

**THE CITY OF HURON, OHIO**  
**Proceedings of the Huron City Council**  
**Regular Meeting Tuesday, June 27, 2023 at 6:30pm**

**Call to Order Public Hearing 1**

Mayor Tapp called the Public Hearing on the proposed 2024 Tax Budget to order at 6:30pm in Council Chambers.

**Roll Call**

Mayor Tapp directed the Acting Clerk to call the roll for the Public Hearing. The following members of Council answered present: **William Biddlecombe, Sam Artino, Mark Claus, Monty Tapp and Joe Dike.** Council members not present: **Matt Grieves and Joel Hagy.**

**Motion by Mr. Claus to excuse Mr. Grieves and Mr. Hagy from the public hearing.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Biddlecombe, Dike, Artino, Tapp, Claus (5)**

**NAYS: None (0)**

There being more than a majority in favor, the motion passed.

**Swear in Witnesses**

The Law Director asked that all witnesses that are going to give testimony as to the proposed 2024 Tax Budget, including Council and any staff that are going to speak and anyone from the public that is going to speak, please stand and raise their right hand. Mr. Schrader swore in the witnesses, including all members of Council, Mr. Lasko and Mr. Swaisgood.

**Witness Testimony**

Mr. Swaisgood testified as follows:

I am proud to say this will be the most exciting part of this meeting for everyone. The City's tax budget (the 2024 tax budget) was included in the packets to Council that was sent out. There are 2 pages that you will notice. This is an annual statutory requirement under the City Charter and Revised Code. The tax budget for the ensuing fiscal year must be submitted to Council prior to June 1<sup>st</sup> of every year. Council received that 2024 tax budget via email on May 25<sup>th</sup>. The tax budget is in front of Council and the public today for a public hearing. If no revisions are necessary, I will request a motion to approve the tax budget and submit to the County Budget Commission by July 15<sup>th</sup>, which is required by the Revised Code.

The tax budget is primarily used as a confirmation to the County that currently levied property taxes are necessary for the City to balance the following year's budget. The tax budget was initially established more as a tool for taxing authorities to use to assess the financial condition of the jurisdiction in time to place levies on the ballot, if necessary. There are no new property tax levies expected for 2023. We use the tax budget more as a general guideline and initial review for the next year's budget. The County will review the City's tax budget and issue a report in the fall with the City's Certificate of Estimated Resources, the property tax collection estimates and local government fund estimates for 2024. Council must authorize

those tax levies and certify them to the County Auditor by October 1<sup>st</sup> of every year in accordance with the Revised Code.

Before I get into the tax budget, I just want to point out that this is mostly for the City to prove to the Budget Commission that the City needs all taxes that are levied, and the local government fund from the County. Preparation of the tax budget does kick off the City's budget process, but these are estimates and will more likely change throughout that process as we begin that in the fall. Estimated expenditures on the tax budget was prepared with only 4 months of actuals, so every dollar amount you see on here may not be attributed to something specific because it is hard to predict at this time. Really, the only certainty we have at this moment are estimated personnel costs, most capital projects, and debt service payments. The first page of the tax budget includes estimated revenue and expenditures with estimated beginning and ending fund balances for 2024. Although we still do remain conservative with the 2023 estimates, we do anticipate we will see steady growth in 2024, as most, if not all, revenue sources have recovered from the pandemic. Income tax has recovered with the help of new employers, such as Ardagh and Sawmill Creek Resort. Some state taxes, such as gas and permissive tax, have not fully recovered over the last few years. All funds are expected to maintain a positive fund balance through December 31, 2024. Economically, the past few years have been a challenging platform in forecasting 2023 and 2024 revenue and expenditures following abnormal shifts in inflation and global supply chain issues. The long-term economic impact due to these trends will certainly influence future financial forecasts and planning; however, the 2024 tax budget will most certainly adapt and change during the budget planning process in the fall.

I do want to touch on a few funds and fund balances in the 2024 tax budget, which is the first page. The estimated beginning fund balance for the General Fund at just over \$1.6 Million is anticipated to be approximately \$100,000 less than the Fund balance on January 1<sup>st</sup> of 2023. Primarily, this is due to the General Fund subsidy to the Garbage Fund and the Street Fund in 2023, as we talked about during the budget process. Beginning in 2024, there will be a new service contract for garbage, and the Street Fund will begin receiving additional permissive tax. General Fund subsidy of these funds should be minimal going forward. We are anticipating the ending Fund balance for 2024 to be consistent with 2022's ending fund balance. In the Parks and Recreation Fund, we are anticipating reduction in fund balance for the Parks and Recreation Fund in 2023 and 2024 due to the loss in revenue from the School District's portion of the HJRD contribution. The projected loss in revenue is \$100,000 over 2 years. We will go into much further detail in the future for funding the City's Parks and Recreation Program, as this department continues to provide exemplary services with limited resources as it is today. Revenue sources in the Street Maintenance Fund and State Highway Fund is mainly made up of gas and permissive tax. I have seen a slight drop-off over the last few years, as we have discussed few years, as well. Beginning in 2024, the permissive tax is expected to increase by \$42,000/year due to recent action by Council to increase the license fee. General Fund subsidy to maintain City roads will still be necessary; therefore, an estimated declining balance in 2023 and 2024 is still expected. Estimated revenue in the General Fund for 2024, overall, we are estimating a 2% increase. We are anticipating income tax revenue will level off at an increase of 2% in 2024, which is below the historical growth over the last 2 years. We are estimating a 2% increase in all state and local taxes in the General Fund, as these revenue sources are back to pre-pandemic levels. Lodging tax and transient rental registration fees are expected to level out in 2022 and 2023, which totals approximately \$150,000/year.

Total estimated expenses in 2024 in the tax budget show a decrease of 14% from 2023. Largely, this is due to major capital projects at the Water Plant and Sawmill Parkway in 2023. This may change, and probably will change, as the City begins the budget planning process for 2024 and funding sources are determined for those major capital projects. The 2024 estimated appropriations include a 3% increase in personnel costs and a 2-3% increase in other expenses, such as vehicle and building maintenance. The General Fund expenses are expected to be 2% lower in 2024 and 2023 due to the subsidy reduction for the Garbage Fund and the Street Fund. You will also notice on the second page a comparative expenditure statement, which is also an annual requirement under the Revised Code to be provided to the County Auditor with the tax budget. 2023 estimated expenditures are mostly budget amounts, due to only having 4 months of actuals to review. Unless there are any questions from Council and the public, I do, respectfully, request a motion during the regular meeting to approve the 2024 tax budget and submit the budget to the Budget Commission by July 15<sup>th</sup>, as written.

### **Adjournment**

**Motion by Mr. Biddlecombe to adjourn the first public hearing of tonight.**

Mayor Tapp asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Artino, Tapp, Dike, Claus, Biddlecombe (5)**

**NAYS: None (0)**

There being more than a majority in favor of the motion, Public Hearing 1 was adjourned.

### **Call to Order Public Hearing 2**

Mayor Tapp called the Public Hearing on the Two Rivers Phase I PUD application.

### **Roll Call**

Mayor Tapp directed the Acting Clerk to call the roll for the Public Hearing. The following members of Council answered present: **William Biddlecombe, Sam Artino, Mark Claus, Monty Tapp and Joe Dike.** Council members not present: **Matt Grieves and Joel Hagy.**

**Motion by Mr. Claus to excuse Mr. Grieves and Mr. Hagy from the public hearing.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Artino, Tapp, Biddlecombe, Dike (5)**

**NAYS: None (0)**

There being more than a majority in favor, the motion passed.

### **Swear in Witnesses**

The Law Director asked that all witnesses that are going to give testimony as to the proposed 2024 Tax Budget, including Council and any staff that are going to speak and anyone from the public that is going to speak, please stand and raise their right hand. Mr. Schrader swore in the witnesses, including all

members of Council, Mr. Lasko, Mr. Engle, Mr. Fridrich, Mr. Hamilton, Mr. Swaisgood and all members of the developer team in attendance. For members of the general public and the developer team, Mr. Schrader asked that if they are going to offer testimony, he asked that they please reiterate that you did receive the oath.

### **Witness Testimony**

Mr. Lasko deferred to Mr. Engle to lead the discussion prior to getting into the public hearing.

Mr. Engle testified as follows:

Good evening, everyone. This PUD Application came forward at the Planning Commission in February of this year. It is a continuation of which is existing there now. This is part of the Sheltered Brook development, which is Two Rivers, I should say. Essentially, they are adding 27 units. It did end up going defunct, hence why we were kind of going through this process again. With that, they are trying to build it out at this point. All infrastructure is in place, and like I said, they are adding 27 units. First it went to Planning Commission. They are also adding a 2,000SF of green space pursuant to our code requirements. We have basically come up with a Development Agreement, but are still working through the details of that. I am going to, ultimately, hand it over to Mr. Jim Murray, and kind of get into more details. With that, I will turn it over to him.

