

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, August 27, 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. Call To Order Moment of Silence followed by the Pledge of Allegiance to the Flag
- II. Roll Call of City Council

III. Approval of Minutes

- III.a Minutes of the November 28, 2023 Council work session.
- **III.b** Minutes of the February 27, 2024 Council work session.
- III.c Minutes of the July 9, 2024 Council Work Session
- **III.d** Minutes of the July 23, 2024 Council work session.
- III.e Minutes of the August 13, 2024 regular Council meeting.

IV. Audience Comments

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

V. Tabled Legislation

V.a Ordinance No. 2024-24 (TABLED 6/25/24) (submitted by Ed Widman)
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 0.75% income tax and up to a 1.74% credit for taxes paid to another municipality beginning January 1, 2025.

VI. Old Business

VI.a Ordinance No. 2024-38 (second reading) (submitted by Stuart Hamilton)
An ordinance amending Codified Ordinance Section 305.01, Traffic Control Map, and Codified
Ordinance Section 305.02, Traffic Control File, regarding removal of the 3-way flashing traffic signal located at the intersection of Mudbrook Road (Route 13) and Riverside Drive within the City of Huron, Ohio.

VII. New Business

VII.a Resolution No. 69-2024 (submitted by Stuart Hamilton)

A resolution authorizing payment of the annual invoice from the Ohio Department of Transportation for lane mile reimbursement for State Route 2 in the amount of \$60,929.71.

VII.b Ordinance No. 2024-40 (submitted by Doug Steinwart)

An ordinance establishing mooring charges for the Huron Municipal Boat Basin Marina for the 2025 boating season.

VII.c Ordinance No. 2024-41 (submitted by Ed Widman)

An appropriations and cash transfer ordinance.

VII.d Council discussion regarding proposals submitted by Prephan Enterprises and Knez Homes/K Hovnanian Homes relating to development of the former ConAgra parcel.

VIII. City Manager's Discussion

- IX. Mayor's Discussion
- X. For the Good of the Order
- XI. Executive Session(s)
- XII. Adjournment



TO: Mayor Tapp and City Council

FROM: Edward Widman

RE: Ordinance No. 2024-24 (TABLED 6/25/24) (submitted by Ed Widman)

DATE: August 27, 2024

Subject Matter/Background

This ordinance amends the City's tax code in sections 185.01, 185.03, 185.04 and 185.06 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

This matter has been tabled.

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 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 sitused to a municipal corporation as follows:
- (a) Gross receipts from the sale of tangible personal property shall be sitused 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 sitused 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 sitused 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 sitused to the Municipality.
- (e) Gross receipts from rents and royalties from tangible personal property shall be sitused 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 sitused 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 sitused 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 sitused 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 sitused 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 sitused 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 guarter 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 guarter.
- (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 \$11,000. 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 an 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. 2024-38 (second reading) (submitted by Stuart Hamilton)

DATE: August 27, 2024

Subject Matter/Background

The Safety Committee met on August 7, 2024 to discuss removal of the existing 3-way blinking traffic light located at the intersection of Mudbrook Road (Route 13) and Riverside Drive. The Committee unanimously recommended that this traffic signal is unnecessary and should be removed. Copies of the DRAFT minutes from the August 7, 2024 meeting of the Safety Committee are attached hereto as Exhibit 1.

There have been no changes made to this legislation since its first reading on August 13, 2024.

Financial Review

There should be no cost impact for this legislation.

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. 2024-38 on its second reading is in order.

8-7-24 Safety Committee Minutes DRAFT.docx Ordinance No. 2024-38 Traffic Control Map and File - Remove Flashing Light at Mudbrook and Riverside.docx

THE CITY OF HURON, OHIO

Huron Safety Committee Meeting Minutes August 7, 2024 – 3:30pm

A meeting of the Council Safety Committee was called to order by Monty Tapp on Wednesday, August 7, 2024 at 3:35pm at Huron City Hall. Committee members in attendance: Monty Tapp, Sam Artino and William Biddlecombe.

Staff in attendance: Police Chief Terry Graham, Captain Mike Hohler and Executive Administrative Assistant /Clerk of Council Terri Welkener.

Old Business

None.

New Business

Resident Request to Make No Turn on Red Effective 24/7 as Opposed to During School Days/ Hours as Currently Posted Due to Safety Concerns Relating to Cars Pulling Into the Crosswalk to Make the Right Turn at US-6 and Main Street.

