



The City of Huron, Ohio
417 Main St.
Huron, OH 44839
www.cityofhuron.org
Office (419) 433-5000
Fax (419) 433-5120

Agenda for the regular session of City Council
May 14, 2019 at 6:30p.m.

I. Call to order

Moment of Silence followed by the Pledge of Allegiance to the Flag

II. Roll Call of City Council

III. Approval of Minutes

Regular meeting of April 9 & work session meeting of April 23, 2019.

IV. Audience Comments

Citizens may address their concerns to City Council. Please state your name and address for the recorded journal. (3 minute time limit)

V. Old Business

Motion

to Release RFP - 508 Main Street Property

VI. New Business

Resolution 2019- 28	A resolution approving the appointment of Cory Swaisgood to the position of Finance Director.
Resolution 2019-29	A resolution awarding the bid and authorizing an agreement with Smith Paving & Excavating Inc. relative to the Safe Routes to School Project.
Resolution 2019-30	A resolution accepting the proposal and authorizing an agreement with CTL Engineering, Inc., for the provision of engineering inspection services relative to the Safe Routes to Schools Project.
Resolution 2019-31	A resolution granting the request of the Huron Garden Club for the placement of event signage in the US6 median area.
Resolution 2019-32	A resolution granting the request of the Huron Community Prayer Path & Labyrinth for the placement of event signage in the US6 median area.
Resolution 2019-33	A resolution ratifying and approving the 2017 merit compensation of the City Manager.
Resolution 2019-34	A resolution ratifying and approving the 2018 merit compensation of the City Manager.
Ordinance 2019-8	Budget Appropriations
Public Hearing	Re-zoning: Mucci Farms, 1101 Rye Beach Road, Parcel # 42-67003.000 from R-1 (residential) to B-3 PUD (General Business per Section 1125.03 and to include the parcel in the planned industrial project overlay zone as defined in Section 1126.09)

VII. City Manager's Discussion

VIII. Mayor's Discussion

IX. For the Good of the Order

X. Executive Session

XI. Adjournment



TO: Mayor Hartung and City Council
FROM: Andrew D. White, City Manager
RE: Resolution 2019-28
DATE: May 8, 2019

Subject Matter/Background

Resolution 2019-28 provides City Council approval of the appointment of Mr. Cory Swaisgood as the City of Huron Finance Director pursuant to Article 5, Section 2 of the Huron City Charter, at an annual salary of \$92,000.00, plus benefits.

Financial Review

A budget modification will be presented at a subsequent meeting upon adoption.

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

If Council is in support of the request, a motion to adopt Resolution No. 2019-28 is in order.

RESOLUTION NO. 2019-28

**A RESOLUTION APPROVING THE APPOINTMENT OF CORY SWAISGOOD AS
FINANCE DIRECTOR OF THE CITY OF HURON.**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. The Huron City Council hereby approves the appointment of Cory Swaisgood as Huron Finance Director pursuant to Article 5, Section 2 of the Huron City Charter, at an annual salary of \$92,000.00, plus benefits.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

Brad Hartung, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



TO: Mayor Hartung and City Council
FROM: Andrew D. White, City Manager
RE: Resolution(s) 2019-29 and 2019-30
DATE: May 3, 2019

Subject Matter/Background

Resolution No. 2019-29 and Resolution No. 2019-30 relate to the Safe Routes to Schools sidewalk project along Cleveland Road West.

Legislative History

- Resolution 2016-8 authorized the submission of the grant application to the Safe Routes to School Grant program.
- The City was subsequently notified on July 21, 2016 that it was awarded up to \$370,000.00 in funding for fiscal year 2020. The terms of the grant agreement require an 80/20 state/city funding split. The proposed scope of the project includes:
Construction of a 5 foot concrete sidewalk along the south side of Cleveland Road West from near the intersection of Jim Campbell Blvd. on the east end to the entrance of Admiral's Point Nursing Home on the west end where there are currently no existing sidewalks. Construction of an 8 foot concrete walkway along the existing un-improved right of way of Catalpa Road to allow for access to the proposed Cleveland Road West sidewalk from Woodlands School.
- Resolution 2018-29 accepted the proposal and authorized an agreement with OHM Advisors for design engineering related to the project in the amount of \$57,500.00. The total engineer's estimate for this sidewalk project is \$448,000.

