

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Regular Meeting Tuesday, July 11, 2023 at 6:30pm

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 Acting Clerk to call the roll for the regular meeting of Council. The following members of Council answered present: **William Biddlecombe, Joe Dike, Sam Artino, Monty Tapp, Mark Claus, Joel Hagy and Matt Grieves.**

Staff in attendance: City Manager Matt Lasko, Law Director and Acting Clerk of Council Todd Schrader, Parks and Recreation Operations Manager Doug Steinwart, City Engineer Russ Critelli, Planning Director Erik Engle and Finance Director Cory Swaisgood.

Approval of Minutes

Motion by Mr. Dike to approve the minutes of the regular Council meetings of May 9, 2023, as written.

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

YEAS:	Dike, Biddlecombe, Tapp, Artino, Hagy, Grieves (6)
ABSTAIN:	Claus (1)
NAYS:	None (0)

There being more than a majority in favor of the motion, the minutes of the regular Council meetings of May 9, 2023 were adopted.

Audience Comments

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

James Murray – We obviously have an agenda item later one, but we do have some current homeowners from Two Rivers. Would you prefer they speak during that portion, or during the Audience Comments?

Mayor Tapp asked that those homeowners come up now to speak.

Mark Fentlick, 1101 Sheltered Brook Drive, Member of Homeowners Association – I am just here to let you know what we feel. I am Vice President of the Homeowners Association and collectively, we are almost all in unanimous decision that this development should go forward. We say this with heavy hearts. Obviously, we are going to miss the open lots, the serenity, and quietness associated with the development, but overall, I think it's good for not only associations, but the existing homeowners and, of course, the City of Huron. With that said, I believe and encourage you to vote YES on the decision to let Two Rivers expand. We couldn't be more pleased with the development. It is very quiet, peaceful and relaxing. It's like living in a resort town 24/7. We are pretty darn happy.

Shirley Cuddell, 1119 Sheltered Brook – We built a house there between 2016 and 2017. We lived there part-time for a while, and we have been there full-time for the last few years. We love it there. The views are wonderful, it's very calming, it's like being in a nature preserve. We know things will be a little disruptive during the build, but we are kind of welcoming the fact that we will have more good neighbors. We love the community itself. Everything is close by, and everybody seems friendly here because they are happy to be in Huron. We moved from Avon Lake and this is whole different kind of atmosphere, and we like the opportunity, like I said, to share it with. We really hope this will go through.

Victoria Oldham, 1013 Beachside Lane – I am here to respectfully request that you reconsider your plan of implementing the trash bills through the County Auditor on our property taxes. I really feel that would be an extreme burden to those that are on fixed incomes or have other hardships. Secondly, I don't know if you have considered the fact that some homeowners have loans/mortgages on their property and those taxes may be escrowed, and I think that would create an incredible issue to worry about those trash bills paid through the escrowed taxes and that sort of thing. Lastly, along these same lines, I understand that there is an incredible savings that the City could enjoy from this change. However, I would also like to you consider revising your one hauler policy and open it up so that we, the residents, would be able to contract with a private hauler. Most of those folks in business have brand-new equipment, and young employees and that sort of thing, so that could be a benefit, as well, and that would help us all out that way. Mayor Tapp said that somebody will get back with her on some of the items.

Mayor Tapp thanked everyone who came up to speak.

Presentation

Presentation on Route 6 Phase II presented by Mr. Hamilton and Mr. Critelli

Mr. Hamilton said that it's been a while since they've given Council an update on Route 6 Phase II, so they thought it was time again. Originally, this project was conceived in 2018. They got Stage 2 plans approved, in 2020, and the basic plans were removing the unwanted signal, which ODOT said is no longer warranted, at Center Street, closing off Jim Campbell, resurfacing Route 6 and then upgrading curb ramps to ADA standards and possible lane reassignments. We have gone through project scope meetings after that, and carried a traffic study and safety study to try and find the best option.

The base option was, basically, resurfacing. Just put blacktop down, leaving it as is.

Alternate 1 was closing down Jim Campbell at Center Street. This one was with a right in-right out. This was an option would ODOT could live with, but staff could not. They didn't think this was a good option. Referring to the television screen (copy of presentation is attached hereto as Exhibit A), he indicated a one-way in, a left-in, a right-in and a right-out one-way by creating that new junction up by the High School.

Alternate 2 is a new full access, still closing down Jim Campbell at Center Street. This is creating a full-access break in the median and a full access break heading onto Jim Campbell. Staff could live with this option because there was full break in the middle, traffic would flow, but ODOT could not live with this option. They didn't like that full break in the middle, so they took this one off the table for us.

So, staff talked to ODOT about the possibility of putting a roundabout in at Liberty, still closing down Jim Campbell. What this did was it slowed traffic coming in from the west, it slowed the traffic coming down and through Center Street, and it gave us more of a boulevard feel as you came into town. It gave us a gateway as you enter in. We are closing down Jim Campbell, and all of that traffic would funnel through the roundabout, which would traffic flowing, and we think it would take all of that traffic off of the Center Street exit off of Jim Campbell. This is conceptually what we believe it would look like (see Exhibit A). It would be a one-lane roundabout and would reconfigure the lanes from 2 to 1 and bring them down into Center Street. This is the idea of actually having some kind of gateway as we come into town. We don't know what it would look like, yet, but it would be appealing as you come in off the curves and come past the park.

