

**THE CITY OF HURON, OHIO**  
**Proceedings of the Huron City Council**  
**Regular Meeting**  
**Tuesday, August 24, 2021 at 6:30 p.m.**

**Call to Order**

The Mayor called the regular meeting of the Huron City Council to order at 6:30pm on August 24, 2021 in Council Chambers 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, Sam Artino, Joe Dike, Trey Hardy and Joel Hagy**. Council member not present: **Monty Tapp**.

**Motion by Mr. Claus to excuse the absence of Mr. Tapp from the meeting.**

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

**YEAS: Claus, Artino, Dike, Hardy, Hagy, Crawford (6)**  
**NAYS: None (0)**

There being more than a majority in favor, the motion passed, and Mr. Tapp was excused from the meeting.

Staff in attendance: City Manager Matt Lasko, Assistant to the City Manager Mike Spafford, Finance Director Cory Swaisgood, Law Director Todd Schrader, Water Superintendent Jason Gibboney, City Engineer Russ Critelli, Planning and Zoning Manager Erik Engle and Clerk of Council Terri Welkener.

**Audience Comments**

None.

**Old Business**

None

**New Business**

**Ordinance No. 2021-30**

**Motion by Mr. Dike that the three-reading rule be suspended and Ordinance 2021-30 (AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A CONVEYANCE OF PARCELS OF REAL PROPERTY FROM SAWMILL CREEK LLC; APPROVING A RECONVEYANCE TO SAWMILL CREEK LLC AS PROVIDED BY SECTION 5709.41(B) OF THE OHIO REVISED CODE; AUTHORIZING A TRANSFER AND INDEMNIFICATION AGREEMENT IN CONNECTION WITH SUCH LAND TRANSFER; 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 Council voted as follows:

**YEAS: Dike, Hardy, Hagy, Crawford, Claus, Artino (6)**  
**NAYS: None (0)**

There being five or more votes in favor, the three-reading rule was suspended and Ordinance 2021-30 placed on its first reading. The Law Director read the Ordinance by its title only.

**Motion by Mr. Dike to place Ordinance 2021-30 as an emergency measure.**

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

**YEAS: Dike, Hardy, Hagy, Crawford, Claus, Artino (6)**  
**NAYS: None (0)**

There being five votes or more in favor, Ordinance 2021-30 was placed as an emergency measure.

Mr. Lasko said that there will be series of pieces of legislation over the coming weeks and months as it relates to the annexation of Sawmill Creek Resort. This piece of legislation is related to a land swap (or land transfer, if you will), which is required for the City to consider the TIF Ordinance on the property. The City must be in the chain of title for the parcels being TIF'ed. We are looking to do three things under this ordinance: (1) conveying 9 parcels from Sawmill Creek LLC to the City of Huron, (2) the City would immediately convey those 9 parcels back to Sawmill Creek LLC; and (3) Sawmill Creek LLC would agree to indemnify and hold harmless the City for our role in the conveyance. This is a required step for a TIF Ordinance that will be presented to Council in the upcoming weeks.

The Mayor asked if there were any further questions or discussion on the motion. There being none, he directed the Clerk to call the roll on the final adoption of Ordinance 2021-30. Members of Council voted as follows:

**YEAS: Dike, Hardy, Hagy, Crawford, Claus, Artino (6)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2021-30 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Ordinance No. 2021-31**

**Motion by Mr. Hagy that the three-reading rule be suspended and Ordinance 2021-31 (AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES; 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 Council voted as follows:

**YEAS: Hagy, Crawford, Claus, Artino, Dike, Hardy (6)**  
**NAYS: None (0)**

There being five or more votes in favor, the three-reading rule was suspended and Ordinance 2021-31 placed on its first reading. The Law Director read the Ordinance by its title only.

**Motion by Mr. Hagy to place Ordinance 2021-31 as an emergency measure.**

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

**YEAS: Hagy, Crawford, Claus, Artino, Dike, Hardy (6)**  
**NAYS: None (0)**

There being five votes or more in favor, Ordinance 2021-31 was placed as an emergency measure.

Mr. Lasko said that we are looking for authorization to accept replacement pages to the codified ordinances based on legislation that has been approved this year, and also, updates to the traffic code and general offense code by the State of Ohio.

