

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, June 11, 2019 at 6:30 p.m.

Mr. White advised of the necessity to appoint a temporary chair, due to the absence of Mayor Hartung and Vice Mayor Hardy. **Motion by Ms. Crawford to appoint Councilman Ginesi as temporary presiding officer. All in favor, motion passes.**

Mr. Ginesi called for a moment of silence, after the moment of silence; he 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, Christine Crawford, Joe Dike, and Glen Ginesi. Members absent: Brad Hartung, Sam Artino, and Trey Hardy.**

Also present: City Manager Andy White, Law Director Aimee Lane, Assistant to the City Manager Mike Spafford, Finance Director Cory Swaisgood, City Engineer/Zoning Inspector Doug Green, Water Superintendent Jason Gibboney, HFD Captain Doug Nash, Police Officer Ryan Boesch, Administrative Intern Gretchen Blackwell, and Management Services Coordinator-Clerk of Council Christine Gibboney.

Motion by Mr. Schaffter to excuse Mayor Hartung, Mr. Hardy and Mr. Artino from the meeting. Councilman Ginesi asked if there was any discussion on the motion. Councilman Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Crawford, Ginesi, Dike (4)

NAYS: None (0)

There being more than a majority in favor of the motion, the motion passed and Mayor Hartung, Mr. Hardy and Mr. Artino excused.

There were no minutes available for approval; the next item on the agenda was Audience Comments.

Audience Comments

- William Biddlecombe, 1228 Brookview. Mr. Biddlecombe addressed Council to advise of property for sale adjacent to the boat basin parking lot, noting this area is utilized during several city events and recommending the city look into potential acquisition.
- Joe Catri, 902 Superior Drive. Mr. Catri made inquiry to Council on the following: 1) reported survey pins on his property were removed when contractors were doing roadwork, asking about replacement. 2) Reported the Williams Street entrance to the city building was locked. 3) Heard talk that the roundabout was being considered again for Berlin Road.
- Jim Murray, 3608 Turfside. Mr. Murray addressed Council reiterating his offer from the last meeting to provide pro bono mediation services in the matter involving Ms. Hanners. He noted his friendship with Ms. Hanners and his care for all involved, noting he is trying to look at other solutions and pathways as people are looking for corrective action and resolution in the matter. He apologized to Mr. and Mrs. Hanners in having to go through this.
- Francesca Lendrum, Mansfield Ave. Ms. Lendrum expressed her condolences to Councilman Artino on the loss of his mother. She referenced the accomplishments of the city over the past 5-10 years and the financial health of the city; recognizing the work of the past and current City Council and Administration. She referenced recent public comments by some who have stated they want what is best for the city; but commented that is not what is being witnessed; adding that

some on council and some residents have hidden agendas. She referenced the need and support for better communication plans with the public, but advised residents to look at where the personal agendas are coming from and look at the positive aspects of the city. She referenced the similarities the city is dealing with to what the City of Sandusky went through at one time and recognized their efforts of getting through it and their current position. She commented on several capital improvement projects referencing these were able to be done due to the sustaining financial security of the city. She referenced the need for respect for opinions, calling out issues rather than personalities, and working together for the betterment of the city.

- Shannon Pollack, 1715 Lands End. Ms. Pollack addressed Council with her concerns relative to the legalization of medical marijuana and referencing an article in the Wall Street Journal relative to the dangers of medical marijuana, distributing same. She referenced Ohio laws relative to tinctures, and concerns with children having access to medicine cabinets containing medical marijuana products.
- Monty Tapp, McKinley Street. Mr. Tapp referenced comments made by Mr. Artino and Mr. Dike at the last meeting relative to the matter regarding Ms. Hinners. He addressed Council asking for other members to provide their comments/opinion on matter involving Ms. Hinners and asked for transparency. He recognized and commended Mr. Murray for offering his services.
- Stacey Hartley, 310 Canterbury Drive. Ms. Hartley addressed Council noting her attendance at the Open Meetings Training, acknowledging that some members have attended trainings, but encouraging the city to schedule a training for all and open it to the public as well as she believes this would be beneficial to the community. She referenced the work of Mr. and Mrs. Hinners over the past couple of years, noting Council is missing the point in the matter. Lastly, she asked Council to drop charges against Ms. Hinners.

