

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, July 12, 2022 at 6:30 p.m.

Call to Order

The Mayor called the regular meeting of the Huron City Council to order at 6:30pm. 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: **William Biddlecombe, Sam Artino, Joel Hagy, Monty Tapp, Dike, Matt Grieves and Mark Claus**. Councilmember absent from meeting: **Joe Dike**.

Motion by Mr. Artino to excuse Mr. Dike's absence from the meeting.

The Mayor 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: Artino, Hagy, Tapp, Grieves, Claus, Biddlecombe (6)
NAYS: None (0)

There being more than a majority in favor of the motion, Mr. Dike's absence from the meeting was excused.

Staff in attendance: City Manager Matt Lasko, Finance Director Jeff Hall, Law Director Todd Schrader, Service Director Stuart Hamilton, Police Chief Bob Lippert, City Engineer Russ Critelli, Planning and Zoning Manager Erik Engle and Clerk of Council Terri Welkener.

Approval of Minutes

Motion by Mr. Hagy that the minutes of the regular Council meeting of June 14, 2022 be approved as submitted.

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, Tapp, Grieves, Claus, Biddlecombe, Artino (6)
NAYS: None (0)

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

Audience Comments

The Mayor directed members of the audience having comments to approach the podium, state their name and address, and advised that they would have 3 minutes to make their comments.

None.

Old Business

Ordinance 2022-32 (Second Reading)

Motion by Mr. Hagy that Ordinance 2022-32 (AN ORDINANCE REPEALING AND AMENDING CHAPTER 1135 FLOOD HAZARD ZONING/FLOOD DAMAGE REDUCTION) be placed upon its second 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, Tapp, Grievess, Claus, Biddlecombe, Artino (6)

NAYS: None (0)

There being five or more votes in favor, Ordinance 2022-32 was placed on its second reading. The Law Director read the Ordinance by its title only.

Mr. Lasko said that he doesn't have anything further to add, as this item is on its second reading and there was some great discussion at the last meeting facilitated by Director Engle. He welcomed any additional questions of Council.

Mr. Engle said that they are working with FEMA to update the City's floodplain ordinance. They are proposing a 30' riparian buffer, as well as a 30' conservation easement for subdivisions. All of the remaining changes are language updates.

Ordinance No. 2022-35 (Second Reading)

Motion by Mr. Hagy that Ordinance 2022-35 (AN ORDINANCE REPEALING AND AMENDING SECTION 1321.12 "MISCELLANEOUS FEES" OF THE PLANNING AND ZONING CODE WITHIN THE CODIFIED ORDINANCES OF THE CITY OF HURON RELATING TO FLOODPLAIN DEVELOPMENT PERMIT APPLICATION FEES) be placed upon its second 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, Tapp, Grievess, Claus, Biddlecombe, Artino (6)

NAYS: None (0)

There being more than a majority in favor, Ordinance 2022-35 was placed on its second reading. The Law Director read the Ordinance by its title only.

Mr. Lasko mentioned that the City has not historically charged any fees for floodplain reviews. It is a pretty laborious process that our team goes through, and this would not only include the floodplain review process, but also for those seeking a variance to build within that buffer or floodplain, as well.

New Business

Ordinance No. 2022-36

Motion by Mr. Grieves that the three-reading rule be suspended and Ordinance 2022-36 (AN ORDINANCE TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF THE 2022 SOLAR ENERGY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OF OTHER ACTIONS IN CONNECTION THEREWITH REGARDING SOLAR GENERATED ENERGY PURCHASES; 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: Grieves, Claus, Biddlecombe, Artino, Hagy, Tapp (6)
NAYS: None (0)

There being five or more votes in favor, the three-reading rule was suspended and Ordinance 2022-36 placed on its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Grieves to place Ordinance 2022-36 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: Grieves, Claus, Biddlecombe, Artino, Hagy, Tapp (6)
NAYS: None (0)

There being five votes or more in favor, Ordinance 2022-36 was placed as an emergency measure.

