



Trey Hardy
Councilmember

Christine Crawford
Councilmember

Joe Dike
Councilmember

Sam Artino
Mayor

Monty Tapp
Vice-Mayor

Mark Claus
Councilmember

Joel Hagy
Councilmember

CITY COUNCIL — REGULAR COUNCIL MEETING

Tuesday, February 23, 2021 @ 6:30 PM

City Council Chambers

417 Main Street

Huron, Ohio 44839

LIVESTREAM MEETING INFO Pursuant to Resolution No. 2020-44 adopted by the Huron City Council on June 17, 2020, this regular meeting of Council will be conducted in person in Council Chambers at Huron City Hall and live-streamed on the City of Huron's YouTube channel. The public is free to access, observe and hear the discussions and deliberations of all members of City Council via the following link:

<https://www.youtube.com/channel/UCpRAV-AnmIA6lfukQzKakQg>

Please note that as all large public gatherings remain prohibited pursuant to Orders of the Ohio Department of Health and the federal government's coronavirus guidelines, participation in person is highly discouraged. All persons entering the building for the Council Meeting will be required to wear a face mask and subjected to a temperature screening prior to being granted entry.

A public comments section is included on the meeting agenda. Public participation is protected through submission of comments and questions to the Clerk of Council by phone (419-433-5000 ext. 104) or via e-mail (terri.welkener@huronohio.us) on or before 3:00pm on the day of the meeting of Council. Such comments or questions will be shared with all members of Council and the Clerk of Council will read aloud the name, address and subject matter of each submission. Full copies of comments and questions will be available at the office of the Clerk of Council and will be attached to the minutes for the subject meeting. *Anyone wishing to be heard during the meeting must make arrangements with the Clerk of Council by calling (phone: 419-433-5000, ext. 1102) or via e-mail (terri.welkener@huronohio.us) on or before 3:00pm on Tuesday, February 9, 2021. Such participation, unless otherwise authorized, must be by telephone. If anyone is unable to participate by phone for any reason, limited exceptions for personal attendance may be authorized.*

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

III.a Approval of minutes of Council/Planning Commission joint work session minutes of January 26, 2021

III.b Approval of minutes of the regular Council meeting of January 26, 2021.

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)

IV.a Email from Mikalyn Wasco regarding problems relating to transient rental properties.

V. Commendation

- V.a** Commendation from the Ohio Senate to the City of Huron on its Andrew L. Fabens Memorial Park receiving a 2021 Reader's Choice Award.

VI. Old Business

VII. New Business

VII.a Ordinance No. 2021-4

An ordinance authorizing the issuance and sale of not more than \$1,500,000 of bonds to pay the costs of constructing the new substation.

VII.b Ordinance No. 2021-5

An ordinance adopting a new Investment Policy for the City of Huron.

VII.c Ordinance No. 2021-6

On ordinance adopting a City-Wide Cash Handling Policy.

VII.d Resolution No. 11-2021

A resolution authorizing the City Manager to enter into an agreement with the Huron Baseball and Softball Program for the 2021 season.

VII.e Resolution No. 12-2021

A resolution authorizing an agreement with City Architecture for reviewing, advancing and overlaying recent planning initiatives for the City of Huron.

VII.f Resolution No. 13-2021

A resolution authorizing application for JobsOhio Roadwork Development (629) Funds for the Sawmill Parkway Project.

VII.g Resolution No. 14-2021

A resolution authorizing application for ODOT Jobs & Commerce grant funding to be used for the Sawmill Parkway Project.

VIII. Set Public Hearing

Motion to set public hearing on amendment of Chapter 1369 - Transient Rental Property for March 23, 2021 at 6:30pm.

IX. City Manager's Discussion

X. Mayor's Discussion

XI. For the Good of the Order

XII. Executive Session(s)

XIII. Adjournment

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council /Planning Commission
Joint Work Session
Tuesday, January 26, 2021 at 5:00 p.m.

On January 26, 2021 at 5:00pm, the joint work session of the City Council of the City of Huron, Ohio and the Huron Planning Commission was called to order by the Mayor.

The Mayor directed the Clerk to call the roll. The following members of Council answered present: **Christine Crawford, Mark Claus, Monty Tapp, Sam Artino, Joe Dike, Trey Hardy and Joel Hagy.**

Planning Commission Members in Attendance: **Mark Claus, Jim Hartley, Mark Cencer and Bob Howell.**

Staff in Attendance: City Manager Matt Lasko, Assistant to the City Manager Mike Spafford, Zoning Clerk Christine Gibboney, Law Director Todd Schrader, Assistant Law Director Gary Ebert, SSEG Associate Amelia Leonard and Executive Administrative Assistant/Clerk of Council Terri Welkener.

Old Business – Proposed Revisions to Chapter 1369

Mr. Schrader had several concepts that they would discuss. The primary thing they want to street is making the transient rental owner responsible for what happens at that property. The City doesn't want to be in the business of looking at leases, subleases, subtenants and trying to determine enforceability of documents and relationships between parties. Some of the references to tenants/subtenants/permanent occupants will be changed to put the onus of compliance on the owner. The proposed ordinance revisions are attached hereto and incorporated herein as Exhibit A.

Another issue relates to assignability. Once someone goes through the process to obtain their transient rental certificate and in that same year sells the property, he doesn't know that we want to go back and restart another inspection, another application, etc. That registration should be transferable to the next owner – that certificate lasts despite transfer of ownership.

Chapter 1369 begins with many definitions that they would cleanse to go along with making the property owner responsible and move to the back of the ordinance. If someone want to read the ordinance, they want to open it up and start reading what the rules are, not several pages of definitions. It is not user-friendly this way.

1369.03(b) allows homeowners associations chime in or the transient rental won't be approved if it is an activity that is prohibited by HOA covenants and restrictions. While the City won't be enforcing this section, the HOA's need this language for enforcement.

Section 1369.03 also need a start date for the revisions.

Section 1369.03(d) relates to revocation in the event one of those particular reasons comes to light. Subsection (3) regarding loss of ownership or control will be removed so that the ability to assign the registration remains.

Section 1369.03(f) probably exceed the scope of our discussion, and this may be for Phase 2 or Phase 3 of future generations of transient rentals. This relates to graduating the charges and maybe have a 1-year or a 3-year or a 5-year certificate, and adjusting the charges that way. Right now, we are still talking basics and getting our hands dirty on having the final set of rules, but it is something to think about in the future.

Section 1369.06 lists owner responsibilities, and after review SSEG thought they could take out subsection (b) the Owner will provide Transient Rental Guest with written notice of any known or obvious concealed condition. There are premises liability laws on the books, and he doesn't know that we want to get in a position of having the City enforce whether there is a pothole in the back yard and somebody broke an ankle. That's between the owner and their guest. Regarding the posting of Transient Rental Ordinance Rules and Regulations – they don't think the City should have to check houses for that and have that be part of the ordinance. The owner would know what's at stake if they don't advise their guests of the rules, parking and things of that nature. The onus is on the owner to see that there is compliance with this entire Chapter. We will still look at the parking plan and be sensitive to other concerns. Ms. Crawford asked if this could just be part of the inspection checklist – Mr. Schrader said it could.

In Section 1369.03(g) it states that the Owner shall procure and maintain general liability and premises liability insurance. You want to be specific as to what type of coverage should be in place, which is not atypical in a residential situation. Ms. Crawford again suggested that this might be part of the checklist so out of the get-go we know that it was there, and the reasonable and prudent person maintains it.

Regarding retention of records for tax and other purposes is something that needs to stay in.

SSEG believes Section 1369.06(j) relating to service of notice should be stricken. We have a street address for the owner of record and PPN, and if it's an LLC or a corporation, they have a statutory agent on file with the Secretary of State. One way or another, we will have an address for service. The law already provides for methods of service and how to track people down.

Section 1369.07 relating to transient guest's responsibilities should be stricken because the onus has been placed on that owner. If we want to modify this section to say the owner shall be responsible, that can be done, but they don't know that the City wants to be in the business of enforcing some of those items.

Section 1369.08 buries the maximum occupancy down in subsection (xi). If an owner is investing in transient rentals want to know the rules, they will want to know this up front. This should be moved up earlier in the ordinance so that it stands out. Zoning Inspector Katie Maloney has asked that this section also include a timeframe between the time of application and having the inspection completed to avoid any dilatory folks that make it more difficult to have the inspections done, which time period is to be determined. In addition, under item 3, there has to be two separate mean of ingress and egress, and Ms. Maloney is finding on some of the inspections that there is furniture, bed rails, etc. blocking those areas. The fix for that is to add "accessible" or "unimpeded" ingress and egress to give it more teeth. Items (c) and (d) relate to criminal charges, and those will stay in.

In Section 1369.10, the idea is to address change of ownership control in a way that permits the certificate to be transferable and assignable, be it required notice or something else. Mr. Claus suggested that the owner be required to provide notification of the transfer of ownership, as opposed to having the renew. We need to know who the new owner/agent is. Ms. Crawford said the crux of what we are trying to do is push the responsibility to the owner, but then we are saying if you sell it, it automatically transfers to the next guy, and we don't know who the next guy is. There has got to be some formality, such as reapplication and a penalty if that doesn't happen. Council members agreed that there should be some timeframe in the ordinance for notification. As currently written, that period is now 30 days.

Mr. Claus asked about Section 1369.09 – one of the things talked about previously is Section (c) there was some concern regarding nuisance calls and what is three calls. Mr. Schrader said that it is addressed in the definitions being proposed. "Call for Service" means any and all calls to law enforcement, fire and emergency assistance, dispatcher directives to residential premises – and that alleged evidence of criminal

activity, disturbance of the peace, etc. result in arrest, charge or citation or result in a finding of an eminent threat or safety of person.

Regarding being able to enforce forcing the hosting platforms to remove an ad, that section is enforceable.

Mr. Schrader said they are trying to make the ordinance more efficient, user-friendly and easy to read while maintaining protections for the City.

Mr. Claus asked about the information retained by the hosting platforms that is not shared with the owner. Ms. Leonard said that if they using the hosting platform, they will maintain that information – 1369.08(h)(3) under Records as long as that platform(s) is disclosed to the City on the application. There was some discussion among Council regarding the merits and concerns of moving the Definitions section to the end of the Chapter. Mr. Dike expressed concerns regarding enforcement of the regulations. Mr. Schrader said the Prosecutor has had input on this amendment and will continue to be involved to be sure that these rules can be enforced. Disturbing the peace, controlled substances, etc. will be handled through the police and general offense code.

Mayor Artino asked if the Planning Commission members had any comments. Mr. Howell said he lives near several transient rentals and he wouldn't call the police for what he considers to be minor issues such as noise after 10:00am. He said there have to be enough parking spaces. There is going to be a challenge controlling occupancy. We can put all the regulations we want in the ordinance, but the reality is that we might not have the manpower to enforce it. Mr. Howell said if we open up transient rentals on a large scale, we really run the risk of undermining the integrity of our residential neighborhoods. He believes it is crucial to determine where they are located and allowed to operate.

Mr. Cencer stated that he thought it was important to get this done sooner rather than later so that all of the necessary inspections can be completed prior to the upcoming rental season. Mayor Artino said at the end of the meeting they would determine when the three readings will start, scheduling of a public hearing, and other timing matters. Mr. Claus said that we currently have an ordinance in place, and we have 98 registered transient rentals at this time. There is a procedure in place where people are supposed to be registering, and that was all heavily advertised.

Ms. Leonard said the current ordinance states that your registration is effective immediately when you apply, and then you get the inspection. The change is that you don't get that certificate until you have the inspection and get approval from the zoning department. If it is being operated without being registered, it is an illegal operation and will be shut down. Mr. Tapp said we expect that there are more transient rentals than are registered. We are going to have to have input from neighborhoods or homeowners' associations that have a specific number that we can doublecheck and that gives us an idea of what percentage we declare for those overlay districts. Mr. Ebert said he would caution on the side of not a larger number of permits being issued to maintain the integrity and not wanting to upset the balance of peaceful enjoyment of residences. These are commercial operations in residential neighborhoods, which wouldn't be allowed otherwise. Mayor Artino said that we recognize that – we have a lot of concerns raised from citizens in the different neighborhoods.

Ms. Leonard explained that the purpose of the overlay districts is to allow the individuals who live in a certain neighborhood to have input as to what they want in their neighborhood, whether that be more restrictions or fewer restrictions. Mr. Howell said that parking is a big problem with some of the rentals with 10 cars in the lawn. Ms. Leonard said the building department can set the occupancy dependent on availability of parking. Mr. Howell said that you can set that limit, but on a Saturday night the enforcement is going to be tough. You are going to be frustrated trying to enforce them and then you are going to have constituents calling you. You limit that risk by limiting the number of permits issued.

Ms. Gibboney said Council is moving in the right direction. She checked Granicus just before the meeting and they have come close to registering every rental located by them (98 of 99). These are the rentals that can be proven (have an active ad posted).

Overlay Districts

The overlays are used to put in whatever limits are in the proposed alternative text in 1369.04. This is a placeholder until we figure out what sorts of limits Council may wish to impose. For example, if the decision was to have three different types of overlays, within those three you could have a percentage of the total number of properties can be transient rental (2%, 5%, 8%, etc.) tailored to the various neighborhoods. As currently drafted, we would allow neighborhoods to petition Council for more or fewer restrictions. Any change would go through the zoning and Council approval process. In a nutshell, the purpose of the overlay zone is to allow categories – for example, you could have an R-1C district (with the C being the overlay) having specific rules relating only to that particular district. The suggested overlay ordinance language is attached and incorporated herein as part of the minutes as Exhibit B.

Mr. Tapp asked if the number of rentals could be set lower than presently exists in a certain neighborhood even if a larger number is grandfathered in. Ms. Leonard answered in the affirmative, saying that the number of rental units could be eventually lowered through attrition (existing units fail to keep registration current or registration is revoked for any reason). This could happen on change of ownership, too, if the new owner fails to register the property within 30 days of title transfer. Mr. Lasko said that we now have at least 100 units that will be grandfathered in, which will create the baseline. If that is the maximum number Council decides on, the only time we would see an increase in that number is if Neighborhood A petitions the City for creation of an overlay district with density and parking allowances. There would be no additional registrations unless they would be part of some overlay district. Mr. Hagy asked about those neighborhoods having homeowners' associations that do not allow transient rentals – how is it handled when that neighborhood is in an overlay district that allows 5 units. Ms. Leonard said the ordinance says that they have to comply with all rules, which includes with the rules of the homeowners' association. The homeowners' association would not have to petition the City because the HOA supersedes the ordinance. Mayor Artino said that we are going to reach out to those homeowners' associations after tonight to start getting some input. If the homeowners' association is saying zero, why would we have an overlay there? Mr. Howell said that it may be necessary to have the overlay in place in case the homeowners' association fails to exist.

Mr. Claus asked if Council puts the overlay ordinance in place, would it have to be used? Ms. Leonard said it would not have to be used until needed, and the overlay district could be applied to one street, one neighborhood, or several neighborhoods. Mr. Claus asked how the total number of transient rentals would be limited in a way other than just saying a total of 200 units. Mr. Schrader says if the overlay can be applied to all or only certain areas. Some of those areas may or may not have HOA's. The ones that have HOA's, they are out of business because of deed restrictions – it doesn't matter what we pass – those deed restrictions are going to control if they say no transient rentals. There is some merit in passing it, however, if those HOA's ever change or there are houses in those areas that are not within the province of the HOA, they still have to abide by the overlay and you set the City up for the future. Mr. Claus said that he assumed overlay districts would be established based on what staff and Council thinks they should be, and then if the neighborhoods want to modify their overlay district or create a smaller one differently than what we establish, then they could petition to do that. Mr. Claus said that he through Ms. Leonard said that there wouldn't be any overlays until someone petitions for one. Ms. Leonard said Council can establish an overlay district wherever they want to at any time – this just gives a mechanism for neighborhoods if they want to have different restrictions than the City has put in place. This way, one person can't request a change, it has to be whatever percental Council decides is appropriate for the petition process. Mayor Artino suggested it would be simpler to not have an overlay until a homeowners' association comes to Council. Mr. Lasko said

that could work with the cap number in place (say 100 total transient units). If a collection of streets/houses/property owners the only way the 100 number changes is if Council or a neighborhood petitions the City to up a particular percentage in their neighborhood. Ms. Leonard said that is true if Council decides to impose a city-wide limit. Mayor Artino said we should simplify this as much as possible, because he is starting to hear different things. Ms. Leonard said the City can set a maximum number of units. Where the overlay district comes into play is what percentage of those total allowed units can be located in one neighborhood. The biggest plus of having an overlay is to tailor the other rules and regulations, such as parking and overall density. Even if the City has a maximum of 200 units, the overlay could make that cap even more restrictive based on limits set in those overlays.

Mr. Lasko referred to the ArcGIS WebMap included in Council's packet, a copy of which is attached hereto as Exhibit "C" and made a part hereof by reference. This map shows where registered units are located. In Rye Beach, their 36 registered units would continue assuming they stay in compliance. However, Council or the Rye Beach neighborhood could create an overlay district setting that number at 30. In that case, there would continue to be 36 units until that number trickles down through attrition. Alternatively, they could set that number at 50 and 14 additional registrations would be allowed in that neighborhood. Regardless of the number/percentage of units allowed in any particular overlay district, the overall cap on units would still apply.

Mr. Hagy said there is disparity in percentages of transient rentals between neighborhoods. If we start putting overlays on Rye Beach and it's at 30-35%, and Old Homestead is at 10%, your transient rental haters are going to hate you in Rye Beach and probably hate you in Old Homestead, too. We already have 36 units in Rye Beach. Mr. Schrader says it sounds like the City may prefer to have a stated number per area and not allow them to petition to change it. A petition is just a petition, it doesn't mean that they are automatically granted – Council has the ultimate say. Mr. Hagy said that he is concerned about the residents that will complain because of the limit on transient rentals in Rye Beach forced a property owner to set one up in his/her neighborhood instead.

Mr. Schrader said the legitimate interest is to maintain property values. Mr. Hagy said they should let the market dictate where the transient rentals are going to go and you just don't go over that limit. Mr. Claus said a legitimate argument by some of the transient rental owners in Rye Beach is that they purchase these properties and fix them up and increase the property values of the houses they purchased, as well as their neighbor's houses. There are some places in the City where there was improvement in property value because of them cosmetically improving those properties. They did it for a transient rental, which the neighbor may not like because there are different people there, but they still increased the property's value. Mr. Claus asked Mr. Lasko if Sandusky did anything regarding location of transient rentals. Mr. Lasko said Sandusky said transient rentals are allowed as a right in certain zoning districts, for example downtown. Other than that, residential areas must have zoning overlays to allow that use in that collection of properties. Mr. Lasko said the solution may be to set a cap, but he knows one of the concerns was that if you set the cap at 150, those next 50 could all go to Rye Beach. We would be exacerbating an already major issue with parking. He is not saying just setting a number isn't worthy of exploration, but he thinks we want to be very sensitive to conditions that exist in neighborhoods such as density of housing stock, available parking as it exists, etc. He would caution about just setting a limit without trying to balance and control where those units go. An overlay district may be imperfect, but it is a way in which we can set a limit. Just because a neighborhood petitions for a change doesn't mean it will be approved – it is a way to try to create some control. The advantage to the overlay is its customizability on some level. Mayor Artino said that he agrees with Mr. Lasko – the whole reason we are here is because of safety issues brought up to us that include parking, lot sizes, etc. On some of these streets, you can't get a car down there now, let alone emergency equipment. We need an overlay in specific areas and we also need a cap for the whole City. Mr. Claus said the parking situation is really only addressed if there is an overlay in place. Ms. Leonard said that is right. Initially, the ordinance revisions included a requirement that each unit have two parking spots per lot. There

was a lot of feedback that that may work for some neighborhoods, but not for others. The idea was to have these overlays to allow you to customize what is necessary for a neighborhood. Ms. Crawford said we talked about pushing so much responsibility on the owners – this is the individual homeowners’ association to have a say. We really need to street to the associations that we need their input on how they want to handle this in their neighborhood. They can control the number in their by-laws. Our theme is to make the owners more responsible; let’s let the owners have a say, which can help define our overlay districts. Some of those neighborhoods may already have an idea of what works and doesn’t work for their neighborhood. Ms. Leonard said we could get their input and use that as a basis of what to impose up on a neighborhood as opposed to just setting a number. Ms. Leonard said the homeowners’ associations can change their by-laws much faster than the City can change their ordinances. Mayor Artino said if there is no association in a neighborhood, Council could set that. Ms. Leonard said Council has ultimate authority, so you don’t have to agree with any request.