Resolution 2019-29

This resolution will award the bid and authorize an agreement with Smith Paving & Excavating Inc., for labor and materials and construction of the project. The city received a total of two (2) bids on the project:

Smith Paving & Excavating Inc.	\$437,739.10
Precision Paving Inc.	\$483,671.25

OHM Advisors have reviewed the bids and provided recommendation to award the bid to Smith Paving & Excavating, Inc. in an amount not to exceed \$437,739.10. (Recommendation letter attached)

Resolution 2019-30

This resolution will accept the proposal and authorize an agreement with CTL Engineering, Inc., for the provision of Engineering Inspection Services on the project. Pursuant to ODOT requirements, the city issued an RFQ for Letters of Interest relative to Construction Management and Inspection Services for this project. The city received five (5) Letter of Interest submissions on 4/23/19 which were then reviewed by the City Engineer utilizing the ODOT programmatic selection process involving scoring each of the LOI's individually and sending a request for a proposal to the highest rated consultant. CTL submitted a proposal which was slightly under the estimate of \$50,000. Their proposal, along with all of the LOI's and scoring sheets, were submitted to ODOT for approval. ODOT has provided approval and has authorized the city to proceed with award to CTL.

Financial Review

Expense associated with the SRTS Project are included in the budget appropriation, Ordinance 2019-8.

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

If Council is in support of the requests, a motion to adopt Resolution No. 2019-29 and Resolution 2019-30 respectively, would be in order.



ARCHITECTS. ENGINEERS. PLANNERS.

April 30, 2019

City of Huron
417 Main Street
Huron, OH 44839

ERI-D03-SRTS City of Huron Inf.
ODOT PID No. 103735
City of Huron

Request for Council Legislation & Recommendation to Award Contract

We hereby request that Council legislation be prepared to authorize the award of the above referenced project as follows:

- Engineer's Estimate:
 - ✓ The Engineer's Official Estimate of Probable Cost for this Project is \$478,914.
- The Engineer (OHM Advisors) has reviewed all bids and hereby provides the following list of Bidders and bid prices:

Bidder	Base Bid
1. Smith Paving & Excavating Inc.	\$ 437,739.10*
2. Precision Paving Inc.	\$ 483,671.25

Review Notes:

*Smith Paving & Excavating Inc. did not sign the Addendum #2 acknowledgement line on page 48. They did however sign the "Certification & Signature" section at the bottom of page 48, which includes "Addendums & Clarifications". Note that Addendum #2 was issued to distribute Form FHWA-1273 to all bidders, as was requested by bidders at the pre-bid meeting. This form explains the requirements of agreements between general contractors and subcontractors for federally funded projects. See enclosed Addendum #2 for reference.

Summary of Award:

- The bid documents adhere to the General Provisions of Section 100 of the 2016 ODOT Construction and Materials Specification, as described on pages 150 thru 208. Section 103.01 on Page 161 gives the City the authority to waive technicalities, thus the City may waive errors as described in the Review Notes above.
- It is the opinion of the Engineer that the error by Smith Paving & Excavating does not adversely affect the project scope, schedule, or budget. Additionally, the City's partnering project administrator, Ohio Department of Transportation, shares a similar opinion. See enclosed email correspondence between ODOT and the Engineer.
- Upon review of references, equipment, materials, suppliers, subcontractors, and all documents submitted as required by the bid documents, the Engineer hereby recommends the award of the contract to the following lowest and best bidder:

✓ \$ 437,739.10

Smith Paving & Excavating Inc.



Should you have any questions or require additional documentation, please let me know.

Sincerely,
OHM Advisors

Chad M. Lewis
Project Manager

Chad Lewis

From: Tom.Pannett@dot.ohio.gov
Sent: Friday, April 26, 2019 2:17 PM
To: Chad Lewis; Matthew.Walter@dot.ohio.gov; Steve.Shepherd@dot.ohio.gov; Doug Green
Cc: Jeff.Peyton@dot.ohio.gov; Andrea.Stevenson@dot.ohio.gov; Brad.Jones@dot.ohio.gov
Subject: [External] RE: PID 103735, D03 - SRTS - City of Huron Inf.

All,

In this circumstance it appears that while the bidder received the requisite documentation (including FHWA form 1273), acknowledged Addendum #1 and acknowledged responsibilities for ALL addenda and the proposal as a whole but did not specifically acknowledge the Addenda #2 that re-emphasized FHWA form 1273.

From my perspective this seems like a *de minimus* error (aka an informality) and one that could be waived by the City if the City Council chooses to.