We have had many in-person and virtual meetings with ODOT trying to reconcile what we are going to do on this project. They obviously have different ideas than we do. ODOT will not approve any of staff's recommended options. They have been very clear on this. Staff don't believe any of the ODOT options are in the best interest of the City. So, we are at an impasse at this point. The thing that is causing the impasse is called a limited access right-of-way. What it is, and Mr. Critelli will go through the engineering talk on this, is that ODOT says this is a limited access road only, and you can't do anything else with it. If we want to create new breaks in that, or new junctions, they will not let us do it without a traffic study. Even if we prove that the new intersection is working, they still will not let us do it. That's the issue with having a lot of breaks. We started a conversation with ODOT and we said, well what if you guys gave up that limited access (LA) break – gave it over to the City between Center Street and the pedestrian bridge? That would put the City in control of that and would allow us to put the roundabout in. That would allow us to put a new break in there and allow us to reconfigure the road as the local entity, and not as ODOT saw fit. That break would be transferred to the City for local control. They have agreed that this is a possibility – that they are willing to talk to the City about this. If we could pull this off, it would give the City a lot more flexibility. At this point, Mr. Hamilton said he would hand off to Russ Critelli, because is all his gobbledygook.

Mr. Hagy said he is curious that there is already a break at Fabens Park. Are they saying we can't have any, or are they saying you can only have one? Mr. Hamilton answered that we can only have the ones ODOT say we can have. At some point, that Michigan left and the break for Fabens was; he doesn't know if it was grandfathered in or allowed at some point in time. Mr. Artino said they allowed it.

Mr. Critelli said that he will try to help with the conversation here, but as Mr. Hamilton was alluding to, they have been in the conversations. He personally went to ODOT on the LA abandonment and what that would mean, and just to be clear, this is right from the Ohio Revised Code basically, but the short is, "Limited access highway or freeway specifically designed for through traffic..." The key term or words here is "no easements or right of access by reason of the fact that their property abuts upon such high way, access may be allowed only at highway intersections designated by the Department." They have control across the State, of course, in how the condition works, and as they went through this process, it was, what are the limits? Those orange highlights (indicating Exhibit A) are defining where this potential abandonment of the limited access right-of-way would be. So, what does this change mean to the City? The long and short of it is, the only significant change is the ability for whatever entity or agency or community that is abutting that highway that does not have access to it now, to now be able to put utilities, landscape treatments – basically occupy that right-of-way within the safety context of what ODOT deems same. They would still have to go through their acceptance and approval relative to offsets and

clear zones from a safety standpoint, but, at this point in time, those options/opportunities are not there. For example, you have a chain link fence up and down that right-of-way. That option would be up to the city whether you wanted to keep that fence or do something different, whether you would want to create opportunities for utilities, walks, etc. It really opens up the right-of-way access. This is a hard slide to read (indicating Exhibit A), but this roadway maintenance responsibilities, which is right off of ODOT's website – basically, the continuation of maintaining the roadway as we are doing now for State Route 13, US 6 Project I - the State maintains ownership, but the maintenance responsibility remains with the municipality, with access to all the same federal dollars and state funding that is available to us now. So this is still a NHS state highway, and will continue to be eligible for all those funding sources, so there's really no down-side other than now you've opened up the right-of-way. He is trying to keep this simple, and answer questions as we go. Another change of condition from ODOT - controlled limited access and utilize the abandonment of the area for proposed improvements. It remains as a federally eligible highway. One of the restrictions which would be forthcoming in the language in whatever guidance comes along, is that this right-of-way still within those limits, has to remain a publicly accessible transportation corridor in perpetuity. The City would not be allowed to abandon it and turn it into a park or a site development. That's the long and short of it. Mr. Critelli turned the podium back over to Mr. Hamilton to close it out.

Mr. Hamilton added that the project timeframe slide was missed (indicating Exhibit A). This gives you an idea of what timeframe it would look like. It basically would be 8 months to a year to complete the whole process from when they get the go-ahead. As you can see, there are public meetings, a public process – there's everything built into here as in your normal ODOT processes. The next steps – staff would like to request a motion to permit the City Manager to continue negotiating with ODOT relating to their abandonment process as we explore the steps and obligations required of the City to eventually take title to the LA ROW, and a future ordinance.

Mayor Tapp asked if there were any questions.

Mr. Hagy said that he just wants to make sure that what Mr. Hamilton said does not change the funding that the City has already secured – nothing change. Mr. Hamilton confirmed that is correct. Mr. Hagy asked if the State would require money to buy the property. Mr. Hamilton answered no.

Mr. Grieves said that the last time they talked, it was because that stoplight has been removed, correct? What is the timeframe of that happening. Do we have to have a decision by a certain time on how we do this? Mr. Hamilton answered no – they have funding to remove the light, and another funding source to work on Route 6 itself. Our funding is scheduled for 2025/2026. As we work through this, we can work through the design process for the roundabout, if that's what we end up looking at, and we can work in tandem along here.

Mr. Artino said that ODOT is not giving up anything, they are just allowing us to do it. Mr. Hamilton answered, for all intents and purposes, yes. Mr. Artino continued – so what gets me, is according to the State, our traffic volume is so low that we don't need a traffic light, but yet, 100 yards down the road we can't have a break. Mr. Hamilton said he would love to argue that point.

