



**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, June 22, 2021 @ 6:30 AM

City Council Chambers

417 Main Street

Huron, Ohio 44839

**LIVESTREAM MEETING INFORMATION** *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-AnmlA6IfukQzKakQg>.

### **I. Public Hearing**

Public Hearing on the Proposed City Tax Budget for Fiscal Year 2022

**I.a** Call to Order - Moment of Silence and Pledge of Allegiance to the Flag

**I.b** Roll Call

**I.c** Swear in Witnesses

**I.d** Public Hearing on Proposed City Tax Budget for Fiscal Year 2022

**I.e** Adjourn Public Meeting

### **II. Call To Order of Regular Council Meeting**

### **III. Roll Call for City Council Regular Meeting**

### **IV. Approval of Minutes**

**IV.a** Minutes of May 25, 2021 Council Work Session

**IV.b** Minutes of May 25, 2021 Regular Council Meeting.

### **V. Audience Comments**

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

### **VI. Old Business**

### **VII. New Business**

#### **VII.a** Motion

Motion to set the petition for the vacation of Kirkwood Road for a public hearing to be held at the regular meeting of Council on July 27, 2021 at 6:30pm, and to refer the matter to the Planning Commission for consideration

**VII.b Motion**

Motion setting the public information meeting regarding bike lanes on US Route 6 for July 27, 2021 at 5:00pm at McCormick Junior High School

**VII.c Resolution No. 39-2021**

A resolution awarding the bid and entering into an agreement with Simonson Construction Service, Inc. for labor and materials related to the Huron Water Treatment Plant Phase II Improvements Project.

**VII.d Ordinance No. 2021-20**

Supplemental appropriations, increase in estimated resources and cash transfers ordinance

**VII.e Ordinance No. 2021-21**

An ordinance providing for appointments to vacant positions within the Fire Department.

**VIII. City Manager's Discussion**

**IX. Mayor's Discussion**

**X. For the Good of the Order**

**XI. Executive Session(s)**

**XII. Adjournment**

ALLEY/STREET VACATION PETITION

DATE 6/20/201

HONORABLE MAYOR AND COUNCIL, CITY OF HURON, OHIO:

We, the undersigned, being owners of property abutting the requested

Kirkwood Rd vacation shown on the attached plat, respectfully petition  
(street/alley)  
your Honorable Body to vacate the Kirkwood Rd described as:  
street/alley

Being further described as abutting the following described LOTS (PINs) in  
the SUBDIVISION of:

Ex. Lots XX in Grand Forest Beach Allotment

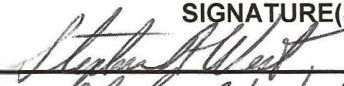

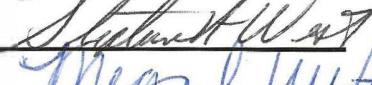


Lots included in relation to the partial vacation of Kirkwood Road in the Grand Forest Beach

Allotment – Parcels include 45-00487.000, 45-00488.000, 45-00489.000, 45-00181.000,  
45-00181.001

Certification: By signing this petition, I (we), have confirmed that it is true and correct. I (we)  
understand that there is no guarantee of vacation. The vacation petition will be processed in  
accordance with Ohio Revised Code Section 723.04.

Section 723.04 | Change of name, vacating, or narrowing streets on petition

*The legislative authority of a municipal corporation, on petition by a person owning a lot in the  
municipal corporation praying that a street or alley in the immediate vicinity of such lot be  
vacated or narrowed, or the name thereof changed, upon hearing, and upon being satisfied  
that there is good cause for such change of name, vacation, or narrowing, that it will not be  
detrimental to the general interest, and that it should be made, may, by ordinance, declare  
such street or alley vacated, narrowed, or the name thereof changed. The legislative authority  
may include in one ordinance the change of name, vacation, or narrowing of more than one  
street, avenue, or alley. The original ordinance or a certified copy thereof shall be recorded in  
the official records of the county recorder.*

OWNER(S)	PROPERTY ADDRESS/PIN	SIGNATURE(S)
WEST, STEPHEN A	45-00487.000	
	45-00488.000	
	45-00489.000	
WEST, MEGAN C	45-00181.001	
WEST, STEPHAN A & JULIE A	45-00181.000	

