



<b>William Biddlecombe</b>	<b>Joe Dike</b>	<b>Sam Artino</b>	<b>Monty Tapp</b>	<b>Mark Claus</b>	<b>Matt Grieves</b>	<b>Joel Hagy</b>
Councilmember	Councilmember	Councilmember	Mayor	Vice-Mayor	Councilmember	Councilmember

**CITY COUNCIL SAFETY COMMITTEE — COMMITTEE MEETING**

Wednesday, September 20, 2023 @ 4:00 PM

Large Conference Room

**I. Call to Order**

**II. Roll Call**

**III. Approval of Minutes**

**III.1** Approval of minutes of the February 15, 2023 Safety Committee meeting.

**III.2** Approval of the minutes of the May 22, 2023 Safety Committee meeting

**IV. Old Business**

**V. New Business**

**V.1** HPD License Plate Readers Presentation

**V.2** Proposed Nuisance Ordinance

**V.3** Proposed Buoy Locations at Nickel Plate Beach and Old Homestead I

**VI. Other Business**

**VII. Adjourn**

**THE CITY OF HURON, OHIO**  
**Huron Safety Committee**  
**Meeting Minutes**  
**February 15, 2023 – 4:00pm**

A meeting of the Council Safety Committee was called to order by Monty Tapp on Wednesday, February 15, 2023 at 4:02pm at Huron City Hall. Committee members in attendance: Monty Tapp and William Biddlecombe. Member absent: Matt Grieves.

Staff in attendance: Police Chief Terry Graham, Street Foreman Steve Didelot, Service Director Stuart Hamilton and Executive Administrative Assistant /Clerk of Council Terri Welkener.

**Approval of Minutes**

**Motion by Chief Graham to accept the minutes of the September 24, 2021 meeting.**

Mr. Biddlecombe seconded. All in favor, minutes of September 24, 2021 meeting were adopted.

**Old Business**

None.

**New Business**

**Reconfiguration of Signage on Williams Street**

Mr. Hamilton said that we have received requests from multiple people to change the signage at the intersection of Williams Street and US-6. The request is to change the yield to a full stop to try and stop accidents and stop from moving and second-guessing who has the right-of-way. Mr. Hamilton indicated a diagram of what the signage would look like (see attached Exhibit A). Certified ODOT signage would be installed at all of the junctions. We will keep our DO NOT ENTER signs in place. One of the biggest components of this is our Police Chief. Chief Graham said it is all about safety. The turn lane approaching from the west will remain, the only thing they are doing is changing the YIELD to STOP. Chief Graham asked if any of this would change in Phase 2 of the US 6 Project. Mr. Hamilton answered that this intersection will not be touched by Phase 2. ODOT was consulted about this change, because US-6 is a state route. They were fine with the change, as long as the configuration of the road didn't change. The current configuration with a YIELD and a turn lane is asking for trouble. Chief Graham said most of the accidents at that intersection involve Huron residents. They are many near-accidents, in addition to the actual accidents. Mr. Biddlecombe added that years ago, he was traveling west on US6 and someone just blew right through Williams, and if he hadn't turned and actually gone onto Williams, he would have t-boned that driver.

Mr. Tapp asked if this change would have to come before Council. Mr. Hamilton answered that it would, as it requires the traffic map. We needed to run this by the Safety Committee for a recommendation to Council, first. Chief Graham couldn't see why anyone would oppose the change in signs. Mr. Biddlecombe wondered how long it would take before people keep going through, even with the STOP signs. Chief Graham added that there will be a learning curve, just like when we put the lights up at Rye Beach and Route 2 - people were just driving right through there.

Mr. Hamilton asked if anyone has any objections to the new signage. There were no objections, and it was recommended that the matter be referred to Council for consideration.

Mr. Didelot said that they have signs that say a STOP sign will be installed in Spring of 2023, which then can put up if Council passes the legislation. It might take a little while to get the stop bars painted, as that

is dependent on weather conditions. Mr. Tapp asked about the rules relating to stop lines. Chief Graham answered that you should stop at the stop line, and then if you creep up to see, stop again before proceeding.