Mr. Dike said that he just wants to make sure that we keep in mind – he thinks two things should happen if this does happen. Jim Campbell needs to be widened, so if there is something we can do while we have

people out there, we need to look at that, because when school is in session or it is football season and they are having a game, you can't get 2-way traffic down through there. I think that causes safety issues, and he is surprised somebody hasn't gotten hurt with that. Mr. Claus added – because the cars are parked all along the road. Mr. Dike continued, if we do go down this path – have we gotten any public feedback from those individuals that live close to that area just to see what they have said. Have we done anything in that regard yet. Mr. Hamilton answered not yet – we are not at a point where we are fully committed to an option, and we had to get through this process with talking to ODOT, so that we knew what the options were before we start engaging the public, to be honest. We would be talking hearsay. Mr. Dike said that ever since he started, you mention roundabout and people get very upheaved about that. Secondly, he can remember there were talks about Center Street, trying to make that one-way, all of this different stuff, so he just wants to make sure everything is well thought out, clear it is going to be better for community, and we are not just doing it to do it. Thanks for all your efforts on this. Mr. Lasko added, the good news is, with potentially closing Jim Campbell at Center Street, it is going to significantly reduce the traffic eastward between the roundabout at Center Street. In that instance, you are only going to have traffic that need to get to Ohio Street or may live in that vicinity. Also, he would have to look at the engineering but he thinks he's right, the more you look at widening Jim Campbell, which you would have to go southward, you are then crunching into what is existing ODOT ROW, of which if we kept it as-is, we wouldn't be able to encroach onto that ODOT ROW. As mentioned, it doesn't just allow us to explore things like widening Jim Campbell if that's in the plan, but when we talk about the aesthetic enhancements of removing the chain link fence, maybe that becomes a landscaping buffer. We can talk about extending the black decorative lighting all the way to the roundabout – it opens up a lot of options, and what he likes about this, too, is by closing the intersection at Center Street, you are really pushing that traffic southward to the roundabout versus northward into the quieter residential neighborhoods, which he thinks is critically important. At the end of the day, whether it's through the abandonment process or the actual design process, there is a very robust ODOT-required public process we must go through, in essence, twice – one on the abandonment and one on the design itself. There will be a lot of opportunity for folks to weigh in.

Mayor Tapp asked there were any other questions or comments.

Mr. Biddlecombe commented that the Main Street Plan Committee he was on had a lot of discussion about this, and he just thinks this is the right way to go. He would definitely support that motion to go forward. He just thinks that for everything they would like to do, it is the perfect solution.

Mayor Tapp said his only comment is that he always looks at safety factors. He knows staff looks at that, and sometimes he thinks they look at it more than ODOT does. We can refer to Chief Graham back there to know where the car wrecks are and what happens, and where the traffic gets tied up. Anything to make it flow smoother... I get it, I know roundabouts are a change, and that's going to be difficult for a lot of people. He has full confidence in the staff to work this out and come back with something that can work.

Mayor Tapp asked if there were any other questions. There were none.

Motion by Mr. Claus to permit the City Manager to continue negotiating with ODOT relating to their abandonment process to explore the steps and obligations required for the City to eventually take title to Limited Access Right-of-Way by ordinance.

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

YEAS: Claus, Grieves, Hagy, Artino, Tapp, Biddlecombe, Dike (7)

NAYS: None (0)

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

Old Business

Ordinance No. 2023-16 (second reading)

Motion by Mr. Claus that Ordinance No. 2023-16 (AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY A PROPOSED AMENDMENT OF THE CHARTER OF THE CITY OF HURON, OHIO TO ADOPT SECTION 12.10, PERIODIC CHARTER REVIEW) be placed on its second reading.

The Law Director read the Ordinance by its title only.

Mr. Lasko explained, as mentioned, this is the second reading following up on two work sessions – one from last fall and one most recently later in the spring this year. Traditionally, it's fairly good governance for chartered municipalities to do charter reviews over some number of years, whether that's 4 years/6 years/10 years, depending on the need of each community. The City of Huron has never done one since the creation of our Charter, and what they are proposing is to undertake the first ever comprehensive charter review for the City of Huron. Unfortunately, our existing Charter does not even speak to how often a charter review should be done, or what a membership of a body should be. He wanted to mention that City Council, at any given time, can always put something on the ballot to amend the Charter with 5/7 vote, but what they are looking to do here is establish a comprehensive process that comes up every number of years for the community to look at charter review. Some of the elements he wanted to mention that are in the proposed draft are that the first charter review would occur, assuming approved by the electorate in November, in 2024, and every 5 years thereafter. The Charter Review Commission would be 7 qualified electors that are appointed by each councilmember, so each councilmember would have one appointment to that Commission. Requirements to serve on the Commission would be that you must reside in Huron, and you must be registered to vote within the City, as well. Also, an important point – the Charter Review Commission would be merely making recommendations to the full body of Council. Ultimately, 5/7 of the members of Council would need to agree and approve of each recommendation provided to them. If the Council is given 5 recommendations, they can go through and individually approve some, and not others – he wanted to make sure that is known. Also, members once appointed cannot serve on any other boards or commission within the City, and cannot serve on consecutive Charter Review Commissions.

Mr. Shrader addressed Mayor Tapp – As a point of order, they have a motion to place Ordinance No. 2023-16 on its second reading pending.

Mayor Tapp said that he knows each Council member, as discussed in the Work Session, can pick or submit a person they think would be good for the Charter Review Commission – he just wanted to put out there if there is anybody in the audience or watching tonight that might be interested in that, get a hold of one of them and they will take it under consideration.

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on the motion to place Ordinance No. 2023-16 on its second reading.

Mr. Schrader added as a point of order that this is not a vote to approve or disapprove of Ordinance No. 2023-16, this roll call is merely to place Ordinance No. 2023-16 on its second reading. Members of Council voted as follows:

YEAS: Dike, Artino, Biddlecombe, Tapp, Claus, Hagy, Grieves (7)

NAYS: None (0)

There being more than a majority in favor, Ordinance No. 2023-16 was placed upon its second reading.

New Business

Ordinance No. 2023-17

Motion by Mr. Claus that the three-reading rule be suspended and Ordinance No. 2023-17 (AN ORDINANCE AMENDING ORDINANCE NO. 2022-69, ADOPTED ON DECEMBER 27, 2022, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES) be placed on its first reading.

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

YEAS: Claus, Grieves, Hagy, Artino, Tapp, Dike, Biddlecombe (7)

NAYS: None (0)

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Ordinance no. 2023-17 was placed upon its first reading. The Law Director read the Ordinance by its title only.

