

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, October 22, 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 Trey Hardy on Tuesday, October 22, 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. After the Pledge of Allegiance was completed, the Mayor directed the Clerk to call the roll. The following members of Council answered present: **Rick Schaffter, Christine Crawford, John Jones, Trey Hardy and Joe Dike.**

Motion by Mr. Schaffter to excuse Mr. Ginesi and Mr. Artino from the meeting due to a work conflict. The Mayor asked if there was any discussion on the motion, there being none, he directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Crawford, Jones, Hardy, Dike (5)
NAYS: None (0)

There being a majority in favor, the motion passed and Mr. Ginesi and Mr. Artino is excused.

Also present: City Manager Andy White, Law Director Aimee Lane, Finance Director Cory Swaisgood, Assistant to the City Manager Mike Spafford, City Engineer/Zoning Inspector Doug Green and Executive Administrative Assistant and Clerk of Council Terri Welkener, Parks and Recreation Operations Manager Doug Steinwart.

Approval of Minutes

Motion by Mr. Dike that the minutes of the regular meeting of October 8, 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: Dike, Schaffter, Crawford, Jones, Hardy (5)
NAYS: None (0)

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

Audience Comments

Justin Quillen, 3607 Songwood Circle, Huron, Ohio 44839. Mr. Quillen had several questions and concerns. Regarding the Huron Lighthouse, Mr. Quillen stated that the lighting project has been started with new conduit and wiring, but not yet completed. He asked if there was any new information about when the work would be completed. He stated that he is a local fisherman who has spent almost 20 years fishing out by the lighthouse and is concerned because it has become unsafe. There are a lot of walleye fisherman out there at night, and the lights would be beneficial. Regarding the NO WAKE sign facing to the north, Mr. Quillen stated that the sign should be repainted and provided two photographs for Council's review. Mr. Quillen stated that the north facing breakwall has been severely eroded by storm damage over the last 10 years and provided two photographs for Council's review. There are large gaps between the rocks, which makes it very difficult for fisherman to cross those rocks, as well as other people. He contacted a few local stone quarries locally, and determined that the rocks are available at relatively low cost. The issue would be getting out there to place them on the break wall. He offered the pricing information, and

Mr. White asked Mr. Quillen to provide his contact information so that he could contact him to have a discussion.

New Business

Ordinance 2019-23

Motion by Mr. Schaffter that the three reading rule be suspended and Ordinance 2019-23 (AN ORDINANCE AMENDING ORDINANCE NO. 2018-36, ADOPTED DECEMBER 11, 2018, TO PROVIDE FOR ADDITIONAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES AND AN INCREASE IN ESTIMATED RESOURCES AND FURTHER APPROVING CASH TRANSFERS BETWEEN FUNDS, AND DECLARING AN EMERGENCY.) be placed upon its first reading. The Mayor asked if there was any discussion on the motion. The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Crawford, Jones, Hardy, Dike (5)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Ordinance 2019-23 placed upon its first reading. The Law Director read the Ordinance by its title only. The Mayor asked if there was any discussion on the motion.

Motion by Mr. Schaffter that Ordinance 2019-23 be passed as an emergency measure. The Mayor asked if there was any discussion on the motion, there being none, he directed the Clerk to call the roll on the motion.

YEAS: Schaffter, Crawford, Jones, Hardy, Dike (5)
NAYS: None (0)

There being five votes or more in favor, the motion passed and the ordinance was placed as an emergency.