#### Water Safety Day

Charlie Ruggles told Mr. Tapp that the Fire Department wants to get back to having a Water Safety Day. They haven't had it since 2017. The Division of Watercraft is part of that, and it's going to be the week of May 22<sup>nd</sup>. They will have it at the Boat Basin, and will be for 3<sup>rd</sup> and 4<sup>th</sup> Graders. They solicit donations, because they buy life jackets and t-shirts for all of the kids. Chief Graham added that the Coast Guard is involved in that and the Police have been involved, as well. In the past, they had little educational stations and landed the Coast Guard helicopter here, and they bus the kids down there during school. Charlie can connect with Mr. Lasko or Terri Welkener to see what they need.

The Safety Committee meeting was adjourned at 4:14pm

Adopted: \_\_\_\_\_

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Terri S. Welkener

**THE CITY OF HURON, OHIO**  
**Huron Safety Committee**  
**Meeting Minutes**  
**May 22, 2023 – 3:30pm**

A meeting of the Council Safety Committee was called to order by Monty Tapp on Monday, May 22, 2023 at 3:30pm at Huron City Hall. Committee members in attendance: Monty Tapp and William Biddlecombe. Member absent: Matt Grieves.

Staff in attendance: Police Chief Terry Graham, Captain Mike Hohler and Executive Administrative Assistant /Clerk of Council Terri Welkener.

**Old Business**

None.

**New Business**

**Buoy Locations**

Mr. Tapp recognized the representatives from Old Homestead I and Nickel Plate Association in attendance.

Mr. Tapp explained that all of the buoys are placed using GPS coordinates, which locations must be approved by ODNR. If they are not approved, and they are located somewhere else, our safety forces have no jurisdiction. The City requested a relocation of the Nickel Plate Beach boat lane further to the east, but that request was not approved by ODNR. We are here trying to find out the safest place for locating the buoys. Everyone is aware that from the east pier (the old pier at Nickel Plate) all the way to Old Homestead I is public beach. He is fairly familiar with the Breakwater and Nickel Plate Cottages there, and those property lines, on average, are about 40-50 feet from the cottages. The rest of the property to the north is public property. Ideally, where the grass is out there at Old Homestead I (this is only for safety) would probably be the safest place just because that's where the least amount people lay out, but it is private property. Nobody owns the land under the water, and anyone can move along the water at any point in time. He talked to Chief Graham and he totally understands that if the buoys are located in front of Old Homestead I's grassy area, when people come in, they will be on private property. We are not here to facilitate trespassing.

Chief Graham said that the reason why ODNR has approved the application yet has nothing to do with the City. The City did everything it was supposed to do. Last year, the Safety Committee agreed to move the mooring lane over, the City applied for those new location and, for lack of a better term, ODNR dropped the ball. The City is not stalling it, they didn't stop it. ODNR, through a clerical error, did not approve the application. That is why, when the PD put the buoys out on Friday, they were instructed to put them where they were originally until the City is told otherwise. It is his opinion that the City of Huron has always marketed itself as a lakefront community with water activities, the Boat Basin and beaches. He thinks it is important to have a dedicated mooring lane somewhere for water toys. There is tubing, water skiing, and jet skis are very popular, and those people need to come in and out to pick up other people in their families and go back out. We need a safe avenue for that to get done. If we have no mooring lane all the way down Nickel Plate Beach, they are going to come in regardless, and they want to provide them safe access in and out to pick up their beachgoers, friends and family members. He thinks that the mooring lane is important for safety reasons, but absent permission from the private property owner, it is his opinion that a mooring lane should be on public property so that they are not facilitating or encouraging trespassing. There is confusion regarding where the property line ends. It was his job once they got these buoys placed to meet with every association. It wasn't even 30 minutes after they got the buoys were placed that his phone was ringing and his email was blowing up. He wanted to meet these associations to educate the people of their

