

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday March 14, 2017 at 6:30 p.m.

A regular meeting of the City Council of the City of Huron, Ohio was called to order by Vice Mayor Trey Hardy on Tuesday, March 14, 2017 at 6:30 p.m. in the Council Room of City Hall, 417 Main Street, Huron, Ohio.

The Vice Mayor called for a moment of silence. After the moment of silence, the Vice 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, Joe Dike, Sam Artino and Glen Ginesi.** Members absent: **Phyllis Wassner, Brad Hartung.**

Also present: City Manager Andy White, Law Director Laura Alkire, Assistant to the City Manager Mike Spafford, Parks and Recreation Operations Manager Doug Steinwart and Management Services Coordinator ~ Clerk of Council Christine Gibboney.

Motion by Mr. Schaffter to excuse Ms. Wassner and Mr. Hartung from the regular meeting of March 14, 2017. The Vice 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, Hardy, Dike, Artino, Ginesi (5)
NAYS: None (0)

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

There were no minutes available for approval and no audience comments made; the next item on the agenda was New Business.

New Business

Resolution 2017-12

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2017-12 (A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF HURON, OHIO, GRANTING A LICENSE FOR THE HURON BASEBALL AND SOFTBALL PROGRAM, INC. TO UTILIZE ANDREW L. FABENS MEMORIAL PARK BASEBALL FIELDS AND CONCESSION STAND.) be placed upon its first reading. The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed on suspension of the rules. 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. Steinwart commented that the terms of the agreement remain the same as in the past. He acknowledged the Huron Baseball and Softball Program, noting the Parks & Recreation Department looks forward to working with this organization again. There

being no further discussion, the Vice Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-12. Members of Council voted as follows:

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

There being a majority vote in favor of adoption, the Vice Mayor declared that Resolution No. 2017-12 had been adopted. The Resolution as adopted was signed by the Vice Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-13

Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2017-13 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, ON BEHALF OF THE CITY OF HURON, OHIO, WITH HURON LAGOONS MARINA, INC., FOR THE LEASE OF A SWIMMING POOL FOR USE BY THE HURON PARKS AND RECREATION DEPARTMENT) be placed upon its first reading. The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed on suspension of the rules. 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. Steinwart referenced this was an annual lease with Huron Lagoons Marina for the use of their pool for the city's swim program. He noted that there were approximately 75 children in the program last year. He thanked the Solberg family for continuing to support this lease. Mr. Hardy also thanked the Solberg family. There being no further discussion, the Vice Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-13. Members of Council voted as follows:

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

There being a majority vote in favor of adoption, the Vice Mayor declared that Resolution No. 2017-13 had been adopted. The Resolution as adopted was signed by the Vice Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-14

Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2017-14 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF THE HURON PARKS AND RECREATION DEPARTMENT FOR THE PLACEMENT OF EVENT SIGNAGE IN THE MEDIAN AREA DURING 2017) be placed upon its first reading. The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed on suspension of the rules. 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. Steinwart noted this was an annual request for the placement of signage in the median. There being no further discussion, the Vice Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-14. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, the Vice Mayor declared that Resolution No. 2017-14 had been adopted. The Resolution as adopted was signed by the Vice Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-15

Motion by Mr. Ginesi that the three reading rule be suspended and Resolution No. 2017-15 (A RESOLUTION AMENDING RESOLUTION 2016-53 ADOPTED JULY 12, 2016 AUTHORIZING CHANGE ORDER NO. 1 FOR ROPPER CONSTRUCTION INCORPORATED FOR ADDITIONAL LABOR AND MATERIALS RELATED TO THE, MAIN STREET STREETScape PROJECT, ODOT ERI-PID 93574, IN THE INCREASED AMOUNT OF SEVEN THOUSAND FOUR HUNDRED THIRTY AND 00/100 DOLLARS (\$7,430.00)) be placed upon its first reading. The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

NAYS: None (0)

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed on suspension of the rules. 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 referenced the summary and breakdown of changes totaling the \$7,430 increase. He noted the change order would fall under the 80% ODOT/20% City cost split resulting in the city portion being \$1,486. There being no discussion, the Vice Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-15. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, the Vice Mayor declared that Resolution No. 2017-15 had been adopted. The Resolution as adopted was signed by the Vice Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-16

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2017-16 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH OHM ADVISORS FOR THE PROVISION OF SURVEYING AND PRELIMINARY ENGINEERING RELATED TO MAIN STREET-WILLIAMS STREET STORM SEWER RECONSTRUCTION AT A COST NOT TO EXCEED FOUR THOUSAND NINE HUNDRED AND 00/100 DOLLARS (\$4,900.00)) be placed upon its first reading. The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed on suspension of the rules. 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 referenced the summary and noted this proposal relates to tile drainage issues just north of the Harbor House on Main Street and Williams. He noted administration is recommending adoption. There being no further discussion, the Vice Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-16. Members of Council voted as follows:

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

There being a majority vote in favor of adoption, the Vice Mayor declared that Resolution No. 2017-16 had been adopted. The Resolution as adopted was signed by the Vice Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-17

Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2017-17 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID AND ENTER INTO AN AGREEMENT WITH BUCKEYE EXCAVATING AND CONSTRUCTION INCORPORATED FOR LABOR AND MATERIALS RELATED TO THE OKLAHOMA SUBDIVISION IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED ONE MILLION SIXTY SEVEN THOUSAND SEVEN HUNDRED SEVENTY FIVE AND 00/100 DOLLARS (\$1,067,775.00)) be placed upon its first reading. The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed on suspension of the rules. 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 noted the project was advertised for bid, with the low bid being 32% under the engineer's estimate of \$1.4 million. The bid total of \$1,067,775.00 reduces the estimated individual assessment amount to \$5,877, down from the original \$7,337. Mr. White then referenced the numerous discussions that have taken place since the initial onset of the assessment process relative to Council's desire to consider a forgiveness or offset of the individual assessment. He referenced previous comments from administration that City Council would take action on the assessment direction once the final cost accounting is complete at the end of the project. He noted that administration will prepare a report with options for Council to consider. Mr. Ginesi noted concern for the existing assessment project on Williams, Center, Taylor and suggested that Council needs to be talking about both issues in advance of the completion of this project. Mr. White noted that staff is sensitive to this issue as well and explained that the city will have to look into issuance of potential credit for the Williams, Center, Taylor owners, if that is the desire of Council. He also referenced the capital plan that the Water Superintendent and City Engineers were working on which needs to be completed to provide the budgetary information needed in order to make a decision regarding an offset or forgiveness. It was noted that this matter has been discussed at the Finance Committee level and will again need to be discussed there. Mr. White noted that administration would provide information in the fall. There being

no further discussion, the Vice Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-17. Members of Council voted as follows:

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

There being a majority vote in favor of adoption, the Vice Mayor declared that Resolution No. 2017-17 had been adopted. The Resolution as adopted was signed by the Vice Mayor and Clerk of Council and will take effect immediately.

Resolution 2017-18

Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2017-18 (A RESOLUTION AUTHORIZING AND DIRECTING CERTAIN TRANSFERS AMONG THE VARIOUS FUNDS OF THE CITY) be placed upon its first reading. The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed on suspension of the rules. 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 referenced the entries on Exhibit A of the Resolution and reviewed same, noting these were all previously budgeted transfers. There being no further discussion, the Vice Mayor directed the Clerk to call the roll on the final adoption of Resolution 2017-18. Members of Council voted as follows:

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

There being a majority vote in favor of adoption, the Vice Mayor declared that Resolution No. 2017-18 had been adopted. The Resolution as adopted was signed by the Vice Mayor and Clerk of Council and will take effect immediately.

Ordinance 2017-5

Motion by Mr. Ginesi that the three reading rule be suspended and Ordinance 2017-5 (AN ORDINANCE ADOPTING A GENERAL FUND RESERVE POLICY FOR THE CITY OF HURON AND DECLARING AN EMERGENCY) be placed upon its first reading. The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed on suspension of the rules. The Vice Mayor directed the Law Director to read the Ordinance by its title only. **Motion was made by Mr. Ginesi that Ordinance 2017-5 be passed as an emergency measure.** The Vice Mayor asked if there was any discussion. There being no discussion, the Vice Mayor directed the clerk to call the role on the motion. Members of Council voted as follows:

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

NAYS: None (0)

There being five or more votes in favor of the motion, the Vice Mayor declared the motion passed on the emergency measure. Mr. White referenced that this matter has been discussed for some time internally by Administration and at the Finance Committee. He noted conservative budgeting over the years has contributed to the buildup of surplus and noted that the city needs to protect itself from unanticipated circumstances if a major employer sector was lost. The minimum and maximum percentages incorporated into the policy (Exhibit "A"- Section C) are both much higher than recommended by Bond Counsel. He reviewed the remaining language in the policy and referenced the recent transfer of \$1 million to Economic Development and Capital. Mr. Ginesi noted his support for the policy. There being no further discussion, the Vice Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2017-5. Members of Council voted as follows:

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

NAYS: None (0)

There being a majority vote in favor of adoption, the Vice Mayor declared that Ordinance 2017-5 had been adopted. The Ordinance as adopted was signed by the Vice Mayor and Clerk of Council and will take effect immediately.