Mr. White directed Council's attention to the budget appropriation recap sheet and asked Mr. Swaisgood to review those items. Mr. Swaisgood stated that they are asking for approval for supplemental appropriations and also an increase in estimated resources. This is necessary to properly account for the Police Department fingerprinting fees, which has seen an increase in revenue this year; BWC reimbursement, which has seen an increase due to a statewide surplus; capital improvement payments related to a direct pay from the Ohio Public Works Commission; increased revenue from zoning permits; and State Patrol fee, which is part of the Court fines and fees. The total estimated resources impacted is \$148,500 through the General Fund and the State Patrol Fund. Supplemental appropriations amount to an addition of \$63,000 through the General Fund, the Street Maintenance Fund, the Capital Improvement Fund, the Capital Improvement Fund and State Patrol Fund, with a total net impact on the budget of a surplus of \$85,500. The other piece to this legislation is budget and cash transfers between funds. These are all scheduled and budgeted on a quarterly basis and relate to transfers to the Fire Levy from the General Fund of \$150,000, and also transfers from various funds to the Computer Repair and Maintenance Fund, which is used to subsidize the IT Manager's salary and any other type of computer-related expenses. There are transfers to the Employee Benefit Reserve as well, and the Fire Pension, Police Pension and a budgeted transfer from the Water Fund to the Economic Development Fund. Approval is requested to make these transfers and to increase the estimated resources and supplemental appropriations.

The Mayor asked if there was any further discussion. There being no further discussion, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2019-23. Members of Council voted as follows:

YEAS: Schaffter, Crawford, Jones, Hardy, Dike (5)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2019-23 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 2019-59

Motion by Mr. Dike that the three reading rule be suspended and Resolution No. 2019-59 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH OHM ADVISORS FOR THE PROVISION OF DESIGN AND CONSTRUCTION SERVICES RELATED TO PHASE 2 OF THE US 6 CORRIDOR PROJECT AT A COST NOT TO EXCEED ONE HUNDRED TWENTY-SEVEN THOUSAND NINE HUNDRED AND 00/100 DOLLARS (\$127,900.00) AND WAIVING COMPETITIVE BIDDING.) be placed upon its first reading.

The Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Shaffter, Crawford, Jones, Hardy, Dike (5)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 2019-59 placed upon its first reading. The Law Director read the Resolution by its title only. The Mayor asked if there was any discussion on the motion.

Mr. White explained that Phase 2 is the second half of the US 6 Corridor Project, which will span the east corporate limit heading westward to the US 6 bypass. The total cost for the design schedule of \$127,900 follows closely the agreement in place for design services. Mr. White recognized Mr. Russ Critelli and Mr. Doug Green of OHM Advisors if there are any specific questions on the matter. This project has been before Council for several months, including a discussion at today's Council Work Session, where there was a lengthy discussion about the intersection at US-6 and Center Road at Jim Campbell Boulevard, most notably the traffic signal that currently is in place there is no longer warranted. That signal will be coming down and a number of items will be added to the project to address safety concerns. OHM Advisors has provided a traffic simulation based on actual traffic counts at the site demonstrating at worst case scenario a Grade B traffic condition, which is very satisfactory. It is important to move forward as we get ready to partner with ODOT, who is picking up a substantial portion of the project cost to get into their planning schedule for 2020. The funds must be released to allow OHM Advisors to begin the design portion of this project so that the City can have its information to them relevant to their planning schedule.

Mr. Jones asked if the proposed design could be uploaded to the website so that people could view it, including the traffic simulation. Public outreach question and answer meetings are required, and the City will work with OHM Advisors to get those meetings set up. The first piece is to get the actual project designed, and the concept will be laid out for the public.

Ms. Crawford pointed out that the traffic signal removal is required by ODOT, and is not a decision that the City made. Mr. White stated that the funding would be in jeopardy if the signal was not removed.