Name of Contact Person Stephen West

Mailing Address 315 Laurel Rd

Phone No. (Home) 419-602-0915 (Business)

6/20/2021

(date)

Stephen West

(Signature of Contact Person)

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OFFICE USE ONLY

## **TIMELINE**

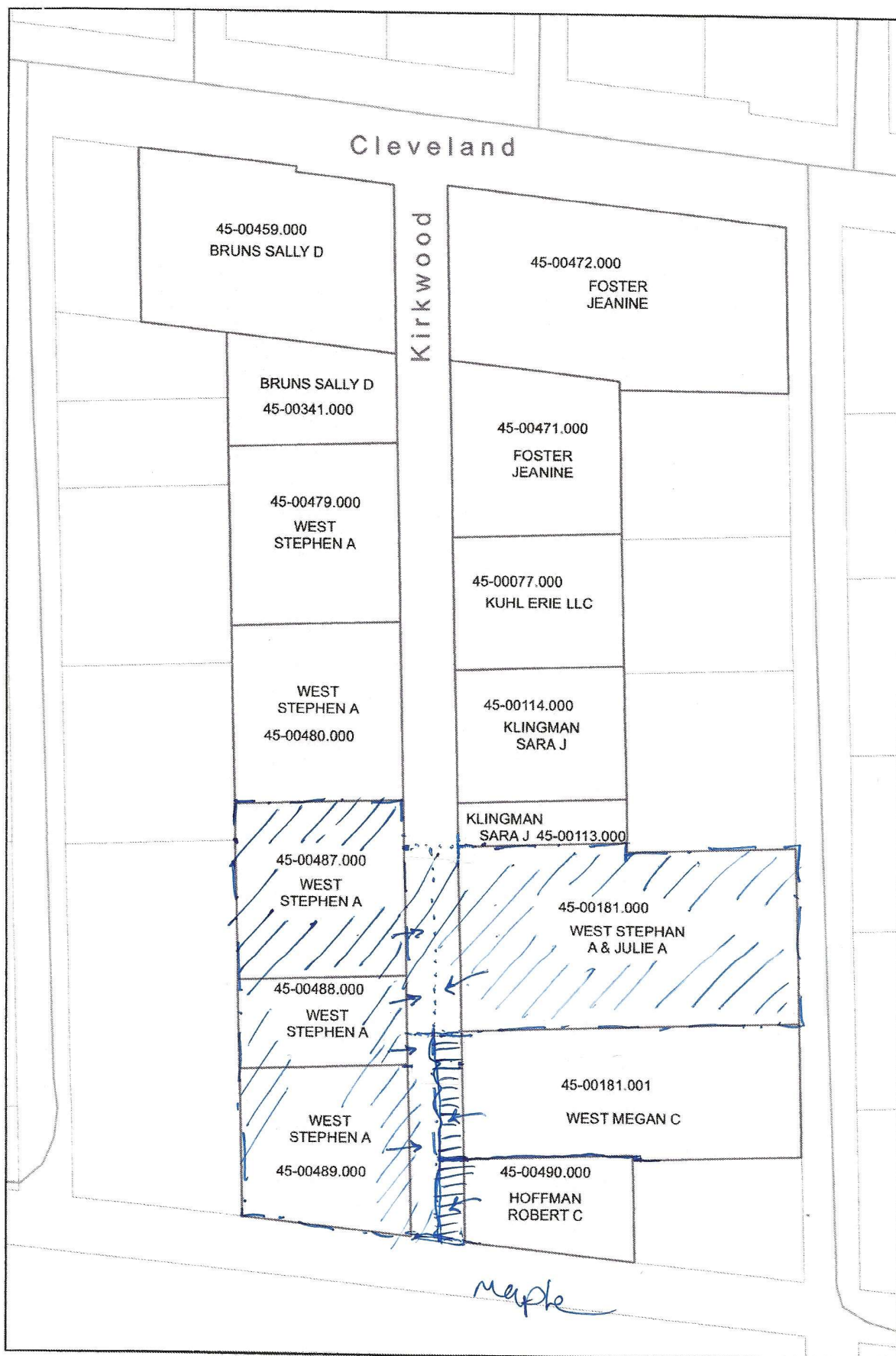
Official vacation petition submitted by June 4th for consideration; to be placed on next council agenda