associations. The property line ends at the waterline of the day. There is no average, there is no high tide, and there is no low tide. If Niagara Falls sped up and we got 100 yards more beach, you just 100 more yards of beach. If we have high water, like what happened in Chaska, where they lost all of their beach, the property line still ends at the waterline. The State owns the water, so people can be in front of your private beaches, so long as they are in the water. They deal with this every year at Chaska Beach for the 4<sup>th</sup> of July. The kids hop in the water, and there is nothing they can do. He would like to find an amicable resolution to this because he does not want to put their Marine Patrol officers into a mess where one neighborhood is yelling at that them, another one loves them and another one hates them. The word "buoy" has nearly turned into a 4-letter word for him. He wants us all to agree, and then we can educate our residents so that we do not have this problem where he has got people coming out into the water screaming at our boat patrol officers because they are doing something wrong or not doing something. It is confusing out there, because it goes all the way down to the eastern edge of Nickel Plate/western edge of Old Homestead I, then it ends, then it is open down to Old Homestead II (there is a little box for OH II), and then there is a little box for Chaska. That is why they are trying to mark this to make it as easily identifiable as possible. NO BOATS means no boats. Some people have a false believe that if they turn their boat off and bring it in by a line, that it can be there. It cannot – it does not say no boats under power. There are no boats allowed inside of the NO BOAT buoys. They are just trying to comply with the law, make it as safe as possible, and make sure all the residents are educated in this. He has been an officer in Huron for 35 years, and ever since we started this buoy thing, it has been like a civil war. Everyone is laughing about it, because they know it's true. They are going to make some adjustments to where the buoys are right now – he has already talked to Old Homestead I – but if they do not get those anchors set, they hop on the bottom of the lake. They are constantly playing with them, especially after high winds and waves, to get them back where they belong. It is a constant all-year-long process. They are just trying to get to a safe situation where everyone can agree on buoy placement. No matter if they continue with the suggestion of last year where the boat lane buoy locations are flipped into the Old Homestead I side, or they agree to another location, they still must get this approved by ODNR. He has no basis to make this statement, but he would be surprised if it got done this summer. They buoys must remain where they are until we can come up with a solution agreed by everyone, and then the City will file the application and get started. It would be a borderline miracle if they are going to get this done this summer. The Clerk added that a change, other than what was already submitted, would be next year, for sure, because the applications are accepted through November, and they do not act on them until spring.

Mr. Richard Gordon from Old Homestead I aid that nobody from their neighborhood was advised that somebody petitioned the change. What the change is may be amicable, but he does not know what the change is. Mr. Tapp answered that they had some complaints about it being in front of the cottages, and the Safety Committee's job is to look at the safest location for the boat lane - is where is it currently located compared to places on either the east side or west side the safest, probably not. He can tell you where he thinks the safest place would be, but he is not one to say we should put it in front of private property, either. The only thing the Safety Committee is looking at is safety. He talked to Chief Graham, and the only other spot they feel may solve the problem would be in front of where the ditch comes out to the lake. Chief Graham reminded Mr. Gordon that their residents use the mooring lane, too, to bring in jet skis, and that is going to place it even further away from Old Homestead. Maybe Old Homestead I will agree to put it on the westernmost edge of their property. Mr. Gordon said that is where it is now. Their property line is a severe angle to the lighthouse. If you came off the buoys now. You are probably on Old Homestead I property. When you are standing on shore and looking out, it's a completely different perspective. Right now, he looks at those buoys and they are probably 75' to the west of where they were last year. The Nickel Plate Association representative said last year, they felt they were coming in on the opposite angle from this year. Chief Graham said that if you ever set buoys before, it's like lining up hay in the wind. Ideally, they want that mooring lane to come 90 degrees off the beach, straight out. It shouldn't be on any angles. Buoys move. If they agree to move it to the middle of Nickel Plate, they are moving it farther away from Old Homestead I residents, and maybe they like it at the eastern edge of the beach, so that they can more