Jim Murray testified as follows:

Good evening Honorable Council people. I am very proud to be here tonight, so thank you for hearing us out about the Two Rivers Development. We have a lot of exciting things to share. You are going to hear from me for a few minutes, and then I am going to turn it over to the actual builders, which is Corinthian Fine Homes out of Dublin, down near Columbus. I did receive the oath. My wife said no swearing, but I guess swearing in is okay.

Good evening, my name is James W. Murray and I will be talking about the Two Rivers development right here in Huron, near the Huron Lagoons Marina, kind of tucked back behind the wonderful housing development and community that's there. It is kind of close to the golf course (Thunderbird North) and that whole community. We are very excited to see not only this first phase, but to see it all the way through completion. For those who know me better, I go by Jim Murray. If you knew me as a kid, I was Jimmy Murray. I went by other names, but I can't say that at a public forum. I was born right here in Erie County. In fact, I was almost born in Old Homestead in my parents' home, the original Old Homestead farmhouse because I was born in the blizzard of '78. Thankfully, the weather cleared a day or two before I was born on February 8<sup>th</sup> – I think the storm was the 4<sup>th</sup> and 5<sup>th</sup> of February, so my Dad almost had his firstborn son in Old Homestead. The reason I say that is I am a very proud member of the Huron community. We've got some extraordinary developers from Columbus that are also making Huron their second home. I have always considered (even though I lived on the east coast for several years, and lived in California for a decade) and kept my Ohio citizenship. I am absolutely from Huron, and a proud parent of 3 Huron school children. My wife and I are very active. I am on the Board of the Huron Education Foundation, as well as the Firelands Montessori Academy, and I am also a past President and current Assistant Governor for the Huron Rotary Club. I want to let you know that I am a practicing attorney, but I am also now the President and founder of the Tiburon Company LLC, which is a real estate investment and development company based right here in Huron. I will be working, of course, on the Two Rivers development in conjunction with

Corinthian Fine Homes, along with a number of other real estate professionals in the area. We also are lucky enough to have the 7 undeveloped lots on North Main Street, and hope to bring some additional ideas as the City moves forward with their strategic plan and the vision for North Main Street. My family is also very blessed to have 28 acres of raw land directly across from Huron Eagles. While that's in Huron Township, I think it could be a really interesting and exciting project, and if fact, if the City wants to annex like you guys did Sawmill, I am all ears. So, on a serious note, Huron desperately needs more housing stock at all price levels. Two Rivers will bring needed new housing to our hometown. There will be over 100 total new single-family homes planned in the next decade or so. My parents acquired the land that is now Two Rivers back in the late 80's and early 90's with a dream of a new housing development. Of course, I shared with you that I grew up in Old Homestead, and I know a lot about the history going back to 1927, about when it was a farmhouse and a farm, which became Old Homestead, and then Chaska Beach, and then Beachwood, and a lot of the other neighborhoods that we consider legacy neighborhoods that so many of us are so blessed to live in and play in. There is also a whole range of new businesses bringing new people to the community, that includes the Huron Industrial Park, Ardagh, Mucci, Firelands Scientific, Buckeye Water Sports – just to name a few. We've got a lot of growing families and they want to have a home in our community and attend our excellent schools. We've got a lot of retiring Boomers and snowbirds that would love to have a home in this condominium development, and maybe escape January through March, or so, and get out of the cold. I am absolutely thrilled to bring to fruition my parents' dream of building a brand-new neighborhood right here in Huron. Just so it's clear, almost \$2 Million has already been invested by my family into Two Rivers, and that's the infrastructure, the street, the utilities, streetlights and of course, a lot of legwork, primarily by my dad, James T. Murray, who was a practicing attorney. He didn't know all that much about real estate, and I won't pretend to either. We were civil litigators, but we try to do a lot of positive things. The development did stall at a time, and I will take responsibility for it, even though it had a lot to do with my father's health, and eventually, he passed away in 2019. Instead of just rushing through and trying to kind of learn while we did the development, I sought out really excellent development partners, like Corinthian Fine Homes that built, for example, the Muirfield Village development where the Memorial Golf Tournament is held, and where the PGA just played recently. They have an excellent reputation, and I hope to bring that reputation right here to Huron. I pledge to fulfill the dream not only of having our 19 existing homeowners that are already there, but another 27 homes to complete Phase I, and then another perhaps 50-60 new homes in Phases II, III and potentially IV, if we break it off into that many segments. The goal will be to build high-end quality single-family housing. Consistent with Huron, we are going to use local subcontractors and locally sources materials, where possible. It's great for the local economy, including raising additional property taxes for our schools. We want to convert a long-time agricultural field into a tax-producing machine for Huron and our schools. I have personally worked with Habitat for Humanity in a legal and advocacy capacity at a national level when I was living in California. I know how hard it is for people to find housing, especially right now in Huron and our area, and I want to pledge that part of the proceeds from any land sales are going to support our local Firelands Habitat for Humanity and other non-profits I am associated with. One thing I did recently that really was exceptional – I thought the community did – was this historical home tour by the Huron Historical Society. I don't know how many of you went, but I went into several century or even older homes, and those are the types of homes we want to build – those that in a 100 years, or even 150 years, people are going to go through them and say, "Wow, I can't believe somebody put together Two Rivers in 2023 and now it's whatever year that those homes are still considered..." That's how beautiful and quality they will be. We want to emulate those classic neighborhoods I talked about on the East side, or Village Green and Wexford on the west side. It's an opportunity for green building and innovative technologies around energy and energy conservation. We want to have the best quality homes

in Huron. We, again, have Corinthian Builders, who I will turn this over to in just a moment. I want to talk about 2 quick issues. One is a question the City had about my financial capacity. I am willing to privately share anything about my financial capacity to see this project through completion, and that's not just Phase I, but all the way through, and I have been personally blessed mainly because of the efforts of my grandparents and parents, to have the financial ability to do it, of course in cooperation with Corinthian and others. We are really excited to see this thing through. Also, I wanted to let you know that we are working on the Development Agreement. I think myself and Todd have worked very hard, and it's come very close, and I think we are about 99% of the way there, we are just crossing all our legal T's and dotting all of our financial I's. I want to let you know we are going to be building a new inland lake. It can't be called a pond because it's too big according to ODNR, EPA or one of the other alphabet soups I had to get approval from, but it has been approved and it has been budgeted. We are going to be building a nice inland lake of approximately 2 acres that will make the inland sites at Two Rivers also waterfront views. We hope to have at least 6 homes started by the end of this calendar year. It is a little ambitious, but we have a lot of people chomping at the bit and wanting to sell their homes, and it's a great time to sell a home. Obviously, not a great time to buy a home – inventory's down. We want to bring that inventory to Huron. The Two Rivers Phase I will be substantially completed, as agreed in the contract Developer Agreement, by mid-2028 (within 5 years). We intend to then look at future phases – Phases II, III and IV, and I want to get those done as soon as possible. A soft goal will be a decade; a more realistic goal will probably be 15-20 years, but I hope to see that in my adult life, something I help put my kids through college, maybe grad school. Who knows these days? It might not be enough to cover that. Now I am going to turn it over the Corinthian, particular a Director there, Scott Shively – he will introduce the rest of the team, their longstanding reputation, and the different skills they bring – and I also wanted to reintroduce Dean Frederick, who spoke at the last meeting we had – I'm sorry, that wasn't before this body – but Dean has been doing great work with the PUD map and all the engineering – all the stuff that I certainly don't know anything about, and he's done a great job and is here to answer your questions, too. In my closing, thank you all very much. You all know me in some capacity, and I really just want to see this entire project be done properly and be a real treasure for the City of Huron. Thank you.