By accepting / acknowledging responsibility for ALL addenda I really don't see a need for separate acknowledgment of each specific addenda. And given there is some minor flexibility for some paperwork errors, it is my opinion that this mis-step should not rise to the degree that it would make the bidder non-responsive by not initially in one spot of the contract when they separately signed another spot accepting all contract requirements.

Please let me know if you wish to dialog further.

Tom Pannett, P.E., JD, MBA, CPPO
Administrator
ODOT Office of Contract Sales
Division of Construction Management
1980 W. Broad St., Columbus, Ohio 43223
(p) 614-466-2739 (m) 614-403-2287
transportation.ohio.gov



From: Chad Lewis <Chad.Lewis@ohm-advisors.com>
Sent: Thursday, April 25, 2019 2:49 PM
To: Walter, Matthew <Matthew.Walter@dot.ohio.gov>; Shepherd, Steven <Steve.Shepherd@dot.ohio.gov>; Doug Green <Doug.Green@ohm-advisors.com>
Cc: Pannett, Thomas <Tom.Pannett@dot.ohio.gov>
Subject: RE: PID 103735, D03 - SRTS - City of Huron Inf.

Matt,

Attached is the complete bid book issued to all plan holders.

We've moved! Note our new MidTown Cleveland address:

6001 Euclid Avenue, Suite #130
Cleveland, OH 44103

CHAD LEWIS, PE | OHM Advisors®
PROJECT MANAGER

D (216) 865-1345 C (216) 644-3987 O (216) 865-1335

chad.lewis@ohm-advisors.com | OHM-Advisors.com

From: Matthew.Walter@dot.ohio.gov <Matthew.Walter@dot.ohio.gov>

Sent: Thursday, April 25, 2019 2:40 PM

To: Chad Lewis <Chad.Lewis@ohm-advisors.com>; Steve.Shepherd@dot.ohio.gov; Doug Green <Doug.Green@ohm-advisors.com>

Cc: Tom.Pannett@dot.ohio.gov

Subject: [External] RE: PID 103735, D03 - SRTS - City of Huron Inf.

Chad/Doug,

Looking through your attachment "16953_HUR_Safe Routes to School Bid01)Smith Paving.pdf"

It does not appear that this document used the "Federal Bid Doc Template" that was supplied to you. Can you please confirm that what Chad emailed this morning is the entire bid for Smith Paving?

Thanks!

Matt Walter, P.E., P.S.

LPA Manager

Ohio Dept. of Transportation | District Three

From: Chad Lewis <Chad.Lewis@ohm-advisors.com>

Sent: Wednesday, April 24, 2019 4:28 PM

To: Shepherd, Steven <Steve.Shepherd@dot.ohio.gov>; Doug Green <Doug.Green@ohm-advisors.com>

Cc: Walter, Matthew <Matthew.Walter@dot.ohio.gov>

Subject: RE: PID 103735, D03 - SRTS - City of Huron Inf.

Steve,

Please see attachments and note of the following items:

1. Smith's bid discrepancy occurs on page 48 where Smith did not acknowledge receipt of Addendum #2.
2. Page 23, Legal Advertisement, states:
The "Owner" reserves the right to reject any and all bids, to waive any informalities in the bids received, and to accept any bid which it deems most favorable.
3. Although we cannot predict what City Council will choose to award in this case, in past incidents like this (bid discrepancies that do not effect cost, scope, or schedule), Council has waived informalities. We would like Council to have the opportunity of choice in this situation as well.

Please let me know if you have any questions.

Thanks,

We've moved! Note our new MidTown Cleveland address:

6001 Euclid Avenue, Suite #130

Cleveland, OH 44103

CHAD LEWIS, PE | OHM Advisors*
PROJECT MANAGER

D (216) 865-1345 C (216) 644-3987 O (216) 865-1335

chad.lewis@ohm-advisors.com | OHM-Advisors.com

From: Steve.Shepherd@dot.ohio.gov <Steve.Shepherd@dot.ohio.gov>

Sent: Wednesday, April 24, 2019 2:18 PM

To: Doug Green <Doug.Green@ohm-advisors.com>; Chad Lewis <Chad.Lewis@ohm-advisors.com>

Cc: Matthew.Walter@dot.ohio.gov

Subject: [External] PID 103735, D03 - SRTS - City of Huron Inf.