Mr. Tapp said we are not going to be able to get rid of transient rentals, nor do we necessarily want to, but those are the numbers that we need to find out. Ms. Leonard said if they are not registered, it is an illegal use of property and can’t be grandfathered. If you are not registered, it is not a legal use of the property and can be shut down regardless of the total number of units in the City. Ms. Leonard confirmed that the overlay district(s) and a city-wide cap can work together. The enacting legislation would be required to create the overlay zones, and gives the City the ability to further regulate.

Mayor Artino said we are obviously not ready to get this close to legislation. The committee with Mr. Hagy, Mr. Tapp and Mr. Claus, staff and the Planning Commission should meet to tweak this and get it where we need it – we are just going back and forth right now. We should also get come input from the associations. He was hoping to set up some dates where we could have legislation in front of us, but he is not going to bother with that right now – they are that far apart in his opinion. Mayor asked that they try to make this simple so that he can understand it. Ms. Crawford said that getting input from the associations would be helpful. Mr. Claus said we are going to get input from the board members or the president of the board who gets the e-mail – he’s not saying that’s bad but it’s hard for them to get a collective voice. Some will be better than others on communicating. Ms. Leonard said that is the person the association has elected to represent them, so we must rely on that information. We wouldn’t be able to get input from those neighborhoods that don’t have homeowners’ associations. We are going to have a public hearing at one of our meetings, and we will get input from there. The next step is the committee getting back together to work with Matt and the staff to further this. He isn’t even going to go into setting up a date for legislation.

Motion by Mr. Tapp to adjourn the work session. All in favor, none opposed.

The work session ended at 6:16pm.

Terri S. Welkener, Clerk of Council

Adopted: _____

Upon approval by the City Council, the official written summary of the meeting minutes will become a permanent record, and the official minutes shall also consist of a permanent audio recording, excluding executive sessions, in accordance with Section 121.01(III) of the Administrative Code.

CHAPTER 1369
Transient Rental Property

1369.01 Definitions.	1369.08 Inspections.
1369.02 Purpose.	1369.09 Nuisance.
1369.03 Rental License/Certificate of Occupancy.	1369.10 Change of Ownership or Control.
1369.04 Limitations on Transient Rental Properties	1369.11 Hosting Platforms
1369.05 Fees.	1369.12 Hearing and Appeals.
1369.06 Operator Responsibilities.	1369.13 Severability.
1369.07 Transient Guest Responsibilities.	1369.14 Enforcement
	1369.99 Penalty; legal action.

CROSS REFERENCES

Building standards - see BLDG. Title 13
 Condemnation proceedings - see BLDG. Ch. 1357
 Hearing and Appeal - see ZONING. Ch. 1139
 Planning and zoning - see ZONING Ch. 1133
 Removal of unsafe buildings - see BLDG. Ch. 1358
 Taxation - see ADMIN. Ch. 189

1369.01 DEFINITIONS.

As used in this chapter:

- (a) "Authorized Representative" means any individual, person, firm, partnership, corporation or company, other than an Owner or Permanent Occupant, acting on behalf of an Operator of a Transient Rental Property responsible for ensuring compliance with all provisions of this Chapter.
 - (1) For purposes of this Chapter, an Authorized Representative acting on behalf of the Operator shall have the same legal force and effect as if such acts were taken by the Operator.
 - (2) No Operator shall be absolved of individual liability solely on the basis that acts were taken by an Authorized Representative and not the Operator.
 - (3) For purposes of this Chapter, an Authorized Representative must be able to travel to the Transient Rental Property within thirty (30) minutes of being notified by any law enforcement or public health or safety agency having jurisdiction thereof of an issue affecting the health, safety, or welfare of any person or property arising as a result of use of the Residential Premises as Transient Rental Property.

- (b) “Applicant” means the Operator submitting an application for registering a Dwelling for use as a Transient Rental Property.
- (c) “Application” means the submission of all information required by this Chapter and payment of the required registration fee for registering a Dwelling or Residential Premises as Transient Rental Property.
- (d) “Calls for Service” means any and all calls, including but not limited to those to law enforcement, fire department, or emergency assistance of any kind when those calls result in a representative of a law enforcement agency, a fire department, or another emergency assistance service being dispatched or directed to the Residential Premises and;
 - (1) allege evidence of criminal activity, including but not limited disturbance of the peace that result in an arrest, charge or citation of persons occupying or on the premises of a Transient Rental Property; or
 - (2) result in a finding of an imminent threat to safety of person(s) or property as a result of activities occurring on a Transient Rental Property.
- (e) “Department” shall mean and refer to the Building and Zoning Department of the City of Huron.
- (f) "Dwelling" means any building, structure, or the part of a building or structure that is used or intended to be used as a home, residence, or sleeping place by one (1) or more persons.
- (g) “Hosting Platform” means any person or entity in any form, format, or media that, in exchange for a fee, assists, facilitates, or provides a means through which an Operator may offer Residential Premises as Transient Rental Property and through which a Transient Guest can arrange use of a Transient Rental Property, whether the payment for the use of the Transient Rental Property is directly to the Operator or to the Hosting Platform.
- (h) “Inspection Report” means the report issued by the Department containing the results of the Life Safety Inspection.
- (i) “Lessee” means an individual or entity, other than an Owner or Permanent Occupant, who has a possessory interest in real property under a lease with an Owner or Permanent Occupant.
- (j) "Life Safety Inspection" means that inspection performed by the Department prior to issuing or renewing a Transient Occupancy Registration Certificate.
- (k) “Operator” means any person who owns, possesses, or controls a Residential Premises, as an Owner, Lessee, or Permanent Occupant, and offers, advertises, leases, or uses such Residential Premises as Transient Rental Property. If the Operator is a Lessee or Permanent Occupant and not an Owner, the following applies:
 - (1) The Lessee or Permanent Occupant must maintain written evidence of the legal right to sublease the Residential Premises for use as a Transient Rental Property or the express written consent from the Owner to use the Residential Premises as a Transient Rental Property.
 - (2) Both the Owner and Lessee or Permanent Occupant are jointly and severally liable for compliance with this Chapter.
- (l) “Owner” means an individual, corporation, firm, partnership, association, organization, or any other person or entity (jointly or in combination) who has legal title to a Dwelling. For purpose of this Chapter, an Owner includes anyone

possessing a fee simple interest, an estate for life or for years, in the Dwelling or Residential Premises including through a trust instrument or other conveyance of real property, or otherwise entitled to have title to real property registered in accordance with Sections 5309.05 or 5309.42 of the Ohio Revised Code.

- (m) "Parking Plan" means the identification of all places within a Transient Rental Property where Transient Guests of that Transient Rental Property may park a Vehicle in accordance with Chapter 1133 of the Codified Ordinances.
- (n) "Permanent Occupant" means one or more individuals who resides in a Dwelling as a Primary Residence more than 75% of the time during a calendar year pursuant to a Rental Agreement, or other legal arrangement with an Owner, including a leasehold, life estate, estate for years or other interest less than fee simple.
- (o) "Primary Residence" means a Dwelling which is the usual place of occupancy for an Owner or Permanent Occupant as documented by at least two of the following:
 - (1) motor vehicle registration;
 - (2) driver's license;
 - (3) tax documents (including 1099 or W-2);
 - (4) lease agreement with an Owner or Authorized Representative;
 - (5) utility bill.
- (p) An Owner or Permanent Occupant, including anyone with whom they reside, may have only one Primary Residence within the City of Huron.
- (q) "Renewal Transient Rental Certificate" means the Transient Occupancy Registration Certificate issued to a Residential Premises that was previously identified as a Transient Rental Property if the Application is approved prior to the date of expiration identified on the Transient Occupancy Registration Certificate and/or within thirty (30) days of a change in ownership or control of the Transient Rental Property, whichever occurs first.
- (r) "Rental Agreement" means any agreement or lease, written or oral, which establishes or modifies the terms, conditions, rules, or any other provisions concerning the use and occupancy of a Dwelling.
- (s) "Rental Period" means any period of time a Transient Rental Property is used or leased by a Transient Rental Guest.
- (t) "Residential Premises" means a Dwelling and any adjacent or attached structures, grounds, areas, and facilities for the use of occupants generally or the use of which is promised an occupant, including Transient Guests.
- (u) "Transient Guests" means persons, who in exchange for money or other financial compensation, occupy a room or rooms, Dwelling Unit, Residential Premises or other property used for sleeping accommodations for less than 30 consecutive days.
- (v) "Transient Occupancy Registration Certificate" means the license issued with respect to a Transient Rental Property evidencing compliance with the requirements of this Chapter.
- (w) "Transient Rental Property" means any Residential Premises, or part thereof, being utilized or otherwise made available to a Transient Guest within the City, if such Residential Premises is used by or made available to a Transient Guest for a period in excess of a combined period of thirty (30) days in any calendar year. "Transient Rental Property" does not include any Residential Premises which is the Primary Residence of the Owner or Permanent Occupant if such Residential Premises is not occupied or made available to a Transient Guest in excess of a combined period of

thirty (30) days in a calendar year. For purposes of this chapter, each separate Dwelling Unit is a separate Transient Rental Property.

1369.02 PURPOSE.

The purpose and intent of this Chapter is to regulate the peace, health, safety, and wellness of the public, including the Owners, Transient Guests, and neighboring property owners or occupants of any Transient Rental Property; to ensure the continued vibrancy, character, and charm of the City of Huron as a community; to protect and preserve the quality, character, and tranquility of residential neighborhoods; to protect property values, and to preserve the availability of affordable housing stock for permanent residents of the City of Huron.

1369.03 TRANSIENT OCCUPANCY REGISTRATION CERTIFICATE.

- (a) Required. Effective January 1, 2020, there is hereby created a Transient Rental Property Registration System for the City of Huron that requires an Owner or Permanent Occupant of Transient Rental Property to register with the City on an annual basis each and every individual Transient Rental Property in the City.
 - (1) Beginning January 1, 2021, every Transient Rental Property must be issued a Transient Occupancy Registration Certificate before being used, advertised, promoted, offered, listed with a Hosting Platform, or otherwise made available for use as Transient Rental Property. It shall be prima facie evidence of use as a Transient Rental Property if a Transient Guest is found to be occupying a Dwelling or Residential Premises or the Dwelling or Residential Premises are advertised on a Hosting Platform.
 - (2) All Transient Rental Property must be in full compliance at all times with all applicable provisions of the Codified Ordinances of the City of Huron.
- (b) Display of Certificate. Each Transient Rental Property must display the Transient Occupancy Registration Certificate in a location that can be easily observed from public streets or sidewalks.
 - (1) No Transient Rental Property shall display a Transient Registration Certificate that has expired or been suspended, revoked, denied, or defaced.
 - (2) No person shall make a Transient Rental Property available for use by Transient Guests if such Transient Rental Property is in violation of any applicable provision of the City of Huron's health code, building code, zoning regulations, or any covenant, condition, or restriction enacted in accordance with Chapter 5312 of the Ohio Revised Code, if applicable.
 - (3) No person shall allow a Transient Rental Property to be listed or advertised for rent to Transient Guests if the Transient Occupancy Registration Certificate has been suspended, revoked, or denied.
 - (4) No person shall remove, deface, or fail to display a Transient Occupancy Registration Certificate while the Residential Premises is being used, advertised, promoted, or available as a Transient Rental Property.
- (c) Issuance.
 - (1) The initial Application for a Transient Occupancy Registration Certificate required by the provisions of this Chapter shall be made by an Owner or Permanent Occupant by supplying the information required on the forms supplied by the Department and/or the Administrator and agreeing to comply with all requirements of this Chapter.

- (2) Any subsequent Renewal Application may be submitted by the Operator to whom the Transient Occupancy Registration Certificate was issued or an Authorized Representative registered with the City as engaged to represent the Operator for purposes of this Chapter.
- (3) A Transient Occupancy Registration Certificate shall not be issued to an Operator unless one of the following applies:
 - i. the Operator is the Owner or Permanent Occupant of the Dwelling or Residential Premises with a principal place of business or Primary Residence located within a thirty (30) minute drive of the Transient Rental Property; or
 - ii. the Operator maintains an Authorized Representative who resides or has a principal place of business located within a thirty (30) minute drive of the Transient Rental Property.
- (4) Upon submission of the Application, the Department shall schedule a Life Safety Inspection, in accordance with Section **1369.08** of these Codified Ordinances, of the Residential Premises prior to issuance of a Transient Occupancy Registration Certificate or a Renewal Transient Rental Certificate.
- (5) No Transient Occupancy Registration Certificate shall be issued or renewed until the Department completes a Life Safety Inspection of the Residential Premises and determines that the Residential Premises complies with all applicable health, building, and safety codes and the requirements of this Chapter.
- (6) After the Life Safety Inspection is completed and the Residential Premises is found to be in full compliance with all applicable building, health, and safety codes, the Department shall issue or renew a Transient Occupancy Registration Certificate for such Residential Premises which shall contain the following information:
 - i. the name, email address, and telephone number of the Operator or Authorized Representative responsible for maintenance of the Transient Rental Property and ensuring compliance with this Chapter;
 - ii. the address of the subject Transient Rental Property;
 - iii. the expiration date of the Transient Occupancy Registration Certificate; and
 - iv. the maximum occupancy of the Transient Rental Property.
- (7) Upon obtaining a Transient Rental Certificate, the Operator agrees to comply with the provisions of this Chapter.
- (d) Revocation. The Department shall have the power to revoke a Transient Rental Certificate for any of the following:
 - (1) the Operator or Authorized Representative provided any material misrepresentation of fact on the Application in connection with the issuance of such certificate;
 - (2) the Transient Occupancy Registration Certificate is not renewed on or before the date of its expiration;
 - (3) change in ownership or control of Transient Rental Property;
 - (4) noncompliance with the requirements of this Chapter;

- (5) failure to correct any deficiency identified in the Inspection Report within thirty (30) days of the date the Inspection Report was issued;
- (6) failure to collect and remit taxes required by Chapter 189 of the Codified Ordinances;
- (7) upon a determination by a Court of competent jurisdiction that the Transient Rental Property has become a nuisance as further defined in Section **1369.09** of the Codified Ordinances.
- (e) No Assignment. A Transient Occupancy Registration Certificate may not be sold, transferred or assigned. All transfers of ownership or control of a Transient Rental Property must be in compliance with Section **1369.10** of the Codified Ordinances.
- (f) Term. A Transient Occupancy Registration Certificate issued pursuant to this chapter shall be valid for twelve (12) months from the application date or until revoked in accordance with **1369.03(d)** of the Codified Ordinance. Applications will be accepted on a rolling basis.

1369.04 LIMITATIONS ON TRANSIENT RENTAL PROPERTIES.

Beginning on January 1, 2021, there shall be a maximum of two hundred (200) Transient Occupancy Registration Certificates issued for Transient Rental Property located within the City at any one time, provided that no Application for a Renewal Transient Rental Certificate will be denied solely on the basis that approving the Application will cause the maximum number of Transient Occupancy Registration Certificates to be exceeded.

ALTERNATIVE TEXT: Beginning on January 1, 2021, there here shall be a maximum number of Transient Occupancy Registration Certificates issued for Transient Rental Property located within the City at any one time, provided that no Application for a Renewal Transient Rental Certificate will be denied solely on the basis that approving the Application will cause the maximum number of Transient Occupancy Registration Certificates to be exceeded.

- (a) The Department shall not accept any Applications for registration of a new Transient Rental Property nor issue a new Transient Occupancy Registration Certificate if the number of existing Transient Rental Properties in a Zoning District, as defined in Chapter 1121 of the Codified Ordinances, meets or exceeds the following number of authorized Transient Rental Properties:
 - (1) B-1 Neighborhood Business: _____
 - (2) B-2 Downtown Business: _____
 - (3) B-3 General Business: _____
 - (4) I-1 Light Industrial: _____
 - (5) I-2 General Industrial: _____
 - (6) R-1 One Family Residential: _____
 - (7) R-1-A One Family Residential: _____
 - (8) R-2 One and Two Family Residential: _____
 - (9) R-3 Multi-Family Residential: _____
- (b) Applications accepted for an available Transient Occupancy Registration Certificate are on a first come bases. The Department will not accept reservations or maintain a waiting list.
- (c) Applications for a Renewal Transient Rental Certificate shall continue to be accepted and Renewal Transient Rental Certificates issued in accordance with Section **1369.03** provided that the Application for a Renewal Transient Rental

Certificate is submitted to the Department before the expiration of the existing Transient Rental Certificate.

- (d) No Transient Rental Property which had a Transient Rental Certificate revoked under Sections **1369.03**(d)(5)-(7) shall be eligible for issuance of a Transient Rental Certificate for a period of two (2) years after revocation unless a change in ownership or control of the Residential Premises has occurred as demonstrated by sufficient evidence to the Department.

1369.05 FEES.

All fees set forth in this Chapter shall be established by the Department and the Administrator subject to approval and adoption by City Council in accordance with Article III of the City's Charter and the Codified Ordinances. The effective date of any changes to such fees shall be in accordance with Section 3.06 of the Charter unless a different date is set forth in the adopting Ordinance.

1369.06 OPERATOR RESPONSIBILITIES.

In addition to general requirements that all Transient Rental Property be in full compliance with all applicable laws, statutes, regulations, and ordinances, the following additional responsibilities are applicable to an Operator of Transient Rental Property:

- (a) The Operator of every Transient Rental Property shall be responsible for the maintenance thereof in good repair and in a safe and sanitary condition in compliance with the applicable requirements of Title 13 of the Codified Ordinances and the requirements established by the City administratively.
- (b) The Operator shall provide Transient Guests with written notice of any known, non-obvious, or concealed condition, whether natural or artificial, which may present a danger to the life, health, or safety of persons occupying the Residential Premises as a Transient Guest.
- (c) The Operator shall post in a conspicuous place within the Transient Rental Property all Ordinances, Rules, or Regulations concerning noise, light, animals, and parking as are applicable to the Residential Premises.
- (d) The Operator shall designate off-street parking for the use of all Vehicles brought to the Transient Rental Property by Transient Guests in accordance with Chapter 1133 of the Codified Ordinances.
- (e) At all times Transient Guests are present on the Transient Rental Property, the Operator or Authorized Representative shall be able to be physically present at the Transient Rental Property within thirty (30) minutes of any notification by a member of Law Enforcement or the Fire Department of a Service Call to the Transient Rental Property.
- (f) The Operator shall not maintain the Transient Rental Property in a manner that constitutes a public nuisance or permit criminal activity to occur upon the premises.
- (g) The Operator shall procure and maintain liability insurance for the Transient Rental Property, which shall meet all of the following requirements:
 - (1) Provide coverage of not less than three hundred thousand dollars (\$300,000) and issued by an insurance company that is admitted to conduct business in the state of Ohio or by an eligible surplus lines company or risk retention group.
 - (2) Provide notice of cancelation of insurance to the Department at least ten (10) days prior to cancelation.

A failure to maintain insurance required by this section shall result in a revocation of the Transient Occupancy Registration Certificate.

(h) Records.