The Mayor asked if there were any further questions or discussion on the motion. There being none, he directed the Clerk to call the roll on the final adoption of Ordinance 2021-31. Members of Council voted as follows:

**YEAS: Hagy, Crawford, Claus, Artino, Dike, Hardy (6)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Ordinance 2021-31 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 52-2021**

**Motion by Mr. Claus that the three-reading rule be suspended and Resolution 52-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO, OFFICE OF THE AUDITOR FOR AN ANNUAL AUDIT FOR CALENDAR YEAR 2020 IN AN AMOUNT NOT TO EXCEED TWENTY-SEVEN THOUSAND SEVEN HUNDRED SIXTEEN AND 00/100 DOLLARS (\$27,716.00)) 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, Artino, Dike, Hardy, Hagy, Crawford (6)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 52-2021 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Swaisgood said that the Ohio Revised Code requires the City to undergo an annual financial audit through the State Auditor's Office. For the last 5-7 years, these audits have been conducted by an independent professional auditing group (IPA). This year, for the first time in the last 7 years, the State Auditor has taken the City of Huron's audit back over. They have already started field work and are expected to be done here in the middle of September, so Council should see that report (similar to past years) by the end of September/middle of October. The reason this is before Council is to have the City Manager sign the engagement letter, which exceeds the \$25,000 threshold. The prior 3 years' audits have been right around \$26,000-\$26,500. The reason for the increase is that, for the first time ever, the City has to go through a "Federal Single Audit" because the City received \$750,000 or more in Federal awards in the past year, mainly due to the CARES Act funds and the US-6 Phase 1 Project funds received from ODOT. There is an additional audit being done during the regular audit, which explains the \$1,500 increase.

Mr. Hagy asked if there is any indication why the State is performing the audit now instead of the IPA, or is that just normal course that once in a while they pop in. Mr. Swaisgood said the State is required to take over every 10 years, although it has only been about 7 years for the City (maybe 2014). He got a letter last year (as did a lot of cities in the area) from the State that they would be taking over some of the more local city audits. We could have fought it, but they did ask us to take over the City of Huron from Charles Harris. After they do 1-5 years, we can go back out to the IPA.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 52-2021. Members of Council voted as follows:

**YEAS: Claus, Artino, Dike, Hardy, Hagy, Crawford (6)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 52-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Motion**

**Motion by Mr. Claus referring the Petition of Ardagh Metal Beverage USA Inc. for vacation of a portion of Sawmill Parkway adjacent to PPN: 42-02021.000 containing approximately 0.4225 acres to the Planning Commission for review and recommendation.**

Mayor Artino asked if there were any questions 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: Claus, Artino, Dike, Hardy, Hagy, Crawford (6)**  
**NAYS: None (0)**

There being more than a majority in favor, the motion passed and the Petition of Ardagh Metal Beverage USA Inc. was referred to the Planning Commission for review and recommendation.

#### **Motion**

**Motion by Mr. Claus setting the Public Hearing on Ardagh Metal Beverage USA Inc.'s petition for vacation of a portion of Sawmill Parkway adjacent to PPN: 42-02021.000 for Tuesday, September 28, 2021 at 6:30pm.**

Mayor Artino asked if there were any questions 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: Claus, Artino, Dike, Hardy, Hagy, Crawford (6)**  
**NAYS: None (0)**

There being more than a majority in favor, the motion passed and the public hearing on the Petition of Ardagh Metal Beverage USA Inc. was set for August 28, 2021 at 6:30pm.

#### **Resolution 53-2021**

**Motion by Ms. Crawford that the three-reading rule be suspended and Resolution 53-2021 (A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONDITIONAL VACATION AGREEMENT WITH ARDAGH METAL BEVERAGE USA INC. PURSUANT TO THEIR PETITION TO THE CITY OF HURON REQUESTING VACATION OF**

**A PORTION OF SAWMILL PARKWAY ADJACENT TO ERIE COUNTY PERMANENT PARCEL NUMBER 42-02021.000 CONTAINING APPROXIMATELY 0.4225 ACRES) 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, Artino, Dike, Hardy, Hagy (6)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 53-2021 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said this is very similar to the Conditional Vacation Agreement that was before Council with the Wests. This lays out the costs and responsibilities of the parties, most importantly the cost of surveying, engineering, etc., which are to be borne by the Petitioner. One of the reasons staff has been supportive of the vacation is that the City has long sought the ability to install a cul-de-sac at the end of Sawmill Parkway. As part of this agreement, in addition to the potential vacation, there will also be a right-of-way dedication in which Ardagh will be transferring land back to the City so that we have room to install the cul-de-sac at the eastern end.