July 13th Council public hearing date (30 days from initial meeting) – hold public hearing and introduce ordinance; ordinance would not be emergency; could waive three reading rule and become effective in 30 days

August 12<sup>th</sup> – Ordinance takes effect

Materials Needed:

Petition (this application)



Kirkwood Abutting Property Owners



**TO:** Mayor Artino and City Council  
**FROM:** Matthew Lasko  
**RE:** Resolution No. 39-2021  
**DATE:** June 22, 2021

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### **Subject Matter/Background**

As submitted by Jason Gibboney, Water Superintendent:

Resolution 39-2021 requests Council approval and award of bid for the Tube Settler Plant Expansion Project at the Water Filtration Plant. The City of Huron contracted with Poggemeyer Design Group (Resolution No. 1-2021) to engineer tube settlers and a structure addition over our sedimentation basins. On June 2, 2021, bids were publicly opened for the Sludge Removal Equipment project with an engineer's estimated cost of \$2,800,000.00. The low bid as reviewed and recommended by Poggemeyer is Simonson Construction Services. The City of Huron applied for and received preliminary approval from the OEPA for a 20 year loan at 0% for this project. As part of the loan application, we must first award the contract before finalizing financial paperwork with the OEPA. Therefore, we anticipate presenting loan acceptance paperwork before Council in the near future. The bid tabulation and Poggemeyer's letter of recommendation are attached hereto as Exhibits 1. I recommend and request council award the bid for the tube settler and plant expansion project to Simonson Construction Services at a cost not to exceed \$2,526,000.00. This improvement consists of a building addition, basin modifications, tube settler installation, and increasing the rating of our gravity filters. Once construction is completed, the water filtration plant rating will increase from 3.4 million gallons per day to the new rating of 5.8 million gallons per day.

### **Financial Review**

The Tube Settler Plant Expansion Project was included in the City's Capital Improvement Plan and the 2021 Budget Book. The City is expected to utilize a 0%, 20-year loan, to finance the total cost of the project and account for the project in the City's Water Capital Fund (Fund 603). The loan is expected to be paid back with increased water sales as the County has expressed interest in buying more water from the City.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement, a motion adopting Resolution 39-2021 is in order.

[Resolution No. 39-2021 Exhibit 1.pdf](#)  
[Resolution No. 39-2021.doc](#)



June 9, 2021

Mr. Jason Gibboney  
Water Superintendent  
City of Huron  
10 Waterworks Drive  
Huron, Ohio 44839

Re: Water Treatment Plant Phase II Improvements  
Huron, Ohio  
PDG Job No. 258000-00159

Dear Mr. Gibboney:

On June 2, 2021 the City of Huron, Ohio received bids regarding the above-named project and the results were as follows:

<u>Company</u>	<u>Bid</u>
<b>Simonson Construction Services, Inc.</b>	<b>\$2,526,000.00</b>
Kirk Bros. Company, Inc.	\$2,995,000.00
Engineer's Estimate	\$2,800,000.00

Simonson Construction Services, Inc. submitted the lowest bid for the Water Treatment Plant Phase II Improvements project. We have worked with this company on previous projects and have found their work to be satisfactory. We recommend the contract be awarded to Simonson Construction Services, Inc. for having submitted the best and lowest bid. This recommendation is based on Simonson Construction Services submitting all required funding paperwork necessary to obtain DEFA financing. A bid tab is enclosed for your files.

A complete detailed tabulation of all bids is available on our website at [www.poggemeyer.com](http://www.poggemeyer.com) click on "BIDS".

The project is to be substantially completed by August 20, 2022 following notification by the City for the Contractor to proceed with final completion by September 30, 2022. The low bidder also provided an intermediate completion date for the building completion of July 20, 2022.

We have attached a copy of the Lien Law which took effect January 1, 1992 for your use. The Lien Law requires that the public authority (Owner) prepare Public Notice of Commencement and make it readily available to the public. We normally suggest that it be posted on a public bulletin board and also posted at the job site.

The person designated as receiving service of an affidavit under Section "5" of the Notice of Commencement may be any public official or administrator designated by the public entity. You may wish to consult with your legal counsel to complete this form.