- (1) The Operator or Authorized Representative shall maintain a registry of Transient Guests for a period of at least three (3) years from the date such Transient Guests occupied the Transient Rental Property which shall include the following:
 - i. The name and address of the person or persons who entered into the Rental Agreement for use of the Transient Rental Property;
 - ii. The date(s) each such Transient Guest had use or occupancy of the Transient Rental Property;
 - iii. The number of persons who were scheduled to stay for the night of the Rental Period; and
 - iv. The rate charged per each Rental Period.
 - (2) The Operator or Authorized Representative shall provide within a reasonable time the records required by this section upon request by a member of law enforcement, the Department, or in accordance with any lawful order issued by a Court or Tribunal having jurisdiction thereof.
 - (3) The Operator or Authorized Representative shall be deemed to comply with this provision if such records are kept and maintained by a Hosting Platform which is identified and disclosed to the City on the Application or any Renewal Application.
- (i) No Operator shall lease a Transient Rental Property to a Transient Guest if the Transient Guest's use of the Transient Rental Property would violate Section 2950.034 of the Ohio Revised Code.
- (j) No Operator shall fail to maintain within with the Department the name and physical address of a person or entity, located within the State of Ohio, who is authorized to receive and accept service, on behalf of the Operator, of any written notice, report, or process required by this Chapter, by the Ohio Revised Code, or issued from a court of competent jurisdiction. For purposes of this section,
- (1) the authorized person or entity may be the Operator or the Authorized Representative, whose identity and address shall be provided to the Department and updated as necessary to keep current at all times; and
 - (2) service upon such person or entity in accordance with the Civil Rules or the Ohio Revised Code as constituting valid legal service shall be deemed service upon the Operator for all purposes of this Chapter.

1369.07 TRANSIENT GUEST RESPONSIBILITIES.

- (a) Transient Guests of a Transient Rental Property shall be responsible for maintaining in a safe and sanitary condition that part of the Transient Rental Property which he or she occupies and controls during the Rental Term.
- (b) Transient Guests of occupant shall be responsible for maintaining in a safe condition all Vehicles, equipment, and appliances which he or she owns and brings onto the Transient Rental Property.
- (c) Transient Guests shall comply with all applicable Ordinances, Rules, and Regulations pertaining to the Transient Rental Property including those concerning noise, light, animals, or parking.

- (d) Transient Guests shall not conduct or allow any illegal activity upon the premises or make use of the Transient Rental Property in violation of the Codified Ordinances or the Ohio Revised Code.
- (e) No Transient Guest shall leave a Vehicle overnight anywhere other than the parking area designated by the Operator and in accordance with Chapter 1133 of the Codified Ordinances. Vehicles parked in violation of this provision are subject to being ticketed or towed.

1369.08 INSPECTIONS.

- (a) License Issuance and Renewal Inspections:
 - (1) Prior to issuing a new or renewal Transient Occupancy Registration Certificate, the Department shall conduct a Life Safety Inspection of the Dwelling or Residential Premises that consists of the following:
 - i. Inspection of all electrical receptacles;
 - ii. Check for and test smoke detectors and carbon monoxide detectors;
 - iii. Check for improper wiring;
 - iv. Check electrical panel for proper cover and breaker/fuse labels;
 - v. Check all light fixtures at all stairways and exterior doors;
 - vi. Check furnace and water heaters;
 - vii. Check for leaking water, gas and waste lines;
 - viii. Check for removal of all refuse, garbage and debris;
 - ix. Check for building code compliance, including necessary handrails;
 - x. Check for presence of accessible dry chemical fire extinguishers of a minimum 5-lb. ABC class;
 - xi. Determine maximum occupancy for overnight Transient Guests which shall be limited to:
 - 1. three (3) persons per Residential Premises plus
 - 2. the lesser of two (2) persons per bedroom or per 100 square feet of bedroom space.
 - 3. All areas of a Residential Premises designated as bedroom space shall be used predominantly for sleeping, have a minimum of one or more beds of a size and number equal to the expected occupants, and two (2) separate means of ingress and egress.
 - (2) In conjunction with completing a Life Safety Inspection, the Department shall also review the Operator's parking plan to determine compliance with Chapter 1133 of the Codified Ordinances.
 - (3) Upon completion of a Life Safety Inspection, an Inspection Report shall be issued to the Operator of the Transient Rental Property within fourteen (14) days.
 - (4) The Department shall maintain a copy of the Life Safety Inspection Report for each Transient Rental Property for a period of three (3) years. Copies of all reports of Life Safety Inspections shall be made available to the public in accordance with § 149.43 of the Ohio Revised Code.
- (b) Violations enumerated in the Inspection Report shall be abated by the Operator of the Transient Rental Property within thirty (30) days from the date of the Inspection Report. A reinspection shall be required to verify that the violations have been corrected. The Operator of the Transient Rental Property shall contact the

Department to schedule the required reinspection which shall occur within forty-five (45) days from the date the Inspection Report is issued. A reinspection fee set in accordance with Section **1369.05** shall be paid at the time a reinspection is scheduled.

- (c) Failure to correct any violations contained within the Inspection Report within thirty (30) days from the date of the Inspection Report shall constitute a violation of this chapter and may result in the revocation of the Transient Occupancy Registration Certificate and or criminal charges in accordance with Section **1369.14**.
- (d) Failure to permit a reinspection of the Transient Rental Property within forty-five (45) days of the date of the Inspection Report shall constitute a violation of this chapter and may result in the revocation of the Transient Occupancy Registration Certificate and or criminal charges in accordance with Section **1369.14**.
- (e) Upon display of the proper credentials, any member of the Department, Law Enforcement, Fire Department, or Public Health Official shall be permitted to inspect the Transient Rental Property to ensure compliance with this Chapter.
 - (1) In the event access to Transient Rental Property is refused, an officer or employee of the entity requesting to inspect the Transient Rental Property may, with the assistance of the Law Director, obtain an administrative warrant from a court of competent jurisdiction in order to gain access to the property.
 - (2) In the event an administrative warrant cannot be obtained, then the inspection shall include only those items which can be inspected by lawful means. This chapter shall not be construed to require an Operator, Authorized Representative, or occupant to consent to a warrantless inspection of private property.
 - (3) A repeated failure to permit inspection may be cause for revocation of the Transient Occupancy Registration Certificate.

1369.09 NUISANCE.

The operation of Transient Rental Property may be found to constitute a public nuisance upon a determination by the Department or a court of competent jurisdiction that any of the following apply:

- (a) The Transient Rental Property has been the site of a repeated criminal activity involving prostitution, felony drug possession, gang activity, or acts of violence as such terms are defined in Chapter 29 of the Ohio Revised Code.
- (b) The Transient Rental Property is a nuisance as that is defined under Section 3767.01 of the Ohio Revised Code.
- (c) The Transient Rental Property has had in excess of three (3) Calls for Service within any consecutive twelve (12) month period.
- (d) The Transient Rental Property has a documented history of repeated conduct that endangers neighborhood safety.

1369.10 CHANGE OF OWNERSHIP, OR CONTROL.

- (a) Any person selling or otherwise relinquishing ownership or control of a Transient Rental Property, including an Authorized Representative or Operator, shall immediately notify the Department of the effective date of the change in ownership or control.

- (b) The notice required by this section shall be in writing and shall include the following information:
 - (1) the name, address, email address, and telephone number of the new Authorized Representative or Operator;
 - (2) the name, address, email address and telephone number of the previous Authorized Representative or Operator;
 - (3) the person or entity maintaining the records required to be maintained by Section **1369.06(h)**
 - (4) the effective date of such change in ownership or control.
- (c) If the notice provided herein pertains to a change in ownership, then as of thirty (30) days after the effective date thereof, the Transient Occupancy Registration Certificate shall be revoked and a Renewal Transient Rental Certificate obtained before the Residential Premises may be used as a Transient Rental Property.
- (d) If the notice provided herein pertains to a change in control of a Transient Rental Property, including the resignation or substitution of an Authorized Representative for the Operator, a failure to notify the Department of such change within fourteen (14) calendar days thereof will result in a violation of this Chapter and a revocation of the Transient Occupancy Registration Certificate and or criminal charges in accordance with Section **1369.14**.

1369.11 HOSTING PLATFORMS.

- (a) Listing, Advertising, or Promoting. No Hosting Platform shall list, advertise, promote, or accept reservations for any Transient Rental Property within the City of Huron that does not have a Transient Occupancy Registration Certificate. Upon notification by the Department that the Transient Occupancy Registration Certificate has expired or been revoked, the Hosting Platform shall remove or deactivate that Transient Rental Property from all listings, advertisements, or promotions of any kind within three (3) business days.
- (b) Records Required. To the extent the Hosting Platforms collects the information required to be kept and maintained by an Operator or Authorized Representative in accordance pursuant to Section **1369.06(h)** of this Chapter, it shall maintain such information for a period of three (3) years for all Transient Rental Properties that are leased to Transient Guests through such Hosting Platform, and shall provide such records upon request in accordance with Section **1369.06(h)**.
- (c) Reporting Requirements. Each Hosting Platform must, on a monthly basis, provide an electronic report, to the City identifying by address all Transient Rental Property listed, advertised, or promoted within the City maintained on the Hosting Platform for the applicable reporting period.
- (d) Taxation. All Hosting Platforms are subject to taxation in accordance with Chapter 185 of the Codified Ordinances.

1369.12 HEARING AND APPEALS.

Subject to Section **1369.04**, any person who has been denied, refused a Transient Occupancy Registration Certificate, or whose Transient Occupancy Registration Certificate has been revoked pursuant to Section **1369.03(d)** may appeal such decision to the Board of Building and Zoning Appeals as provided in Section 1139.02 of the Codified Ordinances.

1369.13 SEVERABILITY.

The provisions of these regulations shall be severable and should any section or provision of these regulations be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1369.14 ENFORCEMENT.

No person shall violate any provision of this chapter or any rule or regulation promulgated thereunder or fail to comply therewith or with any written notice or written order issued thereunder by the Department.

1369.15 NOTICE OF VIOLATIONS

- (a) Upon discovery of a violation of this Chapter, the Department shall issue a written notice of the violation to the Operator at the address identified in accordance with Section **1369.06(j)**.
- (b) The notice required in this Section shall be delivered by one or more of the following methods:
 - (1) certified mail delivery (return receipt requested), which shall be deemed effective as of the date of receipt identified on the return receipt or as noted by the U.S. Postal Service;
 - (2) Hand or personal delivery, which shall be effective when delivered to an adult at the address identified in Section **1369.06(j)**;
 - (3) Facsimile delivery, which shall be is effective when the facsimile transmission has been transmitted to the facsimile number provided for that purpose and the Department has received confirmation of the facsimile transmission;
 - (4) Electronic mail delivery is effective when the electronic mail has been sent to the Operator's electronic mail address without notice of rejection of message.
- (c) It is not a defense to any subsequent Enforcement action that the notice provided by the Department was not actually delivered to the Operator provided that one of the methods of delivery set forth in Section 1369.15(b) was attempted in good faith by the Department but was not accomplished through no fault of the Department.

1369.99 PENALTY; LEGAL ACTION.

- (a) Except as otherwise expressly provided for elsewhere under the Codified Ordinance or the Ohio Revised Code, whoever violates any provision of this chapter or any rule or regulation promulgated thereunder or fails to comply therewith or with any written notice or written order issued thereunder shall be guilty of a first-degree misdemeanor and subject to a fine of not less than five hundred dollars (\$500.00) or a maximum imprisonment term of six (6) months or both. Each day that such violation exists shall constitute a separate and distinct offense. Multiple violations can occur during a single guest stay and may be noticed and heard in a single action.
- (b) The imposition of any penalty as provided for in this chapter shall not preclude the Director of Law from instituting an appropriate action or proceeding in a court of proper jurisdiction to prevent an unlawful use of property, require repair or maintenance, restrain, correct or abate a violation, prevent the occupancy of a

Residential Premises, revoke a Transient Occupancy Registration Certificate, or to require compliance with the provisions of this chapter or other applicable laws, ordinances, rules or regulations.

1126.18 TRANSIENT RENTAL OVERLAY ZONE.

- (a) Purpose. To establish overlay zoning districts for the regulation of certain aspects of transient rental properties in acknowledgment of the unique environmental conditions of the various areas and neighborhoods of the City.
- (b) Applicability. The regulations set forth in this Chapter are applicable to any Transient Rental Property within the City of Huron that is legally operating and certified under all provisions of the City of Huron. Transient Rental Properties operating illegally or legally with non-conforming status shall be brought into compliance or penalized utilizing the regulations set forth in Chapter 1369. Properties subject to an overlay zoning district shall remain subject to the regulations of the underlying zoning district in effect for such properties.
- (c) Location. Transient Rental Overlay Districts (TRO Districts) designate the allowable location(s) for Transient Rental Properties within the City. TRO Districts are limited to those portions of the zoning map that are designated as Residential (all “R” prefixed zones) and Business (all “B” prefixed zones) and are to comprise in a manner that Transient Overlay Zones are similar in character, use, and density of the existing properties. The boundary of any Transient Rental Overlay District(s) will be set in accordance with the process as laid out in this Chapter. No TRO District shall be less than 10 acres and shall be comprised of contiguous land.
- (d) Creation. An overlay district may be established by the Council at its own initiative or upon submission of a petition in accordance with this section.
 - (1) A petition to create or modify a TRO District may be submitted to Council by the written consent of 80% of the owners of the property located within the area to be designated as a TRO or on behalf of the property owners by a Homeowners Association or similar organization that is authorized to act on behalf of the owners of such property.
 - (2) Upon receipt of a petition to create or modify a TRO District, such petition shall follow the City’s established processes and procedures for district changes and regulation amendments as set forth in Chapter 1139.03 of the Codified Ordinances.
- (e) In recognition of the specific and unique character, use, and density of the various areas of the City, the following parameters shall be specified prior to the approval of any TRO District:
 - (1) Density. Each TRO District shall set a maximum density regulating the amount of Transient Rental Properties permitted within the TRO District. This can be in the form of a percent of total dwellings or a numerical cap. No district can permit more than 25% of total dwelling units being utilized for transient rental properties, provided that
 - (i) no property shall lose its Transient Rental Certificate solely by virtue of the number of Transient Rental Properties within such TRO District exceeding the maximum amount set forth in this Chapter or in Chapter 1369; and
 - (ii) no new Transient Rental Property Certificate shall be issued if the number of Transient Rental Properties exceeds the maximum density set forth in this Chapter or in Chapter 1369.
 - (2) Parking. In order to provide for adequate parking for guests, each TRO District shall establish a minimum requirement of parking per dwelling unit. The minimum threshold can be achieved through a combination of on-site and off-site parking spaces. However, no District shall establish a minimum on-site parking regulation of less than one (1) on-site parking space for each Transient Rental Property with all areas designated for on-site parking constructed, located, and maintained in accordance with the City’s Zoning Code.

ArcGIS WebMap



Richard H. Jeffrey
ERIE COUNTY AUDITOR | ERIE COUNTY, OHIO

Date: 10/29/2020
1 inch = 1,505 feet



THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, January 26, 2021 at 6:30 p.m.

Call to Order

The Mayor called the meeting of the Huron City Council to order at 6:30pm on January 26, 2021 at Huron City Hall. 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.

Roll Call

The Mayor directed the Clerk to call the roll for the regular meeting of Council. The following members of Council answered present: **Christine Crawford, Mark Claus, Monty Tapp, Sam Artino, Joe Dike, Trey Hardy and Joel Hagy.**

Staff participating in the meeting: City Manager Matt Lasko, Assistant to the City Manager Mike Spafford, Finance Director Cory Swaisgood, Law Director Todd Schrader and Clerk of Council Terri Welkener.

Approval of Minutes

Motion by Mr. Claus that the minutes of the regular Council meeting of December 22, 2020 be approved as presented.

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 Council voted as follows:

YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy, Crawford (7)

NAYS: None (0)

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

Audience Comments

None.

Mr. Tapp said that he would speak about the Franks that came to our last meeting. He said, "We want to take this opportunity to thank Brandy and Austin Frank for their remarks made at our last Council meeting regarding the issue of childhood congenital heart defect. That took great courage to speak publicly about the challenges and issues faced by their family, and especially their son, Charlie. Their presentation was especially timely with February 7-14 designated as Congenital Heart Defect Awareness Week by the American Heart Association. We acknowledge Brandy and Austin's struggles as they care for their son, Charlie. We wish them the best as they face challenging times ahead. We truly appreciate parents like you who are willing to give their time to bring awareness to this issue, and on that note, Charlie's next surgery is scheduled for January 29th and our prayers are with the family, and again, thank you for coming."

Tabled Legislation

Ordinance No. 2020-17

Motion by Mr. Hardy to remove Ordinance 2020-17 (AN ORDINANCE AUTHORIZING AND PRESCRIBING THE MANNER OF SALE OF A PORTION OF HURON PUBLIC POWER SUBSTATION TRANSMISSION ASSETS, OWNED BY THE CITY OF HURON, LOCATED ON PPN. 42-00120.00 AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE SALE OF THAT PORTION OF PROPERTY TO AMP TRANSMISSION, LLC) from tabled status.

The Mayor asked if there was any discussion 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: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)
NAYS: None (0)

There being more any a majority in favor, Ordinance 2020-17 was removed from the table. The Law Director read the Ordinance by its title only.

Motion by Mr. Hardy that Ordinance 2020-17 be amended by reading to renumber Section 3 to Section 4 and adding a new Section 3 which will state as follows:

SECTION 3. That competitive bidding is not required for the City to sell the Property to AMP Transmission, LLC pursuant to ORC 721.15(A); and

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

YEAS: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)
NAYS: None (0)

There being a majority in favor, the motion passed and Ordinance 2020-17 was amended.

Motion by Mr. Hardy that Ordinance 2020-17 in its amended form be placed on its third and final reading.

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

YEAS: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)
NAYS: None (0)

There being five votes or more in favor, the motion passed and Ordinance 2020-17 was placed upon its third and final reading.

Motion by Mr. Hardy that Ordinance 2020-17 be placed as an emergency measure.

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

YEAS: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)
NAYS: None (0)

There being five votes or more in favor, Ordinance 2020-17 was placed as an emergency measure.

Mr. Lasko thanked Mr. Spafford and Mr. Swaisgood and legal counsel and Devin Parram. This is a very complicated transaction that staff has guided through the process. Handling this transaction and its layers of complexity was very, very impressive for a city of our size and staff of our size. He acknowledged the incredible staff and the guidance provided to us by our legal team.

Mr. Spafford introduced Devin Parram of Bricker & Eckler, our legal counsel specializing in utility transactions who has been working us on not only some Huron Public Power issues, but also specifically the AMP transaction. Mr. Parram was available at the meeting via video conference to answer any additional questions from Council. This ordinance was first introduced back in September of 2020 when we felt that we were close to a final document. Several modifications have been made subsequent to that initial discussion with one of the most pertinent and impactful being the initial structure proposed an easement that would be perpetually granted to AMP-T. That has since been modified to a simple ground lease, in which case the City is leasing them the entirety of the parcel, while retaining the ability to utilize that parcel at any time that we feel necessary. The benefit of that is (a) there is a control house with equipment that controls both the distribution and transmission assets, and this will allow both parties access, and (b) there is a financial benefit to the City in that the ground lease payment is paid up front and is part of the asset purchase agreement.

Mr. Hardy stepped out of the meeting to take a telephone call at 6:38pm, returning to the meeting at 6:41pm.

Mr. Spafford said that now that we have finalized our closing date assuming Council's approval of February 1st, the valuation is just over \$2.1 Million with the lease agreement being about \$183,000. We had multiple discussions with the Finance Committee earlier on in the process in terms of what the strategy would be relative to the increased funds as they came in. We had conversations with bond counsel and it was explained to us that the most conservative path forward and safest legal path forward would be to take those funds and make a principal payoff on the debt relative to the substation. This is not necessarily bad news. Anytime the City has the opportunity to wipe out \$2.1 Million worth of debt off the books is a win. It does open up additional options for financing. The lease proceeds will go to the Economic Development Fund since that property was purchased using funds from that Fund, which can now be freed up to utilize for some of the ongoing efforts we are looking into.