Mr. Claus asked if the City would be responsible for installing the cul-de-sac. Mr. Lasko answered that it would be the City's responsibility for the improvements on that portion of right-of-way that is dedicated. However, part of the initial cost estimate for Sawmill Parkway included going all the way to the end, and a lot of that was concrete that was covered by brush, etc. Those costs are going to be eliminated from the project and will, hopefully, come close to offsetting the increased cost for the additional work to install the cul-de-sac.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 53-2021. Members of Council voted as follows:

**YEAS: Crawford, Claus, Artino, Dike, Hardy, Hagy (6)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 53-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 54-2021**

**Motion by Ms. Crawford that the three-reading rule be suspended and Resolution 54-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED RELATIVE TO THE OAKHURST COURT AND WILBOR AVENUE ROADWAY IMPROVEMENT PROJECT) 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, Artino, Dike, Hardy, Hagy (6)**

**NAYS:           None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 54-2021 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko explained that there is an application deadline of September 10<sup>th</sup> and asked Mr. Critelli to walk Council through how these roadways were ultimately selected and explain a little bit of the process that goes into determining what local are prioritized for funding, and what a timeline may look like.

Mr. Critelli said Oakhurst and Wilbor were selected to provide more of a benefit/cost analysis to get more return on the investment for longer stretches of road. Essentially, the streets were all ranked through the Ohio Public Works Commission Program, with the deadline of September 10<sup>th</sup> for annual submittals of application, the streets selected of all the roads that are rated either poor or fair, Oakhurst and Wilbor have, we suspect, the least sub-base conditions and lack of underdrains, etc. We have walked the streets with Steve Didelot, our Street Superintendent, and regraded those to try to score the best and receive the funding. Those two streets seemed to jump forward.

Mr. Hagy said that there were two different street names in the legislative review meeting – what happened? Mr. Lasko said that at the last second, the City was looking at a couple of the worst streets and a couple of worst segments. At one point, it was considered to look at a portion of Iroquois and a portion of Kiwanis. However, after looking at (1) the desire to do an entire roadway, and (2) the ability to be most competitive in the grant application both in terms of the condition of the roadway and a larger project, there was a last-second pivot to recommend these two streets versus the smaller segments of Iroquois and Kiwanis (looking at doing an entire roadway versus smaller segments). Mayor Artino asked how those smaller segments are going to be handled. Mr. Lasko said we would ultimately work with Mr. Critelli and the Streets Department to look for additional funding for those projects, whether that's the City's own capital funding pots, or future OPWC rounds. We can also look at, in the interim, concrete patches and saw-cutting out the worst portions of those segments as an interim fix as we search for entire funding. One of the things we want to focus on is looking at entire streets or entire segments. Mr. Hagy said Chaska Beach was last repaved when he was 4 years old, and he thinks Oklahoma was recently repaved. Ms. Crawford said only Taylor was repaved when the new waterline was installed. Mr. Critelli said that the two streets are currently concrete. Ms. Crawford said she thought Council had decided to do all of the poorest rated first, but there has been deterioration over time, and that list may have changed. Mr. Critelli said that they made this choice to have a better chance of being successful in receiving OPWC funding. There are scoring factors that need to align in order to be successful, one of which is longer stretches of road because it impacts more homes and traffic. Mr. Dike mentioned that Vine Street is pretty horrendous over by McCormick School. Mr. Lasko said our Streets Department did go through and patch Vine Street about a month and a half ago, but certainly the entirety of the stretch probably needs to be resurfaced. The point is well taken that the whole stretch should be resurfaced.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 54-2021. Members of Council voted as follows:

**YEAS:           Crawford, Claus, Artino, Dike, Hardy, Claus (6)**

**NAYS:           None (0)**

There being a majority vote in favor of adoption, Resolution 54-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 55-2021**

