

**THE CITY OF HURON, OHIO**  
**Proceedings of the Huron City Council**  
**Regular Meeting Tuesday, March 26, 2019 at 6:30 p.m.**

A regular meeting of the City Council of the City of Huron, Ohio was called to order by Mayor Brad Hartung on Tuesday March 26, 2019 at 6:30p.m. in the Council Room of City Hall, 417 Main Street, Huron, Ohio.

The Mayor called for a moment of silence. After the moment of silence, the Mayor led in saying the Pledge of Allegiance to the Flag, and then directed the Clerk to call the roll. The following members of Council answered present: **Rick Schaffter, Christine Crawford, Brad Hartung, Sam Artino and Glen Ginesi.** Members absent: **Trey Hardy and Joe Dike.**

Also present: City Manager Andy White, Interim Finance Director Mike Spafford, Parks & Recreation Operations Manager Doug Steinwart, City Engineer/Zoning Inspector Doug Green, Sergeant Nate Orzech, and Management Services Coordinator-Clerk of Council Christine Gibboney. Additional Attendees: Aimee Lane and William Hanna of Walter Haverfield LLP.

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

**YEAS: Schaffter, Crawford, Hartung, Artino, Ginesi (5)**

**NAYS: None (0)**

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

**Approval of Minutes**

**Motion by Mr. Ginesi that the minutes of the regular meeting of March 12, 2019 be approved as printed and received.** The Mayor asked if there was any discussion on the motion. There being no discussion, he directed the Clerk to call the roll on the motion. Members of Council voted as follows:

**YEAS: Ginesi, Schaffter, Crawford, Hartung, Artino (5)**

**NAYS: None (0)**

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

**Audience Comments**

- Jason Hinners, 1130 Mudbrook Road. Mr. Hinners addressed Council relative to the Law Director Services agreement (Resolution 2019-21); commenting on the terms of the agreement relative to the hours and rates, the city's past discussions relative to the need for the current PT agreement for Prosecuting Attorney functions, reviewing the former Law Director's salary and FT hours, and comparison of hours and costs between the previous structure and the proposed agreement. Mr. Hinners stated the agreement will cost the city more money for less legal services time than the city had previously.

**New Business**

**Resolution 2019-15**

**Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2019-15 (A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT CONFIRMING THE JOINT ACQUISITION, OPERATION AND/OR MAINTENANCE OF RECREATIONAL FACILITIES AND AN AGREEMENT FOR THE OPERATION AND MAINTENANCE OF SUCH FACILITIES AND PROGRAMS ESTABLISHED BY THE HURON JOINT RECREATION PROGRAM) be placed upon its first reading.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Hartung, Artino, Ginesi (5)**

**NAYS: None (0)**

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the City Manager to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White referenced the executive summary, noting this is annual legislation relative to the Huron Joint Recreation District agreement and reviewed the terms and breakdown of costs for each of the district entities (City \$238,000, Township \$91,000, Schools \$36,000). There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-15. Members of Council voted as follows:

**YEAS: Schaffter, Crawford, Hartung, Artino, Ginesi (5)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2019-15 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**Resolution 2019-16**

**Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2019-16 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF THE HURON PARKS AND RECREATION DEPARTMENT FOR THE PLACEMENT OF EVENT SIGNAGE IN THE MEDIAN AREA DURING 2019) be placed upon its first reading.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Crawford, Hartung, Artino, Ginesi, Schaffter (5)**

**NAYS: None (0)**

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the City Manager to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this is annual legislation for the placement of advertising signage in the median area by the Parks & Recreation Department relative to events and programming. Mr. Ginesi referenced his previous recommendations that permanent digital signage in the median be pursued by Council for all the signage requested in the median; suggesting this be a topic for the work session. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-16. Members of Council voted as follows:

**YEAS: Crawford, Hartung, Artino, Ginesi, Schaffter (5)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2019-16 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**Resolution 2019-17**

**Motion by Mr. Artino that the three reading rule be suspended and Resolution No. 2019-17 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT, ON BEHALF OF THE CITY OF HURON, OHIO, WITH HURON LAGOONS MARINA, INC., FOR THE LEASE OF A SWIMMING POOL FOR USE BY THE HURON PARKS AND RECREATION DEPARTMENT) be placed upon its first reading.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Artino, Ginesi, Schaffter, Crawford, Hartung (5)**  
**NAYS: None (0)**