There were two other pieces of legislation added today, which include an agreement between the City and AMP-T for interconnectivity of the assets and a short-term operations and maintenance agreement. The operation and maintenance agreement was the biggest contributor to the delay. Instead of having the City provide O&M services and having those costs reimbursed, AMP-T will continue to provide all O&M on their own assets without the City conducting those operations. During the transition period for AMP-T to get their plan in place, which is not to exceed 12 months, the City will provide those O&M services with costs reimbursed. Resolution 2021-6 authorizes AMP-T to put this asset into the PJM, which connects the transmission assets into the overall transmission grid. This legislation gives the City's authorization for that to happen.

Mr. Hagy asked Mr. Spafford to explain how the valuation of the transmission assets was reached. Mr. Spafford said the valuation is based on the straight net book value with depreciation. We did an exhaustive review of all of our costs of the invoices, construction, labor, materials, etc. Those invoices were then reviewed to make sure that we pulled out all of the relevant pieces/parts of the transmission assets being sold and straight-line depreciation was applied, assuming 35 years of useful life. The asset went into service in 2018, so it has 2 years of depreciation.

Mr. Claus asked what would happen after the 12-month period for O&M. Mr. Spafford said AMP-T would take over the responsibility for O&M themselves – at that point there will be no need for reimbursement from them, but we must still maintain the City's retained assets.

Mr. Schrader welcomed Mr. Parram to the meeting and provided a brief history. When SSEG first got involved with the City last year, this was one of the projects that was undertaken. SSEG did some due diligence, talked to other municipalities and townships that had a relationship with AMP-T (everything was

really positive), and started working through the documents. They came to a point where they realized they require a specialist to push the project over the finish line. Mr. Schrader stated unequivocally that we don't get to where we are tonight without Attorney Parram's input, Mike Spafford's input and the team that they have in terms of consultants. SSEG can only do so much – once they took over things really started to solidify and they really drilled down on the things that matter – vis a vis the easement. He said that he is grateful for the opportunity to be involved and is very glad that we have Bricker & Eckler at our disposal. They couldn't get to where they are tonight without that team.

Mr. Parram said he is available for questions and it was great working with Mr. Spafford, Mr. Schrader and the team.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2020-17 as amended. Members of Council voted as follows:

YEAS: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2020-17 as amended was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

OLD BUSINESS

None.

NEW BUSINESS

Resolution No. 1-2021

Motion by Mr. Claus that the three-reading rule be suspended and Resolution 1-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH POGGEMEYER DESIGN GROUP FOR THE PROVISION OF ENGINEERING AND INSPECTION SERVICES RELATED TO THE HURON WATER TREATMENT PLANT IMPROVEMENT PROJECT AT A COST NOT TO EXCEED ONE HUNDRED TWENTY-NINE THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS (\$129,700.00)) be placed upon its first reading.

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

YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy, Crawford (7)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 1-2021 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said this is the second part of the 2-phase project we wanted to undertake at the Water Plant, with the sludge rakes being the first phase recently completed, and the this phase involving the tube settlers. The primary important of that is to allow the plant to increase its capacity from 3.4 million to 5.8 million gallons/day. It is very important project for the City to be able to increase that capacity and serve an additional customer base going forward.

Mr. Gibboney said the main objective of this project is to gain capacity. They previously completed the sludge rake project to bring the plant into EPA compliance. This is a capacity project. They refer to all of the treatment plants as having a treatment train, so each component of the plant has its own rating. The component with the lowest rating becomes your plant rating or bottleneck. For us, that is the sedimentation basins that the 3.4 million gallons/day is based on. The most logical equipment that you can implement to raise that capacity is the tube settlers. The alternative would be constructing more sedimentation basins, which would far exceed this cost. The tube settlers will take the plant up to 5.8 million gallons/day, after which point they would have to do some more construction, if we got to that point in the future. This past summer, they hit full capacity for 3-4 days during the drought, and knowing that we have Phase 2 of the Mucci now running and Phase 3 soon to follow, it is prudent that we get our capacity up. At the same time, that allows us to solicit future endeavors in the City or additional sales outside the City, if we want to pursue those as well. We had Poggemeyer create a proposal that encompasses everything needed on the engineering side. We have to have a PE engineer's stamp on the re-rating of the plant, the blueprints, which is included. There will also be a steel building around it. Engineering during construction and observation are also included in this proposal.

Mr. Hagy asked Mr. Gibboney to explain the impact this construction will have on operations/output. Mr. Gibboney said that as far as output goes, they are currently capped at 2,361 gallons/minute, which is the 3.4 million gallons/day. The only time that is an issue is in peak demand opportunities in the summer. By and large, they are selling 1.6 million gallons/day to Erie County. There is a huge draw on that side and when it is teamed up with a hot summer, that causes a huge draw on the greenhouse side. When they get to a 5.8 million gallons/day capacity, they are projecting that with Mucci built out in full, as well as the proposed beverage facility at the old IAC facility, we are looking at approaching 4 million gallons/day as a peak, so we will still enjoy a 1.8 million gallon/day excess. Mr. Hagy asked if the construction itself will have an impact on operations. Mr. Gibboney said the construction will have an impact only in the sense that because the EPA rating is based on taking one component out of service at any given time, so it is already assumed that we have one basin down for repairs. As long as they do one basin at a time, it will not affect operations. Asked by Ms. Crawford what the timeline is for completion, Mr. Gibboney said it will be done by the end of this year. They will be working with Poggemeyer for about 2 months to finalize engineering, go out to bid, and a couple of months to get all of the materials collected to start construction sometime in the summer. Mayor Artino asked if we will be okay with Mucci and the new business at the IAC facility during construction. Mr. Gibboney said we will be okay this summer. They are hiring a final operator to go to 24/7 operations. In the past, they would go into a drought or water main break situation with their towers already being mid-level or potentially low because they didn't run overnight. Once they go around the clock, they will go into any event with the towers full – that "insurance policy" will be fully stocked with 1 million gallons in the air.

Mr. Claus asked what the little building is over by the water tower on the east side. Mr. Gibboney answered said it is the County's pressure boosting station. The intent of that structure is that it will have a skid pump system that will doesn't create more flow, but creates more pressure. They anticipate that it is going to heighten the pressure as far as Mittiwanga. It will affect all of the neighborhoods on the County side between the City limits and Mittiwanga. Mr. Gibboney spoke to them recently, and learned that they are waiting on the heating and cooling system for that building, which was installed this week. The roof should be installed shortly. The building is located on our property, and the County has existing infrastructure on the site with the master meter and all the valves at that location.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 1-2021. Members of Council voted as follows:

YEAS: Claus, Tapp, Artino, Dike, Hardy, Hagy, Crawford (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 1-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution No. 2-2021

Motion by Ms. Crawford that the three-reading rule be suspended and Resolution 2-2021 (A RESOLUTION AMENDING RESOLUTION 2019-54, ADOPTED SEPTEMBER 24, 2019, AUTHORIZING THE CITY MANAGER TO ACCEPT CHANGE ORDER NO. 1 FROM OHM ADVISORS FOR ENGINEERING, DESIGN AND CONSTRUCTION SERVICES RELATING TO THE CONAGRA DRIVE UTILITIES PROJECT IN AN AMOUNT NOT TO EXCEED FIFTEEN THOUSAND SEVEN HUNDRED AND 00/100 DOLLARS (\$15,700.00)) be placed upon its first reading.

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

YEAS: Crawford, Claus, Tapp, Artino, Dike, Hardy, Hagy (7)

NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 2-2021 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said this change order for the original contract entered into in September of 2019 for the design of utility connectivity at the ConAgra property. That initial contract was for \$66,500. During the design process, there was exploration of the possibility of going through the Norfolk Southern property to bring those utilities into the site, which would potentially generate a construction cost savings to that project. As mentioned in recent Manager's Reports, due to unforeseen circumstances at Norfolk Southern and their timeline for even exploring that as an option, the plan was to move back to the plan to go through the City's right-of-way. Part of that initial contract allowance was utilized, so we would now like to move forward with staying in the City's right-of-way to bring those utilities into the site, finalize the design and actually get to a point where we have bid documents to go out to bid for construction. This is going to address all utilities coming into the site – gas, water, sanitary pump station, underground utilities – and coordination with all of the utility companies. They are looking at bringing this project in for a landing by finalizing the design. We are using a landscaping design allowance of \$7,000 included in the initial contract to offset the cost of this change order from \$22,700 to \$15,700. This will allow them to finalize the design over the spring. Asked by Mr. Dike what the goal date is to bring this to bid, Mr. Lasko said that it could be ready as early as spring. One of the ways in which we would finance the ultimate construction would be through a potential tax increment financing plan on that site. We could move forward immediately with that; however, it makes sense to time that synonymously with finding a developer for that site because that is going to determine the time period during which the City would be having to repay that debt and the revenue stream following it. If we can move quickly with finding a developer for that site and entering into a development agreement/tax increment financing plan is going to help shorten that time in which the City would have to bridge the repayment of the utilities. They are hoping as early as February to go out to RFP to find a developer for the ConAgra property. They understand that it will take a few months to work

through a development agreement with Council and with stakeholders. We can go out to bid in spring, but we may want to delay that a month or two as we try to synch up the timeline between finding a developer and that ultimate revenue stream to repay the debt on this project.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 2-2021. Members of Council voted as follows:

YEAS: Crawford, Claus, Tapp, Artino, Dike, Hardy, Hagy (7)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 2-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution No. 3-2021

Motion by Ms. Crawford that the three-reading rule be suspended and Resolution 3-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT AUTHORIZING UNDERGROUND UTILITIES, INC. TO USE PERMANENT PARCEL NUMBER 42-64005.000 TO STAGE EQUIPMENT AND MATERIALS FOR USE IN CONNECTION WITH THE ERIE COUNTY/MITIWANGA REGIONAL PUMP STATION CONTRACT B – CRANBERRY CREEK FORCE MAIN, HURON, HURON & BERLIN TOWNSHIPS, ERIE COUNTY, OHIO) be placed upon its first reading.

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

YEAS: Crawford, Claus, Tapp, Artino, Dike, Hardy, Hagy (7)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 3-2021 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said this is an allowance for Underground Utilities, Inc., who is working on the force main project Mr. Gibboney just referenced to utilize the City's parcel for materials staging. When they are done, the agreement requires that they return the site to how it was prior to their arrival to eradicate any disturbances to the parcel. This simply allows them to stage on that site and provide us protection from any disturbances.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 3-2021. Members of Council voted as follows:

YEAS: Crawford, Claus, Tapp, Artino, Dike, Hardy, Hagy (7)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 3-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution No. 4-2021

Motion by Mr. Tapp that the three-reading rule be suspended and Resolution 4-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER, ON BEHALF OF THE HURON POLICE DEPARTMENT, TO ENTER INTO AN AGREEMENT WITH STATEWIDE EMERGENCY PRODUCTS, LLC DBA STATEWIDE MUNICIPAL LEASING FOR THE LEASE-

PURCHASE OF FOUR (4) POLICE CRUISERS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY-FOUR THOUSAND ONE HUNDRED ONE AND 06/100 DOLLARS (\$194,101.06)) be placed upon its first reading.

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

YEAS: Tapp, Artino, Dike, Hardy, Hagy, Crawford, Claus (7)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 4-2021 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said the relates to the purchase of four Interceptor SUV's for the Police Department through a lease purchase process in which the vehicles will be leased for three years and will be purchased at the end of those three years. The total price of \$194,000 and change is comprised of about \$179,000 in acquisition costs, and about \$14,000 in interest payments over those three years. Two of these vehicles were budgeted in 2020, but we held off with the purchases due to the pandemic. The four vehicles are included in our capital equipment replacement plan, so we are happy to move forward with these purchases. Chief Lippert added that this continues their cruiser replacement program. They are now replacing some of the Chargers bought back in 2012 and 2014. It has been his goal to improve the quality of life around here, and this is a piece of that. He really thinks that the last two years has really done that for the officers and improves their work product.

Ms. Crawford asked if we are trading in four sedans for the SUV's. Chief Lippert said we will get the four new SUV's and take three sedans out of service. We are hiring two officers this year – one is a replacement and one is a new position that will be used for the new officer. The City has a use for all the sedans, he believes. Mr. Lasko said that they have discussed repurposing 1 or 2 of the vehicles for zoning inspections and code compliance/inspections. The Zoning Inspector is currently using her own vehicle.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 4-2021. Members of Council voted as follows:

YEAS: Tapp, Artino, Dike, Hardy, Hagy, Crawford, Claus (7)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 4-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution No. 5-2021

Motion by Mr. Dike that the three-reading rule be suspended and Resolution 5-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH OHM ADVISORS FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES PROVIDED TO THE CITY OF HURON AT A COST NOT TO EXCEED ONE HUNDRED SEVENTY THOUSAND FIVE HUNDRED TWENTY AND 00/100 DOLLARS (\$170,520.00) FOR THE CONTRACT TERM OF FEBRUARY 1, 2021 THROUGH DECEMBER 31, 2022) be placed upon its first reading.

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

YEAS: Dike, Hardy, Hagy, Crawford, Claus, Tapp, Artino (7)

NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 5-2021 placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said the City has historically been under contract with OHM Advisors going back to 2011. Most recently, the contract expired at the end of 2020, and that contract was extended through January 2021. One of the changes in this new proposed contract include elimination of zoning services, which will now be handled in-house through an employee of the City. They will continue to provide 24 hours per week in general engineering services to the City. With the removal of the zoning services, the annual fee dropped from roughly \$126,000/year to \$84,000/year in 2021. We are looking forward to those changes. Mr. Lasko said there are a lot of terms and conditions in the agreement (it went from 2 pages of terms and conditions to roughly 23 pages), but he thinks that is a testament to the work Mr. Schrader and team have put in, and it shows the commitment OHM has to the City and how much they value the relationship. We are excited to be able to move forward with them acting as the City's engineer until December 31, 2022.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 5-2021. Members of Council voted as follows:

YEAS: Dike, Hardy, Hagy, Crawford, Claus, Tapp, Artino (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 5-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution No. 6-2021

Motion by Mr. Hardy that the three-reading rule be suspended and Resolution 6-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AMP TRANSMISSION, LLC FOR THE PROVISION OF OPERATIONS AND MAINTENANCE SERVICES RELATING TO CERTAIN 69 KILOVOLT ("kV") FACILITIES AND ASSOCIATED EQUIPMENT LOCATED AT 1100 RYE BEACH ROAD, HURON, OHIO) be placed upon its first reading.

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

YEAS: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)

NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 6-2021 placed upon its first reading. The Law Director read the Ordinance by its title only.

Mr. Spafford said the agreements authorized by this resolution (Resolution No. 6-2021) and the next one (Resolution No. 7-2021) could have future changes because we need to have our insurance agent review the insurance provisions. We will work with legal counsel if there are subsequent modifications before the agreements are signed. Mr. Schrader indicated that is also stated in Section 1 of the resolution – subject to the City's legal counsel review of insurance provisions.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 6-2021. Members of Council voted as follows:

YEAS: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 6-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution No. 7-2021

Motion by Mr. Hardy that the three-reading rule be suspended and Resolution 7-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERCONNECTION AGREEMENT WITH AMP TRANSMISSION, LLC RELATING TO 69 KILOVOLT (“kV”) FACILITIES AND ASSOCIATED EQUIPMENT LOCATED AT 1100 RYE BEACH ROAD, HURON, OHIO) be placed upon its first reading.

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

YEAS: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 7-2021 placed upon its first reading. The Law Director read the Ordinance by its title only.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 7-2021. Members of Council voted as follows:

YEAS: Hardy, Hagy, Crawford, Claus, Tapp, Artino, Dike (7)
NAYS: None (0)

There being a majority vote in favor of adoption, Resolution 7-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance No. 2021-2

Motion by Mr. Hagy that the three-reading rule be suspended and Ordinance 2021-2 (AN ORDINANCE AMENDING ORDINANCE NO. 2020-34, ADOPTED DECEMBER 8, 2020, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES 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. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of the Council voted as follows:

YEAS: Hagy, Crawford, Claus, Tapp, Artino, Dike, Hardy (7)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Ordinance 2021-2 placed upon its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Hagy that Ordinance 2021-2 be placed as an emergency measure.

The Mayor asked if there was any discussion on placing Ordinance 2021-2 as an emergency. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

YEAS: Hagy, Crawford, Claus, Tapp, Artino, Dike, Hardy (7)

NAYS: None (0)

There being five votes or more in favor, Ordinance 2021-2 was placed as an emergency measure.

Mr. Swaisgood this ordinance includes a supplemental appropriation measure and also a cash transfer between funds. The supplemental appropriation is related to a \$100,000 transfer out of the Water Fund into the Capital Fund. The reason for this transfer is to square up – as Mr. Swaisgood was doing the cash transfer for the quarter, he noticed there was one error in the budget on cash transfers out from the Water Fund didn't match cash transfers in on the capital side – that was his mistake. This is an increase on the budget expenditure side to allow for \$150,000 total to be transferred out of the Water Fund into the Water Capital Fund throughout the year as originally budgeted and discussed during the last budget season. The cash transfers between funds for budgeted quarterly transfers related to capital debt, pension, IT costs and payroll and employee benefit reserves. In addition, at the end of last year Council approved the creation of a Parks & Recreation Fund (Fund 207), which will replace the Parks Fund (Fund 208) and the Recreation Fund (Fund 209). The total transfer out from those funds, being the remaining cash balances, total \$333,000 and those funds will be closed once the transfer is approved and completed into Fund 207.