**Motion by Mr. Dike that the three-reading rule be suspended and Resolution 55-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AWARD AND ENTER INTO AN AGREEMENT WITH THE U.S. DEPARTMENT OF COMMERCE FOR AN EDA CARES ACT RECOVERY ASSISTANCE GRANT FOR THE SAWMILL PARKWAY IMPROVEMENT PROJECT IN THE AMOUNT OF TWO MILLION ONE HUNDRED FIFTY-THREE AND 00/100 DOLLARS (\$2,000,153.00)) 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:           Dike, Hardy, Hagy, Crawford, Claus, Artino (6)**  
**NAYS:           None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 55-2021 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko acknowledged the tireless and hard work of staff, OHM and consultants we utilized (Stephanie Mercado and Abby Beamis) – they were instrumental throughout the entirety of the process. We previously received Council's authorization to apply for and accept this grant, but because the grant award was just slightly higher than what we received authorization for, we thought it was worthwhile to run it through Council. This is a tremendous project. At this point, we believe we've got funding to do the entire roadway project through grant funding from OPWC, ODOT, JobsOhio and the Federal EDA funding. He noted that the City is looking at installing conduit as part of the project to minimally bring HPP down the corridor. The addition of the conduit is not eligible for grant funding, so there would be a small local contribution for this project, but again, the ability to have 99.9% of this project grant-funded is pretty tremendous and there was a lot of hard work that went into it. We have a kick-off meeting with EDA later on this week, in which he thinks we will get a better understanding of the potential schedule. Best case scenario is a Spring 2022 kickoff on this project – we hope to have a better date for that later on this week. Mr. Dike congratulated the staff, and also for thinking ahead with the conduit. Mayor Artino agreed and extended his thanks to everybody on staff, our engineers and Mr. Lasko.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 47-2021. Members of Council voted as follows:

**YEAS:           Dike, Hardy, Hagy, Crawford, Claus, Artino (6)**  
**NAYS:           None (0)**

There being a majority vote in favor of adoption, Resolution 55-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 56-2021**

**Motion by Mr. Hagy that the three-reading rule be suspended and Resolution 56-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO DEPARTMENT OF DEVELOPMENT WATER AND WASTEWATER INFRASTRUCTURE GRANT PROGRAM, AND TO EXECUTE CONTRACTS AS REQUIRED RELATIVE TO THE HURON ELEVATED WATER STORAGE TANK PROJECT) 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, Artino, Dike, Hardy (6)  
**NAYS:** None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 56-2021 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko said the applications have already been submitted, so this is a retroactive ratification of those submittals. The City had to move quickly to submit these applications to the County, and ultimately to the State. Mr. Lasko acknowledged the work of Mr. Gibboney to get the applications turned around so quickly for some pretty great opportunities from a funding standpoint, and having the foresight to look toward these projects, as well.

Mr. Gibboney explained that H.B. 168 allocated \$250 Million to water and wastewater infrastructure improvements. Assuming loosely that those funds will be split evenly between water and wastewater, the water sector stands to have \$125 Million in grant funds allocated. On August 10<sup>th</sup>, we received the guideline materials for this grant application. Each county is in charge of scoring the projects within their county through the County Engineer's office. We were waiting for some guidelines and loose regulations from the County Engineer, which we received on August 10<sup>th</sup>. Erie County established a deadline to allow for scoring of August 18<sup>th</sup>, which gave us an 8-day window. It was difficult to get things ready that quickly, as the projects required an estimate from a licensed engineer to be able to apply. We contacted Poggemeyer Design Group, who handles a lot of the water treatment plant projects, and they were able to (based on recent towers that they built this year and last year of the same size) gauge the cost relatively easily, with contingencies built in, of course. There were no other projects that we could identify that we could have an engineered estimate for that quickly. A future expansion of the water treatment plant has so many unknowns and variables that there was no way an engineered estimate could be prepared in that time. We identified the tower project from the standpoint that in the summer we produce 3 million gallons of water per day, and we have less than 1 million gallons in the air in storage. The loose regulations (not a mandate) require approximately 1 day's amount in the air, and we are closer to 8 hours at this point in time. We identified a 2 million gallon tower as a prime candidate. If we are successful on the largest of the 2 grants – the construction grant – that would cover \$5 Million of the estimated \$6.4 Million construction cost, which includes some contingencies. It likely would be less than \$6.4 Million. We would have to come in with a match for the difference, but time would allow for much discussion on this, and we would come back to Council for ultimate approval if we are successful. The smaller grant is a design grant, which cover the engineering cost, as this grant opportunity does not permit merging the two together. We decided that if we are not successful on the larger grant, we should shoot for the smaller grant, which would cover \$250,000 of roughly \$300,000 in engineering costs. The timeline is by August 27<sup>th</sup>, all the counties have to have their projects ranked and submitted to the State. The State will then filter through and prioritize them yet again to pick their top projects until they max out their \$250 Million in grant funds.