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the City Manager to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White noted this is annual legislation for the use of Huron Lagoons Marina pool by the Parks & Recreation Department for the swim lessons program, adding the fee remains the same as last year at \$800.00. Mr. Steinwart referenced the success of the program and thanked the Solberg family for the support and use of the facility. Mr. Schaffter also recognized and thanked Huron Lagoons Marina for the partnership. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-17. Members of Council voted as follows:

**YEAS: Artino, Ginesi, Schaffter, Crawford, Hartung (5)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2019-17 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

**Resolution 2019-18**

**Motion by Mr. Artino that Resolution No. 2019-18 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE INN ON THE RIVER'S EDGE, L.P., GRANTING THE CITY A LICENSE TO OCCUPY AND USE PROPERTY FOR THE PURPOSE OF CITY SPONSORED EVENTS.) be placed upon its first reading.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Artino, Ginesi, Schaffter, Crawford, Hartung (5)**  
**NAYS: None (0)**

There being four votes or more in favor of the motion, the Mayor declared the motion passed. The Mayor referenced discussion within the work session relative to language within the contract that should be reviewed; therefore, it was recommended that this resolution be placed upon its first reading. The Mayor directed the City Manager to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White recapped discussion at the work session meeting relative to language within the

agreement that could pose a liability as pointed out by Ms. Lane of Walter Haverfield. He referenced the agreement would be reviewed and revised for a subsequent meeting.

#### **Resolution 2019-19**

**Motion by Mr. Schaffter that the three reading rule be suspended and Resolution No. 2019-19 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH OHM ADVISORS FOR THE PROVISION OF SURVEY, DESIGN AND CONSTRUCTION SERVICES RELATED TO STORM SEWER AND CATCH BASIN REPLACEMENT IN THE RYE BEACH NEIGHBORHOOD AT A COST NOT TO EXCEED SIXTEEN THOUSAND THREE HUNDRED AND TEN 00/100 DOLLARS (\$16,310.00)) be placed upon its first reading.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Hartung, Artino, Ginesi (5)**

**NAYS: None (0)**

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the City Manager to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White referenced discussion during the Road Paving program following drainage issues found in the Rye Beach neighborhood and advising this project would be separate from the paving portion due to OPWC funding which applies only to paving. He noted the area affected runs east and west along Surf Drive and will provide better flow to the outlets. Mr. Green reviewed the scope of the proposal for installation of catch basins and the issues noted on Surf Drive. Discussion between the Mayor, Mr. Ginesi and Mr. Green ensued relative to the drainage problem solutions, sizing for future drainage, and elevation issues. In response to the discussion, it was suggested that alternates should be considered with the bid. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-19. Members of Council voted as follows:

**YEAS: Schaffter, Crawford, Hartung, Artino, Ginesi (5)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2019-19 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 2019-20**

**Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2019-20 (AN ANNUAL RESOLUTION EXPRESSING COUNCIL'S INTENT TO SELL PERSONAL PROPERTY DEEMED TO BE NO LONGER NEEDED FOR PUBLIC USE OR FOUND OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED BY INTERNET AUCTION UTILIZING GOVDEALS, INC.) be placed upon its first reading.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Crawford, Hartung, Artino, Ginesi, Schaffter (5)**

**NAYS: None (0)**

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the City Manager to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White explained this is annual legislation designating

the option of utilizing GovDeals to dispose of items no longer needed by the city. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2019-20. Members of Council voted as follows:

**YEAS: Crawford, Hartung, Artino, Ginesi, Schaffter (5)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution No. 2019-20 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 2019-21**

**Motion by Ms. Crawford that the three reading rule be suspended and Resolution No. 2019-21 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT, ON BEHALF OF THE CITY OF HURON, WITH WALTER HAVERFIELD LLP FOR THE PROVISION OF LAW DIRECTOR SERVICES FOR A PERIOD OF THREE YEARS.) be placed upon its first reading.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Crawford, Hartung, Ginesi, Schaffter (4)**  
**NAYS: Artino (1)**