Mr. Hamilton explained that this is another one of their power purchases to try and stabilize our power portfolio. This is a Master Service Agreement, which will cover our solar purchases for the next 15 years. It will not take effect (or we won't have the first contract ready) until 2025 – that's how long it takes to find the right balance. This is, basically, a letter of intent that says they intend to work with AMP so they can go out and purchase all the municipal power for multiple municipalities, which gives them better buying power. The way the pricing of power is going right now, we have to move across to more green energy. We will know what the cost is going to be over time, versus riding the waves of high gas prices, high everything else prices, which drive up our power prices. Each subcontract under this Master Service Agreement will come back to the City for approval, and we are under no obligation to purchase – this is just authorizing AMP to go to work on our behalf.

Mr. Hagy said the agreement says not to exceed \$45/MWh – how does that compare to non-renewable costs. Mr. Hamilton answered that right now the City is paying upwards of \$70 per MWh. Since he has been working with the City (March 2022), they were still over \$50 per MWh. At this time, renewable energy is cheaper to non-renewable energy. Energy is a commodities market, so there are going to be swings and roundabouts, and in working with our customers right now, they would rather pay a higher price and have that stabilized cost, than try and ride the market. That flexibility is killing them right now.

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 2022-36. Members of Council voted as follows:

YEAS: Grieves, Claus, Biddlecombe, Artino, Hagy, Tapp (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2022-36 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Resolution 65-2022

Motion by Mr. Tapp that the three-reading rule be suspended and Resolution 65-2022 (A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDMENT TO ANNEXATION AGREEMENT WITH HURON TOWNSHIP RELATING TO THE CITY OF HURON'S ANNEXATION OF ERIE COUNTY, OHIO PERMANENT PARCEL NUMBERS 39-01076.029, 39-01076.004, 39-01076.000, 39-01076.005, 39-00553.000, 39-00827.000, 39-00859.000, 39-00864.000, 39-00864.001, 39-01076.001, 39-01076.017 and 39-01076.003) be placed upon its first reading.

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

YEAS: Tapp, Grieves, Claus, Biddlecombe, Artino, Hagy (6)
NAYS: None (0)

There being five votes or more in favor, the motion to suspend the three-reading rule passed and Resolution 65-2022 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Lasko explained that, as foreshadowed in his Manager's Report, as part of the annexation process related to Sawmill Creek Resort, we recently received a request from Cedar Fair to include three additional parcels on top of the 9 parcels that were originally agreed to between Huron Township and the City. These are three parcels that have recently been acquired by Cedar Fair under the name Sawmill Creek LLC around February of this year, hence the request for those to be included in the final Annexation Petition that goes to the Erie County Board of Commissioners. Mr. Lasko referred to the Sawmill Creek Annexation Map provided to each Councilmember and displayed on the screen at the meeting (a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference). Everything in the dark green is everything that is already in the City of Huron. The light green displays the original 9 parcels and the three additional parcels. The three additional parcels are numbered 10, 11 and 12 on the map. They are very tiny in terms of acreage – all three of them combined are 0.8 acres, and currently represent beach access and marshland access, a detention pond, and a sand trap on the golf course. Based on this request, they approached the Township about amending the original Agreement. He is happy to announce that the Township approved the amendment on their side yesterday, and the City is now seeking amendment on the City's side so that the three parcels can be added to the Annexation Petition. He noted that based on the lack of development potential for the 3 parcels, these parcels are not proposed to be included in the TIF District, which will be limited to the original 9 parcels.

Mr. Artino asked if those three parcels were developed, would the City consider any abatements. Mr. Lasko answered that they would have to come back to Council to seek that type of abatement. In his conversations with Cedar Fair, he doesn't know that they would seek that assistance. Through their inclusion in the TIF, they are happy to be a full tax paying partner, so long as they know that those resources are going into public infrastructure. It would have to come back to Council, but he doesn't envision that request ever being made.

