



**William Biddlecombe**   **Joe Dike**   **Sam Artino**   **Monty Tapp**   **Mark Claus**   **Matt Grieves**   **Joel Hagy**  
Councilmember   Councilmember   Councilmember   Mayor   Vice-Mayor   Councilmember   Councilmember

**CITY COUNCIL — REGULAR COUNCIL MEETING**

Tuesday, June 25, 2024 @ 6:30 PM

City Council Chambers  
417 Main Street  
Huron, Ohio 44839

**LIVESTREAM MEETING INFORMATION**

*This regular meeting of Council will be conducted in person in Council Chambers at Huron City Hall and live streamed on the City of Huron's YouTube channel. The public is free to observe and hear the discussions and deliberations of all members of City Council via the following link: <https://www.youtube.com/channel/UCpRAV-AnmlA6lfukQzKakQg>*

- I. Oath of Office** City Manager Matt Lasko will administer the Oath of Office to Eric Ritter for the position of Patrol Officer for the Huron Police Department.
- II. Call to Order Public Hearing on Tax Budget for Fiscal Year 2025**
- III. Public Hearing on Tax Budget for Fiscal Year 2025**
  - III.a** Roll Call
  - III.b** Swear in Witnesses
  - III.c** Witness Testimony
  - III.d** Adjourn Public Hearing
- IV. Call to Order Public Hearing on Firelands Scientific's Petition to rescind Ordinance 1121.06 and update other sections of the Huron Codified Ordinances to align with Chapter 3780 of the Ohio Revised Code.**
- V. Public Hearing on Firelands Scientific's Petition to rescind Ordinance 1121.08 and update other sections of the Huron Codified Ordinances to align with Chapter 3780 of the Ohio Revised Code.**
  - V.a** Roll Call
  - V.b** Swear in Witnesses
  - V.c** Witness Testimony
  - V.d** Adjourn Public Hearing
- VI. Call to Order Public Hearing on Proposed Revisions to Chapter 185 relating to Local Income Tax.**
- VII. Public Hearing on Proposed Revisions to Chapter 185 relating to Local Income Tax.**
  - VII.a** Roll Call
  - VII.b** Swear in Witnesses
  - VII.c** Witness Testimony
  - VII.d** Motion to Adjourn Public Hearing

- VIII. Call To Order Regular Meeting of City Council** Moment of Silence followed by the Pledge of Allegiance to the Flag
- IX. Roll Call of City Council**
- X. Approval of Minutes**
- XI. Audience Comments** Citizens may address their concerns to City Council. Please state your name and address for the recorded journal. (3-minute time limit)
- XII. Old Business**
- XII.a** Ordinance No. 2024-18 **(third and final reading)** *(submitted by Captain Kurt Schafer)*  
An ordinance establishing medical emergency services fees.
- XII.b** Ordinance No. 2024-20 **(second reading)** *(submitted by Matt Lasko)*  
An ordinance repealing and amending and restating Subsection 1126.15(d)(1) (Setbacks) under Section 1125.15 (Self-Service Storage and Mini-Storage) of Chapter 1126 (Special Provisions) of the City of Huron Codified Ordinances.
- XIII. New Business**
- XIII.a** Ordinance No. 2024-28 **(first reading)** *(submitted by Charter Review Commission)*  
An ordinance authorizing and directing the submission to the electors of a proposed amendment of Article VIII of the Charter of the City of Huron by replacing Article VIII relating to Personnel in its entirety.
- XIII.b** Ordinance No. 2024-25 **(first reading)** *(submitted by Charter Review Commission)*  
An ordinance authorizing and directing the submission to the electors of a proposed amendment to Article II, Section 2.08(2) of the Charter of the City of Huron, Ohio relating to Powers of Council.
- XIII.c** Ordinance No. 2024-26 **(first reading)** *(submitted by Charter Review Commission)*  
An ordinance authorizing and directing the submission to the electors of a proposed amendment to Article VI of the Charter of the City of Huron, Ohio to delete Section 6.09 relating to Allotments.
- XIII.d** Ordinance No. 2024-27 **(first reading)** *(submitted by Charter Review Commission)*  
An ordinance authorizing and directing the submission to the electors of a proposed amendment to Article IV, Section 4.02(2) of the Charter of the City of Huron relating to duties of the City Manager.
- XIII.e** Ordinance No. 2024-29 **(first reading)** *(submitted by Charter Review Commission)*  
An ordinance authorizing and directing the submission to the electors of a proposed amendment to Article V, Section 5.10 of the Charter of the City of Huron, Ohio relating to Qualifications of the Director of Law.
- XIII.f** Ordinance No. 2024-24 *(submitted by Cory Swaisgood)*  
An ordinance amending Sections 185.01, 185.03 and 185.04 of the Codified Ordinances of the City of Huron, Ohio, to provide for the levy of an additional 0.75% income tax beginning January 1, 2025; and declaring an emergency.
- XIII.g** Resolution No. 57-2024 **(first reading)** *(submitted by Cory Swaisgood)*  
A resolution declaring the necessity of an election on the question of approving the passage of an ordinance to amend Sections 185.01, 185.03 and 185.04 of the Codified Ordinances of the City of Huron, Ohio, in order to provide for the levy of an additional 0.75% income tax beginning January 1, 2025.
- XIII.h** Ordinance No. 2024-30 *(presented by Matt Lasko)*  
An ordinance to revise the Codified Ordinance by adopting current replacement pages.
- XIII.i** Ordinance No. 2024-32 **(first reading)** *(submitted by Matt Lasko)*  
An ordinance repealing and amending and restating Section 1121.08 (Regulations Applying to All Districts) of Chapter 1121 (Districts Established; Boundaries; General Regulations) of the Huron Codified Ordinances to allow one retail recreational marijuana dispensary in the City of Huron.

**XIII.j** Ordinance No. 2024-33 (**first reading**) (*submitted by Matt Lasko*)

An ordinance repealing and amending and restating Section 1126.16 (Medical Marijuana Retail Dispensaries) of Chapter 1126 (Special Provisions) of the Huron Codified Ordinances.

**XIII.k** Resolution No. 58-2024 (*submitted by Doug Steinwart*)

A resolution authorizing submission of an application through the Ohio Department of Natural Resources - Division of Watercraft and U.S. Division of Fish & Wildlife to the Boating Infrastructure Grant (BIG) Program relating to the Huron Municipal Boat Basin Renovation Project in an amount not to exceed \$1.5 Million; and further authorizing acceptance of such award, should the application be successful.

**XIII.l** Resolution 59-2024 (*submitted by Stuart Hamilton*)

A resolution of necessity relating to demolition of building located at 531 Berlin Rd. and certifying the cost to the Erie County Auditor in the amount of \$23,010.00, plus interest and administrative fee.

**XIII.m** Resolution No. 60-2024 (*submitted by Stuart Hamilton*)

A resolution accepting the proposal and entering into an agreement with Smith Paving & Excavating Inc. for concrete paving and catch basin reconstruction services relating to the Emergency Services Parking Lot Repaving Project in an amount not to exceed \$64,000.

**XIII.n** Resolution No. 61-2024 (*submitted by Captain Mike Hohler*)

A resolution authorizing acceptance of a proposal with Municipal Emergency Services for the purchase of ten (10) sets of turnout gear for the Huron Fire Department in the amount of \$48,550.00.

**XIII.o** Motion

Motion to approval the 2025 Annual Tax Budget as prepared and received.

**XIV. City Manager's Discussion**

**XV. Mayor's Discussion**

**XVI. For the Good of the Order**

**XVII. Executive Session(s)**

**XVII.a**

Executive Session to consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with Section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest.

**XVIII Adjournment**



**TO:** Mayor Tapp and City Council  
**FROM:** Matthew Lasko  
**RE:** Witness Testimony  
**DATE:** June 25, 2024

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[FY25 Tax Budget.City of Huron.pdf](#)

## City of Huron

## 2025 Proposed Tax Budget

Fund		Unencumbered Beg. Balance	2025 Estimated Revenue				2025 Estimated Appropriation			2025 Estimated Unencumbered Ending Balance
			Real Estate Property Taxes	Local Govt. (County)	Other Revenue	Total Revenue	Personnel Services	Other Expenses	Total	
110	General Fund	\$ 1,718,229	\$ 411,981	\$ 138,133	\$ 5,762,142	\$ 6,312,256	\$ 2,757,956	\$ 3,855,880	\$ 6,613,837	\$ 1,416,649
111	Special Warrants	\$ 5,278	\$ -	\$ -	\$ 3,200	\$ 3,200	\$ 3,047	\$ -	\$ 3,047	\$ 5,431
201	Garbage, Recycling and Yard Waste	\$ 152,398	\$ -	\$ -	\$ 961,250	\$ 961,250	\$ -	\$ 1,023,611	\$ 1,023,611	\$ 90,037
202	Property Maintenance	\$ 7,908	\$ -	\$ -	\$ 176,725	\$ 176,725	\$ -	\$ 101,323	\$ 101,323	\$ 83,310
207	Parks and Recreation	\$ 340,943	\$ -	\$ -	\$ 644,239	\$ 644,239	\$ 446,064	\$ 271,761	\$ 717,825	\$ 267,357
208	Parks Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
209	Recreation Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
210	Boat Basin Fund	\$ 206,360	\$ -	\$ -	\$ 195,393	\$ 195,393	\$ 117,008	\$ 76,090	\$ 193,098	\$ 208,655
211	Huron Parks Foundation	\$ 9,298	\$ -	\$ -	\$ 4,000	\$ 4,000	\$ -	\$ 6,000	\$ 6,000	\$ 7,298
212	Street Maintenance Fund	\$ 217,872	\$ -	\$ -	\$ 786,649	\$ 786,649	\$ 469,640	\$ 533,605	\$ 1,003,245	\$ 1,276
213	State Highway Fund	\$ 2,349	\$ -	\$ -	\$ 39,000	\$ 39,000	\$ 36,088	\$ -	\$ 36,088	\$ 5,261
214	Special Fire Levy Fund	\$ 510,531	\$ 602,000	\$ -	\$ 2,096,420	\$ 2,698,420	\$ 2,256,444	\$ 839,646	\$ 3,096,090	\$ 112,862
215	Street Lighting Levy Fund	\$ 291,474	\$ -	\$ -	\$ 167,698	\$ 167,698	\$ 31,420	\$ 159,700	\$ 191,120	\$ 268,052
216	Court Computer Fund	\$ 51,009	\$ -	\$ -	\$ 16,000	\$ 16,000	\$ -	\$ 41,000	\$ 41,000	\$ 26,009
217	Court Capital Projects	\$ 195,488	\$ -	\$ -	\$ 15,000	\$ 15,000	\$ -	\$ 50,000	\$ 50,000	\$ 160,488
218	Indigent Alcohol Treatment	\$ 182,544	\$ -	\$ -	\$ 7,500	\$ 7,500	\$ -	\$ 1,000	\$ 1,000	\$ 189,044
219	Enforcement/Education Fund	\$ 13,924	\$ -	\$ -	\$ 2,500	\$ 2,500	\$ -	\$ 5,000	\$ 5,000	\$ 11,424
220	Police Resource Officer Fund	\$ 14,570	\$ -	\$ -	\$ 82,000	\$ 82,000	\$ 84,653	\$ -	\$ 84,653	\$ 11,918
222	Indigent Drivers Interlocking	\$ 94,815	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ -	\$ 1,000	\$ 1,000	\$ 98,815
225	Marine Patrol Grant	\$ 13,039	\$ -	\$ -	\$ 45,000	\$ 45,000	\$ 25,506	\$ 12,949	\$ 38,455	\$ 19,585
226	Local Coronavirus Relief Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
227	ARPA Fund	\$ 10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10
232	Opioid Settlement Fund	\$ 15,317	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,317
270	Mandatory Fine Trust	\$ (0)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (0)
271	Contraband Forfeiture Trust	\$ 5,396	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ -	\$ 7,500	\$ 7,500	\$ 2,896
272	Probation Fund	\$ 18,320	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 43,748	\$ 950	\$ 44,698	\$ 23,622
274	Fire Pension Fund	\$ 43,005	\$ 58,131	\$ -	\$ 286,002	\$ 344,133	\$ 333,060	\$ 890	\$ 333,950	\$ 53,188
275	Police Pension Fund	\$ 53,748	\$ 88,256	\$ -	\$ 220,003	\$ 308,259	\$ 270,400	\$ 1,354	\$ 271,754	\$ 90,253
277	Economic Development	\$ 81,738	\$ -	\$ -	\$ 3,500	\$ 3,500	\$ -	\$ 35,000	\$ 35,000	\$ 50,238
290	Revolving Loans	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
298	Employee Benefit Reserve	\$ 210,913	\$ -	\$ -	\$ 45,000	\$ 45,000	\$ 83,200	\$ -	\$ 83,200	\$ 172,713
299	Employee Benefit Reserve Water	\$ 106,304	\$ -	\$ -	\$ 5,000	\$ 5,000	\$ 31,200	\$ -	\$ 31,200	\$ 80,104
301	G.O. Bond Retirement	\$ 107,012	\$ -	\$ -	\$ 767,000	\$ 767,000	\$ -	\$ 840,444	\$ 840,444	\$ 33,568
401	Capital Improvement Fund	\$ 122,697	\$ -	\$ -	\$ 6,356,073	\$ 6,356,073	\$ -	\$ 6,032,500	\$ 6,032,500	\$ 446,270
402	T.I.F.	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
403	Capital Equipment Reserve	\$ 199,081	\$ -	\$ -	\$ 415,000	\$ 415,000	\$ -	\$ 543,000	\$ 543,000	\$ 71,081
420	Rye Beach TIF	\$ 50,783	\$ -	\$ -	\$ 30,996	\$ 30,996	\$ -	\$ 300	\$ 300	\$ 81,479
421	Sawmill Creek Improvement TIF	\$ 78,843	\$ -	\$ -	\$ 450,000	\$ 450,000	\$ -	\$ 401,543	\$ 401,543	\$ 127,300
422	Sawmill Creek Public Infrast. TIF	\$ 2,778	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,778
602	Water Debt Retirement	\$ 28,869	\$ -	\$ -	\$ 903,950	\$ 903,950	\$ -	\$ 834,734	\$ 834,734	\$ 98,085
603	Water Capital Improvement	\$ 3,994,715	\$ -	\$ -	\$ 3,350,000	\$ 3,350,000	\$ -	\$ 3,290,000	\$ 3,290,000	\$ 4,054,715
604	Water Fund	\$ 2,294,875	\$ -	\$ -	\$ 3,196,189	\$ 3,196,189	\$ 1,629,047	\$ 1,745,111	\$ 3,374,158	\$ 2,116,905
605	Storm Water Fund	\$ 89,920	\$ -	\$ -	\$ 89,000	\$ 89,000	\$ 23,352	\$ 60,300	\$ 83,652	\$ 95,268
654	Electric Fund	\$ 287,461	\$ -	\$ -	\$ 4,702,500	\$ 4,702,500	\$ 280,941	\$ 4,601,245	\$ 4,882,186	\$ 107,776
655	Community Infrastructure Fund	\$ 0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0
701	Computer Repair/Maintenance	\$ 43,040	\$ -	\$ -	\$ 58,000	\$ 58,000	\$ -	\$ 10,000	\$ 10,000	\$ 91,040
703	Healthcare	\$ 558,123	\$ -	\$ -	\$ 1,922,146	\$ 1,922,146	\$ 1,899,482	\$ 150	\$ 1,899,632	\$ 580,637
804	Credit Memo Fund	\$ 14,484	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,484
850	Developers Deposits Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
860	Huron Area Joint Rec. District	\$ -	\$ -	\$ -	\$ 463,139	\$ 463,139	\$ -	\$ 463,139	\$ 463,139	\$ -
863	State Patrol Fund	\$ 25,491	\$ -	\$ -	\$ 18,000	\$ 18,000	\$ -	\$ 16,000	\$ 16,000	\$ 27,491
865	Public Safety Technology	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
870	Fire Damaged Structure Fund	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
876	Huron Rescue Squad Fund	\$ 45,549	\$ -	\$ -	\$ 12,100	\$ 12,100	\$ -	\$ 28,500	\$ 28,500	\$ 29,149
899	Unclaimed Monies Fund	\$ 27,788	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 27,788
	<b>TOTAL ALL FUNDS</b>	<b>\$ 12,534,288</b>	<b>\$ 1,160,368</b>	<b>\$ 138,133</b>	<b>\$ 34,358,315</b>	<b>\$ 35,656,816</b>	<b>\$ 10,822,255</b>	<b>\$ 25,891,225</b>	<b>\$ 36,713,479</b>	<b>\$ 11,477,624</b>

# City of Huron

Comparable Statements

FY2022-FY2024

Fund		2024 Estimated Expenditures		
		Personnel Services	Other Expenses	Total
110	General Fund	\$ 2,383,703	\$ 4,056,475	\$ 6,440,178
111	Special Warrants	\$ 2,415	\$ -	\$ 2,415
201	Garbage, Recycling and Yard Waste	\$ -	\$ 955,515	\$ 955,515
202	Property Maintenance	\$ -	\$ 156,523	\$ 156,523
207	Parks and Recreation	\$ 393,861	\$ 263,478	\$ 657,340
208	Parks Fund	\$ -	\$ -	\$ -
209	Recreation Fund	\$ -	\$ -	\$ -
210	Boat Basin Fund	\$ 73,427	\$ 255,812	\$ 329,239
211	Huron Parks Foundation	\$ -	\$ 21,797	\$ 21,797
212	Street Maintenance Fund	\$ 371,325	\$ 506,808	\$ 878,134
213	State Highway Fund	\$ 29,965	\$ 17,000	\$ 46,965
214	Special Fire Levy Fund	\$ 2,065,961	\$ 761,590	\$ 2,827,551
215	Street Lighting Levy Fund	\$ 30,847	\$ 165,488	\$ 196,335
216	Court Computer Fund	\$ -	\$ 75,247	\$ 75,247
217	Court Capital Projects	\$ -	\$ 50,874	\$ 50,874
218	Indigent Alcohol Treatment	\$ -	\$ 1,000	\$ 1,000
219	Enforcement/Education Fund	\$ -	\$ 5,000	\$ 5,000
220	Police Resource Officer Fund	\$ 70,077	\$ -	\$ 70,077
222	Indigent Drivers Interlocking	\$ -	\$ 1,000	\$ 1,000
225	Marine Patrol Grant	\$ 25,469	\$ 12,949	\$ 38,418
226	Local Coronavirus Relief Fund	\$ -	\$ -	\$ -
227	ARPA Grant Fund	\$ -	\$ 238,042	\$ 238,042
232	Opioid Settlement Fund	\$ -	\$ -	\$ -
270	Mandatory Fine Trust	\$ -	\$ 54	\$ 54
271	Contraband Forfeiture Trust	\$ -	\$ 9,812	\$ 9,812
272	Probation Fund	\$ 41,180	\$ 950	\$ 42,130
274	Fire Pension Fund	\$ 291,542	\$ 890	\$ 292,432
275	Police Pension Fund	\$ 215,734	\$ 1,326	\$ 217,060
277	Economic Development	\$ -	\$ 47,680	\$ 47,680
290	Revolving Loans	\$ -	\$ -	\$ -
298	Employee Benefit Reserve	\$ 65,014	\$ -	\$ 65,014
299	Employee Benefit Reserve Water	\$ 15,908	\$ -	\$ 15,908
301	G.O. Bond Retirement	\$ -	\$ 719,636	\$ 719,636
401	Capital Improvement Fund	\$ -	\$ 4,729,147	\$ 4,729,147
402	T.I.F.	\$ -	\$ -	\$ -
403	Capital Equipment Reserve	\$ -	\$ 572,285	\$ 572,285
420	Rye Beach TIF	\$ -	\$ 30,204	\$ 30,204
421	Sawmill Creek Improvement TIF	\$ -	\$ 933,432	\$ 933,432
422	Sawmill Creek Public Infrast. TIF	\$ -	\$ -	\$ -
602	Water Debt Retirement	\$ -	\$ 228,205	\$ 228,205
603	Water Capital Improvement	\$ -	\$ 11,549,383	\$ 11,549,383
604	Water Fund	\$ 1,424,590	\$ 1,045,274	\$ 2,469,864
605	Storm Water Fund	\$ 20,999	\$ 60,300	\$ 81,299
654	Electric Fund	\$ 245,265	\$ 4,446,449	\$ 4,691,714
655	Community Infrastructure Fund	\$ -	\$ 422,711	\$ 422,711
701	Computer Repair/Maintenance	\$ -	\$ 106,067	\$ 106,067
703	Healthcare	\$ 1,631,041	\$ 150	\$ 1,631,191
804	Credit Memo Fund	\$ -	\$ -	\$ -
850	Developers Deposits Fund	\$ -	\$ 25,223	\$ 25,223
860	Huron Area Joint Rec. District	\$ -	\$ 453,242	\$ 453,242
863	State Patrol Fund	\$ -	\$ 16,000	\$ 16,000
865	Public Safety Technology	\$ -	\$ -	\$ -
870	Fire Damaged Structure Fund	\$ -	\$ 22,578	\$ 22,578
876	Huron Rescue Squad Fund	\$ -	\$ 29,639	\$ 29,639
899	Unclaimed Monies Fund	\$ -	\$ 1,068	\$ 1,068
TOTAL ALL FUNDS		\$ 9,398,323	\$ 32,996,302	\$ 42,394,625

2023 Actual Expenditures		
Personnel Services	Other Expenses	Total
\$ 2,132,986	\$ 3,806,354	\$ 5,939,340
\$ 771	\$ -	\$ 771
\$ 36,516	\$ 906,686	\$ 943,203
\$ -	\$ 1,880	\$ 1,880
\$ 371,504	\$ 343,266	\$ 714,770
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ 73,221	\$ 70,618	\$ 143,839
\$ -	\$ 9,260	\$ 9,260
\$ 381,930	\$ 336,445	\$ 718,374
\$ 28,707	\$ 20,000	\$ 48,707
\$ 1,968,509	\$ 991,766	\$ 2,960,276
\$ 7,292	\$ 135,133	\$ 142,426
\$ -	\$ 8,927	\$ 8,927
\$ -	\$ 3,075	\$ 3,075
\$ -	\$ -	\$ -
\$ -	\$ 4,087	\$ 4,087
\$ 73,577	\$ -	\$ 73,577
\$ -	\$ -	\$ -
\$ 26,114	\$ 20,017	\$ 46,131
\$ -	\$ -	\$ -
\$ -	\$ 123,882	\$ 123,882
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ -	\$ 2,610	\$ 2,610
\$ 39,380	\$ 249	\$ 39,629
\$ 305,356	\$ 691	\$ 306,047
\$ 204,999	\$ 1,019	\$ 206,019
\$ -	\$ 58,223	\$ 58,223
\$ -	\$ -	\$ -
\$ 87,387	\$ -	\$ 87,387
\$ 28,961	\$ -	\$ 28,961
\$ -	\$ 820,624	\$ 820,624
\$ -	\$ 3,505,400	\$ 3,505,400
\$ -	\$ -	\$ -
\$ -	\$ 1,173,526	\$ 1,173,526
\$ -	\$ 9,686	\$ 9,686
\$ -	\$ 3,964,325	\$ 3,964,325
\$ -	\$ 1,060,103	\$ 1,060,103
\$ -	\$ 267,752	\$ 267,752
\$ -	\$ 1,377,589	\$ 1,377,589
\$ 1,381,265	\$ 1,781,648	\$ 3,162,913
\$ 19,469	\$ 62,511	\$ 81,980
\$ 256,106	\$ 4,288,930	\$ 4,545,036
\$ -	\$ 129,219	\$ 129,219
\$ -	\$ 26,991	\$ 26,991
\$ 1,160,986	\$ 155	\$ 1,161,141
\$ -	\$ (34)	\$ (34)
\$ -	\$ 1,188	\$ 1,188
\$ -	\$ 444,122	\$ 444,122
\$ -	\$ 15,312	\$ 15,312
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ -	\$ 13,603	\$ 13,603
\$ -	\$ -	\$ -
\$ 8,585,037	\$ 25,786,836	\$ 34,371,873

2022 Actual Expenditures		
Personnel Services	Other Expenses	Total
\$ 2,056,857	\$ 3,721,461	\$ 5,778,318
\$ 1,676	\$ -	\$ 1,676
\$ 35,243	\$ 932,145	\$ 967,387
\$ -	\$ 31	\$ 31
\$ 389,137	\$ 234,126	\$ 623,263
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ 64,436	\$ 134,780	\$ 199,215
\$ -	\$ 6,809	\$ 6,809
\$ 363,327	\$ 379,399	\$ 742,725
\$ 29,185	\$ 20,000	\$ 49,185
\$ 1,831,936	\$ 643,664	\$ 2,475,601
\$ 6,945	\$ 123,976	\$ 130,921
\$ -	\$ 86,454	\$ 86,454
\$ -	\$ 4,395	\$ 4,395
\$ -	\$ -	\$ -
\$ -	\$ 556	\$ 556
\$ 73,396	\$ 9,372	\$ 82,768
\$ -	\$ -	\$ -
\$ 23,647	\$ 17,393	\$ 41,040
\$ -	\$ -	\$ -
\$ -	\$ 221,172	\$ 221,172
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ -	\$ 2,032	\$ 2,032
\$ 35,127	\$ 169	\$ 35,296
\$ 294,639	\$ 853	\$ 295,492
\$ 209,113	\$ 1,271	\$ 210,384
\$ -	\$ 132,019	\$ 132,019
\$ -	\$ -	\$ -
\$ 73,384	\$ -	\$ 73,384
\$ 26,586	\$ -	\$ 26,586
\$ -	\$ 877,505	\$ 877,505
\$ -	\$ 1,238,574	\$ 1,238,574
\$ -	\$ -	\$ -
\$ -	\$ 329,675	\$ 329,675
\$ -	\$ 408	\$ 408
\$ -	\$ 2,026,730	\$ 2,026,730
\$ -	\$ 13,165	\$ 13,165
\$ -	\$ 247,792	\$ 247,792
\$ -	\$ 2,645,962	\$ 2,645,962
\$ 1,306,272	\$ 1,592,236	\$ 2,898,508
\$ 20,001	\$ 56,218	\$ 76,218
\$ 231,394	\$ 4,005,746	\$ 4,237,139
\$ -	\$ 42,406	\$ 42,406
\$ -	\$ 44,359	\$ 44,359
\$ 1,035,149	\$ -	\$ 1,035,149
\$ -	\$ -	\$ -
\$ -	\$ 494,059	\$ 494,059
\$ -	\$ 15,163	\$ 15,163
\$ -	\$ -	\$ -
\$ -	\$ -	\$ -
\$ -	\$ 13,809	\$ 13,809
\$ -	\$ 250	\$ 250
\$ 8,107,449	\$ 20,316,133	\$ 28,423,582



**TO:** Mayor Tapp and City Council  
**FROM:** Matthew Lasko  
**RE:** Witness Testimony  
**DATE:** June 25, 2024

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[Firelands\\_Scientific\\_Petition\\_Documents.pdf](#)



**TO:** Chairman Boyle and Members of the Planning Commission  
**FROM:** Erik Engle, Planning Director  
**RE:** Firelands Scientific -Petition for Code Amendment  
**DATE:** May 8, 2024

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**Owner/Petitioner: Firelands Scientific. 2344 University Drive, Huron, OH 44839**

**Subject Matter/Background**

In a joint effort with Firelands Scientific, the city was recently petitioned by Firelands Scientific to modify our Ordinances to permit at least one recreational marijuana dispensary in the city. Our Ordinances currently prohibit all recreational marijuana dispensaries, no exceptions (1121.08). Staff consulted with the Law Director as to the state law and procedure knowing recent state laws have shifted based on the most recent referendum permitting controlled recreational sales.

Pursuant to legal counsel's recommendation, the following zoning ordinances need to be amended to follow new state statute (bold italic sections are the only sections under consideration at this time):

**1121.08 REGULATIONS APPLYING TO ALL DISTRICTS. *The retail dispensing of marijuana for recreational purposes is prohibited in all zoning districts of the City of Huron.* (Ord. 2018-10. Passed 5-22-18.)**

**1126.16 MEDICAL MARIJUANA RETAIL DISPENSARIES.**

(a) Purpose. To establish limitations on medical marijuana dispensary operations within the City and to establish reasonable and uniform regulations to minimize and control the negative secondary effects of medical marijuana dispensaries within the City, all to promote the health, safety, and welfare of the citizens of the City.

(b) Applicability. The development regulations established within this chapter are applicable to the following development criteria:

(1) A facility, building, or group of buildings for the purpose of retail dispensing of medical marijuana.

(c) Location. The following regulations shall be used to regulate the location of medical marijuana retail dispensary facilities:

(1) Medical marijuana retail dispensaries are conditionally permitted within any Industrial district within the city. In addition, no medical marijuana retail dispensary may be within 1000 ft. from any parcel on which sits a school, church, public library, public playground, or public park.