Mr. Swaisgood explained that this Ordinance is an appropriation measure to increase the Police Department's budget to pay for unanticipated maintenance within the station totaling \$15,000.00. Although this is an increase to the General Fund budget, income tax through the first 6 months of 2023 exceed that amount, so this can be fully supported through revenue sources.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on final adoption of Ordinance No. 2023-17. Members of Council voted as follows:

YEAS: Claus, Tapp, Hagy, Grieves, Artino, Dike, Biddlecombe (7)

NAYS: None (0)

There being more than a majority in favor of adoption, Ordinance No. 2023-17 was adopted. The Ordinance as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Ordinance No. 2023-18

Motion by Mr. Tapp that the three-reading rule be suspended and Resolution No. 2023-18 (AN ORDINANCE AMENDING THE CITY-WIDE CASH HANDLING POLICY FOR THE CITY OF HURON AND DECLARING AN EMERGENCY) be placed on its first reading.

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

YEAS: Tapp, Claus, Grieves, Hagy, Biddlecombe, Dike, Artino (7)

NAYS: None (0)

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Ordinance No. 2023-18 was placed upon its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Tapp to place Ordinance No. 2023-18 as an emergency.

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

YEAS: Tapp, Claus, Hagy, Grieves, Artino, Biddlecombe, Dike (7)

NAYS: None (0)

There being five or more votes in favor, the motion passed and Ordinance No. 2023-18 was placed as an emergency measure.

Mr. Swaisgood stated that the City's cash handling policy was established in 2021. The cash policy not only sets standard operating procedures for the City's cash handling process, but also sets petty cash and cash drawer amounts. This ordinance before Council is amending the cash drawer and petty cash amount, which haven't been amended since 2021. This should be done periodically, and will be done annually moving forward. He is respectfully asking for approval of the establishment of a cash drawer in the Building and Zoning Department and petty cash in the Police Department.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Clerk to call the roll on final adoption of Ordinance No. 2023-18. Members of Council voted as follows:

YEAS: Tapp, Claus, Hagy, Grieves, Dike, Biddlecombe, Artino (7)

NAYS: None (0)

There being more than a majority in favor of adoption, Ordinance No. 2023-18 was adopted. The Ordinance as adopted was signed by the Mayor and Acting Clerk of Council and will take effect immediately.

Ordinance No. 2023-20

Motion by Mr. Artino that the three-reading rule be suspended and Ordinance No. 2023-20 (AN ORDINANCE AUTHORIZING THE DONATION OF A POLICE VEHICLE THAT IS UNNEEDED, OBSOLETE, AND/OR UNFIT FOR MUNICIPAL PURPOSES TO EHOVE CAREER CENTER, AND AUTHORIZING THE CITY MANAGER TO ENTER INTO ANY ONE OR MORE AGREEMENTS WITH EHOVE CAREER CENTER TO MEMORIALIZE, INTER ALIA, THE DONATION OF THE POLICE VEHICLE IN ITS CURRENT "AS IS, WHERE IS, WITH ALL FAULTS" CONDITION, AND TO ENSURE EHOVE CAREER CENTER REMOVES ALL DECALS AND POLICE MARKINGS FROM THE VEHICLE, AND DECLARING AN EMERGENCY) be placed on its first reading.

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

YEAS: Artino, Dike, Biddlecombe, Claus, Tapp, Hagy, Grieves (7)

NAYS: None (0)

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Ordinance No. 2023-20 was placed upon its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Artino to place Ordinance No. 2023-20 as an emergency measure.

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, Dike, Biddlecombe, Claus, Tapp, Grieves, Hagy (7)

NAYS: None (0)

There being five or more votes in favor of the motion, Ordinance No. 2023-20 was placed as an emergency measure.

Chief Graham explained that this is an older cruiser that is not patrol-worthy any longer. When they go their two new cruisers, this is one that they were phasing out. The vehicle is older and has around 150,000 miles, and it has a value of around \$4,000, and it's going to take about \$3,000 of repair, which he doesn't think is fiscally responsible thing to do on a vehicle in that condition. By donating this to EHOVE, this allows the students that are in the auto mechanic trade to go all through the vehicle and make necessary repairs, and that will eventually be donated to the Public Safety Program at EHOVE, which are students that are going to be studying law enforcement and allows them to train and work in a real police car.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Acting Clerk to call the roll on final adoption of Ordinance No. 2023-20. Members of Council voted as follows:

YEAS: Artino, Tapp, Dike, Biddlecombe, Grieves, Hagy, Claus (7)

NAYS: None (0)

There being more than a majority in favor of adoption, Ordinance No. 2023-20 was adopted. The Ordinance as adopted was signed by the Mayor and Acting Clerk of Council and will take effect immediately.

Ordinance No. 2023-21

Motion by Mr. Claus that the three-reading rule be suspended and Ordinance No. 2023-21 (AN ORDINANCE RATIFYING PRIOR APPROVAL OF TWO RIVERS CONDOMINIUM, PHASE I AND RELATED PLAT APPROVAL, APPROVING PLANNING COMMISSION'S RECOMMENDATIONS FOR THE TWO RIVERS CONDOMINIUM, PHASE I PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEVELOPMENT AGREEMENT WITH TWO RIVERS, L.L.C., ET AL., PERTAINING TO SAME, AND DECLARING AN EMERGENCY) be placed on its first reading.

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

YEAS: Claus, Grieves, Hagy, Artino, Tapp, Dike, Biddlecombe (7)

NAYS: None (0)

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Ordinance No. 2023-21 was placed upon its first reading. The Law Director read the Ordinance by its title only.

Motion by Mr. Claus to place Ordinance No. 2023-21 as an emergency measure.