Mr. Hagy asked if Mr. Gibboney knows where we fall in priority for Erie County. Mr. Gibboney answered that we don't know that yet – our application to the State level will have that ranking on it once determined by the Erie County Engineer. Mr. Hagy asked about the size of this water tower, which would be 4 times the size of our current water tower(s) – where would it be located? Mr. Gibboney said the elevation would remain the same as our other towers; if we go any higher, we wouldn't be able to fill it based on our system. We identified two city-owned parcels that could be considered, including the public power station parcel and the Fabens Park parcel. The footprint on the ground would be minimal. Anything on the west side would be a great consideration. There are some towers in Sandusky that are around that size.



The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 56-2021. Members of Council voted as follows:

**YEAS: Hagy, Crawford, Claus, Artino, Dike, Hardy (6)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 56-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 58-2021**

**Motion by Mr. Dike that the three-reading rule be suspended and Resolution 58-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH DOT DIAMOND CORE DRILLING INC. FOR THE PROVISION OF STREET REPAIR/REPAVING SERVICES ON SAWMILL PARKWAY AT A COST NOT TO EXCEED FORTY-NINE THOUSAND THREE HUNDRED THIRTY-TWO AND 00/100 DOLLARS (\$49,332.00)) 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: Dike, Hardy, Hagy, Crawford, Claus, Artino (6)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 58-2021 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko stated that he would normally not ask for improvement work on a roadway that we are ultimately going to reconstruct or at least start on in the next 12 to 18 months. The request for the improvements came from Ardagh, but will benefit all property owners on Sawmill Parkway. Ardagh plans to be in full-scale production in October, and given the sensitivity of the product they are shipping out, they have major concerns regarding the current condition of the roadway as relates to the bumps. With them begin on the far eastern end, they are subjected to the entire corridor and all of its issues. What they proposed to us is for the City to look at a process by which the bumps on the roadway would be shaved down, which they have done successfully in other communities, to help make that ride much smoother and to stave off any damage to their outgoing product. Taking into consideration that it appears that we've got most, if not all, of the construction project funded, we envision receiving significant income tax revenues from Ardagh in the future, and we know that Ardagh and other projects along the corridor are going to be paying into a TIF fund to help offset all infrastructure costs in and around that area, we thought that this was a reasonable request to help this new corporate partner over the next 12 to 18 months. Everyone else on the corridor will benefit, as well. We would move forward with this work in late September, if approved. Ms. Crawford said other occupants of the corridor will appreciate this, too.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 58-2021. Members of Council voted as follows:

**YEAS: Dike, Hardy, Hagy, Crawford, Claus, Artino (6)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 58-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

#### **Resolution 59-2021**

**Motion by Hardy that the three-reading rule be suspended and Resolution 59-2021 (A CONSENT RESOLUTION AUTHORIZING THE STATE OF OHIO DIRECTOR OF TRANSPORTATION TO COMPLETE THE US ROUTE 6 AT SLM 16.64 OVER SR 2 BRIDGE REPAIR PROJECT IN THE CITY OF HURON IN ERIE COUNTY (PID: 105584; ERI US 6-16.64)) 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, Artino, Dike (6)**  
**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 59-2021 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko stated that ODOT requested this consent legislation relating to bridge work they will be doing within the City. In the summer of 2022, ODOT is looking to bridge repair work on Route 6 where it passes over Route 2. As usual, there would be no City funding or financial commitment required as part of this authorization. Mr. Hagy asked if this is the bridge coming in from the West that goes right by Fabens Park, which was confirmed by Mr. Lasko. Mr. Claus asked if there was also consent legislation relating to the train bridge. Mr. Lasko said that he recalls that the railroad bridge is a few years out, which was confirmed by the Clerk.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 59-2021. Members of Council voted as follows:

**YEAS: Hardy, Hagy, Crawford, Claus, Artino, Dike (6)**  
**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 59-2021 was adopted. The Resolution 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:

- **ConAgra** – The committee finished their final interview earlier today with the third finalist. We have some follow-up questions with a few of the firms, which we plan to undertake over the next 7-10 days. Our ultimate goal is to have a recommendation to Council, preferably no later than the second meeting in September. We have heard some great proposals and ideas from these groups, who are all reputable and financially capable to undertake the project – it's great to have a little bit of competition.
- **Sawmill Creek Annexation** – We will be coming to Council in the next couple of weeks as we still have to approve the development agreement with Cedar Fair, in which we will be laying out, most importantly, the minimum service payment amount to the City, a portion of which will go to the school districts. There will also be two School Compensation Agreements, which have been approved by EHOVE and Huron City Schools. The TIF Ordinance must also be approved along

with a final Annexation Agreement. A bond issuance will then follow to issue the subsidy funds to the project.

- Sawmill Parkway – We plan to present a proposed agreement with OHM Advisors for final construction plans to Council in early September. The plan is to bid over the winter for construction in Spring of 2022. We appreciate Ardagh's willingness to work with regarding installation of the cul-de-sac at the end of Sawmill Parkway.
- Railroad Closures – We went through 4 or 5 days of several closures. The railroad was at least communicative with us, although things sometimes changed at the last second. He believes that everything is open, although they may have to close River Road in the future for some repairs for pavement damage caused by cars going around the barricades. We appreciate everyone's patience throughout the process, and we hope that is behind us now.
- Master Plan Update/Visioning – We have a work session tomorrow at 5:00pm in partnership with the Planning Commission, in which City Architecture and Restart Smart will walk through the final draft of that vision update, and we will still be able to get additional feedback for presentation of a final document for adoption in early September.
- Buoys – On August 17<sup>th</sup>, we finally received notification from ODNR approving the buoy locations for Mudbrook Creek. The Police Department will be working with the community to place those buoys once they are received.
- Upcoming Meetings – Planning Commission/DRB – August 25<sup>th</sup> at 5:00pm in Council Chambers; Utilities Committee – September 1<sup>st</sup> at 5:00pm at the Water Plan; HJRD – September 7<sup>th</sup> at 6:30pm in Council Chambers; and BZA on September 13<sup>th</sup> at 6:30pm in Council Chambers.
- Mike Spafford – This is Mr. Spafford's last Council meeting with us. We have a lot of great things to say about Mike. It has truly been a pleasure for him – it has been 9 months since he has been here, but he has been wonderful at helping him through the onboarding process and we are truly going to miss his wealth of knowledge and his commitment to the community (which he doesn't think will ever stop). Mr. Lasko said that he knows everyone else feels the same. Thank you so much and you are going to be deeply, deeply missed.

(Applause)

Mr. Claus asked if the Fish Cleaning Station would have running water restrooms – is that the reason for the \$500,000 price tag. Mr. Lasko said the State set aside \$250,000 per community for each fish cleaning station. The more that we and other communities (namely, Avon Lake) got into the project, we learned that the equipment alone is \$150,000 to \$200,000. Fortunately, the State acknowledged that as well, and we were able to get budget authority to move their grant award up to \$500,000. We still have costs estimates that are slightly above that, but we are working with OHM and ODNR to determine what, if anything, can be removed from the project that won't take away from the full experience. ODNR has drawn a line in the sand that they are absolutely capped at \$500,000. We are tasked with finding that gap through either cuts to the project, alterations to materials or looking for additional funding locally, philanthropically or elsewhere. There are significant challenges to the site topographically speaking, as well, in addition to the expensive equipment. Mr. Critelli said they are working on determining which items/amenities are essential to cut down on the project cost.

Mr. Claus said the current restrooms don't have running. Mr. Spafford said the project does include necessary sewer improvements (second lift station) to handle the considerable slurry that will be produced in the fish cleaning process. The structure itself will have a full concrete slab, with a structure to match the look of the restroom building. The State has been accommodating from a funding perspective to understand that it will be located in the heart of the City's downtown, and that it must jive with the ConAgra redevelopment strategy.

### **Mayor's Discussion**

Mayor Artino echoed Mr. Lasko's sentiments. He has worked together with Mr. Spafford for a long time. He remembers when Mike came to the City as an intern, and he doesn't think there is anybody in his 16 years that has worked harder or been more dedicated to this community. Mayor Artino wished Mike good luck on his new adventure and he hopes that they can always call themselves friends.