***(d) Other Requirements. Medical marijuana retail dispensaries shall comply with Chapter 751 of these Ordinances and ORC 3796 et seq. Only one medical marijuana retail dispensary shall be permitted within the City limits per this section. (Ord. 2018-15. Passed 6-26-18.)***

*As explained by the Law Director:*

Firelands request is governed by the “new” State marijuana law (ORC 3780.25(B)(2)) – they have an existing medical marijuana dispensary license and are proposing to dispense “on the same parcel or contiguous parcels” as the medical license facility, so the right to open the recreational dispensary and, per the new statute, Firelands “may not be prohibited or limited by any municipal corporation or Township” from operating a recreational dispensary.

Firelands also is asking for more changes to “combine” the medical and recreational licensure into one, it is recommended that the city hold off on those changes until the State does the same.

**Staff Analysis/ Recommendation:**

As per the recommendation of legal, the attached amendments to Sections 1121.08 and 1126.16 are proposed and attached as Exhibit B for both sections. The amendments are simple in nature. Essentially, 1121.08 re-aligns the selling of recreational marijuana with that of medical marijuana sales, limiting the dispensary to one establishment (1) city-wide being in an I-1 Industrial district (referencing Firelands existing medical marijuana dispensary). Added language to Section 1126.16 is simply a cross-reference back to Section 1121.08 allowing for one (1) dispensary establishment allowing for the sale of recreational marijuana.

Due to the inconsistencies with updated state statute, staff recommends approval by PC to defer the requests for amendments to City Council as proposed.

**Next Steps:**

Overall, Planning Commission may entertain a motion and vote to defer the amendments to council or set its own public hearing for further consideration (optional).

Ultimately, once deferred to Council for consideration, members of Council must set a public hearing prior to the ordinances being put on three readings, so in all likelihood this will already get the proper amount of vetting prior to a council decision.



FIRELANDS  
SCIENTIFIC

April 19, 2024

Erik Engle  
Planning Director  
City of Huron  
417 Main St.  
Huron, OH 44839

***SENT VIA EMAIL TO: [erik.Engle@huronohio.us](mailto:erik.Engle@huronohio.us)***

*Re: Petition to Rescind Ordinance 1121.08 and Update Other Sections of Huron City Code to Align with Chapter 3780 of Ohio Revised Code*

Dear Mr. Engle:

This notice shall serve as a petition by OPC Retail, LLC (“OPC Retail”) to rescind Ord. 1121.08 and update Ords. 1121.04, 1125.04, 1126.16 and 751.01 *et seq.* of the Huron City Code.

As you are aware, OPC Retail currently holds a license to sell medical marijuana in accordance with the Ohio Medical Marijuana Control Program (the “MMCP”) and Huron City Code. Recently, Chapter 3780 of the Ohio Revised Code was enacted into state law, authorizing the sale of adult use marijuana to adults who are twenty-one years of age or older. Under this new law, existing cultivators, processors and dispensaries operating under the MMCP will be granted a “dual use” license that will enable sales of marijuana products to patients and adults under the same license. Accordingly, OPC Retail hereby petitions the City of Huron to rescind Ord. 1121.08, and update Ords. 1121.04, 1125.04, 1126.16 and 751.01 *et seq.* to enable OPC Retail’s Huron dispensary to participate in the adult use program, pursuant to Ohio law. In an effort to align city code with existing state law, enclosed are proposed updates to the applicable sections of the Huron City Code.

Thank you for your attention to this matter. We look forward to the next phase of our partnership and our continued efforts to be an active and positive member of the Huron community. If you have any questions, please do not hesitate to contact us.

Sincerely,

Jesse M. Gannon  
General Counsel  
Firelands Scientific

Enclosure

**EXHIBIT A – 1121.08 (Existing Language)**

**1121.08 REGULATIONS APPLYING TO ALL DISTRICTS.**

The retail dispensing of marijuana for recreational purposes is prohibited in all zoning districts of the City of Huron.

**EXHIBIT B – 1121.08 (Proposed Language)**

**1121.08 REGULATIONS APPLYING TO ALL DISTRICTS.**

The retail dispensing of marijuana for recreational purposes is limited to one (1) dispensary citywide located within the I-1 Industrial District by right and such use shall follow all rules and regulations set forth for Medical Marijuana Dispensaries as authorized by this code.

**Commented (EE1):** With the passing of state legislation allowing for the sale of recreational marijuana, Firelands Scientific has proposed an amendment to allow for the sale of marijuana for recreational purposes at their existing medical marijuana dispensary on University Drive.

Legal counsel has advised that ORC 3780 allows for existing medical marijuana establishments the absolute right to allow for the retail dispensing of recreational marijuana, essentially making this section out of sync and in direct conflict with state legislation, thus, the call on staff to amend as seen in Exhibit B.

**Commented (EE2):** Edits pursuant to Todd's recommendation to keep this section, but limit the number to one dispensary citywide.

This language mirrors 1126.16(d) allowing for only one dispensary citywide for the purposes of selling both recreational and medical marijuana at Fireland's existing location.

**EXHIBIT A – 1126.16 (Existing Language)**

**1126.16 MEDICAL MARIJUANA RETAIL DISPENSARIES.**

(a) Purpose. To establish limitations on medical marijuana dispensary operations within the City and to establish reasonable and uniform regulations to minimize and control the negative secondary effects of medical marijuana dispensaries within the City, all in order to promote the health, safety, and welfare of the citizens of the City.

(b) Applicability. The development regulations established within this chapter are applicable to the following development criteria:

(1) A facility, building, or group of buildings for the purpose of retail dispensing of medical marijuana.

(c) Location. The following regulations shall be used to regulate the location of medical marijuana retail dispensary facilities:

(1) Medical marijuana retail dispensaries are conditionally permitted within any Industrial district within the city. In addition, no medical marijuana retail dispensary may be within 1000 ft. from any parcel on which sits a school, church, public library, public playground or public park.

(d) Other Requirements. Medical marijuana retail dispensaries shall comply with Chapter 751 of these Ordinances and ORC 3796 et seq. Only one medical marijuana retail dispensary shall be permitted within the City limits per this section.

**EXHIBIT B – 1126.16 (Proposed Language)**

**Commented [EE3]:** Added Section 1121.08 as a cross reference.

**1126.16 MEDICAL MARIJUANA RETAIL DISPENSARIES.**

(a) Purpose. To establish limitations on any and all marijuana dispensary operations within the City and to establish reasonable and uniform regulations to minimize and control the negative secondary effects of such marijuana dispensaries within the City, all in order to promote the health, safety, and welfare of the citizens of the City.

**Commented [EE4]:** All highlighted sections are edits made by legal counsel.

(b) Applicability. The development regulations established within this chapter are applicable to the following development criteria:

(1) A facility, building, or group of buildings for the purpose of retail dispensing of marijuana in conformity with Chapter 751 of these Ordinances, ORC 3796 et seq., and ORC 3780 et seq..

(c) Location. The following regulations shall be used to regulate the location of any and all marijuana retail dispensary facilities that operate pursuant to and in conformity with Chapter 751 of these Ordinances, ORC 3796 et seq., and ORC 3780 et seq.:

(1) All marijuana retail dispensaries are conditionally permitted within any Industrial district within the city. In addition, no marijuana retail dispensary may be within 1000 ft. from any parcel on which sits a school, church, public library, public playground or public park.

(d) Other Requirements. Any and all marijuana dispensaries shall comply with Chapter 751 of these Ordinances and ORC 3796 et seq. Only one medical marijuana retail dispensary shall be permitted within the City limits per this section and Section 1121.08.



**TO:** Mayor Tapp and City Council  
**FROM:** Cory Swaisgood  
**RE:** Witness Testimony  
**DATE:** June 25, 2024

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[Ordinance No. 2024-24 Amending Sections 185.01 .03 and .04 of the Codified Ordinances to Increase the Income Tax Rate.docx](#)

ORDINANCE NO. 2024-24  
Introduced by Mark Claus

AN ORDINANCE AMENDING SECTIONS 185.01, 185.03, 185.04 AND 185.06 OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, OHIO, TO PROVIDE FOR THE LEVY OF AN ADDITIONAL SEVENTY-FIVE ONE-HUNDREDTHS PERCENT (0.75%) INCOME TAX BEGINNING JANUARY 1, 2025, AND PROVIDING A CREDIT UP TO 1.75% FOR INCOME TAX PAID TO OTHER MUNICIPALITIES; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Ohio, that:

Section 1. Section 185.01 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

“185.01 AUTHORITY TO LEVY TAX; PURPOSE OF TAX.

(A) To provide funds for the purposes of general municipal operations and services, maintenance, new equipment, extension and enlargement of municipal services and facilities, permanent improvements, and capital improvements, the Municipality hereby levies an annual tax on the income of every person residing in or earning or receiving income in the Municipality as measured by each such person's municipal taxable income, all as hereinafter provided.

(B) (1) The annual tax is levied at a rate of 1.75% (one and seventy-five one-hundredths percent). The tax is levied at a uniform rate on all persons residing in or earning or receiving income in the Municipality. The tax is levied on municipal taxable income as hereinafter provided in Section 185.03 of this Chapter and other sections as they may apply.

(2) The funds collected under the provisions of this Chapter 185 shall be applied for the following purposes and in the following order: (i) such part thereof as is necessary to defray all costs of collecting the taxes levied by this Chapter and the cost of administering and enforcing the provisions hereof; (ii) after providing for the allocation of funds set forth in division (B)(2)(i) of this Section, funds shall be set aside, appropriated and paid into the General Bond Retirement Fund or another fund specified by ordinance of the Council, in an amount equal to the annual principal and interest payments due (within that year) on all bonds, notes or other obligations for which income tax revenues have been pledged; (iii) after providing for the allocation of funds set forth in division (B)(2)(i) and (ii) of this Section, not less than seven percent (7%) of the remaining funds shall be set aside, appropriated and paid into the Capital Improvement Fund; and (iv) after providing for the allocation of funds set forth in division (B)(2)(i), (ii), and (iii) of this Section, the balance of the funds remaining shall be used for any purpose as may be determined by ordinance of the Council.

(C) The taxes levied under this Chapter 185 shall be levied in accordance with the provisions and limitations set forth in Chapter 718 of the Ohio Revised Code to the fullest extent required for the Municipality to continue to levy those taxes. The required provisions and limitations of Chapter 718 of the Ohio Revised Code are hereby incorporated into this Chapter 185, and those required provisions or limitations of Chapter 718 of the Ohio Revised Code shall control to the extent there is a conflict between a provision or limitation of this Chapter 185 and an express provision or limitation of Chapter 718 of the Ohio Revised Code.

(D) As used herein, all references in this Chapter 185 to provisions or limitations of Chapter 718 of the Ohio Revised Code and to any Section of that Chapter 718 shall include those provisions or limitations of that Chapter or Section as in effect on January 1, 2016, of any successor statute, and of any

subsequent amendment to that Chapter or Section or a successor statute in effect from time to time to the fullest possible extent required for the Municipality to continue to levy the taxes specified under this Chapter 185. All references in this Chapter 185 to "ORC" are to the Ohio Revised Code."

Section 2. Section 185.03 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, as amended by Ordinance No. 2024-4, passed on February 13, 2024, is hereby further amended to read as follows:

"185.03 IMPOSITION OF TAX.

The income tax levied by the Municipality at a rate of one and seventy-five one-hundredths percent (1.75%) is levied on the municipal taxable income of every person who resides in or who earns or receives income in the Municipality.

Individuals.

(A) For residents, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(ii)(a).

(B) For nonresidents, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(ii)(b).

(C) For a person other than an individual, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(i).

Refundable credit for Nonqualified Deferred Compensation Plan.

(D) (1) As used in this division:

(a) "Nonqualified deferred compensation plan" means a compensation plan described in Section 3121(v)(2)(C) of the Internal Revenue Code.

(b) "Qualifying loss" means the amount of compensation attributable to a taxpayer's nonqualified deferred compensation plan, less the receipt of money and property attributable to distributions from the nonqualified deferred compensation plan. Full loss is sustained if no distribution of money and property is made by the nonqualified deferred compensation plan. The taxpayer sustains a qualifying loss only in the taxable year in which the taxpayer receives the final distribution of money and property pursuant to that nonqualified deferred compensation plan.

(c) (i) "Qualifying tax rate" means the applicable tax rate for the taxable year for the which the taxpayer paid income tax to the Municipality with respect to any portion of the total amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan.

(ii) If different tax rates applied for different taxable years, then the "qualifying tax rate" is a weighted average of those different tax rates. The weighted average shall be based upon the tax paid to the Municipality each year with respect to the nonqualified deferred compensation plan.

(d) "Refundable credit" means the amount of the Municipality's income tax that was paid on the non-distributed portion, if any, of a nonqualified deferred compensation plan.

(2) If, in addition to the income tax levied by the Municipality, a taxpayer has paid tax to other municipal corporations with respect to the nonqualified deferred compensation plan, the amount of the credit that a taxpayer may claim from each municipal corporation shall be calculated on the basis of each municipal corporation's proportionate share of the total municipal corporation income

tax paid by the taxpayer to all municipal corporations with respect to the nonqualified deferred compensation plan.

(3) In no case shall the amount of the credit allowed under this Section exceed the cumulative income tax that a taxpayer has paid to the Municipality for all taxable years with respect to the nonqualified deferred compensation plan.

(4) The credit allowed under this division is allowed only to the extent the taxpayer's qualifying loss is attributable to:

(a) The insolvency or bankruptcy of the employer who had established the nonqualified deferred compensation plan; or

(b) The employee's failure or inability to satisfy all of the employer's terms and conditions necessary to receive the nonqualified deferred compensation.

Domicile.

(E) (1) (a) An individual is presumed to be domiciled in the Municipality for all or part of a taxable year if the individual was domiciled in the Municipality on the last day of the immediately preceding taxable year or if the Tax Administrator reasonably concludes that the individual is domiciled in the Municipality for all or part of the taxable year.

(b) An individual may rebut the presumption of domicile described in division (E)(1)(a) of this Section if the individual establishes by a preponderance of the evidence that the individual was not domiciled in the Municipality for all or part of the taxable year.

(2) For the purpose of determining whether an individual is domiciled in the Municipality for all or part of a taxable year, factors that may be considered include, but are not limited to, the following:

(a) The individual's domicile in other taxable years;

(b) The location at which the individual is registered to vote;

(c) The address on the individual's driver's license;

(d) The location of real estate for which the individual claimed a property tax exemption or reduction allowed on the basis of the individual's residence or domicile;

(e) The location and value of abodes owned or leased by the individual;

(f) Declarations, written or oral, made by the individual regarding the individual's residency;

(g) The primary location at which the individual is employed.

(h) The location of educational institutions attended by the individual's dependents as defined in Section 152 of the Internal Revenue Code, to the extent that tuition paid to such educational institution is based on the residency of the individual or the individual's spouse in the municipal corporation where the educational institution is located;

(i) The number of contact periods the individual has with the Municipality. For the purposes of this division, an individual has one "contact period" with the Municipality if the individual is away overnight from the individual's abode located outside of the Municipality and while away overnight from that abode spends at least some portion, however minimal, of each of two consecutive days in the Municipality.



(3) All additional applicable factors are provided in the Rules and Regulations.

Businesses.

(F) This division applies to any taxpayer engaged in a business or profession in the Municipality, unless the taxpayer is an individual who is a resident or the taxpayer is an electric company, combined company, or telephone company that is subject to and required to file reports under Chapter 5745. of the ORC.

(1) Except as otherwise provided in divisions (F)(2) and (G) of this Section, net profit from a business or profession conducted both within and without the boundaries of the Municipality shall be considered as having a taxable situs in the Municipality for purposes of municipal income taxation in the same proportion as the average ratio of the following:

(a) The average original cost of the real property and tangible personal property owned or used by the taxpayer in the business or profession in the Municipality during the taxable period to the average original cost of all of the real and tangible personal property owned or used by the taxpayer in the business or profession during the same period, wherever situated.

As used in the preceding paragraph, tangible personal or real property shall include property rented or leased by the taxpayer and the value of such property shall be determined by multiplying the annual rental thereon by eight;

(b) Wages, salaries, and other compensation paid during the taxable period to individuals employed in the business or profession for services performed in the Municipality to wages, salaries, and other compensation paid during the same period to individuals employed in the business or profession, wherever the individual's services are performed, excluding compensation from which taxes are not required to be withheld under Section 185.04(C);

(c) Total gross receipts of the business or profession from sales and rentals made and services performed during the taxable period in the Municipality to total gross receipts of the business or profession during the same period from sales, rentals, and services, wherever made or performed.

(2) (a) If the apportionment factors described in division (F)(1) of this Section do not fairly represent the extent of a taxpayer's business activity in the Municipality, the taxpayer may request, or the Tax Administrator of the Municipality may require, that the taxpayer use, with respect to all or any portion of the income of the taxpayer, an alternative apportionment method involving one or more of the following:

(i) Separate accounting;

(ii) The exclusion of one or more of the factors;

(iii) The inclusion of one or more additional factors that would provide for a more fair apportionment of the income of the taxpayer to the municipal corporation;

(iv) A modification of one or more of the factors.

(b) A taxpayer request to use an alternative apportionment method shall be in writing and shall accompany a tax return, timely filed appeal of an assessment, or timely filed amended tax return. The taxpayer may use the requested alternative method unless the Tax Administrator denies the request in an assessment issued within the period prescribed by Section 185.12(A).

(c) The Tax Administrator may require a taxpayer to use an alternative apportionment method as described in division (F)(2)(a) of this Section, but only by issuing an assessment to the taxpayer within the period prescribed by Section 185.12(A).

(d) Nothing in division (F)(2) of this Section nullifies or otherwise affects any alternative apportionment arrangement approved by the Tax Administrator or otherwise agreed upon by both the Tax Administrator and taxpayer before January 1, 2016.

(3) As used in division (F)(1)(b) of this Section, "wages, salaries, and other compensation" includes only wages, salaries, or other compensation paid to an employee for services performed at any of the following locations:

(a) A location that is owned, controlled, or used by, rented to, or under the possession of one of the following:

(i) The employer;

(ii) A vendor, customer, client, or patient of the employer, or a related member of such a vendor, customer, client, or patient;

(iii) A vendor, customer, client, or patient of a person described in (F)(3)(a)(ii) of this Section, or a related member of such a vendor, customer, client, or patient.

(b) Any location at which a trial, appeal, hearing, investigation, inquiry, review, court-martial, or similar administrative, judicial, or legislative matter or proceeding is being conducted, provided that the compensation is paid for services performed for, or on behalf of, the employer or that the employee's presence at the location directly or indirectly benefits the employer;

(c) Any other location, if the Tax Administrator determines that the employer directed the employee to perform the services at the other location in lieu of a location described in division (F) (3)(a) or (b) of this Section solely in order to avoid or reduce the employer's municipal income tax liability. If the Tax Administrator makes such a determination, the employer may dispute the determination by establishing, by a preponderance of the evidence, that the Tax Administrator's determination was unreasonable.

(4) For the purposes of division (F)(1)(c) of this Section, and except as provided in division (G) of this section, receipts from sales and rentals made and services performed shall be situated to a municipal corporation as follows:

(a) Gross receipts from the sale of tangible personal property shall be situated to the municipal corporation in which the sale originated. For the purposes of this division, a sale of property originates in the Municipality if, regardless of where title passes, the property meets any of the following criteria:

(i) The property is shipped to or delivered within the Municipality from a stock of goods located within the Municipality.

(ii) The property is delivered within the Municipality from a location outside the Municipality, provided the taxpayer is regularly engaged through its own employees in the solicitation or promotion of sales within the Municipality and the sales result from such solicitation or promotion.

(iii) The property is shipped from a place within the Municipality to purchasers outside the Municipality, provided that the taxpayer is not, through its own employees, regularly engaged in the solicitation or promotion of sales at the place where delivery is made.

(b) Gross receipts from the sale of services shall be situated to the Municipality to the extent that such services are performed in the Municipality.

(c) To the extent included in income, gross receipts from the sale of real property located in the Municipality shall be situated to the Municipality.

(d) To the extent included in income, gross receipts from rents and royalties from real property located in the Municipality shall be situated to the Municipality.

(e) Gross receipts from rents and royalties from tangible personal property shall be situated to the Municipality based upon the extent to which the tangible personal property is used in the Municipality.

(5) The net profit received by an individual taxpayer from the rental of real estate owned directly by the individual, or by a disregarded entity owned by the individual, shall be subject to the Municipality's tax only if the property generating the net profit is located in the Municipality or if the individual taxpayer that receives the net profit is a resident of the Municipality. the Municipality shall allow such taxpayers to elect to use separate accounting for the purpose of calculating net profit situated under this division to the municipal corporation in which the property is located.

(6) (a) Commissions received by a real estate agent or broker relating to the sale, purchase, or lease of real estate shall be situated to the municipal corporation in which the real estate is located. Net profit reported by the real estate agent or broker shall be allocated to the Municipality, if applicable, based upon the ratio of the commissions the agent or broker received from the sale, purchase, or lease of real estate located in the Municipality to the commissions received from the sale, purchase, or lease of real estate everywhere in the taxable year.

(b) An individual who is a resident of the Municipality shall report the individual's net profit from all real estate activity on the individual's annual income tax return filed with the Municipality. The individual may claim a credit for taxes the individual paid on such net profit to another municipal corporation to the extent that such a credit is allowed under this Chapter.

(7) When calculating the ratios described in division (F)(1) of this Section for the purposes of that division or division (F)(2) of this Section, the owner of a disregarded entity shall include in the owner's ratios the property, payroll, and gross receipts of such disregarded entity.

(8) Intentionally left blank.

(9) Intentionally left blank.

(G) (1) As used in this division:

(a) "Qualifying remote employee or owner" means an individual who is an employee of a taxpayer or who is a partner or member holding an ownership interest in a taxpayer that is treated as a partnership for federal income tax purposes, provided that the individual meets both of the following criteria:

(i) The taxpayer has assigned the individual to a qualifying reporting location.

(ii) The individual is permitted or required to perform services for the taxpayer at a qualifying remote work location.

(b) "Qualifying remote work location" means a permanent or temporary location at which an employee or owner chooses or is required to perform services for the taxpayer, other than a reporting location of the taxpayer or any other location owned or

controlled by a customer or client of the taxpayer. "Qualifying remote work location" may include the residence of an employee or owner and may be located outside of a municipal corporation that imposes an income tax in accordance with this chapter. An employee or owner may have more than one qualifying remote work location during a taxable year.

(c) "Reporting location" means either of the following:

(i) A permanent or temporary place of doing business, such as an office, warehouse, storefront, construction site, or similar location, that is owned or controlled directly or indirectly by the taxpayer;

(ii) Any location in this state owned or controlled by a customer or client of the taxpayer, provided that the taxpayer is required to withhold taxes under Section 185.04 of this Chapter, on qualifying wages paid to an employee for the performance of personal services at that location.

(d) "Qualifying reporting location" means one of the following:

(i) The reporting location in this state at which an employee or owner performs services for the taxpayer on a regular or periodic basis during the taxable year;

(ii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) of this section, the reporting location in this state at which the employee's or owner's supervisor regularly or periodically reports during the taxable year;

(iii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) or (ii) of this section, the location that the taxpayer otherwise assigns as the employee's or owner's qualifying reporting location, provided the assignment is made in good faith and is recorded and maintained in the taxpayer's business records. A taxpayer may change the qualifying reporting location designated for an employee or owner under this division at any time.

(2) For tax years ending on or after December 31, 2023, a taxpayer may elect to apply the provisions of this division to the apportionment of its net profit from a business or profession. For taxpayers that make this election, the provisions of division (F) of this section apply to such apportionment except as otherwise provided in this division.

A taxpayer shall make the election allowed under this division in writing on or with the taxpayer's net profit return or, if applicable, a timely filed amended net profit return or a timely filed appeal of an assessment. The election applies to the taxable year for which that return or appeal is filed and for all subsequent taxable years, until the taxpayer revokes the election.

The taxpayer shall make the initial election with the tax administrator of each municipal corporation with which, after applying the apportionment provisions authorized in this division, the taxpayer is required to file a net profit tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location.

After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be

required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation.

Nothing in this division prohibits a taxpayer from making a new election under this division after properly revoking a prior election.

(3) For the purpose of calculating the ratios described in division (F)(1) of this section, all of the following apply to a taxpayer that has made the election described in division (G)(2):

(a) For the purpose of division (F)(1)(a) of this section, the average original cost of any tangible personal property used by a qualifying remote employee or owner at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(b) For the purpose of division (F)(1)(b) of this section, any wages, salaries, and other compensation paid during the taxable period to a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(c) For the purpose of division (F)(1)(c) of this section, and notwithstanding division (F)(4) of this section, any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(4) Nothing in this division prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in division (F)(2) of this section. However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.

(5) Except as otherwise provided in this division, nothing in this division is intended to affect the withholding of taxes on qualifying wages pursuant to Section 185.04 of this Chapter."

Section 3. Section 185.04 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

"185.04 COLLECTION AT SOURCE.

Withholding provisions.

(A) Each employer, agent of an employer, or other payer located or doing business in the Municipality shall withhold an income tax from the qualifying wages earned and/or received by each employee in the Municipality. Except for qualifying wages for which withholding is not required under Section 185.03 or division (B)(4) or (6) of this Section, the tax shall be withheld at the rate, specified in Section 185.03 of this Chapter, of one and seventy-five one-hundredths percent (1.75%). An employer, agent of an employer, or other payer shall deduct and withhold the tax from qualifying wages on the date that the employer, agent, or other payer directly, indirectly, or constructively pays the qualifying wages to, or credits the qualifying wages to the benefit of, the employee.

(B) (1) Except as provided in division (B)(2) of this Section, an employer, agent of an employer, or other payer shall remit to the Tax Administrator of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer according to the following schedule:

(a) Taxes required to be deducted and withheld shall be remitted monthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the Municipality in the preceding calendar year exceeded \$2,399, or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded \$200.

Payment under division (B)(1)(a) of this Section shall be made so that the payment is received by the Tax Administrator not later than 15 days after the last day of each month for which the tax was withheld.

(b) Any employer, agent of an employer, or other payer not required to make payments under division (B)(1)(a) of this Section of taxes required to be deducted and withheld shall make quarterly payments to the Tax Administrator not later than the 15th day of the month following the end of each calendar quarter.

(c) Notwithstanding the provisions of (B)(1)(a) and (b) of this Section, taxes required to be deducted and withheld shall be remitted semimonthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in the preceding calendar year exceeded \$11,999, or if in any month of the preceding calendar year exceeded \$1,000. Payment under division (B)(1)(c) of this Section shall be made so that the payment is received by the Tax Administrator not later than one of the following: (i) if the taxes were deducted and withheld or required to be deducted and withheld during the first fifteen days of a month, the third banking day after the fifteenth day of that month; or (ii) if the taxes were deducted and withheld or required to be deducted and withheld after the fifteenth day of a month and before the first day of the immediately following month, the third banking day after the last day of the month.

(2) If the employer, agent of an employer, or other payer is required to make payments electronically for the purpose of paying federal taxes withheld on payments to employees under Section 6302 of the Internal Revenue Code, 26 C.F.R. 31.6302-1, or any other federal statute or regulation, the payment shall be made by electronic funds transfer to the Tax Administrator of all taxes deducted and withheld on behalf of the Municipality. The payment of tax by electronic funds transfer under this division does not affect an employer's, agent's, or other payer's obligation to file any return as required under this Section.

(3) An employer, agent of an employer, or other payer shall make and file a return showing the amount of tax withheld by the employer, agent, or other payer from the qualifying wages of each employee and remitted to the Tax Administrator. A return filed by an employer, agent, or other payer under this division shall be accepted by the Tax Administrator and the Municipality as the return required of a non-resident employee whose sole income subject to the tax under this Chapter is the qualifying wages reported by the employee's employer, agent of an employer, or other payer.

(4) An employer, agent of an employer, or other payer is not required to withhold the Municipality's income tax with respect to an individual's disqualifying disposition of an incentive stock option if, at the time of the disqualifying disposition, the individual is not an employee of either the corporation with respect to whose stock the option has been issued or of such corporation's successor entity.

(5) (a) An employee is not relieved from liability for a tax by the failure of the employer, agent of an employer, or other payer to withhold the tax as required under this Chapter or by the employer's, agent's, or other payer's exemption from the requirement to withhold the tax.

(b) The failure of an employer, agent of an employer, or other payer to remit to the Municipality the tax withheld relieves the employee from liability for that tax unless the employee colluded with the employer, agent, or other payer in connection with the failure to remit the tax withheld.

(6) Compensation deferred before June 26, 2003, is not subject to the income tax or income tax withholding requirement imposed by this Chapter to the extent the deferred compensation does not constitute qualifying wages at the time the deferred compensation is paid or distributed.

(7) Each employer, agent of an employer, or other payer required to withhold taxes is liable for the payment of that amount required to be withheld, whether or not such taxes have been withheld, and such amount shall be deemed to be held in trust for the Municipality until such time as the withheld amount is remitted to the Tax Administrator.

(8) On or before the last day of February of each year, an employer shall file a withholding reconciliation return with the Tax Administrator listing:

(a) The names, addresses, and social security numbers of all employees from whose qualifying wages the tax levied by this Chapter was withheld or should have been withheld during the preceding calendar year;

(b) The amount of tax withheld, if any, from each such employee, the total amount of qualifying wages paid to such employee during the preceding calendar year;

(c) The name of every other municipal corporation for which tax was withheld or should have been withheld from such employee during the preceding calendar year;

(d) Any other information required for federal income tax reporting purposes on Internal Revenue Service form W-2 or its equivalent form with respect to such employee;

(e) Other information as may be required by the Tax Administrator.