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

YEAS: Claus, Grieves, Hagy, Artino, Tapp, Biddlecombe, Dike (7)

NAYS: None (0)

There being more than a majority in favor, the motion passed and Ordinance No. 2023-21 was placed as an emergency measure.

Mr. Lasko said, as Mr. Schrader mentioned, this is consideration of several items, which is approval of the final plat for Phase I, approving Planning Commission recommendations related to said plat, and approval of a Development Agreement specific to Phase I. They had a public hearing at the last meeting related to the plat itself, so he is going to focus the majority of his comments on the Development Agreement. As mentioned a few meetings ago, with every subdivision that is going to come before this Council, they felt it prudent to start having Development Agreements in place that speak to the public infrastructure, improvements and standards, and also timelines for improvements. He wanted to mention that this is a unique situation where they are dealing with a project that is partially built out. This is probably as thin of a Development Agreement that will be before this Council moving forward, because the infrastructure, roadways and lights have already been installed. There are a few things in the Development Agreement that he specifically wanted to point out for Council and the public. This Development Agreement requires that the remaining development be built out within 5 years. As some background, he believes there are 19 houses constructed in the project; there will be another 27 that are required to be constructed within

the 5 years of execution of the Development Agreement. Secondly, it restricts the development team from moving forward on Phases II and III until 80% of Phase I is completed. Again, that Phase II development agreement is going to be much more significant because we are going to have new roadways, underground infrastructure, etc. Also, due to Planning Commission recommendation, there is a requirement for a 2,000sf green space/recreational area to be installed as part of Phase I, which will be secured by a \$15,000 cash bond payable to the City to make sure that is constructed. Finally, he pointed out that Sheltered Brook Drive will continue to remain private, and will not be accepted by the City as part of the next phase. He wanted to acknowledge everyone's work on getting to this point. Mr. Schrader's get a lot of man hours in, as does Mr. Murray and his team. They are happy to see the project get to this point, and get those last remaining units constructed in Phase 1.

Mr. Biddlecombe asked if the 80% includes the homes that are already standing now, or just the new build. Mr. Lasko answered that it is 80% of the new build.

Mr. Claus said that paragraph 4(d) talks about Sheltered Brook Drive shall remain private, but then in paragraph 6, it talks about conditions or precedents, "except if the road is accepted by the City to public use, such streets/roads contained in Subdivision overall future phases...", and then it goes on to talk about surety, etc. He was curious why 6 would be there if the road is not going to be dedicated, or does that just give us the option if it's decided at a future date to turn the road over, those are the conditions? Mr. Schrader explained that it contemplates that in the event that it should happen in the future, that we have some protections built in, and also, this is a unique situation because a lot of the public infrastructure is in already, and in as much as Mr. Murray and his team absolutely want to see this completed, the City wants to see it completed, and the residents want to see it completed, from the City's perspective, once the infrastructure and the undergrounds are in and everything is done and acceptable, it starts to morph over into a private investment with private dollars at risk. He thinks there is a limited position the City can take in terms of making any demands of Mr. Murray and his team. They have investment dollars in it, and as Mr. Lasko indicated, in Phase 2 and Phase 3, it is going to be much more like a standard Development Agreement where we are going to see undergrounds, roads, water sewer, utilities, and things that we are going to see completed – bond work, etc. Mr. Claus said he is looking forward to this proceeding and he is happy that Mr. Murray and his team have put a lot into this. Hopefully, they will get going quickly and get done sooner than 5 years – that would be ideal.

Mr. Artino thinks everybody knows the City is limited in building lots an acreage in the City. We are really in desperate need of more development like this. He knows this project was stalled for quite a while, so he is glad to see this come to fruition – we are finally back on the right track. He appreciates all of the hard work by Mr. Murray's team and the City's team to get this done, and he thinks will be good for the community and the tax base, etc. Thank you.

Mayor Tapp said that 80% in 5 years is what the agreement was? Mr. Lasko explained that the buildout of Phase 1 must be completed within 5 years. To commence work on Phase 2, Phase 1 must be 80% completed – they are different elements of the agreement. Mayor Tapp asked if they have Corinthian Fine Homes under contract to stay at least 5 years. Mr. Murray answered that he thinks they want to stay a lot longer. Mayor Tapp wants this thing to go. Like Mr. Artino mentioned, he knows there were some setbacks, and hopefully, we will work through everything. He thinks it great that some of the homeowners showed up and are behind it. We have limited housing in Huron right now, so he thinks this is a great

thing, and he thinks the builders are great – they have a great background. Right now, they have his blessing. Mayor Tapp asked if there were any more comments or questions.