Doug, Chad,

Central Office, Construction Management/Contract Sales has requested a copy of the bid for the ALB (Smith Paving). If you are able to send a copy, please do so.

If you should have any questions, please do not hesitate to contact me.

Steve Shepherd

LPA Coordinator

Ohio Dept. of Transportation | District Three

906 North Clark Ave., Ashland, Ohio 44805

(p) - 419.207.7176 (m) - 419.632.1148

transportation.ohio.gov



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RESOLUTION NO. 2019-29

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID AND ENTER INTO AN AGREEMENT WITH SMITH PAVING AND EXCAVATING, INC., FOR LABOR AND MATERIALS RELATED TO THE SAFE ROUTES TO SCHOOL PROJECT NO. ERI-D03, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED THIRTY SEVEN THOUSAND SEVEN HUNDRED THIRTY NINE AND 10/100 DOLLARS (\$437,739.10)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City having advertised for bids in connection with the Safe Routes to School Project (ERI-D03-SRTS) this Council finds Smith Paving and Excavating, Inc., to be the lowest and best bidder for such work and waives any irregularities and/or formalities in the bid proposal. Therefore, the City Manager shall be, and he hereby is, authorized and directed to award the bid and enter into an agreement with the said Smith Paving and Excavating, Inc., for undertaking the work called for in the SRTS bid package, in an amount not to exceed Four Hundred Thirty Seven Thousand Seven Hundred Thirty Nine and 10/100 Dollars (\$437,739.10) which agreement shall be substantially in the form of the Safe Routes to School Project Contract on file in the office of the Clerk of Council.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

Brad Hartung, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

RESOLUTION NO. 2019-30

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH CTL ENGINEERING, INC., FOR ENGINEERING INSPECTION SERVICES RELATED TO THE SAFE ROUTES TO SCHOOL PROJECT NO. ERI-D03, IN AN AMOUNT NOT TO EXCEED FORTY EIGHT THOUSAND FOUR HUNDRED FORTY EIGHT AND 00/100 DOLLARS (\$48,448.00)

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City having advertised Requests for Proposals relative to Letters of Interest for engineering inspection services for the Safe Routes to School Project (ERI-D03-SRTS), the City Manager shall be, and he hereby is, authorized and directed to accept the proposal and enter into an agreement with the said CTL Engineering, Inc., for engineering inspection services on the SRTS Project, in an amount not to exceed Forty Eight Thousand Four Hundred Forty Eight and 00/100 Dollars (\$48,448.00) which agreement shall be in substantially in the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

Brad Hartung, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

CITY OF HURON
AGREEMENT NO. 33632

This Agreement No. 33632 entered into this _____ day of _____, 20____, by and between City of Huron, acting by and through the City Manager, hereinafter referred to as the City, and CTL Engineering, Inc., hereinafter referred to as the Consultant, with an office located at 3085 Interstate Parkway, Brunswick, Ohio 44212.

WITNESSETH:

That the City and the Consultant, for the mutual considerations herein contained and specified, have agreed and do hereby agree as follows:

CLAUSE I - WORK DESCRIPTION

The Consultant agrees to perform Construction Inspection and keeping of records and documents, Construction Administration and Testing as may be authorized by the City for Safe Routes to School project in Erie County, Ohio, identified as D03 – SRTS – City of Huron Inf.

CLAUSE II - INVOICE & PROJECT SCHEDULE

The City and the Consultant agree to the attached Invoice & Project Schedule including the overall Agreement length, and Scheduled Submittal dates and Review Times set out in the Project Schedule.

The Consultant agrees to submit the completed Invoice & Project Schedule transmittal letter together with the updated Invoice & Project Schedule for all billing purposes for all Parts of this Agreement every thirty (30) days as follows:

- (a) Signed original transmittal letter and invoice (IPS) and three (3) copies of same.

CLAUSE III - PRIME COMPENSATION

The City agrees to compensate the Consultant for the performance of the Work specified in this Agreement as follows:

Part 1: Construction Inspection.

Rates of Pay Compensation as authorized for each Classification delineated below plus non-salary direct costs. The maximum prime compensation shall not

exceed Forty-Eight Thousand, Four Hundred Forty-Eight Dollars (\$48,448.00). All costs shall be included in the maximum prime compensation.