Old Business

Resolution 2019-35 (second reading)

Motion by Mr. Schaffter that Resolution No. 2019-35 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT ON BEHALF OF THE CITY OF HURON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.) be placed upon its second reading. Councilman Ginesi asked if there was any discussion on the motion. Councilman Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Crawford, Ginesi, Dike (4)

NAYS: None (0)

There being a majority in favor of the motion, the motion passed and resolution 2019-35 was placed upon its second reading. Councilman Ginesi directed the Law Director to read the Resolution by its title only. Councilman Ginesi asked if there was any discussion. Mr. White explained the resolution will allow for the submission of an application for a zero interest loan toward mandated improvements, totaling \$2 million if all options were included, to the water filtration system relative to algal bloom issues and recommended adoption at the next meeting.

New Business

Motion setting a Public Hearing on amendments to the Zoning Code-July 23, 2019 at 6:30pm

Motion by Ms. Crawford to set a Public Hearing date of July 23, 2019 at 6:30pm for proposed amendments to the Zoning Code relating to the implementation of regulations for Industrial Greenhouses. Councilman Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Crawford, Ginesi, Dike, Schaffter (4)

NAYS: None (0)

There being more than a majority voting in favor of the motion, the motion passed and Public Hearing date set.

Ordinance 2019-9

Motion by Mr. Schaffter that Ordinance 2019-9 (AN ORDINANCE AMENDING SECTION 1121.04, "DEFINITIONS," SECTION 1125.03, "B-3 GENERAL DISTRICT," SUBSECTION (f), "INDUSTRIAL DEVELOPMENTS," OF SECTION 1126.05, "PLANNED DEVELOPMENT PROJECTS," SECTION 1126.09, "UNIVERSITY PARK PLANNED INDUSTRIAL DEVELOPMENT PROJECT OVERLAY ZONE", AND ENACTING NEW 1126.17, "REGULATIONS FOR INDUSTRIAL GREENHOUSES," OF THE PLANNING AND ZONING CODE WITHIN THE CODIFIED ORDINANCES OF THE CITY OF HURON TO REGULATE INDUSTRIAL GREENHOUSES, AND DECLARING AN EMERGENCY) be placed upon its first reading. Councilman Ginesi asked if there was any discussion on the motion. Councilman Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Crawford, Ginesi, Dike (4)

NAYS: None (0)

There being a majority or more in favor of the motion, the motion passed and Ordinance 2019-9 was placed upon its first reading. Councilman Ginesi directed the Law Director to read the Ordinance by its title only. Mr. White referenced the work of outside counsel to prepare lighting regulation amendments to incorporate into the zoning code. He recapped the origins of the need for regulations with the issues of light emissions from Mucci Farms and reported on the work of consultants relative to lumen measurements and regulations directed at Industrial Greenhouses. He also reviewed the proposed phases of Mucci Farms and noted the ordinance and proposed amendments would now need to be referred to the Planning Commission for review and recommendation back to Council.

Motion by Mr. Dike to refer the proposed Zoning Code amendments to the Planning Commission for review and recommendation. Councilman Ginesi asked if there was any discussion on the motion. Councilman Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Dike, Schaffter, Crawford, Ginesi (4)

NAYS: None (0)

There being more than a majority voting in favor of the motion, the motion passed, and the matter referred to the Planning Commission.

Ordinance 2019-10

Motion by Mr. Schaffter that Ordinance 2019-10 (AN ORDINANCE AMENDING ORDINANCE NO. 2018-36, ADOPTED DECEMBER 11, 2018 RELATING TO EXHIBIT "A" APPROPRIATIONS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019) be placed upon its first reading. Councilman Ginesi asked if there was any discussion on the motion. Councilman Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Crawford, Ginesi, Dike (4)

NAYS: None (0)

There being a majority in favor of the motion, the motion passed and Ordinance 2019-10 placed upon its first reading. Councilman Ginesi directed the Law Director to read the Ordinance by its title only. Councilman Ginesi asked if there was any discussion. Mr. White referenced the executive summary and provided an overview of the revenue and expense entries appearing on Exhibit "A" of the ordinance noting the Exhibit is largely comprised of an expiring series of bond anticipation notes relative to the Huron Public Power (HPP) substation, reviewing same, and referencing the revenue received from the electric service. Mr. Ginesi asked the Law Director for confirmation on whether or not he is able to vote on the ordinance, explaining an individual that works for his company is a consultant to the city for HPP and referenced the ruling from the Ethics Commission on his participation relative to HPP as he believes he is able to vote on budgetary legislation, but would like confirmation. Ms. Lane noted she would review the opinion from the Ethics Commission.