There being less than the five required votes; the motion failed on suspension of the rules. Resolution 2019-21 was placed upon its first reading. The Mayor directed the City Manager to read the Resolution by its title only. The Mayor asked if there was any discussion. Mr. White referenced the executive summary and recognized Ms. Lane and Mr. Hanna of Walter Haverfield who were in attendance. Mr. White referenced discussion at the work session, explaining the transitional implementation of a change from the traditional FT Law Director position. He referenced Council supported the PT Prosecutor agreement implemented last year, noting the previous Law Director took another position for more compensation, and a deeper budget. Administration is recommending contracting for Law Director Services, similar to what is done with OHM for Engineering Services. He referenced that in addition to the approximately \$130,000 budgeted for 2019 for a FT position, the city has numerous costs above that for outside legal counsel representing the city related to: zoning for lighting regulations, personnel, and litigation. Mr. White advised with a firm, the city has an opportunity and the flexibility to resolve and/or reduce some of those additional costs and asked if members had any questions. No questions were raised. The Mayor advised the legislation would be placed on the next meeting agenda.

#### **Ordinance 2019-5**

**Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2019-5 (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.** The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

**YEAS: Schaffter, Crawford, Hartung, Artino, Ginesi (5)**  
**NAYS: None (0)**

There being five votes or more in favor of the motion, the Mayor declared the motion passed on suspension of the rules. The Mayor directed the Law Director to read the Ordinance by its title only. The Mayor asked if there was any discussion. Mr. White referenced the executive summary and provided a

review of the revenue and expense entries appearing on Exhibit "A" of the ordinance. Mr. White pointed out the largest component from revenue in the General Fund was \$100,000 which relates to the kWh excise tax, and referenced the anticipated increase of several hundred thousand dollars with the future expansions of the second and third phase of Mucci Farms. He then reviewed the expense entries, noting many are adjustments of wages that were dedicated in the General Fund for the FT Law Director salary, now for use in the Consultant Special Services line item, and the reciprocal expense items related to the Huron Joint Recreation District agreement. Mr. Artino inquired as to the entry under Fund 277-Economic Development; Mr. White replied that this was portion of the Law Director salary that would have related to work on TIF agreements. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2019-1. Members of Council voted as follows:

**YEAS: Schaffter, Crawford, Hartung, Ginesi (4)**

**NAYS: Artino (1)**

There being a majority vote in favor of adoption, Ordinance 2019-5 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

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

- TIRC- official correspondence from the Auditor's Office has been received. Legislation will be prepared for the next agenda. Due to the deadline, he would be contacting the state to advise that the city would accept the recommendation of the TIRC, pending further information regarding specific aspects related to the Huron Senior Residence. No objections were raised.
- Reminder of Planning Commission meeting tomorrow relative to the rezoning request of Mucci Farms from R-1 Residential to B-3 Industrial with Mixed Use Overlay PUD. A draft of lighting regulations expected tomorrow afternoon.
- Referenced OML correspondence: increase to gas tax being proposed could generate \$100,000 to \$300,000 annually, recommended tying this revenue to annual paving. Also noted the potential restoration of Local Government Funds, and potential increase to Motor Vehicle Registration.
- Rye Beach Trailer Park- referenced discussion between the state and city officials including Building and Zoning and some changes with enforcement through the Department of Commerce, but not as far reaching as hoped. He explained the city can have personnel trained to become certified to inspect the Dept. of Commerce's regulations; this would not provide an expansion of authority on behalf of the city to police the park according to the city zoning code. He thanked the citizens who have been contacting the Department of Commerce on this matter. He reported the city can enforce the removal of recreational vehicles that have been parked in lots and occupied, and apply zoning regulations to the single family house on the property. He reported Chief John Soisson of the Norwalk FD is on the Department of Commerce Board, and advised he has reached out as a member to discuss the park and will join site visit with the state and city officials on Thursday.
- USGS- Reported that he reached out, following discussion at the last meeting of the potential interest for doing something with the city as suggested by Mr. Dike. He commented there is still interest in a separate project, noting he believes their timeline will not conclude until 2020.
- Reported that the Attorney General's Office has now closed the audit finding case (Council mid-term pay). He referenced concern and reported that correspondence provided to the Attorney General from the city referenced the total amounts owed by the individuals, but different figures were provided from the Attorney General's Office to the individuals, noting they took into account the tax receipts withheld from other individuals and have now closed the case. He advised he had spoken with Ms. Ramey, noting that she had over \$1,500 withheld from taxes, and referenced going through the process together to try and correspond as directed by the Attorney General's Office to reimburse those dollars, but they have denied it. He referenced the three