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 65-2022. Members of Council voted as follows:

YEAS: **Tapp, Grievess, Claus, Biddlecombe, Artino, Hagy (6)**
NAYS: **None (0)**

There being a majority vote in favor of adoption, Resolution 65-2022 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance No. 2022-37

Motion by Mr. Artino that the three-reading rule be suspended and Ordinance 2022-37 (AN ORDINANCE AUTHORIZING THE CITY MANAGER'S EXECUTION OF AN AGREEMENT TO PURCHASE REAL PROPERTY LOCATED AT 624 BERLIN ROAD AND 729 BERLIN ROAD IN THE CITY OF HURON, ERIE COUNTY, OHIO, PARCEL NUMBERS 39-00024.000, 39-00150.000, 39-00527.000, 39-00528.000, 39-00529.000, 39-00960.000, 39-00965.000, 42-01396.000, 42-01397.0000, 42-01398.000, 42-01399.000 AND 42-01400.000 IN THE AMOUNT OF ONE HUNDRED SEVENTY-FOUR THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$174,500.00), 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: **Artino, Hagy, Tapp, Grievess, Claus, Biddlecombe (6)**
NAYS: **None (0)**

There being five or more votes in favor, the three-reading rule was suspended and Ordinance 2022-37 placed on its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Artino to place Ordinance 2022-37 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: **Artino, Hagy, Tapp, Grievess, Claus, Biddlecombe (6)**
NAYS: **None (0)**

There being five votes or more in favor, Ordinance 2022-37 was placed as an emergency measure.

Mr. Lasko said this is a request seeking ratification of a Purchase Agreement that has been exercised by the City with a contingency that it ultimately received Council approval. Obviously, it is rare that staff and the administration would want to get too far out in front of Council on any initiative, but understanding the strength and competitiveness of the real estate market, they thought it was prudent in this instance to move forward. By way of background, based on the result of the Vision 2020 Action Plan, one of the initiatives the City was looking at was potentially looking at sites for a new Service Complex. They know that they are roughly looking for something 6+ acres throughout the City. Because of that size, this is a property that once it was listed about 2 weeks ago, it was quickly on his desk because it is roughly about 6.4 acres. They go out to the site about 2 weeks ago, and for a lot of reasons it does make sense for a Service Complex standpoint on everything from the topography, developable land and geographic location – they did not think that made a lot of sense. However, just being onsite now that it is completely cleaned up, we can see

that there about 3 acres of developable land and about another 3.5 acres comprised of a man-made lake. They truly fell in love with the property and started thinking pretty quickly that this would be a tremendous amenity for the public, not just locally, but also regionally, to convert this into some type of recreational amenity for the use of our residents based on its beautiful attributes and really being able to connect with nature on the site. With that in mind, and knowing how competitive the real estate market is, within a day or two after listing we submitted a full-price offer, which is comprised of 12 parcels. The asking price was \$174,500, and the City put in a full-price offer. The site currently includes a vacant single-family home and a vacant barn. What they envision after acquisition is working with the Joint Recreation District, the Planning Commission, the public and other stakeholders, whether that's the Township or Erie County Metroparks, and really going through a quick-hitting master plan to determine what the public would like to see on this site from an amenity standpoint. It's really got this nice passive recreational feel – a typical Metropark-type property. He noted that they have been in conversations with the Erie County Land Reutilization Corporation, also known as the Erie County Land Bank, and they have given us authority through email to cover the cost of any type of asbestos surveys, demolitions or site clearance that would be needed at the property. They know the single-family house needs to be demolished, but are taking a little more time to consider some reuses of the barn structure. The folks from OHM and Mr. Hamilton were out there today, and it's actually got some really good bones and has utilities running to it. He is not saying the goal would be to ultimately keep it, but it would really have some potential future use that they would love to explore. One of the things we are immediately thinking through is how do we absorb this from a maintenance standpoint this year, and moving into next year. It was pretty unanimous from a staffing level that this is something we would love to obtain to ensure that it remains public, and go through a master planning process to program it and to develop amenities onsite. They are looking for ratification of the Purchase Agreement. If approved, they would be seeking to close near the end of the month.

Mr. Biddlecombe said that he would be interested in touring the site at some point, if that was possible. Mr. Lasko answered that what they have been doing before they take title is doing some investigations, and he can certainly reach out to the realtor that is representing the Sellers, who have been generally accommodating, to tour the property. That is a good recommendation for all Councilmembers.

Mr. Artino said that he thinks it is an ideal location to do something. He knows that the Parks & Recreation Department is busy as it is, but he envisions kids fishing, and in this kind of market for that amount of land, and he doesn't know how much it cost to put that lake in, but he's sure it was a lot more than what they are paying for the property. Huron is known for its parks and beaches, so one more park won't hurt.