Mayor Artino and Council had a discussion regarding their intent to hold a future meeting at the Boat Basin to celebrate its 50<sup>th</sup> anniversary. It was ultimately decided to hold the September 28<sup>th</sup> meeting at the Boat Basin in hopes that it will be cooler and it will be closer to the actual anniversary date.

### **For the Good of the Order**

- **Mr. Claus** – He can't say enough about how impressed he has been at every meeting, especially onboarding the last couple years and learning the ropes. He could always get a question answered and can't tell how many meetings they have been sitting in where something comes up and we say, I bet Mike knows about that. We all appreciate the help you have given with onboarding of several new staff members, and jumping into positions over the year that needed to be done. Good luck
- **Mr. Hagy** – Best of luck, Mike. Thank you very much for helping with his personal onboarding. Let's see what you can do for our rates. Mr. Hagy has scheduled a Town Hall for September 20<sup>th</sup> at the Huron Presbyterian Church in Fellowship Hall, and Mr. Lasko and Mayor Artino have been gracious enough to agree to come, as well.
- **Mr. Hardy** – Good luck, Mike – you deserve it. We will see you around, I'm sure.
- **Mr. Dike** – Congratulations to Mike on his new adventure and over the 6 years that he has been here he has done a few things that have been very impressive as far as professionally the way he has handled things. He commends him for that he hopes we will be able to see him again in a different capacity. Thank you for everything and best of luck.
- **Ms. Crawford** – She had very similar sentiments. She offered nothing but best wishes for Mike, and thank you. Your wealth of knowledge is going to be greatly missed. Thank you for everything you have done for us.

### **Executive Session**

**Motion by Mr. Hardy to move into executive session to consult with legal counsel regarding pending litigation, and inviting Matt Lasko, Todd Schrader, and Jeff Moeller.**

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, Artino (5)  
**NAYS:** None (0)  
**RECUSE:** Dike (1)

Mr. Dike left the meeting at 7:21pm.

There being more than five members of Council in favor of the motion, Council moved into executive session at 7:21pm.

Mayor Artino said that there may be action taken by Council following the Executive Session.

### **Return to Regular Session**

Council returned to regular session at 7:51pm.

### **New Business (Continued)**

#### **Resolution 57-2021**

**Motion by Mr. Hagy that the three-reading rule be suspended and Resolution 57-2021 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE A COASTAL PERMITS AND LEASE APPLICATION AND A SUBMERGED LAND LEASE APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES TO OBTAIN ONE OR MORE PERMITS RELATIVE TO A SUBMERGED PLOT OF LAND LYING NORTHEASTERLY OF ERIE COUNTY, OHIO PERMANENT PARCEL NUMBER 42-01077.000 COMMONLY KNOWN AS THE SHOWBOAT PROPERTY; AND FURTHER AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUBMERGED LAND LEASE AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE USE OF THE SUBMERGED LANDS) 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, Artino, Hardy (5)**

**NAYS: None (0)**

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 57-2021 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Schrader stated that this legislation emanates from our ongoing quit-title action filed in Erie County. In the litigation and in dialogue with ODNR, ODNR has mandated that the City enter into a submerged land lease based on their review of the file. When the improvements were made to this property after the City purchased it, there was a recommendation in the report of KS Associates that a submerged land lease be procured. In our discussions with the engineer at that time, he recalled the requirement, but wasn't sure if it was waived off or ODNR decided that they didn't need it at that time. It seems as though this was a strategy that should have been employed a while back, but for whatever reason, it wasn't done previously. ODNR is certainly requesting it now and the legislation before Council will authorize the application.

The Mayor asked if there were any further questions or discussion on the motion. There being none, the Mayor directed the Clerk to call the roll on the final adoption of Resolution 57-2021. Members of Council voted as follows:

**YEAS: Hagy, Crawford, Claus, Artino, Hardy (5)**

**NAYS: None (0)**

There being a majority vote in favor of adoption, Resolution 57-2021 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

### **Adjournment**


**Motion by Mr. Hardy to adjourn the meeting.**

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

**YEAS:** Hardy, Hagy, Crawford, Claus, Artino (5)

**NAYS:** None (0)

There being more than a majority voting in favor of the motion, the Mayor declared the meeting of August 24, 2021 adjourned at 7:54pm.

  
Terri S. Welkener, Clerk of Council

Adopted: 14 SEP 2021

*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.*