(9) The officer or the employee of the employer, agent of an employer, or other payer with control or direct supervision of or charged with the responsibility for withholding the tax or filing the reports and making payments as required by this Section, shall be personally liable for a failure to file a report or pay the tax due as required by this Section. The dissolution of an employer, agent of an employer, or other payer does not discharge the officer's or employee's liability for a failure of the employer, agent of an employer, or other payer to file returns or pay any tax due.

(10) An employer is required to deduct and withhold the Municipality's income tax on tips and gratuities received by the employer's employees and constituting qualifying wages, but only to the extent that the tips and gratuities are under the employer's control. For the purposes of this division, a tip or gratuity is under the employer's control if the tip or gratuity is paid by the customer to the employer for subsequent remittance to the employee, or if the customer pays the tip or gratuity by credit card, debit card, or other electronic means.

(11) The Tax Administrator shall consider any tax withheld by an employer at the request of an employee, when such tax is not otherwise required to be withheld by this Chapter, to be tax required to be withheld and remitted for the purposes of this Section.

Occasional Entrant - Withholding.

(C) (1) As used in this division:

(a) "Employer" includes a person that is a related member to or of an employer.

(b) "Fixed location" means a permanent place of doing business in this state, such as an office, warehouse, storefront, or similar location owned or controlled by an employer.

(c) "Principal place of work" means the fixed location to which an employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location, "principal place of work" means the worksite location in this state to which the employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location or worksite location, "principal place of work" means the location in this state at which the employee spends the greatest number of days in a calendar year performing services for or on behalf of the employee's employer.

If there is not a single municipal corporation in which the employee spent the "greatest number of days in a calendar year" performing services for or on behalf of the employer, but instead there are two or more municipal corporations in which the employee spent an identical number of days that is greater than the number of days the employee spent in any other municipal corporation, the employer shall allocate any of the employee's qualifying wages subject to division (C)(2)(a)(i) of this Section among those two or more municipal corporations. The allocation shall be made using any fair and reasonable method, including, but not limited to, an equal allocation among such municipal corporations or an allocation based upon the time spent or sales made by the employee in each such municipal corporation. A municipal corporation to which qualifying wages are allocated under this division shall be the employee's "principal place of work" with respect to those qualifying wages for the purposes of this Section.

For the purposes of this division, the location at which an employee spends a particular day shall be determined in accordance with division (C)(2)(b) of this Section, except that "location" shall be substituted for "municipal corporation" wherever "municipal corporation" appears in that division.

(d) "Professional athlete" means an athlete who performs services in a professional athletic event for wages or other remuneration.

(e) "Professional entertainer" means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis.

(f) "Public figure" means a person of prominence who performs services at discrete events, such as speeches, public appearances, or similar events, for wages or other remuneration on a per-event basis.

(g) "Worksite location" means a construction site or other temporary worksite in this state at which the employer provides services for more than 20 days during the calendar year. "Worksite location" does not include the home of an employee.

(2) (a) Subject to divisions (C)(3), (5), (6), and (7) of this Section, an employer is not required to withhold the Municipality's income tax on qualifying wages paid to an employee for the performance of personal services in the Municipality if the employee performed such services in the Municipality on 20 or fewer days in a calendar year, unless one of the following conditions applies:

(i) The employee's principal place of work is located in the Municipality.

(ii) The employee performed services at one or more presumed worksite locations in the Municipality. For the purposes of this division, "presumed worksite location" means a



construction site or other temporary worksite in the Municipality at which the employer provides or provided services that can reasonably be, or would have been, expected by the employer to last more than 20 days in a calendar year. Services can "reasonably be expected by the employer to last more than 20 days" if either of the following applies at the time the services commence:

(a) The nature of the services is such that it will require more than 20 days of the services to complete the services;

(b) The agreement between the employer and its customer to perform services at a location requires the employer to perform the services at the location for more than 20 days.

(iii) The employee is a resident of the Municipality and has requested that the employer withhold tax from the employee's qualifying wages as provided in Section 185.04.

(iv) The employee is a professional athlete, professional entertainer, or public figure, and the qualifying wages are paid for the performance of services in the employee's capacity as a professional athlete, professional entertainer, or public figure.

(b) For the purposes of division (C)(2)(a) of this Section, an employee shall be considered to have spent a day performing services in the Municipality only if the employee spent more time performing services for or on behalf of the employer in the Municipality than in any other municipal corporation on that day. For the purposes of determining the amount of time an employee spent in a particular location, the time spent performing one or more of the following activities shall be considered to have been spent at the employee's principal place of work:

(i) Traveling to the location at which the employee will first perform services for the employer for the day;

(ii) Traveling from a location at which the employee was performing services for the employer to any other location;

(iii) Traveling from any location to another location in order to pick up or load, for the purpose of transportation or delivery, property that has been purchased, sold, assembled, fabricated, repaired, refurbished, processed, remanufactured, or improved by the employee's employer;

(iv) Transporting or delivering property described in division (C)(2)(b)(iii) of this Section, provided that, upon delivery of the property, the employee does not temporarily or permanently affix the property to real estate owned, used, or controlled by a person other than the employee's employer;

(v) Traveling from the location at which the employee makes the employee's final delivery or pick-up for the day to either the employee's principal place of work or a location at which the employee will not perform services for the employer.

(3) If the principal place of work of an employee is located in another Ohio municipal corporation that imposes an income tax, the exception from withholding requirements described in division (C)(2)(a) of this Section shall apply only if, with respect to the employee's qualifying wages described in that division, the employer withholds and remits tax on such qualifying wages to that municipal corporation.

(4) (a) Except as provided in division (C)(4)(b) of this Section, if, during a calendar year, the number of days an employee spends performing personal services in the Municipality exceeds the 20-day threshold, the employer shall withhold and remit tax to the Municipality for any subsequent

days in that calendar year on which the employer pays qualifying wages to the employee for personal services performed in the Municipality.

(b) An employer required to begin withholding tax for the Municipality under division (C)(4)(a) of this Section may elect to withhold tax for the Municipality for the first 20 days on which the employer paid qualifying wages to the employee for personal services performed in the Municipality.

(5) If an employer's fixed location is in the Municipality and the employer qualifies as a small employer as defined in Section 185.02, the employer shall withhold the income tax imposed under this Chapter on all of the employee's qualifying wages for a taxable year and remit that tax only to the Municipality, regardless of the number of days which the employee worked outside the corporate boundaries of the Municipality.

To determine whether an employer qualifies as a small employer for a taxable year, the employer will be required to provide the Tax Administrator with the employer's federal income tax return for the preceding taxable year.

(6) Divisions (C)(2)(a) and (4) of this Section shall not apply to the extent that the Tax Administrator and an employer enter into an agreement regarding the manner in which the employer shall comply with the requirements of Section 185.04."

Section 4. Section 185.06 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

"185.06 CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES.

(A) Every individual taxpayer domiciled in the City who is required to and does pay, or has acknowledged liability for, a municipal tax to another municipality on or measured by the same income, qualifying wages, commissions, net profits or other compensation taxable under this chapter may claim a non-refundable credit upon satisfactory evidence of the tax paid to the other municipality. Subject to division (c) of this section, the credit shall not exceed the tax due the City under this chapter. If the tax rate of the other municipality is less than one and seventy-five one-hundredths percent (1.75%), the credit shall be limited to the tax due at the lower rate.

(B) The City shall grant a credit against its tax on income to a resident of the City who works in a joint economic development zone created under Ohio R.C. 715.691 or a joint economic development district created under Ohio R.C. 715.70, 715.71, or 715.72 to the same extent that it grants a credit against its tax on income to its residents who are employed in another municipal corporation.

(C) If the amount of tax withheld or paid to the other municipality is less than the amount of tax required to be withheld or paid to the other municipality, then for purposes of division (a) of this section, "the income, qualifying wages, commissions, net profits or other compensation" subject to tax in the other municipality shall be limited to the amount computed by dividing the tax withheld or paid to the other municipality by the tax rate for that municipality."

Section 5. Effective January 1, 2025, Sections 185.01, 185.03, 185.04 and 185.06 of the Codified Ordinances of the City of Huron, Ohio, as they have heretofore existed, are hereby repealed. Provided, however, that no provision of this ordinance, including the repeal of Sections 185.01, 185.03, 185.04 and 185.06 of the Codified Ordinances of the City of Huron, Ohio, as they have heretofore existed, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or

entity, with respect to the one percent municipal income tax assessed by Chapter 185 of the Codified Ordinances of the City of Huron, Ohio, as it has heretofore existed and shall remain in effect until January 1, 2025.

Section 6. The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City, and for the further reason that this ordinance is required to be immediately effective in order to enable the City to timely commence collection of the City's income tax at the increased rate provided for in this ordinance commencing January 1, 2025 and thereby to provide services and permanent improvements critical to the safety and well-being of the residents of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage.

Passed: \_\_\_\_\_, 2024

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Clerk of Council



**TO:** Mayor Tapp and City Council  
**FROM:** Terri Welkener , Clerk of Council  
**RE:** Ordinance No. 2024-18 (**third and final reading**) (*submitted by Captain Kurt Schafer*)  
**DATE:** June 25, 2024

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### Subject Matter/Background

The City currently bills and collects for EMS runs through a third-party vendor (Medicount). The City's rates are only billed to insurance providers and non-residents, known as "soft billing". City residents do **NOT** pay out of pocket for EMS runs. Medicount recently conducted a review of the City's rates. Medicount is recommending a rate increase to the below rates. Since the increase will not impact residents, the increase should bring the City closer to market rates. The goal with the increase is to collect as much as possible from the provider. Allowable charges from some providers are higher than the City's current rates. The rate increase will allow the City to charge the provider at a higher rate.

The last rate change was in 2012. Overall inflationary trends produced a cumulative price increase of 36.57%. This means that today's prices are 1.37 times as high as average prices since 2012, according to the Bureau of Labor Statistics consumer price index.

The below table provides current rates charged by neighboring communities. The City's rates are one of the lowest in the Erie County and the lowest in Lorain County. The City of Sandusky does not soft bill, therefore rates remain lower due to charging residents for EMS runs. Perkins Township increased their rates in May 2024, similar to the City's proposal in this legislation.

### Adjoining Communities Rates:

#### Erie County:

Account Name	ALS 1 Rate	ALS 2 Rate	BLS Rate	Mileage Rate
City of Huron	750 (900 proposed)	1100 (no change)	535 (800 proposed)	13 (16 proposed)
Sandusky	500	625	430	11
Vermilion Township	850	950	650	14
Margaretta Township	600	900	500	14
Perkins Township	900	1115.24	800	16

#### Lorain County:

Account Name	ALS 1 Rate	ALS 2 Rate	BLS Rate	Mileage Rate
Village of Sheffield Lake	850	950	675	14

Township of LaGrange	850	950	650	16
Sheffield Township	850	950	750	16
Elyria Township	800	900	650	14
Eaton Township	800	900	700	16
City of Avon Lake	850	950	675	14

There have been no changes made to Resolution No. 2024-18 since its first reading.

### **Financial Review**

All revenue from EMS billing is used for operational and capital expenses for the Fire Department in Fund 214. Annual revenue is approximately \$420,000 from EMS billing. With the increase, the Fire Department will see an increase in revenue. Unfortunately, the approximate total increase cannot be determined due to the recent change in billing vendors.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-18 on its third and final reading is in order.

[Ordinance No. 2024-18 EMS Rates \(1\).doc](#)

ORDINANCE NO. 2024-18  
Introduced by Monty Tapp

AN ORDINANCE ESTABLISHING EMERGENCY MEDICAL SERVICES FEES.

WHEREAS, the City of Huron Fire Division responds to more than one thousand Emergency Medical Service (EMS) calls per year, and it is anticipated that number will increase significantly, with a large number of users being nonresidents as hereinafter defined;

WHEREAS, the City has a contract with Huron Township (the "Township") to provide fire and EMS service to residents of the Township;

WHEREAS, the residents of the City support the cost of EMS services through a fire levy and through the City's income tax, and the residents of the Township support the cost of EMS services through a fire levy; and

WHEREAS, residents of both the City nor the Township receive EMS services without payment; and

WHEREAS, emergency medical services fees should be updated for nonresident EMS services, which fees should be applied to the overall cost of operation of the City's Fire Division.

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

Section 1. That there shall be, and hereby is, established a fee for EMS services provided by members of the Huron Fire Division to users who are not residents of either the City of Huron or the Township of Huron as follows:

Basic Life Support	\$800.00 per call
Advanced Life Support 1 (ALS 1)	\$900.00 per call
Advanced Life Support 2 (ALS 2)	\$1,100.00 per call
Mileage	\$16 per call

"Resident" shall mean a person whose actual residence is within the City of Huron or Township of Huron, Erie County, Ohio, or members of his or her immediate household.

The levels of service set forth above shall mean:

"Basic Life Support (BLS)" is transportation by ground ambulance vehicle and the provision of medically necessary supplies and services, including BLS ambulance services as defined by the State of Ohio. The ambulance must be staffed by an individual who is qualified in accordance with State and local laws as an emergency medical technician—basic (EMT-Basic) or above.

"Advanced Life Support 1 (ALS 1)" is the transportation by ground ambulance vehicle and the provision of medically necessary supplies and services including the provision of an ALS assessment or at least one ALS intervention.

"Advanced Life Support 2 (ALS 2)" is the transportation by ground ambulance vehicle and the provision of medically necessary supplies and services including (1) at least three separate administrations of one or more medications by intravenous push/bolus or infusion excluding crystalloid fluids or (2) ground ambulance transport and the provision of at least one of the following ALS 2 procedures:

- Manual defibrillation/cardioversion;
- Endotracheal intubation;
- Central venous line;
- Cardiac pacing;
- Chest decompression;
- Surgical airway;
- Intraosseous line.

Section 2. All funds generated and actually received from the foregoing charges, after first deducting all fees and expenses incurred in collecting such funds, shall be deposited into the General Fund to be used to offset the overall cost of operation of the Fire Division, as such cost of operation is defined in the City/Township Emergency Services Agreement, before billing the Township for its contractual share of the net cost of operation in accordance with the then current contract for Emergency Services.

Section 3. The City Manager, with the approval of this Council, shall establish and publish rules and regulations and shall establish other charges, fees and rates incidental to the operation of the emergency medical/ambulance services of the City and not inconsistent with this Ordinance which the City Manager deems necessary and advisable and shall file those rules, regulations, charges, fees and rates with the Clerk of this Council.

Section 4. The City Manager, with the approval of this Council, shall establish a policy for charity care and/or discounts for the fees imposed through this Ordinance based generally upon Federal poverty levels.

Section 5. The City Manager, or his designee, shall be responsible for the administration of the policies and fees set forth in this Ordinance, including the approving of charity care and/or discounts in accordance with the policy established therefor.

Section 6. If any section, phrase, sentence or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 7. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in

meetings open to the public in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

Section 8. In accordance with Section 3.06 of the Charter of the City of Huron, Ohio, this Ordinance shall take effect thirty (30) days following its adoption.

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Monty Tapp, Mayor

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

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





**TO:** Mayor Tapp and City Council  
**FROM:** Terri Welkener , Clerk of Council  
**RE:** Ordinance No. 2024-20 **(second reading)** *(submitted by Matt Lasko)*  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

Upon plan review for an upcoming Planning Commission/Design Review Board case, staff discovered conflicting code sections (1125.05 I-2 Zoning District, 1126.15- Self-Storage & Mini-Storage) with regard to Self- Service Storage and Mini-Service Storage uses.

The process for plan review begins with identifying the Zoning District and review of that code for use compliance, setback regulations, and other requirements. In a recent case, the Zoning District was confirmed to be I-2, the use was confirmed as a Principal Permitted Use for the district and the regulation, and requirements of Section 1125.05 I-2 Zoning District were met. It is important to note: there is no reference in Section 1125.05- Principal Permitted Use to a separate code section specific to a Self-Storage and Mini Storage use.

That being said, staff discovered Section 1126.15, a section created in 2017, specific to Self-Storage/Mini-Storage uses. In reviewing the section, the setback regulations were found to differ from that of the Industrial Districts. In an effort to rectify the conflicting sections, legal has prepared an amendment to Section 1126.15, adding language to refer to the Industrial District setback requirements when such a use is located in an Industrial District and including language to provide the Fire Department/Safety Services the power to require side setbacks to be increased if they determine it necessary.

### **Financial Review**

There is no financial impact to the City.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-20 on its second reading is in order.

[Ordinance No. 2024-20 Exh 1 REDLINE Section 1126.15\(d\)\(1\)\(D\).pdf](#)

[Ordinance No. 2024-20 New Section 1126.15\(d\)\(1\)\(D\) Self-Service Storage and Mini-Storage \(3\).docx](#)

[Ordinance No. 2024-20 Exh A Section 1126.15\(d\)\(1\).docx](#)

[Ordinance No. 2024-20 Exh B New Section 1126.15\(d\)\(1\)\(D\).docx](#)



## 1126.15 SELF-SERVICE STORAGE AND MINI-STORAGE.

(a) Purpose. To establish regulations for the safe and effective development for commercial self-service and mini-storage facilities and the operations permitted herein.

(b) Applicability. The development regulations established within this chapter are applicable to the following development criteria:

(1) A facility, building, or group of buildings where secured areas or self-contained units within the structure are rented, leased, or sold to individuals for storage of personal goods and other non-hazardous durable goods or wares.

(c) Location. The following regulations shall be used to regulate the location of commercial storage facilities:

(1) Commercial self-service and mini-storage facilities are permitted within any Industrial district within the city. In addition, no building within a storage development may be within 500 ft. of the district line of any residentially zoned district.

(2) If a proposed building would be within five-hundred (500) feet of a residential district, but is divided by either a Limited Access highway Right-of-Way or Railroad Right-of-Way, the five-hundred (500) feet restriction is waived.

(d) Development Standards. Buildings within a commercial storage development must adhere to the following design standards:

(1) Setbacks.

A. No building may be placed closer to any side lot line than fifteen (15'). The Fire Department may, upon review, require the side setback to be increased for placement of an emergency fire access lane.

B. No building may be placed closer than thirty (30) feet to any front lot line.

C. No building may be placed closer than thirty (30) feet to any rear lot line.

D. Notwithstanding the foregoing, if a self-service storage or mini-storage building is located in either a light industrial district (I-1) or an industrial district (I-2), then the respective setback requirements for the industrial district shall apply to such building(s) provided, however, that the Huron Fire Department and any other City of Huron safety forces may, upon review, require the side setback to be increased for placement of an emergency fire access lane, for placement of a fire line, or for adequate access and ingress and egress of safety forces.

(2) Building Height. No building shall exceed 35 feet in height.

(3) Parking.

A. All parking spaces and drive aisles shall be designed in conformance with the dimension and building material requirements within Section 1133 Off Street Parking.

B. Parking areas may be no closer than 5 feet to the front property line. Any space between a parking area and the front lot line must be appropriately landscaped and screened in accordance with applicable regulations.

C. Parking areas may have a zero (0) ft. setback on any rear or side property line.

D. There shall be a minimum of one (1) parking space for every 1,000 square feet of ground floor area.

**(4) Site Requirements.**

A. No development site shall be less than 2 acres.

B. No more than 50% of the area of the site shall house structures or buildings above average grade elevation. No more than 75% of the site shall be developed with additional site amenities excluding landscaping.

(5) Utilities. Units less than 500 square feet in total ground floor area shall not be permitted to have plumbing hookups within each individual unit.

(6) Lighting. All lights shall be shielded to direct light onto the established buildings and away from adjacent property, but may be of sufficient intensity to discourage vandalism and theft. All lights shall be mounted at a height not exceeding that of the building.

(e) Permitted Uses. Facilities may be used for the storage of personal goods and other non-hazardous durable goods or wares. Additional accessory uses may include the (1) sale of merchandise ancillary to storage business (such as moving supplies, locks, etc.) when operated by the company, corporation, or owner of the facility, (2) the renting or leasing of moving trucks; and, (3) establishing a satellite United States Postal Services or other consumer mail shipping/receiving services (UPS, Fed-Ex, etc.) within such facilities. No land, structure, or building shall be used for any of the following:

(1) Residential uses of any kind.

(2) Any commercial activity other than that explicitly permitted within this section.

(3) Storage of potentially hazardous materials.

(4) Exterior storage of any kind, except for recreation vehicles and trailered/dry-docked watercraft. Any exterior storage areas must be kept in a neat orderly fashion and must be screened on any side facing a property line. Screening must consist of solid block wall, opaque fencing, decorative stone, or a combination of fencing and dense landscaping. The screen must be a minimum of six (6) feet in height.

(f) Inspection. The Fire Department and Building Department shall have access to inspect the premises upon reasonable notification of the property owner. Any development shall be subject to inspection by the Fire Department and Building Department on a regular basis to ensure compliance with these and other city ordinances.

(g) Lease/Rental Agreement. Any lease or rental agreement between the property owner and lessee shall reference the existence of these and other pertinent City ordinances. Violations of

any portion of this section may be served upon lessee, tenant, and/or owner of the property in question. (Ord. 2017-10. Passed 4-25-17.)

ORDINANCE NO. 2024-20  
Introduced by Sam Artino

AN ORDINANCE REPEALING AND AMENDING AND RESTATING SUBSECTION 1126.15(d)(1) (SETBACKS) UNDER SECTION 1126.15 (SELF-SERVICE STORAGE AND MINI-STORAGE) OF CHAPTER 1126 (SPECIAL PROVISIONS) OF THE CODIFIED ORDINANCE OF HURON, OHIO TO ESTABLISH A NEW SUBSECTION 1126.15(d)(1)(D).

WHEREAS, the Council hereby determined the changes and amendment set forth within this Ordinance, including Exhibit "B", are in the best interest of the City of Huron and its citizens.

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

SECTION 1. That Subsection 1126.15(d)(1) (Setbacks) under Section 1126.15 (Self-Service Storage and Mini-Storage) of Chapter 1126 (Special Provisions) of the Codified Ordinances of the City of Huron, Ohio, which currently reads as follows (see Exhibit A attached hereto and incorporated herein by reference) shall be and hereby is repealed in its entirety.

SECTION 2. That Subsection 1126.15(d)(1) (Setbacks) of Section 1126.15 (Self-Service Storage and Mini-Storage) of Chapter 1126 (Special Provisions) is hereby amended to add new Section 1126.15(d)(1)(D), as attached hereto and made a part hereof as Exhibit "A", and shall be, and hereby is, adopted and thereafter shall be in full force and effect.

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

SECTION 4. In accordance with Section 3.06 of the Charter of the City of Huron, Ohio, this Ordinance shall take effect thirty (30) days following its adoption.

\_\_\_\_\_  
Monty Tapp, Mayor

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

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

1126.15 SELF-SERVICE STORAGE AND MINI-STORAGE.

(d) Development Standards. Buildings within a commercial storage development must adhere to the following design standards:

(1) Setbacks.

A. No building may be placed closer to any side lot line than fifteen (15'). The Fire Department may, upon review, require the side setback to be increased for placement of an emergency fire access lane.

B. No building may be placed closer than thirty (30) feet to any front lot line.

C. No building may be placed closer than thirty (30) feet to any rear lot line.

1126.15 SELF-SERVICE STORAGE AND MINI-STORAGE.

(d) Development Standards. Buildings within a commercial storage development must adhere to the following design standards:

(1) Setbacks.

A. No building may be placed closer to any side lot line than fifteen (15'). The Fire Department may, upon review, require the side setback to be increased for placement of an emergency fire access lane.

B. No building may be placed closer than thirty (30) feet to any front lot line.

C. No building may be placed closer than thirty (30) feet to any rear lot line.

D. Notwithstanding the foregoing, if a self-service storage or mini-storage building is located in either a light industrial district (I-1) or an industrial district (I-2), then the respective setback requirements for the industrial district shall apply to such building(s) provided, however, that the Huron Fire Department and any other City of Huron safety forces may, upon review, require the side setback to be increased for placement of an emergency fire access lane, for placement of a fire line, or for adequate access and ingress and egress of safety forces.





**TO:** Mayor Tapp and City Council  
**FROM:** Todd Schrader  
**RE:** Ordinance No. 2024-28 (**first reading**) (*submitted by Charter Review Commission*)  
**DATE:** June 25, 2024

---

### **Subject Matter/Background**

The Huron Charter Commission held its organizational meeting on March 7, 2024, to discuss the procedure for reviewing the Charter for the City of Huron. At the meeting on March 14, 2024, the Commission discussed Articles II and IV. The next meeting was on March 28, 2024, and the Commission discussed Articles III and misnumbered Article VII (should be VIII). At the meeting on April 11, 2024, the Commission discussed Articles V and VI. The Commission discussed Articles VII, IX and X at the meeting on April 25, 2024. At the meeting on May 9, 2024, the Commission discussed Articles XI, XII and XIII.

The Commission met on May 23, 2024 to determine the ten (10) most important items that are outdated in the Charter. Of those ten (10) items, the Commission selected five (5) they would like to suggest that the Huron City Council consider for the November 2024 ballot to be voted on by the citizens of Huron. A list of these five (5) items is attached hereto as Exhibit 1 and included herein by reference.

Ordinance No. 2024-28 would authorize and direct the submission to the electors of a proposed amendment of Article VIII of the Charter of the City of Huron by replacing Article VIII relating to Personnel in its entirety. A redlined copy of all five (5) proposed Charter amendments is attached hereto as Exhibit 2 and included herein by reference.

This Ordinance will go through three (3) readings before a final vote of Council is taken to determine which is the five (5) proposed Charter amendments will be placed on the ballot for the November 2024 election.

### **Financial Review**

If approved by Council and put on the November ballot, the City may be charged by the Board of Elections. The Board of Elections estimates the cost will be approximately \$2,000. The cost will be deducted from the City's property tax distribution in 2025.

The charter change recommendations to Council do not have a significant financial impact on the City. The recommended changes are intended to eliminate outdated items in the current charter.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-28 on its first reading is in order.

[Final CRC Recommendations to Council \(May 2024\).docx](#)

[Master Charter - REDLINED EDITS CRC RECOMMENDATIONS \(6-7-24\).docx](#)

[Ordinance No. 2024-28 Charter Amendment Amending Article VIII in its entirety.pdf](#)

**Final Charter Review Committee Recommendations to Huron City Council**

**1 – Eliminate current Section 2.08(2) of the Charter and amend and restate same to state as follows:**

**Section 2.08 POWERS OF THE COUNCIL**

Among other powers, the council shall have authority to:

“(2) Establish the internal organization of the departments, boards, and commissions created by this Charter, set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties.”

\*\*\*\*\*

**2 – Eliminate current 4.02(2) of the Charter and amend and restate same to state as follows:**

**Section 4.02 DUTIES OF THE CITY MANAGER**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

“(2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, including the merit system as provided in Article VIII of this charter.”

\*\*\*\*\*

**3 – Add an additional sentence at the end of Section 5.10 of the Charter, which shall state as follows:**

**Section 5.10 QUALIFICATIONS OF DIRECTOR OF LAW**

“The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District.” (ORC. 3313.35)

\*\*\*\*\*

**4 – Eliminate Section 6.09 (“Allotments”) of the Charter in its entirety and replace same with the words “Intentionally omitted – Section Available for Future Use”**

\*\*\*\*\*

**5 – Correct erroneous reference as “Article VII” in Article VIII to “Article VIII”, and eliminate all of Article VIII in its entirety and replace same with the following:**

**“ARTICLE VIII**

**SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

**SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include:

- (1) Members of the council;
- (2) The clerk of council;
- (3) The city manager;
- (4) The directors of departments;
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager;
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants; and
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments.

**SECTION 8.03. PERSONNEL OFFICER.**

The City Manager shall appoint a suitably qualified person to serve part or full time as personnel officer. The City Manager shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligible persons to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit system in the city;
- (8) Develop and conduct training programs; and
- (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.”

DRAFT

## MASTER CHARTER REVIEW COMMITTEE RECOMMENDATIONS (REDLINED)

### **SECTION 2.08. POWERS OF THE COUNCIL.**

Among other powers the council shall have authority to:

- (1) Adopt ordinances and resolutions on any subject within the scope of its powers, and to provide penalties for the violation thereof;
- (2) Establish the internal organization of the city administration, boards, and commissions created by this charter; set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties; xx[3-21-24]xx

\*\*\*\*\*

### **SECTION 4.02. DUTIES OF THE CITY MANAGER.**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

- (1) See that this charter and the ordinances and resolutions of the city are faithfully observed and enforced;
- (2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, under the merit system as provided in this charter; xx[3-21-24]xx

\*\*\*\*\*

### **SECTION 5.10. QUALIFICATIONS OF DIRECTOR OF LAW.**

The director of the department of law shall be an attorney-at-law, admitted to practice before the Supreme Court of Ohio, and in good professional standing. He shall perform such duties as may be assigned to the office of city solicitor by law, as well as those imposed by the administrative code. The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District. xx[4-11-24]xx

\*\*\*\*\*

SECTION 6.09. Intentionally omitted – Section Available for Future Use xx[4-15-24.]xx

\*\*\*\*\*

## **ARTICLE VIII xx[4-6-24]xx**

### **PERSONNEL**

#### **SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

#### **SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include: :

- (1) Members of the council
- (2) The clerk of council
- (3) The city manager
- (4) The directors of departments
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager.
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants.
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments

#### **SECTION 8.03. PERSONNEL OFFICER.**

The city manager shall appoint a suitably qualified person to serve part or full time as personnel officer. He/She shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligibles to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit

- system in the city;
- (8) Develop and conduct training programs;
  - (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.