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 2022-37. Members of Council voted as follows:

YEAS: Artino, Hagy, Tapp, Grieves, Claus, Biddlecombe (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2022-37 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance No. 2022-40

Motion by Mr. Artino that the three-reading rule be suspended and Ordinance 2022-40 (AN ORDINANCE AUTHORIZING THE CITY MANAGER'S EXECUTION OF A REAL ESTATE PURCHASE AGREEMENT AND ESCROW INSTRUCTIONS TO PURCHASE VACANT REAL PROPERTY COMPRISING APPROXIMATELY 0.203 ACRES LOCATED ON BERLIN ROAD IN THE CITY OF HURON, ERIE COUNTY, OHIO, KNOWN AS ERIE COUNTY PERMANENT PARCEL NUMBER 42-60656.000 IN THE AMOUNT OF ONE THOUSAND AND 00/100

DOLLARS (\$1,000.00), PLUS ALL CLOSING COSTS, 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: Artino, Hagy, Tapp, Grieves, Claus, Biddlecombe (6)
NAYS: None (0)

There being five or more votes in favor, the three-reading rule was suspended and Ordinance 2022-40 placed on its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Artino to place Ordinance 2022-40 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: Artino, Hagy, Tapp, Grieves, Claus, Biddlecombe (6)
NAYS: None (0)

There being five votes or more in favor, Ordinance 2022-40 was placed as an emergency measure.

Mr. Lasko explained that this is related to the project he just detailed in the last ordinance, albeit it is a different property owner, which is why it is under another ordinance. They view this as a pretty integral piece to the ultimate redevelopment of that site. A sliver of lake encroaches into the parcel, and there is a nice 15-20' walking path that goes around the entire lake, as well. It also goes through the southeastern corner of this parcel, which is just over 0.2 acres. They know that this was an integral piece of property to have to round out the entire redevelopment of that site, and although this was a late addition to the agenda (partly because they were only able to track down the owner yesterday), they went through a quick negotiation and the owner was willing to sell the property for \$1,000, with the City picking up the closing costs, which he assumes top out at approximately \$1,000. They are very happy that they were able to incorporate this parcel into the bigger picture for the redevelopment of the site. They are hoping to close on this property around the end of July.

Mr. Hagy asked if there are any contingencies for environmental issues at either property – it looks like there is some sort of industrial work going on there. Mr. Lasko answered that the majority of the work onsite was storage of vehicles, so anything coming from that site would be very high-level surface, and they can scrape the site. Therefore, they did not put any environmental contingencies on the purchase, other than relating to the asbestos surveys being covered by the County. Mayor Tapp said that he was there when we started digging the pond/lake and it was simply storage of heavy equipment. Everything has been cleaned up. Mr. Artino said it is a good idea to purchase this property – he doesn't see a developer going in there because of all the work that would have to be done to get that property ready for development. Mr. Lasko answered that one of the things they as a staff always think about is that if we are in the business of purchasing property, we want to make sure that we are not taking away from something that could be a higher and better use. They certainly analyzed what was likely to go there, and they also know what the interest in the property was, and they were mainly looking at single-family home builders and they thought that having a nice 6- to 7-acre recreational amenity vs. the loss of one single-family house or maybe a personal storage building, we did not feel that we were taking away something from a significant residential development standpoint or an economic development standpoint.

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 2022-40. Members of Council voted as follows:

YEAS: Artino, Hagy, Tapp, Grieves, Claus, Biddlecombe (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2022-40 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance No. 2022-38

Motion by Mr. Biddlecombe that the three-reading rule be suspended and Ordinance 2022-38 (AN ORDINANCE REPEALING SECTION 509.04(A)(2) OF THE GENERAL OFFENSE CODE WITHIN THE CODIFIED ORDINANCES OF THE CITY OF HURON RELATING TO DISTURBING A PUBLIC MEETING, 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: Biddlecombe, Artino, Hagy, Tapp, Grieves, Claus (6)
NAYS: None (0)

There being five or more votes in favor, the three-reading rule was suspended and Ordinance 2022-38 placed on its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Biddlecombe to place Ordinance 2022-38 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: Biddlecombe, Artino, Hagy, Tapp, Grieves, Claus (6)
NAYS: None (0)

There being five votes or more in favor, Ordinance 2022-38 was placed as an emergency measure.