Mr. Jason Gibboney  
June 9, 2021  
Page 2

Further, ORC 9.32 requires the contracting authority to simultaneously give notice of the award to the surety and agent of the surety on the contractor's bond. Failure to do so may prejudice the owner's right to proceed against the surety should that become necessary. Enclosed is a sample Notice to Surety which should be completed and sent out at the same time as a Notice of Award.

H.B. 95 which took effect 1/1/04 includes a provision which requires a "political subdivision " to "verify" that the apparent lowest bidder for goods, services, or construction has not been issued a "finding for recovery" by the auditor of the state. In other words, it must be shown that the low bidder does not owe money to the state resulting from an audit performed on any public entity. The penalty for failing to check and "verify" that there is no finding of recovery on record with the auditor's office is that the bid, if awarded, will be voided. This verification can be completed online from the auditor's website ([www.auditor.state.oh.us](http://www.auditor.state.oh.us)). The verification form should be downloaded and signed by an appropriate official with a copy forwarded to this office to be included with project contracts. The signed downloaded original should be retained for your records.

If there are any questions, please do not hesitate to contact this office.

Sincerely,

POGGEMEYER DESIGN GROUP, INC.



Thomas J. Borck, P.E.  
Vice President

Enclosure

## BID TABULATION

**Huron Water Treatment Plant Phase II Improvements**

Job Number: 258000-00159

Bids Received: Tuesday, June 2, 2021 at 10:00 p.m.

Engineer's Estimate: \$2,800,000

Poggemeyer Design Group, Inc.  
1168 North Main Street  
Bowling Green, Ohio 43402

Simonson Construction Services, Inc.  
2112 Troy Road  
Ashland, Ohio 44805

Kirk Bros. Company, Inc.  
1700 Fostoria Avenue  
Suite 800  
Findlay, Ohio 45840

Ref. No.	Description	Estimated Quantity	Unit	Unit Price	Total Price	Unit Price	Total Price
	<b>General Contract</b>						
G1	General Contract, Complete for Work to Construct Building, Mechanical, and Electrical and Install Tube Settlers in Five (5) Sedimentation Basins plus All Associated Work	1	L.S.	\$2,496,000.00	\$2,496,000.00	2,980,000.00	\$2,980,000.00
	<b>Alternate</b>						
A1	PVC Tube Settling Equipment per 46 4373 Alternate; Provide and install PVC Tube Settling Equipment and All Required Modifications, Add or Deduct from Total Price General Contract	1	L.S.	\$30,000.00	\$30,000.00	15,000.00	\$15,000.00
	Intermediate Completion Date for Steel Building				July 20, 2022		December 30, 2022
	CORRECTED GENERAL CONTRACT INCLUDING ALL ALTERNATE BID PRICE						
	GENERAL CONTRACT INCLUDING ALL ALTERNATE BID PRICE AS SUBMITTED				\$2,526,000.00		\$2,995,000.00
	BID BOND				Yes		Yes

## BID TABULATION

**Huron Water Treatment Plant Phase II Improvements**

Job Number: 258000-00159

Bids Received: Tuesday, June 2, 2021 at 10:00 p.m.

Engineer's Estimate: \$2,800,000

Poggemeyer Design Group, Inc.  
 1168 North Main Street  
 Bowling Green, Ohio 43402

Ref. No.	Description	Estimated Quantity	Unit	Average
	<b>General Contract</b>			
G1	General Contract, Complete for Work to Construct Building, Mechanical, and Electrical and Install Tube Settlers in Five (5) Sedimentation Basins plus All Associated Work	1	L.S.	\$2,738,000.00
	<b>Alternate</b>			
A1	PVC Tube Settling Equipment per 46 4373 Alternate; Provide and install PVC Tube Settling Equipment and All Required Modifications, Add or Deduct from Total Price General Contract	1	L.S.	\$22,500.00
	Intermediate Completion Date for Steel Building			
	CORRECTED GENERAL CONTRACT INCLUDING ALL ALTERNATE BID PRICE			
	GENERAL CONTRACT INCLUDING ALL ALTERNATE BID PRICE AS SUBMITTED			
	BID BOND			