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DRAFT

**ORDINANCE NO. 2024-28**

Introduced by: Matt Grieves

**AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT OF ARTICLE VIII OF THE CHARTER OF THE CITY OF HURON BY REPLACING ARTICLE VIII RELATING TO PERSONNEL IN ITS ENTIRETY.**

WHEREAS, Article XII, Section 12.06 of the Charter for the City of Huron ("City") provides that amendments to the Charter may be initiated either by a five-sevenths vote of the council, or by petition to the council signed by ten per cent of the electors; and

WHEREAS, the Charter Review Commission was established by the electorate of the City in November 2023 to review the Charter and recommend changes; and

WHEREAS, Article VIII *Personnel*, erroneously numbered in the Charter as "Article VII *Personnel*," currently reads as set forth on Exhibit A.

WHEREAS, the Charter Review Commission has met and recommends that certain changes be submitted to the electorate for the November 2024 general election; and

WHEREAS, the Charter Review Commission has requested that this Council initiate an amendment to the Charter "Article VII *Personnel*," by replacing it in its entirety with the language set forth on Exhibit B to update Article VIII in accordance with the employment practices of the City and current, generally applicable laws of the State of Ohio, and to correct the number of the Article to reflect its proper placement within the Charter.

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

Section 1: That Council hereby authorizes and directs the submission to the electors of the City of Huron at the general election to be held at the usual places of voting in said City on Tuesday, November 5, 2024, between the hours as provided by law, of the following proposal to amend erroneously numbered "Article VII *Personnel*" of the Charter of the City of Huron by replacing it in its entirety with the language set forth on Exhibit B (new language underlined; deleted language ~~struck through~~).

Section 2: Subject to final approval by the Erie County Board of Election and any changes and/or modifications recommended by same, the ballot submitting the question of the adoption of the proposed amendment to the Charter shall read substantially as follows:

**PROPOSED CHARTER AMENDMENT  
CITY OF HURON, OHIO**

**A majority affirmative vote is necessary for passage.**

Shall Article VIII (currently erroneously identified as "Article VII") of the Charter of the City of Huron be amended by replacing it in its entirety to better align with the employment practices of the City and the current, generally applicable laws of the State of Ohio?

**Yes**



**No**

Section 3: The foregoing proposed amendment, upon receiving at least a majority of the votes cast thereon at the November 5, 2024 general election, shall become effective as of January 1, 2025.

Section 4: The Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this Ordinance to the Board of Elections of Erie County, Ohio.

Section 5: The Board of Elections of Erie County, Ohio shall cause an appropriate notice to be duly given of the general election to be held on November 5, 2024, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6: The Clerk of Council is hereby authorized and directed to cause the full text of such proposed charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Huron, with the first publication to be made at least fifteen days prior to the general election to be held on November 5, 2024, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio.

Section 7: Unless expenses associated with this Ordinance are already contained within the City's budgeted expenses, there is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorizations and directions of this Ordinance.

Section 8: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

---

Monty Tapp, Mayor

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

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

## **Exhibit A**

### **ARTICLE VII**

#### **PERSONNEL**

##### **SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the administrative service of the city shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

##### **SECTION 8.02. EXEMPT POSITIONS.**

All positions in the service of the city shall be filled pursuant to open competitive examinations except:

- (1) Members of the council
- (2) The clerk of council
- (3) The city manager
- (4) The directors of departments
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager.
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants.

##### **SECTION 8.03. PERSONNEL OFFICER.**

The city manager shall appoint a suitably qualified person to serve part or full time as personnel officer. He shall:

- (1) Conduct recruitment of qualified persons;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligibles to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit system in the city;
- (8) Develop and conduct training programs;
- (9) Perform such other duties relating to personnel as the city manager may direct.

##### **SECTION 8.04. PERSONNEL APPEALS BOARD.**

There shall be a personnel appeals board consisting of three members who shall be selected by the council, one each year for an overlapping term of three years. Each member of the personnel appeals board shall be a qualified elector, known to be in sympathy with the merit principle as applied to the civil service, shall neither hold nor be a candidate for any public office or employment and shall not be a member of any local, state or national committee of a political party or an officer in any partisan political club or organization. Its members shall serve without compensation.

#### **SECTION 8.05. DUTIES OF PERSONNEL APPEALS BOARD.**

The personnel appeals board shall hear appeals when any officer or employee of the city in the non-exempt service feels aggrieved by any action of the personnel director or the city manager or of any department head, or is suspended, reduced, or removed, and requests such hearing. The board shall make its own rules, choose its own officers, and have authority to subpoena witnesses and to require the production of records.

#### **SECTION 8.06. CANDIDACY FOR PARTISAN OFFICE.**

No officer or employee in the non-exempt service of the city shall continue therein after becoming a candidate for nomination or election to any partisan public office.

#### **SECTION 8.07. PARTISAN POLITICAL ACTIVITY.**

No person holding a position in the non-exempt service of the city shall take any part in the management, affairs or campaign of any political party further than in the exercise of his rights as a citizen to express his opinion and cast his vote.

#### **SECTION 8.08. PENALTIES.**

Any person who violates the provisions of Section 8.06 or 8.07 of this charter shall be guilty of a misdemeanor and shall, if an officer or employee of the city, be guilty of malfeasance in office and upon conviction shall be removed from the office or position he holds and shall be ineligible for election or appointment to any position in the city service for a period of five years.

#### **SECTION 8.09. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in any position in the service of the city, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he shall appoint one of the three so certified, as may be provided by ordinance.

## **Exhibit B**

### **ARTICLE VIII**

#### **PERSONNEL**

##### **SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

##### **SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include:

- (7) Members of the council
- (8) The clerk of council
- (9) The city manager
- (10) The directors of departments
- (11) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager.
- (12) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants.
- (13) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments

##### **SECTION 8.03. PERSONNEL OFFICER.**

The city manager shall appoint a suitably qualified person to serve part or full time as personnel officer. He/She shall:

- (10) Conduct recruitment of qualified persons for classified and unclassified positions;
- (11) Prepare, schedule and hold examinations;
- (12) Create eligible lists from results of examinations;
- (13) Certify eligibles to appointing officers;
- (14) Classify positions and establish job specifications;
- (15) Certify payrolls;
- (16) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit system in the city;
- (17) Develop and conduct training programs;
- (18) Perform such other duties relating to personnel as the city manager may direct.

##### **SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he shall appoint one of the three so certified, as may be provided by ordinance.



**TO:** Mayor Tapp and City Council  
**FROM:** Todd Schrader  
**RE:** Ordinance No. 2024-25 (**first reading**) (*submitted by Charter Review Commission*)  
**DATE:** June 25, 2024

---

### **Subject Matter/Background**

The Huron Charter Commission held its organizational meeting on March 7, 2024, to discuss the procedure for reviewing the Charter for the City of Huron. At the meeting on March 14, 2024, the Commission discussed Articles II and IV. The next meeting was on March 28, 2024, and the Commission discussed Articles III and misnumbered Article VII (should be VIII). At the meeting on April 11, 2024, the Commission discussed Articles V and VI. The Commission discussed Articles VII, IX and X at the meeting on April 25, 2024. At the meeting on May 9, 2024, the Commission discussed Articles XI, XII and XIII.

The Commission met on May 23, 2024 to determine the ten (10) most important items that are outdated in the Charter. Of those ten (10) items, the Commission selected five (5) they would like to suggest that the Huron City Council consider for the November 2024 ballot to be voted on by the citizens of Huron. A list of these five (5) items is attached hereto as Exhibit 1 and included herein by reference.

Ordinance No. 2024-25 would authorize and direct the submission to the electors of a proposed amendment to Article II, Section 2.08(2) of the Charter of the City of Huron, Ohio relating to Powers of Council. A redlined copy of all five (5) proposed Charter amendments is attached hereto as Exhibit 2 and included herein by reference.

This Ordinance will go through three (3) readings before a final vote of Council is taken to determine which is the five (5) proposed Charter amendments will be placed on the ballot for the November 2024 election.

### **Financial Review**

If approved by Council and put on the November ballot, the City may be charged by the Board of Elections. The Board of Elections estimates the cost will be approximately \$2,000. The cost will be deducted from the City's property tax distribution in 2025.

The charter change recommendations to Council do not have a significant financial impact on the City. The recommended changes are intended to eliminate outdated items in the current charter.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-25 on its first reading is in order.

[Final CRC Recommendations to Council \(May 2024\).docx](#)

[Master Charter - REDLINED EDITS CRC RECOMMENDATIONS \(6-7-24\).docx](#)



**Final Charter Review Committee Recommendations to Huron City Council**

**1 – Eliminate current Section 2.08(2) of the Charter and amend and restate same to state as follows:**

**Section 2.08 POWERS OF THE COUNCIL**

Among other powers, the council shall have authority to:

“(2) Establish the internal organization of the departments, boards, and commissions created by this Charter, set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties.”

\*\*\*\*\*

**2 – Eliminate current 4.02(2) of the Charter and amend and restate same to state as follows:**

**Section 4.02 DUTIES OF THE CITY MANAGER**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

“(2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, including the merit system as provided in Article VIII of this charter.”

\*\*\*\*\*

**3 – Add an additional sentence at the end of Section 5.10 of the Charter, which shall state as follows:**

**Section 5.10 QUALIFICATIONS OF DIRECTOR OF LAW**

“The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District.” (ORC. 3313.35)

\*\*\*\*\*

**4 – Eliminate Section 6.09 (“Allotments”) of the Charter in its entirety and replace same with the words “Intentionally omitted – Section Available for Future Use”**

\*\*\*\*\*

**5 – Correct erroneous reference as “Article VII” in Article VIII to “Article VIII”, and eliminate all of Article VIII in its entirety and replace same with the following:**

**“ARTICLE VIII**

**SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

**SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include:

- (1) Members of the council;
- (2) The clerk of council;
- (3) The city manager;
- (4) The directors of departments;
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager;
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants; and
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments.

**SECTION 8.03. PERSONNEL OFFICER.**

The City Manager shall appoint a suitably qualified person to serve part or full time as personnel officer. The City Manager shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
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- (4) Certify eligible persons to appointing officers;
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- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit system in the city;
- (8) Develop and conduct training programs; and
- (9) Perform such other duties relating to personnel as the city manager may direct.



**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.”

DRAFT

## MASTER CHARTER REVIEW COMMITTEE RECOMMENDATIONS (REDLINED)

### **SECTION 2.08. POWERS OF THE COUNCIL.**

Among other powers the council shall have authority to:

- (1) Adopt ordinances and resolutions on any subject within the scope of its powers, and to provide penalties for the violation thereof;
- (2) Establish the internal organization of the city administration, boards, and commissions created by this charter; set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties; xx[3-21-24]xx

\*\*\*\*\*

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The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

- (1) See that this charter and the ordinances and resolutions of the city are faithfully observed and enforced;
- (2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, under the merit system as provided in this charter; xx[3-21-24]xx

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### **SECTION 5.10. QUALIFICATIONS OF DIRECTOR OF LAW.**

The director of the department of law shall be an attorney-at-law, admitted to practice before the Supreme Court of Ohio, and in good professional standing. He shall perform such duties as may be assigned to the office of city solicitor by law, as well as those imposed by the administrative code. The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District. xx[4-11-24]xx

\*\*\*\*\*

SECTION 6.09. Intentionally omitted – Section Available for Future Use xx[4-15-24.]xx

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## **ARTICLE VIII xx[4-6-24]xx**

### **PERSONNEL**

#### **SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

#### **SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include: :

- (1) Members of the council
- (2) The clerk of council
- (3) The city manager
- (4) The directors of departments
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager.
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants.
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments

#### **SECTION 8.03. PERSONNEL OFFICER.**

The city manager shall appoint a suitably qualified person to serve part or full time as personnel officer. He/She shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligibles to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit

- system in the city;
- (8) Develop and conduct training programs;
  - (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.

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DRAFT

**ORDINANCE NO. 2024-25**

Introduced by: William Biddlecombe

**AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO ARTICLE II, SECTION 2.08(2) OF THE CHARTER OF THE CITY OF HURON RELATING TO POWERS OF THE COUNCIL.**

WHEREAS, Article XII, Section 12.06 of the Charter for the City of Huron ("City") provides that amendments to the Charter may be initiated either by a five-sevenths vote of the council, or by petition to the council signed by ten per cent of the electors; and

WHEREAS, the Charter Review Commission was established by the electorate of the City in November 2023 to review the Charter and recommend changes; and

WHEREAS, Article II, Section 2.08(2) *Powers of the Council* currently reads:

"Among other powers the council shall have authority to: ...

- (2) Establish the internal organization and staffing of the departments, boards and commissions created by this charter; set up such additional departments, boards or commissions as it may deem necessary and determine their powers and duties;"

WHEREAS, the Charter Review Commission has met and recommends that certain changes be submitted to the electorate for the November 2024 general election; and

WHEREAS, the Charter Review Commission has requested that this Council initiate an amendment to the Charter Article II, Section 2.08(2) *Powers of the Council*.

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

Section 1: That Council hereby authorizes and directs the submission to the electors of the City of Huron at the general election to be held at the usual places of voting in said City on Tuesday, November 5, 2024, between the hours as provided by law, of the following proposal to amend Article II, Section 2.08(2) *Powers of the Council* of the Charter of the City of Huron to read (new language underlined; deleted language ~~struck through~~):

"Among other powers the ~~c~~Council shall have authority to:...

- (2) Establish the internal organization of the city administration ~~and staffing of the departments~~, boards and commissions created by this ~~c~~Charter; set up such additional departments, boards or commissions as it may deem necessary and determine their powers and duties;"

Section 2: Subject to final approval by the Erie County Board of Election and any changes and/or modifications recommended by same, the ballot submitting the question of the adoption of the proposed amendment to the Charter shall read substantially as follows:

**PROPOSED CHARTER AMENDMENT  
CITY OF HURON, OHIO**

**A majority affirmative vote is necessary for passage.**

Shall Article II, Section 2.08(2) of the Charter of the City of Huron be amended to clarify the duties of the Council of the City of Huron with respect to its oversight of the organization of city administration?

**Yes**

**No**

Section 3: The foregoing proposed amendment, upon receiving at least a majority of the votes cast thereon at the November 5, 2024 general election, shall become effective as of January 1, 2025.

Section 4: The Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this Ordinance to the Board of Elections of Erie County, Ohio.

Section 5: The Board of Elections of Erie County, Ohio shall cause an appropriate notice to be duly given of the general election to be held on November 5, 2024, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6: The Clerk of Council is hereby authorized and directed to cause the full text of such proposed charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Huron, with the first publication to be made at least fifteen days prior to the general election to be held on November 5, 2024, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio.

Section 7: Unless expenses associated with this Ordinance are already contained within the City's budgeted expenses, there is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorizations and directions of this Ordinance.

Section 8: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

\_\_\_\_\_  
Monty Tapp, Mayor

ATTEST: \_\_\_\_\_

Clerk of Council



**TO:** Mayor Tapp and City Council  
**FROM:** Todd Schrader  
**RE:** Ordinance No. 2024-26 (**first reading**) (*submitted by Charter Review Commission*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

The Huron Charter Commission held its organizational meeting on March 7, 2024, to discuss the procedure for reviewing the Charter for the City of Huron. At the meeting on March 14, 2024, the Commission discussed Articles II and IV. The next meeting was on March 28, 2024, and the Commission discussed Articles III and misnumbered Article VII (should be VIII). At the meeting on April 11, 2024, the Commission discussed Articles V and VI. The Commission discussed Articles VII, IX and X at the meeting on April 25, 2024. At the meeting on May 9, 2024, the Commission discussed Articles XI, XII and XIII.

The Commission met on May 23, 2024 to determine the ten (10) most important items that are outdated in the Charter. Of those ten (10) items, the Commission selected five (5) they would like to suggest that the Huron City Council consider for the November 2024 ballot to be voted on by the citizens of Huron. A list of these five (5) items is attached hereto as Exhibit 1 and included herein by reference.

Ordinance No. 2024-26 would authorize and direct the submission to the electors of a proposed amendment to Article VI of the Charter of the City of Huron, Ohio to delete Section 6.09 relating to Allotments. A redlined copy of all five (5) proposed Charter amendments is attached hereto as Exhibit 2 and included herein by reference.

This Ordinance will go through three (3) readings before a final vote of Council is taken to determine which is the five (5) proposed Charter amendments will be placed on the ballot for the November 2024 election.

### **Financial Review**

If approved by Council and put on the November ballot, the City may be charged by the Board of Elections. The Board of Elections estimates the cost will be approximately \$2,000. The cost will be deducted from the City's property tax distribution in 2025.

The charter change recommendations to Council do not have a significant financial impact on the City. The recommended changes are intended to eliminate outdated items in the current charter. Allotments is an administrative process when the City was a village. Currently, the City's annual budget process through the Finance Committee and Council warrants this quarterly process an unnecessary and inefficient use of City resources.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-26 on its first reading is in order.

[Final CRC Recommendations to Council \(May 2024\).docx](#)

[Master Charter - REDLINED EDITS CRC RECOMMENDATIONS \(6-7-24\).docx](#)

[Ordinance No. 2024-26 Charter Amendment Authorizing Deletion of Art VI Sec 6.09.pdf](#)

**Final Charter Review Committee Recommendations to Huron City Council**

**1 – Eliminate current Section 2.08(2) of the Charter and amend and restate same to state as follows:**

**Section 2.08 POWERS OF THE COUNCIL**

Among other powers, the council shall have authority to:

“(2) Establish the internal organization of the departments, boards, and commissions created by this Charter, set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties.”

\*\*\*\*\*

**2 – Eliminate current 4.02(2) of the Charter and amend and restate same to state as follows:**

**Section 4.02 DUTIES OF THE CITY MANAGER**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

“(2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, including the merit system as provided in Article VIII of this charter.”

\*\*\*\*\*

**3 – Add an additional sentence at the end of Section 5.10 of the Charter, which shall state as follows:**

**Section 5.10 QUALIFICATIONS OF DIRECTOR OF LAW**

“The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District.” (ORC. 3313.35)

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**4 – Eliminate Section 6.09 (“Allotments”) of the Charter in its entirety and replace same with the words “Intentionally omitted – Section Available for Future Use”**

\*\*\*\*\*

**5 – Correct erroneous reference as “Article VII” in Article VIII to “Article VIII”, and eliminate all of Article VIII in its entirety and replace same with the following:**

**“ARTICLE VIII**

**SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

**SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include:

- (1) Members of the council;
- (2) The clerk of council;
- (3) The city manager;
- (4) The directors of departments;
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager;
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants; and
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments.

**SECTION 8.03. PERSONNEL OFFICER.**

The City Manager shall appoint a suitably qualified person to serve part or full time as personnel officer. The City Manager shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligible persons to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit system in the city;
- (8) Develop and conduct training programs; and
- (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.”

DRAFT

## MASTER CHARTER REVIEW COMMITTEE RECOMMENDATIONS (REDLINED)

### **SECTION 2.08. POWERS OF THE COUNCIL.**

Among other powers the council shall have authority to:

- (1) Adopt ordinances and resolutions on any subject within the scope of its powers, and to provide penalties for the violation thereof;
- (2) Establish the internal organization of the city administration, boards, and commissions created by this charter; set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties; xx[3-21-24]xx

\*\*\*\*\*

### **SECTION 4.02. DUTIES OF THE CITY MANAGER.**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

- (1) See that this charter and the ordinances and resolutions of the city are faithfully observed and enforced;
- (2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, under the merit system as provided in this charter; xx[3-21-24]xx

\*\*\*\*\*

### **SECTION 5.10. QUALIFICATIONS OF DIRECTOR OF LAW.**

The director of the department of law shall be an attorney-at-law, admitted to practice before the Supreme Court of Ohio, and in good professional standing. He shall perform such duties as may be assigned to the office of city solicitor by law, as well as those imposed by the administrative code. The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District. xx[4-11-24]xx

\*\*\*\*\*

SECTION 6.09. Intentionally omitted – Section Available for Future Use xx[4-15-24.]xx

\*\*\*\*\*

## **ARTICLE VIII xx[4-6-24]xx**

### **PERSONNEL**

#### **SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

#### **SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include: :

- (1) Members of the council
- (2) The clerk of council
- (3) The city manager
- (4) The directors of departments
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager.
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants.
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments

#### **SECTION 8.03. PERSONNEL OFFICER.**

The city manager shall appoint a suitably qualified person to serve part or full time as personnel officer. He/She shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligibles to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit

- system in the city;
- (8) Develop and conduct training programs;
  - (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.

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DRAFT

**ORDINANCE NO. 2024-26**

Introduced by: Sam Artino

**AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO ARTICLE VI OF THE CHARTER OF THE CITY OF HURON TO DELETE SECTION 6.09 RELATING TO ALLOTMENTS.**

WHEREAS, Article XII, Section 12.06 of the Charter for the City of Huron ("City") provides that amendments to the Charter may be initiated either by a five-sevenths vote of the council, or by petition to the council signed by ten per cent of the electors; and

WHEREAS, the Charter Review Commission was established by the electorate of the City in November 2023 to review the Charter and recommend changes; and

WHEREAS, Article VI, Section 6.09 *Allotments* currently reads

"Appropriations for current operation of the organization units of the city government shall become available for encumbrance only when allotted by the city manager, based on currently valid work plans for each agency made in conformity with the appropriation ordinance and submitted to the city manager by the agency head at least five days before the end of each calendar quarter for the succeeding calendar quarter. The allotments made by the city manager shall be filed with the director of finance on or before the first day of the quarter to which they relate and shall authorize the director of finance to accept, from the organization units involved, purchase orders, contracts and payrolls for encumbrance, and payment to an aggregate amount not exceeding the quarterly allotment for each item. The total annual allotment to any agency may not exceed the total amount appropriated for the use of such agency during the fiscal year. Any unallotted balance of any appropriation item and any unencumbered balance of any allotment at the end of the fiscal year shall be lapsed into the municipal treasury."

WHEREAS, the Charter Review Commission has met and recommends that certain changes be submitted to the electorate for the November 2024 general election; and

WHEREAS, the Charter Review Commission has requested that this Council initiate an amendment to the Charter Article VI, by deleting Section 6.09 *Allotments* in its entirety as such provision is not consistent with the method and manner of current City operations.

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

Section 1: That Council hereby authorizes and directs the submission to the electors of the City of Huron at the general election to be held at the usual places of voting in said City on Tuesday, November 5, 2024, between the hours as provided by law, of the following proposal to amend Charter Article VI, by deleting Section 6.09 *Allotments* of the Charter of the City of Huron in its entirety as such provision is not consistent with the method and manner of current City operations.

Section 2: Subject to final approval by the Erie County Board of Election and any changes and/or modifications recommended by same, the ballot submitting the question of the adoption of the proposed amendment to the Charter shall read substantially as follows:

**PROPOSED CHARTER AMENDMENT  
CITY OF HURON, OHIO**

**A majority affirmative vote is necessary for passage. s**

Shall Section 6.09 of Article VI of the Charter of the City of Huron (pertaining to "Allotments") be deleted?

**Yes**

**No**

Section 3: The foregoing proposed amendment, upon receiving at least a majority of the votes cast thereon at the November 5, 2024 general election, shall become effective as of January 1, 2025.

Section 4: The Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this Ordinance to the Board of Elections of Erie County, Ohio.

Section 5: The Board of Elections of Erie County, Ohio shall cause an appropriate notice to be duly given of the general election to be held on November 5, 2024, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6: The Clerk of Council is hereby authorized and directed to cause the full text of such proposed charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Huron, with the first publication to be made at least fifteen days prior to the general election to be held on November 5, 2024, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio.

Section 7: Unless expenses associated with this Ordinance are already contained within the City's budgeted expenses, there is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorizations and directions of this Ordinance.

Section 8: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

\_\_\_\_\_  
Monty Tapp, Mayor

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

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





**TO:** Mayor Tapp and City Council  
**FROM:** Todd Schrader  
**RE:** Ordinance No. 2024-27 (**first reading**) (*submitted by Charter Review Commission*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

The Huron Charter Commission held its organizational meeting on March 7, 2024, to discuss the procedure for reviewing the Charter for the City of Huron. At the meeting on March 14, 2024, the Commission discussed Articles II and IV. The next meeting was on March 28, 2024, and the Commission discussed Articles III and misnumbered Article VII (should be VIII). At the meeting on April 11, 2024, the Commission discussed Articles V and VI. The Commission discussed Articles VII, IX and X at the meeting on April 25, 2024. At the meeting on May 9, 2024, the Commission discussed Articles XI, XII and XIII.

The Commission met on May 23, 2024 to determine the ten (10) most important items that are outdated in the Charter. Of those ten (10) items, the Commission selected five (5) they would like to suggest that the Huron City Council consider for the November 2024 ballot to be voted on by the citizens of Huron. A list of these five (5) items is attached hereto as Exhibit 1 and included herein by reference.

Ordinance No. 2024-27 would authorize and direct the submission to the electors of a proposed amendment to Article IV, Section 4.02(2) of the Charter of the City of Huron relating to duties of the City Manager. A redlined copy of all five (5) proposed Charter amendments is attached hereto as Exhibit 2 and included herein by reference.

This Ordinance will go through three (3) readings before a final vote of Council is taken to determine which is the five (5) proposed Charter amendments will be placed on the ballot for the November 2024 election.

### **Financial Review**

If approved by Council and put on the November ballot, the City may be charged by the Board of Elections. The Board of Elections estimates the cost will be approximately \$2,000. The cost will be deducted from the City's property tax distribution in 2025.

The charter change recommendations to Council do not have a significant financial impact on the City. The recommended changes are intended to eliminate outdated items in the current charter.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-27 is in order.

[Final CRC Recommendations to Council \(May 2024\).docx](#)



[Master Charter - REDLINED EDITS CRC RECOMMENDATIONS \(6-7-24\).docx](#)

[Ordinance No. 2024-27 Charter Amendment Amend Art IV Sec 4.02.pdf](#)

**Final Charter Review Committee Recommendations to Huron City Council**

**1 – Eliminate current Section 2.08(2) of the Charter and amend and restate same to state as follows:**

**Section 2.08 POWERS OF THE COUNCIL**

Among other powers, the council shall have authority to:

“(2) Establish the internal organization of the departments, boards, and commissions created by this Charter, set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties.”

\*\*\*\*\*

**2 – Eliminate current 4.02(2) of the Charter and amend and restate same to state as follows:**

**Section 4.02 DUTIES OF THE CITY MANAGER**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

“(2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, including the merit system as provided in Article VIII of this charter.”

\*\*\*\*\*

**3 – Add an additional sentence at the end of Section 5.10 of the Charter, which shall state as follows:**

**Section 5.10 QUALIFICATIONS OF DIRECTOR OF LAW**

“The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District.” (ORC. 3313.35)

\*\*\*\*\*

**4 – Eliminate Section 6.09 (“Allotments”) of the Charter in its entirety and replace same with the words “Intentionally omitted – Section Available for Future Use”**

\*\*\*\*\*

**5 – Correct erroneous reference as “Article VII” in Article VIII to “Article VIII”, and eliminate all of Article VIII in its entirety and replace same with the following:**

**“ARTICLE VIII**

**SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

**SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include:

- (1) Members of the council;
- (2) The clerk of council;
- (3) The city manager;
- (4) The directors of departments;
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager;
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants; and
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments.

**SECTION 8.03. PERSONNEL OFFICER.**

The City Manager shall appoint a suitably qualified person to serve part or full time as personnel officer. The City Manager shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligible persons to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit system in the city;
- (8) Develop and conduct training programs; and
- (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.”

DRAFT

## MASTER CHARTER REVIEW COMMITTEE RECOMMENDATIONS (REDLINED)

### **SECTION 2.08. POWERS OF THE COUNCIL.**

Among other powers the council shall have authority to:

- (1) Adopt ordinances and resolutions on any subject within the scope of its powers, and to provide penalties for the violation thereof;
- (2) Establish the internal organization of the city administration, boards, and commissions created by this charter; set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties; xx[3-21-24]xx

\*\*\*\*\*

### **SECTION 4.02. DUTIES OF THE CITY MANAGER.**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

- (1) See that this charter and the ordinances and resolutions of the city are faithfully observed and enforced;
- (2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, under the merit system as provided in this charter; xx[3-21-24]xx

\*\*\*\*\*

### **SECTION 5.10. QUALIFICATIONS OF DIRECTOR OF LAW.**

The director of the department of law shall be an attorney-at-law, admitted to practice before the Supreme Court of Ohio, and in good professional standing. He shall perform such duties as may be assigned to the office of city solicitor by law, as well as those imposed by the administrative code. The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District. xx[4-11-24]xx

\*\*\*\*\*

SECTION 6.09. Intentionally omitted – Section Available for Future Use xx[4-15-24.]xx

\*\*\*\*\*

## **ARTICLE VIII xx[4-6-24]xx**

### **PERSONNEL**

#### **SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

#### **SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include: :

- (1) Members of the council
- (2) The clerk of council
- (3) The city manager
- (4) The directors of departments
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager.
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants.
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments

#### **SECTION 8.03. PERSONNEL OFFICER.**

The city manager shall appoint a suitably qualified person to serve part or full time as personnel officer. He/She shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligibles to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit

- system in the city;
- (8) Develop and conduct training programs;
  - (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.