Mr. Shively testified as follows:

Yes, I was sworn in. Scott Shively with Corinthian Fine Homes. It sounds like a great neighborhood I'd like to buy a house there. Corinthian is Joe Aulino and Kevin Cook, who are right back here. They founded the company over 31 years ago. I have been in the building business because my father was in it, and he told me not to go into it, so I did, but over the 31 years, Joe, Kevin and myself built in well over 50 neighborhoods in the Columbus are, and not necessarily competitors, even though we did build in the same neighborhood, over the years we become very good friends. About 3 years ago, Joe and Kevin had been building these miraculous homes on Muirfield Golf Club, and just one-of-a-kind, neat home everywhere, and they invited me over to see a community that is very much like what Two Rivers, I think, represents to us. A unique, somewhat empty nester, but really geared to people that wanted to live their lifestyle their way and have something – golf course, water, boating, anything close as a community feature – and I went over, and I was super impressed. I don't know if can present the Power Point tonight or not we sent over... We did some boards, so I can kind of show you as we go through this, but anyway, if you go through that Power Point that Jim sent, you will see that are some pretty miraculous homes in there that do surround the Muirfield Golf Course, and currently, we are working on about 14 very unique homes in the Columbus area. The thing I was saying before ... so I went over and met with Kevin and Joe and again - I think we have become great friends over the years and I felt a basic instinct that this was

going to be the right fit for all of us – the company is based on communication with our clients, our craftsman and people that work with us, professionalism and integrity of the company. The one thing we did, I think it's been almost 3 years that we have been coming up to Huron, and either fortunately or unfortunately, we are in the process of buying our home up here in Huron, and we are super excited just because my two gentlemen back here are big fishermen and boat all the time, and it just seems great – I think we feel we've become somewhat part of the community, which makes it even more exciting for us to do this project moving forward. I think, really, just to give you a rough idea, here are some of the homes that we propose (I don't know if you want to pass it around, or not). Mayor Tapp asked if this is the same thing they have on the Power Point, which Mr. Shively confirmed. Mr. Shively continued: The biggest thing – I don't know if you have this, or not – we actually are planning our new model up here right now, and these are some of the new interior shots we are going to have, so I will pass this around. Mayor Tapp confirmed that they already have those shots. Mr. Shively continued: Without standing up here and going on and on, I think the fit is great with Jim and Two Rivers, the community itself. We probably hit all of your high spots: Pied Piper, Sand Bar and the Angry Bull, so we now feel like we are family. Mayor Tapp commented that they hadn't hit the Donut Shop Yet. Mr. Shively continue: No, I put that my agenda for next time. So again, as Jim mentioned goals and that, our goal is really, the last slide that you got as part of your PDF file, it's families and communicating and making sure that whatever we build, we're proud of, the homeowner's proud of, the community's proud of, and I think we bring all of those aspects to this project, and we certainly look forward to working with town, and with Jim Murray, making this a big success. Are there any questions. I appreciate your time.

Mayor Tapp asked if there were any question from Council. Mayor Tapp commented: I have a couple comments, and I think I can direct these toward everybody and Mr. Murray. I think it's a great concept. I am looking forward to it. Personally, I know the circumstances and we want this to continue and get going. It seems like it's been there for a long time. The drawings and the concept look great. I have heard of Corinthian Homes down in Columbus; my daughter went to Ohio State. I guess, moving forward, I don't know if you can address – I know you want to have 6 homes started – I don't know how lots are selling, and what their time schedule is. Mr. Murray answered: As soon as possible, and I will tell you for several reasons. This isn't a new development, and there's actually a realtor that lives in the community back there; Joanne actually lives back in the community itself. Maybe a couple of the current homeowners can attest to this – they have people that drive back there all the time and they say, how can I buy a lot, how can I build a home. We have a list of approximately 100-200 people that have shown casual interest. I can tell you definitively that I have 6 people that are ready to go, I hope that they will not only commit and go through – it's a pretty extensive design process to do a custom home and of course, there's subs and things are tight right now to be able to do it. But I will commit to that 6 being done quicky, and I have already contractually committed to having not 27 done, but 22 done within 5 years, which would be 2028, which I think we can hit. Obviously, the economy is the biggest factor and we've got a lot of marketing to do, but we actually have a planning meeting today about how we are going to market this by social media, to use Facebook ads, to use a lot of things to help target and promote Two Rivers. For those of you who don't know, the old Brown property in Vermilion is also being developed, so we are looking at ways to maybe co-brand with all of the great activity that's happening in the area. Really, Huron doesn't have another development, so I think we're going to have a lot of pent-up demand. I think from the market side, it's great. From the effort side, these guys are raring to go, and we want your approval tonight or it might be administratively the first week of July or so, because there's some administrative stuff we have to take care of. We are raring to go – we want to use the summer. We want to have a major kickoff in August – no later than September – and again, I can only speak to the people who pledged (people who

have already listed their home, they are ready to go). We have one gentleman who sold his home, is living in a current condo and he wants a home again, and he wants to build right away. In fact, we get emails and calls every couple of weeks, and I won't say name, but again, I am keeping a list of those folks who are kind of hot and ready to go. Again, I can only pledge what I can do. I will tell you, I very intentionally, as my uncle, Tom Murray, how has been my mentor and my boss for several years, he is fully retired now and I am basically now on my own. I am going to be reducing my legal practice significantly to focus primarily on the Tiburon Company and the real estate investment and development side. I just hope to be the next Joe Dike, to be honest. My Dad said I have to tell you (my dad passed away, it has been about 4 years now and I was still living in California). He said, "You know, I'm really irritated", and I said, "What, Dad?" And he said, "That Joe Dike, he's got so many things going on he's now the Mr. Real Estate for Huron – he's taking away my thing." I love everything Joe does – talk about somebody who puts his money where his mouth is. He is doing great stuff. He also coaches my son, Paul at basketball, which is even more complicated and difficult. But Mayor Tapp, to be serious, I am going to do everything I can, and I will tell you, if I can't do it, I am going to have Corinthian or others. If I have to bring in other investors, I will. If I have to bring in other groups, I will, but I think we've got the right team. I think we've got the right team, the right vision and with the City's support, we're going to get this thing done and we are going to bring you buttloads of tax revenue to help fund those new school buildings, which I know is in the vision of the School District and the School Board. Monty Tapp said: Just to be clear, I wasn't being pushy – I have learned since I've been on Council and Mayor – things that I think should take a month takes 4-6 months. I am still trying to learn how to handle that, but again, we want to work with you. I know we are not taking action tonight – like you said, you want to get all the T's crossed and the I's dotted, but that will be soon. Mr. Murray added that if you can give us anything you are concerned about or anything else you would like to see, if possible, this evening or if you think of it later, because obviously I want to get the Developer Agreement solidified with Todd, and get that all done. If we really want to come back at the very next hearing in a couple of weeks, and you guys tell us, go forth, that would be ideal, because Corinthian and our prospective home buyers are all getting anxious. I also don't want to send a signal that something's wrong. Mayor Tapp said: Like I said earlier to Council, as soon as we get the approval from the everything looks good, I think we are ready to go. Welcome to you folks for being up here. (From the audience: We are land barons now). Mayor Tapp asked if there weren't any other questions or comments. Mr. Murray asked for a moment of silence for his dad, James T. Murray, and his mom, Shirley A. Murray. They both passed away, but it would make them very proud to know that we are going to see this development through to completion.

### **Adjournment**

#### **Motion by Mr. Biddlecombe to adjourn tonight's second public hearing.**

Mayor Tapp asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Tapp, Artino, Dike, Biddlecombe (5)**

**NAYS: None (0)**

There being more than a majority in favor of the motion, Public Hearing 2 was adjourned.

### **Call to Order**

The Mayor called the regular meeting of City Council to order at 7:04pm.



**Roll Call**

The Mayor directed the Clerk to call the roll for the regular meeting of Council. The following members of Council answered present: **William Biddlecombe, Mark Claus, Monty Tapp, Joe Dike** and **Sam Artino**. Council Member not present: **Joel Hagy** and **Matt Grieves**.

**Motion by Mr. Claus to excuse Mr. Grieves' and Mr. Hagy's absence from the meeting.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Biddlecombe, Dike, Artino, Tapp, Claus (5)**

**NAYS: None (0)**

There being more than a majority in favor, the motion passed.

Staff in attendance: City Manager Matt Lasko, Law Director and Acting Clerk of Council Todd Schrader, Parks and Recreation Operations Manager Doug Steinwart, Planning Director Erik Engle, OHM Advisors Representative Larry Fridrich, Police Chief Terry Graham and Finance Director Cory Swaisgood (via Microsoft Teams).

**Moment of Silence and Pledge of Allegiance**

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.

**Approval of Minutes**

None.

**Audience Comments**

The Mayor directed members of the audience having comments to approach the podium, state their name and address Council, and advised that they would have 3 minutes to make their comments.

None.