**RESOLUTION NO. 39-2021**

Introduced by Christine Crawford

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO AWARD THE BID AND ENTER INTO AN AGREEMENT WITH SIMONSON CONSTRUCTION SERVICES, INC. FOR LABOR AND MATERIALS RELATED TO THE HURON WATER TREATMENT PLANT PHASE II IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED TWO MILLION FIVE HUNDRED TWENTY-SIX THOUSAND AND 00/100 DOLLARS (\$2,526,000.00)**

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

**SECTION 1.** That the City having advertised for bids in connection with the Huron Water Treatment Plant Phase II Improvements Project, this Council finds Simonson Construction Services, Inc. to be the lowest and best bidder for such work. Therefore, the City Manager shall be, and he hereby is, authorized and directed to award the bid and enter into an agreement with the said Simonson Construction Services, Inc. for undertaking the work called for in the Huron Water Treatment Plant Phase II Improvements Project bid package, in an amount not to exceed Two Million Five Hundred Twenty-Six Thousand and 00/100 Dollars (\$2,526,000.00), which agreement shall be substantially in the form of the Huron Water Treatment Plant Phase II Improvements Contract on file in the office of the Clerk of Council.

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

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

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Sam Artino, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_



**TO:** Mayor Artino and City Council  
**FROM:** Cory Swaisgood , Finance Director  
**RE:** Ordinance No. 2021-20  
**DATE:** June 22, 2021

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### **Subject Matter/Background**

Ordinance 2021-20 requests the Council's authorization for changes to the annual budget appropriations. Please refer to Exhibit "A" of the ordinance for the detailed breakdown.

### **Financial Review**

See Exhibit "A" for financial review and details of supplemental appropriations, increase in estimated resources and budget transfers, and cash transfers between funds.

### **Legal Review**

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

### **Recommendation**

The Council should consider a motion adopting Ordinance 2021-20 as presented in order to maintain budgetary compliance.

[Ordinance No. 2021-20.doc](#)  
[2021-20.pdf](#)

**ORDINANCE NO. 2021-20**

Introduced by Mark Claus

**AN ORDINANCE AMENDING ORDINANCE NO. 2020-34, ADOPTED DECEMBER 8, 2020, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES, AN INCREASE IN ESTIMATED RESOURCES, AND CASH TRANSFERS BETWEEN FUNDS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, pursuant to Ordinance No. 2020-34, adopted December 8, 2020, Huron City Council adopted the annual budget for the fiscal year ending December 31, 2021 for the operations of all City departments and offices; and

**WHEREAS**, Council has established various funds for the financial operation of the City, and through the current fiscal year certain funds have been determined to have insufficient funds and certain funds have been determined to have excess funds; and

**WHEREAS**, it is necessary to amend the budget to reflect appropriation transfers, supplemental appropriations and an increased in estimated resources, and to approve cash transfers between funds to accommodate the operational needs of certain City departments and offices and to assure all funds of the City are in proper balance.

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

**SECTION 1.** That Exhibit "A" of Ordinance No. 2020-34, adopted on the December 8, 2020, as amended by Ordinance No. 2021-2 adopted on January 26, 2021, as amended by Ordinance No. 2021-10 adopted on March 9, 2021, as amended by Ordinance No. 2021-11 adopted on April 13, 2021, and as amended by Ordinance No. 2021-17 adopted by April 27, 2021, is hereby amended to provide for supplemental appropriations, appropriation transfers, an increase in estimated resources, and to make cash transfers between funds as to each fund set forth in Exhibit "A" attached hereto and made a part hereof.

**SECTION 2.** That the Director of Finance and the City Manager are hereby authorized to expend the funds herein appropriated for the purpose of paying the operating expenses of the City for the fiscal year ending December 31, 2021, to make the necessary entries on the accounting records of the City to reflect the appropriations and expenditures herein authorized, and to make cash transfers between and among those certain funds of the City to properly balance the various funds of the City.

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

**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the

residents and for the further reason that this Ordinance shall become immediately effective to fund the operations of the City of Huron; additionally, in accordance with Section 3.06 of the Charter of the City of Huron, appropriation ordinances shall take effect immediately.

**WHEREFORE** this Ordinance shall take effect immediately upon its adoption.

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Sam Artino, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_.