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DRAFT

**ORDINANCE NO. 2024-27**

Introduced by: Joe Dike

**AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO ARTICLE IV, SECTION 4.02(2) OF THE CHARTER OF THE CITY OF HURON RELATING TO DUTIES OF THE CITY MANAGER.**

WHEREAS, Article XII, Section 12.06 of the Charter for the City of Huron ("City") provides that amendments to the Charter may be initiated either by a five-sevenths vote of the council, or by petition to the council signed by ten per cent of the electors; and

WHEREAS, the Charter Review Commission was established by the electorate of the City in November 2023 to review the Charter and recommend changes; and

WHEREAS, Article IV, Section 4.02(2) *Duties of the City Manager* currently reads:

"SEC. 4.02. DUTIES OF THE CITY MANAGER.

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to: ...

- (2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, under the merit system as provided in this charter;"

WHEREAS, the Charter Review Commission has met and recommends that certain changes be submitted to the electorate for the November 2024 general election; and

WHEREAS, the Charter Review Commission has requested that this Council initiate an amendment to the Charter Article IV, Section 4.02(2) *Duties of the City Manager*.

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

Section 1: That Council hereby authorizes and directs the submission to the electors of the City of Huron at the general election to be held at the usual places of voting in said City on Tuesday, November 5, 2024, between the hours as provided by law, of the following proposal to amend Article IV, Section 4.02(2) *Duties of the City Manager* of the Charter of the City of Huron to read (new language underlined; deleted language ~~struck through~~):

"SEC. 4.02. DUTIES OF THE CITY MANAGER.

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to: ...

- (2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, ~~under the merit system as provided in this~~ in accordance with this eCharter and generally applicable law;

Section 2: Subject to final approval by the Erie County Board of Election and any changes and/or modifications recommended by same, the ballot submitting the question of the adoption of the proposed amendment to the Charter shall read substantially as follows:

**PROPOSED CHARTER AMENDMENT  
CITY OF HURON, OHIO**

**A majority affirmative vote is necessary for passage.**

Shall Article IV, Section 4.02(2) of the Charter of the City of Huron be amended to update the duties of the City Manager with respect to the City Manager's supervision of city employees and update the language consistent with other provisions of the Charter and Codified Ordinances?

**Yes**

**No**

Section 3: The foregoing proposed amendment, upon receiving at least a majority of the votes cast thereon at the November 5, 2024 general election, shall become effective as of January 1, 2025.

Section 4: The Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this Ordinance to the Board of Elections of Erie County, Ohio.

Section 5: The Board of Elections of Erie County, Ohio shall cause an appropriate notice to be duly given of the general election to be held on November 5, 2024, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6: The Clerk of Council is hereby authorized and directed to cause the full text of such proposed charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Huron, with the first publication to be made at least fifteen days prior to the general election to be held on November 5, 2024, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio.

Section 7: Unless expenses associated with this Ordinance are already contained within the City's budgeted expenses, there is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorizations and directions of this Ordinance.

Section 8: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal



actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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Monty Tapp, Mayor

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

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



**TO:** Mayor Tapp and City Council  
**FROM:** Todd Schrader  
**RE:** Ordinance No. 2024-29 (**first reading**) (*submitted by Charter Review Commission*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

The Huron Charter Commission held its organizational meeting on March 7, 2024, to discuss the procedure for reviewing the Charter for the City of Huron. At the meeting on March 14, 2024, the Commission discussed Articles II and IV. The next meeting was on March 28, 2024, and the Commission discussed Articles III and misnumbered Article VII (should be VIII). At the meeting on April 11, 2024, the Commission discussed Articles V and VI. The Commission discussed Articles VII, IX and X at the meeting on April 25, 2024. At the meeting on May 9, 2024, the Commission discussed Articles XI, XII and XIII.

The Commission met on May 23, 2024 to determine the ten (10) most important items that are outdated in the Charter. Of those ten (10) items, the Commission selected five (5) they would like to suggest that the Huron City Council consider for the November 2024 ballot to be voted on by the citizens of Huron. A list of these five (5) items is attached hereto as Exhibit 1 and included herein by reference.

Ordinance No. 2024-29 would authorize and direct the submission to the electors of a proposed amendment to Article V, Section 5.10 of the Charter of the City of Huron, Ohio relating to Qualifications of the Director of Law. A redlined copy of all five (5) proposed Charter amendments is attached hereto as Exhibit 2 and included herein by reference.

This Ordinance will go through three (3) readings before a final vote of Council is taken to determine which is the five (5) proposed Charter amendments will be placed on the ballot for the November 2024 election.

### **Financial Review**

If approved by Council and put on the November ballot, the City may be charged by the Board of Elections. The Board of Elections estimates the cost will be approximately \$2,000. The cost will be deducted from the City's property tax distribution in 2025.

The charter change recommendations to Council do not have a significant financial impact on the City. The recommended changes are intended to eliminate outdated items in the current charter.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-29 on its first reading is in order.

[Final CRC Recommendations to Council \(May 2024\).docx](#)

[Master Charter - REDLINED EDITS CRC RECOMMENDATIONS \(6-7-24\).docx](#)

[Ordinance No. 2024-29 Charter Amendment Amend Art V, Section 5.10 Law Director.pdf](#)

**Final Charter Review Committee Recommendations to Huron City Council**

**1 – Eliminate current Section 2.08(2) of the Charter and amend and restate same to state as follows:**

**Section 2.08 POWERS OF THE COUNCIL**

Among other powers, the council shall have authority to:

“(2) Establish the internal organization of the departments, boards, and commissions created by this Charter, set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties.”

\*\*\*\*\*

**2 – Eliminate current 4.02(2) of the Charter and amend and restate same to state as follows:**

**Section 4.02 DUTIES OF THE CITY MANAGER**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

“(2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, including the merit system as provided in Article VIII of this charter.”

\*\*\*\*\*

**3 – Add an additional sentence at the end of Section 5.10 of the Charter, which shall state as follows:**

**Section 5.10 QUALIFICATIONS OF DIRECTOR OF LAW**

“The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District.” (ORC. 3313.35)

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**4 – Eliminate Section 6.09 (“Allotments”) of the Charter in its entirety and replace same with the words “Intentionally omitted – Section Available for Future Use”**

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**5 – Correct erroneous reference as “Article VII” in Article VIII to “Article VIII”, and eliminate all of Article VIII in its entirety and replace same with the following:**

**“ARTICLE VIII**

**SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

**SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include:

- (1) Members of the council;
- (2) The clerk of council;
- (3) The city manager;
- (4) The directors of departments;
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager;
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants; and
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments.

**SECTION 8.03. PERSONNEL OFFICER.**

The City Manager shall appoint a suitably qualified person to serve part or full time as personnel officer. The City Manager shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligible persons to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit system in the city;
- (8) Develop and conduct training programs; and
- (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.”

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## MASTER CHARTER REVIEW COMMITTEE RECOMMENDATIONS (REDLINED)

### **SECTION 2.08. POWERS OF THE COUNCIL.**

Among other powers the council shall have authority to:

- (1) Adopt ordinances and resolutions on any subject within the scope of its powers, and to provide penalties for the violation thereof;
- (2) Establish the internal organization of the city administration, boards, and commissions created by this charter; set up such additional departments, boards or commissions as it may deem necessary, and determine their powers and duties; xx[3-21-24]xx

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### **SECTION 4.02. DUTIES OF THE CITY MANAGER.**

The city manager shall be the chief executive and administrative officer of the city. He shall be responsible to the council for the proper administration of all affairs of the city and, to that end, subject to the provisions of this charter, he shall have authority and shall be required to:

- (1) See that this charter and the ordinances and resolutions of the city are faithfully observed and enforced;
- (2) Appoint, and when necessary for the good of the service, remove all officers and employees of the city, not selected or appointed by the council, under the merit system as provided in this charter; xx[3-21-24]xx

\*\*\*\*\*

### **SECTION 5.10. QUALIFICATIONS OF DIRECTOR OF LAW.**

The director of the department of law shall be an attorney-at-law, admitted to practice before the Supreme Court of Ohio, and in good professional standing. He shall perform such duties as may be assigned to the office of city solicitor by law, as well as those imposed by the administrative code. The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District. xx[4-11-24]xx

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SECTION 6.09. Intentionally omitted – Section Available for Future Use xx[4-15-24.]xx

\*\*\*\*\*

## **ARTICLE VIII xx[4-6-24]xx**

### **PERSONNEL**

#### **SECTION 8.01. MERIT SYSTEM ESTABLISHED.**

Appointments and promotions in the police and fire departments shall be made according to merit, to be ascertained, so far as practicable, by open competitive examinations.

#### **SECTION 8.02. UNCLASSIFIED POSITIONS.**

Unclassified positions include: :

- (1) Members of the council
- (2) The clerk of council
- (3) The city manager
- (4) The directors of departments
- (5) Members of boards and commissions appointed by the council, and advisory committees appointed by the city manager.
- (6) Temporary employees of exceptional, professional, or scientific qualifications engaged as consultants.
- (7) All employees who are not police officers, firefighters/paramedics and or other full-time sworn officers of the police and fire departments

#### **SECTION 8.03. PERSONNEL OFFICER.**

The city manager shall appoint a suitably qualified person to serve part or full time as personnel officer. He/She shall:

- (1) Conduct recruitment of qualified persons for classified and unclassified positions;
- (2) Prepare, schedule and hold examinations;
- (3) Create eligible lists from results of examinations;
- (4) Certify eligibles to appointing officers;
- (5) Classify positions and establish job specifications;
- (6) Certify payrolls;
- (7) Prepare and recommend to the city manager for approval and publication, necessary rules to establish and maintain the merit

- system in the city;
- (8) Develop and conduct training programs;
  - (9) Perform such other duties relating to personnel as the city manager may direct.

**SECTION 8.04. PROMOTIONAL EXAMINATIONS.**

Whenever a vacancy occurs in the police or fire department, which is not exempted under the provisions of Section 8.02 of this charter it shall be filled in the manner provided in the personnel ordinance. Promotional examinations may be restricted to present employees, or if recommended by the city manager, they may be opened to qualified candidates from outside the city service, by resolution of the council. The names of the three eligibles standing highest on the promotional eligible list shall be certified to the appointing authority and he/she shall appoint one of the three so certified, as may be provided by ordinance.

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**ORDINANCE NO. 2024-29**

Introduced by: William Biddlecombe

**AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSED AMENDMENT TO ARTICLE V, SECTION 5.10 OF THE CHARTER OF THE CITY OF HURON RELATING TO QUALIFICATIONS OF THE DIRECTOR OF LAW.**

WHEREAS, Article XII, Section 12.06 of the Charter for the City of Huron ("City") provides that amendments to the Charter may be initiated either by a five-sevenths vote of the council, or by petition to the council signed by ten per cent of the electors; and

WHEREAS, the Charter Review Commission was established by the electorate of the City in November 2023 to review the Charter and recommend changes; and

WHEREAS, Article V, Section 5.10 *Qualifications of the Director of Law* currently reads

"The director of the department of law shall be an attorney-at-law, admitted to practice before the Supreme Court of Ohio, and in good professional standing. He shall perform such duties as may be assigned to the office of city solicitor by law, as well as those imposed by the administrative code."

WHEREAS, the Charter Review Commission has met and recommends that certain changes be submitted to the electorate for the November 2024 general election; and

WHEREAS, the Charter Review Commission has requested that this Council initiate an amendment to the Charter Article V, Section 5.10 *Qualifications of the Director of Law*.

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

Section 1: That Council hereby authorizes and directs the submission to the electors of the City of Huron at the general election to be held at the usual places of voting in said City on Tuesday, November 5, 2024, between the hours as provided by law, of the following proposal to amend Article V, Section 5.10 *Qualifications of the Director of Law* of the Charter of the City of Huron to read (new language underlined):

"The director of the department of law shall be an attorney-at-law, admitted to practice before the Supreme Court of Ohio, and in good professional standing. He shall perform such duties as may be assigned to the office of city solicitor by law, as well as those imposed by the administrative code. The City Law Director shall not be permitted to serve as the legal adviser nor attorney for the Huron City School District."

Section 2: Subject to final approval by the Erie County Board of Election and any changes and/or modifications recommended by same, the ballot submitting the question of the adoption of the proposed amendment to the Charter shall read substantially similar to what follows:

**PROPOSED CHARTER AMENDMENT  
CITY OF HURON, OHIO**

**A majority affirmative vote is necessary for passage.**

Shall Section 5.10 of Article V of the Charter of the City of Huron be amended to prohibit the City Law Director from serving as the legal advisor or attorney for the Huron City School District?

**Yes**

**No**

Section 3: The foregoing proposed amendment, upon receiving at least a majority of the votes cast thereon at the November 5, 2024 general election, shall become effective as of January 1, 2025.

Section 4: The Clerk of this Council is hereby authorized and directed promptly to forward a certified copy of this Ordinance to the Board of Elections of Erie County, Ohio.

Section 5: The Board of Elections of Erie County, Ohio shall cause an appropriate notice to be duly given of the general election to be held on November 5, 2024, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

Section 6: The Clerk of Council is hereby authorized and directed to cause the full text of such proposed charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Huron, with the first publication to be made at least fifteen days prior to the general election to be held on November 5, 2024, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio.

Section 7: Unless expenses associated with this Ordinance are already contained within the City's budgeted expenses, there is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorizations and directions of this Ordinance.

Section 8: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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Monty Tapp, Mayor

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

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



**TO:** Mayor Tapp and City Council  
**FROM:** Cory Swaisgood  
**RE:** Ordinance No. 2024-24 (*submitted by Cory Swaisgood*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

This ordinance amends the City's tax code in sections 185.01, 185.03 AND 185.04 of the codified ordinances. The ordinance provides for the levy of an additional income tax of 0.75% beginning January 1, 2025. This legislation also provides for a credit on income earned in other income tax paying jurisdiction, up to 1.75%.

The administration was tasked with researching additional revenue sources following approval of the 2024 budget in December of 2023. The administration is recommending an income tax increase from 1% to 1.75%, allowing for a credit up to 1.75% for residents that work in another income tax paying jurisdiction. Currently, the City does not offer a credit. Over the last few months, the administration has held multiple public meetings to educate residents on the potential income tax increase. Following those meetings, the administrative still feels confident this income tax increase is the best long-term solution for the City's forecasted budget deficits.

This ordinance is expected to go three readings and tabled until after the election on November 5, 2024, if Council puts the income tax increase on the ballot. Resolution 57-2024 is a resolution of necessity to put a City income tax increase on the November ballot.

### **Financial Review**

There is no financial impact to the City for this legislation. If the income tax increase is passed by the voters, the City is expected to receive an additional \$1.8M in income tax revenue per year. The increase is expected to provide long-term budget stabilization for essential services and continue quality of life improvements for City residents. Resolution 57-2024 would put the increase on the November ballot if passed by Council prior to August 7, 2024.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-24 on the table after its first reading as an emergency measure is in order.

[Ordinance No. 2024-24 Amending Sections 185.01 .03 and .04 of the Codified Ordinances to Increase the Income Tax Rate.docx](#)

ORDINANCE NO. 2024-24  
Introduced by Mark Claus

AN ORDINANCE AMENDING SECTIONS 185.01, 185.03, 185.04 AND 185.06 OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, OHIO, TO PROVIDE FOR THE LEVY OF AN ADDITIONAL SEVENTY-FIVE ONE-HUNDREDTHS PERCENT (0.75%) INCOME TAX BEGINNING JANUARY 1, 2025, AND PROVIDING A CREDIT UP TO 1.75% FOR INCOME TAX PAID TO OTHER MUNICIPALITIES; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Ohio, that:

Section 1. Section 185.01 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

“185.01 AUTHORITY TO LEVY TAX; PURPOSE OF TAX.

(A) To provide funds for the purposes of general municipal operations and services, maintenance, new equipment, extension and enlargement of municipal services and facilities, permanent improvements, and capital improvements, the Municipality hereby levies an annual tax on the income of every person residing in or earning or receiving income in the Municipality as measured by each such person's municipal taxable income, all as hereinafter provided.

(B) (1) The annual tax is levied at a rate of 1.75% (one and seventy-five one-hundredths percent). The tax is levied at a uniform rate on all persons residing in or earning or receiving income in the Municipality. The tax is levied on municipal taxable income as hereinafter provided in Section 185.03 of this Chapter and other sections as they may apply.

(2) The funds collected under the provisions of this Chapter 185 shall be applied for the following purposes and in the following order: (i) such part thereof as is necessary to defray all costs of collecting the taxes levied by this Chapter and the cost of administering and enforcing the provisions hereof; (ii) after providing for the allocation of funds set forth in division (B)(2)(i) of this Section, funds shall be set aside, appropriated and paid into the General Bond Retirement Fund or another fund specified by ordinance of the Council, in an amount equal to the annual principal and interest payments due (within that year) on all bonds, notes or other obligations for which income tax revenues have been pledged; (iii) after providing for the allocation of funds set forth in division (B)(2)(i) and (ii) of this Section, not less than seven percent (7%) of the remaining funds shall be set aside, appropriated and paid into the Capital Improvement Fund; and (iv) after providing for the allocation of funds set forth in division (B)(2)(i), (ii), and (iii) of this Section, the balance of the funds remaining shall be used for any purpose as may be determined by ordinance of the Council.

(C) The taxes levied under this Chapter 185 shall be levied in accordance with the provisions and limitations set forth in Chapter 718 of the Ohio Revised Code to the fullest extent required for the Municipality to continue to levy those taxes. The required provisions and limitations of Chapter 718 of the Ohio Revised Code are hereby incorporated into this Chapter 185, and those required provisions or limitations of Chapter 718 of the Ohio Revised Code shall control to the extent there is a conflict between a provision or limitation of this Chapter 185 and an express provision or limitation of Chapter 718 of the Ohio Revised Code.

(D) As used herein, all references in this Chapter 185 to provisions or limitations of Chapter 718 of the Ohio Revised Code and to any Section of that Chapter 718 shall include those provisions or limitations of that Chapter or Section as in effect on January 1, 2016, of any successor statute, and of any

subsequent amendment to that Chapter or Section or a successor statute in effect from time to time to the fullest possible extent required for the Municipality to continue to levy the taxes specified under this Chapter 185. All references in this Chapter 185 to "ORC" are to the Ohio Revised Code."

Section 2. Section 185.03 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, as amended by Ordinance No. 2024-4, passed on February 13, 2024, is hereby further amended to read as follows:

"185.03 IMPOSITION OF TAX.

The income tax levied by the Municipality at a rate of one and seventy-five one-hundredths percent (1.75%) is levied on the municipal taxable income of every person who resides in or who earns or receives income in the Municipality.

Individuals.

(A) For residents, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(ii)(a).

(B) For nonresidents, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(ii)(b).

(C) For a person other than an individual, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(i).

Refundable credit for Nonqualified Deferred Compensation Plan.

(D) (1) As used in this division:

(a) "Nonqualified deferred compensation plan" means a compensation plan described in Section 3121(v)(2)(C) of the Internal Revenue Code.

(b) "Qualifying loss" means the amount of compensation attributable to a taxpayer's nonqualified deferred compensation plan, less the receipt of money and property attributable to distributions from the nonqualified deferred compensation plan. Full loss is sustained if no distribution of money and property is made by the nonqualified deferred compensation plan. The taxpayer sustains a qualifying loss only in the taxable year in which the taxpayer receives the final distribution of money and property pursuant to that nonqualified deferred compensation plan.

(c) (i) "Qualifying tax rate" means the applicable tax rate for the taxable year for the which the taxpayer paid income tax to the Municipality with respect to any portion of the total amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan.

(ii) If different tax rates applied for different taxable years, then the "qualifying tax rate" is a weighted average of those different tax rates. The weighted average shall be based upon the tax paid to the Municipality each year with respect to the nonqualified deferred compensation plan.

(d) "Refundable credit" means the amount of the Municipality's income tax that was paid on the non-distributed portion, if any, of a nonqualified deferred compensation plan.

(2) If, in addition to the income tax levied by the Municipality, a taxpayer has paid tax to other municipal corporations with respect to the nonqualified deferred compensation plan, the amount of the credit that a taxpayer may claim from each municipal corporation shall be calculated on the basis of each municipal corporation's proportionate share of the total municipal corporation income

tax paid by the taxpayer to all municipal corporations with respect to the nonqualified deferred compensation plan.

(3) In no case shall the amount of the credit allowed under this Section exceed the cumulative income tax that a taxpayer has paid to the Municipality for all taxable years with respect to the nonqualified deferred compensation plan.

(4) The credit allowed under this division is allowed only to the extent the taxpayer's qualifying loss is attributable to:

(a) The insolvency or bankruptcy of the employer who had established the nonqualified deferred compensation plan; or

(b) The employee's failure or inability to satisfy all of the employer's terms and conditions necessary to receive the nonqualified deferred compensation.

Domicile.

(E) (1) (a) An individual is presumed to be domiciled in the Municipality for all or part of a taxable year if the individual was domiciled in the Municipality on the last day of the immediately preceding taxable year or if the Tax Administrator reasonably concludes that the individual is domiciled in the Municipality for all or part of the taxable year.

(b) An individual may rebut the presumption of domicile described in division (E)(1)(a) of this Section if the individual establishes by a preponderance of the evidence that the individual was not domiciled in the Municipality for all or part of the taxable year.

(2) For the purpose of determining whether an individual is domiciled in the Municipality for all or part of a taxable year, factors that may be considered include, but are not limited to, the following:

- (a) The individual's domicile in other taxable years;
- (b) The location at which the individual is registered to vote;
- (c) The address on the individual's driver's license;
- (d) The location of real estate for which the individual claimed a property tax exemption or reduction allowed on the basis of the individual's residence or domicile;
- (e) The location and value of abodes owned or leased by the individual;
- (f) Declarations, written or oral, made by the individual regarding the individual's residency;
- (g) The primary location at which the individual is employed.
- (h) The location of educational institutions attended by the individual's dependents as defined in Section 152 of the Internal Revenue Code, to the extent that tuition paid to such educational institution is based on the residency of the individual or the individual's spouse in the municipal corporation where the educational institution is located;
- (i) The number of contact periods the individual has with the Municipality. For the purposes of this division, an individual has one "contact period" with the Municipality if the individual is away overnight from the individual's abode located outside of the Municipality and while away overnight from that abode spends at least some portion, however minimal, of each of two consecutive days in the Municipality.

(3) All additional applicable factors are provided in the Rules and Regulations.

Businesses.

(F) This division applies to any taxpayer engaged in a business or profession in the Municipality, unless the taxpayer is an individual who is a resident or the taxpayer is an electric company, combined company, or telephone company that is subject to and required to file reports under Chapter 5745. of the ORC.

(1) Except as otherwise provided in divisions (F)(2) and (G) of this Section, net profit from a business or profession conducted both within and without the boundaries of the Municipality shall be considered as having a taxable situs in the Municipality for purposes of municipal income taxation in the same proportion as the average ratio of the following:

(a) The average original cost of the real property and tangible personal property owned or used by the taxpayer in the business or profession in the Municipality during the taxable period to the average original cost of all of the real and tangible personal property owned or used by the taxpayer in the business or profession during the same period, wherever situated.

As used in the preceding paragraph, tangible personal or real property shall include property rented or leased by the taxpayer and the value of such property shall be determined by multiplying the annual rental thereon by eight;

(b) Wages, salaries, and other compensation paid during the taxable period to individuals employed in the business or profession for services performed in the Municipality to wages, salaries, and other compensation paid during the same period to individuals employed in the business or profession, wherever the individual's services are performed, excluding compensation from which taxes are not required to be withheld under Section 185.04(C);

(c) Total gross receipts of the business or profession from sales and rentals made and services performed during the taxable period in the Municipality to total gross receipts of the business or profession during the same period from sales, rentals, and services, wherever made or performed.

(2) (a) If the apportionment factors described in division (F)(1) of this Section do not fairly represent the extent of a taxpayer's business activity in the Municipality, the taxpayer may request, or the Tax Administrator of the Municipality may require, that the taxpayer use, with respect to all or any portion of the income of the taxpayer, an alternative apportionment method involving one or more of the following:

(i) Separate accounting;

(ii) The exclusion of one or more of the factors;

(iii) The inclusion of one or more additional factors that would provide for a more fair apportionment of the income of the taxpayer to the municipal corporation;

(iv) A modification of one or more of the factors.

(b) A taxpayer request to use an alternative apportionment method shall be in writing and shall accompany a tax return, timely filed appeal of an assessment, or timely filed amended tax return. The taxpayer may use the requested alternative method unless the Tax Administrator denies the request in an assessment issued within the period prescribed by Section 185.12(A).

(c) The Tax Administrator may require a taxpayer to use an alternative apportionment method as described in division (F)(2)(a) of this Section, but only by issuing an assessment to the taxpayer within the period prescribed by Section 185.12(A).

(d) Nothing in division (F)(2) of this Section nullifies or otherwise affects any alternative apportionment arrangement approved by the Tax Administrator or otherwise agreed upon by both the Tax Administrator and taxpayer before January 1, 2016.

(3) As used in division (F)(1)(b) of this Section, "wages, salaries, and other compensation" includes only wages, salaries, or other compensation paid to an employee for services performed at any of the following locations:

(a) A location that is owned, controlled, or used by, rented to, or under the possession of one of the following:

(i) The employer;

(ii) A vendor, customer, client, or patient of the employer, or a related member of such a vendor, customer, client, or patient;

(iii) A vendor, customer, client, or patient of a person described in (F)(3)(a)(ii) of this Section, or a related member of such a vendor, customer, client, or patient.

(b) Any location at which a trial, appeal, hearing, investigation, inquiry, review, court-martial, or similar administrative, judicial, or legislative matter or proceeding is being conducted, provided that the compensation is paid for services performed for, or on behalf of, the employer or that the employee's presence at the location directly or indirectly benefits the employer;

(c) Any other location, if the Tax Administrator determines that the employer directed the employee to perform the services at the other location in lieu of a location described in division (F) (3)(a) or (b) of this Section solely in order to avoid or reduce the employer's municipal income tax liability. If the Tax Administrator makes such a determination, the employer may dispute the determination by establishing, by a preponderance of the evidence, that the Tax Administrator's determination was unreasonable.

(4) For the purposes of division (F)(1)(c) of this Section, and except as provided in division (G) of this section, receipts from sales and rentals made and services performed shall be situated to a municipal corporation as follows:

(a) Gross receipts from the sale of tangible personal property shall be situated to the municipal corporation in which the sale originated. For the purposes of this division, a sale of property originates in the Municipality if, regardless of where title passes, the property meets any of the following criteria:

(i) The property is shipped to or delivered within the Municipality from a stock of goods located within the Municipality.

(ii) The property is delivered within the Municipality from a location outside the Municipality, provided the taxpayer is regularly engaged through its own employees in the solicitation or promotion of sales within the Municipality and the sales result from such solicitation or promotion.

(iii) The property is shipped from a place within the Municipality to purchasers outside the Municipality, provided that the taxpayer is not, through its own employees, regularly engaged in the solicitation or promotion of sales at the place where delivery is made.



(b) Gross receipts from the sale of services shall be situated to the Municipality to the extent that such services are performed in the Municipality.

(c) To the extent included in income, gross receipts from the sale of real property located in the Municipality shall be situated to the Municipality.

(d) To the extent included in income, gross receipts from rents and royalties from real property located in the Municipality shall be situated to the Municipality.

(e) Gross receipts from rents and royalties from tangible personal property shall be situated to the Municipality based upon the extent to which the tangible personal property is used in the Municipality.

(5) The net profit received by an individual taxpayer from the rental of real estate owned directly by the individual, or by a disregarded entity owned by the individual, shall be subject to the Municipality's tax only if the property generating the net profit is located in the Municipality or if the individual taxpayer that receives the net profit is a resident of the Municipality. the Municipality shall allow such taxpayers to elect to use separate accounting for the purpose of calculating net profit situated under this division to the municipal corporation in which the property is located.

(6) (a) Commissions received by a real estate agent or broker relating to the sale, purchase, or lease of real estate shall be situated to the municipal corporation in which the real estate is located. Net profit reported by the real estate agent or broker shall be allocated to the Municipality, if applicable, based upon the ratio of the commissions the agent or broker received from the sale, purchase, or lease of real estate located in the Municipality to the commissions received from the sale, purchase, or lease of real estate everywhere in the taxable year.