The Mayor asked if there was any further discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Ordinance 2021-2. Members of Council voted as follows:

YEAS: Hagy, Crawford, Claus, Tapp, Artino, Dike, Hardy (7)

NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2021-2 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion

Mr. Lasko spoke on several topics:

- Work Session. We are anticipating a work session two weeks from now on February 9th related to potential corridor layouts or Route 6 Phase 2 at 5:30pm. We will have representatives from OHM Advisors there with visuals, as well, for that work session.
- Agreements with Erie Soil & Water Conservation District. At the end of January, we had a contract expire with the Erie Soil & Water Conservation District. They have been assisting the City with stormwater management services. While we do intend to move forward with them, we agreed to let the contract lapse as they are awaiting guidance from the US EPA as relates to what is going to be required in upcoming permits so that we can be sure to work that into the next scope of work with them. We have a firm commitment from Erie Soil & Water that they are going to continue to work on the City's behalf in the meantime. We hope to bring that to Council in the upcoming weeks.
- Sawmill Parkway. Mr. Lasko is looking for a consensus for moving forward. Sawmill Parkway was identified as the worst conditioned street during the Pavement Condition Analysis conducted by OHM Advisors, scoring 2 out of 100. The City attempted most recently to apply to EDA for funding in the amount of \$2 Million to help fully reconstruct that roadway as part of a larger \$3.4 Million project. We found out recently that that application has been denied among very stiff

competition for those funds. The City must now determine the best path forward for Sawmill Parkway. It is a critical piece of structure that we need to repair – Stride Mobility is building in the Parkway, MOCO is about to build on the Parkway and Ardaugh recently advised the City that they expect upwards of 100 tractor trailers driving that thoroughfare on a daily basis. There are two possible paths forward for making repairs to Sawmill Parkway. The first would be what he called a “Band Aid” which would be a \$1.9 Million project which would include installation of 6-inch underdrains since about 2/3 of the Parkway has no drainage along the corridor, further exacerbating the issues. It would also replace very select portions of the concrete that are not able to be patched or repaired. There would be a 2” milling of the surface and then the entirety of the thoroughfare would have 4” of concrete laid over it. It should be noted that the lifespan of this project is 10-12 years. The other option, which the City attempted to fund a few months ago, is the full reconstruction. That is a \$3.4 Million project that includes the installation of the same underdrains, full removal of all concrete, installation of 1” of subgrade materials (Sawmill Parkway currently has no subgrade material supporting it), installation of a 6” stone base, installation of 8” of new concrete, new curbs and storm sewers. The lifespan of that project is anywhere from 20-30 years, which is substantially longer than the other option. With the Band Aid fix, it is possible that we are going to see cracking, as well, 6-8 years in with the amount of traffic on that thoroughfare. From a funding standpoint, the City already has a commitment of \$412,500 from OPWC regardless of which project we decide to move forward with. We are also in conversations with Jobs Ohio and Commerce at the State level about a potential commitment regardless of which option we take, which should be anywhere between \$400,000-\$800,000. Knowing those numbers, the interim fix would require commitment of a local match of \$700,000 - \$1.1 Million. The full reconstruction would require a commitment of a local match of \$2.2 Million - \$2.6 Million. Even knowing that increased cost, staff prefers to attempt, with Council’s blessing, to take additional time to explore and find a funding mechanism for the full reconstruction. We think that is the best path forward. We do have future options of putting in tax increment financing plans along businesses on that thoroughfare to help with that local match. With that in mind, Mr. Lasko asked for Council’s feedback on the idea of continuing to look for additional revenue, which could include a revamped conversation with EDA by applying for their “normal” pot of funding. Mr. Critelli added there is the unknown of the subgrade conditions. Without proper treatment of that, the effectiveness of the overlay treatment is unknown. Mr. Tapp said that the Band Aid approach worries him, and doesn’t think that it would last 10 years with 100 trucks per day – he is all for staff finding whatever they can to do it right the first time. Mr. Dike asked what the additional cost would be to also install infrastructure for Huron Public Power. Mr. Lasko said that staff does have OHM revising the budget to installation of conduit for eventual connection to Huron Public Power. Mayor Artino said that would just make sense while we have it open. Mr. Dike said that area provides a lot to the City with all of the jobs, with more to come. It is his opinion that we should try to go full bore and do everything. Mayor Artino asked Mr. Lasko to talk about how this would be paid back. Mr. Lasko said if we went with the full reconstruction project, what would typically happen is bonds would be issued. If those bonds are issued through a TIF structure, it could be industrial revenue bonds where the future real estate taxes on developments within that TIF district would go to the County and it would be diverted back to the City to retire the debt on the project. As part of exploring this project, and assuming Council opts to go forward with full reconstruction, we likely would bring forward a TIF plan (with input from the School District) on the Parkway and abutting area, before Council for consideration. Mr. Hagy asked if that TIF would apply only to new businesses, or legacy also. Mr. Lasko said that TIF would apply only to new investments. Mayor Artino asked if Ardaugh could be prior to that. Mr. Lasko said they could be – improvements or expansions could be TIFed, but not their current purchase. Ms. Crawford asked when the next regular non-stimulus funding cycle would be. Mr. Lasko answered that the EDA’s traditional pot of money has a rolling application – there is no specific deadline. In the potential new stimulus package, he believes EDA is also going to be allocated \$300 Billion (or Million, they weren’t sure). Ms. Crawford asked if

the City was forced to go with the \$1.9 Million Band Aid project, and as that deteriorates and we go to the full-blown reconstruction, if any of that \$1.9 Million really helps with the full reconstruction? Mr. Green answered that the entire roadway would have to be removed. Mr. Hagy asked if staff is asking for more time to look for money from new sources. Mr. Lasko said staff is looking more for a consensus on the direction to take. We do have a less expensive path forward, but OHM and staff's strong recommendation is to take a few additional months to reapply to the EDA, consider TIF legislation throughout that corridor, and propose moving forward with the full reconstruction. Mr. Lasko wanted to make sure that there was consensus on taking a little more time to do the full reconstruction. Mayor Artino asked if we will ever get to a point where all the traffic on that road impacts the cost of the project, and is there any way it can get done before all of the Ardaugh traffic starts. Mr. Green answered that they would do one side of the street at a time in either case, and would use a temporary traffic signal on either end of the work zone. Ms. Crawford asked if there was any way to avoid spring and/or fall when South Shore Marine traffic increases – Mr. Green answered that traffic would be maintained. Mayor Artino asked if the project would be asphalt or concrete. Mr. Green answered that there is no approach where asphalt makes sense.

- Route 6 Objection Criteria for Road Diet. Mr. Lasko said that Council had asked for criteria for measuring reduction in conflicts between bicyclists and vehicles, reductions in speed limit along the thoroughfare, etc., so he asked Russ to briefly speak to what that looks like in terms of metrics to be measures over the upcoming months. Mr. Critelli we applied temporary pavement markings for the road diet, and it was understood that we would have to do some sort of analysis as to its success. Mr. discussed the handout setting forth the criteria for the road study to be conducted by OHM (see Huron – Road Diet handout attached hereto as Exhibit A). Mr. Critelli stressed that the road diet is not a deviation or modification unique to this project – it meets all Transportation Research Board, Federal Highway Administration, etc. criteria. They will do their best attempt to utilize all past data we have, traffic lines, speeds, time delays, crash accidents, etc. At the end of the day, there will be engineering data to support OHM's recommendation to Council. This recommendation for the reduced lane configuration was part of the preliminary engineering analysis brought forward prior to the design phase – it was an understood potential opportunity to take four lanes past conditions to where we are now. It is an extensive process to evaluate each intersection, turning movements, speeds, accident data. They will physically have people out there, as well as using automation, and then they will perform the analysis. They anticipate having all of this completed by May. Mr. Tapp said he is concerned that the trial period over the winter really doesn't really do much good because our heavy traffic times are June, July and August. Mr. Critelli said the project has a date for completion of where we are now. This option that was introduced was not part of the contract legal documents. We have not created a temporary condition within the existing design and construction timelines. Those timelines have been set by the funding set associated with the project. Ideally, the analysis would be done at the times that everyone felt is most appropriate. Unfortunately, we are working within the constraints of this window. We will use the peak AM and PM times, and we will try to work within that spring window to best collect data. Mr. Tapp said that the data that is going to be collected isn't going to speak to what's truly there. Mayor Artino said Council set the date of June 1st – if we want to move that, it's up to Council. Mr. Critelli said that they can flex that they study the project if ODOT's contractual requirements are met. We don't want to violate those windows. He doesn't disagree that the winter time is not the best time to collect data. If there is a desire to extend this timeline, we would have to work that through ODOT and the MPL. Mr. Dike asked if ODOT can overrule Council's decision to keep the 4 lanes – who has the final say? Mr. Critelli answered that Council has the final decision. In the end, the community can make their own decision, but if it is in contradiction with the engineering recommendation and the associated conditions of that recommendation, they can withhold funding. Mr. Spafford said that ODOT has acknowledged that this is a temporary transition and acknowledged the trial period. At the end of the day, he thinks ODOT prefers that

we stick with the road diet, but ultimately, it is a 4-lane project and can revert back to that. Mr. Critelli said that the feedback we are collecting is what ODOT likes to see when giving their approval. Mr. Claus said the traffic data will be comparing like months to like months from previous years, which Mr. Critelli confirmed – they are going to use the typical best practices for traffic analysis so that your data is the best it can be. Mr. Critelli said that, statewide, any data collection and the analysis of that data has factors that are put into the analysis that are seasonal, etc. Mr. Tapp again said that he doesn't think that they can come to a true analysis on the traffic pattern out there for bikes and pedestrians unless it is during the summer months. Ms. Crawford said there is also Phase 2 to take into consideration, and asked where the bike lane begin west of Williams. Mr. Critelli said the bike lane would start at Center Street. Ms. Crawford asked if there is a way, as we are analyzing this, to give any credence to would it make more sense to a motorist when Phase 2 is finished, that the bike lane begins at Center Street. Part of the confusion is you are driving along in 2 lanes and then there it is. When it begins at Center Street, it's a little bit more logical. Data is data, but once Phase 2 is completed, it looks different if we continue a bike lane starting at Center Street heading from west to east. Mr. Claus said that coming in from the west is the worst condition right now with the way it changes. We also talked previously that most likely coming from the west will be choked down to one lane anyway, at least that is what was discussed – it would be much easier right now if people were already funneled down to one lane when they hit Center Street. That's an awkward spot that would be corrected with Phase 2. Mr. Critelli said that he doesn't disagree. The complexity of this is that we have an existing design project that according to ODOT was a 4-lane paving project, and we have temporarily restriped it to the road diet scenario. We are still within the limits of the current contract for Phase 1. ODOT is going to want closure – we need to determine what the window is. Continuity and consistency and the analysis of it are all important. The challenge is that we introduced a scenario as an experiment and we are trying to bring forward the best data to help make that decision at the end of the day that this is good. The past traffic study was done and ended with the recommendation for the road diet. Mr. Hagy said we can't change the clock, but we could do the study and only go to Williams Street to take into account there would be a bike lane. Mr. Tapp said we could put an extension on the trial period. Mr. Critelli said he is hearing that Council want to extend, but he will have to discuss it with ODOT to see if we can extend the window to make sure the community can make the best decision and have the best product. Mr. Claus said we should look to see what it would mean to bump it back to the end of June or middle of July – he doesn't know if we can give it the whole summer. We also talked about having a public hearing, and they are going to come in and say the winter is not a good time to do a traffic analysis on bikes and pedestrians. It may be something we can talk about at the Safety Committee. Mayor Artino said we will find out what we can do as far as extending the time for the study. Council can still make a decision to vote on this in July or August, regardless of when the study is completed. Mr. Claus said the application of the permanent striping is part of the current contract, which will have to be closed out. Mayor Artino asked if we could do temporary striping on the portion of Route 6 where the bike lanes would continue. Mr. Spafford said that we would have to run that by ODOT – it would be ideal because you would have consistency in the traffic pattern. Mr. Critelli stressed that we want the best product out there for Phase 1 and Phase 2. Mr. Spafford said it is unfortunate that Phase 1 ended at Williams Street, with only one more block to go before it turns into limited access highway. Mayor Artino suggested that we appeal to them as a safety matter. Mayor Artino said that some of the paint at the crosswalks is coming off. Mr. Spafford said that all paint is temporary, except for the red on the crosswalks. Mr. Critelli said that if we go with the road diet, part of the pavement painting plan would be to consider other improvement for marking the bike lanes. The temporary striping was done minimally to save cost and in case the City chooses to go back to four lanes. There are multiple options for striping for the demarcation between the vehicle and bicycle lanes.

Mayor's Discussion

Mayor Artino thanked everybody that is working on the transient rental legislation – there's quite a bit involved and he knows that we will get it done. He appreciates everybody's time with that. He wants to make sure that we get Chief Lippert's input on that, and anybody else who is on that committee. He thanked the Water Department – we had that water main break on Berlin Road and everything is repaired. Mr. Gibboney said they had 3 main breaks over the past 4 days.

For the Good of the Order

- **Ms. Crawford** – Thanks to team that worked on the AMP-T sale and to the Water Department – they are unsung heroes. There is a Safety Committee meeting tomorrow at 5:00pm.
- **Mr. Claus** – Thanks to team that worked on the AMP-T sale and to the Water Department. Congratulations to OHM on their contract renewal, and he appreciates all of their efforts – thanks to Doug and Russ for keeping us moving forward from an engineering standpoint, and looks forward to continued success.
- **Mr. Tapp** – Thanks to the people that worked on the AMP-T sale and staff – Matt Lasko, Mike Spafford and Cory Swaisgood, everyone in the Legal Department. Great job to Jason Gibboney – we probably have one of the best Water Department's around – you have done tremendous things there. Thanked the Franks and extended thoughts and prayers to the family and he wishes the very best for Charlie on his surgery on the 29th.
- **Mr. Hardy** – Nothing.
- **Mr. Hagy** – Kudos to the team that put together the AMP-T sale – a lot of work went into that. Kudos to Jason Gibboney and his team for looking over the horizon to make sure we are set for the increased demand.
- **Mr. Dike** – Thank you to everyone and have a nice couple of weeks.
- **Mayor Artino** – Mr. Spafford is not leaving to go to work for the Sandusky Register.

Executive Session

The Mayor said that there would be no executive session.

Adjournment

Motion by Ms. Crawford to adjourn the meeting.

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 Council voted as follows:

YEAS: Crawford, Claus, Tapp, Dike, Artino, Hardy, Hagy (7)

NAYS: None (0)

There being more than a majority voting in favor of the motion, the Mayor declared the meeting of January 26, 2021 adjourned at 7:52pm.

Terri S. Welkener, Clerk of Council

Adopted: _____

Upon approval by the City Council, the official written summary of the meeting minutes will become a permanent record, and the official minutes may also consist of a permanent video and/or audio recording, excluding executive sessions, in accordance with Section 121.01(III) of the Administrative Code.

Terri Welkener

From: mikalyn.wasco@gmail.com
Sent: Monday, February 8, 2021 6:55 AM
To: jzimmerman@hurontwp.org; terri.welkener@huron.us; Terri Welkener; Mike Spafford
Subject: Commercial lodging businesses operating in R-1 residential zoned property/neighborhoods

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

The transient rental issue in Huron continues to plague us and shows zero signs of improving. What is the city doing to protect ALL residents and property owners who are complying with zoning regulations and living in single family, R-1 dwellings within residential zoned neighborhoods? Our residential communities are overrun with commercial lodging businesses. What is in place to prevent more commercial businesses from operating within R-1 zoned single-family neighborhoods? How can the city discriminate and allow commercial lodging businesses operate in R-1 zoned properties but not other commercial businesses?

The city, this government, have a responsibility to the citizens of Huron to rectify and remedy this situation promptly. The past three years have driven families away from the city (including their income tax revenue) due to unaffordable housing in addition to living next door to party houses all year long with new neighbors each week. The few dollars made today are already costing more when considering the declining quality of life for Huron's regular residents, the exit of regular residents (impacting revenue) added on top of the costs we'll face in an economic downturn. Huron residents' property taxes have all increased as well due to the unsustainable real estate prices driven by commercial lodging businesses buying all real estate within the average first-time home buyers budget. All economic indicators point to a decline (most likely within the next 24 months) in the economy – what is the city's plans when investors pull out and leave us with declining real estate prices and no regular year-round residents willing to live in Huron... a repeat of the 70s and 80s. You are just welcoming Huron's decline with open arms.

I found an article on the Economic Policy Institute's website (epi.org) which discusses both the costs and benefits of Airbnb. In the end, are the costs really worth the benefits?

[The economic costs and benefits of Airbnb: No reason for local policymakers to let Airbnb bypass tax or regulatory obligations | Economic Policy Institute \(epi.org\)](#)

These homes invite party houses, drugs, human trafficking, and other criminal acts all within our once quiet, single family residential neighborhoods. Now empty lots are being purchased for the sole purpose of building MORE transient rentals in R-1 zoned neighborhoods. I sold my home in July 2020 and decided to leave the city after 30 years due to these rentals. My mom's property (I am co-trustee) in Rye Beach is now my main concern as her quality of life continues to diminish as she is surrounded by commercial lodging businesses on a tiny one-way street with zero parking. On Friday there was an incident at her neighbors on 47 Oakwood where a guest at the commercial lodging property of 43 Oakwood parked their vehicle in their driveway without permission and when the police were called they advised there wasn't anything they could do and would not tow the vehicle. They finally agreed to try and reach the vehicle owner and the car eventually moved but it was back in their driveway by 7 AM the next morning (again without permission).

The city's inaction on this subject has pushed many residents into a corner and, quite frankly, considering what our own legal options are to protect our own investment in our R-1 single-family properties which are no longer in truly residential neighborhoods.

I can appreciate if members of our local government; including council; have a vested interest in these properties but those interests should never supersede your duty to the city and it's residents. Bottom line, these commercial lodging businesses are illegally operating in residentially zoned properties. You have a duty to rectify and remedy this situation.

Regards,

Mikalyn Wasco
314 Elmwood Rd
419-433-5554

Sent from [Mail](#) for Windows 10



HONORING THE CITY OF HURON
FOR OUTSTANDING ATTAINMENT

On behalf of the members of the Senate of the 134th General Assembly of Ohio, we are pleased to congratulate the City of Huron on its Andrew L. Fabens Memorial Park receiving a 2021 Reader's Choice Award from the SportsEvents Media Group.

This prestigious distinction is a fitting tribute to the City of Huron, for this fine community has worked diligently to provide its population with outstanding recreational facilities. Among its amenities, the Andrew L. Fabens Memorial Park includes baseball/softball fields, batting cages, a playground, shelter houses, and nature and biking trails, and it has maintained a reputation as a competition sports destination that has drawn many visitors to the Huron area. As a result, it placed third in the all-star outdoor sports venues category of the 2021 Reader's Choice Awards, sponsored by the SportsEvents Media Group, and this accomplishment is a justifiable source of pride and an excellent reflection not only on the athletic complex, but also on the city as well as its people.

America is only as strong as her individual communities, which are unique and which make a significant contribution to the culture of our state and nation. Throughout its history, the City of Huron has become known for its population's cooperation, integrity, and willingness to work hard, and its citizens have certainly continued their exemplary efforts to make the area a pleasant and friendly place in which to live and work. We look with optimism to a promising and bright future.

Thus, with sincere pleasure, we commend the City of Huron on its recent accolade and extend best wishes for ongoing success.



Matt Huffman
Senator Matt Huffman
President of the Ohio Senate

Theresa Gavarone
Senator Theresa Gavarone
2nd Senatorial District



TO: Mayor Artino and City Council
FROM: Matthew Lasko
RE: Ordinance No. 2021-4
DATE: February 23, 2021

Subject Matter/Background

Upon execution of the recent transaction with AMPT, this ordinance authorizes converting the remaining principal balance from the existing bond anticipation notes utilized to construct HPP's substation into a fixed revenue bond issuance. Once converted and the amount applied to principal reduction, the City will realize an immediate increase our overall debt capacity and be in an improved position for future capital projects.

The decision to utilize the proceeds from the sale as an immediate debt reduction tool was at the guidance of bond counsel since the funds to construct the asset being sold were acquired through a debt issuance.

Financial Review

The financial impact to the issuance will result in annual debt payment on a 20-year bond at approximately \$100,000 per year, and reduces the City's indirect debt limit. This legislation relates to the sale of the substation's transmission assets to AMP-T. The proceeds from the sale of the transmission assets (\$2.1 million) must be used to pay down any outstanding debt on the substation, which is currently a \$3.5 million note. The \$1.5 million in general obligations bonds includes the remaining outstanding principal plus cost of issuance and 2021 interest.

Legal Review

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

Recommendation

If Council is in agreement, a motion adopting Ordinance 2021-4 as an emergency measure is in order.

[Ordinance No. 2021-4.DOCX](#)

ORDINANCE NO. 2021-4

Introduced by Mark Claus

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,500,000 OF BONDS, TO PAY COSTS OF IMPROVING THE MUNICIPAL ELECTRIC SYSTEM BY CONSTRUCTING A NEW SUBSTATION, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2018-6, passed on March 13, 2018, the City issued \$3,500,000 Taxable Electric System Improvement Notes, Series 2018, in anticipation of bonds for the purpose stated in Section 1, which notes were retired at maturity with the proceeds of \$3,500,000 Taxable Electric System Improvement Notes, Series 2019, issued in anticipation of bonds pursuant to Ordinance No. 2019-4 passed on March 12, 2019, which notes were retired at maturity with the proceeds of \$3,500,000 Taxable Electric System Improvement Notes, Series 2020 (the Outstanding Notes), issued in anticipation of bonds pursuant to Ordinance No. 2020-5 passed on March 10, 2020, which Outstanding Notes mature on March 31, 2021; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Bonds described in Section 1 and other available funds of the City; and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to issue the Bonds described in Section 1 to provide funds sufficient for that purpose, including the payment of expenses properly allocable to the issuance of the Bonds; and

WHEREAS, the Director of Finance as fiscal officer of this City has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, and the estimated maximum maturity of the Bonds described in Section 1 is 30 years.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Erie County, Ohio, that:

Section 1. Authorized Principal Amount and Purpose; Principal and Interest Payment; Denominations; Dating. It is necessary to issue bonds of the City in an aggregate principal amount not to exceed \$1,500,000 to pay costs of improving the municipal electric system by constructing a new substation, together with all necessary appurtenances, including the payment of expenses related to the issuance of the Bonds, and to retire the Outstanding Notes (the Bonds). The principal amount of the Bonds to be issued shall be the amount certified by the Director of Finance in the certificate awarding the Bonds and setting certain terms thereof pursuant to Section 7 (the Certificate of Award). The Bonds shall be designated "Taxable Electric System Improvement Bonds, Series 2021" or otherwise as determined by the Director of Finance in the Certificate of Award, shall be issued in one lot, and shall be issued only as fully registered bonds.