CITY OF HURON  
BUDGET APPROPRIATION ADJUSTMENTS AND ESTIMATED RESOURCES  
SUMMARY SHEET

DATE: 6/22/2021  
ORDINANCE: 2021-20

**Appropriation Measure**

**Reason for Appropriation Measure**

The appropriation measures are necessary to properly budget for and pay anticipated expenditures. Supplemental budget is needed in the Economic Development Fund to account for developer fees paid to the City for site review and inspection by OHM and Erie Soil & Water. The increase in appropriations for the site inspections is offset by the increase in revenue in the Economic Development Fund. All dollars received for inspection review is either paid to the respective contractor or reimbursed to the developer. Additional appropriations is also necessary for the water feasibility study that will be split 50/50 between the City and County and is expected to cost under \$20,000. Another offsetting appropriation measure is recognition of the Ohio Water Development Authority's (OWDA) loan fee for the Berlin Road Waterline Project. Although the loan fee is included in the total loan, the City must recognize the expense and revenue in accordance with accounting standards. In addition, supplemental appropriations is requested for the community infrastructure fee fund due to the unanticipated legal fees to negotiate HPP's new rate. Approximately \$150,000 in supplemental appropriations for Fund 655 will be used for the lighting project on US6, as well. The final appropriation measure (\$11) relates to the City's portion of the marine patrol grant. The cash transfer from the General Fund to the marine patrol grant is included in the cash transfers section below.

The increase in estimated resources are due to the developer deposits on escrow in the Economic Fund, unanticipated increase in HPP's electric rate for the community infrastructure fund, recognition of the OWDA loan fee as part of the Berlin Road Water Line Project loan, and County's share of the water feasibility study.

In accordance with the Ohio Revised Code, Council must approve supplemental appropriations, budget transfers above the City's legal level of control, and amendments to estimated resources. **The net impact on the budget is +\$143,033, which is due to the increase in HPP electric charges from the community**

**APPROPRIATION MEASURE**

Fund Name	Fund Number	Department/Activity	Object Level	Increase/(Decrease) Amount	Total Appropriations After Adjustment
ECONOMIC DEVELOPMENT FUND	277	Economic Dev.	Other Expenses	\$ 30,000.00	\$ 182,443
WATER FUND	604	Water	Other Expenses	\$ 20,000.00	\$ 760,211
WATER DEBT FUND	602	Water	Other Expenses	\$ 25,000.00	\$ 144,856
COMM. INFRA. FEE FUND	655	Electric	Other Expenses	\$ 200,000.00	\$ 456,993
GENERAL FUND	110	Transfers Out	Transfers Out	\$ 11.00	\$ 10,011

**NET IMPACT ON TOTAL APPROPRIATIONS \$ 275,011.00**

**ESTIMATED RESOURCES AMENDMENT**

Fund	Fund - Account #	Account Description	Increase/(Decrease) Amount	Total Est. Resources After Adjustment
ECONOMIC DEVELOPMENT FUND	277-0013-41940	DEVELOPMENT DEPOSIT - ON ESCROW	\$ 30,000.00	\$ 30,000
COMM. INFRA. FEE FUND	655-0006-41521	COMMUNITY INFRASTRUCTURE FEE	\$ 353,044.31	\$ 485,044
WATER DEBT FUND	602-0013-41956	LOAN REIMBURSEMENTS	\$ 25,000.00	\$ 25,000
WATER FUND	604-0005-41426	ERIE COUNTY REIMBURSEMENT	\$ 10,000.00	\$ 10,000

**NET IMPACT ON TOTAL EST. RESOURCES** \$ 418,044.31

**Net Overall Impact to Budget** \$ **143,033.31**

**Cash Transfer between Funds****Reason for Cash Transfer:**

The below cash transfer is required by the Marine Patrol Grant previously accepted by Council. The City must match 25% of the annual grant. This transfer from the General Fund shows compliance with the grant requirements.