(b) An individual who is a resident of the Municipality shall report the individual's net profit from all real estate activity on the individual's annual income tax return filed with the Municipality. The individual may claim a credit for taxes the individual paid on such net profit to another municipal corporation to the extent that such a credit is allowed under this Chapter.

(7) When calculating the ratios described in division (F)(1) of this Section for the purposes of that division or division (F)(2) of this Section, the owner of a disregarded entity shall include in the owner's ratios the property, payroll, and gross receipts of such disregarded entity.

(8) Intentionally left blank.

(9) Intentionally left blank.

(G) (1) As used in this division:

(a) "Qualifying remote employee or owner" means an individual who is an employee of a taxpayer or who is a partner or member holding an ownership interest in a taxpayer that is treated as a partnership for federal income tax purposes, provided that the individual meets both of the following criteria:

(i) The taxpayer has assigned the individual to a qualifying reporting location.

(ii) The individual is permitted or required to perform services for the taxpayer at a qualifying remote work location.

(b) "Qualifying remote work location" means a permanent or temporary location at which an employee or owner chooses or is required to perform services for the taxpayer, other than a reporting location of the taxpayer or any other location owned or

controlled by a customer or client of the taxpayer. "Qualifying remote work location" may include the residence of an employee or owner and may be located outside of a municipal corporation that imposes an income tax in accordance with this chapter. An employee or owner may have more than one qualifying remote work location during a taxable year.

(c) "Reporting location" means either of the following:

(i) A permanent or temporary place of doing business, such as an office, warehouse, storefront, construction site, or similar location, that is owned or controlled directly or indirectly by the taxpayer;

(ii) Any location in this state owned or controlled by a customer or client of the taxpayer, provided that the taxpayer is required to withhold taxes under Section 185.04 of this Chapter, on qualifying wages paid to an employee for the performance of personal services at that location.

(d) "Qualifying reporting location" means one of the following:

(i) The reporting location in this state at which an employee or owner performs services for the taxpayer on a regular or periodic basis during the taxable year;

(ii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) of this section, the reporting location in this state at which the employee's or owner's supervisor regularly or periodically reports during the taxable year;

(iii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) or (ii) of this section, the location that the taxpayer otherwise assigns as the employee's or owner's qualifying reporting location, provided the assignment is made in good faith and is recorded and maintained in the taxpayer's business records. A taxpayer may change the qualifying reporting location designated for an employee or owner under this division at any time.

(2) For tax years ending on or after December 31, 2023, a taxpayer may elect to apply the provisions of this division to the apportionment of its net profit from a business or profession. For taxpayers that make this election, the provisions of division (F) of this section apply to such apportionment except as otherwise provided in this division.

A taxpayer shall make the election allowed under this division in writing on or with the taxpayer's net profit return or, if applicable, a timely filed amended net profit return or a timely filed appeal of an assessment. The election applies to the taxable year for which that return or appeal is filed and for all subsequent taxable years, until the taxpayer revokes the election.

The taxpayer shall make the initial election with the tax administrator of each municipal corporation with which, after applying the apportionment provisions authorized in this division, the taxpayer is required to file a net profit tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location.

After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be

required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation.

Nothing in this division prohibits a taxpayer from making a new election under this division after properly revoking a prior election.

(3) For the purpose of calculating the ratios described in division (F)(1) of this section, all of the following apply to a taxpayer that has made the election described in division (G)(2):

(a) For the purpose of division (F)(1)(a) of this section, the average original cost of any tangible personal property used by a qualifying remote employee or owner at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(b) For the purpose of division (F)(1)(b) of this section, any wages, salaries, and other compensation paid during the taxable period to a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(c) For the purpose of division (F)(1)(c) of this section, and notwithstanding division (F)(4) of this section, any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(4) Nothing in this division prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in division (F)(2) of this section. However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.

(5) Except as otherwise provided in this division, nothing in this division is intended to affect the withholding of taxes on qualifying wages pursuant to Section 185.04 of this Chapter."

Section 3. Section 185.04 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

"185.04 COLLECTION AT SOURCE.

Withholding provisions.

(A) Each employer, agent of an employer, or other payer located or doing business in the Municipality shall withhold an income tax from the qualifying wages earned and/or received by each employee in the Municipality. Except for qualifying wages for which withholding is not required under Section 185.03 or division (B)(4) or (6) of this Section, the tax shall be withheld at the rate, specified in Section 185.03 of this Chapter, of one and seventy-five one-hundredths percent (1.75%). An employer, agent of an employer, or other payer shall deduct and withhold the tax from qualifying wages on the date that the employer, agent, or other payer directly, indirectly, or constructively pays the qualifying wages to, or credits the qualifying wages to the benefit of, the employee.

(B) (1) Except as provided in division (B)(2) of this Section, an employer, agent of an employer, or other payer shall remit to the Tax Administrator of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer according to the following schedule:

(a) Taxes required to be deducted and withheld shall be remitted monthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the Municipality in the preceding calendar year exceeded \$2,399, or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded \$200.

Payment under division (B)(1)(a) of this Section shall be made so that the payment is received by the Tax Administrator not later than 15 days after the last day of each month for which the tax was withheld.

(b) Any employer, agent of an employer, or other payer not required to make payments under division (B)(1)(a) of this Section of taxes required to be deducted and withheld shall make quarterly payments to the Tax Administrator not later than the 15th day of the month following the end of each calendar quarter.

(c) Notwithstanding the provisions of (B)(1)(a) and (b) of this Section, taxes required to be deducted and withheld shall be remitted semimonthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in the preceding calendar year exceeded \$11,999, or if in any month of the preceding calendar year exceeded \$1,000. Payment under division (B)(1)(c) of this Section shall be made so that the payment is received by the Tax Administrator not later than one of the following: (i) if the taxes were deducted and withheld or required to be deducted and withheld during the first fifteen days of a month, the third banking day after the fifteenth day of that month; or (ii) if the taxes were deducted and withheld or required to be deducted and withheld after the fifteenth day of a month and before the first day of the immediately following month, the third banking day after the last day of the month.

(2) If the employer, agent of an employer, or other payer is required to make payments electronically for the purpose of paying federal taxes withheld on payments to employees under Section 6302 of the Internal Revenue Code, 26 C.F.R. 31.6302-1, or any other federal statute or regulation, the payment shall be made by electronic funds transfer to the Tax Administrator of all taxes deducted and withheld on behalf of the Municipality. The payment of tax by electronic funds transfer under this division does not affect an employer's, agent's, or other payer's obligation to file any return as required under this Section.

(3) An employer, agent of an employer, or other payer shall make and file a return showing the amount of tax withheld by the employer, agent, or other payer from the qualifying wages of each employee and remitted to the Tax Administrator. A return filed by an employer, agent, or other payer under this division shall be accepted by the Tax Administrator and the Municipality as the return required of a non-resident employee whose sole income subject to the tax under this Chapter is the qualifying wages reported by the employee's employer, agent of an employer, or other payer.

(4) An employer, agent of an employer, or other payer is not required to withhold the Municipality's income tax with respect to an individual's disqualifying disposition of an incentive stock option if, at the time of the disqualifying disposition, the individual is not an employee of either the corporation with respect to whose stock the option has been issued or of such corporation's successor entity.

(5) (a) An employee is not relieved from liability for a tax by the failure of the employer, agent of an employer, or other payer to withhold the tax as required under this Chapter or by the employer's, agent's, or other payer's exemption from the requirement to withhold the tax.

(b) The failure of an employer, agent of an employer, or other payer to remit to the Municipality the tax withheld relieves the employee from liability for that tax unless the employee colluded with the employer, agent, or other payer in connection with the failure to remit the tax withheld.

(6) Compensation deferred before June 26, 2003, is not subject to the income tax or income tax withholding requirement imposed by this Chapter to the extent the deferred compensation does not constitute qualifying wages at the time the deferred compensation is paid or distributed.

(7) Each employer, agent of an employer, or other payer required to withhold taxes is liable for the payment of that amount required to be withheld, whether or not such taxes have been withheld, and such amount shall be deemed to be held in trust for the Municipality until such time as the withheld amount is remitted to the Tax Administrator.

(8) On or before the last day of February of each year, an employer shall file a withholding reconciliation return with the Tax Administrator listing:

(a) The names, addresses, and social security numbers of all employees from whose qualifying wages the tax levied by this Chapter was withheld or should have been withheld during the preceding calendar year;

(b) The amount of tax withheld, if any, from each such employee, the total amount of qualifying wages paid to such employee during the preceding calendar year;

(c) The name of every other municipal corporation for which tax was withheld or should have been withheld from such employee during the preceding calendar year;

(d) Any other information required for federal income tax reporting purposes on Internal Revenue Service form W-2 or its equivalent form with respect to such employee;

(e) Other information as may be required by the Tax Administrator.

(9) The officer or the employee of the employer, agent of an employer, or other payer with control or direct supervision of or charged with the responsibility for withholding the tax or filing the reports and making payments as required by this Section, shall be personally liable for a failure to file a report or pay the tax due as required by this Section. The dissolution of an employer, agent of an employer, or other payer does not discharge the officer's or employee's liability for a failure of the employer, agent of an employer, or other payer to file returns or pay any tax due.

(10) An employer is required to deduct and withhold the Municipality's income tax on tips and gratuities received by the employer's employees and constituting qualifying wages, but only to the extent that the tips and gratuities are under the employer's control. For the purposes of this division, a tip or gratuity is under the employer's control if the tip or gratuity is paid by the customer to the employer for subsequent remittance to the employee, or if the customer pays the tip or gratuity by credit card, debit card, or other electronic means.

(11) The Tax Administrator shall consider any tax withheld by an employer at the request of an employee, when such tax is not otherwise required to be withheld by this Chapter, to be tax required to be withheld and remitted for the purposes of this Section.

Occasional Entrant - Withholding.

(C) (1) As used in this division:

(a) "Employer" includes a person that is a related member to or of an employer.

(b) "Fixed location" means a permanent place of doing business in this state, such as an office, warehouse, storefront, or similar location owned or controlled by an employer.

(c) "Principal place of work" means the fixed location to which an employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location, "principal place of work" means the worksite location in this state to which the employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location or worksite location, "principal place of work" means the location in this state at which the employee spends the greatest number of days in a calendar year performing services for or on behalf of the employee's employer.

If there is not a single municipal corporation in which the employee spent the "greatest number of days in a calendar year" performing services for or on behalf of the employer, but instead there are two or more municipal corporations in which the employee spent an identical number of days that is greater than the number of days the employee spent in any other municipal corporation, the employer shall allocate any of the employee's qualifying wages subject to division (C)(2)(a)(i) of this Section among those two or more municipal corporations. The allocation shall be made using any fair and reasonable method, including, but not limited to, an equal allocation among such municipal corporations or an allocation based upon the time spent or sales made by the employee in each such municipal corporation. A municipal corporation to which qualifying wages are allocated under this division shall be the employee's "principal place of work" with respect to those qualifying wages for the purposes of this Section.

For the purposes of this division, the location at which an employee spends a particular day shall be determined in accordance with division (C)(2)(b) of this Section, except that "location" shall be substituted for "municipal corporation" wherever "municipal corporation" appears in that division.

(d) "Professional athlete" means an athlete who performs services in a professional athletic event for wages or other remuneration.

(e) "Professional entertainer" means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis.

(f) "Public figure" means a person of prominence who performs services at discrete events, such as speeches, public appearances, or similar events, for wages or other remuneration on a per-event basis.

(g) "Worksite location" means a construction site or other temporary worksite in this state at which the employer provides services for more than 20 days during the calendar year. "Worksite location" does not include the home of an employee.

(2) (a) Subject to divisions (C)(3), (5), (6), and (7) of this Section, an employer is not required to withhold the Municipality's income tax on qualifying wages paid to an employee for the performance of personal services in the Municipality if the employee performed such services in the Municipality on 20 or fewer days in a calendar year, unless one of the following conditions applies:

(i) The employee's principal place of work is located in the Municipality.

(ii) The employee performed services at one or more presumed worksite locations in the Municipality. For the purposes of this division, "presumed worksite location" means a

construction site or other temporary worksite in the Municipality at which the employer provides or provided services that can reasonably be, or would have been, expected by the employer to last more than 20 days in a calendar year. Services can "reasonably be expected by the employer to last more than 20 days" if either of the following applies at the time the services commence:

(a) The nature of the services is such that it will require more than 20 days of the services to complete the services;

(b) The agreement between the employer and its customer to perform services at a location requires the employer to perform the services at the location for more than 20 days.

(iii) The employee is a resident of the Municipality and has requested that the employer withhold tax from the employee's qualifying wages as provided in Section 185.04.

(iv) The employee is a professional athlete, professional entertainer, or public figure, and the qualifying wages are paid for the performance of services in the employee's capacity as a professional athlete, professional entertainer, or public figure.

(b) For the purposes of division (C)(2)(a) of this Section, an employee shall be considered to have spent a day performing services in the Municipality only if the employee spent more time performing services for or on behalf of the employer in the Municipality than in any other municipal corporation on that day. For the purposes of determining the amount of time an employee spent in a particular location, the time spent performing one or more of the following activities shall be considered to have been spent at the employee's principal place of work:

(i) Traveling to the location at which the employee will first perform services for the employer for the day;

(ii) Traveling from a location at which the employee was performing services for the employer to any other location;

(iii) Traveling from any location to another location in order to pick up or load, for the purpose of transportation or delivery, property that has been purchased, sold, assembled, fabricated, repaired, refurbished, processed, remanufactured, or improved by the employee's employer;

(iv) Transporting or delivering property described in division (C)(2)(b)(iii) of this Section, provided that, upon delivery of the property, the employee does not temporarily or permanently affix the property to real estate owned, used, or controlled by a person other than the employee's employer;

(v) Traveling from the location at which the employee makes the employee's final delivery or pick-up for the day to either the employee's principal place of work or a location at which the employee will not perform services for the employer.

(3) If the principal place of work of an employee is located in another Ohio municipal corporation that imposes an income tax, the exception from withholding requirements described in division (C)(2)(a) of this Section shall apply only if, with respect to the employee's qualifying wages described in that division, the employer withholds and remits tax on such qualifying wages to that municipal corporation.

(4) (a) Except as provided in division (C)(4)(b) of this Section, if, during a calendar year, the number of days an employee spends performing personal services in the Municipality exceeds the 20-day threshold, the employer shall withhold and remit tax to the Municipality for any subsequent

days in that calendar year on which the employer pays qualifying wages to the employee for personal services performed in the Municipality.

(b) An employer required to begin withholding tax for the Municipality under division (C)(4)(a) of this Section may elect to withhold tax for the Municipality for the first 20 days on which the employer paid qualifying wages to the employee for personal services performed in the Municipality.

(5) If an employer's fixed location is in the Municipality and the employer qualifies as a small employer as defined in Section 185.02, the employer shall withhold the income tax imposed under this Chapter on all of the employee's qualifying wages for a taxable year and remit that tax only to the Municipality, regardless of the number of days which the employee worked outside the corporate boundaries of the Municipality.

To determine whether an employer qualifies as a small employer for a taxable year, the employer will be required to provide the Tax Administrator with the employer's federal income tax return for the preceding taxable year.

(6) Divisions (C)(2)(a) and (4) of this Section shall not apply to the extent that the Tax Administrator and an employer enter into an agreement regarding the manner in which the employer shall comply with the requirements of Section 185.04."

Section 4. Section 185.06 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

"185.06 CREDIT FOR TAX PAID TO OTHER MUNICIPALITIES.

(A) Every individual taxpayer domiciled in the City who is required to and does pay, or has acknowledged liability for, a municipal tax to another municipality on or measured by the same income, qualifying wages, commissions, net profits or other compensation taxable under this chapter may claim a non-refundable credit upon satisfactory evidence of the tax paid to the other municipality. Subject to division (c) of this section, the credit shall not exceed the tax due the City under this chapter. If the tax rate of the other municipality is less than one and seventy-five one-hundredths percent (1.75%), the credit shall be limited to the tax due at the lower rate.

(B) The City shall grant a credit against its tax on income to a resident of the City who works in a joint economic development zone created under Ohio R.C. 715.691 or a joint economic development district created under Ohio R.C. 715.70, 715.71, or 715.72 to the same extent that it grants a credit against its tax on income to its residents who are employed in another municipal corporation.

(C) If the amount of tax withheld or paid to the other municipality is less than the amount of tax required to be withheld or paid to the other municipality, then for purposes of division (a) of this section, "the income, qualifying wages, commissions, net profits or other compensation" subject to tax in the other municipality shall be limited to the amount computed by dividing the tax withheld or paid to the other municipality by the tax rate for that municipality."

Section 5. Effective January 1, 2025, Sections 185.01, 185.03, 185.04 and 185.06 of the Codified Ordinances of the City of Huron, Ohio, as they have heretofore existed, are hereby repealed. Provided, however, that no provision of this ordinance, including the repeal of Sections 185.01, 185.03, 185.04 and 185.06 of the Codified Ordinances of the City of Huron, Ohio, as they have heretofore existed, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or



entity, with respect to the one percent municipal income tax assessed by Chapter 185 of the Codified Ordinances of the City of Huron, Ohio, as it has heretofore existed and shall remain in effect until January 1, 2025.

Section 6. The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City, and for the further reason that this ordinance is required to be immediately effective in order to enable the City to timely commence collection of the City's income tax at the increased rate provided for in this ordinance commencing January 1, 2025 and thereby to provide services and permanent improvements critical to the safety and well-being of the residents of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage.

Passed: \_\_\_\_\_, 2024

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Clerk of Council



**TO:** Mayor Tapp and City Council  
**FROM:** Cory Swaisgood  
**RE:** Resolution No. 57-2024 **(first reading)** *(submitted by Cory Swaisgood)*  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

Resolution 57-2024 is a resolution of necessity in front of Council to put a City income tax increase on the November ballot.

The administration was tasked with researching additional revenue sources following approval of the 2024 budget in December of 2023. The administration is recommending an income tax increase from 1% to 1.75%, allowing for a credit up to 1.75% for residents that work in another income tax paying jurisdiction. Currently, the City does not offer a credit. Over the last few months, the administration has held multiple public meetings to educate residents on the potential income tax increase. Following those meetings, the administrative still feels confident this income tax increase is the best long-term solution for the City's forecasted budget deficits.

In order to be put on the November ballot, Council must approve this resolution prior to August 7, 2024. We are respectfully requesting approval on 3rd reading in July.

### **Financial Review**

If passed, the Board of Election may charge the City approximately \$2,000 for the election cost. The charge will be deducted from the City's property tax distribution in 2025.

If passed by the voters, the City is expected to receive an additional \$1.8M in income tax revenue per year. The increase is expected to provide long-term budget stabilization for essential services and continue quality of life improvements for City residents.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion adopting Resolution No. 57-2024 is in order.

[Resolution No. 57-2024 Resolution of Necessity Income Tax \(1\).doc](#)

RESOLUTION NO. 2024-57

Introduced by: Mark Claus

A RESOLUTION DECLARING THE NECESSITY OF AN ELECTION ON THE QUESTION OF APPROVING THE PASSAGE OF AN ORDINANCE TO AMEND SECTIONS 185.01, 185.03 AND 185.04 OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, OHIO, IN ORDER TO PROVIDE FOR THE LEVY OF AN ADDITIONAL SEVENTY-FIVE ONE-HUNDREDTHS PERCENT (0.75%) INCOME TAX BEGINNING JANUARY 1, 2025, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Huron, County of Erie, Ohio, that:

Section 1. This Council hereby authorizes and directs the submission to the electors of the City of Huron, Ohio, at an election to be held at the usual places of voting in the City on Tuesday, November 5, 2024, between the hours of 6:30 a.m. and 7:30 p.m. of that day, of the question of approving the passage of an ordinance to amend Sections 185.01, 185.03 and 185.04 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. 2015-30, passed November 10, 2015, as amended by Ordinance No. 2024-4, passed on February 13, 2024, in order to provide for the levy of an additional seventy-five one-hundredths percent (0.75%) income tax, which ordinance is set forth in full in Section 2 hereof.

Section 2. The proposed ordinance to be submitted to the electors of the City for their approval hereunder shall be as follows:

ORDINANCE NO. 2024-24

AN ORDINANCE AMENDING SECTIONS 185.01, 185.03 AND 185.04 OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, OHIO, TO PROVIDE FOR THE LEVY OF AN ADDITIONAL SEVENTY-FIVE ONE-HUNDREDTHS PERCENT (0.75%) INCOME TAX BEGINNING JANUARY 1, 2025; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, County of Erie, State of Ohio, that:

Section 1. Section 185.01 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

"185.01 AUTHORITY TO LEVY TAX; PURPOSE OF TAX.

(A) To provide funds for the purposes of general municipal operations and services, maintenance, new equipment, extension and enlargement of municipal services and facilities, permanent improvements, and capital improvements, the Municipality hereby levies an annual tax on the income of every person residing in or earning or receiving income in the Municipality as measured by each such person's municipal taxable income, all as hereinafter provided.

(B) (1) The annual tax is levied at a rate of 1.75% (one and seventy-five one-hundredths percent). The tax is levied at a uniform rate on all persons residing in or earning or

receiving income in the Municipality. The tax is levied on municipal taxable income as hereinafter provided in Section 185.03 of this Chapter and other sections as they may apply.

(2) The funds collected under the provisions of this Chapter 185 shall be applied for the following purposes and in the following order: (i) such part thereof as is necessary to defray all costs of collecting the taxes levied by this Chapter and the cost of administering and enforcing the provisions hereof; (ii) after providing for the allocation of funds set forth in division (B)(2)(i) of this Section, funds shall be set aside, appropriated and paid into the General Bond Retirement Fund or another fund specified by ordinance of the Council, in an amount equal to the annual principal and interest payments due (within that year) on all bonds, notes or other obligations for which income tax revenues have been pledged; (iii) after providing for the allocation of funds set forth in division (B)(2)(i) and (ii) of this Section, not less than seven percent (7%) of the remaining funds shall be set aside, appropriated and paid into the Capital Improvement Fund; and (iv) after providing for the allocation of funds set forth in division (B)(2)(i), (ii), and (iii) of this Section, the balance of the funds remaining shall be used for any purpose as may be determined by ordinance of the Council.

(C) The taxes levied under this Chapter 185 shall be levied in accordance with the provisions and limitations set forth in Chapter 718 of the Ohio Revised Code to the fullest extent required for the Municipality to continue to levy those taxes. The required provisions and limitations of Chapter 718 of the Ohio Revised Code are hereby incorporated into this Chapter 185, and those required provisions or limitations of Chapter 718 of the Ohio Revised Code shall control to the extent there is a conflict between a provision or limitation of this Chapter 185 and an express provision or limitation of Chapter 718 of the Ohio Revised Code.

(D) As used herein, all references in this Chapter 185 to provisions or limitations of Chapter 718 of the Ohio Revised Code and to any Section of that Chapter 718 shall include those provisions or limitations of that Chapter or Section as in effect on January 1, 2016, of any successor statute, and of any subsequent amendment to that Chapter or Section or a successor statute in effect from time to time to the fullest possible extent required for the Municipality to continue to levy the taxes specified under this Chapter 185. All references in this Chapter 185 to "ORC" are to the Ohio Revised Code."

Section 2. Section 185.03 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, as amended by Ordinance No. 2024-4, passed on February 13, 2024, is hereby further amended to read as follows:

**"185.03 IMPOSITION OF TAX.**

The income tax levied by the Municipality at a rate of one and seventy-five one-hundredths percent (1.75%) is levied on the municipal taxable income of every person who resides in or who earns or receives income in the Municipality.

**Individuals.**

(A) For residents, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(ii)(a).

(B) For nonresidents, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(ii)(b).

(C) For a person other than an individual, the income tax levied herein shall be on all municipal taxable income, as set forth in Section 185.02(C)(21)(a)(i).

Refundable credit for Nonqualified Deferred Compensation Plan.

(D) (1) As used in this division:

(a) "Nonqualified deferred compensation plan" means a compensation plan described in Section 3121(v)(2)(C) of the Internal Revenue Code.

(b) "Qualifying loss" means the amount of compensation attributable to a taxpayer's nonqualified deferred compensation plan, less the receipt of money and property attributable to distributions from the nonqualified deferred compensation plan. Full loss is sustained if no distribution of money and property is made by the nonqualified deferred compensation plan. The taxpayer sustains a qualifying loss only in the taxable year in which the taxpayer receives the final distribution of money and property pursuant to that nonqualified deferred compensation plan.

(c) (i) "Qualifying tax rate" means the applicable tax rate for the taxable year for the which the taxpayer paid income tax to the Municipality with respect to any portion of the total amount of compensation the payment of which is deferred pursuant to a nonqualified deferred compensation plan.

(ii) If different tax rates applied for different taxable years, then the "qualifying tax rate" is a weighted average of those different tax rates. The weighted average shall be based upon the tax paid to the Municipality each year with respect to the nonqualified deferred compensation plan.

(d) "Refundable credit" means the amount of the Municipality's income tax that was paid on the non-distributed portion, if any, of a nonqualified deferred compensation plan.

(2) If, in addition to the income tax levied by the Municipality, a taxpayer has paid tax to other municipal corporations with respect to the nonqualified deferred compensation plan, the amount of the credit that a taxpayer may claim from each municipal corporation shall be calculated on the basis of each municipal corporation's proportionate share of the total municipal corporation income tax paid by the taxpayer to all municipal corporations with respect to the nonqualified deferred compensation plan.

(3) In no case shall the amount of the credit allowed under this Section exceed the cumulative income tax that a taxpayer has paid to the Municipality for all taxable years with respect to the nonqualified deferred compensation plan.

(4) The credit allowed under this division is allowed only to the extent the taxpayer's qualifying loss is attributable to:

(a) The insolvency or bankruptcy of the employer who had established the nonqualified deferred compensation plan; or

(b) The employee's failure or inability to satisfy all of the employer's terms and conditions necessary to receive the nonqualified deferred compensation.

Domicile.

(E) (1) (a) An individual is presumed to be domiciled in the Municipality for all or part of a taxable year if the individual was domiciled in the Municipality on the last day of the immediately preceding taxable year or if the Tax Administrator reasonably concludes that the individual is domiciled in the Municipality for all or part of the taxable year.

(b) An individual may rebut the presumption of domicile described in division (E)(1)(a) of this Section if the individual establishes by a preponderance of the evidence that the individual was not domiciled in the Municipality for all or part of the taxable year.

(2) For the purpose of determining whether an individual is domiciled in the Municipality for all or part of a taxable year, factors that may be considered include, but are not limited to, the following:

- (a) The individual's domicile in other taxable years;
  - (b) The location at which the individual is registered to vote;
  - (c) The address on the individual's driver's license;
  - (d) The location of real estate for which the individual claimed a property tax exemption or reduction allowed on the basis of the individual's residence or domicile;
  - (e) The location and value of abodes owned or leased by the individual;
  - (f) Declarations, written or oral, made by the individual regarding the individual's residency;
  - (g) The primary location at which the individual is employed.
  - (h) The location of educational institutions attended by the individual's dependents as defined in Section 152 of the Internal Revenue Code, to the extent that tuition paid to such educational institution is based on the residency of the individual or the individual's spouse in the municipal corporation where the educational institution is located;
  - (i) The number of contact periods the individual has with the Municipality.
- For the purposes of this division, an individual has one "contact period" with the Municipality if the individual is away overnight from the individual's abode located outside of the Municipality and while away overnight from that abode spends at least some portion, however minimal, of each of two consecutive days in the Municipality.

(3) All additional applicable factors are provided in the Rules and Regulations.

Businesses.

(F) This division applies to any taxpayer engaged in a business or profession in the Municipality, unless the taxpayer is an individual who is a resident or the taxpayer is an electric company, combined company, or telephone company that is subject to and required to file reports under Chapter 5745. of the ORC.

(1) Except as otherwise provided in divisions (F)(2) and (G) of this Section, net profit from a business or profession conducted both within and without the boundaries of the Municipality shall be considered as having a taxable situs in the Municipality for purposes of municipal income taxation in the same proportion as the average ratio of the following:

(a) The average original cost of the real property and tangible personal property owned or used by the taxpayer in the business or profession in the Municipality during the taxable period to the average original cost of all of the real and tangible personal property

owned or used by the taxpayer in the business or profession during the same period, wherever situated.

As used in the preceding paragraph, tangible personal or real property shall include property rented or leased by the taxpayer and the value of such property shall be determined by multiplying the annual rental thereon by eight;

(b) Wages, salaries, and other compensation paid during the taxable period to individuals employed in the business or profession for services performed in the Municipality to wages, salaries, and other compensation paid during the same period to individuals employed in the business or profession, wherever the individual's services are performed, excluding compensation from which taxes are not required to be withheld under Section 185.04(C);

(c) Total gross receipts of the business or profession from sales and rentals made and services performed during the taxable period in the Municipality to total gross receipts of the business or profession during the same period from sales, rentals, and services, wherever made or performed.

(2) (a) If the apportionment factors described in division (F)(1) of this Section do not fairly represent the extent of a taxpayer's business activity in the Municipality, the taxpayer may request, or the Tax Administrator of the Municipality may require, that the taxpayer use, with respect to all or any portion of the income of the taxpayer, an alternative apportionment method involving one or more of the following:

(i) Separate accounting;

(ii) The exclusion of one or more of the factors;

(iii) The inclusion of one or more additional factors that would provide for a more fair apportionment of the income of the taxpayer to the municipal corporation;

(iv) A modification of one or more of the factors.