The Bonds shall bear interest (computed on the basis of a 360-day year consisting of 12 30-day months, unless otherwise determined by the Director of Finance in the Certificate of Award), payable on June 1 and December 1 (or such other semiannual dates or annual dates as determined by

the Director of Finance in the Certificate of Award) of each year (the Interest Payment Dates), commencing on the initial Interest Payment Date determined by the Director of Finance in the Certificate of Award (which initial Interest Payment Date shall not be later than one year from the issuance date of the Bonds), until the principal amount has been paid or provided for. As referred to herein, Principal Payment Dates means December 1 (or such other semiannual dates or annual date as determined by the Director of Finance in the Certificate of Award) in each of the years 2021 through 2040 in which principal on the Bonds is payable (or such other annual years as are determined by the Director of Finance in the Certificate of Award, provided that in no case shall the total number of Principal Payment Dates exceed the maximum maturity of the Bonds referred to in the preambles hereto).

The Bonds shall be dated their date of issuance or, as of such other date not more than 60 days prior to the issuance date as is determined by the Director of Finance in the Certificate of Award. Any provision herein notwithstanding, the entire principal amount of the Bonds may be represented by a single certificate with multiple payments of principal listed on a principal payment schedule attached thereto.

The Bonds shall be issued in a denomination or denominations specified in the Certificate of Award, as may be reflected in the aforementioned principal payment schedule, but in no case as to a particular maturity date exceeding the principal amount of Bonds maturing on that date. The Bonds shall mature on such Principal Payment Dates and in such amounts as shall be determined by the Director of Finance, subject to the provisions hereinbelow set forth, in the Certificate of Award, consistent with the Director of Finance's determination of the best interest of and financial advantages to the City. The Bonds shall bear the rate or rates of interest per year as shall be determined by the Director of Finance in the Certificate of Award. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

The rate or rates of interest per year to be borne by any Bonds, and the principal amount of Bonds maturing on each Principal Payment Date, shall be such that (i) the total principal and interest payments on the Bonds in any fiscal year in which principal is payable is not more than three times the amount of those payments in any other such fiscal year and (ii) the true interest cost of the Bonds does not exceed 6%.

The Director of Finance may adjust the Interest Payment Dates and Principal Payment Dates within the parameters set forth in this Section and based on the Director of Finance's judgment as to the best interest of the City. Any adjustments made by the Director of Finance pursuant to the authorizations set forth in this Section and this Ordinance shall be set forth in the Certificate of Award.

Section 2. Optional Redemption Provisions. The Bonds may be subject to redemption prior to stated maturity as follows:

(a) Optional Redemption. If determined by the Director of Finance in the Certificate of Award to be advantageous to and in the best interest of the City, the Bonds specified in the Certificate of Award shall be subject to optional redemption, by and at the sole option of the City, in whole or in part (as selected by the City) on any date, and at the redemption prices (expressed as a percentage of

the principal amount redeemed) plus, in each case, accrued interest to the redemption date, all as specified in the Certificate of Award, provided the redemption price for any optional redemption shall not be greater than 102% and the earliest optional redemption date shall not be later than 10½ years from the date of issuance of the Bonds.

Bonds to be redeemed pursuant to this paragraph (a) shall be redeemed only upon written notice from the City to the Bond Registrar (as defined in Section 4), given upon the direction of this Council by enactment of a resolution or an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as hereinafter provided, there shall be deposited with the Bond Registrar, on or prior to the redemption date, funds which, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus interest accrued to the redemption date, all of the redeemable Bonds for which notice of redemption has been given.

(b) Partial Redemption. If fewer than all of the Bonds of a single maturity are to be redeemed, the selection of Bonds to be redeemed, or portions thereof, shall be made by lot by the Bond Registrar in any manner that the Bond Registrar may determine.

(c) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (i) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (ii) the redemption price to be paid, (iii) the date fixed for redemption, and (iv) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the City by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address then shown on the Bond Register maintained by the Bond Registrar. The failure of any registered owner of any Bond to be redeemed to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any other Bond.

(d) Payment of Redeemed Bonds. Notice having been mailed in the manner provided in paragraph (c) hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds, provided that any interest earned on the moneys so held by the Bond

Registrar shall be for the account of and paid to the City to the extent not required for the payment of the Bonds called for redemption.

Section 3. Execution and Authentication of Bonds. The Bonds shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities, provided that either or both of those signatures may be a facsimile. The Bonds shall be delivered in the denominations and numbers requested by the Original Purchaser (as defined in Section 7) and approved by the Director of Finance, shall be numbered as determined by the Director of Finance, and shall express upon their faces the purpose, which may be in summary terms, for which they are issued and that they are and shall be issued pursuant to Chapter 133 of the Revised Code, the City's Charter, this Ordinance and the Certificate of Award. No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings (for purposes of this Ordinance, meaning this Ordinance, the Certificate of Award, the Registrar Agreement (if any), and such other proceedings of the City, including the executed Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds) unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, this Ordinance. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Director of Finance on behalf of the City, or by the Director of Finance if the Director of Finance is to be the Bond Registrar pursuant to Section 4. The same person need not sign the certificate of authentication on all of the Bonds.

Section 4. Appointment of Bond Registrar. As used herein, "Bond Registrar" means the person or entity appointed pursuant to this Section 4 as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds and until a successor Bond Registrar shall have become such and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar. In the Certificate of Award, the Director of Finance shall appoint the initial Bond Registrar, who may be the Director of Finance; provided that, if the Bond Registrar is to be a bank or trust company: (a) the Director of Finance shall first determine that said bank or trust company will not endanger the funds or securities of the City; and (b) the Director of Finance shall sign and deliver, in the name and on behalf of the City, a Bond Registrar Agreement between the City and the Bond Registrar (the Registrar Agreement) after having obtained the approval of this Council of said Registrar Agreement; and (c) unless paid from other sources, the Director of Finance shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

Section 5. Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of a Bond shall be paid on each Principal Payment Date and interest shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register (as defined in Section 6) at the close of business on the 15th day preceding that Interest Payment Date; provided, however, that so long as the entire principal amount of the Bonds is represented by a single certificate, payment of

principal and interest may be made by wire or check or draft mailed to the person in whose name the Bond was registered on the applicable date of payment, with presentation and surrender of said certificate to be made to the Bond Registrar after payment of principal and interest at final maturity.

Section 6. Registration; Transfer and Exchange. So long as any of the Bonds remain outstanding, the City will cause the Bond Registrar to maintain and keep, at an office satisfactory to the Director of Finance and the Bond Registrar, all books and records necessary for the registration, exchange and transfer of Bonds as provided in this Section (the Bond Register). Subject to the provisions of Section 5, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of this Ordinance. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the City nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the City's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of any authorized denomination upon presentation and surrender at the office of the Bond Registrar designated in the Certificate of Award or, if not so designated, then at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so, in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so, in a form satisfactory to the Bond Registrar. Upon exchange or transfer, the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations requested by the registered owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the City are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the City. In all cases of Bonds exchanged or transferred, the City shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of this Ordinance. The exchange or transfer shall be without charge to the registered owner, except that the City and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of this Board, evidencing the same debt, and entitled to the same security and benefit under this Ordinance, as the Bonds surrendered upon that exchange or transfer. Neither the City nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing or (ii) any Bond selected for redemption, in whole or in part.

Section 7. Award and Sale of the Bonds. In accordance with this Ordinance, the Bonds shall be awarded and sold at a price of not less than 97% of par plus any accrued interest to the original purchaser as determined by the Director of Finance in the Certificate of Award (the Original

Purchaser) in accordance with the Certificate of Award. The Director of Finance is authorized to and shall sign and deliver the Certificate of Award. The Director of Finance shall, in the Certificate of Award, determine the principal amount of the Bonds, designate the interest rate or rates the Bonds shall bear, establish the Original Purchaser and the purchase price of the Bonds, set the Interest Payment Dates and Principal Payment Dates and amounts, set any optional redemption provisions, and make all of the other designations herein authorized and directed to be made, all within the parameters set forth herein, and shall execute the Certificate of Award and shall cause the Bonds to be prepared, signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. The City Manager, Director of Finance, Director of Law, Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance.

The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Bonds with one or more other bond issues of the City into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated bond issue if appropriate and consistent with the terms of this Ordinance.

The expenditure of the amounts necessary to pay the financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 8. Application of Proceeds. The proceeds from the sale of the Bonds (except any premium and accrued interest) shall be paid into the proper fund or funds, and those proceeds are appropriated and shall be used for the purpose for which the Bonds are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 9. Provisions for Tax Levy. There shall be levied on all the taxable property in the City, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

In each year to the extent the net revenues from the municipal electric system are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, the amount of the tax shall be reduced by the amount of such net revenues so available and appropriated.

In each year to the extent receipts from the municipal income tax are available for the payment of the debt charges on the Bonds and are appropriated for that purpose, and to the extent not paid from net revenues of the municipal electric system, the amount of the tax shall be reduced by the amount of such receipts so available and appropriated in compliance with the following covenant. To the extent necessary, the debt charges on the Bonds shall be paid from municipal income taxes lawfully available therefor under the Constitution and the laws of the State of Ohio, and the Charter of the City; and the City hereby covenants, subject and pursuant to such authority, including particularly Section 133.05(B)(7) of the Ohio Revised Code, to appropriate annually from such municipal income taxes such amount as is necessary to meet such annual debt charges.

Nothing in the two preceding paragraphs in any way diminishes the irrevocable pledge of the full faith and credit and general property taxing power of the City to the prompt payment of the debt charges on the Bonds.

Section 10. Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and the Certificate of Award to the Erie County Auditor.

Section 11. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

Section 12. Retention of Bond Counsel. The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed, to the extent they are not paid by the Original Purchaser, to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

Section 13. Compliance with Open Meeting Requirements. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Section 14. Captions and Headings. The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

Section 15. Declaration of Emergency; Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective so that the Bonds can be sold at the earliest possible date, which is necessary to enable the City to retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

Adopted: _____

Sam Artino, Mayor

Attest: _____
Clerk of Council



TO: Mayor Artino and City Council
FROM: Cory Swaisgood , Finance Director
RE: Ordinance No. 2021-5
DATE: February 23, 2021

Subject Matter/Background

Strong financial management practices are rooted in sound policies and procedures. In a continuing effort to modernize the Finance Department and the city's overall financial management, Mr. Swaisgood is presenting for Council's approval a modification to multiple financial management policies. In 2018, the City established a General Fund reserve policy, setting a desired cash balance to be held in reserve to protect the city from financial calamity. The investment policy included within this Ordinance ensures that any investments being made by the city are done so balancing appropriate levels of risk/reward and are continually reviewed by the City's Finance Committee. Finally, the Finance Department is finalizing an updated debt management policy which will establish internal thresholds for debt issuances in addition to those set out by State statutes. The combination and implementation of these policies continues the growth of sound financial management and modernization of the city of Huron.

Financial Review

There is no immediate financial impact with the Investment Policy. This policy was discussed with the Finance Committee and recommended to Council for approval. The policy modernizes the City's investment policy and establishes the Investment Advisory Committee (IAC), which will be the City's Finance Committee. The Finance Director will provide annual updates and review investment strategies with the IAC. This policy will have a long-term financial impact based on investment strategies reviewed with the City's investment advisor and IAC.

Legal Review

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

Recommendation

If Council is in agreement, a motion adopting Ordinance No. 2021-5 as an emergency measure is in order.

[Ordinance No. 2021-5.rtf](#)

[Ordinance No. 2021-5 Exhibit A.pdf](#)

ORDINANCE NO. 2021-5

Introduced by Joel Hagy

AN ORDINANCE ADOPTING AN INVESTMENT POLICY FOR THE CITY OF HURON AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 1997-15 adopting the City's current Investment Policy was adopted on May 27, 1997; and

WHEREAS, the City desires to amend the Investment Policy to conform with current investment objectives, preferences or tolerance for risk, constraints on the investment portfolio, and how the investment program will be managed and monitored.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Ohio:

Section 1. That the policy set forth in Exhibit A attached hereto and made a part hereof shall be, and hereby is, adopted as the Investment Policy of the City of Huron.

Section 2. That the various municipal officers having authority over the investments of the City shall, henceforth, act in accordance with such policy.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public, health, safety and general welfare and for further reason that the policy adopted herein is needed for the protection and preservation of public funds; wherefore, this Ordinance shall be in full force and effect from and immediately after its adoption and due authentication.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

Adopted: _____



INVESTMENT POLICY

A. INTRODUCTION:

An investment policy describes the parameters for investing government funds and identifies the investment objectives, preferences or tolerance for risk, constraints on the investment portfolio, and how the investment program will be managed and monitored. The document itself serves as a communication tool for the staff, elected officials, the public, rating agencies, bondholders, and any other stakeholders on investment guidelines and priorities. An investment policy enhances the quality of decision making and demonstrates a commitment to the fiduciary care of public funds, making it the most important element in a public funds investment program. The Government Finance Officers Association (GFOA) recommends that all governments establish a comprehensive written investment policy, which should be adopted by the governing body.

The intent of the Investment Policy of the City of Huron is to define the parameters of management that govern the City of Huron's investment program. The policy formalizes the framework for the City's investment activities and must be exercised to ensure effective and judicious fiscal and investment management of City funds. The guidelines are intended to be broad enough to allow the investment officer to function properly within the parameters for responsibility and authority, yet specific enough to adequately safeguard the investment assets.

B. POLICY:

It is the policy of the City to invest public funds in a manner which will safely preserve portfolio principal, provide adequate liquidity to meet the City's cash flow needs, and optimize returns while conforming to federal, state, and other legal requirements, including Ohio Revised Code Chapter 135.

The City's Investment Policy shall be formally adopted by an ordinance or resolution of Council. The Investment Advisory Committee (IAC) shall formally review this Investment Policy every five years and make necessary revisions for Council consideration. The policies as stated herein may be changed only with the authorization of City Council.

C. SCOPE:

The investment policy applies to all cash and financial investments of the various funds of the City of Huron as identified in the City's Annual Financial Report, with the exception of those financial assets and funds explicitly excluded from coverage by this policy for legal or operational reasons, such as the investment of employees' retirement funds.

Unless otherwise noted, City funds are commingled to maximize investment earnings and to increase efficiencies with regard to investment pricing, safekeeping, and administration thereof. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles. The parameters for investment, separation of accounts, and the deposit of investment income shall be employed via Section 135.02 and 135.05 of the Administrative Code of the City of Huron.

All public moneys of the City of Huron not kept as a cash reserve in the vault or safe of the Finance Department treasury of the City as may be prescribed by the Finance Director, except as otherwise hereinafter provided, may be invested by the Finance Director in authorized investments described in Section F. The Finance Director is authorized to pool cash balances of several funds of the City for investment.

D. GENERAL OBJECTIVES

The investment activity of the City of Huron shall be managed to accomplish the following objectives, in priority order:

- a. Safety: Preservation of Capital is the foremost objective of all investment activity for the City of Huron. Investments shall be undertaken in a manner that seeks to ensure preservation of capital within the City's investment portfolio.
- b. Liquidity: The investment portfolio shall remain sufficiently liquid to meet all operating requirements of the City that may be reasonably anticipated. This is accomplished by structuring the portfolio so that securities mature concurrent with cash needs or by investing in securities with active secondary or resale markets.
- c. Yield: The City's investment portfolio shall be designed and managed with the objective of attaining a benchmark, market average rate of return throughout budgetary and economic cycles, within the context set forth in the safety and liquidity objectives set forth in this policy.

E. STANDARDS OF CARE:

- a. Prudence: The standard of prudence to be applied to the City's portfolio shall be the industry standard "Prudent Person Rule", which states: Investments shall be made with judgment and care, under circumstances then prevailing which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probably safety of their capital as well as the probably income to be derived.

Investment officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that these deviations are reported in a timely fashion and that appropriate action is taken to prevent further adverse developments.

- b. Ethics and Conflict of Interest: The Director of Finance and other employees or officers of the City involved in the investment process shall refrain from personal business activity that could conflict with proper execution and management of the investment program, or which could impact their ability to make impartial investment decisions. The Director of Finance and other employees or officers of the City involved in the investment process shall disclose any material interests in financial institutions with which they conduct business within their jurisdiction, and they shall further disclose any material personal financial/investment positions that could be related to the performance of the City's investment portfolio. The Director of Finance and other employees or officers of the City involved in the investment process shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the City of Huron.

- c. Delegation of Authority: The Director of Finance is the Investment Officer charged with the responsibility for the purchase and sale of investments on behalf of the City and the execution of this investment policy. The Director of Finance shall establish written procedures for the operation of the investment program consistent with this policy, establish a system of controls to regulate the activities of subordinate officials, and shall be responsible for all transactions undertaken. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Investment Officer. The Director of Finance shall routinely monitor the contents of the investment portfolio, the available markets and the relative value of competing investments and will adjust the portfolio accordingly.

Employees who directly manage investments shall complete the necessary investment training as required by the State of Ohio at the City's cost. Staff shall be bonded in amounts appropriate to levels of responsibility and portfolio characteristics.

The City's Finance Committee shall serve as the IAC, with membership including all members of the Finance Committee, the City Manager, the Director of Finance, and the Law Director. The purpose of the Committee is to provide general oversight and act in an advisory capacity. The IAC will meet once each calendar quarter to review and evaluate previous investment activity, review the current status of all funds held by the city, discuss anticipated cash requirements, investment activities for the upcoming periods, and discuss overall investment strategy.

F. SUITABLE AND AUTHORIZED INVESTMENTS

The Finance Director may invest in any of the following classifications of investments or securities, in accordance with Section 135.14 of the ORC. All deposits shall be collateralized pursuant to Chapter 135 of the ORC.

- a) U.S. Treasury Obligations, including United States Treasury bills, notes, bonds or any other obligation or security issued by the United States Treasury, or any other obligation guaranteed as to principal and interest by the United States, or any book entry, zero coupon United States treasury security that is a direct obligation of the United States, excluding stripped principal or interest obligations of such issuances.
- b) Federal Agency Obligations, including bonds, notes, debentures or any other obligations or securities issued by any federal government agency or instrumentality, excluding striped principal or interest obligations of such issuances. All federal agency or instrumentality securities shall be direct issuances of the appropriate federal government agency or instrumentality.
- c) State of Ohio Local Government Investment Pool, including STAR Ohio and STAR Plus in accordance with ORC 135.45.
- d) Bonds, notes and other obligations of any municipal corporation, including the City of Huron, or any other local government agency in the State of Ohio (including, but not limited to townships, villages, and school districts), in accordance with ORC 135.14(B)(4).
- e) No-load money market mutual funds consisting exclusively of obligations under Section F(a) and F(b) of this policy.
- f) Time certificates of deposits, savings or deposit accounts in any eligible public depository in accordance with Section 135.144 of the ORC.
- g) Written repurchase agreements with any eligible institution in this policy or mentioned in Section 135.03 of the ORC, the Finance Director and such institution or dealer agrees unconditionally to repurchase within a period of not more than thirty (30) days any of the securities authorized in this policy. The market value of securities subject to a written repurchase agreement must exceed the principal value of the written repurchase agreement by at least two per cent and be marked to market daily. All securities purchased pursuant to this section shall be delivered into the custody of the Finance Director. A written repurchase

agreement with an eligible securities dealer shall be transacted on a delivery versus payment basis. The agreement shall contain the requirement that for each transaction pursuant to the agreement the participating institution or dealer shall provide all of the following information:

- (1) The par value of the securities;
- (2) The type, rate, and maturity date of the securities;
- (3) A numerical identifier generally accepted in the securities industry that designates the securities.