**Old Business****Ordinance No. 2023-15 (third and final reading)**

**Motion by Mr. Dike that Ordinance No. 2023-15 (AN ORDINANCE REPEALING AND AMENDING AND RESTATING SECTION 931.04 (RATES FOR COLLECTION AND DISPOSAL OF CHAPTER 931 (GARBAGE, RUBBISH AND RECYCLABLE MATERIAL COLLECTION) OF THE HURON CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY) be placed on its third and final reading.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Tapp, Artino, Biddlecombe, Dike (5)**

**NAYS: None (0)**

There being more than a majority in favor, Ordinance No. 2023-15 was placed upon its third and final reading. The Law Director read the Ordinance by its title only.

**Motion by Mr. Dike to place Ordinance No. 2023-15 be placed as an emergency measure.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Artino, Tapp, Claus, Dike, Biddlecombe (5)**

**NAYS: None (0)**

There being more than 5 votes in favor, Ordinance No. 2023-15 was placed as an emergency measure.

Mr. Hamilton stated that in April of 2023, the City received bids to redo the contract for the trash removal for the City. They received a single respondent, which was our current provider. Working through with them, they agreed on a rate that will increase to \$71 per dwelling, per quarter from July 1, 2023 to December 31<sup>st</sup> of this year. After that, the intent is to move the trash billing over to an assessment option, and it will be paid for that way. This is the third and final reading.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on final adoption of Ordinance No. 2023-15. Members of Council voted as follows:

**YEAS: Biddlecombe, Dike, Artino, Tapp, Claus (5)**

**NAYS: None (0)**

There being more than a majority in favor of adoption, Ordinance No. 2023-15 was adopted. The Ordinance as adopted was signed by the Mayor and Acting Clerk of Council and will take effect immediately.

**New Business**

**Resolution No. 44-2023**

**Motion by Mr. Tapp that the three-reading rule be suspended and Resolution No. 44-2023 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID AND ENTER INTO AN AGREEMENT WITH REPUBLIC SERVICES INC. FOR THE PROVISION OF RESIDENTIAL WASTE COLLECTION AND RECYCLING SERVICES FOR THE PERIOD OF JULY 1, 2023 THROUGH DECEMBER 31, 2026) be placed on its first reading.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Tapp, Artino, Dike, Biddlecombe (5)**

**NAYS: None (0)**

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Resolution No. 44-2023 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Hamilton explained that this is the actual contract with Republic for the services that Council just approved regarding the rate change. This will specify the rates for the next 3 years, plus an additional 3 years on top of that, which we have options yearly extensions, and the details and City services – all the nuts and bolts – of the actual contract itself. It will start on July 1<sup>st</sup>, as the current contract ends of June 30<sup>th</sup> of this year.

Mr. Claus said, just for clarity for the public, the public will see no significant, or no real change, in services in terms of what day, what they can put out there, etc. What is the change, for clarification. Mr. Hamilton answered that the residents will be getting exactly the same service that they receive right now – same days, same time, same expectations, same bulk pickup – it will all be exactly the same as it is right now.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on final adoption of Resolution No. 44-2023. Members of Council voted as follows:

**YEAS:           Biddlecombe, Artino, Dike, Tapp, Claus (5)**  
**NAYS:           None (0)**

There being more than a majority in favor of adoption, Resolution No. 44-2023 was adopted. The Resolution as adopted was signed by the Mayor and Acting Clerk of Council and will take effect immediately.

#### **Resolution No. 49-2023**

**Motion by Mr. Biddlecombe that the three-reading rule be suspended and Resolution No. 49-2023 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH OHM ADVISORS FOR ENGINEERING CONSTRUCTION INSPECTION SERVICES RELATED TO THE FABENS PARK TENNIS COURTS RENOVATION PROJECT IN AN AMOUNT NOT TO EXCEED THIRTY-EIGHT THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$38,500.00)) be placed on its first reading.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS:           Tapp, Artino, Claus, Dike, Biddlecombe (5)**  
**NAYS:           None (0)**

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Resolution No. 49-2023 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Hamilton stated that this is a proposal to do construction inspection for the Fabens Tennis Court project. This proposal is a not-to-exceed, and will actually be billed on a time and materials basis. We will use Larry for a lot of the more basic inspection tasks to keep the costs down. It is only when it comes to

more complex testing that we will actually start billing on this contract. As you all remember, we just received that larger grant for this project, so we are mostly funded for this project.

Mr. Dike stated that he wanted to make a comment thanking the Township and the Joint Rec for participating in this project with us, and their contributions.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Clerk to call the roll on final adoption of Resolution No. 49-2023. Members of Council voted as follows:

**YEAS: Dike, Artino, Biddlecombe, Claus, Tapp (5)**  
**NAYS: None (0)**

There being more than a majority in favor of adoption, Resolution No. 49-2023 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Acting Council and will take effect immediately.

#### **Resolution No. 50-2023**

**Motion by Mr. Claus that the three-reading rule be suspended and Resolution No. 50-2023 (A RESOLUTION DECLARING IT NECESSARY TO IMPROVE CERTAIN PUBLIC PLACES IN THE CITY BY LIGHTING, AND DECLARING AN EMERGENCY) be placed on its first reading.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Tapp, Dike, Artino, Biddlecombe (5)**  
**NAYS: None (0)**

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Resolution No. 50-2023 was placed upon its first reading. The Law Director read the Resolution by its title only.

#### **Motion by Mr. Claus to place Resolution 50, 2023 as an emergency measure.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Tapp, Artino, Dike, Biddlecombe (5)**  
**NAYS: None (0)**

There being more than 5 votes in favor, Resolution No. 50-2023 was placed as an emergency measure.

Mr. Swaisgood explained that Resolution No. 50-2023 before Council tonight is a Resolution of Necessity for the City's street lighting program. This is the first step in the street lighting assessment process. If approved tonight, this will continue a city-wide street lighting assessment for the years 2024, 2025 and 2026 to help offset the cost of operations, maintenance and utility of the public street lights and infrastructure throughout the City, and specifically paying for the energy, but also some minor capital and

maintenance items. This resolution will kick off the public notice process, and if necessary, establish an Equalization Board to give anyone the opportunity to present a challenge before the Equalization Board if their assessment is over \$250 a year. Final adoption of the ordinance will occur over the next few months and will be submitted to the County Auditor by September 11<sup>th</sup> in order to make it onto the tax duplicate for 2024. The current 3-year street lighting assessment expires at the end of this year. For this lighting assessment in front of Council tonight, for the next 3 years there is a reduction in the overall millage from .73 to .65, which will total approximately \$3,000 more than the current assessment that was adopted 3 years ago. As an example, on a \$200,000 home, the annual assessment amount will go from the current \$51 a year to \$46 a year. The reduction in millage is due to the increased valuation over the last few years. Currently, the City collects approximately \$163,000/year for the street lighting assessment. With this assessment in front of Council tonight, it will be approximately \$166,000 each year going forward.

Mayor Tapp said this is just a continuance, which Mr. Swaisgood confirmed. This is continuance of the street lighting assessment, mainly paying for the monthly electric bills that we receive.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on final adoption of Resolution No. 50-2023. Members of Council voted as follows:

**YEAS: Tapp, Claus, Dike, Artino, Biddlecombe (5)**  
**NAYS: None (0)**

There being more than a majority in favor of adoption, Resolution No. 50-2023 was adopted. The Resolution as adopted was signed by the Mayor and Acting Clerk of Council and will take effect immediately.

#### **Resolution No. 51-2023**

**Motion by Mr. Artino that the three-reading rule be suspended and Resolution No. 51-2023 (A RESOLUTION ACCEPTING THE GRANT FUNDS FROM THE OHIO BUILDS (BROADBAND, UTILITIES AND INFRASTRUCTURE FOR LOCAL DEVELOPMENT) GRANT PROGRAM FOR A TWO-MILLION GALLON ELEVATED WATER TOWER FOR THE WATER DEPARTMENT IN THE AMOUNT OF FIVE MILLION AND 00/100 DOLLARS (\$5,000,000.00)) be placed on its first reading.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Biddlecombe, Artino, Dike, Tapp, Claus (5)**  
**NAYS: None (0)**

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Resolution No. 51-2023 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Evans said that it was pretty exciting news to receive \$5 Million for the City for the construction of a 2-million-gallon water storage tank. To put that in perspective, we have a 400,000 gallon Rye Beach Tower and a 500,000 tower on the east side, so this is pretty substantial in size. The City definitely needs this. I

would like to thank our funding partners at the State level and the Ohio Builds Program for issuing us this money. We have looked at several sites for the placement of this water tower. We are looking on the west side to support to industrial growth on Sawmill Parkway. This grant is going to fund the majority of the project. \$2-3 Million may need to come into play from local funds and our traditional funding sources at the State level for little or no interest loans.