Mr. Schrader explained that there has been a suggestion that Section 509.04(A)(2) may be vague, or potentially constitutionally vague. Right now, 509.04 prevents disruption in a lawful meeting by persons who (1) do any act that obstructs, interferes with the due conduct of the meeting, procession or gathering, or (2) makes any utterance, gesture or display which “outrages the sensibilities of the group”. The intonation has been made that that language – “makes any utterance, gesture or display which outrages the sensibilities of the group” – may not be specific enough in the sense that when there is conduct to be regulated, so to speak, it should be a little bit more specific. Here, when we are talking about utterance, gestures or displays, that leads to First Amendment issues, and he thinks the Court’s analysis would be a little stricter. Legal counsel believes this is the right step at this particular point in time. He also advised Council that they are not without a remedy for disruption of a public meeting. In the event a person comes that performs any act that obstructs or interferes with the conduct of the meeting, that is sufficient for a potential claim under Section 509.04. Section 509.04 is identical to a State statute on the books (ORC 2917.12). They randomly selected 15 municipalities in Ohio, and 14 of the 15 had the exact same ordinance structure as we did, predicated identically to the State statute. If there is a future disruption at a public meeting, the City

still has a remedy with the remaining portion of 509.04, plus a State statute identical to our 509.04 that gives our law enforcement authorities plenty of direction.

Mr. Hagy asked if this is limited to public meetings only. Mr. Schrader answered that it is not; it is actually part of the criminal code and refers to disruption of a “lawful meeting.” It doesn’t have to be a Council meeting – it could be BZA, Planning Commission, etc. Mr. Hagy asked for clarification that it had to be a meeting, not a car driving down the road with “F____ Biden” on the back in 3-foot letters. Mr. Schrader answered that his relates only to a lawful meeting. Mr. Hagy asked there is any recourse for his vehicle example, as a father has to explain to his 8-year-old what “F____ Biden” means, or is that protected speech. Mr. Schrader said that is a totally different issue – a free speech issue. You see those signs periodically, and although there are some who feel very strongly on both sides of that equation, some of that language that you see, particularly when it relates to political speech, has a heightened standard of protection, whether we like it or not. It emanates from a case in the Vietnam era when somebody wore a t-shirt with something politically inflammatory. A lot of cases are based on that analysis; inasmuch as we have First Amendment rights, part of the First Amendment is sometimes experiencing things we don’t want to, if that’s that person’s position. Mr. Schrader thinks we have done a really good job maintaining decorum at our meetings, and he thinks this is the outer edge of conduct at a meeting. He thinks we have a number of tools to exercise, including recess, making a recommendation that we change course, and ask for further cooperation before it even gets to this.

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 2022-38. Members of Council voted as follows:

YEAS: Biddlecombe, Artino, Hagy, Tapp, Grieves, Claus (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2022-38 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance No. 2022-39

Motion by Mr. Hagy that the three-reading rule be suspended and Ordinance 2022-39 (AN ORDINANCE AMENDING ORDINANCE NO. 2021-41, ADOPTED DECEMBER 14, 2021, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES AND AN INCREASE IN ESTIMATED RESOURCES) 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, Tapp, Grieves, Claus, Biddlecombe, Artino (6)
NAYS: None (0)

There being five or more votes in favor, the three-reading rule was suspended and Ordinance 2022-39 placed on its first reading. The Law Director read the Ordinance by its title only.

Mr. Hall explained that this is a common budget appropriation request. It is an appropriation measure to increase appropriations for information technology in the amount of \$30,000. That would bring that current budget amount from \$28,000 to \$58,300. In addition to that, on the second line reflects additional American Rescue Plan Act funds received. This adds \$362,640 to the existing \$300,000 in the budget, and those funds

will be arriving within the day. They are having a meeting next week to discuss all of the ARPA Fund uses. A portion of the ARPA funds will be used for the street paving and resurfacing program in the amount of approximately \$74,677. There is an overall net budget impact of just over a -\$7,330.