Mayor Tapp acknowledged Mike Riggle's attendance at the work session and asked him if he wanted to comment.

Mr. Riggle said:

I wish motorists would learn how to stop at every intersection without pulling into those crosswalks. He would really love the see the policeman right there seeing somebody turn right on red.

Mayor Tapp said he understands the situation, and wishes we could have police at every intersection, but we can't. Chief Graham provided some historical data on the current sign. There used to be houses on Huron Street and the Auxiliary Gym was not there. Back when those houses were there, St. Peter's used to have outdoor recess on the parking lot on Main Street. That sign was put in that location (that's the only sign in the entire city prohibiting a right turn on red) with the theory of potentially making a safer turn there because of recess out there. There used to be a day when the Street Department would remove the sign at the end of the school year and put the sign back up at the start of the school year. For the last (approximate) 10 years, it has been up year-round, and it says, "No turn on red 8am-4pm school days only." He has questions because this causes confusion to people because they may not know when school is in session and when it isn't. Most schools are done by 3pm. Whey do we still need it from 3-4pm? Why was it 8am-4pm, and why didn't it just say school hours on school days. This creates confusion, especially with our transient and out-of-town people of when school is in session, when was it cancelled because of a water main break... how would anyone know? Recess is no longer held in that parking lot anymore. It is held on the north side of the The Rock Annex Building. The parking lot is now occupied by cars. He doesn't think they need the restriction at all. Why are we saying that intersection is any more dangerous than kitty-corner from that? Whey isn't there a restriction on all four corners, and why isn't it done at every intersection in the city? Cars pull up, they come to a legal stop, but not everybody obeys the law. They try to enforce that every time they can. People shouldn't come to a stop within the crosswalk. There is a stop line there. People should be able to come up there and safely make a right turn on red. His suggestion is to get rid of it altogether since they are talking about it.

Mayor Tapp commented that he is not sure why that sign is still there now, but it did make sense when recess was held in the parking lot. From what he understands, that is only sign like that in Huron. Chief Graham confirmed that it is the only "No Right Turn on Red" restriction in the City. Mayor Tapp added that at every other intersection with a legal stop you can turn right on red. In defense of walkers and bicyclers, he told Mr. Riggle that he understands his position and wishes the City had enough police officers that they could watch every intersection, but that is not feasible. Some people obey the law, and some don't. Sometimes when he is driving, is that sometimes the bicyclers are going out in the crosswalk before they look, too. It's a double-edged sword – bicyclers have the same laws to abide by. He agrees with Chief Graham that the sign should be gotten rid of altogether. It should be a right turn on red after a legal stop.

Mr. Biddlecombe said he posted the agenda on his Council Facebook page, and overwhelmingly, the comments were against making it a no right turn on red all the time. Just looking at that, and also hearing from Chief Graham... he was going to push to just keep it the way it is, but looking at the Chief's viewpoint, he would agree that it probably not warranted anymore. Mayor Tapp agreed, saying it makes no sense as it is the only place in Huron that doesn't allow a turn on red during certain hours — why only at that one corner?

Mr. Artino agreed, saying he doesn't know why it's there anymore, either. It was there because of the kids. What they can do if they remove it, is plaster that all over our Facebook page and everything else. At the same time, we could maybe give some warning that the police will be keeping a close eye on that intersection and enforcing any violations. Mayor Tapp thinks people just aren't aware that they are supposed to stop for the crosswalks near Berlin Road when the lights are going. Chief Graham agreed and said the Mayor's comments about bicycles brings up a whole other host of issues. There was a time when bicycles in that area weren't allowed on the sidewalk because that was a business district, and then they had the fatal accident in 1996 at US 6 and Huron Street that changed all of that. Bicycles aren't even supposed to be in the crosswalk. Bicycles are vehicles are and supposed to follow the rules of the road. Crosswalks are exclusively for pedestrians. The proper way for a bicycle to cross is they have to get off their bike and walk it across the crosswalk. Once the bicyclist brings their feet up onto the pedals, they have now declared themself a vehicle and vehicles are excluded from being in the crosswalk. We see how often people do that and they do, verbally, stop people and tell them they are not supposed to do that... or they are going across the bridge against traffic in the bike lane. They are not supposed to do that. If you are on one side of Cleveland Rd. W. and you want to go to another place on the same side, why would you go across traffic to have to come back across? They try to educate with proper pedestrian safety and bicycle safety. It is a tough sell. Now we have golf carts in the bike lanes, and they are also working on that educational component. If they could get everyone to follow the law, it would be great. What they will do if the Safety Committee does recommend removal of that sign, is they have a program in their RMS System called Community Watch, which alerts all of them that they have to do some stationary patrols in that area. They can sit at BP, the bank or the Donut Shop to monitor that intersection. BP would probably be better because you could be more in line with the stop line to make sure people are coming to a complete stop before the stop line.