Agreed Rates of Pay are established as follows:

<i>Firm Name</i>	<i>Classification</i>	<i>Hourly Rate</i>	<i>Overtime Premium Rate</i>
CTL Engineering, Inc.	Project Inspector	\$71.00	\$107.00
CTL Engineering, Inc.	Project Inspector	\$100.00	\$150.00
CTL Engineering, Inc.	Construction Engineer Level 1	\$100.00	N/A
CTL Engineering, Inc.	Construction Engineer Level 1	\$129.00	N/A
CTL Engineering, Inc.	Construction Engineer Level 2	\$171.00	N/A
CTL Engineering, Inc.	Project Manager	\$171.00	N/A

Prime Compensations, only as agreed and by proper modification of this Agreement and authorized in writing by the City, may be added to or subtracted from under the authority of the Department of Transportation's "Specifications for Consulting Services, 2016 Edition".

CLAUSE IV - INCORPORATION BY REFERENCE

The following documents, or specified portions thereof, are hereby incorporated into and made a part of this Agreement as though expressly rewritten herein:

- (a) The Department of Transportation's "Specifications for Consulting Services, 2016 Edition".
- (b) The Invoice & Project Schedule.
- (c) The most current Office of Budget and Management Travel Policy as published on the State of Ohio Website (<http://obm.ohio.gov/TravelRule/default.aspx>).

CLAUSE V - GENERAL PROVISIONS

Any person executing this Agreement in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf. Additionally, it is expressly understood by the parties that none of the rights, duties and obligations described in this Agreement shall be binding on either party until such time as the expenditure of funds is certified by the Director of Budget and Management, pursuant to Section 126.07 of the Ohio Revised Code.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written by affixing the signature of the duly authorized officer of Consultant and the signature of the City Manager.

CTL Engineering, Inc.

By: _____

Title: _____

CITY OF HURON

Andy White
City Manager

APPROVED AS TO FORM:

By: _____

Title: _____

CERTIFICATION BY FISCAL OFFICER

I, as the Interim Finance Director for the City of Huron, Ohio, certify that the money required for the within Consulting Agreement is in the treasury, to the credit of the fund for which it is drawn, or in the process of collection, and not appropriated for any other purpose.

Mike Spafford, Interim Finance Director



TO: Mayor Hartung and City Council
FROM: Andrew D. White, City Manager
RE: Resolution 2019-31
DATE: May 6, 2019

Subject Matter/Background

This resolution authorizes the annual request of the Huron Garden Club to display advertising signage in the median area to promote their annual sale. If approved, signage will be displayed from Wednesday, May 15 through, Saturday, May 18, 2018.

Exhibit "A" details the signage description and provides information relating to the community fundraising and beatification efforts provided by the Huron Garden Club.

Financial Review

N/A

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

If Council is in support of the request, a motion to adopt Resolution No. 2019-31 is in order.

RESOLUTION NO. 2019-31

A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF THE HURON GARDEN CLUB FOR THE PLACEMENT OF EVENT SIGNAGE IN THE MEDIAN AREA PROMOTING THEIR ANNUAL PLANT SALE.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1: The City Manager is authorized on behalf of the City of Huron, Ohio to support the request of the Huron Garden Club to place advertising signage in support of their annual plant sale in the median area from May 15, 2019 through May 18, 2019, said request to be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

Brad Hartung, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

RECEIVED
APR 24 2019

April 12, 2019

BY _____

Huron City Council
Huron, Ohio 44839

Huron Garden Club Plant Sale
Sign Placement in Median Strip

Dear Council Members:

I am petitioning the Council on behalf of the Huron Garden Club, a non-profit organization.

We would like to place a sign 1'6" x 2'8" in the median strip to the west of Williams Street, announcing our annual Plant and Bake Sale, May 18, 2019.

This sign would be placed on Monday, May 13, 2019 and removed on Saturday, May 18, after 1:00 PM.

The money that we raise from this sale helps us purchase flowers for our Lakefront Park garden circle as well as decorations for the Huron Library Christmas Tree and Post Office.

Each year we also contribute \$100.00 to the McBride Arboretum and give donations to the Huron Helping Hands Food Pantry.

We thank you in advance for your consideration and look forward to a favorable decision.

Yours truly,



Bonnie Ritchey, Secretary

Huron Garden Club

HGC: bmr



TO: Mayor Hartung and City Council
FROM: Andrew D. White, City Manager
RE: Resolution 2019-32
DATE: May 6, 2019

Subject Matter/Background

This resolution authorizes a request from the Huron Community Prayer Path and Labyrinth to display advertising signage in the median area to promote their community music event. If approved, signage will be displayed from Wednesday July 17 through Monday July 22.