Mr. Hagy asked if the City received an additional \$283,000 of ARPA on top of the \$362,000. Mr. Hall said no, that is just the appropriation portion. In order for us to spend the money, Council has to approve the additional appropriation – the lower half of this resolution. We are actually receiving our second tranche of the full \$720,000 that was originally granted. We were supposed to receive the first half last July, and the second half this week. This appropriation measure not only an increased in ARPA and allows the City to spend it, but also tells you where they are also gaining resources with the additional \$30,000 increase, which his not ARPA-related. It's kind of like follow the bouncing ball. We have to increase appropriations in order to spend the original budget for this fiscal year, which was only \$300,000, so the total \$720,000 between fiscal year 2021 and 2022. If you look at the right-hand side, the total appropriations in the middle of the page, the \$583,000 under ARPA Fund 227, if you add \$139,000 to that, that is the bike lane restriping and signage, which brings it to a full \$720,000. Sometimes it can be confusing, but nonetheless, this allows us to appropriate accordingly.

Mayor Tapp said that he, Mr. Claus, Mr. Lasko and Mr. Hamilton had a discussion about the IT increase, and this is something that is dearly needed, and it is an ongoing process and Mr. Hamilton is on top of all of this. Mr. Hagy asked if the new website development is included in that amount, or is that a separate budget. Mr. Hamilton said the new website is actually in the budget for this year.

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 2022-39. Members of Council voted as follows:

YEAS: Hagy, Tapp, Grievies, Claus, Biddlecombe, Artino (6)
NAYS: None (0)

There being a majority vote in favor of adoption, Ordinance 2022-39 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

City Manager's Discussion

Mr. Lasko spoke on several topics:

- **Sawmill Creek Annexation** – Staff had a meeting with the Erie County Auditor because one of the things they are interested in is understanding the timing of when those service payments are going to start to be receipted by the City, and then ultimately, a portion of those funds going to the School District and EHOVE. The Auditor just recently analyzed the site for its reappraisal, and it is going to take them a month or two to finalize. Based on that , and knowing that we are normally 12 months behind on our real estate taxes, we are anticipating our first service payment the first half of 2024. As mentioned, we have agreed to \$450,000 annually, on top of what's being paid now by Cedar Fair, with 25% of that going to the School District and 1-1/2% going to EHOVE. It was good to get the clarity from the County Auditor when those funds would start to be received.
- **Safe Routes to Schools** – The City had two applications in to ODOT for Safe Routes to School, one for the Cleveland East sidewalks connecting to Huron Green and also down Berlin Road. Unfortunately, we were unsuccessful in both of those applications. It is not shocking given the level of competitiveness and that it was the first time those projects were submitted. They are currently working internally on some recommendations provided by ODOT for other related funding programs through them that these projects may be a fit for. They hope to have additional funding applications in later this year to get those projects moving forward.