easily access their water toys. Mr. Gordon agreed that it is convenient for them where it is now. Where is it currently located, it is already located past their property line, which they have no problem with, but the City is sending out something and they don't know those GPS locations. Mr. Tapp answered that that is why they are here today. They can't change any of the current locations. Mr. Gordon said that he agrees that the best location is where it was last year. There was some discussion that it is in the same location this year, but it may have moved since placement. They discussed leaving the two eastern buoys in their current locations, and flip the western 2 buoys to the east side of the current boat lane. The Nickel Plate Association representative said that the problem is that people do not acknowledge the boat lane and swim there and take their toys and rafts. They are sitting in mooring lane, and the boats are coming in and if something were to happen to the swimmers, they are told that the boater is the one responsible. In other words, the boat lane is supposed to be for boats or jet skis coming in, but the kids still swim in the lane. We have to educate the people, as well. The people should stay out of the boat lane because that's one of the hazards that they see. Thank God no one has gotten hurt, so far, but what's to say that the boat or jet ski doesn't come in crazily, or on an angle, and somebody gets hurt? Mr. Tapp answered that they don't want anyone to get hurt, and maybe if the lane was moved to the east, it would be better. It was suggested that the read ball should read, "Boats Only" – either put it on with Magic Marker or paint it on. Chief Graham answered that those red balls are navigational aids, and that means it is a mooring lane. The problem is that there is no prohibition to swimming in a mooring lane.

The Nickel Plate Association representative said that they had a meeting with a couple of gentlemen a few years ago, before the City got its new City Manager, and it was with regard to the beach itself – cleaning the beach. The beach is cleaned by A-1 before the ditch, and then they stop. They have been paying for that beach cleaning every 2 weeks themselves. The Clerk agreed to check the terms of the contract with Cooner Enterprises. Nickel Plate Association pays \$1,200/year to have that beach sifted bi-weekly – they have for 5-7 years.

It was agreed that they would straighten up the mooring lane, and fix Old Homestead I's westernmost buoys. As soon as they can get someone in the water, they will get them moved.

Old Homestead I will submit the proposal for the new boat lane location to its Trustees for approval. This new location involves flipping the two westerly buoys to the east (leaving the current easterly buoys where they are). The Clerk must prepare a new Application for approval by Council, and then submit the same to ODNR.

The ODNR advised one of the attendees that it is very rare to have swim buoys located on the Great Lakes. This is the only place on the Great Lakes where they have swim buoys. All in attendance agreed that the official buoys are a good thing. Chief Graham stated that boats in the mooring lane must be at idle speed and they have a duty to avoid swimmers. Those swimmers are like pedestrians in the road, they get the right-of-way. They are out there watching that, because people are cutting the corners of the mooring lane. They will go over and talk to them – they are out there for education and safety, not necessarily to write up tickets. Some people do talk themselves into tickets – that's when that happens. He also asked that the associations remind their residents that their property ends at the water line of the day.

Old Homestead I asked that when the application is prepared, that their swim buoy locations be changed to get them evenly spaced.

The Safety Committee meeting was adjourned at 4:09pm

Adopted: \_\_\_\_\_

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Terri S. Welkener

**531.16 Criminal activity as a nuisance; user charge for excessive consumption of public services.**

Nuisances - see Ohio R.C. Ch. 3767

**531.16 CRIMINAL ACTIVITY AS A NUISANCE; USER CHARGE FOR EXCESSIVE CONSUMPTION OF PUBLIC SERVICES.**

(a) Purposes. It is the intent of the City Commission by the adoption of this section to impose on and collect from the owner of a property the City cost for police and law enforcement services, which are over and above the cost of providing normal law enforcement services and police protection City-wide, if the said excess costs are spent to abate a nuisance, which has occurred, or is maintained and permitted, on the property. The collection of the costs for such excess police services shall be by assessment against the property on which the nuisance, or activity constituting the nuisance, occurs, pursuant to the authority in the Ohio Constitution, Article XVIII Sections 3 and 7, the City's Charter, Sections 3 and 75, and the Ohio R.C. 715.44, 715.47, 3707.01 et seq., empowering the City Commission to abate nuisances and collect the costs of such abatement by special assessment.

(b) Definitions.

"BUILDING" means a structure suitable for human shelter, a commercial structure that is maintained for business activities that involve human occupation, any portion of the structure, or the real property on which the structure is located.