**CASH TRANSFER FROM:**

Fund Name	Fund Number	Department/Activity	Description	Amount	Cash Balance After Transfer
GENERAL FUND	110	TRANSFER OUT	TRANSFER TO MARINE PATROL	\$ (10,010.62)	\$ 1,173,017.84

**TOTAL TRANSFERS OUT:** \$ **(10,010.62)**

**CASH TRANSFER TO:**

Fund Name	Fund Number	Department/Activity	Account Description	Amount	Cash Balance After Transfer
MARINE PATROL FUND	225	TRANSFER IN	TRANSFER FROM GENERAL FUND	\$ 10,010.62	\$ 11,169.32

**TOTAL TRANSFERS IN:** \$ **10,010.62**



**TO:** Mayor Artino and City Council  
**FROM:** Matthew Lasko  
**RE:** Ordinance No. 2021-21  
**DATE:** June 22, 2021

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### **Subject Matter/Background**

This ordinance loosens the existing hiring restrictions for part-time staff within the Huron Fire Department. Due to current staffing shortages on both the full-time and part-time rosters, the Department is having a difficult time ensuring shift coverage. This has resulted in either shifts being covered with less staff or increased overtime expenditures. If approved, this would help the Department expedite the hiring of part-time staff.

Secondarily, the Fire Department as well as all other departments that utilize part-time staff, are facing stiff competition in the market. The administration is undergoing a review of our existing part-time compensation rates and will put a report together for Council's review at a future meeting. This legislation does not address pay, simply hiring practices.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement, a motion adopting Ordinance 2021-21 as an emergency measure would be in order.

[Ordinance No. 2021-21.docx](#)

## **ORDINANCE NO. 2021-21**

Introduced by Monty Tapp

### **AN ORDINANCE PROVIDING FOR APPOINTMENTS TO VACANT POSITIONS WITHIN THE FIRE DEPARTMENT AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Huron (“City”) currently has two vacancies in classified positions within the Fire Department as a result of medical leaves of absence; and

WHEREAS, the City is expecting a third vacancy in a classified position within the Fire Department to arise in the very near future; and

WHEREAS, vacancies in the classified positions within the Fire Department put additional stress on the remaining employees working within the Fire Department and endangers the life, health, and safety of the remaining employees; and

WHEREAS, vacancies within the Fire Department further endanger the life, health, and safety of the residents of the City as a whole; and

WHEREAS, the Ohio Revised Code (“ORC”) Section 124.06 provides that appointments to positions in the classified service may only be made in compliance with ORC Chapter 124; and

WHEREAS, ORC Section 124.27 provides that all original appointments to positions in the classified service shall be made only from persons identified on an eligible list; and

WHEREAS, the City does not have a current list of persons eligible for appointment to the vacant positions; and

WHEREAS, ORC Section 124.30(A) provides that a classified position in the City’s civil service may be filled without competition provided that there are urgent reasons to fill the vacancy and there is no list of persons eligible for appointment to the position after competitive examination; and

WHEREAS, the City has an urgent need to fill the classified position vacancies in the Fire Department until such time as a competitive examination is held and a list created of persons deemed eligible for appointment; and

WHEREAS, ORC Section 124.271 further provides that an appointment made pursuant to Section 124.30(A) shall become a permanent appointee in the classified service if the appointee successfully completes a probationary period for the position or remains in the position for a period of six months of continuous service; and

WHEREAS, the City in conjunction with the Firefighters Union (IAFF) have agreed to appoint one or more persons to fill vacancies in the City’s civil service within the City’s Fire Department until such time as a competitive examination is held to fill future vacancies and such a list of eligible persons is created for appointment to the classified positions in the civil service of the City, in accordance with the Ohio Revised Code and the applicable collective bargaining agreement.

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

**SECTION 1:** That Council in conjunction with the Fire Department of the City of Huron and the Firefighters Union (IAFF) hereby temporarily establishes a list of criteria to be used in selecting provisional employees to fill the vacant classified positions within the City's Fire Department until such time as a competitive examination is held and a list of eligible persons is created from which future vacancies can be filled.

**SECTION 2:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 3:** That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to authorize the City Manager and/or Council to take any and all measures to protect the public health, safety and welfare of the City and its citizens. Therefore, this Ordinance shall be in full force and effect from and immediately after passage and approval by the City Manager.

\_\_\_\_\_  
Sam Artino, Mayor

ATTEST: \_\_\_\_\_  
Clerk of Council

ADOPTED: \_\_\_\_\_