- 2022 Repaving Project – Based on the last Council meeting when they approved the construction contract with Erie Blacktop LLC, the project has been awarded along with both alternates, PO's have been issued to enable the work to start, and they anticipate mobilization on the streets by the end of the month, with a project completion deadline of early September, weather permitting.
- Stormwater Management Plan – Council has a work session on the Stormwater Management Plan a meeting or two ago. There is a Phase 1 kickoff meeting scheduled. They anticipate the first phase taking 8 months as there is a lot of data collection necessary. They look forward to getting that kicked off in the next couple of weeks.
- 2 New Internet Providers - From an infrastructure standpoint, they put some social media alerts out late last week that there is a lot of utility work going on at the moment. We have two new fiber internet providers that are beginning to install fiber for their fiber-to-home offering. We anticipate them installing city-wide. This is a wonderful of expansion of service providers in the City, and will give our residents a choice and more than anything, drive down costs as well. Those companies are Frontier and Omni Fiber. Going from 1 provider to 3 providers is pretty significant for our residents and our businesses. With that, there is going to be a lot of disturbance, certainly in the public right-of-way, over the next several months.
- Lake Erie Parkway Closure – Lake Erie Parkway is scheduled to be closed for utility work in the coming days and weeks as Buckeye Sports makes their connections to local services. We will certainly get out notifications when those specifically happen. If there are any questions regarding ongoing utility work in your neighborhood, please reach out to Mr. Hamilton at 419-433-5000, ext. 1104.
- Main Street Corridor Plan – As the plan is advanced with our internal staff, the Steering Committee, and ultimately the public, they have the next Steering Committee scheduled for July 27th at 3:00pm at the Huron Boat Basin facility.
- HB 563 – Mr. Lasko wanted to provide an update to some commentary at the last couple of meetings related to House Bill 563 and some of our political representation. Fortunately, Representative Swearingen communicated with the City about a week and a half ago regarding H.B. 563. In those conversations, he has stated that he is vehemently opposed to said Bill, and in the event it does reach the floor for a vote, he reiterated that he is a strong “No” on the current version of that Bill. He wanted to reiterate that he understands who his constituency are, and that most of those communities are against H.B. 563. He wanted to pass that on to Council. They have extended an invitation to him to come to a meeting later on this month, August or early September. We used that call as an opportunity to begin discussions with Representative Swearingen about the State Capitol Bill – it is a bi-annual process in which municipalities and other organizations can make requests for the State Capital budget. He doesn't know that the City has ever received an award, and he doesn't think they have ever made a request. One of the looming needs of the City relating to a non-income-drive facility is the Boat Basin property. We are underway in engaging KS & Associates to prepare an update on the Capital Needs Assessment for that site. Because that is not a revenue-driven facility, they think that is a perfect opportunity to make a State Capitol Request through our representatives to the State. They will continue that dialogue and hopefully get something in the next round (early 2024 – since it's every 2 years).
- River Fest – Mr. Lasko extended a huge thank you to the River Fest Committee, the volunteers, and the City departments (Parks & Rec, Streets, Police, Fire) for all of their efforts in helping to organize the event. He also thanked Mr. Biddlecombe for all of his efforts, as well. It is truly great to see the festival return in full force this weekend.
- Special Finance Committee Meeting – They are having a Special Finance Committee meeting at 5:00pm on Monday, July 18th. They will be reviewing proposals for the remainder of the ARPA funds to be received shortly, and also to review the results of the Water Rate Study prepared by Poggemeyer on the City's behalf.

- Personnel Update – He mentioned previously that Luke Frankboner had left the City from the Water Plant, and have gone through the interview process for the Maintenance Worker III position. After two rounds of interviews, they have extended an offer of employment to Mr. Martin Luipold, who is a resident and comes very highly recommended. Assuming background checks are cleared, we hope to welcome him to the City starting July 25, 2022.
- Upcoming Meetings – Special Finance Committee – July 18th at 5:00pm in Council Chambers; Council Work Session – July 26th at 5:30pm in Council Chambers; Regular Council Meeting – July 26th at 6:30pm in Council Chambers; Planning Commission – July 27th at 5:00pm in Council Chambers.

Mr. Hagy asked that, since the first service payment isn't until 2024, do all parties know about that timeline. Mr. Lasko answered that they will be meeting with the School District every 2-3 weeks, and will reaffirm that with them at that time. It should certainly not be shocking in that they, more than anyone, are aware of the 12-month delay for real estate taxes, and this is project that is being driven by the re-appraisal process. They will insure that the School District is fully aware when they meet with the Interim Superintendent and Interim Treasurer so that they can plan from a budgeting standpoint.

With regarding to Omni Fiber and Frontier, Mr. Hagy asked if they are using any of the City's infrastructure, or are they laying their own conduit and digging their own holes. Mr. Lasko deferred to Mr. Hamilton, whom he said has been fairly heavily involved. Mr. Hamilton answered that they will be installing all of their fiber in the ground and they will hang on standard utility poles, so they won't be using any City property, at all. There is a change they may want to stage equipment or materials on one of our locations, but that would be a standard License Agreement. Mr. Hagy asked if that topic ever came up. Mr. Hamilton answered that to put fiber in the ground, they really can't use the City's existing easements, and for clean use they would rather use their own communication easements. Mr. Claus asked if both companies would be City-wide, and Mr. Hamilton answered that they both advised him that they would deliver to service throughout the City. Once they get closer to one of the companies have all of their fiber in the ground, they will start getting the materials out via social media and other outreach. Asked by Mr. Artino if they are laying wire right next to each other, Mr. Hamilton answered that he was correct, and that the City would give its business to the company with the best price.

