

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, March 13, 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 March 13, 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: **Rick Schaffter, Trey Hardy, Christine Crawford, Brad Hartung, Joe Dike, Sam Artino, and Glen Ginesi.**

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

Approval of Minutes

Motion by Mr. Dike that the minutes of the regular meeting of February 13, 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, Schaffter, Hardy, Crawford, Hartung (7)

NAYS: None (0)

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

Audience Comments

- Don Maxam, Marion Ave: Addressed Council as President of his homeowners association, inquiring about the \$5 Storm Water Fee included on the utility billing. Mr. Maxam noted that Marion Avenue does not have storm sewers and therefore he and other property owners are objecting to being charged this fee. The Mayor referenced the meeting format, noting his inquiry would be addressed further on in the agenda but did note that the fee is a city-wide storm water fee.

Old Business

Ordinance 2018-6

Motion by Mr. Dike that the three reading rule be suspended and Ordinance 2018-6 (AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$4,000,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING THE MUNICIPAL ELECTRIC SYSTEM BY CONSTRUCTING A NEW SUBSTATION, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.) be placed upon its second 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, Hardy, Crawford Hartung (5)

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter

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. Dike that Ordinance 2018-6 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 roll on the motion. Members of Council voted as follows:

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

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter (2)

There being five or more votes in favor of the motion, the Mayor declared the motion passed on the emergency measure. Mr. White referenced action at the previous meeting, recapping the issue of not having enough procedural votes to pass the measure as an emergency as there was not the appropriate number of votes. Mr. White referenced the bids that have been received for the first phase of the electrical substation, noting that the bid came in under the estimate. He explained the \$4 million financing provides the city some flexibility in the event the city were to need additional funds available, noting that the project total is anticipated at 3 million, but noted he wanted to point out that additional the 25% is included and properly before Council. He explained, pursuant to Bond Counsel directive, it is critical to approve this as an emergency ordinance because the city cannot accept/award the bid until this legislation is in place. In response to a question by Mr. Dike relative to the project timeline, Mr. White explained the timeline still looks like it will be met; noting that discussions with the contractor explaining the schedule have taken place and noting that the consultant is working closely with the contractor. He noted the goal is to have the substation electrified in September. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2018-6. Members of Council voted as follows:

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

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter (2)

There being a majority vote in favor of adoption, the Mayor declared that Ordinance 2018-6 had been adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

New Business

Resolution 2018-16

Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2018-16 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF HURON, OHIO, WITH THE HURON YACHT CLUB, INC. FOR THE LEASE OF A DOCK FOR THE PERIOD OF MAY 1, 2018 THROUGH OCTOBER 15, 2018.) 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 on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White noted this is an annual resolution authorizing an agreement with the Huron Yacht Club relative to a dockage lease and reviewed the terms of the agreement, noting the \$900 base fee and 35% of dock rent for a sublease. The Mayor referenced the

agreement with the Huron Yacht Club has been authorized for many years. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-16. 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. 2018-16 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-17

Motion by Mr. Hardy that the three reading rule be suspended and Resolution No. 2018-17 (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 2018) 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 on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this is annual legislation relating to signage placement in the median area which requires Council approval. Mr. Ginesi reminded members of past discussions relative to permanent welcome/advertising signage, noting he believes this should be an objective of Council. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-17. 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. 2018-17 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2018-18

Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2018-18 (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 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 on suspension of the rules. The Mayor directed the Law Director to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this resolution authorizes an annual

agreement with the Huron Baseball and Softball program and provides the organization exclusive use of the fields at Fabens Park during their season for a cost of \$3,000, of which \$875.00 is for the exclusivity and the balance pays for general maintenance and upkeep of the park. He referenced a new fee in the amount of \$400 that has been added to the agreement relative to the use of a storage shed. Mr. Steinwart explained the Huron Baseball and Softball Program desired off-season storage usage and the fee was determined based on the similar storage agreement with Paddle Shack. Ms. Crawford asked if the Huron Baseball and Softball program was aware of the fee. Mr. Steinwart replied that they had approach the city about the storage and have been advised of the fee. Mr. Dike inquired about the status of the new building and entrance improvement project on Adams Ave. Mr. Steinwart explained the building was substantially complete-just a final punch list and seeding/mulching to be done and construction is ongoing on the entrance with completion expected in early spring. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2018-18. 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. 2018-18 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance 2018-7