Motion by Mr. Artino that they remove the sign completely and use this as an opportunity to help educate motorists and pedestrians. The motion by second by Mr. Biddlecombe.

Chief Graham asked Mr. Hamilton if they would have to do a journal entry and update the traffic map. Mr. Hamilton answered, yes.

Member of the Safety Committee voted on the motion as follows:

YEAS: Tapp, Artino, Biddlecombe (3)

NAYS: None (0)

There being more than a majority in favor, the motion passed, and a recommendation will be made to Council for complete review of the no turn on red sign at the intersection of US 6 and Main Street.

<u>Discussion Regarding the Removal of 3-Way Flashing Light at the Intersection of Mudbrook Road (Route 13) and Riverside Drive, and Installation of Two Additional Signs to Make the Intersection Safer</u>

Mr. Hamilton explained that as we come into town, we have that one-off, random 3-way flashing amber light. It's one of those lights that has always been there. No one knows why, for sure. It is not used, it is within a 35mph zone, and there are not other flashing yellow lights at any other intersections in town. They consistently must repair the signal box and replace the lightbulbs on these lights to keep them functional. They have verified with ODOT that they would quite happily see them disappear, as they find them confusing. The Street Department and staff are requesting the removal of these flashing lights. Further down, they will be putting in two new high-visibility crosswalks at Forest Hills and Valley View. They are already at 35mph at this point, perhaps it used to be 55mph at some point? Staff is requesting that we update the traffic book and remove these lights. Mr. Biddlecombe thought that the light was there because there wasn't even a stop sign at Riverside at one point. Chief Graham added that they haven't had a crash at that intersection in decades - he can't even remember the last one. He thinks the light does nothing and asked about the double signs. Mr. Hamilton explained that the signs referenced relate to the crosswalks at Valley View and Forest Hills. Chief Graham said they are totally fine with removing the light. They used to have a blinking light at Williams and Cleveland Rd. W., and they ended up removing it, because it was flashing for the stop signs and was yellow for the through traffic. They don't need it and he mentioned to one of the other officers what we were going to talk about at this meeting, and he said he didn't even know the light was there. No one notices it. He would support removing the light altogether.

Motion by Mr. Biddlecombe to remove the 3-way flashing light at the intersection of Mudbrook Road (Route 13) and Riverside Drive.

Members of the Committee voted as follows:

YEAS: Biddelcombe, Artino, Tapp (3)

NAYS: None (0)

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

Mayor Tapp asked if there was anything new to discuss. Mr. Biddlecombe brough up the request he got from a resident about how traffic coming in from the lake side of Williams to Cleveland Road West thinks it's a 4-way stop and will pull out, and they though maybe having a "Cross Traffic Does Not Stop" on those stop signs would be helpful. One thing he noticed is that people seem to get confused at that intersection. Chief Graham said he would argue why would they put those there and not at Center and Ohio, as well. He thinks Ohio Street is a more dangerous intersection because they took out a traffic light there. He would recommend that if they think it is prudent to put one there, that they put them on all three. Mr. Biddlecombe said he would agree with that and thinks that would be helpful. The request was made because they see a lot more out-of-state plates coming from the water, and there have been, in their opinion, a lot of near misses. Chief Graham took pictures for Mr. Hamilton when this was first brought up at Council. He thinks the intersection at Cleveland Rd. W. and Williams Street is the most unobscured intersection. Of the three, they have more accidents at Cleveland Rd. W. and Center Street because there are a lot of trees in the boulevard. School time is a mess in there, but of the three, Williams and Cleveland Rd. W. is by far the safest of the three, and safest as qualified by number of accidents. If they think those signs are prudent for Cleveland Rd. W./Williams, he recommends doing them at the Cleveland Rd. W./Center Street and Cleveland Rd. W./Ohio Street, as well. Mr. Hamilton added that from a Streets point of view, any time they