Mayor's Discussion

Mayor Tapp thanked Mr. Biddlecombe for River Fest. Everything he heard was positive, and he talked to a couple of police officers, who were fairly quiet. He thought everybody was happy that River Fest was back and the weather was great.

Regarding the fiber, he knows Council has been discussing this since before he was on Council, and this is going to be a bonus for everybody. If he has questions, he asks Mr. Hamilton, and he assures him that this is a very good thing.

For the Good of the Order

- **Mr. Biddlecombe** – Thanks to staff for their hard work. He thanked everyone who came out to River Fest over the past weekend, and he hoped everyone enjoyed it. He thanked everyone who volunteered their time on the River Fest on the Committee – without the volunteers there would be no River Fest. He truly appreciated the hours that go into making the festival happen. He thanked all of the City departments for participating, especially with their Touch-a-Truck they had at River Fest – he knows the kids loved it as well as the residents. It really showed by how enthusiastic department representatives were and the condition of the equipment on display, that our City staff definitely takes pride in their work and the equipment they use on a daily basis. He thanked Mr. Tapp and Mr. Lasko for their participating in the opening ceremonies – their speeches were very welcoming and informative, and they really appreciated having both of them there. He thanked Mr. Steinwart for his support with

the planning process throughout the year, as well as his staff for their excellent support throughout the weekend. River Fest would definitely not be the same without Parks & Rec. Thank you to the police and fire departments for their constant support over the weekend – their efforts definitely aided the River Fest in being a safe and successful event. Thank you to Mr. Hall for his enthusiasm and willingness to be involved throughout the entire weekend. His assistant with their kiddie tractor pull and car show was greatly appreciated. They are all looking forward to beginning the planning process for the 2023 River Fest, probably by sometime next week. Boat Basin events coming up: July 13th – Movie Luca (first movie on Wednesday evenings) at dusk; July 16th – Band Sandtown at 7:30pm; July 17th – Vermilion Community Concert Bank at 7:00pm; July 23rd – Bank Rumours at 7:30pm; July 24th – Pantasia at 7:00pm. Hopefully, everyone can come out and attend those events, and Go Tigers!

- **Mr. Artino** – Reiterated thanks relating to River Fest.
- **Mr. Claus** – Congratulations for everyone regarding River Fest – Mr. Biddlecombe, the Committee, Safety Services, Parks & Rec, and everyone else for a successful and safe River Fest 2022, and he looks forward to many more.
- **Mr. Grieves** – Reiterated congratulations and thanks regarding River Fest.
- **Mr. Hagy** – Nothing.

Executive Session

None.

Adjournment

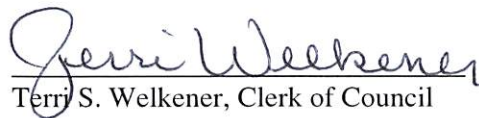
Motion by Mr. Artino to adjourn the meeting.

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

YEAS: Artino, Hagy, Tapp, Grieves, Claus, Biddlecombe (6)

NAYS: None (0)

There being more than a majority voting in favor of the motion, the Mayor declared the meeting of July 12, 2022 adjourned at 7:27pm.


Terri S. Welkener, Clerk of Council


Adopted: 09 AUG 2022

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.

Sawmill Creek Annexation Map

 City of Huron Boundary

 Annexation Boundary

 Huron Township Boundary

Annexation Parcel List

- | | |
|---|--------------|
| ① | 39-01076.029 |
| ② | 39-01076.004 |
| ③ | 39-01076.000 |
| ④ | 39-01076.005 |
| ⑤ | 39-00553.000 |
| ⑥ | 39-00827.000 |
| ⑦ | 39-00859.000 |
| ⑧ | 39-00864.000 |
| ⑨ | 39-00864.001 |
| ⑩ | 39-01076.017 |
| ⑪ | 39-01076.001 |
| ⑫ | 39-01076.003 |