Motion by Mr. Artino that the three reading rule be suspended and Ordinance 2018-7 (AN ORDINANCE GRANTING AN EASEMENT TO AMERICAN TRANSMISSION SYSTEMS INCORPORATED FOR LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC CURRENT INCLUDING COMMUNICATION FACILITIES, UPON, OVER, UNDER, AND ACROSS PROPERTY WITHIN THE CITY OF HURON IDENTIFIED AS ORIGINAL LOT NUMBER 22, SECTION 2, PERMANENT PARCEL NUMBER 42-00120.000, 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, Hardy, Crawford, Hartung, Dike (5)

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter (2)

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 2018-7 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, Hardy, Crawford, Hartung, Dike (5)

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter (2)

There being five or more votes in favor of the motion, the Mayor declared the motion passed on the emergency measure. Mr. White explained this ordinance is also related to the Mucci Farms substation as it is necessary to run conduit across the property and noted the city just received the easement as described and are requesting the emergency relative to the timeline. Ms. Alkire noted that Mucci Farms has also granted them an easement, noting that this is going underground to the location of the substation. Mr. Ginesi noted that he realized he should have abstained from voting on this matter since it is related to

Huron Public Power and asked to have his affirmative votes on the suspension and the emergency changed to abstain. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2018-7. Members of Council voted as follows:

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

NAYS: None (0)

ABSTAIN: Ginesi, Schaffter (2)

There being a majority vote in favor of adoption, the Mayor declared that Ordinance 2018-7 had been adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion

- Mr. White addressed the inquiry from Mr. Maxam under Audience Comments, explaining that the city-wide stormwater fee is in response to federal regulatory responsibilities of the city relative to Storm Water Management and not necessarily tied to a storm water drain or tile directly. He reviewed the stormwater fee ordinance and noted that he would be happy to talk further with Mr. Maxam about the matter.
- Referenced community outreach efforts, noting staff has begun to look at options to bring to Council for consideration. He mentioned some options could be expansion of written press or increasing the social media profile. He noted one of the first things being planned for the next month or two is to disseminate a community survey as to a number of different programs going on in the city, suggesting surveys could be done at least twice a year, if not 3-4 times per year.
- Referenced discussion with Senator Randy Gardner regarding the \$10 million for dredge funds included in the state capital budget and noted the restriction that will take effect in 2020 prohibiting the dumping of dredge material into the lake. He explained the Huron River, as a designated federal shipping channel, makes the city eligible to apply for funding. He explained the city will be working with OEPA on some items and would hope to come back to Council with an engineering design proposal relative to beach reclamation on the west side of the pier and also some upstream activities to the south where materials can be deposited.
- 2018 Road Paving Program: Bid opening date is March 27 with the bid award anticipated at the first meeting in April.
- Mucci Farms anticipates planting their first crop this week and have invited the city to come out in a week or so. Advised members interested in attending to let administration know.
- Planning Commission: Commission has acted upon the direction provided by Council relative to the medical marijuana dispensary and has set a Public Hearing at the Planning Commission level for March 28, 2018 at 5:30p.m., noting this is the next step in the process to modify local ordinances.
- Referenced meeting with Representative Steve Arndt relative to a request for a meeting with the Auditor of State and Attorney General pertaining to the audit finding and citation for the compensation of Council from 2013. Noted administration has been looking to try and find a resolution, but have not had success. He recognized and noted appreciation of Representative Arndt's efforts in trying to coordinate a meeting for the second week in April and invited any interested members to attend.
- HVAC System upgrades at City Hall underway.
- OHM Engineering Contract: Noted the task of Engineering/Plan Review within the contract that the city has not used in the past. He explained Goodwill has submitted a set of plans to be reviewed by the city engineer, explaining per the contract the city accepts a deposit for an estimated cost for review and as the work is done the money is drawn out of that for the city, and

any amount left over goes back to the contractor. He noted this is something the city has talked about and allows the city more resources to stay on top of plan review.