Mr. Murray had a couple more things to share. He said: For those of you who don't know me, and I think all of you know me – I am a bit notorious – I am James W. Murray of the Two Rivers LLC development. My new company is called Tiburon Company LLC, and if you will notice, that's the Huron lighthouse on the logo. I picked blue colors because I love the lake, and honestly, everything around here seems to be scarlet and gray, and I'm a Notre Dame guy. That just turned the crowd. In all sincerity, and I should say, I am James W. Murray and my home address is 3608 Turfside Circle in Huron Township, and my office is right down the street at 358 N. Main Street, Suite 20000, in my Uncle Tom Murray's office. I just wanted to share a couple things. Most of you already heard my soapbox last meeting, so I will keep it short. We had a few people that were not here, but as the City has said, we have 19 homes completed, we are going to complete another 27 single-family homes, and our pledge is to have that done in 5 years. We have addressed some of the things – we think that is achievable. I am going to allow Ms. Kerri Hensel, who is going to give a quick snapshot of the demand. As Mr. Artino said, there is huge demand in Huron. I wanted to address something that I think is very important. Affordable housing is really important to me. These are going to be relatively expensive luxury homes, for the most part. The inland in Phases 2 and 3 – those will be a little cheaper. However, I want to share, and I shared with the Council last meeting – I am committed to giving a substantial donation to groups like Habitat for Humanity and other groups, out of the proceeds of this because I want to support affordable housing in Erie County. I know this doesn't necessarily meet the same demographic. I do want to share something that I talked to the City Manager about. There are a lot of people in Huron who live in some of the traditional neighborhoods who want to build and move into Two Rivers. That will open up those houses for future families that maybe need a little more accessible price point. I want to thank a lot of people. I certainly want to thank the City. Todd has been great – he has held my feet to the fire. If I ever need an attorney to represent me, I am going to go to him if it's not a conflict of interest. Eric has been great. Matt has been great. The whole team has been really wonderful – Christine. I want to share that people were very thorough, very thoughtful, but also very encouraging. I think now with the Developer Agreement in place, we talked about the long-term financing – I think we are rock solid. I wanted to thank Mark, Charlie and Bruce for coming tonight – these are just a handful of our homeowners. Really, all 19 homeowners want to see this done. They want more neighbors and they want someone else to help pick up the snow plowing. There are a lot of pieces being amortized among 19 homeowners, when that should be amortized among 36 homeowners. As the City has said, this is a private street. My dad was very proud that he didn't take a single penny of government funding to do Phase 1. I will tell you that I am not quite as proud, for Phase 2 and 3, I would hope to come back to you for Tax Increment Financing TIFs, CDVG, whatever potential funding is available, particularly if you look at something like an affordable housing component, which I am certainly open to as we think about the greater strategy. You are going to get a lot more taxes in the coffer – trying to fund our schools, the schools are trying to expand and build some new buildings, and I think this development will add to that. I wanted to speak, really quickly, about Corinthian Fine Homes. I know you guys heard this at the last meeting, so I won't say a lot. This is a very prestigious, very complex builder that has built homes as much as \$8 Million at Muirfield Village, which is where they do the Memorial Golf Tournament. So, these guys are real players. Before, we had some good builder, but quite frankly, we had the high school JV, now we've got Ohio State. I just wanted to share that they couldn't be here tonight, but Scott, Joe and Kevin are very invested. Kevin, particularly, is from Norwalk, and a lot of them see themselves retiring here. I told them I'll sell them a lot if they want to build here. In fact, if any of you are interested, you'd better get it before they go. With that, I just want to say I think the Development Agreement is very solid. Of

course, we will have to enter into a second one for Phase 2 and 3, and potentially, Phase 4, which will be along the Huron River and I am planning to build some pretty amazing single-family homes, and potentially townhomes, on that side, but that will be after a while. I have to kind of replenish the coffers really quick. With that, I think I've said thank you to everybody. I would like to reintroduce Dean Frederick. If you have any questions about the PUD or the map, he's the guy that's way over my pay grade, but I'd like to turn it over, briefly, to Kerri Hensel of Simply Better Realty right in Huron, right next to Pied Piper, which I believe is the most important spot, other than the Donut Shop, in all of downtown Huron. I will turn it over to Kerri to give you a quick snapshot of what she's seen from market demand, and how quickly we can sell through these units.

Kerri Hensel said: I think I know most of you, but for those of you that don't know me, I am Carrie Hensel. My husband Greg and I graduated from Huron High School. A while ago, we lived in the Columbus area for a lot of year, and just came back to Huron about 6 years ago. My address is 1023 Eagle Ridge Drive, Huron. We bought Lighthouse Real Estate and converted it over to Simply Better Realty. I am the broker at Simply Better Realty. We also have Simply Better Property Management, where we manage 20 AirBnB's between Huron and Sandusky. We personally own Captain Montague's - we are very proud to be stewards of that property. We are very much invested in Huron, and are very excited about Two Rivers from a realtor's standpoint. I can tell you that there is demand at every price point in our area, but he does see a lot of demand/people looking for properties by the lake, newer construction, and even in that \$500,000 to \$1,000,000, we have a very robust data capture system – for about 2 years we have been trying to directly target buyers within those parameters and we have quite a list. I personally do a lot of business in Columbus. I have worked directly with Scott Shively of Corinthian Fine Homes. We have opened multiple new neighborhoods/developments in the Dublin/Powell area. I am intimately involved and have knowledge of how to market and the process, everything that goes along with starting a new development. I am really excited about Two Rivers, especially about the quality and the craftsmanship that Corinthian Fine Homes is going to bring to the area - it's really in need right now. My mother-in-law lives in the neighborhood. She is very excited to have the lot next to her have a home instead of an empty field. I couldn't be prouder of being part of this process. Our brokerage, as you know, is right in the middle of town. We plan to have a meeting and design center just to have coverage and visibility for Two Rivers. Thank you for having me.

Mr. Biddlecome said that as a member of the Huron Heights neighborhood, he is looking forward to having it all built out – it will be nice.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Clerk to call the roll on final adoption of Resolution No. 51-2023. Members of Council voted as follows:

YEAS: Claus, Grieves, Hagy, Artino, Tapp, Biddlecombe, Dike (7)
NAYS: None (0)

There being more than a majority in favor of adoption, Resolution No. 51-2023 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Mr. Murray thanked Council on behalf of his parents (James T. and Shirley A. Murray) for putting this all together. His mom and dad put off that infrastructure in with more than \$2 Million out of their own pockets.

Resolution No. 54-2023

Motion by Mr. Grieves that the three-reading rule be suspended and Resolution No. 54-2023 (A RESOLUTION AFFIRMING THE HURON CITY MANAGER'S EXECUTION OF AN ELECTRIC SERVICE AGREEMENT WITH DYNEGY ENERGY SERVICES EAST, LLC TO PROVIDE COMPETITIVE RETAIL ELECTRIC SERVICE TO CERTAIN CITY UTILITY ACCOUNTS SERVED BY OHIO EDISON COMPANY) be placed on its first reading.