G. AUTHORIZED FINANCIAL INSTITUTIONS, DEPOSITORIES, AND BROKER/DEALERS:

The Finance Director, with approval from the IAC, may use financial institutions, depositories, brokers or dealers to implement this Investment Policy. All authorized financial institutions, depositories, brokers or dealers must be a member of the National Association of Securities Dealers, Inc., and acknowledge receipt and comprehension of this Investment Policy.

H. SAFEKEEPING, CUSTODY, AND INTERNAL CONTROLS:

The Director of Finance shall establish and maintain an internal control structure designed to ensure that the assets of the City are protected against theft, loss or misuse.

Reports are maintained by the Finance Director and discussed annually with the IAC to monitor and control investments.

Investment strategies are discussed and approved by both the Finance Director and IAC. Interest is calculated by Finance Department personnel with secondary review/approval. Investment balances by bank are reconciled monthly by the Finance Department. The Finance Director reviews investment balances on an ongoing basis.

I. RISK AND PERFORMANCE STANDARDS:

The City's investment portfolio shall be designed and managed with the objective of obtaining a market rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and cash flow needs of the City.

Any authorized investment pursuant to this Investment Policy shall mature within five (5) years from the date of settlement unless the authorized investment is matched to a specific obligation or debt of the City and will be held until its maturity. It is the responsibility of the Finance Director and IAC to comply with this Investment Policy and implement procedures for analysis of risk and investment portfolio performance.

J. PROHIBITED PRACTICES:

The following practices are expressly prohibited:

- A) Using investment assets as collateral for purchasing other assets.
- B) Issuing taxable notes for the purpose of arbitrage.
- C) Contracting to sell securities not yet acquired.

This policy was reviewed and approved by the Finance Committee on xxx xx, xxx; and adopted by the City Council on xxx xx, xxxx.



TO: Mayor Artino and City Council
FROM: Cory Swaisgood , Finance Director
RE: Ordinance No. 2021-6
DATE: February 23, 2021

Financial Review

There is no financial impact with the cash handling policy. A cash handling policy, which also includes setting petty cash amounts, is a Government Finance Officers Association's best practice in government finance. This policy will be used as a general guideline for all employees handling cash and require employees to sign off on the policy before handling City cash.

Legal Review

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

Recommendation

If Council is in agreement, a motion adopting Ordinance 2021-6 as an emergency measure is in order.

[Ordinance No. 2021-6.rtf](#)

[Ordinance No. 2021-6 Exhibit A.pdf](#)

ORDINANCE NO. 2021-6

Introduced by Joel Hagy

AN ORDINANCE ADOPTING A CITY-WIDE CASH HANDLING POLICY FOR THE CITY OF HURON AND DECLARING AN EMERGENCY.

WHEREAS, the City desires to adopt a city-wide cash handling policy to ensure adequate internal controls to account for the handling of the City's municipal cash and to maintain public trust.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Ohio:

Section 1. That the policy set forth in Exhibit A attached hereto and made a part hereof shall be, and hereby is, adopted as the City-Wide Cash Handling Policy of the City of Huron.

Section 2. That the various municipal officers having authority over the City's municipal cash shall, henceforth, act in accordance with such policy.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public, health, safety and general welfare and for further reason that the policy adopted herein is needed for the protection and preservation of public funds; wherefore, this Ordinance shall be in full force and effect from and immediately after its adoption and due authentication.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

Adopted: _____



CITY-WIDE CASH HANDLING POLICY

A. PURPOSE:

The Cash Handling Policy is established for the purpose of ensuring adequate internal controls to account for the handling of the City of Huron's ("City") municipal cash and to maintain public trust. The procedures to enforce and controls to ensure that this Cash Handling Policy is carried out are to include but are not limited to those outlined below:

- a. Written documentation evidencing assigned authority (see Cash Handling Policy Employee Acknowledgement Form below).
- b. Random drawer audits conducted under the direction of the Director of Finance. A requirement that any non-compliance with this policy or deviation from set procedures will be reported to the Director of Finance in the form of a memorandum outlining the non-compliant act or procedural deviation.

B. DELEGATION OF AUTHORITY:

- a. The Director of Finance is authorized to promulgate rules for establishing procedures for the receipt, handling, and deposit of municipal cash by municipal employees and persons performing cash handling functions where there are municipal operations being performed, and funds that are to be placed into the municipal treasury. For the purpose of this policy, city employees, employees of companies that perform services operating departments or facilities for the City, volunteers, and all other persons involved in cashier related functions involving municipal cash, whether the employee(s) is/are full or part-time are covered by the terms of this policy. Incorporated within the authority granted via this policy is the right to require regular reporting to the Director of Finance; inspection of departmental cash records, including overages or shortages and inspection of departmental practices and procedures in handling municipal cash. The Director of Finance may verify and inspect for compliance with promulgated policies, procedures and rules to assure that they are being adhered to through on-site inspections.
- b. The City is required by law to keep detailed records of transactions involving the receipting, retention, and disbursement of all City revenue. The Finance

Department is charged with the responsibility of overseeing the proper receipting and safeguarding of all municipal funds.

- c. Responsibility and accountability for the daily collection of funds is delegated to the principal municipal cash custodian of each operating location involved in cashiering operations along with his/her supervisor.

C. DUTIES OF CITY PERSONNEL:

Any City employee who receives municipal cash in the normal scope and course of his/her duties shall:

1. Ensure the delivery or deposit is made in compliance with ORC Section 9.38 and comply with rules promulgated by the Director of Finance for handling and processing of municipal cash.
2. Notify his/her supervisor and department head of any loss or theft of municipal money immediately upon discovery. Written notice shall be given to them no later than twenty-four hours after discovery.
3. Shall count, balance, report and relinquish cash drawer collections in excess of the cash drawer amount to the facility's principal municipal cash custodian no later than the end of his/her shift each day.
4. Each cash custodian/the department head or manager shall prepare deposit records and deposit the day's collections in accordance with the following process:
 - a. City personnel must deposit all public moneys received by that person with the Finance Department or properly designated depository (bank) on the business day next following the day of receipt, if the total amount of such moneys received exceeds one thousand dollars (\$1,000). If the total amount of the public moneys so received does not exceed one thousand dollars (\$1,000), the person shall deposit the moneys within three (3) business day next following the day of receipt, provided the person is able to safeguard the moneys until such time.
 - i. Safeguarding the public moneys include proper segregation of duties on handling the cash (signoffs, reviews); securing cash received for deposit in a locked safe within a secured area; restricted access to the safe. This process must be approved by the Finance Director.
5. Municipal employees are subject to disciplinary action for failure to comply with the duties described in the Cash Handling Policy.

D. LIABILITY FOR LOSS

Primary responsibility for care and liability for loss of municipal cash in its custody is recognized at the department/facility level until deposited with the Finance Department or bank. Compliance with the procedures approved by the Director of Finance establishes a presumption that a municipal department/facility is exercising due care in its custody and care of municipal cash.

E. ESTABLISHMENT/INCREASE OF CASH FUNDS

All requests for the establishment of cash funds, (i.e. cash drawer and petty cash funds) must be made to the Director of Finance. The Director of Finance will maintain a complete listing of all cash funds. The department/facility, custodian and the dollar value of the cash funds are to be maintained on this written listing.

1. A check request signed by the department head; specifying the type of fund (cash drawer or petty cash), the amount being requested, and an explanation describing the basis for the requested funds is required to be submitted to the Director of Finance. (Email is acceptable)
2. It is not permissible for cash funds to be established out of cash receipts by any department/facility.
3. A cash fund will not be established until a principle cash fund custodian has been designated by the department head/facility manager. Cash funds must have only one principle cash fund custodian responsible for managing cash funds. In the absence of the principle cash fund custodian, the supervisor is responsible for the control and management of cash funds.
4. Should it become necessary to change fund custodians, the supervisor must notify the Director of Finance and an audit of the cash fund be performed prior to transferring the cash fund to a new principal cash fund custodian. An audit of the cash fund will not be performed unless and until the new custodian is present.
5. Upon receipt of the cash fund money, the new custodian will sign the custodian acknowledgement form maintained by the Director of Finance.

F. TERMINATION OF CASH FUNDS

- a. When the need arises to close a municipal cash fund, the department head/facility manager shall notify the Director of Finance that the cash fund is to be closed by providing a memorandum (email is acceptable) specifying the reason for the closure. At the point funds are to be relinquished, an audit of the cash fund shall be performed in the presence of the department

head/facility manager or the municipal cash fund custodian. Any discrepancy from the proper balance shall be noted and addressed at that time. The Director of Finance shall void and return the department head and custodian's signed Cash Handling Policy Employee Acknowledgement Form.

- b. Upon completion of the cash audit and relinquishment of the funds to the Director of Finance or his designee, the cash will be deposited into the municipal depository and appropriate accounting entries recorded to reverse the recognition of the municipal cash funds on the general ledger.

G. SECURITY OF CASH FUNDS

- a. Funds must be secured in a safe when not being used operationally or receipts are not being prepared for deposit.
- b. Provisions should be made in departments where more than one cash fund exists to secure all funds that are not being currently utilized.
- c. Only the department head, principle cash fund custodian and alternates should maintain keys and have access to municipal cash funds on hand and relinquished daily receipts when they are not in operational use or being prepared for deposit.
- d. Bank bags must be locked and kept out of sight when transporting municipal funds for deposit at the municipal depository.
- e. All cash funds must be reviewed for propriety on a randomly by the department head/facility manager.
- f. Petty cash funds shall remain secured until need arises to perform a transaction involving petty cash.
- g. Cash register drawers shall not be left unattended without the cash register being locked and the register's key removed and retained on the person of the responsible employee.
- h. Cash register drawers shall be removed from each cash register before the close of business each day, relinquished to the department head/facility manager, principle municipal cash fund custodian or on duty alternate, and placed in a vault or safe.

- d. For seasonal cash drawers (e.g. Nickel Plate Beach), the custodian shall audit and deposit the funds with the Finance Department in the off-season.

L. REGULATION OF PETTY CASH

- a. Petty cash funds are used for expenditures of \$100 or less made by a City employee.
- b. Adequate receipts and documentation must be maintained to support all transactions made from the Petty Cash Fund.
- c. A petty cash fund or custodian may be revoked at the discretion of the Finance Director.
- d. The amount of the petty cash fund may be reduced at the discretion of the Finance Director.

M. ESTABLISHED PETTY CASH FUNDS

Department	Fund Limit
Finance Department	\$235

N. ESTABLISHING NEW PETTY CASH FUNDS

Departments wishing to establish a new petty cash fund shall contact the Finance Director.

O. CLOSING A PETTY CASH FUND

If it is determined that an existing petty cash fund is no longer needed, the custodian must close the fund. The remaining cash and all receipts should be taken to the Finance Department for deposit.

Contact the Finance Department to obtain the appropriate account information before the deposit is made. Supporting documentation will be forwarded to the Finance Department for reconciliation.

P. PETTY CASH PROCEDURES:

- a. The requester shall complete the Petty Cash Reimbursement Form (attached). Describe the purchase/expenditure in the description/explanation area and enter the total amount requested for reimbursement. A receipt for the expenditure must be attached to this form. The form must be signed and dated by the requestor and approved by the Finance Director with his/her signature and the date.

- b. On a periodic basis, the custodian counts the currency and coins in the petty cash fund, sums the receipts in the petty cash fund file. The combined dollar value of the currency, coins and the receipts must equal the petty cash fund total assigned to the custodian. The custodian then completes a Petty Cash Reimbursement Form and a check request to reimburse the petty cash fund for the amount of the outstanding receipts.
- c. If a discrepancy exists between the total of the currency, coin and receipts and the petty cash fund total assigned to the custodian, the custodian needs to inform the Finance Department petty cash fund to ensure that sufficient currency and coin are on hand to reimburse employees for expenditures.

This policy was reviewed and adopted by the Finance Committee on xx xx, xxxx. and City Council on xx xx, xxxx, Resolution #

GLOSSARY

Municipal Cash – Currency, coins, checks, charge payments, other electronic payment media, and other negotiable instruments payable as money to the municipality or to operations owned or affiliated with the municipality.

ORC 9.38 – This Ohio Revised Code Section states, “A person who is a public official other than a state officer, employee, or agent shall deposit all public moneys received by that person with the treasurer of the public office or properly designated depository on the business day next following the day of receipt, if the total amount of such moneys received exceeds one thousand dollars. If the total amount of the public moneys so received does not exceed one thousand dollars, the person shall deposit the moneys on the business day next following the day of receipt, unless the public office of which that person is a public official adopts a policy permitting a different time period, not to exceed three business days next following the day of receipt, for making such deposits, and the person is able to safeguard the moneys until such time as the moneys are deposited. The policy shall include provisions and procedures to safeguard the public moneys until they are deposited. If the public office of which the person is a public official is governed by a legislative authority, only the legislative authority may adopt such a policy.”

CITY OF HURON
CASH HANDLING POLICY
Municipal Cash Fund Custodian
Employee Acknowledgement Form

I, _____, accept and acknowledge I am a municipal cash fund custodian for the below named department/facility of the City of Huron. I accept and understand the responsibility delegated to me. I understand and agree, as department head/facility manager/municipal cash custodian, that I may be held responsible and accountable for municipal cash that is administered under my care and authority on behalf of the City of Huron, as provided in the Cash Handling Policy of the City.

Department/Facility Name: _____

Signature: _____

Print Name: _____

Date: _____

Amount of Requested Reimbursement: _____

Recap of Disbursements

Vendor Name	Date of Purchase	Account Code	Amount
Total:			

Date: _____

Date: _____



TO: Mayor Artino and City Council
FROM: Matthew Lasko
RE: Resolution No. 11-2021
DATE: February 23, 2021

Subject Matter/Background

As submitted by Brian Croucher :

We are requesting an adoption of a resolution authorizing an agreement between the City of Huron and the Huron Baseball and Softball Program for the 2021 season. This agreement would grant a license for the Huron Baseball and Softball Program, Inc. to utilize Fabens Park baseball /softball fields (# 1 – 7) and concession stand from March 29, 2021 through July 23, 2021. However, we need to note in this year's contract one change concerning the start date. The HBSP will have access to the fields on March 29th but the City of Huron will have until April 15th, 2021 to have the field prepared with bases, mounds, etc. (weather permitting). These times and dates in this agreement are representative of last year's agreement with some minor adjustments. The estimated fees from this contract will be approximately \$3,000. The Huron Baseball and Softball Program will pay a fee of \$875 for exclusive rights to the fields, which fee is due prior to the start of the contract. The remainder of the fees will be due prior to September 1, 2021. These fees include utilities, Health permit, Storage Shed, North Coast Softball tournament fees and the participation fee for each child in the program. I am requesting that City Council please review and consider this request for the 2021 program season.

Financial Review

The matter has been reviewed, and anticipated revenue included in the 2021 Municipal Budget. Revenues received will be deposited in the Parks and Recreation Fund (Fund 207) and used for expenses related to this program.

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 request, a motion to adopt Resolution 11-2021 is in order.

[Resolution No. 11-2021.doc](#)

[Resolution No. 11-2021 Exhibit A.docx](#)

RESOLUTION NO. 11-2021

Introduced by Christine Crawford

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF HURON, OHIO GRANTING A LICENSE FOR THE HURON BASEBALL AND SOFTBALL PROGRAM, INC. TO UTILIZE ANDREW L. FABENS MEMORIAL PARK BASEBALL FIELDS AND CONCESSION STAND.

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

SECTION 1: The City Manager is authorized and directed to execute an agreement for and on behalf of the City of Huron, Ohio to grant a license with the Huron Baseball and Softball Program Inc., for the use of Fabens Park baseball fields and concession stand from March 29, 2021 through July 23, 2021, said agreement 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.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

AGREEMENT

This Agreement is made between the City of Huron, Ohio, hereinafter called "City" and the Huron Baseball and Softball Program, hereinafter called "Licensee" for the purpose of holding a Baseball and Softball Program at Fabens Park from March 29, 2021 through July 23, 2021.

WHEREAS, the Huron Baseball and Softball Program is held on property owned by the City; and therefore, it is necessary for the City to grant the Huron Baseball and Softball Program a license to use said property, and;

WHEREAS, it is necessary for the City of Huron to furnish additional City services in order that said event may be held on City property in Huron, Ohio.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

- 1) The City hereby grants a license to Licensee to use the City owned property known as "Fabens Park", including its baseball fields, for the events set forth in the schedule attached hereto and made a part hereof as Exhibit A, for the site of the Huron Baseball and Softball Program from March 29, 2021 through July 23, 2021. The granted license shall be in accordance with Codified Ordinance §165.03.
- 2) Cost:
 - a. The Licensee shall pay the Exclusive Field Rights Reservation Fee for seven (7) fields (#'s 1-7), in the amount of Eight Hundred and Seventy-Five Dollars (\$875.00) shall be paid prior to commencing practice and playing on City's fields.
 - b. In addition to the Field Rights Reservation Fee as set forth in Section 2a, Licensee shall pay to the City a Facility Usage by Volume of Participation Fee of \$5.00 per participant in accordance with Ordinance §165.03.
 - c. Licensee shall pay to the City a negotiated Concession Stand fee in Section 8f below.
 - d. Licensee shall pay to the City a rental storage fee in Section 8g below.
 - e. Unless otherwise outlined in this Agreement, all fees shall be paid to the City no later than September 1, 2021.
- 3) The City shall have the option to terminate or modify this Agreement and license in the event the property being leased to the Licensee becomes unavailable by reason of the construction of public improvements on said property by the City. The decision as to whether or not the property is unavailable shall be decided by the Huron City Administration, notice of the meeting at which such termination is to be discussed shall be given to the Licensee at least seven (7) days prior to the date of the meeting.

- 4) The City shall also notify the Licensee as soon as it can reasonably be done, of any impending public works construction that might adversely affect the use of the property by the Licensee.
- 5) The City shall further have the right to terminate this Agreement, for any reason, upon ten (10) days written notice to Licensee.
- 6) The City shall also notify, at any time, the Licensee upon the scheduling of any special event(s), tournament(s) or program(s) that may conflict with any Licensee event, field, or concession stand usage. Any tournaments hosted at Fabens Park will be scheduled on Fridays, Saturdays and Sundays for the specified week. No Games or practices may be scheduled by the Licensee during these tournaments. Scheduled city tournaments are listed on Exhibit D.
- 7) The Licensee agrees to indemnify and hold the City harmless from any and all claims, demands, or suits arising or claimed to arise from its use or the use by participants, workers and spectators of the Licensee of Fabens Park ball fields, parking areas and concession stand as authorized by this Agreement and shall secure liability insurance, at least in the amount of One Million Dollars (\$1,000,000) bodily injury and death; Fifty Thousand Dollars (\$50,000) property damage, which policies shall name City as an additional named insured. Licensee shall furnish City with evidence that the required insurance has been obtained, with proof of payment of the premium for the duration of this Agreement, prior to the opening event and a copy of such shall herein be attached and incorporated as Exhibit A. Such policy shall include a 30 day cancellation clause. This indemnification shall include all costs of defense, including reasonable attorneys' and expert witness fees, and shall also extend to use of the any City equipment by the Licensee.
- 8) Licensee further agrees as follows:
 - a) Licensee agrees the use of fields shall be from 3:00 p.m. until dark Mondays through Fridays and 8:00 am until 1:00 pm on Saturdays. Licensee agrees that this use includes only fields #1 through #7.
 - b) Licensee agrees other leagues/teams may utilize the Fabens Park fields for the duration of the Agreement during the hours not reserved to the Licensee or as individually scheduled and listed on Exhibit B.
 - c) Huron Parks and Recreation shall have the Fabens Park fields prepared with bases and mounds on or before April 15, 2021, weather permitting.
 - d) Huron Parks and Recreation shall be responsible for the maintenance of all fields and infrastructure at Fabens Park; provided, however, Licensee shall be responsible for setting up the fields for play by performing all actions needed to make the fields ready for play on game days, including but not limited to dragging the infield, marking the base lines and foul lines, setting the bases and the like.
 - e) City agrees to appoint a liaison between the City of Huron and the Huron Baseball and Softball Program, Inc.
 - f) Licensee agrees to leave the park in the condition it was found prior to each use (i.e. clean fields and dugouts after use). The Licensee understands that if the park is not left in the manner it was presented, the Licensee will be charged for any

damages or clean up. Any equipment damaged and in need of repair during the use by the Licensee will be repaired by the Licensee to the condition in which it was presented.