Mayor's Discussion

- Referencing the dredging funding, the Mayor mentioned the email that he and Councilman Hardy had received from Eric Fresch regarding a proposal for shoreline restoration and noted the city may want to review this in coordination with the dredging effort.
- Read correspondence received relative to House Bill 64 which granted the Ohio Casino Control Commission the authority to regulate skill based amusement machines. Educational seminars throughout Ohio will provide overview of the new code provisions and will highlight licensing and regulatory compliance requirements. More information is available on the commission's website and noted he would have information posted on the city website.
- Referenced the Erie County Health Department Advisory Council meeting on March 19th at noon
- Congratulated the Huron Tigers on a great season.

For the Good of the Order

- Ms. Crawford referenced and commended event planning underway for the season by the Huron River Fest Committee, Grow Huron, and the Huron Chamber of Commerce.
- Mr. Ginesi explained since the last meeting he has continued to meet with people who have expressed concern with the timing of the process relative to his motion regarding the medical marijuana dispensary. To address the timing concerns, Mr. Ginesi noted he would make the following motion:

Motion by Mr. Ginesi to postpone the issuance, by the city's Building Official, of any permit to occupy and operate a medical marijuana retail dispensary from any business which has received a lawful state license to do so until the Planning Commission has presented to City Council its recommendations and City Council has voted on the legislation resulting from the previous motion made by Mr. Ginesi during the City Council meeting on February 27, 2018.

Mr. Ginesi explained the purpose of this motion was to address concerns expressed to him about his previous motion while at the same time allowing the required due process and the normal deliberations to run its course. He noted he wanted to emphasize, this motion will allow the city to codify previously approved motions (the one made two weeks ago) prior to authorizing any medical marijuana retail dispensary to operate in the City of Huron. He noted this is nothing that doesn't already exist, explaining that all this motion does is make explicit what was already implicit when voted on two weeks ago. Lastly he referenced again that no one can get a license until the legislation, that was a result of the previous motion, comes back to City Council and gets voted on.

The Mayor referenced the part of Mr. Ginesi's motion that involved the Police Chief, Fire Captains and Safety Committee asking that Ms. Crawford contact the Clerk to coordinate setting a meeting of the Safety Committee. The Mayor noted he had a discussion with Ms. Alkire on Friday, noting that she is working on the actual legislation to send out and then reviewed the process steps, explaining the Planning Commission has set a Public Hearing for March 28th and then when it comes back to City Council, Council will set and hold a Public Hearing on it and then vote.

Mr. White referenced that Mr. Ginesi's motion at the last meeting included the 1,000 ft. requirement which would prohibit a dispensary in the Burger King location. The Mayor restated the motion and asked

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

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

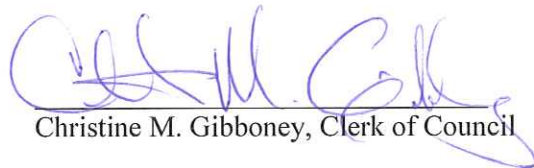
NAYS: Hartung (1)

ABSTAIN: Hardy (1)

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

Mr. Ginesi recognized and thanked Ms. Alkire, explaining that over the past month he had come to Ms. Alkire with a couple different issues while trying to figure out a solution to issues raised by the public. He explained she reminded him of the need to stay in the process, that the system is designed to handle these types of things, and complimented her for reminding him to use the system as designed which protects the citizens and the city. Lastly, Mr. Ginesi referenced his recent experience in needing to call an ambulance, noting the quick response time of safety services. He noted he has thanked individuals personally, but also wished to thank people who, over the years, made sure that citizens can get this quick response.

There being no further business to come before the Council, the Mayor declared the regular meeting of March 13, 2018 adjourned at 7:04p.m.



Christine M. Gibboney, Clerk of Council