Mr. Dike said that he would like to make another comment. Congratulations, this is great news for the community. Thanks for all of your efforts and everybody involved.

Mayor Tapp asked if we have heard anything else on the other grant, as far the water intake. Mr. Evans answered that he has not. Mr. Lasko said he doesn't want to go on record with this, because they haven't been officially notified, but he thinks it is not good news. As everyone knows, communities were able to submit requirements and requests to Marcy Kaptur. We made a \$2 Million request for our secondary water intake. As you can imagine, she received hundreds of requests. She is permitted to submit 15 of those requests to the House Appropriations Committee. Although we haven't been notified, she did publish (at least he saw today just by happenstance), the 15 that she has moved on to the Appropriations Committee. It does not look like the City's request for the intake was part of that, but again, not to bring negative news on the heels of potentially the largest grant we have ever received, but he doesn't believe they are going to receive the \$2 Million. Mayor Tapp said that we are still moving down that path, as we do need another intake.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on final adoption of Resolution No. 51-2023. Members of Council voted as follows:

**YEAS: Dike, Biddlecombe, Tapp, Artino, Claus (5)**  
**NAYS: None (0)**

There being more than a majority in favor of adoption, Resolution No. 51-2023 was adopted. The Resolution as adopted was signed by the Mayor and Acting Clerk of Council and will take effect immediately.

#### **Resolution No. 52-2023**

**Motion by Mr. Artino that the three-reading rule be suspended and Resolution No. 52-2023 (A RESOLUTION TO WAIVE THE RIGHT TO HAVE A HEARING BEFORE THE OHIO DEPARTMENT OF COMMERCE DIVISION OF LIQUOR CONTROL ON THE TRANSFER OF A LIQUOR PERMIT TO LEMMY'S MARINER TABLE LLC AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE FORM 4052 WAIVING THE RIGHT TO A HEARING BEFORE THE OHIO DIVISION OF LIQUOR CONTROL) be placed on its first reading.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Tapp, Artino, Dike, Claus, Biddlecombe (5)**  
**NAYS: None (0)**

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Resolution No. 52-2023 was placed upon its first reading. The Law Director read the Resolution by its title only.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on final adoption of Resolution No. 44-2023. Members of Council voted as follows:

**YEAS: Biddlecombe, Artino, Dike, Tapp, Claus (5)**  
**NAYS: None (0)**

Mr. Lasko says this is, potentially, depending on how the vote goes, the second and final action on this request. If Council remembers, a couple meetings ago the first step is for us to acknowledge that, in fact, this entity is undertaking an economic development project that would benefit the community, which is sort of a threshold requirement to be able to “TRES in” an additional liquor permit, because we are at our capacity based on our populous. We did acknowledge at that meeting that this is, in fact, an economic development project that meets those threshold requirements.

The second step would be based on notification from the Division of Liquor Control to either waive the community’s right to a hearing, or request a hearing. We have 30 days to make that determination based on the letter we received. What is on the table is a motion to waive that hearing. If that motion doesn’t pass, then the City would have a hearing in front of the Division of Liquor Control at a date to be determined.

Mr. Schrader added that if Council is electing to waive the right to the hearing before ODLC, then a vote of “yes” in favor of waiving is appropriate. If the body Council would like to have the hearing, then a “no” vote is appropriate, thereby you would not be waiving the hearing and the City would have its day before ODLC, if necessary.

Mr. Dike asked what type of economic development they are considering in that location. Mr. Lasko answered that at this point they have only had preliminary conversations with the development team. There is a new ownership group of that facility as of late last year. In our initial meetings with them, they are anticipating roughly \$750,000 in investment, which would include a pretty major expansion of their kitchen facility to the west side of the property, and then also, a pretty significant expansion to their outdoor patio and sort of bar seating area, and then additional parking lot improvements. What’s not part of this project, and certainly not promised, is this ownership group is now the owner of several restaurants and bakeries, in which they are looking for a commercial kitchen facility, which they would like to be in Huron, but that is not included or promised as part of this project. Again, pretty major expansions to the kitchen and outdoor seating and dining area, which total around \$750,000 based on their application to the City. Mr. Dike asked if there are intentions to add more of a restaurant, sort of a Berardi’s feel, where they have a liquor license, or is it more for something where it’s for late-night entertainment? The only reason he asks is he has had a couple neighbors that live close to that area, and the main concern is noise. Obviously, we have our noise ordinances intact, so those things can be deterred – I think it’s 10pm/11pm as far as our ordinance goes – so I was just curious if they have given us any insight to what they are going to do – a restaurant style sort of like Berardi’s has, or more something that’s going to serve late-night. Mr.

Lasko answered that by improving this, they certainly would have the opportunity to serve to those hours, and I would anticipate, certainly during the summertime and weekends, that they would probably do that, and utilize the outdoor dining space that they are creating. He hates to go on record with exactly what their intentions would be, but given the outdoor space they are looking to develop, he would anticipate them looking to maximize that. We know that we've got in the next couple of year, a brand-new multi-modal path that's going to be going right in front of the facility, as well, that they will want to take advantage of, so he would lean more toward utilization of that outdoor space than a Berardi's. He would also state that it's a very good local ownership group, who he thinks would want to do everything in their power to work with the local community to make sure they are a good partner. Mr. Dike asked if they also own the big brown house on the corner. Mr. Lasko answered that they do.

Mr. Claus asked if they don't do the economic development they say they are going to do, is there any recourse to pull back on that liquor license, since that was one of requirements. Mr. Lasko answered that there is no recourse at the local level – the City is really just waiving the hearing or stating we want a hearing, so if they do not execute or perform on their Division of Liquor Control permit and expectation, we have to handle that through the State. We would not be able to have any recourse at the local level. Mr. Claus asked if there is anything in the TRES program that would allow the State to do that – he is just thinking about the whole premise was that they were going to do something, and if they don't do it, what they said, what's to keep people from continuing to do something like that? Mr. Schrader answered that Assistant Gary Ebert is in the gallery, and asked him if he was aware of any rights that ODLC has in the event the TRES application is not fully complied with. Mr. Ebert said that you can actually file to have a hearing, which he has done recently. Mr. Schrader asked if Council doesn't request a hearing tonight... Mr. Ebert answered that no, you don't challenge the permit at that point. There is recourse, but it's difficult recourse.

Mr. Artino said that he thinks when you look at the investment the City is making in the west end, he thinks more competition is good for the City. He also thinks it attracts more people and he doesn't think it's a hindrance to any other businesses in town and he thinks it just helps them with the improvement they are looking for at the west end of town.

Mr. Schrader provided one more point of honor before consideration. He wanted to reiterate at the risk of redundancy that a "yes" vote means you would like to waive the right to a hearing before ODLC, and a "no" vote means you would like to preserve the City's rights to have a hearing before ODLC on this matter.

Mr. Artino asked if we need a hearing – he doesn't think they need to be heard, do they? Mr. Lasko stated that if there is a request for a hearing, the expectation is there are things you want addressed at that hearing in terms of issues you have with the proposed request, so all I would say is if there is a no vote, obviously there would need to be a basis that would be discussed at that hearing in terms of what the concerns are.

The Mayor asked if there were any other questions relating to the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Biddlecombe, Dike, Artino, Tapp, Claus (5)**

**NAYS: None (0)**



There being more than a majority in favor of adoption, Resolution No. 52-2023 was adopted. The Resolution as adopted was signed by the Mayor and Acting Clerk of Council and will take effect immediately.

**Resolution No. 53-2023**

**Motion by Mr. Tapp that the three-reading rule be suspended and Resolution No. 53-2023 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO THE FIREFIGHTER EXPOSURE TO ENVIRONMENTAL ELEMENTS (“FEEEG”) FOR GRANT FUNDS FOR THE MAXIMUM AMOUNT OF FIFTEEN THOUSAND AND 00/100 (\$15,000.00); AND FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO ANY ONE OR MORE AGREEMENTS REQUIRED TO APPLY FOR THE SUBJECT GRANT FROM FEEEG, TO ACCEPT THE GRANT AWARD IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000.00), AND TO ENTER INTO AN AGREEMENT WITH FEEEG SHOULD THE APPLICATION BE SUCCESSFUL) be placed on its first reading.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Tapp, Artino, Dike, Claus, Biddlecombe (5)**  
**NAYS: None (0)**

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Resolution No. 53-2023 was placed upon its first reading. The Law Director read the Resolution by its title only.

Captain Hohler explained that this grant has been around for a while through Worker’s Comp. This equipment is state-of-the-art and latest technology, and it’s got a big price tag. They would probably need about \$13,000 to do everybody in the Department and (Cory might have to help me) I believe it is a 5:1 match, which they would be able to accommodate through their budget. It’s strictly for hoods and gloves, and that’s it. There are other grant opportunities for equipment, but that’s all this is for.