(b) A taxpayer request to use an alternative apportionment method shall be in writing and shall accompany a tax return, timely filed appeal of an assessment, or timely filed amended tax return. The taxpayer may use the requested alternative method unless the Tax Administrator denies the request in an assessment issued within the period prescribed by Section 185.12(A).

(c) The Tax Administrator may require a taxpayer to use an alternative apportionment method as described in division (F)(2)(a) of this Section, but only by issuing an assessment to the taxpayer within the period prescribed by Section 185.12(A).

(d) Nothing in division (F)(2) of this Section nullifies or otherwise affects any alternative apportionment arrangement approved by the Tax Administrator or otherwise agreed upon by both the Tax Administrator and taxpayer before January 1, 2016.

(3) As used in division (F)(1)(b) of this Section, "wages, salaries, and other compensation" includes only wages, salaries, or other compensation paid to an employee for services performed at any of the following locations:

(a) A location that is owned, controlled, or used by, rented to, or under the possession of one of the following:

- (i) The employer;
- (ii) A vendor, customer, client, or patient of the employer, or a related member of such a vendor, customer, client, or patient;
- (iii) A vendor, customer, client, or patient of a person described in (F)(3)(a)(ii) of this Section, or a related member of such a vendor, customer, client, or patient.

(b) Any location at which a trial, appeal, hearing, investigation, inquiry, review, court-martial, or similar administrative, judicial, or legislative matter or proceeding is being conducted, provided that the compensation is paid for services performed for, or on behalf of, the employer or that the employee's presence at the location directly or indirectly benefits the employer;

(c) Any other location, if the Tax Administrator determines that the employer directed the employee to perform the services at the other location in lieu of a location described in division (F) (3)(a) or (b) of this Section solely in order to avoid or reduce the employer's municipal income tax liability. If the Tax Administrator makes such a determination, the employer may dispute the determination by establishing, by a preponderance of the evidence, that the Tax Administrator's determination was unreasonable.

(4) For the purposes of division (F)(1)(c) of this Section, and except as provided in division (G) of this section, receipts from sales and rentals made and services performed shall be situated to a municipal corporation as follows:

(a) Gross receipts from the sale of tangible personal property shall be situated to the municipal corporation in which the sale originated. For the purposes of this division, a sale of property originates in the Municipality if, regardless of where title passes, the property meets any of the following criteria:

(i) The property is shipped to or delivered within the Municipality from a stock of goods located within the Municipality.

(ii) The property is delivered within the Municipality from a location outside the Municipality, provided the taxpayer is regularly engaged through its own employees in the solicitation or promotion of sales within the Municipality and the sales result from such solicitation or promotion.

(iii) The property is shipped from a place within the Municipality to purchasers outside the Municipality, provided that the taxpayer is not, through its own employees, regularly engaged in the solicitation or promotion of sales at the place where delivery is made.

(b) Gross receipts from the sale of services shall be situated to the Municipality to the extent that such services are performed in the Municipality.

(c) To the extent included in income, gross receipts from the sale of real property located in the Municipality shall be situated to the Municipality.

(d) To the extent included in income, gross receipts from rents and royalties from real property located in the Municipality shall be situated to the Municipality.

(e) Gross receipts from rents and royalties from tangible personal property shall be situated to the Municipality based upon the extent to which the tangible personal property is used in the Municipality.



(5) The net profit received by an individual taxpayer from the rental of real estate owned directly by the individual, or by a disregarded entity owned by the individual, shall be subject to the Municipality's tax only if the property generating the net profit is located in the Municipality or if the individual taxpayer that receives the net profit is a resident of the Municipality. the Municipality shall allow such taxpayers to elect to use separate accounting for the purpose of calculating net profit situated under this division to the municipal corporation in which the property is located.

(6) (a) Commissions received by a real estate agent or broker relating to the sale, purchase, or lease of real estate shall be situated to the municipal corporation in which the real estate is located. Net profit reported by the real estate agent or broker shall be allocated to the Municipality, if applicable, based upon the ratio of the commissions the agent or broker received from the sale, purchase, or lease of real estate located in the Municipality to the commissions received from the sale, purchase, or lease of real estate everywhere in the taxable year.

(b) An individual who is a resident of the Municipality shall report the individual's net profit from all real estate activity on the individual's annual income tax return filed with the Municipality. The individual may claim a credit for taxes the individual paid on such net profit to another municipal corporation to the extent that such a credit is allowed under this Chapter.

(7) When calculating the ratios described in division (F)(1) of this Section for the purposes of that division or division (F)(2) of this Section, the owner of a disregarded entity shall include in the owner's ratios the property, payroll, and gross receipts of such disregarded entity.

(8) Intentionally left blank.

(9) Intentionally left blank.

(G) (1) As used in this division:

(a) "Qualifying remote employee or owner" means an individual who is an employee of a taxpayer or who is a partner or member holding an ownership interest in a taxpayer that is treated as a partnership for federal income tax purposes, provided that the individual meets both of the following criteria:

(i) The taxpayer has assigned the individual to a qualifying reporting location.

(ii) The individual is permitted or required to perform services for the taxpayer at a qualifying remote work location.

(b) "Qualifying remote work location" means a permanent or temporary location at which an employee or owner chooses or is required to perform services for the taxpayer, other than a reporting location of the taxpayer or any other location owned or controlled by a customer or client of the taxpayer. "Qualifying remote work location" may include the residence of an employee or owner and may be located outside of a municipal corporation that imposes an income tax in accordance with this chapter. An employee or owner may have more than one qualifying remote work location during a taxable year.

(c) "Reporting location" means either of the following:

(i) A permanent or temporary place of doing business, such as an office, warehouse, storefront, construction site, or similar location, that is owned or controlled directly or indirectly by the taxpayer;

(ii) Any location in this state owned or controlled by a customer or client of the taxpayer, provided that the taxpayer is required to withhold taxes under Section 185.04 of this Chapter, on qualifying wages paid to an employee for the performance of personal services at that location.

(d) "Qualifying reporting location" means one of the following:

(i) The reporting location in this state at which an employee or owner performs services for the taxpayer on a regular or periodic basis during the taxable year;

(ii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) of this section, the reporting location in this state at which the employee's or owner's supervisor regularly or periodically reports during the taxable year;

(iii) If no reporting location exists in this state for an employee or owner under division (G)(1)(d)(i) or (ii) of this section, the location that the taxpayer otherwise assigns as the employee's or owner's qualifying reporting location, provided the assignment is made in good faith and is recorded and maintained in the taxpayer's business records. A taxpayer may change the qualifying reporting location designated for an employee or owner under this division at any time.

(2) For tax years ending on or after December 31, 2023, a taxpayer may elect to apply the provisions of this division to the apportionment of its net profit from a business or profession. For taxpayers that make this election, the provisions of division (F) of this section apply to such apportionment except as otherwise provided in this division.

A taxpayer shall make the election allowed under this division in writing on or with the taxpayer's net profit return or, if applicable, a timely filed amended net profit return or a timely filed appeal of an assessment. The election applies to the taxable year for which that return or appeal is filed and for all subsequent taxable years, until the taxpayer revokes the election.

The taxpayer shall make the initial election with the tax administrator of each municipal corporation with which, after applying the apportionment provisions authorized in this division, the taxpayer is required to file a net profit tax return for that taxable year. A taxpayer shall not be required to notify the tax administrator of a municipal corporation in which a qualifying remote employee's or owner's qualifying remote work location is located, unless the taxpayer is otherwise required to file a net profit return with that municipal corporation due to business operations that are unrelated to the employee's or owner's activity at the qualifying remote work location.

After the taxpayer makes the initial election, the election applies to every municipal corporation in which the taxpayer conducts business. The taxpayer shall not be required to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in such municipal corporation.

Nothing in this division prohibits a taxpayer from making a new election under this division after properly revoking a prior election.

(3) For the purpose of calculating the ratios described in division (F)(1) of this section, all of the following apply to a taxpayer that has made the election described in division (G)(2):

(a) For the purpose of division (F)(1)(a) of this section, the average original cost of any tangible personal property used by a qualifying remote employee or owner at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(b) For the purpose of division (F)(1)(b) of this section, any wages, salaries, and other compensation paid during the taxable period to a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(c) For the purpose of division (F)(1)(c) of this section, and notwithstanding division (F)(4) of this section, any gross receipts of the business or profession from services performed during the taxable period by a qualifying remote employee or owner for services performed at that individual's qualifying remote work location shall be situated to that individual's qualifying reporting location.

(4) Nothing in this division prevents a taxpayer from requesting, or a tax administrator from requiring, that the taxpayer use, with respect to all or a portion of the income of the taxpayer, an alternative apportionment method as described in division (F)(2) of this section. However, a tax administrator shall not require an alternative apportionment method in such a manner that it would require a taxpayer to file a net profit return with a municipal corporation solely because a qualifying remote employee's or owner's qualifying remote work location is located in that municipal corporation.

(5) Except as otherwise provided in this division, nothing in this division is intended to affect the withholding of taxes on qualifying wages pursuant to Section 185.04 of this Chapter."

Section 3. Section 185.04 of the Codified Ordinances of the City of Huron, Ohio, as established by Ordinance No. Ordinance No. 2015-30, passed November 10, 2015, is hereby further amended to read as follows:

"185.04 COLLECTION AT SOURCE.

Withholding provisions.

(A) Each employer, agent of an employer, or other payer located or doing business in the Municipality shall withhold an income tax from the qualifying wages earned and/or received by each employee in the Municipality. Except for qualifying wages for which withholding is not required under Section 185.03 or division (B)(4) or (6) of this Section, the tax shall be withheld at the rate, specified in Section 185.03 of this Chapter, of one and seventy-five one-hundredths percent (1.75%). An employer, agent of an employer, or other payer shall deduct and withhold the tax from qualifying wages on the date that the employer, agent, or other payer directly, indirectly, or constructively pays the qualifying wages to, or credits the qualifying wages to the benefit of, the employee.

(B) (1) Except as provided in division (B)(2) of this Section, an employer, agent of an employer, or other payer shall remit to the Tax Administrator of the Municipality the greater of the income taxes deducted and withheld or the income taxes required to be deducted and withheld by the employer, agent, or other payer according to the following schedule:

(a) Taxes required to be deducted and withheld shall be remitted monthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld by the employer, agent, or other payer on behalf of the Municipality in the preceding calendar year exceeded \$2,399, or if the total amount of taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in any month of the preceding calendar quarter exceeded \$200.

Payment under division (B)(1)(a) of this Section shall be made so that the payment is received by the Tax Administrator not later than 15 days after the last day of each month for which the tax was withheld.

(b) Any employer, agent of an employer, or other payer not required to make payments under division (B)(1)(a) of this Section of taxes required to be deducted and withheld shall make quarterly payments to the Tax Administrator not later than the 15th day of the month following the end of each calendar quarter.

(c) Notwithstanding the provisions of (B)(1)(a) and (b) of this Section, taxes required to be deducted and withheld shall be remitted semimonthly to the Tax Administrator if the total taxes deducted and withheld or required to be deducted and withheld on behalf of the Municipality in the preceding calendar year exceeded \$11,999, or if in any month of the preceding calendar year exceeded \$1,000. Payment under division (B)(1)(c) of this Section shall be made so that the payment is received by the Tax Administrator not later than one of the following: (i) if the taxes were deducted and withheld or required to be deducted and withheld during the first fifteen days of a month, the third banking day after the fifteenth day of that month; or (ii) if the taxes were deducted and withheld or required to be deducted and withheld after the fifteenth day of a month and before the first day of the immediately following month, the third banking day after the last day of the month.

(2) If the employer, agent of an employer, or other payer is required to make payments electronically for the purpose of paying federal taxes withheld on payments to employees under Section 6302 of the Internal Revenue Code, 26 C.F.R. 31.6302-1, or any other federal statute or regulation, the payment shall be made by electronic funds transfer to the Tax Administrator of all taxes deducted and withheld on behalf of the Municipality. The payment of tax by electronic funds transfer under this division does not affect an employer's, agent's, or other payer's obligation to file any return as required under this Section.

(3) An employer, agent of an employer, or other payer shall make and file a return showing the amount of tax withheld by the employer, agent, or other payer from the qualifying wages of each employee and remitted to the Tax Administrator. A return filed by an employer, agent, or other payer under this division shall be accepted by the Tax Administrator and the Municipality as the return required of a non-resident employee whose sole income subject to the tax under this Chapter is the qualifying wages reported by the employee's employer, agent of an employer, or other payer.

(4) An employer, agent of an employer, or other payer is not required to withhold the Municipality's income tax with respect to an individual's disqualifying disposition of an incentive stock option if, at the time of the disqualifying disposition, the individual is not an

employee of either the corporation with respect to whose stock the option has been issued or of such corporation's successor entity.

(5) (a) An employee is not relieved from liability for a tax by the failure of the employer, agent of an employer, or other payer to withhold the tax as required under this Chapter or by the employer's, agent's, or other payer's exemption from the requirement to withhold the tax.

(b) The failure of an employer, agent of an employer, or other payer to remit to the Municipality the tax withheld relieves the employee from liability for that tax unless the employee colluded with the employer, agent, or other payer in connection with the failure to remit the tax withheld.

(6) Compensation deferred before June 26, 2003, is not subject to the income tax or income tax withholding requirement imposed by this Chapter to the extent the deferred compensation does not constitute qualifying wages at the time the deferred compensation is paid or distributed.

(7) Each employer, agent of an employer, or other payer required to withhold taxes is liable for the payment of that amount required to be withheld, whether or not such taxes have been withheld, and such amount shall be deemed to be held in trust for the Municipality until such time as the withheld amount is remitted to the Tax Administrator.

(8) On or before the last day of February of each year, an employer shall file a withholding reconciliation return with the Tax Administrator listing:

(a) The names, addresses, and social security numbers of all employees from whose qualifying wages the tax levied by this Chapter was withheld or should have been withheld during the preceding calendar year;

(b) The amount of tax withheld, if any, from each such employee, the total amount of qualifying wages paid to such employee during the preceding calendar year;

(c) The name of every other municipal corporation for which tax was withheld or should have been withheld from such employee during the preceding calendar year;

(d) Any other information required for federal income tax reporting purposes on Internal Revenue Service form W-2 or its equivalent form with respect to such employee;

(e) Other information as may be required by the Tax Administrator.

(9) The officer or the employee of the employer, agent of an employer, or other payer with control or direct supervision of or charged with the responsibility for withholding the tax or filing the reports and making payments as required by this Section, shall be personally liable for a failure to file a report or pay the tax due as required by this Section. The dissolution of an employer, agent of an employer, or other payer does not discharge the officer's or employee's liability for a failure of the employer, agent of an employer, or other payer to file returns or pay any tax due.

(10) An employer is required to deduct and withhold the Municipality's income tax on tips and gratuities received by the employer's employees and constituting qualifying wages, but only to the extent that the tips and gratuities are under the employer's control. For the purposes of this division, a tip or gratuity is under the employer's control if the tip or

gratuity is paid by the customer to the employer for subsequent remittance to the employee, or if the customer pays the tip or gratuity by credit card, debit card, or other electronic means.

(11) The Tax Administrator shall consider any tax withheld by an employer at the request of an employee, when such tax is not otherwise required to be withheld by this Chapter, to be tax required to be withheld and remitted for the purposes of this Section.

Occasional Entrant - Withholding.

(C) (1) As used in this division:

(a) "Employer" includes a person that is a related member to or of an employer.

(b) "Fixed location" means a permanent place of doing business in this state, such as an office, warehouse, storefront, or similar location owned or controlled by an employer.

(c) "Principal place of work" means the fixed location to which an employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location, "principal place of work" means the worksite location in this state to which the employee is required to report for employment duties on a regular and ordinary basis. If the employee is not required to report for employment duties on a regular and ordinary basis to a fixed location or worksite location, "principal place of work" means the location in this state at which the employee spends the greatest number of days in a calendar year performing services for or on behalf of the employee's employer.

If there is not a single municipal corporation in which the employee spent the "greatest number of days in a calendar year" performing services for or on behalf of the employer, but instead there are two or more municipal corporations in which the employee spent an identical number of days that is greater than the number of days the employee spent in any other municipal corporation, the employer shall allocate any of the employee's qualifying wages subject to division (C)(2)(a)(i) of this Section among those two or more municipal corporations. The allocation shall be made using any fair and reasonable method, including, but not limited to, an equal allocation among such municipal corporations or an allocation based upon the time spent or sales made by the employee in each such municipal corporation. A municipal corporation to which qualifying wages are allocated under this division shall be the employee's "principal place of work" with respect to those qualifying wages for the purposes of this Section.

For the purposes of this division, the location at which an employee spends a particular day shall be determined in accordance with division (C)(2)(b) of this Section, except that "location" shall be substituted for "municipal corporation" wherever "municipal corporation" appears in that division.

(d) "Professional athlete" means an athlete who performs services in a professional athletic event for wages or other remuneration.

(e) "Professional entertainer" means a person who performs services in the professional performing arts for wages or other remuneration on a per-event basis.

(f) "Public figure" means a person of prominence who performs services at discrete events, such as speeches, public appearances, or similar events, for wages or other remuneration on a per-event basis.

(g) "Worksite location" means a construction site or other temporary worksite in this state at which the employer provides services for more than 20 days during the calendar year. "Worksite location" does not include the home of an employee.

(2) (a) Subject to divisions (C)(3), (5), (6), and (7) of this Section, an employer is not required to withhold the Municipality's income tax on qualifying wages paid to an employee for the performance of personal services in the Municipality if the employee performed such services in the Municipality on 20 or fewer days in a calendar year, unless one of the following conditions applies:

(i) The employee's principal place of work is located in the Municipality.

(ii) The employee performed services at one or more presumed worksite locations in the Municipality. For the purposes of this division, "presumed worksite location" means a construction site or other temporary worksite in the Municipality at which the employer provides or provided services that can reasonably be, or would have been, expected by the employer to last more than 20 days in a calendar year. Services can "reasonably be expected by the employer to last more than 20 days" if either of the following applies at the time the services commence:

(a) The nature of the services is such that it will require more than 20 days of the services to complete the services;

(b) The agreement between the employer and its customer to perform services at a location requires the employer to perform the services at the location for more than 20 days.

(iii) The employee is a resident of the Municipality and has requested that the employer withhold tax from the employee's qualifying wages as provided in Section 185.04.

(iv) The employee is a professional athlete, professional entertainer, or public figure, and the qualifying wages are paid for the performance of services in the employee's capacity as a professional athlete, professional entertainer, or public figure.

(b) For the purposes of division (C)(2)(a) of this Section, an employee shall be considered to have spent a day performing services in the Municipality only if the employee spent more time performing services for or on behalf of the employer in the Municipality than in any other municipal corporation on that day. For the purposes of determining the amount of time an employee spent in a particular location, the time spent performing one or more of the following activities shall be considered to have been spent at the employee's principal place of work:

(i) Traveling to the location at which the employee will first perform services for the employer for the day;

(ii) Traveling from a location at which the employee was performing services for the employer to any other location;

(iii) Traveling from any location to another location in order to pick up or load, for the purpose of transportation or delivery, property that has been purchased, sold, assembled, fabricated, repaired, refurbished, processed, remanufactured, or improved by the employee's employer;

(iv) Transporting or delivering property described in division (C)(2)(b)(iii) of this Section, provided that, upon delivery of the property, the employee does not temporarily or permanently affix the property to real estate owned, used, or controlled by a person other than the employee's employer;

(v) Traveling from the location at which the employee makes the employee's final delivery or pick-up for the day to either the employee's principal place of work or a location at which the employee will not perform services for the employer.

(3) If the principal place of work of an employee is located in another Ohio municipal corporation that imposes an income tax, the exception from withholding requirements described in division (C)(2)(a) of this Section shall apply only if, with respect to the employee's qualifying wages described in that division, the employer withholds and remits tax on such qualifying wages to that municipal corporation.

(4) (a) Except as provided in division (C)(4)(b) of this Section, if, during a calendar year, the number of days an employee spends performing personal services in the Municipality exceeds the 20-day threshold, the employer shall withhold and remit tax to the Municipality for any subsequent days in that calendar year on which the employer pays qualifying wages to the employee for personal services performed in the Municipality.

(b) An employer required to begin withholding tax for the Municipality under division (C)(4)(a) of this Section may elect to withhold tax for the Municipality for the first 20 days on which the employer paid qualifying wages to the employee for personal services performed in the Municipality.

(5) If an employer's fixed location is in the Municipality and the employer qualifies as a small employer as defined in Section 185.02, the employer shall withhold the income tax imposed under this Chapter on all of the employee's qualifying wages for a taxable year and remit that tax only to the Municipality, regardless of the number of days which the employee worked outside the corporate boundaries of the Municipality.

To determine whether an employer qualifies as a small employer for a taxable year, the employer will be required to provide the Tax Administrator with the employer's federal income tax return for the preceding taxable year.

(6) Divisions (C)(2)(a) and (4) of this Section shall not apply to the extent that the Tax Administrator and an employer enter into an agreement regarding the manner in which the employer shall comply with the requirements of Section 185.04."

Section 4. Effective January 1, 2025, Sections 185.01, 185.03 and 185.04 of the Codified Ordinances of the City of Huron, Ohio, as they have heretofore existed, are hereby repealed. Provided, however, that no provision of this ordinance, including the repeal of Sections 185.01, 185.03 and 185.04 of the Codified Ordinances of the City of Huron, Ohio, as they have heretofore existed, shall in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to the one percent municipal income tax



assessed by Chapter 185 of the Codified Ordinances of the City of Huron, Ohio, as it has heretofore existed and shall remain in effect until January 1, 2025.

Section 5. The Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this ordinance were taken, and all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City, and for the further reason that this ordinance is required to be immediately effective in order to enable the City to timely commence collection of the City's income tax at the increased rate provided for in this ordinance commencing January 1, 2025 and thereby to provide services and permanent improvements critical to the safety and well-being of the residents of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage.

Passed: \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

Clerk of Council

Section 3. It is the desire of this Council that the ballot language presented to the electors of the City of Huron shall be in substantially the following form:

A majority affirmative vote is necessary for passage.

Shall the ordinance (Ordinance No. 2024-24) providing for an increase in the municipal levy on income from one percent (1%) to one and seventy-five one-hundredths percent (1.75%) be passed?

:	:	_____	:
:	:	FOR THE INCOME TAX	:
:	:	_____	:
:	:	_____	:
:	:	AGAINST THE INCOME TAX	:
:	:	_____	:

The City Manager and the Director of Law, with the advice of the City's legal counsel, are each authorized to further or differently summarize the language of the proposed amendment for purposes of creating an appropriate ballot if requested or required by the Erie County Board of Elections, the Ohio Secretary of State or others.

Section 4. The Clerk of Council be and is hereby directed to file a certified copy of this resolution with the Board of Elections before the close of business on August 7, 2024.

Section 5. If the electors should fail to approve the passage of Ordinance No. 2024-24 at the election on November 5, 2024, such failure shall not in any way affect any rights or obligations of the City, any taxpayer, or any other person, official or entity, with respect to Chapter 185 of the City's Codified Ordinances.

Section 6. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken, and all deliberations of this Council and of any of its committees that resulted in such formal actions were held, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this City, and for the further reason that this resolution is required to be immediately effective in order to place this question on the ballot at an election on November 5, 2024; wherefore, this resolution shall be in full force and effect immediately upon its adoption.

Adopted: \_\_\_\_\_, 2024

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Clerk of Council



**TO:** Mayor Tapp and City Council  
**FROM:** Terri Welkener , Clerk of Council  
**RE:** Ordinance No. 2024-30 (*presented by Matt Lasko*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

Ordinance No. 2024-30 authorizes and accepts replacements pages to the Codified Ordinances, as prepared by American Legal Publishing (aka Walter Drane Company), based on legislation adopted by City Council through April 2024, as well as any changes made by the State pertaining to the Traffic Code and General Offenses Code during this same time period. Upon adoption of this ordinance, the April 2024 Codified Ordinances will be uploaded to the City website and replacement pages inserted into administrative hard copy versions. If any members of Council or Council Committee members retain the Codified Ordinance either electronically or in hard copy, please delete/discard and make the replacement with the update through April 2024 Codified Ordinances. A copy of the revised pages are available for review in the Council Clerk's office.

### **Financial Review**

The matter has been reviewed and while there are no costs associated with the acceptance of the updated Codified Ordinance pages, there are costs (filing fees, etc.) associated with the preparation of these Ordinances by American Legal Publishing, which costs have been included in the 2024 Municipal Budget. Fees for this service are based on the number of pages that require revision (in this case 240 pages), updating the internet version, PDF, thumb drive and hard copies.

### **Legal Review**

The matter has been reviewed, follows normal administrative procedure and is properly before you. The Ohio Revised Code is modified several times during the year. These changes do not affect the codified ordinances until the City Council considers an ordinance adopting changes. Ratification of this legislation will allow local officers the ability to pursue changes under the updated code sections.

### **Recommendation**

If Council is in agreement with the request, a motion to adopt Ordinance No. 2024-30 as an emergency measure is in order.

[Ordinance No. 2024-30 Adopting Ordinance \(2\).rtf](#)

ORDINANCE NO. 2024-30  
Introduced by

AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING CURRENT REPLACEMENT PAGES; AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Ohio:

Section 1. That the ordinances of the City of Huron, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the April 2024 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

301.35	School Bus. (Amended)
303.991	Committing an Offense While Distracted Penalty. (Amended)
331.38	Stopping for School Bus; Discharging Children. (Amended)
331.47	Restrictions on the Operation of School Buses. (Added)
333.03	Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
337.16	Number of Lights; Limitations on Flashing, Oscillating or Rotating Lights. (Amended)
337.26	Child Restraint System Usage. (Amended)
337.31	Lights and Sign on Transportation for Preschool Children. (Added)
341.01	Commercial Drivers Definitions. (Amended)
341.04	Commercial Drivers Prohibitions. (Amended)
341.05	Criminal Offenses. (Amended)
351.04	Parking Near Curb; Handicapped Locations on Public and Private Lots and Garages. (Amended)

### General Offenses Code

501.01	General Provisions and Penalty Definitions. (Amended)
505.18	Rights of Blind, Deaf or Hearing Impaired, or Mobility Impaired Person, or Trainer with Assistance Dog. (Added)
509.06	Inducing Panic. (Amended)
509.11	Impeding Public Passage of an Emergency Service Responder. (Amended)
513.01	Drug Abuse Control Definitions. (Amended)
513.16	Adult Use Cannabis Control; Limitations on Conduct by Individuals. (Added)
529.07	Open Container Prohibited. (Amended)
533.08	Procuring; Engagement in Sexual Activity for Hire. (Amended)
537.03	Assault. (Amended)
537.12	Misuse of 9-1-1 System. (Amended)
537.16	Illegal Distribution of Cigarettes, Other Tobacco Products, or Alternative Nicotine Products; Transaction Scans. (Amended)
549.13	Possessing Replica Firearm in School. (Amended)
549.14	Concealed Handgun Licenses; Possession of Revoked or Suspended License; Additional Restrictions; Posting Signs Prohibiting Possession. (Amended)

Section 3. The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current Codified Ordinances. New material contained therein is published at length in the Huron Codified Ordinances as provided in Section 3.05(2) of the Charter and no further publication shall be necessary.

Section 4. This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Ohio R.C. 121.22.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the residents of the City of Huron, Ohio, and for the further reason that there exists an imperative necessity for the earliest publication and distribution of current replacement pages to the Codified Ordinances to the officials and residents of the City, so as to facilitate administration, daily operation and avoid practical and legal entanglements; wherefore, this Ordinance shall be in full force and effect from and immediately following its adoption.

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Monty Tapp, Mayor

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

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



**TO:** Mayor Tapp and City Council  
**FROM:** Matthew Lasko  
**RE:** Ordinance No. 2024-32 (**first reading**) (*submitted by Matt Lasko*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

This summary relates to Ordinance Nos. 2024-32 and 2024-33:

The City has recently been petitioned by Firelands Scientific to modify our Ordinances to permit at least one recreational medical marijuana dispensary in the City (Firelands expects to receive their recreational dispensary license on or about June 15th). Our Ordinances currently prohibit all recreational marijuana dispensaries, no exceptions (1121.08).

Firelands request is governed by the “new” State marijuana law (ORC 3780.25(B)(2)) – they have an existing medical marijuana dispensary license and are going to dispense “on the same parcel or contiguous parcels” as the medical license facility, so the right to open the recreational dispensary appears absolute and, per the new statute, Firelands “**may not be prohibited or limited by any municipal corporation or Township**” from operating a recreational dispensary. This appears to be an absolute right to open a recreational dispensary; there is no case law to assist with further analysis, but the language in the statute is clear and unambiguous.

The City should consider modifying our Ordinances to allow at least one recreational dispensary based on the new ORC 3780.25(B)(2). A modification to the relevant Ordinances serves as confirmation that City is following current law.” Additional Ordinance changes are a step towards combining related regulations as “dual licensure” is anticipated by the State of Ohio.