affected individuals who have now paid income taxes on funds that weren't received, but the state has been hesitate to address this issue and calls continue from affected individuals looking for direction on this aspect. Mr. White referenced that he is not sure what the city can do at this point, as any reimbursement of funds are the state's responsibility and obligation, noting that the city cannot take action as it is a state issue. The Mayor asked if the city's attorney was contacted, acknowledging that the city cannot make a payment, but commenting there must be a remedy of some kind from the state. Mr. White referenced the direction he has been provided is that the city is not able to take any action as this is a state issue. He reported the city has received two of the three checks to date, and the city will need to direct the use of these funds. A discussion ensued relative to the income taxes paid by the three Council members on money that has since been returned and Ms. Ramey's withheld tax money. The Mayor advised the city needs to inquire with the state. Mr. White stated he would make contact as requested by council to inquire additionally about actions that could be taken, but referenced the state's position that the matter is closed.

Questions from members:

- In response from a question by Mr. Artino of the date/time for the Rye Beach Trailer Park site visit, Mr. Green confirmed officials would meet on Thursday at 10am.
- Ms. Crawford inquired about the Rye Beach area drainage issues and infrastructure. A discussion ensued about the Grand Forest Beach area that has similar issues. Mr. White explained the lack of infrastructure on the private streets and explaining that the city can work with the neighborhoods if they authorize an easement and referenced that Mr. Green has met with some of the people from Grand Forest Beach in attendance regarding their drainage problems.
- Mr. Artino inquired about water leak/cones at the corner of US6 and Huron Street near the dealership. Mr. Green advised he would have to inquire with the Water Department. Mr. Ginesi referenced a significant drop off in the road to the curb in this area.

**Mayor's Discussion**

- Referenced receipt of the annual report provided by the Erie County Health Department.

**For the Good of the Order**

- Mr. Ginesi recognized and thanked Huron Lagoons Marina and the Solberg family for the continued use of their pool facility. Mr. Ginesi addressed Mr. Hinnars relative to his comments regarding the Law Director Services Agreement, explaining that it is not a question of what the costs were previously; the question is what does it cost to replace the person. He referenced the previous Law Director was doing other jobs as well, including Human Resources, and reported on the various activities in 2018 including three labor union negotiations and a couple of lawsuits against the city. He acknowledged council authorizing a temporary agreement for a PT Prosecutor last year. He referenced the past criticism of the Law Director position, and now the current criticism of the proposed legal services contract.
- Mr. Ginesi referenced the funds from the audit finding, suggesting the use toward permanent signage that he had mentioned.
- Mr. Artino and Ms. Crawford recognized and thanked HLM and the Solberg family for their partnership with the city.
- Ms. Crawford referenced the correspondence packet and inquiring about a diagram in the packet of a proposed facility. Mr. White proposed discussion within executive session as it relates to the purchase/sale of property.

The Mayor noted that an executive session for the purchase/sale of real estate has been requested and no business is to follow.

**Executive Session**

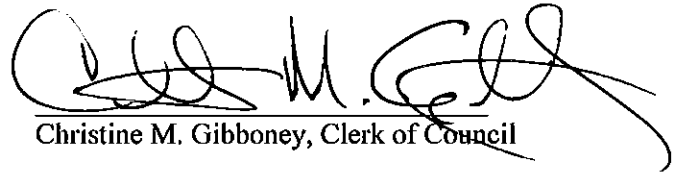
**Motion by Ms. Crawford that the regular meeting of March 26, 2019 be recessed for the purpose of holding an executive session for the discussion of the purchase/sale of real estate. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:**

**YEAS: Crawford, Hartung, Ginesi, Schaffter (4)**

**NAYS: Artino (1)**

There being a majority voting in favor of the motion, the Mayor declared the motion passed and the executive session to order at 7:18p.m. City Council members, the City Manager, and the Finance Director discussed matters relating to the purchase/sale of property. The Mayor noted the discussion had concluded and declared the regular meeting of March 26, 2019 reconvened at 8:06p.m.

There being no further business to come before the Council, the Mayor declared the regular meeting of March 26, 2019 adjourned at 8:06p.m.



Christine M. Gibboney, Clerk of Council