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

YEAS: Schaffter, Crawford, Jones, Hardy, Dike (5)
NAYS: None (0)

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

City Manager's Discussion

Mr. White went over items contained in his Management Report to Council on Friday, including the discussion at the Council Work Session relating to possible consolidation of sewer billing between the City of Huron and the Erie County Department of Environmental Services. The County is currently dependent on the City for collection of consumption readings at individual residences because there is only one meter pit. Therefore, based on the water consumed, the bill is generated for sewer. Working with Mr. Jones and having some conversations with the County, the County is having issues collecting roughly \$120,000 of unpaid sewer bills within the City's district. Because the County is reliant on the City for the consumption data, they don't have any mechanism to compel payment. There was an inquiry and subsequent discussion about potentially transferring some of that responsibility between the two agencies to allow for the City water crews to shut water off for nonpayment of a sewer bill, which would decrease the total receivables on the books of the County. In exchange for that service, there has been discussion to coordinate the billing process. It is important to note that the City and County remit 3,500 paper-based bills with redundant postage costs 16 different times during the year. That costs the City roughly \$27,000 per year. A transfer of the billing process from the City to the County would save on those costs. County personnel met with our staff and visited City Hall last week to streamline that process and that would have a number of beneficial impacts to the City in terms of operational coverage. We are pursuing that and he has put together a brief summary of that report. Staff's next step will be to meet with the County at their facility and talk about how to move forward. If Council is in agreement, the rollout would be in January of 2020. The redundancy would be eliminated and the billing cycle would continue to be quarterly. The County bills monthly, and there could be some additional labor costs with the shutoff notice. The Law Department has indicated that this arrangement isn't uncommon – there is an agreement in the Cleveland Area between the Division of Water and NEORSD for the same type of effort. Legislation adoptions by the City and County would be required, along with an agreement to allow us to operate in that manner. Mr. White stressed that it is a good project and will bring it back for Council's consideration. The billing operation consolidation would not only save the City approximately \$25,000 per year, but would also free up staff to contain costs in the terms of additional employees.

With regard to social media, there was a big push-back from the community relative to cancellation of the Festival of Lights at Sawmill Creek Resort with the recent acquisition by Cedar Fair and their planned construction schedule which would basically eliminate the project from realization in 2019, with hopes that it would be brought back after the construction is completed with the upgraded hotel rooms and some facilities. There was some outreach to the City asking if it could be done somewhere within the City. The possibility of using Fabens Park was discussed, but the infrastructure is not sufficient to provide the utilities required. The Chamber of Commerce has taken the lead in working with roughly a dozen local businesses and coordinating with Sawmill Creek on some of the materials that would be needed for placement throughout the City. The Executive Director sent out correspondence this afternoon seeing which businesses might be interested in participating, and we will keep you advised of the effort to rescue the Festival of Lights for placement along North Main Street in 2019. The Law Department has taken a look and there are some legal considerations to be addressed relative to the City's properties, most notably 508 North Main and anything along the City Hall or some of our parks installations along that corridor. Mr. White thanked the Chamber of Commerce for taking the lead, but at this point it is just a report with not much additional information.

Ms. Crawford spoke with the Executive Director today as well and has agreed to participate if there is a nonprofit that can use her corner, South Main included. Ms. Crawford stated that they are giving it a good try, and hopes there is a way to get it done. Mr. White stated that they would have to see what type of response are received from the businesses and if that's confirmed, then hours of operation would have to

be determined to take into consideration effects on traffic, to minimize impact on businesses, with a suggestion to run it on weekends (Friday, Saturday and Sunday) to be able to maintain some level of the benefit this year.

Mr. White recognized Mike Spafford and the Finance Director, Cory Swaisgood, regarding receipt of an acceptable audit from the State for 2018, which was difficult because Mr. Spafford was operating in the capacity of interim Finance Director, and then Mr. Swaisgood came in brand new in April to be able to streamline the operation. There was a lot of activity during those two transitions. That was a major milestone and a testament of the work product that Mr. Spafford stepped into and Mr. Swaisgood took over. Mr. Swaisgood also commended Mr. Spafford for the work he did last year stepping into that role and the two finance clerks that did a great job. It was a very favorable audit with two minor recommendations.

Mr. White reported that KS Associates is in the midst of its study at Nickel Plate Beach, and the City should have some recommendations near the end of November, with the second phase to begin going into the end of the year. The goal is to try to realize a better understanding of the physical nature of some of the effects at the beach under the water, the infrastructure that's in the water, the elevation of the lake level and what modifications could be made to further promote safety at the beach.