Mayor Tapp said that he is all for it.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on final adoption of Resolution No. 53-2023. Members of Council voted as follows:

**YEAS: Claus, Tapp, Dike, Artino, Biddlecombe (5)**  
**NAYS: None (0)**

There being more than a majority in favor of adoption, Resolution No. 53-2023 was adopted. The Resolution as adopted was signed by the Mayor and Acting Clerk of Council and will take effect immediately.

**Ordinance No. 2023-16 (first reading)**

**Motion by Mr. Claus that Ordinance No. 2023-15 (AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY A PROPOSED AMENDMENT OF THE CHARTER OF THE CITY OF HURON, OHIO TO ADOPT SECTION 12.10, PERIODIC CHARTER REVIEW) be placed on its first reading.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Biddlecombe, Dike, Artino, Tapp, Claus (5)**

**NAYS: None (0)**

There being more than a majority in favor, Ordinance No. 2023-16 was placed upon its first reading. The Law Director read the Ordinance by its title only.

Mr. Lasko stated that this is a follow-up to two work session they have had with Council – one in the fall and one at the last meeting. From a good governance standpoint, every community should do a charter review, depending on the size of the community, every 5 to 10 years. Huron has never done a charter review in its entire history, but we think it is really important for us to always be re-evaluating our Charter as internal and external environmental factors change. What they are proposing, and what they found out with legal counsel, is that there's not even conversation in terms of what that charter review would be in terms of its size, how often it is done, etc. What they are first proposing to put to the electors this fall is an amendment to the Charter in which they would actually create the Charter Review Commission. Just to hit a few of the highlights, they did their best to take the information from the two work sessions in this initial draft which, again, is before Council for a first reading. It is proposing that beginning in 2024, and every 5 years thereafter, that a Charter Review Commission will be appointed. Each member of Council would have the opportunity to appoint one member to that Commission that they view would be most favorable and do the best job for the community, and be able to put in the time necessary to do that charter review. To be part of that Commission, you would have to have no other office or appointment with the City, you would need to reside in the City of Huron, and you would need to be a registered voter. Also, some things he wanted to note, which again is included in the packet, is that once someone is appointed to the Charter Review Commission (which has to be done no later than 6 months before any changes would be submitted to the Board of Elections to get on the ballot, which is typically in August), is that that appointment would cease to exist during the next general election, which would typically be November. Depending on how soon they they are appointed, it would be an 8 to 9-month appointment for that position. Also, any appointments cannot serve on consecutive Charter Review Commissions. Mr. Lasko, the Law Director and Assistant Law Director can answer any questions. The one thing he wanted to stress is that give this is 3 readings and we would need to get this to the Board of Elections in August if there are any recommended changes, they would love those to be included and recommended this evening, versus the second and third readings. They are happy to answer any questions, but he is happy to see us come to this point and get this process started, as we have a lot of catch-up work to do, having not done a Charter Review for 60+ years.

Mr. Dike said that he just thinks about the challenges – how hard it is to get people to do... on some of these different committees and boards that we have from some of our different departments, and then all of the sudden, here's another committee. That's the only challenge that he sees. He also look at when he first started Council, he can remember the Law Director at the time saying you live by the Charter and you die by the Charter. A lot of those things in there, as far as the amount that we get monthly or the City Manager shall reside in the community and stuff like that – we go outside of those boundaries, so he

thinks there's stuff that needs to be cleaned up, but he also wants to make sure that they are not making this a burden to future Councils. If that Committee comes, then that has to go to a vote of the general public, correct? Mr. Lasko answered that the Charter Review Commission would merely be making recommendations to Council. Those recommendations then have to come in front of this Councilmatic body, in which they would come on the own, individually, and would need a 5/7 vote of Council to be placed on the ballot. Let's say there's 5 recommendations from the Charter Review Commission to Council – Council doesn't have to approve all 5 or disapprove all 5, they can pick and choose which ones they think are most important to put on the ballot. He wanted to remind Council is that this doesn't deter Council, at any time, from putting something on the ballot themselves with a 5/7 vote, as well; this is just an added body to be able to take a deeper dive. He agreed that getting someone to make this commitment is pretty significant. In my time here, and certainly in my time in Sandusky, as much as this is a dry topic, this is probably one of the most important position anyone could ever be appointed to in any City. He also thinks, because it is so hard and because of the time commitment, there is a reason why it is only done every 5 to 10 years given the time commitment that is required from folks. It is a heavy lift for those individuals to do that on behalf of the City.

Mr. Artino asked, going along with Mr. Dike is saying, why wouldn't we want people to repeat and come back in to be reappointed again? Mr. Lasko answered said that is merely a recommendation in this draft. That's obviously something Council would want to look at – allowing 2 times or 3 times – but again, it's just a recommendation based on this draft.

Mr. Claus said that he thinks Mr. Lasko mentioned in his description of the qualification that they cannot be a member of any other standing committee or commission in the City at the time. Mr. Lasko said that he believes, as currently drafted (in the 6<sup>th</sup> or 7<sup>th</sup> sentence down), the ordinance reads, "Qualified electors shall be confirmed by Council, all of whom shall hold no other office or appointment in the City." Mr. Claus agreed that he did say that, he just missed it. So that also narrows their pool of potential... we talked a lot about, or Mr. Lasko has mentioned the significance time commitment – do we have any ballpark? Obviously, we are not making any recommendations today, but what is the commitment – is this something that would go on for 6 months and they are meeting every 2 weeks, what's the.... Mr. Shrader said Mr. Ebert touched on this at the work session, as well – he thinks one thing that would be helpful is once/assuming this passes, is that the Charter Review Commission be formulated, and then after staff input, etc., they will come up with a list of things that need to be addressed, but limit that. To ask the Charter Review Commission to go through 15 or 20 items and ask the electorate to contemplate is probably a recipe for failure. That was something we talked about – 5 years versus 10 years, or maybe if we go through 2 or 3 smaller chunks at a time, it makes it more manageable, makes the time commitment less, and hit the then most important thing. He sees himself and Gary playing a role, at least in terms of educating and helping to keep the group focused on the things that really need to be modified. Mr. Lasko added that it's really not for the City or the Council to dictate how much time is involved. What typically occurs is once the Commission has been appointed, they would typically start off with an organizational meeting amongst themselves in which they would elect a Chair or body, and they would set their own calendar and agendas. He can only go off his lone experience in Sandusky, in which it was typically a 4 to 5-month appointment, or at least in terms of when folks were generally working, and they generally met every 2 weeks. Again, it is up to the Commission to really set their own schedule and ultimately determine their own time commitment. Mr. Ebert added that there is one provision in the Charter that the Council shall choose and make final approval of what goes to the ballot. He wanted Council to know that is not the case in some charters. In sum instances, it is mandated that whatever the Charter Review Commission

come up with goes to the ballot – that is a little different in some charters – there are two ways to do it. Just like it was indicated before, members should not serve in consecutive terms. That’s unique to this provision being submitted. Normally, as Mr. Lasko did say, you don’t sit there and put 10 items from the Charter Review Commission on the ballot because they will probably all go down. It’s safer to look at those situations that are obsolete or not serving the purpose of the City as you go forward. Since our Charter was established in 1961 and you had no provisions for a Charter Review Commission, other than for Council to go vote to put it on the ballot or if 10% of the voters decide to sign petitions to put something on the ballot, this is important from the standpoint that as the City grows, can have the Charter held sacred, but also things that are obsolete that are not germane today, to be amended, if necessary.

Mr. Artino said one of the examples is that we have a couple issues that are illegal, right, like the residency requirement? Mr. Ebert agreed, saying the Supreme Court has ruled that residency cannot be required. You will see a lot of Charters that have that provision and it will have a notation that it was ruled on unconstitutional on such and such a date.

Mayor Tapp said that he wants to move forward, but he is still concerned, like Mr. Dike said. If this is approved, does this go to (it will be an ordinance now) – if we don’t find the members, where are we at that point. Mr. Ebert said that he believes Council will find the members. He knows it is hard to have people serve, but this is something that doesn’t come every week or every month, like a Planning Commission or Zoning Appeals Board – this is every 5 years. He believes they can find a cross-section of 7 people to serve the community in this situation. Mayor Tapp said he was just being devil’s advocate. Mr. Ebert says that he understands, but thinks it is important because the Charter doesn’t provide for that without having every item put on the ballot without having a cross-section of the City – independent people – look at the Charter and say, we need to change this for the following reasons. It is very sacred. You could sit there and go through your Charter and list changes. You normally want Charter Review Commissions to look at isolated and specific issues that need to be changed, and not randomly change the whole Charter every 5 years, because it is sacred and should be established as your forefathers did in 1961.