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: Grieves, Hagy, Biddlecombe, Dike, Artino, Claus, Tapp (7)
NAYS: None (0)

There being five or more votes in favor, the motion to suspend the three-reading rule passed and Resolution No. 54-2023 was placed upon its first reading. The Law Director read the Resolution by its title only.

Mr. Hamilton stated that with the changes to Ohio Edison and the elevated price point they are going to come in at this summer, they took all of their electric bills, aggregated them, and sent the out to auction. They received about 12 bidders, and Dynegy was the lowest across 1, 2 and 3 years. They decided to go for the 2-year option from Dynegy. It kept our rates low for a longer period, but not too long of a period. The rate came in at 0.563, which is 50% of what we would be paying at Ohio Edison, and this will be billed through a single bill on an existing Ohio Edison electric invoice. They are asking for forgiveness, because they had to sign the Electric Service Agreement on the same day, although it's not valid yet.

The Mayor asked if there were any further questions on the motion. There being none, the Mayor directed the Clerk to call the roll on final adoption of Resolution No. 54-2023. Members of Council voted as follows:

YEAS: Grieves, Hagy, Claus, Biddlecombe, Dike, Tapp, Artino (7)
NAYS: None (0)

There being more than a majority in favor of adoption, Resolution No. 54-2023 was adopted. The Resolution as adopted was signed by the Mayor and Clerk of Council and will take effect immediately.

Motion

Motion by Mr. Biddlecombe to refer the rezoning application of Sawmill Creek LLC on parcels annexed into the City of Huron from the current R-1 (Single-Family Residential) to B-3 (General Business) to the Planning Commission.

Mr. Lasko explained that this is just a motion to move the application to the Planning Commission, which is required per our ordinances. As mentioned, any property annexed into the City will (temporarily) always default to R-1 (Single-Family Residential). Obviously, it is not a single-family residential site, so we are in receipt of an application seeking to rezone to B-3 (General Business). Again, the first step is to send that to the Planning Commission for consideration.

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: Biddlecombe, Dike, Artino, Tapp, Claus, Grieves, Hagy (7)
NAYS: None (0)

There being five or more votes in favor, the motion passed and the rezoning application of Sawmill Creek LLC was referred to the Planning Commission for consideration.

City Manager's Discussion

The City Manager spoke on several topics:

- **Oster's Mobile Home Park** – We continue to work diligently with our non-profit partners. As we sit here today, 9 households have been physically relocated from the site into new residences, which they are all very happy with and very proud of their new residence. We are making significantly good progress, but there is a lot of work as we move forward over the next couple weeks and several months.
- **Housing Development** – The demand for housing of all kinds – affordable through high-end – remains strong in Huron and the region. They will be meeting with representatives from TriVan Capital this week. They are a company that specializes in land acquisitions with countless national and regional home builders – everything for infill housing to single-family greenfield projects. We will continue to keep Council apprised of those outcomes as we look to try to address the housing needs of this community across all spectrums.
- **Infrastructure and Streets** – As a follow-up to the last meeting, and a reminder to the public, we postponed the 2023 Resurfacing Project for Chaska and Old Homestead I & II until 2024. In addition to that, after extensive due diligence, we are recommending that to be a concrete patch versus a comprehensive asphalt overlay. We had a presentation at the last Council meeting. At this point, we have now met with representatives from OHM, and will be continuing the design process to have that process bid out this fall, so that we can start construction and complete construction, hopefully in the first half of 2024. We sent communications out to all homeowners' association representatives today or yesterday. I know many of them were at the last meeting, but for good measure, we have now communicated that to all the HOAs, as well. If there are any questions that come up, I always direct those to Mr. Hamilton (extension 1104).
- **Berlin Rd. Sidewalks** – We continuously get requests to consider sidewalk installations on Berlin Rd. south of Shawnee School. We did apply, unsuccessfully, for Safe Routes to Schools Funding in 2022. Obviously, with the school ceasing to exist, that source of funding is not going to be an option moving forward. However, we are going to continue to look at funding opportunities for the placement of this project in a future capital plan. Obviously, there is going to be the added complexity of engaging the railroad to add a pedestrian crossing at those tracks, but minimally, we want to see that sidewalk extended to create an entrance to the Berlin Road Park just south of the existing railroad tracks. That is something we are going to work into future capital planning and projects.
- **Parks and Recreation** – A big thank you to the River Fest Committee organizers and volunteers. It was certainly another successful and enjoyable festival. I am sure Mr. Biddlecombe will have some comments, as well, but they did a great job, as always. I know you've got a lot of years into it, and

successfully pulled off another great festival with a lot of help. Thank you to our Parks and Recreation staff and other departments, safety forces, as well, to ensure another safe and memorable weekend.

- Tennis Courts – Work continues at the site. The courts have been milled down to determine the extent of base repairs. I believe the contractor is going to be back this week to begin those base repairs and construction of the underdrains on the bases of those tennis courts. We were notified by Huron Township that at their July 6th meeting, they decided to increase their contribution to the project from \$50,000 to \$100,000 – an increase of \$50,000 to that project. We continue to be so grateful to our partners in the Township for their collaborative efforts, not just on this project, but many others.
- Personnel – We have two recent vacancies within the Police Department, and anticipate making multiple hires over the next couple of weeks and have those officers sworn in at the next meeting and at the first meeting in August to get us up to full staff.
- Upcoming Meetings – Planning Commission on Wednesday, July 19th at 5:00pm in Council Chambers; City Council Meeting on Tuesday, July 25th at 6:30pm in Council Chambers.