"EXCESSIVE POLICE AND NUISANCE ENFORCEMENT SERVICES" means those services provided at a specific property address where a commercial building or structure is maintained for business activities that involve human occupation after four or more calls for service for separate nuisance events had occurred in a prior thirty-day time period, and a specific property address where a building or structure is maintained for human shelter after two or more calls for service for separate nuisance events had occurred in a prior thirty-day time period, and the owner was notified in writing that subsequent high levels of police and nuisance calls for service would result in a fee being charged for excessive consumption of those services, and where the owner has been provided with thirty days following the notice to abate the nuisance generating the high levels of calls for service.

"INTERESTED PARTY" means any known lessee or tenant of real property or of a building thereof; any known agent of an owner, lessee, or tenant; any known person holding an unrecorded contract for deed, being a mortgage or vendee in physical possession of the real property of a building thereon; or any other person who maintains or permits a nuisance and is known to the City.

"LAST KNOWN ADDRESS" means the address shown on the records of the Erie County Auditor or a more recent address known to the Police Department. In the case of parties not listed in these records, the last known address shall be that address obtained by the Police Department after a reasonable search. If no address can be found, such address shall be that of the building in which the nuisance occurred, or was maintained or permitted.

"NUISANCE". The following activities occurring in buildings and on properties in the City of Sandusky are declared to be a public nuisance:

- (1) Unreasonable noise, disturbance of the peace or disorderly conduct in violation of Chapter 509;
- (2) Any drug abuse offense in violation of Chapter 513;
- (3) Any offense against another person in violation of Chapter 537 including Sections 537.03 (assault), 537.04 (negligent assault), 537.05 (aggravated menacing), 537.06 (menacing), 537.07 (endangering children), 537.12 (misuse of 9-1-1);
- (4) Littering or disposition of litter in violation of Section 521.08, 531.03, 531.04 and 955.06;
- (5) Barking or howling animals in violation of Section 519.10;
- (6) Failure to confine, restraint, or register a dangerous or vicious dog in violation of Chapter 505;

- (7) Any animal violations under Sections 505.02 (dogs and other animals running at large), 521.09 (noxious or offensive odors), 505.09 (nuisance conditions prohibited), 505.10 (animal bites), 505.06 (killing or injuring animals), 505.08 (cruelty to animals);
- (8) Any gambling violations under Chapter 517;
- (9) Any health, safety or sanitary violations under Chapter 521;
- (10) Any public nuisance under Section 531.02;
- (11) Any obstruction of official business in violation of Section 525.07;
- (12) Any alcohol violations under Chapter 529;
- (13) Any sex offenses under Section 533.07 (public indecency), 533.08 (procuring), 533.09 (soliciting), or 533.10 (prostitution);
- (14) Any offense against property under Sections 541.03 (criminal damaging or endangering) or 541.04 (criminal mischief);
- (15) Any theft violation under Sections 545.05 (petty theft), 545.08 (unauthorized use of property), or 545.19 (criminal tools);
- (16) Any weapons, explosives, firearm or handgun violation under Chapter 549;
- (17) Any noise violations under Chapter 519;
- (18) Any fireworks violation under Chapter 1519.

"OWNER" means the person or persons in whose name or names the property is recorded with the Erie County Auditor for taxation purposes.

"SERVICE OF NOTICE". Service of the notice may be by certified mail to the owner's mailing address currently listed by the Erie County Auditor's tax lists; by ordinary mail if the certified mail is refused or unclaimed; by personal service if delivered in person to the property owner or if the property owner cannot be located, the notice shall be deemed to be properly delivered if a copy of it is left at the property owner's usual place of abode in the presence of some competent person of suitable age and discretion. Service of the notice to an interested party may be made by the same methods.

(c) Notice of Nuisance.