City Manager's Discussion

- Addressed Mr. Biddlecombe's inquiry explaining that the city has looked into the matter of the property for sale and will continue to do so, but noted that no formal offer has been made.
- Addressed Mr. Catri's inquiries: 1) If pins were removed by the city's contractor, arrangements will be made to replace these. 2) Williams Street door is locked as a security measure during meetings upon a recommendation from the Safety Committee, and the public is to use the Main Street entrance. 3) A roundabout option at Berlin Road is not part of the project and has not been considered for at least 1-2 years.
- Finance Committee has had additional discussions in support of the hotel bed tax expansion. He referenced other communities implementing the tax and asked for Council direction on the matter.
- Referenced ongoing drainage and flooding issues associated with the high lake levels and discussions regarding several areas of the city experiencing flooding issues. Referenced the stormwater management fee explaining revenue is used to clean out catch basins and repair drainage tiles but noting some areas will require much more extensive repairs.
- Work continues with the Legal Dept. relative to city authority at Oster's Mobile Home Park. He referenced the International Property Maintenance Code, and continued discussions with the state relative to city enforcement authority.
- Addressed Ms. Hartley's comments noting that Sunshine Law trainings have been discussed internally.
- Addressed Mr. Murray's statement noting appreciation for his comments, and noting he appreciates the opportunity to speak with him.
- USGS- ConAgra site: Referenced the continued interest from USGS in the ConAgra site. He recapped Council's previous directive to administration not to continue pursuit, and the recent Huron Joint Port Authority interest and discussion in pursuing the matter. Mr. Dike questioned whether Council action stops the Huron Joint Port Authority from pursuing the matter. Mr. White referenced the decision of Council, Council representation on the HJPA and discussion ensued as it was noted the HJPA has spoken to the Planning Commission and attended the group work session presenting their intentions for the USGS facility on the ConAgra site. It was also noted discussion on the topic has taken place at the Economic Development Committee level as to interest and the best way to proceed. A discussion ensued relative to the property being owned by the city, the utilities infrastructure needed, the transfer of property between the state/city needed as well as the dedication of the roadway and the question raised if Council now wishes to engage USGS. Mr. Ginesi recapped discussion at the Economic Development level noting that an RFP for the ConAgra site is being worked on by the committee now and discussion about including the USGS as a potential tenant supported. Ms. Crawford referenced the group work session and support of Council members in attendance in moving forward to continue discussions

with committees. In conclusion, it was noted the question is whether Council wishes the USGS facility be part of the city's RFP for the ConAgra site or does Council support the effort of the HJPA. Mr. White noted he would like to get the property transfer finalized and the dedication of the roadway regardless of what direction Council would like to go with the USGS facility and following those items, the city would be able to discuss the utility infrastructure/layout.

Questions/Comments from Council members:

- Mr. Dike commented that individuals are asking about council input/where Council stands on the issue of Ms. Hinner's arrest and advised he does know what can be said. Mr. White referenced the importance of separation of Council from the prosecutor in any instance, noting however that any member can speak to their own opinion. Ms. Lane advised of the law with regard to the special prosecutor and his role, explaining the special prosecutor is charged with executing his independent judgement and discretion in the matter. She explained the role of City council is legislative, the role of the special prosecutor is executive/administrative. She noted she did not think it wise for council to entertain a motion to direct the special prosecutor to dismiss charges as it would have no legal impact or affect, noting this would apply to any case. She did note that nothing would stop any member from speaking their own opinion on any matter.

Mayor's Discussion

- Councilman Ginesi referenced an email sent to all councilmembers from Lorna Findley, 212 Ashland Ave which she requested be read as she was unable to attend the meeting. Mr. Ginesi read Ms. Findley's letter relative to the arrest of Ms. Hinner, her objection to the action taken, and request that council drop the charges against Ms. Hinner.