### **Financial Review**

This legislation could result in future revenue opportunities through taxes and the City's electric utility.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-32 on its first reading is in order.

[Ordinance No. 2024-32 Section 11.21.08 Amend and Restate Recreational Marijuana \(2\).docx](#)

ORDINANCE NO. 2024-32  
Introduced by Sam Artino

AN ORDINANCE REPEALING AND AMENDING AND RESTATING SECTION 1121.08 (REGULATIONS APPLYING TO ALL DISTRICTS) OF CHAPTER 1121 (DISTRICTS ESTABLISHED; BOUNDARIES; GENERAL REGULATIONS) OF THE HURON CODIFIED ORDINANCES.

WHEREAS, this Council hereby determined the changes and amendments set forth within this Ordinance are in the best interest of the City of Huron and its citizens.

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

SECTION 1. That Section 1121.08 (Regulations Applying to all Districts) of Chapter 1121 (Districts Established; Boundaries; General Regulations) of the Codified Ordinances of the City of Huron, Ohio, which currently reads as follows:

"1121.08 REGULATIONS APPLYING TO ALL DISTRICTS

The retail dispensing of marijuana for recreational purposes is prohibited in all zoning districts of the City of Huron."

shall be and hereby is repealed in its entirety.

SECTION 2. That a new revised and restated Section 1121.08 (Regulations Applying to All Districts) of Chapter 1121 (Districts Established; Boundaries; General Regulations) of the Codified Ordinances of the City of Huron, Ohio, shall be amended to read as follows:

"1121.08 REGULATIONS APPLYING TO ALL DISTRICTS

The retail dispensing of marijuana for recreational purposes is limited to one (1) location citywide."

shall be, and hereby is, adopted and thereafter shall be in full force and effect.

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

SECTION 4. In accordance with Section 3.06 of the Charter of the City of Huron, Ohio, this Ordinance shall take effect thirty (30) days following its adoption.

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Monty Tapp, Mayor

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

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



**TO:** Mayor Tapp and City Council  
**FROM:** Matthew Lasko  
**RE:** Ordinance No. 2024-33 (**first reading**) (*submitted by Matt Lasko*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

This summary relates to Ordinance Nos. 2024-32 and 2024-33:

The City has recently been petitioned by Firelands Scientific to modify our Ordinances to permit at least one recreational medical marijuana dispensary in the City (Firelands expects to receive their recreational dispensary license on or about June 15th). Our Ordinances currently prohibit all recreational marijuana dispensaries, no exceptions (1121.08).

Firelands request is governed by the “new” State marijuana law (ORC 3780.25(B)(2)) – they have an existing medical marijuana dispensary license and are going to dispense “on the same parcel or contiguous parcels” as the medical license facility, so the right to open the recreational dispensary appears absolute and, per the new statute, Firelands “**may not be prohibited or limited by any municipal corporation or Township**” from operating a recreational dispensary. This appears to be an absolute right to open a recreational dispensary; there is no case law to assist with further analysis, but the language in the statute is clear and unambiguous.

The City should consider modifying our Ordinances to allow at least one recreational dispensary based on the new ORC 3780.25(B)(2). A modification to the relevant Ordinances serves as confirmation that City is following current law.” Additional Ordinance changes are a step towards combining related regulations as “dual licensure” is anticipated by the State of Ohio.

### **Financial Review**

This legislation could result in future revenue opportunities through taxes and the City's electric utility.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion placing Ordinance No. 2024-33 on its first reading is in order.

[Ordinance No. 2024-33 Section 11.21.08 Amend and Restate Recreational Marijuana - Copy \(1\).docx](#)



ORDINANCE NO. 2024-33  
Introduced by Sam Artino

AN ORDINANCE REPEALING AND AMENDING AND RESTATING SECTION 1126.16 (MARIJUANA RETAIL DISPENSARIES) OF CHAPTER 1126 (SPECIAL PROVISIONS) OF THE HURON CODIFIED ORDINANCES.

WHEREAS, this Council hereby determined the changes and amendments set forth within this Ordinance are in the best interest of the City of Huron and its citizens.

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

SECTION 1. That Section 1126.16 (Marijuana Retail Dispensaries) of Chapter 1126 (Special Provisions) of the Codified Ordinances of the City of Huron, Ohio, which currently reads as follows:

"1126.16 MARIJUANA RETAIL DISPENSARIES.

(a) Purpose. To establish limitations on medical marijuana dispensary operations within the City and to establish reasonable and uniform regulations to minimize and control the negative secondary effects of medical marijuana dispensaries within the City, all in order to promote the health, safety, and welfare of the citizens of the City.

(b) Applicability. The development regulations established within this chapter are applicable to the following development criteria:

(1) A facility, building, or group of buildings for the purpose of retail dispensing of medical marijuana.

(c) Location. The following regulations shall be used to regulate the location of medical marijuana retail dispensary facilities:

(1) Medical marijuana retail dispensaries are conditionally permitted within any Industrial district within the city. In addition, no medical marijuana retail dispensary may be within 1000 ft. from any parcel on which sits a school, church, public library, public playground or public park.

(d) Other Requirements. Medical marijuana retail dispensaries shall comply with Chapter [751](#) of these Ordinances and ORC 3796 et seq. Only one medical marijuana retail dispensary shall be permitted within the City limits per this section."

shall be and hereby is repealed in its entirety.

SECTION 2. That a new revised and restated Section 1121.08 (Regulations Applying to All Districts) of Chapter 1121 (Districts Established; Boundaries; General Regulations) of the Codified Ordinances of the City of Huron, Ohio, shall be amended to read as follows:

"1126.16 MARIJUANA RETAIL DISPENSARIES.

(a) Purpose. To establish limitations on any and all marijuana dispensary operations within the City and to establish reasonable and uniform regulations to minimize and control the negative secondary effects of such marijuana dispensaries within the City, all in order to promote the health, safety, and welfare of the citizens of the City.

(b) Applicability. The development regulations established within this chapter are applicable to the following development criteria:

(1) A facility, building, or group of buildings for the purpose of retail dispensing of marijuana in conformity with Chapter 751 of these Ordinances, ORC 3796 et seq., and ORC 3780 et seq.

(c) Location. The following regulations shall be used to regulate the location of any and all marijuana retail dispensary facilities that operate pursuant to and in conformity with Chapter 751 of these Ordinances, ORC 3796 et seq., and ORC 3780 et seq.:

(1) All marijuana retail dispensaries are conditionally permitted within any Industrial district within the city. In addition, no marijuana retail dispensary may be within 1000 ft. from any parcel on which sits a school, church, public library, public playground or public park.

(d) Other Requirements. Any and all marijuana retail dispensaries shall comply with Chapter 751 of these Ordinances, ORC 3796 et seq., and ORC 3780 et seq. Only one marijuana retail dispensary shall be permitted within the City limits per this section."

shall be, and hereby is, adopted and thereafter shall be in full force and effect.

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

SECTION 4. In accordance with Section 3.06 of the Charter of the City of Huron, Ohio, this Ordinance shall take effect thirty (30) days following its adoption.

\_\_\_\_\_  
Monty Tapp, Mayor

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

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



**TO:** Mayor Tapp and City Council  
**FROM:** Terri Welkener , Clerk of Council  
**RE:** Resolution No. 58-2024 (*submitted by Doug Steinwart*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

As submitted by Doug Steinwart, Parks & Recreation Operations Manager:

The Boating Infrastructure grant funds are available to public marinas that provide transient dockage. We would be looking at applying for Tier II that allows up to \$1.5 million. These funds are awarded to ODNR as a reimbursement grant. These federal funds can be used to reimburse up to 75% of the approved project cost. This grant is very competitive in nature, and must be filed no later than July 1, 2024. Additional information about this grant:

<https://dam.assets.ohio.gov/image/upload/ohiodnr.gov/documents/parks/grants/bigappGuidelines.pdf>

### **Financial Review**

The Boat Basin renovation project is on the City's capital improvement plan. The project cannot be funded without significant contributions from outside sources, such as federal and state grants.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion adopting Resolution No. 58-2024 is in order.

[Resolution No. 58-2024 BIG Grant through ODNR \\$1.5 Million \(1\).docx](#)

[Resolution No. 58-2024 Exh A BIG Program Grant Application.pdf](#)

RESOLUTION NO. 58-2024

Introduced by Matt Grieves

A RESOLUTION AUTHORIZING SUBMISSION OF BOATING INFRASTRUCTURE GRANT (BIG) PROGRAM APPLICATION TO THE OHIO DEPARTMENT OF NATURAL RESOURCES – DIVISION OF WATERCRAFT AND UNITED STATES FISH & WILDLIFE SERVICE FOR TIER II FUNDING ASSISTANCE RELATING TO THE HURON MUNICIPAL BOAT BASIN RENOVATION PROJECT IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND AND XX/100 DOLLARS (\$1,500,000.00); AND FURTHER AUTHORIZING THE CITY MANAGER TO ACCEPT SAID GRANT AWARD IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND AND XX/100 DOLLARS (\$1,500,000.00), SHOULD THE APPLICATION BE SUCCESSFUL.

WHEREAS, the City of Huron desires to seek grant funding from the Ohio Department of Natural Resources – Division of Watercraft and the United States Fish & Wildlife Service Boating Infrastructure Grant (BIG) Program for the Huron Municipal Boat Basin Renovation Project (the “Project”);

WHEREAS, the City meets basic eligibility requirements for funding, as the Project meets the guidelines of the program;

WHEREAS, the City of Huron has the authority to apply for financial assistance and to administer the amounts received from the Ohio Department of Natural Resources – Division of Watercraft and the United States Fish & Wildlife Service Boating Infrastructure Grant (BIG) Program; and

WHEREAS, the City of Huron is obligated to make a 3:1 non-federal match of the awarded funds in the amount of Five Hundred Thousand Dollars (\$500,000.00) should the full award amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00) be granted; and

WHEREAS, the City of Huron must direct and authorize the City Manager, Matthew Lasko, to act as the Authorized Representative for the application and Project, if awarded.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO AS FOLLOWS:

SECTION 1. That the Council of the City of Huron hereby ratifies submission of a grant application to the Ohio Department of Natural Resources – Division of Watercraft and the United States Fish & Wildlife Service Boating Infrastructure Grant (BIG) Program to become eligible for Tier II funding assistant relating to Huron Municipal Boat Basin Renovation Project in an amount not to exceed One Million Five Hundred Thousand and xx/100 Dollars (\$1,500,000.00).

SECTION 2. If grant funds are awarded, the City Manager is further authorized and directed to execute an agreement for and on behalf of the City of Huron, Ohio with the Ohio Department of Natural Resources – Division of Watercraft and the United States Fish & Wildlife Service for a Boating Infrastructure Grant (BIG) in an amount not to exceed One Million Five Hundred Thousand and xx/100 Dollars (\$1,500,000.00), and which agreement shall be in substantially in the form attached hereto as Exhibit “A.”

SECTION 3. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 4. That this Resolution shall go into effect and be in full force and effect immediately upon its passage.

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Monty Tapp, Mayor

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

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



OHIO DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATERCRAFT  
AND  
UNITED STATES FISH & WILDLIFE SERVICE



## Boating Infrastructure Grant Program (BIG Program)

### Application for Tier I or Tier II Funding Assistance

#### I - GRANTING AGENCY INFORMATION

<b>Mailing Address:</b> Ohio Department of Natural Resources Division of Watercraft 2045 Morse Road, Bldg. C Columbus, Ohio 43229-6693	<b>Contact Person:</b> Ted Welsh, Division of Watercraft Resource Planning Section Telephone: (614) 265-6410 Fax: (614) 267-8883 E-mail: ted.welsh@dnr.state.oh.us
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#### II - APPLICANT INFORMATION

Cooperating Agency/Marina Name:	Telephone Number:	Fax Number:
Mailing Address:	City, State:	Zip Code:
Contact Person:	Telephone Number:	E-mail:

#### III - PROJECT LOCATION

Facility Name:	County:	Body of Water:
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#### IV - GRANT AMOUNT/PROJECT COST

This application is for: <input type="checkbox"/> Tier I of the BIG Program <input type="checkbox"/> Tier II of the BIG Program	
<b>TOTAL ESTIMATED COST OF PROJECT:</b> \$ _____	
GRANT AMOUNT REQUESTED (maximum 75%)	MATCH AMOUNT (minimum 25% required)



VI – PROJECT DESCRIPTION (cont'd)				
PROPOSED PROJECT COMPONENTS				
	Number	Replacement?	New Installation?	Estimated Cost
DOCKS				
SLIPS				
MOORING BUOYS				
NAVIGATIONAL AIDS				
OTHER:				
OTHER:				
OTHER:				
INITIAL DREDGING				
GRAND TOTAL				

VII - PROJECT JUSTIFICATION
<p>Please refer to the section on <b>How Projects are Scored. Tier II applications:</b> Please include a clear description of <b>NEED</b> (why the project is being undertaken), <b>OBJECTIVES</b> (what is to be accomplished within the time and money parameters), <b>EXPECTED RESULTS AND BENEFITS</b> (a complete description of expected benefits), and <b>APPROACH</b> (describe actions, activities, methods, key personnel, budgets, schedules, and procedures that will be used to achieve the objectives). Attach additional pages titled "PROJECT JUSTIFICATION" as needed.</p>



<b>VIII - REQUIRED ATTACHMENTS</b>	
_____	1. <b>AREA MAP</b> (General area of Ohio showing where your marina is located)
_____	2. <b>SITE VICINITY MAP</b> (County, City, or USGS Quad map showing where your marina is located)
_____	3. <b>SITE PLAN</b> (Show the layout and boundaries of the marina and location of all proposed project components. All project components should be clearly labeled on the plan. Also label existing features on the site plan. Site plan must be to scale.)

**APPLICANT SIGNATURE**

Application is hereby made for the activities described herein. I certify that I am familiar with the information contained in the application, and, to the best of my knowledge and belief, this information is true, complete, and accurate.

I and my spouse affirm that we have not made, as an individual, within the past two calendar years, one or more contributions totaling in excess of \$1,000.00 to the Governor or his election committees, consistent with the restrictions of Section 3517.13 of the Revised Code.

I certify that the auditor of the state has not issued an unresolved finding for recovery against the organization that I represent, or myself.

_____		_____
Print/Type Name		Marina/Facility
_____		_____
Applicant Signature	Date	Title

**RETURN TWO APPLICATIONS WITH ORIGINAL SIGNATURES AND ATTACHMENTS TO:**

Ohio Department of Natural Resources  
 Division of Watercraft  
 2045 Morse Road - Bldg. C  
 Columbus, Ohio 43229-6693  
 Attn: Ted Welsh



**TO:** Mayor Tapp and City Council  
**FROM:** Stuart Hamilton , Service Director  
**RE:** Resolution 59-2024 (*submitted by Stuart Hamilton*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

In March of 2023, the property at 531 Berlin Road was condemned by our building official. The demolition was put out to bid, awarded and eventually demolished in February of 2024. After the demolition, the property owner was invoiced for the full amount of the demolition, which they selected not to pay. This Resolution is to certify the full cost of the demolition to the tax duplicate of the property.

### **Financial Review**

The demolition cost of \$23,010 was paid out of the Property Maintenance Fund (Fund 202). The City will attempt to recover the cost of the demolition (plus interest) by assessing the property through the property tax collection process. The City will need to certify the amount to the County by early September.

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion adopting Resolution No. 59-2024 is in order.

[Resolution No. 59-2024 Exh A Invoice for Demolition of 531 Berlin Rd \\$23,010.xlsx](#)

[Resolution No. 59-2024 Resolution of Necessity 531 Berlin Rd Demolition - Copy \(2\).docx](#)



Use this template to create a Service Invoice with simple lines design.

Fill in Invoice number, Date, Customer ID, Company Name and Slogan, and bill To details.

Enter information in tables.

Total is auto calculated for you.

Note:

Additional instructions have been provided in column A in SERVICE INVOICE worksheet. This text has been intentionally hidden. To remove text, select column A, then select DELETE.

To learn more about tables, press SHIFT and then F10 within a table, select the TABLE option, and then select ALTERNATIVE TEXT.

The City of Huron 417 Main Street Huron, Ohio 44839 Phone: 419-433-5000 Fax: 419-433-5120

RESOLUTION NO. 59-2024

Introduced by Joe Dike

A RESOLUTION OF NECESSITY RECOMMENDING AND RATIFYING INSPECTION OF PROPERTY LOCATED AT 531 BERLIN ROAD, HURON, OH 44839 (ERIE COUNTY, OHIO PPN: 42-01067.000) IN ANTICIPATION OF ENFORCEMENT OF BUILDING CODE AND PROPERTY MAINTENANCE ORDINANCES; ORDERING THE DEMOLITION OF THE STRUCTURE LOCATED AT 531 BERLIN ROAD, HURON, OH 44839 PURSUANT TO THE HOUSING INSPECTOR'S NOTICE OF INTENT TO DEMOLISH THE STRUCTURE; AND ORDERING CERTIFICATION OF THE EXPENSES AND LABOR COSTS INCURRED TO THE ERIE COUNTY, OHIO AUDITOR TO BE PLACED UPON THE TAX DUPLICATE AS A LIEN UPON SUCH LAND.

WHEREAS, on March 27, 2023, interior and exterior inspections were conducted of the building structure located at 531 Berlin Road, Huron, OH 44839, known as Erie County, Ohio PPN: 42-01067.000 and more fully described in the legal description attached hereto as Exhibit "A" (hereinafter, the "Structure") by personnel of the Huron Fire Department, Huron Zoning Department and the Huron Building Official; and

WHEREAS, after a visual inspection by the Building Official pursuant to Section 905.01(a) of the Huron Codified Ordinances, the Structure was determined to be unsanitary and a danger to the occupant and emergency personnel that may be asked to respond there, and in accordance with Chapter 1357 of the Codified Ordinances of the City of Huron, the Structure was condemned on April 3, 2023;

WHEREAS, pursuant to Section 1358.03 of the Huron Codified Ordinances, the owner, operator, and occupant, as applicable, have been served with the Notice of Intent to Demolish effective September 15, 2023; and

WHEREAS, the City and property owner entered into a Property Owner Consent to Demolition Release and Agreement dated November 27, 2023; and

WHEREAS, demolition of the Structure was completed on February 9, 2024; and

WHEREAS, the Property Owner was provided a copy of an invoice for the total cost of demolition in the amount of \$23,010.00, mailed on May 7, 2024, which invoice remains unpaid.

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

SECTION 1. That this Council acknowledges the Huron Fire Department, Huron Zoning Department and Huron Building Official's inspection of the building structure located at 531 Berlin Road, Huron, OH 44839, known as Erie County, Ohio PPN: 42-01067.000 (the "Structure") to ensure compliance with existing Codified Ordinances and Ohio law, and in anticipation of enforcement of said Ordinances and Ohio law.

SECTION 2. That the condition of said Structure in the City of Huron was determined to be unsanitary and a danger to the occupant and emergency personnel that may be asked to respond there, and in accordance with Chapter 1357 of the Codified Ordinances of the City of Huron, the Structure was condemned on April 3, 2023.

SECTION 3. pursuant to Section 1358.03 of the Huron Codified Ordinances, the owner, operator, and occupant, as applicable, have been served with the Notice of Intent to Demolish effective September 15, 2023; and

SECTION 4. That this Council hereby approves the estimated costs of the proposed demolition and asbestos survey, as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

SECTION 5. That Council hereby orders that since the Property owner has failed to reimburse the City of Huron within 30 days of receipt of an invoice for demolition services performed by the City, the expenses and labor costs incurred in making the repair shall be entered upon the tax duplicate as a lien upon such land pursuant to Section 905.08(a)(2) of the Codified Ordinances of the City of Huron.

SECTION 6. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. § 121.22.

SECTION 7. That this Resolution shall be in full force and effect from and immediately following its adoption.

\_\_\_\_\_  
Monty Tapp, Mayor

ATTEST:

\_\_\_\_\_  
Clerk of Council

ADOPTED:

\_\_\_\_\_

### Legal Description

Situated in the City of Huron, County of Erie and State of Ohio and being known as part of Original Lot 26, Section 1, Huron Township, now in the City of Huron, Erie County, Ohio. Also being known as part of land conveyed to the Klingshirn Corporation as recorded in Volume 44, Page 570 of Erie County Deed records and more definitely described as follows:

Beginning at the intersection of the North line of the aforesaid Klingshirn Corporation land and the Southwesterly line of Berlin Road.

Thence S. 52 degrees 33' West along the north line of The Klingshirn Corporation land, said line also being the south line of land conveyed to Robert J. Lazarony, as recorded in Volume 439, Page 548 of Erie County Deed Records, a distance of 153.00 feet to a point.

Thence S. 37 degrees 27' E., a distance of 80.00 feet to a point.

Thence W. 52 degrees 33' E., a distance of 153.00 feet to the southwesterly line of Berlin Road.

Thence N. 37 degrees 27' W. along the southwesterly line of Berlin Road, a distance of 80.00 feet to the place of beginning, embracing 0.28 acre of land, but being subject to all legal highways.

aka 531 Berlin Rd., Huron, OH 44839

PPN: 42-01067.000



**TO:** Mayor Tapp and City Council  
**FROM:** Stuart Hamilton , Service Director  
**RE:** Resolution No. 60-2024 (*submitted by Stuart Hamilton*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

Multiple quotes were requested and received to repair the emergency services parking lot. This parking lot has been in repair for some time, but over the last winter it really started to deteriorate. It is time to tackle it. This will preplace the center section of the parking lot with 8-inch reinforced concrete, remove the stone divide between this parking lot and the Court parking lot and replace with a concrete divide and remove and replace the two catch basins in the two smaller parking lots.

### **Financial Review**

The City's Capital Improvement Fund (Fund 401) will pay for this project.

Account: 401-7500-55102

Amount: \$64,000

### **Legal Review**

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

### **Recommendation**

If Council is in agreement with the request, a motion adopting Resolution No. 60-2024 is in order.

[Resolution No. 60-2024 Smith Paving Proposal City Hall Paving \\$64,000 \(1\).docx](#)

[Resolution No. 60-2024 Exh A Smith Paving City Hall Concrete Paving \\$64,000.pdf](#)



RESOLUTION NO. 60-2024

Introduced by Sam Artino

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH SMITH PAVING & EXCAVATING INC. FOR CONCRETE PAVING AND CATCH BASIN RECONSTRUCTION SERVICES RELATING TO THE EMERGENCY SERVICES PARKING LOT REPAVING PROJECT IN THE AMOUNT OF SIXTY-FOUR THOUSAND AND XX/100 (\$64,000.00)

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

SECTION 1. That the City Manager shall be, and he hereby is, authorized and directed to accept the proposal and enter into an agreement with Smith Paving & Excavating Inc. for concrete paving and catch basin reconstruction services relating to the Emergency Services Parking Lot Repaving Project in the amount of Sixty-Four Thousand and XX/100 Dollars (\$64,000.00), which proposal is attached hereto as Exhibit "A" and incorporated herein.

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

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

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Monty Tapp, Mayor

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

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

**Smith Paving & Excavating Inc.**  
**Aaron Smith**  
**4426 North Old State Rd**  
**Norwalk, Ohio 44857**  
**Phone: (419) 668-4165**  
**Fax No: (419) 668-7572**  
**Email: Asmith@spenorwalk.com**

**Date:** 4/17/2024  
**Job Name:** HURON CITY BLDG  
**Company:** CITY OF HURON  
**Attention:** STUART HAMILTON  
**Fax No:**

ITEM	QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL
	5150	SF	8" REINFORCED CONC PAVEMENT	\$9.50	\$48,925.00
	5150	SF	PAVEMENT REMOVED	\$1.50	\$7,725.00
	5150	SF	SUBGRADE COMPACTION	\$0.25	\$1,287.50
	660	LF	FULL DEPTH SAWING	\$2.50	\$1,650.00
	110	SF	WALK REMOVED	\$2.25	\$247.50
	110	SF	4" CONCRETE WALK	\$5.50	\$605.00
	1	EA	PVC YARD DRAIN WITH GRATE	\$1,100.00	\$1,100.00
	28	LF	4" UNDERDRAIN WITH SOCK	\$20.00	\$560.00
	2	EA	CATCH BASIN RECONSTRUCT	\$950.00	\$1,900.00
			PRICES IS BASED ONE MOBILIZATION		
PRICE INCLUDES SAWING, EXCAVATION, COMPACTION, HEAVY WIRE MESH, CURING, QC1 CONCRETE					
			AND ALL LABOR TO FORM, POUR, & FINISH THE ABOVE ITEMS		
			ONE MOBILIZATION ESTIMATED FOR ALL WORK		
			STRIPING NOT INCLUDED IN PRICING		
AN EQUAL OPPORTUNITY EMPLOYER				<b>TOTAL</b>	<b>\$64,000.00</b>

PRICES GOOD FOR 30 DAYS  
 NO TESTING OR INSPECTION INCLUDED IN PRICING  
 ENGINEERING IF NEEDED BY OTHERS. ALL TESTING AND PERMITS BY CITY  
 TRAFFIC CONTROL INCLUDED IN PRICING BUT CAN BE PERFORMED BY CITY



**TO:** Mayor Tapp and City Council  
**FROM:** Matthew Lasko  
**RE:** Resolution No. 61-2024 (*submitted by Captain Mike Hohler*)  
**DATE:** June 25, 2024

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### **Subject Matter/Background**

As submitted by Captain Mike Hohler:

The Huron Fire Department has submitted a requisition for ten complete sets of Morning Pride turnout gear at a cost of \$48,550.00. Turnout gear or “bunker gear” is the Nomex-lined protective clothing we wear to fires. These ten sets will replace gear that was purchased in 2002 and has far exceeded its life expectancy. We have applied for a grant through FEMA for 26 sets and are optimistic we will be awarded funding later this year. There is no price discount for quantity ordering therefore we would prefer to order ten now allowing us to replace the worst sets. We have been able to buy several sets in the last few years therefore we do not need to replace all 43 sets at this time. For reference, a set includes coat, pants, helmet, boots, and gloves. The funding for this project was included in our capital budget for 2024.

### **Financial Review**

The Fire Department's 2024 budget includes the cost of turnout gear.

Account: 403-1310-55204

Amount: \$48,550

### **Legal Review**

The matter has been reviewed, follows normal administrative

### **Recommendation**

If Council is in agreement with the request, a motion adopting Resolution No. 61-2023 on its first reading is in order.

[Resolution No. 61-2024 Turnout Gear Purchase Morning Pride \\$48,550.docx](#)

[Resolution No. 61-2024 Exh A Municipal Emergency Svcs Turnout Gear x10 Purchase \\$48,550.pdf](#)

RESOLUTION NO. 61-2024

Introduced by Monty Tapp

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT WITH MUNICIPAL EMERGENCY SERVICES FOR THE PURCHASE OF TEN (10) SETS OF TURNOUT GEAR FOR THE HURON FIRE DEPARTMENT IN THE AMOUNT OF FORTY-EIGHT THOUSAND FIVE HUNDRED FIFTY AND XX/100 (\$48,550.00)

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

SECTION 1. That the City Manager shall be, and he hereby is, authorized and directed to accept the proposal and enter into an agreement with Municipal Emergency Services for the purchase of ten (10) sets of turnout gear for the Huron Fire Department in the amount of Forty-Eight Thousand Five Hundred Fifty and XX/100 Dollars (\$48,550.00), a copy of the proposal is attached hereto as Exhibit A and incorporated herein by reference.

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

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

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Monty Tapp, Mayor

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

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



# Quote

Quote # QT1824888  
Date 05/31/2024  
Expires 06/15/2024  
Sales Rep Jesberger, Michael  
PO # Gear  
Shipping Method FedEx Ground  
Customer HURON FIRE DEPARTMENT (OH)  
Customer # C42082

**Bill To**  
CITY OF HURON  
417 MAIN ST  
HURON OH 44839-1652  
United States

**Ship To**  
HURON FIRE DEPARTMENT  
415 MAIN ST  
HURON OH 44839  
United States

Item	Alt. Item #	Units	Description	QTY	Unit Price	Amount
HFRP Tail Coat	OHHURO00069		OHHURO00069 HFRP Tail Coat LTO 17IG Tail Coat - Golden Brown	10	\$2,100.00	\$21,000.00
Custom HFRP Pro Fit Pant	OHHURO00070		OHHURO00070 Custom HFRP Pro Fit Pant MPL 17IG Pro Fit Pant - Golden Brown	10	\$1,430.00	\$14,300.00
BT5555-11-X-Wide 3979471			Honeywell PRO Nighthawk 5555	10	\$582.00	\$5,820.00
FC-1000-L-Regular			BarriAire Gold™ Complete Coverage Hood	10	\$130.00	\$1,300.00
HFRP Helmet	MESQKQT2233291 210		Flame Glove - Gauntlet Cuff MESQKQT2233291210 Honeywell Helmet Ben 3 Plus - Black	10	\$126.00 \$487.00	\$1,260.00 \$4,870.00

**Subtotal** \$48,550.00  
**Shipping Cost** \$0.00  
**Tax Total** \$0.00  
**Total** \$48,550.00

This Quotation is subject to any applicable sales tax and shipping and handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT1824888