Exhibit "A" details the signage description and provides information relating to this event being supported by the Huron Community Prayer Path and Labyrinth.

Financial Review

N/A

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

If Council is in support of the request, a motion to adopt Resolution No. 2019-32 is in order.

RESOLUTION NO. 2019-32

A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE CITY OF HURON, OHIO, TO SUPPORT THE REQUEST OF THE HURON COMMUNITY PRAYER PATH AND LABYRINTH FOR THE PLACEMENT OF EVENT SIGNAGE IN THE MEDIAN AREA PROMOTING A COMMUNITY MUSIC EVENT TO BE HELD ON JULY 22, 2019.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1: The City Manager is authorized on behalf of the City of Huron, Ohio to support the request of the Huron Community Prayer Path & Labyrinth to place advertising signage, in support of their community music event, in the median area from July 17, 2019 through July 22, 2019, said request to be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

Brad Hartung, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

RECEIVED
MAY 03 2019

Christine Gibboney
City of Huron
417 Main St.
Huron Ohio 44839

BY:

Ms. Gibboney,


I am writing in behalf of the Huron Community Prayer Path and Labyrinth to request permission for a banner announcing our event called "Jammin' For Jesus" to be held on July 22, 2019 beginning at 7:00 P.M. – 8:30 P.M. to be placed in the median grassy area West of Messenburg's. The size we are looking at is 6' X 2.5' and would like to place it there from July 17 through the date of the event.

The event itself is a music extravaganza for anyone in the community that likes to sing or play an instrument. It is fun and a way for people to become familiar with the Prayer Path and meet other community members.

Thank you for your consideration.

Sincerely,

Loretta Majoy





TO: Mayor Hartung and City Council
FROM: Andrew D. White, City Manager
RE: Resolution 2019-33 and Resolution 2019-34
DATE: May 6, 2019

Subject Matter/Background

Resolutions 2019-33 and 2019-34 have been prepared to legislatively ratify and acknowledge the approval of previous merit compensation payments provided to the City Manager for the years 2017 and 2018 following City Council completion of respective performance evaluations.

Financial Review

Expenses were included within adopted appropriations in 2018.

Legal Review

The matter has been reviewed, follows normal legislative procedure and is properly before you.

Recommendation

If the Council is in support of the requests, motions to adopt Resolution No. 2019-33 and Resolution No. 2019-34 are in order.

RESOLUTION NO. 2019-33

**A RESOLUTION RATIFYING AND APPROVING THE PAYMENT OF MERIT
COMPENSATION TO THE CITY MANAGER IN THE AMOUNT OF \$10,000 FOR
SATISFACTORY 2017 PERFORMANCE EVALUATION**

WHEREAS, City Council conducted City Manager Andrew D. White's performance evaluation for 2017 on January 8, 2018 and the performance evaluation shows an overall rating of 3.83 "Meets Job Standards;" and

WHEREAS, as provided for in the City Manager's employment contract, Council desires to ratify and approve the payment of merit compensation to the City Manager in the amount of \$10,000 for a satisfactory performance evaluation for the year 2017; and

WHEREAS, the City Manager received his 2017 merit compensation payment on January 19, 2018.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That this Council ratifies and approves the January 19, 2018 payment of merit compensation to City Manager Andrew D. White in the amount of \$10,000 for a satisfactory performance evaluation for the year 2017, and that neither repayment by the City Manager nor further payment by the City shall be required.

SECTION 2. That this Council hereby finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. This Resolution shall be in full force and effect from and immediately following its adoption and shall apply retroactively to January 19, 2018.

Brad Hartung, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

RESOLUTION NO. 2019-34

**A RESOLUTION RATIFYING AND APPROVING THE PAYMENT OF MERIT
COMPENSATION TO THE CITY MANAGER IN THE AMOUNT OF \$5,000 FOR
SATISFACTORY 2018 PERFORMANCE EVALUATION**

WHEREAS, City Council conducted the City Manager Andrew D. White's performance evaluation for 2018 on December 11, 2018 and the performance evaluation shows an overall rating of 3.59 "Meets Job Standards;" and

WHEREAS, as provided for in the City Manager's employment contract, Council desires to ratify and approve the payment of merit compensation to the City Manager in the amount of \$5,000 for a satisfactory performance evaluation for the year 2018; and

WHEREAS, the City Manager received his 2018 merit compensation payment on December 21, 2018.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That this Council ratifies and approves the December 21, 2018 payment of merit compensation to City Manager Andrew D. White in the amount of \$5,000, for a satisfactory performance evaluation for the year 2018, and that neither repayment by the City Manager nor further payment by the City shall be required.