That concluded his report, and he said that he is happy to answer any questions. There were no questions from Council

Mayor's Discussion

Mayor Tapp said:

I want to thank Mr. Biddlecombe and the Riverfest Committee – everything went great. Everything was fairly quiet, right Chief? I want to welcome back, Mr. Hagy. (Mr. Hagy said, it was only one meeting (*laughter*)). I know, but I want you to heal quickly. I also want to thank the folks that showed up tonight. The gentleman here from 1013 Beachside Lane, Mr. Hamilton will speak to you after the meeting. Thanks for coming in. The staff – I think those that are watching, don't realize how busy the City is with projects that are going on. Mr. Lasko, Mr. Schrader, Mr. Critelli and Mr. Hamilton, and the Finance Director – he has to keep an eye on everything. I want thank you guys for everything you have been doing and continue to do. I know there's been a lot of questions coming up to some of the Council members on certain things, and they call me and I don't know. I send them to the right person, I hope, and get their questions answered. I want to thank Council, also, for following through and helping out and making everything run as smoothly as possible. That's all I have.

For the Good of the Order

Joel Hagy – No sir, I have nothing.

Matt Grieves – Thanks, everyone for the River Fest. Everyone put in the hard work – that was a great outing there. Thanks to the Township for everything they do, for HJRD and the town's safety forces – it is much appreciated.

Joe Dike – Thank you for the River Fest. I had a great time down there. I think they should outlaw noisemakers as prizes. I had an opportunity to go to the opening ceremonies – I was one of 25 people there. Mr. Mayor and also Matt Lasko were there. I was sitting there, and you were just mentioning all of the different things that are happening, and it made me step back and realize that wow, we are very busy,

and it's all positive things that are making this community better. Thank you, again, to everybody for their hard work and efforts, and it's a great place to live and raise a family. That's all I have.

Mr. Claus – I want to also reiterate, William and his crew for their great job with the River Fest. Also, Parks & Rec, I know, has a lot of involvement in helping with William and his team on that, as well. We always appreciate their hard work. Staff – Matt and everybody – with their ongoing.... It's great to see Russ here, it's been a while. We like to get updates on the road projects, and would like to see that continue moving forward throughout Phase 2 of Route 6 – it has been stalled out quite a bit by Covid. He is looking forward to really starting to push that along now. That is looking to be a really interesting project and really clean up that corridor, that entrance to the City, if we can make this all go with the abandonment and giving us some flexibility there. That is all I have.

Sam Artino – I would just like to say that I think the River Fest is just one more example of all the great activities and events that are provided for this community and our visitor, and it's because of a lot of hard work by his staff, by volunteers, and I think it's great to have all these things going here in our City alongside all of the economic development. People know I have been on Council for a while – I think that what's happened here in the last few years is just amazing. We haven't had some of the tools in our tool box that we had in the past. It was a big deal to overcome that and to continue to develop and move forward the way this City has. I want to just say, it's just great and I think a lot of credit goes to the staff, the City Manager and to a fine Council that's here working hard to provide the best we can for the City. Mayor Tapp commented that Mr. Artino was here when they paved the roads the first time – in 1812.

William Biddlecombe – I would like to thank staff for all their hard work. I would also like to thank the Township for increasing their contribution to the tennis courts. I would like to congratulate Firefighter Brian Zimmerman on passing his National Registry EMT Basic Exam, and obtaining that certification. The Scott Cemetery Board is having their next meeting on July 24th at the Huron Township building. The Huron football program is having their annual Burger or Brat Dinner fundraiser immediately following the Tiger Pride Run on July 26th. Pre-orders are due by July 14th. You can call 419-202-1016 for more information and to place an order. The next School Board meeting will be on July 17th at 6:00pm, and if you are interested in owning a school, the Shawnee auction bidding will close tomorrow, July 12th at 7:00pm. Huron Parks and Recreation events coming up: Baseball Camp on July 17-20, Soccer Camp is July 10-13. Some Boat Basin events coming up: Movies by the River on July 12th Minions, the Rise of the Gru and July 19th Arthur Christman, Boppin' on the Basin on July 15th we have Sandtown, and for Christmas in July we have Rumours, and then Arts at the Amphitheater on July 16th we have the Vermilion Community Concert Band. I would like to thank everyone who came out to River Fest over the weekend, and I hope everyone had an enjoyable time. I would like to thank everyone who volunteers their time with the River Fest Committee. Without the volunteers, there would be no River Fest, and I truly appreciate all the hours that go into making the festival happen. I would like to thank all of our City departments, again, for participating in our Touch-a-Truck event this year. I would like to thank Mr. Tapp and Mr. Lasko for participating in our Opening Ceremonies, and a big thank you to Mr. Steinwart and his staff for their excellent support throughout the weekend, as well as throughout the year. Thank you to the police and fire departments for their constant support over the weekend, as well. I would like to thank Caylin McCormick – she recently graduated, and she was our past River Fest Queen – she did an awesome job with the National Anthem. I would like to thank and congratulate our new River Fest Queen, Tess Humphrey, we well first runner-up, Brook Randall, and second runner-up, Riley Martin. I will be looking

forward to them representing the festival, as well as the Huron community, over the next year. Please come out and support our local events, programs and student athletes, and Go Tigers!

Executive Session(s)

None.

Adjournment

Motion by Mr. Biddlecombe to adjourn the regular meeting of Council.

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: Biddlecombe, Dike, Artino, Tapp, Claus, Grieves, Hagy (7)

NAYS: None (0)

There being a majority in favor of the motion, the regular Council meeting of July 13, 2023 was adjourned at 7:40pm.

Adopted: 08 AUG 2023


Terri S. Welkener, Clerk of Council