Mr. Claus came back to his question about not holding other offices. Is that a requirement – is there a specific reason why we wouldn’t want that – only because they would have some knowledge of internal... Mr. Ebert answered that the theory is that you may have a biased approach when you are an elected official or you are on a board of commission. This is supposed to be independent, looking from the outside at the Charter – that’s the theory behind it.

Mayor Tapp asked if there were any other questions or comments. As this is the first reading, there is no vote.

### **Motion**

**Motion by Mr. Biddlecombe to adopt the 2024 Annual Tax Budget as prepared and received.**

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Tapp, Artino, Dike, Biddlecombe (5)**

**NAYS: None (0)**

There being a majority in favor of the motion, the motion passed and the 2024 Annual Tax Budget was adopted.

### **City Manager's Discussion**

The City Manager spoke on several topics:

- ECEDC Annual Meeting and Awards - I did place on everyone's seat today, or in front of them, a notice for the annual meeting and awards for ECEDC (the Erie County Economic Development Corporation) that will be held on Tuesday, August 8<sup>th</sup> at Sawmill Creek Resort, specifically Willows Hall. The arrival begins at 4:30pm, and the program begins at 5:00pm. The Keynote Speaker will be Eric Wobser, who recently announced that he will be the incoming CEO of the Greater Sandusky Partnership, who will be merging organizations with ECEDC. Unfortunately, that evening is the evening of a Council meeting and I don't know if we will have a work session, but if anyone is able to sneak out to attend at least the beginning of that event, it will be a great event and certainly hosting here in Huron at Sawmill Creek Resort would be great for anyone that wants to attend.
- City Electrical Aggregation Program – The opt-out window for that program is now closed. If anyone has any questions in reference to that program, they can contact Dynegy directly at 1-888-682-2170.
- Zoning and Planning Update – I know Mr. Engle and the folks at OHM are currently in the process of looking at final revisions to the Main Street Downtown Corridor Plan, with the goal of incorporating some of the comments and feedback we received from the public at the recent Open House at the Boat Basin. We hope to present the final Plan to the Planning Commission and Council in the upcoming weeks.
- Parks and Recreation – The City held the original ribbon cutting for the Fish Cleaning Station on Wednesday, June 21<sup>st</sup>. Thank you to all of those who could attend, which included representatives from ODNR and the Division of Wildlife, Shores and Islands Ohio, Fish Huron, the Chamber of Commerce, Council, Staff and many more. Again, a big thank you to Doug Steinwart and his team for organizing the great event on very short notice. We were also presented with recognition from Governor Mike DeWine and Lieutenant Governor John Husted for our previous receipt of the 2023 Extraordinary Destination Enhancement Award from Shores and Islands Ohio. I believe we circulated a copy of that for Council to see, as well. Great work, Doug and your team.
- Fabens Park Tennis Courts – The contractor has commenced work on this project. Of course, the tennis courts are now closed until the completion of the project, which we anticipate to be in mid to late September of this year. Contractors have already completed partial tree removal to maneuver equipment into the site, and also commenced site clearance activities.
- 624 Berlin Road Park – I know we haven't talked about that for a while. As a reminder, we are under contract with City Architecture to do a Mini Master Plan for that site. We are anticipating the next steps to include a joint City Council/Planning Commission presentation to review the draft recommendations for the improvements to the site. I believe we set that for August 22<sup>nd</sup> already, at the regular Council meeting at 6:30 that evening.
- Finance Department – The May financial report is now available for review. There is a link in the Manager's Report and I believe we sent the link to all Council and Finance members a couple of days ago. At the end of May, income tax revenue was up 4%, which equates to \$70,000 from May

of 2022. This increase continues to be mostly due to the Ardagh expansion, however, Sawmill Creek Resort income tax is beginning to be collected. The City's unencumbered General Fund balance at the end of the month was \$1.5 Million, or 27% of annual expenditures. That did decrease in May due to the City's HJRD payment and our 4 times a year quarterly cash transfer out of the General Fund. Although still early on in the year, major revenue sources are showing positive growth in 2023 compared to 2022. Most notably, our interest earnings at the end of May are up 254% from 2022. This is due to managing current bank balances monthly, and investing more deposits with Star Ohio, which is a liquid investment account. Kudos to Mr. Swaisgood for being able to take advantage of that on the interest earning side of things. For us to already be above budget from 2022 is pretty impressive. Thank you, Mr. Swaisgood for that.

- Water Department – The City received a \$10,000 equipment grant from the Ohio EPA, which will go toward the purchase of a hydraulic power pack and hydraulic valve turner. We are also collecting quotes – I think most Council members know we did have a semi tractor trailer that did damage on Sawmill Parkway to a water hydrant and the 12" main along the Parkway about 150' – we are in the process of getting quotes for that damage done, and I know our Police Department is involved in making sure the third party covers the costs for those improvements and repairs.
- Upcoming Meetings for July – Utilities Committee Meeting on Wednesday, July 5<sup>th</sup> at 5:00pm in the main conference room; Board of Zoning Appeals on Monday, July 10<sup>th</sup> at 5:30pm in the Council Chambers; our first Council meeting on Tuesday, July 11<sup>th</sup> at 6:30pm in the Council Chambers; Planning Commission on Wednesday, July 19<sup>th</sup> at 5pm in the Council Chambers; our second City Council Meeting on Tuesday, July 25<sup>th</sup> at 6:30pm in the Council Chambers.
- July 4<sup>th</sup> Holiday – A reminder to Council and the public that City Hall administrative offices will be closed all day on Tuesday, July 4<sup>th</sup> in observance of Independent Day.

Mr. Dike had two questions or comments. Regarding 624 Berlin Rd., I like it, I like it a lot, but over the past several weeks, I have started to see a lot of kids out there fishing. If you go down Berlin Road, it's not safe. Just the other day, I was driving down there and there was a gal with her 3 kids walking right on the road – there's just not enough room. We need to look at that. Also, I think that the gate that goes down is delayed. Several years ago, we had a young man lose his life going over there, a kid. I want to make sure that we, as a City, really thoroughly look at that to make sure and ensure that it is safe, because if there is going to be increased traffic there, especially with kids, I don't want to see a tragic accident happen like it did several years ago. My second comment is what are the potential locations for this water tower on the west side?

Mr. Lasko said he will answer the first question in two parts. One I will defer to Stu to have conversations with the railroad related to the gate itself. As for the sidewalks, as Council may remember, we did submit a Safe Routes to School application in 2022 that was, unfortunately, not funded, which was going to do sidewalks down Berlin Road. We do have the ability to potentially resubmit for that. However, candidly, I don't think it was terribly competitive given the amount of pedestrian traffic compared to other communities. With that said, I have already had an initial conversation with Mr. Hamilton (I don't believe with Mr. Swaisgood yet), but I do think that is something we need to look at in the future, but sooner rather than later, capital plans in terms of whether the City wants to go at it alone in terms of installing sidewalks on either the east or west side. We would love to take that sidewalk all the way down Berlin Road to the northern entrance to Berlin Road Park, which I think would make that connection nearly to the southern city limits on Berlin Road. We are going to look very heavily at that. As for potential locations for the water tower, I don't want to go into major detail because some of the sights may actually be

privatized sites, in which we'd just have to secure an easement. We do have multiple locations, but as you can imagine, they would either be on Sawmill Parkway or immediately in the vicinity, but we do have a couple options in place. I just want to acknowledge some of those may be private sites in which we just have to get an easement.