- g) As negotiated, the parties agree that Licensee will not be charged a rental charge for the use of the concession stand. In consideration, Licensee agrees to be financially responsible for any incurred utility bills for the duration of the contract and will remit Two Hundred Dollars (\$200.00) to the City for a portion of the cost of the health department permit. The Licensee will clean the concession stand throughout and at the conclusion of the summer season. The Licensee agrees to accept all responsibility of the building and any concession items served to any individual. The Licensee accepts full responsibility for any action taken because of any product sold. The City of Huron is not liable for any action taken on the Licensee.
- h) Lease Agreement: The City will provide storage space on site for storage of equipment consistent with activities related to Licensee. Storage for this purpose is secondary to the needs of the City and the City will make reasonable accommodations to assist Licensee in utilizing the storage. Said storage is anticipated by the City to be needed by Licensee during all months of this Agreement. This Agreement shall convey from the City to Company a Lease for the storage of said property. Company understands and affirms that the storage facility is not monitored by the City and Company assumes the risk of loss when utilizing the storage facility. At any time during this Agreement, the City reserves the right to rescind any access privilege afforded to Company by way of keycode, or key access to said storage facility. Should Licensee desire to utilize the lease option the cost of such option shall be \$400.00 payable in a one-time payment payable upon Licensee's notice of its intent to execute the lease option. Licensee shall notify the City of its intent to exercise the lease option no later than April 5, 2021. The cost of the lease is non-refundable and shall not be prorated in the event of Company's early termination of the lease option.
- i) At Licensee's request, the City grants Licensee the limited authority to utilize said property as the host site for the North Coast Girls Softball League Tournament during the regular scheduled season as cited in subsection (1) herein. During the period of any subcontract pursuant to this section, whether written or unwritten, Licensee shall remain bound by the terms of this Agreement. The City shall accept no liability pursuant to any subcontract by Licensee for the use of the property for this limited purpose. In addition to the fees otherwise set forth in this Agreement, Licensee shall be liable for a tournament fee of Five Hundred Dollars (\$500.00) per week for this limited subcontract.
- j) Licensee agrees to abide by all terms of this Agreement as regards the City of Huron's Contract with the City's contracted beverage supplier, a copy of which is herein attached and incorporated by reference as Exhibit C.
- k) COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAW, ORDERS, GUIDANCE, RULES AND REGULATIONS. Licensee and all employees, agents, contractors, and any other persons subject to their direction and control shall **strictly** comply with all federal, state, and local laws, orders, instructions, requirements, guidance, and any other safeguards, including those related to any

and all communicable diseases, including COVID-19. Licensee agrees to be solely responsible for ensuring that the activities covered by this Agreement will be operated, run, managed, and conducted in a manner consistent with all applicable all federal, state, and local laws, orders, instructions, requirements, guidance, and any other safeguards, including those related to COVID-19, and will coordinate with the Erie County Department of Health to ensure the same. Licensee understands that its use of the property will expose the it and its employees, agents, contractors and other persons subject to its control to a risk of injury and illness (ex: communicable diseases such as MRSA, influenza, and COVID-19), including the potential for permanent paralysis and death, and while particular rules, equipment, and personal discipline may reduce these risks, the risks of serious injury and illness do exist, and KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS, both known and unknown, EVEN IF ARISING FROM THE NEGLIGENCE OF THE CITY, and assumes full responsibility for any such risk which may occur at the property. Licensee further AGREES TO INDEMNIFY, RELEASE, AND HOLD HARMLESS the City, and its officials, agents, and/or employees ("RELEASEES"), WITH RESPECT TO ANY AND ALL CLAIMS, DEMANDS, LAWSUITS, ACTIONS, ETC. OF ANY TYPE FOR ANY ALLEGED INJURY, ILLNESS, DISABILITY, DEATH, or loss or damage to person or property, WHETHER ARISING FROM THE NEGLIGENCE OF THE CITY OR OTHERWISE, to the fullest extent permitted by law.

9. The rights and authority conveyed through this License shall not be assignable or transferrable by either party. This License shall not be recognized as valid, unless otherwise specified herein, for any sublease, subcontract or conveyance to another party regardless of whether said sublease, subcontract or conveyance is in exchange for compensation.

10. This License constitutes the entire Agreement between the parties and supersedes all prior or written agreements or understandings. This agreement shall only be amended in writing signed by both parties.

IN WITNESS WHEREOF, all parties have set their hands to duplicate copies of this Agreement on this _____ day of _____, 2021.

LICENSEE

CITY OF HURON, OHIO

President, Huron Baseball and
Softball Program

Matthew Lasko, City Manager

Approved as to Form:

Todd A. Schrader, Law Director

EXHIBIT A: INSURANCE RIDER

EXHIBIT B: SCHEDULE OF EVENTS

2021 – Tournaments/Events @ FABENS

MAY	<u>Weekend</u>		
	Fri.-Sun.	May 21-23	Baseball/BOS
	<u>NO RENTAL</u>	<u>May 29-31</u>	<u>Memorial Day</u>
JUNE	Fri-Sun	June 4-6	Baseball/Midwest TF
	Fri-Sun.	June 11-13	Baseball/Midwest TF
	Fri-Sun	June 18-20	Baseball/Midwest TF
	Fri-Sun	June 25-27	Baseball/Firelands Baseball
	<u>NO RENTAL</u>	<u>July 2-4</u>	<u>July 4th Weekend</u>
JULY	Fri-Sun.	July 9-11	Baseball/Duckpond
	Fri-Sun	July 23-25	Baseball/BOS
	Fri-Sun.	July 30 – Aug 1	HPRD/Dawg Daze

EXHIBIT C: PEPSI AMERICAS INC. CONTRACT WITH CITY OF HURON

EXHIBIT D: CITY SCHEDULED TOURNAMENTS



TO: Mayor Artino and City Council
FROM: Matthew Lasko
RE: Resolution No. 12-2021
DATE: February 23, 2021

Subject Matter/Background

In 2012, the City conducted an exhaustive effort to create and adopt a citywide Master Plan; Vision 2020. In the time since adoption, many of the initiatives and projects spelled out in that plan were executed, however, many of the key aspects of the plan still remain. In addition, many things have changed since the plan's adoption such as external market factors, new partnerships, new investments that were not contemplated at the time of the plan's creation. This Resolution would authorize an agreement with City Architecture, the firm we partnered with to create the original version of Vision 2020, to facilitate an updated addendum to the plan. The process, which is anticipated to take between 2 and 3 months, would include facilitated working sessions with Council and staff to identify goals and objectives, and finish with an updated report and renderings condensing the findings from the discussions into a working plan rooted in financial reality.

Financial Review

The Economic Development Fund (277) has sufficient budget and cash to accommodate this contract, which is not to exceed \$25,000.

Legal Review

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

Recommendation

If the Council is in agreement, a motion adopting Resolution No. 12-2021 would be in order.

[Resolution No. 12-2021.doc](#)

[Resolution No. 12-2021 Exhibit A.pdf](#)

RESOLUTION NO. 12-2021

Introduced by Monty Tapp

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH CITY ARCHITECTURE TO REVIEW, ADVANCE AND OVERLAY RECENT PLANNING INITIATIVES FOR THE CITY OF HURON IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS AND 00/100 (\$25,000.00)

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

SECTION 1. That the City Manager is authorized and directed to accept the proposal and enter into an agreement with City Architecture, 3200 Euclid Ave, Cleveland, OH 44115 for the provision of professional services to review, advance and overlay several recent planning initiatives for the City of Huron in an amount not to exceed Twenty-Five Thousand Dollars and 00/100 (\$25,000.00), which agreement shall 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 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.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

February 19, 2021

Matt Lasko
City Manager, City of Huron
417 Main Street
Huron, Ohio 44839

PROJECT UNDERSTANDING

City Architecture will support the City of Huron in reviewing, advancing, and overlaying several recent planning initiatives. Based on our conversations with you, we believe this overlay approach can highlight Huron's Masterplan, Vision 2020, along with ECEDC's Rising Tides Economic Development Strategy. The anticipated approach blends both plans into a singular process, indicating how each is influenced by the other, and can lead to a series of updated and / or new recommendations. Recommendations will be resultant of this work and will be shared with you and your team to prioritize.

We recognize this process's aim is to make necessary updates while providing City Council and other stakeholders opportunities to guide the process and, ultimately, take ownership of the initiatives' implementation. City Architecture is well-versed in this approach – recent planning in Sandusky has shown how an intentional planning process can help gain momentum and confidence.

We propose an intensive 10-week planning process. After considering workflow, we propose the process be organized around two major milestones. These milestones are intended to be check-ins and working meetings with City Council, stakeholders, etc. Our team would collaborate with you to determine how this representative group is structured.

Please see our proposed framework below. We have organized around milestones, considering what work needs to be completed, what deliverables / materials would support the decision-making process, and how these components work in-concert with one another.

The outline below summarizes our planned involvement, per previous conversations and coordination:

- This scope outlines a total fee of \$25,000 (including reimbursable expenses).
- Fee breakdown is provided in the outline below with allocations for each Phase of work.
- Please note, fee allocations are anticipated to be flexible.

SCOPE OF SERVICES

PHASE 1: DISCOVERY, OVERLAY AND STRATEGY SETTING 5-6 WEEKS (\$11,000)

Task 1.0 – Vision and Goals Workshop

Project team will facilitate a half-day work session to help council and work group discuss, test and determine a project Vision and associated Goals. We understand this session will be high-level topics to ensure council is confident in the process and the subsequent Objectives and Action Items that will be identified in the planning process.

Task 1.1 – Project Kick Off Communication

Project work group is contacted by City of Huron, and is invited to participate in the forthcoming process. City Architecture would support this outreach, providing materials that can further explain how this process advances previous work while culminating in priorities for development and investment.

Task 1.2 – Review of Vision 2020

City Architecture will work with Huron to review the 2014 plan, determine which initiatives remain relevant and what progress has been made to-date.

CITY OF HURON VISION 2020 PROGRESSION & EXPANSION

Task 1.3 – Review and Incorporate the Economic Development Plan (Rising Tides)

Our team will review and identify which initiatives / goals from this plan can be considered by the new vision plan. We recognize the hard work and community commitment that is reflected in the Economic Development Plan, and our intent is to show how that work is influencing future planning recommendations.

Task 1.4 – Develop List of Focus Initiatives

We will work with you and your team to determine potential initiatives to be considered over the next 3-5 years. At this stage, we anticipate identifying a preliminary list (approximately 10-15 items) that may include public space improvements, infrastructure investments, development sites or other items. Ideally, these items represent a range of impact and cost. We anticipate some of these will be directly from Vision 2020, some will be adaptations, and some will be brand new – all reacting to current and anticipated market trends and community preference. We remain flexible at this stage and recognize that reviews and meetings may be part of including other perspectives into the planning process prior to taking to the Working Group.

Our work at this stage will aim to identify potential funding sources to realize each of the Focus Initiatives. This process will be collaborative and iterative in nature, as our team will need to learn from ECEDC (coordination) and the City of Huron.

Task 1.5 – Milestone #1 with Working Group

This Phase culminates in the first work session, where all work will be shared and the group will be tasked in prioritizing Focus Initiatives. Our experience and familiarity with Huron and open lines of communication with you will allow us to move quickly to this point. We recognize that the output of the meeting, the prioritization of initiatives, will require a level of confidence and trust in the planning team. We will work diligently to ensure materials reflect the comprehensive nature of our process to illustrate a solid foundation for the Working Group to base its confidence.

Anticipated Phase 1 Deliverables / Materials

- Kick Off Communication materials – work plan with timeline, expectations, and Working Group milestones
- Vision 2020 Summary / Review
- Rising Tides Economic Development Plan Summary / Review
- Overlay materials illustrating how Vision 2020 and Rising Tides have worked / work / will work together
- Focus Initiatives Summaries with pertinent information (yields, investments, funding sources, etc.)
- Milestone #1 Meeting Agenda and Summary

PHASE 2: PRIORITIZED DEVELOPMENT INITIATIVES 4-5 WEEKS (\$14,000)

Task 2.1 – Focus Initiatives Refinement

Working from the prioritized initiatives resulting from Milestone #1, our team will refine and advance the Focus Initiatives. We anticipate a variety of initiatives, and our work will emphasize how they can be considered with a focus on design to help advance understanding and excitement around the priorities. We anticipate a series of illustration and information that will be adapted for each component.

Task 2.2 – Funding Source and Value

We will work with you to best determine feasible outcomes for each of the Focus Initiatives. We anticipate supplying materials that can be used to calculate such aspects as tax revenue, downtown spending, new residents / businesses and other aspects that we collectively believe the community will have interest in understanding. This work will also pair initiatives with potential funding sources, building from Task 1.4.

CITY OF HURON VISION 2020 PROGRESSION & EXPANSION

Task 2.3 – Milestone #2 with the Working Group

We are planning for a final meeting with the Working Group to review work / process to-date and roll out the final visions and supplementary materials for the prioritized Focus Initiatives. We anticipate this session to be a reporting out and to receive final comments before creating final materials.

Task 2.4 – Final Package

We will work with your team to develop a final package of materials for use in various formats. Per our conversations, we do not anticipate creating a long report / document for this process. We believe a simple Executive Summary style document, supporting with materials created during the process, will be appropriate.

Task 2.5 – Presentation to Planning Commission / City Council

We will follow your lead as to whether you prefer our team present the process to either Planning Commission or City Council. We anticipate the final package materials will be adapted for these purposes.

Anticipated Task 2 Deliverables / Materials

- Site plans, renderings (anticipate 5-6 renderings), example photographs and other materials to best illustrate the Focus Initiatives with stats and other pertinent information
- Executive Summary document that outlines the process and reads as an update to Vision 2020
- Focus Initiative displays / marketing sheets that can be used for your meetings / conversations with various audiences, including displays in City Hall to underscore the City's commitment to progress
- Milestone #2 Meeting Agenda and Summary

NOTE: Our proposal does not include time to create a comprehensive report (based on our conversations) and focuses on targeted working sessions in lieu of community engagement / outreach. We understand the Work Group to be representative of the community voices.

We are honored you reached out to City Architecture to help progress Huron's planning. It is a particular honor to be given the opportunity to help advance plans we helped facilitate. I hope our appreciation for this is translated in our proposal.

Thank you for considering City Architecture.

Thank you,



Alex Pesta, AIA, AICP, LEED AP
President



TO: Mayor Artino and City Council
FROM: Matthew Lasko
RE: Resolution No. 13-2021
DATE: February 23, 2021

Subject Matter/Background

This application, part of a multi-phase approach, authorizes my office to submit a grant application to JobsOhio's public infrastructure program for funding to reconstruction Sawmill Parkway. We've been in discussion with both JobsOhio and ODOT Jobs and Commerce, both of which have expressed support for the project. In addition to the efforts with the State, we are also seeking a grant from the Federal Economic Development Agency. If successful, we anticipate being able to start the project in spring of 2022.

Financial Review

If awarded, the grant will reduce the City's local portion of the total project amount. Currently, the City has already secured a grant/loan from the Ohio Public Works Commission for over \$400,000 and has a grant application currently pending with the Economic Development Administration for the Sawmill Parkway Project.

Legal Review

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

Recommendation

If the Council is in agreement, a motion adopting Resolution No. 13-2021 would be in order.

[Resolution No. 13-2021.doc](#)

RESOLUTION NO. 13-2021

Introduced by Joe Dike

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A ROADWORK DEVELOPMENT (629) FUNDS APPLICATION TO JOBSOHIO FOR POTENTIAL FINANCIAL ASSISTANCE TOWARD THE SAWMILL PARKWAY PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER TO ACCEPT SAID AWARD AND ENTER INTO AN AGREEMENT WITH JOBSOHIO UPON AWARD.

WHEREAS, JobsOhio provides Roadwork Development (629) Funds to local jurisdictions for public roadway improvements, including engineering and design costs.; and

WHEREAS, JobsOhio Roadwork Development (629) Funds are accessible for projects that create or retain jobs and primarily involve manufacturing, technology, research and development, corporate headquarters and distribution; and

WHEREAS, the City of Huron has identified the Sawmill Parkway Project (the "Project"), having an estimated project cost of \$3,372,154, as a candidate for JobsOhio Roadwork Development (620) Funds funding; and

WHEREAS, the City has the authority to apply for financial assistance and to administer the amounts received from JobsOhio; and

WHEREAS, the City of Huron must direct and authorize the City Manager, Matthew Lasko, to act as the Authorized Representative for the application and project if awarded ; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON AS FOLLOWS:

SECTION 1. That the Council of the City of Huron authorizes and directs the City Manager to submit an application through the JobsOhio Roadwork Development (629) Funds program to become eligible for potential funding assistance toward the Sawmill Parkway Project.

SECTION 2. That the City Manager is further authorized to sign any necessary documents related to said grant application, and has the authority both in applying and if the grant is awarded to sign off on any additional requirements.

SECTION 2. That the City's matching share will: (1) be committed to the project for the period of performance; (ii) be available as needed, and (iii) not be conditioned or encumbered in any way that may preclude its use consistent with the requirements of JobsOhio investment assistance.

SECTION 3. 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 4. That this Resolution shall go into effect and be in full force and effect immediately upon its passage.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



TO: Mayor Artino and City Council
FROM: Matthew Lasko
RE: Resolution No. 14-2021
DATE: February 23, 2021

Financial Review

If awarded, the grant will reduce the City's local portion of the total project amount. Currently, the City has already secured a grant/loan from the Ohio Public Works Commission for over \$400,000 and has a grant application currently pending with the Economic Development Administration for the Sawmill Parkway Project.

Legal Review

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

Recommendation

If Council is in agreement, a motion to adopt Resolution No. 14, 2021 would be in order.

[Resolution No. 14-2021.doc](#)

RESOLUTION NO. 14-2021

Introduced by Joe Dike

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A JOBS & COMMERCE GRANT APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR POTENTIAL FINANCIAL ASSISTANCE TOWARD THE SAWMILL PARKWAY PROJECT; AND FURTHER AUTHORIZING THE CITY MANAGER TO ACCEPT SAID AWARD AND ENTER INTO AN AGREEMENT WITH ODOT UPON AWARD.

WHEREAS, ODOT provides transportation infrastructure and project management assistance to the State of Ohio's businesses and communities; and

WHEREAS, the City of Huron has identified the Sawmill Parkway Project (the "Project"), having an estimated project cost of \$3,372,154, as a candidate for ODOT's Jobs & Commerce grant funding; and

WHEREAS, the City has the authority to apply for financial assistance and to administer the amounts received from ODOT Jobs & Commerce; and

WHEREAS, the City of Huron must direct and authorize the City Manager, Matthew Lasko, to act as the Authorized Representative for the application and project if awarded ; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON AS FOLLOWS:

SECTION 1. That the Council of the City of Huron authorizes and directs the City Manager to submit an application through the Ohio Department of Transportation (ODOT) grant program to become eligible for potential funding assistance toward the Sawmill Parkway Project.

SECTION 2. That the City Manager is further authorized to sign any necessary documents related to said grant application, and has the authority both in applying and if the grant is awarded to sign off on any additional requirements.

SECTION 2. That the City's matching share will: (1) be committed to the project for the period of performance; (ii) be available as needed, and (iii) not be conditioned or encumbered in any way that may preclude its use consistent with the requirements of ODOT's Jobs & Commerce investment assistance.

SECTION 3. 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 4. That this Resolution shall go into effect and be in full force and effect immediately upon its passage.

Sam Artino, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____