SECTION 2. That this Council hereby finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. This Resolution is shall be in full force and effect from and immediately following its adoption and shall apply retroactively to December 21, 2018.

Brad Hartung, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



TO: Mayor Hartung and City Council
FROM: Andrew D. White, City Manager
RE: Ordinance 2019-8
DATE: May 6, 2019

Subject Matter/Background

This ordinance requests the Council's authorization for changes to the annual budget appropriations. A breakdown is attached to the ordinance as Exhibit "A."

Financial Review

Ordinance 2019-8 includes \$726,584 increase in anticipated revenues and \$675,876 in total expenditures. These budget modifications are entirely within Fund 401 - Capital Fund. Per direction of our independent public accounting firm, "direct-pay" grant and loan programs have been accounted for incorrectly. In the past, the City would account for the City's portion of expenditures and not account for the revenue (portion paid by granting agency to the contractor directly). Direct-pay projects require the City to book the entire project's expense, not just the City's portion, and to book the amounts paid directly by the agency to the contractor as revenue. The change in accounting will not result in a net difference in the City's cash position as the material affect is identical.

Revenue:

Ordinance 2019-8 requests an increase in revenue by \$726,587.00. This is the total of the outstanding (or previously paid) portions of direct payments from OPWC directly to contractors on the City's behalf for various grant programs. The payments include:

- * Fabens / Adams Ave Project: \$72,549
- * 2018 Paving Program: \$20,710
- * 2018 Paving Program: \$263,327
- * Safe Routes to School: \$370,000
- * Total: \$726,585

Expense:

Ordinance 2019-8 requests an increase to the expenditures within the Capital Fund budget by a total of \$675,876. This is comprised of \$825,876 in new capital projects and a reduction of \$150,000 in funding for projects either being delayed for further evaluation or no longer necessary. The \$826,876 is comprised of the following projects:

- * Fabens Park / Adams Ave: \$72,549 (offsetting revenues above)
- * 2018 Paving Program: \$263,327 (offsetting revenues above)
- * Safe Routes to School Sidewalk Project: \$490,000 (\$440,000 construction and \$50,000 for inspection).

Grant proceeds included above in revenues.

Legal Review

The matter has been reviewed, follows normal legislative procedure, and is properly before you.

Recommendation

The Council should consider a motion to adopt the ordinance as presented in order to maintain budgetary compliance.

ORDINANCE NO. 2019-8

**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 IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. Exhibit "A" of Ordinance No. 2018-36, adopted on the 11th day of December, 2018; as amended by Ordinance 2019-1 adopted February 12, 2019, as amended by Ordinance 2019-5 adopted March 26, 2019 relating to appropriations is hereby amended as to each fund as set forth in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. The Director of Finance and the City Manager are hereby authorized to expend the funds herein appropriated for the purpose of paying the operating expenses of the City for the fiscal year ending December 31, 2018 and to make the necessary entries on the accounting records of the City to reflect the appropriations and expenditures herein authorized.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 4. In accordance with Section 3.07 of the Charter of the City of Huron, Ohio, this Ordinance shall take effect immediately upon its adoption.

Brad Hartung, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____.

CITY OF HURON - BUDGET APPROPRIATION ADJUSTMENTS
SUMMARY SHEET

ORDINANCE: 2019 - 8
DATE: 05/14/2019

EXHIBIT "A"

REVENUE

FUND	ACCOUNT #	DESCRIPTION	INCREASE / (DECREASE)	REASON FOR ADJUSTMENT
FUND 401 - CAPITAL IMPROVEMENT FUND	401-0005-41420	OPWC FUNDS - OTHER	\$ 726,587.00	DIRECT PAY PORTION - OPWC GRANTS
TOTAL:			\$ 726,587.00	
TOTAL REVENUES:			\$ 726,587.00	