Mr. Biddlecombe said that maybe this would be a better question for Eric, but it was brought to my attention on Facebook there was another big limb that dropped in Oklahoma over the last big storm. I know residents are concerned for their safety, so can you kind of describe, since we just passed this legislation for the tree thing, the process to go about if somebody from Oklahoma wants to take advantage of that. Mr. Engle answered: At the last meeting, you approved all of the ordinances. Basically, we are waiting out the 30-day grace period. Once that happens, we plan on sending letters out, so those are kind of on the docket right now to address all of that. Once that happens, we can entertain the discussion to help out whoever wants to eventually facilitate and finance the assessment portion. Mr. Lasko added that we haven't started our once every 4 years inspections throughout the City yet, but as a policy, there is the ability to do the opt-in component. As we are getting the program started and as these issues come, they are going to more likely have to be opt-ins than some of them we've proactively inspected, since we are not going to be able to do that throughout the City. I would certainly think as soon as that 30 day grace period is up, we can start to have those conversations if someone would look to address something in their boulevard. Mr. Claus asked, to clarify in that regard, those aren't City trees. It's not the City's financial responsibility to maintain those trees along, for example, Adams Ave., correct? Mr. Schrader answered that there is a duty to maintain trees in your tree lawn. Mr. Engle added: As part of that, the letters that I have written initially, for a lack of a better term code enforcement letter, lined up and ready. Those letters will state that is the responsibility of the homeowner to maintain. Mr. Schrader said that is part of the legislation that we passed at the last meeting. Mr. Artino said: I think part of the confusion with some of the homeowners is that they think their property ends at the sidewalk, and I think we've had this discussion before. We need to explain that it actually ends at the road, or the curb. It's a City assessment, really – well, it's an assessment in the boulevard – easement, I mean, that the City has. That property is the homeowner's property, and I think that's part of the confusion. A lot of people think that's City property. Mr. Schrader said that this is part of the clean-up of the legislation to make sure it is expressly understood. If you look at the County tax map, you can see where, in some cases, you have property lines that appear to be short of the sidewalk, and the sidewalk to the roadway looks like a different portion. With the legislation that we passed, we have made it very clear that each homeowner has a duty to maintain that tree lawn that is adjacent, contiguous, part of, however you want to clarify it. We clarified that in the legislation. I think it's 521.16 – don't quote me, but I think that's where it is. It's in Chapter 521. We made it very, very clear because it was nebulous and I think we cleaned it up with the legislation. Mayor Tapp asked Mr. Engle, expecting that we would be sending out an arborist at some point, what is the follow-up on that? If we mark trees (the City does), and it's not followed up and something happens – maybe this goes to you (indicating Mr. Schrader) – who is liable. Mr. Schrader answered that it really depends on whether that tree is on City property with a City duty to maintain, or if this is a residence whereby it's the resident's duty to maintain. Mayor Tapp said we are talking about the boulevard the resident is in charge of and they're supposed to maintain it, and we go out and mark some trees. Mr. Engle said, as a continuation of what we had marked, the idea is that you have an arborist go out, mark these trees, and then send out a letter explaining/giving them maybe 30/60 days, whatever we come up with depending on the tree. If they don't mitigate that, that would give them the option to either finance, take it down outright, etc., and if there is anything that isn't done at that point, we have the right to go and do work ourselves, in which case we would either bill them, and they would still have the option to

assess, etc. Mayor Tapp said it's the whole timing thing.... Mr. Engle said at that point, it's more code enforcement. Mayor Tapp said he has a concern with if somebody marks a tree and.... Mr. Engle said that the idea is that once they get that report back, we will be sending letters. He would foresee that turnaround being extremely short. Mr. Schrader added that Erik is absolutely right. This is part of our effort to make sure that the sidewalks and the trees are modeled after one another. The programs, even the one-off situations, and the code is very clear (at least on sidewalks), that before we undertake and make a demand of somebody, we have to have some estimate of repairs on file with the Clerk's office. We have taken the same position with the trees. Before we go to someone and say this is what has to be done, we have to have some idea what the charge is going to be if they refuse or don't, and the City has to do it. It's an additional step, but it's one that we think is necessary. Mayor Tapp says he gets it, his concern is that we never know when something's going to fall and that there are a lot of bad trees over in Oklahoma that appear to be – we marked something, and we have 30 to 60 days before they have to take care of, and it falls down at 3. We knew it was a danger, that's devil's advocate. Again, he's not sure how to answer that question that somebody asked. Mr. Artino asked of Mayor Tapp was asking about the liability. Mr. Schrader said, at the risk of redundancy, if it's the City's responsibility it's the City's and if the resident's responsibility, it's the resident's. We have to get the estimate on file. Mr. Engle said he thinks the idea is to start budgeting for some of this, as well. Ideally, we want to have some sort of a slush fund for emergencies as a contingency. Mayor Tapp agreed, saying it just seems that you never know what's going to happen.

Mr. Claus asked Mr. Hamilton about Sawmill Parkway. Midway down the road, he doesn't know if it's a sewer project – there were pumps and stuff there temporarily, and it looks like it's a totally different contractor than Smith – is that a lift station? Mr. Hamilton answered that there are a couple of different things going. Some of that is actually County equipment. They are bypassing a portion of their sanitary, and the other part of that is the storm crossing. There are two different portions of it, and some of it is long-term County pumping that's actually on Sawmill right now. Mr. Claus said they've been digging and banging – whatever it is, it's pretty significant. Mr. Hamilton once again said it's a storm crossing and the County sanitary.

### **Mayor's Discussion**

Mayor Tapp said:

This one is going to be a little bit longer than normal. Again, the acknowledgements from Governor DeWine- again, Doug and your staff, fish cleaning – thank you so much. It just seems like we keep getting awards and everything. It was a good turnout. It was great and we did get Mr. Lasko to clean a fish, so we are going to work on that.

Next, we've got some bullet points, and I just want to mention the Oster's property, and these are just factual points I want to bring out and put on the record. They were put together by, I will say, the staff. So I am just going to kind of read this through so everybody know where we're at up to now.

- The City of Huron has met with or talked to 25 of the approximately 30 households.
- We also believe there was closer to 55 total residents versus 70 or 71 that was previously quoted, so we are somewhere in between those numbers.
- The City Manager continues to talk to individuals and families, on a daily basis, since the initial meetings.



- The City has also developed a very simple application for folks seeking relocation assistance. Things we can pay include: security deposits payable to third party, first month's rent payable to third party, utility deposits payable to third party, moving expenses (could be moving a trailer or the cost of a U-Haul).
- The City is also offering \$1,000 for any one owner wanting to title a trailer to the City, and \$500.00 to anyone willing to sign a voluntary lease termination. Lease terminations are more so for tenant protection to stop the Landlord from seeking any past due rent upon relocation. The termination document was drafted and signed off on by both the City's counsel and the Seller's counsel.
- To date, 7 households totaling approximately 14 persons have relocated – one to Admiral's Point in Huron, one to Lakeview in Huron, one to Reynolds in Sandusky, one bought a home in Huron, one relocated with family, one to a rental in Sandusky. There was an eviction, but this was from rent in arrears well before the City's involvement. Also, we have two more households moving on Friday, totaling another 5 individuals, which will bring the total up to 9 households and 19 individuals. One is going to a rental in Sandusky and one is going to a rental in Huron.
- The City is still working calling companies to move trailers. Six additional trailers/households totaling 6 individuals have been approved to move.
- This leaves approximately 11 households still needing resolution. There are handful of other trailers that were or are empty. Of these 11, two are believed to have really strong leads – one moving to a home in Perkins and one moving to a trailer in Vickery.
- The City has provided the following financial assistance thus far in addition to GLCAP and other agencies - \$500 for a lease termination, \$1,000 for title transfer that is pending, approximately \$1,000 for transfer title, rent and moving that is pending, approximately \$650 for a lease termination and moving is pending. Larger expenses will be incurred for trailer moving as we move forward, for the City.

With that, I just want to make that information available and that's out there. If there's any questions on what the City is doing – I read some of the things that we have been involved in. I do want to say to Councilman Hagy, hopefully you heal quickly. He had a little accident and that's why he's not here tonight. We are thinking about you.

#### **For the Good of the Order**

**William Biddlecombe** – I, too, would like to wish Mr. Hagy a quick recovery. Thanks to staff for all their hard work. Huron Parks and Rec events that are coming up: Cheer Camp is July 5-7, and the Soccer Camp is July 10-13. Boat Basin events coming up: This Saturday, July 1<sup>st</sup> is the annual Red, White and Blues Bang, music will be from ET King and Blue Lunch, and that's starts at 6pm with Huron's fireworks following up at 10:15pm; On July 7-9, everyone's favorite festival, the Huron River Fest – the full schedule for the Huron River Fest events is at [www.huronriverfest.com](http://www.huronriverfest.com). Please come out and support those local events, and Go Tigers!

**Joe Dike** – Nothing, thank you.

**Mr. Artino** – Nothing.

**Mark Claus** – Nothing further.

**Executive Session(s)**

None.

**Adjournment**

**Motion by Mr. Biddlecombe to adjourn the regular meeting of Council.**


The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Claus, Tapp, Artino, Biddlecombe, Dike (5)**

**NAYS: None (0)**

There being a majority in favor of the motion, the regular Council meeting of June 27, 2023 was adjourned at 8:08pm.

Adopted: 7/25/2023

  
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Terri S. Welkener, Clerk of Council