For the Good of the Order

- Ms. Crawford referenced the Saturday group work session meeting with Council and committees and noted the informative exchange between all members; suggesting the need for more group meetings. She reported on discussion at the Safety Committee relative to the ODNR buoy award and placement discussion and recapped origins and process of approval, reported that the city will reach out to applicants that did not receive grant award to discuss approval of placement process. Referenced the recent tragedy in Virginia Beach and suggested an executive session for the purpose of discussion on security at public meetings. Referenced her attendance at the Sunshine Law Training, inquired about mass emails to subscribers of the website; administration advised the program is not active, but can be revisited and noted social media improvements are being looked into at this time. It was also noted the agenda packets continue to be available to the public on the website in advance of the meeting. Ms. Crawford recognized the success of the Chamber's Lakefront Market event and extended condolences to the families involved in the recent tragedies in the community.
- Mr. Dike extended condolences to the Stout and Artino families. He also commented that the city needs to put something in place on the pier area when there are dangerous conditions. Brief conversation over the area being under the authority of the USACE ensued.
- Mr. Ginesi referenced meetings with area religious leaders beginning a year ago to discuss civility and public discourse and reported meeting again recently noting that they have offered to take turns coming in to do an opening invocation which he noted he is in support of and asking for other member's opinions or objections. Ms. Lane recommended Council consider an ordinance addressing the desired protocol, noting there is case law relative to this topic. **Motion by Ms. Crawford to order in legislation for Council consideration in adding an invocation to the agenda.** Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Crawford, Ginesi, Dike Schaffter (4)

NAYS: None (0)

There being a majority voting in favor of the motion, the motion passed.

Mr. Ginesi welcomed the new Finance Director, Cory Swaisgood to the city, extended condolences to Mr. Artino on the loss of his mother, asked for status on property maintenance violations on vacant property on Shawnee Place, and reported overgrown grass on the sidewalk areas on US6. He addressed Mr. Murray and his offer to the city wishing him success in his efforts, expressing his support, and agreeing that the community wants to see resolution in the matter. He referenced a book he had suggested to council members a couple of years ago and suggested it may be helpful and also noted he would have no issues with attending trainings/seminars. Lastly, it was noted two executive sessions have been requested with no further business to follow.

Executive Session(s)

Motion by Ms. Crawford that the regular meeting of June 11, 2019 be recessed for the purpose of holding an executive session for the discussion of pending litigation. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Crawford, Ginesi, Dike, Schaffter (4)

NAYS: None (0)

There being a majority voting in favor of the motion, the motion passed and the executive session called to order at 7:36p.m. City Council members, the City Manager, Assistant to the City Manager, Law Director and the Finance Director discussed matters relating to pending litigation. Motion by Mr. Schaffter to close the executive session and declared the regular meeting of June 11, 2019 reconvened at 7:55p.m. All in favor, motion passes and regular meeting of June 11, 2019 reconvened.

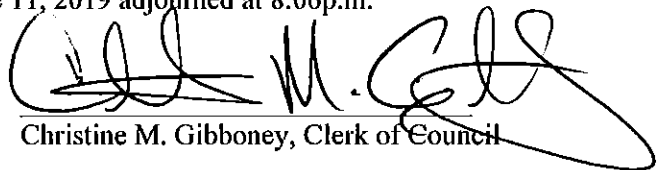
Motion by Mr. Schaffter that the regular meeting of June 11, 2019 be recessed for the purpose of holding an executive session to consider details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office. Mr. Ginesi directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Crawford, Ginesi, Dike (4)

NAYS: None (0)

There being a majority voting in favor of the motion, the motion passed and the executive session called to order at 7:55p.m. City Council members, the City Manager, Assistant to the City Manager, Law Director and the Finance Director discussed matters relating to security. Motion by Mr. Schaffter to close the executive session and declared the regular meeting of June 11, 2019 reconvened at 8:05p.m. All in favor, motion passes and regular meeting of June 11, 2019 reconvened.

There being no further business to come before the Council, Mr. Schaffter made a motion to adjourn. All in favor, motion passed and the regular meeting of June 11, 2019 adjourned at 8:06p.m.


Christine M. Gibboney, Clerk of Council