Proposed Zoning Code Amendments-Setting of Public Hearing

Motion by Mr. Schaffter to set a Public Hearing on April 25, 2017 at 6:30p.m. for proposed Zoning Code amendments relative to parking, food vendors, and self-service storage The Vice Mayor asked if there was any discussion on the motion. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

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

NAYS: None (0)

There being five votes or more in favor of the motion, the Vice Mayor declared the motion passed and the Public Hearing on the proposed Zoning Code amendments set for April 25, 2017 at 6:30p.m.

City Manager's Discussion

- Referenced the Economic Development Steering Committee which has met to discuss modifications to the Committee structure/members. Legislation to be drafted and presented to City Council for consideration.
- Referenced the two Economic Development meetings held last week on Wednesday and Friday relative to discussions on the open air market for North Main Street. He noted those attending met several interested vendors on the site tour on Wednesday. He mentioned the gathering on Friday was held at the newly opened Harbor House and was well attended. Noted that concepts for Council consideration will be coming in the near future.
- Referenced a meeting with the Ohio Mobile Home Commission (OMHC) and another site inspection of the park. City administration reviewed a variety of issues the city cited and which the OMHC was now in agreement with. Mr. White noted the issues are going to be somewhat costly to repair. Mr. White distributed copies of the field inspection report. He also noted that the property was re-surveyed this spring and there are three units that are partially located on public property- city will draft correspondence to demand that these are removed from public property and asked for Council support as administration feels this will be challenged legally.
- Dennis Burnside of Juniper CRE continues to work with Norfolk Southern and was invited to a recent conference in South Carolina to discuss liquidation of its properties in Huron.

- Referenced a petition received and distributed to City Council from a group of residents concerned with potential noise issues anticipated in the summer. Mr. White referenced the residential area, business district and the Zoning Code. He referenced concern for the residential quality of life and noted that in the past most businesses in the area have typically shut down any outdoor music venue by 11p.m. Ms. Alkire noted that complaints of this nature are generally reported to the Police Department at the time of an incident and the department will go out to address the complaint. She also referenced that she believes the business owners recognize that they are near residential areas and would want to be good neighbors. She noted that administration will continue to work with business owners to address the concerns.
- One executive session for the purpose of economic development matters requiring confidentiality was requested.

Vice Mayor's Discussion

- Referenced email from Senator Gardner's office regarding the State of the State tickets.
- Noted receipt of the petition from residents on Williams Street regarding potential noise issues from businesses on Main Street. Mr. White noted he would draft a letter in response and invite a conversation if needed.
- Referenced the Huron Chamber fundraising event.

For the Good of the Order

- Mr. Schaffter inquired about railroad crossing closure information. Mr. White noted the city received late notice from the railroad about the closures which are expected to be brief at each crossing.
- Mr. Artino stated that he knows there will be more discussion on the open air market, but noted he does not believe the Showboat property is the right place for this. On the discussion with the Ohio Mobile Home Commission, he believes the Rye Beach Homeowners Association deserves a thank you as well as the State Representatives who got involved. Mr. White noted he would call to thank them. Mr. Artino referenced the petition from residents about anticipated noise issues and noted he received calls about this. He stated that he believes they just want to be proactive as they don't want to get into the summer and have a lot of issues. He also explained that they do disagree that the code they reference excludes businesses as they understand it, the noise ordinance applies to everyone equally, therefore, Mr. Artino believes the city will have to sit down and explain the code to the residents. Mr. White noted that he had the opportunity to speak with the business owner this afternoon about the matter as well.
- Mr. Ginesi also suggested that administration inform the Rye Beach Homeowners Association about the efforts of the State.

Executive Session

Motion by Mr. Schaffter that the regular meeting of March 14, 2017 be recessed for the purpose of holding an executive session to discuss economic development agreements requiring confidentiality. The Vice Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

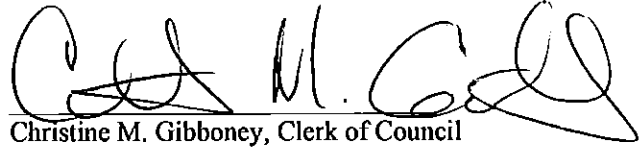
YEAS: Schaffter, Hardy, Dike, Artino, Ginesi (5)

NAYS: None (0)

There being a majority voting in favor of the motion, the Vice Mayor declared the motion passed and the executive session to order at 7:08p.m. The Council, City Manager and the Law Director discussed issues

pertaining to economic development agreements. The Vice Mayor noted the discussion had concluded and declared the regular meeting of March 14, 2017 reconvened at 7:25 p.m.

There being no further business to come before the Council, the Vice Mayor declared the regular meeting adjourned at 7:25p.m.



Christine M. Gibboney, Clerk of Council