The City released a Request for Qualifications on Friday afternoon to the development community relative to the ConAgra site. That is online right now and is hopefully permeating the development community. This reflects the discussion we had with Council after the Liberty development was shuttered. It is an outreach to see what type of development interest we will be able to retain coming in, but ultimately, the City would like to continue to move along that direction. By the end of this year, we will be able to report back some of the interest we have received. We are still working with the Huron Joint Port Authority. Mr. White has been corresponding back and forth with Mr. Hoty regarding services the City would be able to provide, specifically, to the maintenance of the building, landscaping, snow maintenance removal. Mr. White has discussed the matter with staff, and the only legitimate item the City could provide would be bookkeeping and accounting. In terms of snow maintenance and landscaping, our Parks and Streets Departments are pretty well taxed, and the additional work would affect some of our municipal public operations. He advised Mr. Hoty of this, and is awaiting his response. Mr. White will reach out to his contact with the federal government on the USGS side later this week and get back to Council.

We are winding up the 2020 budget meetings. The next meeting is scheduled Monday, October 28, 2019. The presentation at the committee level is nearing completion, and expect to forward the budget on to Council at our next meeting, at which point the discussions will be summarized in a cover letter. We are well ahead of our targeted deadline to have that budget before Council of December 1, 2019. Mr. Swaisgood has done a good job in bringing in the whole budget apparatus, and had significant and meaningful discussions on the budget with all of our Department Heads and everyone worked really hard on that. Mr. White is looking forward to concluding that process with the Finance Committee and getting it before Council at the next meetings in November.

Staff requested executive sessions for consideration. Ms. Lane stated that both executive sessions are with respect to pending litigation. Mr. White stated that no additional action is anticipated after those executive sessions.

Mayor's Discussion

We received a very nice letter and thank you card from Jeanine Porter who is a member on the Board of Building and Zoning Appeals. Her husband, Richard, recently passed away in September, and the staff sent flowers to the funeral home.

With regard to the Festival of Lights issue, Mayor Hardy commended the staff for taking a look at that and working with the Chamber of Commerce and some of the local businesses to try to work something out. With the Festival of Lights being unceremoniously dropped in the lap of the City with everything else going on, it is a little bit frustrating that people think that this is something the City should just pick up the ball and run with. It is a Township activity held on private property by a private company.

With trick or treat happening next week, Mayor Hardy reminded everyone be careful with the kids running around. Mayor Hardy also reminded everyone to set their clocks back on Saturday, November 2, 2019, before the next meeting.

Mayor Hardy stated that while the City will be keeping its legal team together for the Law Director position, one member of the team, Aimee Lane, will be leaving us to pursue another opportunity with another firm. He wished Ms. Lane well, and congratulated her on her new job. Ms. Lane introduced Ben Chojnacki of Walter Haverfield, who will be working with the City and with Council.

For the Good of the Order

Mr. Shaffter, Ms. Crawford, Mr. Jones and Mr. Dike had no comments.

Motion by Ms. Crawford to go into executive session for the purpose of pending litigation.

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

YEAS: Crawford, Jones, Hardy, Dike, Schaffter (5)
NAYS: None (0)

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

Council moved into executive session at 6:57 p.m. Council came out of executive session at 7:14 p.m.

Motion by Rick Schaffter to go into executive session for the purpose of threatened litigation.


The Mayor asked if there was any further discussion. There being none, the Mayor directed the Law Director to call the roll on the motion. Members of the Council voted as follows:

YEAS: Schaffter, Crawford, Jones, Hardy, Dike (5)
NAYS: None (0)

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

Council moved into a second executive session at 7:14 p.m. Council came out of the second executive session at 7:36 p.m.

With no further business, the Mayor declared the regular meeting of October 22, 2019 adjourned at 7:36 p.m.


Terri S. Welkener, Clerk of Council