of inquiry from a private individual as well and explained that the individual is interested in the additional two parcels that are currently not a part of this sale. Discussion ensued regarding the location of the property and drainage issues affecting the area. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2019-7. Members of Council voted as follows:

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

There being a majority vote in favor of adoption, Ordinance 2019-7 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion

- Formally welcomed Law Director, Ms. Aimee Lane to the city.
- Recognized Mr. Kyle Wright and those in attendance relative to the Beachwood Cove Lagoon drainage issue. He reported speaking to Erie County Commissioner Pat Shenigo who has expressed interest in working to help resolve the issue. Mr. White advised of the county maintenance of ditch areas up to the city limit line, and noted discussions of working with Erie Soil & Water with regard to maintenance. He advised of a resolution which may involve an agreement with the County, who would perform the work and then look to assess the property owners throughout the community and the city. State and federal responsibility further south was noted as well. Advised that other areas within the city are experiencing the same conditions and the city is limited when dealing with private property issues, but noted the city's willingness to try and facilitate collaboration with the county.

- Reported on Fire Committee discussion and recommendation in support of an engine acquisition. The Mayor noted that there was a motion at the committee level in support. Mr. White asked for Council to act on the motion in order for staff to begin the process of acquisition, noting that no funds would be spent until sometime in 2021, and the township will pick up 50% per the terms of the updated contract. Mayor Hartung spoke on behalf of the Fire Committee, recognizing the work of the Fire Captains and the good working relationship they have established with the Township Trustees. He also referenced the Township has invested over \$2 million dollars to rebuild Station 2 on Bogart Road. Mayor Hartung thanked the Township Trustees for their continued collaboration with the city. **Motion by Mr. Ginesi in support of the Fire Committee recommendation to proceed with the fire engine acquisition.**

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

NAYS: None (0)

There being a majority vote in favor, motion passes.

- Recognized Mr. John P. Jones in attendance, who is working with city staff on coordination for the Abbey Rose 5K and Touch-a-Truck event, noting the involvement of the Water, Street, Fire and Police Departments. Event flyer distributed to members, announced volunteers needed.
- US6 Corridor Project Phase 1 and 2. Recapped discussion at the work session meeting reviewing the parameters of the Phases, referencing discussions of additional community outreach, and the issues related to the intersection at Center Street and the unwarranted light in this area.
- Three executive sessions being requested: appointment of a public official and two for potential litigation.

Questions/Comments from Councilmembers

- Mr. Dike referenced inquiry from Mr. Joel Hassinger relative to clean up along State Route 2, noting Mr. Hassinger wishes to speak to someone about the clean-up. Mr. White noted that he and the Mayor have discussed the issue, but had not yet had the opportunity to speak with Mr. Hassinger.
- Ms. Crawford asked about the status of buoy grant; Clerk noted there was no information to date. She inquired about the drainage at Beachwood Cove and asked if there was a city storm drain in the area that is blocked. The Mayor noted the drain is further south and not where the blockage is located. She noted her support of any help the city can provide to facilitate coordination with other entities to help resolve the matter. She referenced concern for the homeowners in becoming uninsurable due to repetitive loss with the flooding. She referenced discussion last year about a city-wide newsletter and acknowledged with all going on if there has been any movement. Mr. Spafford noted the city has secured two quotes and something will be presented to Council in the near future.
- Mr. Artino asked about the issue with Mr. Oster in Rye Beach and exactly what property he is trying to recover in the Rye Beach area. He asked if the city has severed ties officially with Liberty Development; Mr. White confirmed the city had severed ties.
- Mr. Ginesi reported on action taken at the EDC level relative to a RFP for 508 Main Street. Mr. White recapped the interest from Mr. Caporini on a retail building at 508 Main Street and the discussion to issue an RFP to reach out to the development community. The EDC has reviewed and provided input on the RFP specifications which has now been updated by Mr. Burnside. Mr. White noted with Council approval, the RFP is ready to be released. Mr. Ginesi noted the recommendation from the EDC to City Council was in support of releasing the RFP. Mr. Ginesi explained that the committee will be focusing on approving a procedure for future RFP processes, noting that 508 Main Street was done first as there was interest from a local business brought to the city and it was desired to get an RFP out in 30 days. The Mayor noted he would like to review the final RFP, asking members their opinions. Mr. Ginesi and Mr. White noted the RFP provided to Council is the final; however, there were just a few typos to correct. Discussion

ensued as to take action tonight or add to Old Business on the next agenda. In conclusion, it was determined to add this to the next agenda.

Mayor's Discussion

- Referenced correspondence from the Community Action Committee for their annual meeting on May 9th.
- Referenced the cancelled group work session in February and suggested a meeting in early May. Clerk to contact the Library for room availability.
- Recognized Mr. Wright and Mr. Reno, noting he would be available to speak with them after the executive session.

For the Good of the Order

- Mr. Ginesi recognized Mr. Gibboney, referencing comments made at a previous meeting regarding safety concerns, apologizing for the impression that the city wasn't doing things correctly and offering to have further discussion.
- Mr. Dike thanked the Abbey Rose Foundation for all they do in the community. Thanked the Huron Township for their collaboration with the city and recognized the Huron Drive Thru and Fish Huron who are hosting a Kids Fishing Tournament on June 29th. Wished good luck to Cody Thompson in the NFL Draft.
- Ms. Crawford thanked Mr. Smith and recognized the success of the Poet Laureate Program. She recognized those in attendance from Beachwood Cove, noting the city hears their concerns. She noted she would not be in attendance for the May 14th Council meeting.

Executive Session(s)

Motion by Mr. Hardy that the regular meeting of April 23, 2019 be recessed for the purpose of holding an executive session for the discussion of the appointment of a public official. 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, Schaffter (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 7:27p.m. City Council members, the City Manager, Law Director and the Finance Director discussed matters relating to the appointment of a public employee. The Mayor noted the discussion had concluded and declared the regular meeting of April 23, 2019 reconvened at 8:04p.m.

Motion by Mr. Schaffter that the regular meeting of April 23, 2019 be recessed for the purpose of holding an executive session for the discussion of potential litigation. The Mayor directed the Clerk to call the roll on the motion. Mr. Dike recused himself and left the meeting at this point. Members of the Council voted as follows:

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

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 8:04p.m. City Council members present, the City Manager, Law Director and the Finance Director discussed matters relating to potential litigation. The Mayor noted the discussion had concluded and declared the regular meeting of April 23, 2019 reconvened at 8:40p.m.

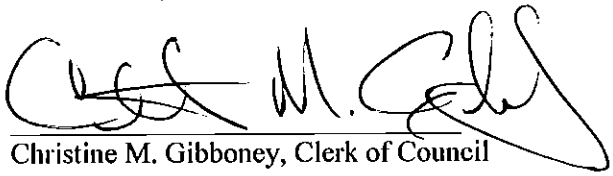
Motion by Ms. Crawford that the regular meeting of April 23, 2019 be recessed for the purpose of holding an executive session for the discussion of potential litigation. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Crawford, Hartung, Dike, Artino, Ginesi, 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 8:40p.m. City Council members, the City Manager, Law Director and the Finance Director discussed matters relating to pending litigation. The Mayor noted the discussion had concluded and declared the regular meeting of April 23, 2019 reconvened at 9:18p.m.

There being no further business to come before the Council, the Mayor declared the regular meeting of April 23, 2019 adjourned at 9:18p.m.



Christine M. Gibboney, Clerk of Council