- (1) If the Chief of Police or his or her designee has reason to believe that a nuisance has occurred, or is maintained or permitted in a building, or on a property, and intends to seek reimbursement for police services rendered in the future in connection with such nuisance or activities creating a nuisance, he or she shall provide written service of notice as defined in subsection (b) hereof to the owner and each interested party known to him or her.
- (2) The written notice shall:
  - A. State that a nuisance as defined in this chapter has occurred, or is maintained or permitted in the building, and specify the kind or kinds of nuisance which has occurred, or is being maintained or permitted;
  - B. Summarize the evidence that a nuisance has occurred, or is maintained or permitted in the building, including the date or dates on which nuisance-related activities have occurred or were maintained or permitted, provided, however, that one or more police reports can be used to satisfy this requirement; and
  - C. Inform the recipient of the notice that:
    1. He or she has thirty days to abate the conduct constituting the nuisance, and to take steps to make sure that actions constituting a nuisance will not re-occur,
    2. If, after thirty days from the date of service of the notice, the nuisance re-occurs, or actions or conduct constituting a nuisance take place, the City may in its discretion impose the costs of police services in abating or attempting to abate such nuisance or nuisance-related activities; and
    3. The costs will be collected by assessment against the property as defined through the Erie County Auditor to be assessed as a lien on the real property in accordance with law.



(d) Subsequent Nuisance or Nuisance-Related Activity; Liability.

- (1) If, within the period commencing thirty-one days after a written notice is served pursuant to this section and continuing for one year thereafter, a nuisance occurs or is maintained or permitted on the property, and police services are rendered to abate or attempt to abate such nuisance, the costs of providing such police services within the said one-year shall be assessed against the property and collected as provided in this section.
  - (2) The costs for providing excess police services shall include but not be limited to the gross salaries including all fringes and benefits which are paid by the City of police officers while responding to or dealing with the nuisance or nuisance-related activities, the prorata cost of all equipment including vehicles, the prorata cost of any additional administrative services rendered in assisting the officers, the cost of repairs to any City equipment and property damaged in responding to such nuisance or nuisance-related activities, and the cost of any medical treatment of injured police officers.
  - (3) Prior to the actual certification of any law enforcement and administrative costs pursuant to this section, the Chief of Police or his/her designee shall give at least thirty days advance written notice of intent to certify such costs to the owner of the real property against which the costs are to be certified. Written notice shall be provided as defined in subsection (b) hereof. Any aggrieved owner may appeal such intended certification to the City Manager, who may affirm, reverse or modify the proposed certification. All appeals to the City Manager must be filed within fourteen days of the mailing of the notice of intended certification.
  - (4) Law enforcement and related administrative costs shall not be charged against an owner who establishes both of the following:
    - A. He had no knowledge of the nuisance activities on the premises and could not, with reasonable care and diligence, have known of the nuisance activities occurring on the premises; and
    - B. Upon receipt of notice of the occurrence of nuisance activities on the premises, the owner promptly took all actions necessary to abate the nuisance including, without limitation, compliance with the requirements of Ohio R.C. 5321.17(C) and 5321.04(A)(9).
  - (5) The City reserves its rights to seek reimbursement for costs and damages not recovered by assessment against the property through other legal remedies or procedures.
  - (6) Nothing in this section shall be construed to require or prevent the arrest and/or citation of any person or persons for violations of federal, state, or local laws or ordinances.  
(Ord. 15-144. Passed 10-26-15.)
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# Huron East Side Buoy Layout (2023)

- 41-397360, -82.544250

Swim Area - No Boats

12
- 41-397820, -82.545076

Swim Area - No Boats

9
- 41-396892, -82.543409

Swim Area - No Boats

15
- 41-396436, -82.542584

Swim Area - No Boats

18
- 41-395977, -82.541751

Mooring Buoy  
(LOCATION CHANGE)

19
- 41-396130, -82.542031

Mooring Buoy

21
- 41-395979, -82.542158

Mooring Buoy

22
- 41-395807, -82.541875

Mooring Buoy  
(LOCATION CHANGE)

20
- 41-395737, -82.541875

Swim Area - No Boats  
(LOCATION CHANGE)

23
- 41-395532, -82.540929

Swim Area - No Boats  
(LOCATION CHANGE)

26
- 41-395285, -82.540489

Swim Area - No Boats  
(LOCATION CHANGE)

29
- 41-395006, -82.539985

Swim Area - No Boats  
(LOCATION CHANGE)

30
- 41-394031, -82.538560

Swim Area - No Boats

31
- 41-394299, -82.538429

Swim Area - No Boats

32
- 41-394123, -82.537997

Swim Area - No Boats

34
- 41-393863, -82.538194

Swim Area - No Boats

35