EXPENSE

FUND	ACCOUNT #	DESCRIPTION	INCREASE / (DECREASE)	REASON FOR ADJUSTMENT
FUND 401 - CAPITAL IMPROVEMENT FUND	401-3400-55002	LAND IMPROVEMENTS	\$ (125,000.00)	PROJECT UNDER EVALUATION FOR FUTURE BUDGET
FUND 401 - CAPITAL IMPROVEMENT FUND	401-7550-55102	LAND & BUILDING IMPROVEMENTS	\$ (25,000.00)	FUNDS NO LONGER NECESSARY
FUND 401 - CAPITAL IMPROVEMENT FUND	401-9500-55957	FABENS PARK / ADAMS AVE	\$ 72,549.00	OPWC PORTION FOR PROJECT
FUND 401 - CAPITAL IMPROVEMENT FUND	401-9500-55961	PAVING PROGRAM	\$ 263,327.00	OPWC PORTION FOR PROJECT
FUND 401 - CAPITAL IMPROVEMENT FUND	401-9500-55962	SAFE ROUTES TO SCHOOL	\$ 490,000.00	CLEVELAND ROAD SIDEWALK PROJECT (CONST. AND INSP.)
TOTAL:			\$ 675,876.00	
TOTAL EXPENSES			\$ 675,876.00	



TO: Mayor Hartung and City Council
FROM: Andrew D. White, City Manager
RE: Rezoning Request- Mucci Farms, 1101 Rye Beach Road
DATE: May 6, 2019

Subject Matter/Background

On February 12, 2019, City Council approved a motion to refer the rezoning application of Mucci Farms, 1101 Rye Beach Road from R-1 (single family residential) to B-3 (General Business) PUD- per section 1125.03 and to include the parcel in the planned industrial project overlay zone pursuant to Section 1126.09, to the Planning Commission for their review and consideration.

The Planning Commission met on Wednesday April 3, 2019 at 5:30 p.m. to accommodate a public hearing, review/discuss and provide recommendation. The applicant is required only to submit proposed elevation and site layouts to satisfy the needs of the rezoning application.

Following the Planning Commission recommendation to approve the rezoning application as presented pending rezoning approval, the matter was referred back to City Council, in accordance with the Section 1139.03 of the Codified Ordinances, on April 9, 2019 at which time the motion to set a Public Hearing for May 14, 2019 at 6:30 p.m. was passed by City Council.

Mucci's attached site plan and landscaping plan was reviewed and approved by Planning Commission and Design Review Board pending the approval of the rezoning by City Council. Not included in the current site plan are any additional site lighting, signage, or any changes to the existing bunkhouse. Any of these items or any changes to the approved site plan would have to go back before the Planning Commission and Design Review Board at a future meeting for approval.

Legal Review

Pursuant to the code and in accordance with legislative protocol, the rezoning request pertaining to Mucci Farms, 1101 Rye Beach Road from R-1 (single family residential) to B-3 (General Business) PUD- per section 1125.03 and to include the parcel in the planned industrial project overlay zone pursuant to Section 1126.09, is properly before Council for final determination following the required Public Hearing.

The Huron City Charter provides specific voting requirements in the event that City Council chooses to overrule the Planning Commission's recommendation. Specifically, the Charter states:

Council may overrule the recommendations of the Commission by a majority vote of the full membership of Council. Whenever a written protest against such proposed amendment or reclassification, signed by the owners of twenty percent (20%) of the frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered, is filed with the Commission and Council, the ordinance providing for such proposed amendment or reclassification shall not be passed except by a majority vote of Council.

Motion to hold a public hearing

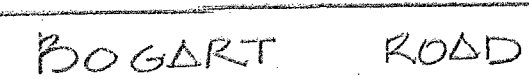
A motion "that the regular meeting of May 14, 2019 be recessed for the purpose of holding a Public Hearing on the re-zoning request of Mucci Farms, 1101 Rye Beach Road from R-1 (single family residential) to B-3 (General Business) PUD- per section 1125.03 and to include the parcel in the planned industrial project overlay zone pursuant to Section 1126.09" will be required. Following

comments from the audience and discussion, a motion that the Public Hearing be closed and the regular meeting of May 14th back in session will be required.

Recommendation

While Administration is in support of the recommendation from the Planning Commission to authorize the rezoning request as presented, it is imperative that the lighting regulation ordinance be adopted and implemented prior to City Council authorizing the rezoning of the property.

Therefore, no action by City Council is recommended following the Public Hearing on May 14, 2019.



Barnes

Catawba Garden Center
1283 N.E. Catawba Road
Port Clinton, OH 43452

title	MINI FACTS
date	APRIL 28 91
scale	1" = 50' 0"
designer	STEVE COLEMAN
drawing	