make an intersection that is the same as 50 other intersections in town different, he believes it causes confusion. If you get used to seeing signs that say, "Cross Traffic Does Not Stop," when you don't see one, do they start presuming they are 4-way stops. He thinks it adds a layer of confusion. Chief Graham agreed with Mr. Hamilton, saying our most dangerous intersection was at US 6 and Williams Street when they took the Yield signs out and put Stop signs in. They had over 40 crashes in 3 years, and they haven't had one since they put the Stop signs in. They didn't put Cross Traffic Does Not Stop, and that was, by far, the City's most dangerous intersection. He agreed with Mr. Hamilton, but if the decision is made to add the Cross Traffic Does Not Stop signs, they should be on all three. He would recommend leaving it as is because they didn't do that at their most dangerous intersection. Mr. Artino said they haven't had any issues at that intersection, which was confirmed by Chief Graham. The people that it was really difficult for was the local residents, because they were so used to a running start going through there. Mayor Tapp says he still sees some people treating the Stop sign as a Yield sign. Chief Graham said they have stopped some cars them, and educated people on it, but it's the crashes that have stopped. Is that going to maintain forever? No, but it has astronomically/unbelievably reduced the number of crashes at that intersection. Anybody coming northbound not stopping there is nuts because of the Mesenberg building there; you have to come to a stop to safely clear going out there.

Mayor Tapp agreed that you do have to pull up at some intersections to be able to see. Chief Graham added that they didn't put in a "Crossing Traffic Does Not Stop" after the fatal accident at US 6 and Huron Street. Mayor Tapp agreed that it may be confusing if they add the signs to a few but don't do it at the other 10. Mr. Biddlecombe said it makes sense and he thinks part of the issues is because it is now a stop at Main Street, there is such a short area there, people put their signal on in preparation to turn onto Main Street, but they are still within the area of Williams Street, so people on Williams Street think they are going to turn, and they don't. Chief Graham said to remember that a turn signal does not alleviate your responsibility to yield from a stop sign. The stop sign law says you shall yield to all traffic, both legal and illegal. Everyone know, especially when pulling out of Commerce Plaza, that you don't trust the turn signal. You wait until they turn or have gone by.

Mayor Tapp asked if anyone had anything else to discuss.

Chief Graham said that when the journal entry goes through to remove the no turn on red sign, that's when he will put the Community Watch on there to verify that people are stopping at the stop line. Mr. Biddlecombe asked if Council must pass legislation, which was confirmed by Mr. Hamilton.

Motion by Mr. Biddlecombe to adjourn the meeting. All in favor.

The Safety Commit	ttee meeting was adjourned	at 3:58pm	
Adopted:			
		Terri S. Welkene	 Т

ORDINANCE NO. 2024-38 Introduced by William Biddlecombe

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 305.01, TRAFFIC CONTROL MAP, AND CODIFIED ORDINANCE SECTION 305.02, TRAFFIC CONTROL FILE, REGARDING REMOVAL OF THE 3-WAY FLASHING TRAFFIC LIGHT AT THE INTERSECTION OF MUDBROOK ROAD (ROUTE 13) AND RIVERSIDE DRIVE WITHIN THE CITY OF HURON, OHIO; AND DECLARING AN EMERGENCY

WHEREAS, on August 7, 2024, the Safety Committee made a recommendation to Council to remove the 3-way flashing traffic light at the intersection of Mudbrook Road (Route 13) and Riverside Drive within the City of Huron, Ohio.

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

<u>SECTION 1</u>. That pursuant to Codified Ordinance Section 305.03(b), Amendments, amendments are hereby made to Codified Ordinance 305.01, Traffic Control Map, and Codified Ordinance Section 305.02, as follows:

Removal of the 3-way flashing traffic light at the intersection of Mudbrook Road (Route 13) and Riverside Drive.

<u>SECTION 4</u>. That the Service Director shall oversee the erection, removal and maintenance of only those authorized traffic control signals and devices as are necessary to regulate, warn or guide traffic in accordance with the provisions of this Ordinance.

<u>SECTION 5</u>. That the Division of Police shall amend the Traffic Control Map and Traffic Control File in accordance with the provisions of this Ordinance.

SECTION 3. That 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 O.R.C. §121.22

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and for the further reason that, in order to effectively control traffic within the municipality, it is imperative this Ordinance be effective immediately; WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its adoption and upon posting of the authorized traffic control signals and devices to regulate, warn or guide traffic in accordance with the provisions of this Ordinance.

		Monty Tapp, Mayor	
ATTEST:	of Council		
Clerk	oi couricii		
ADOPTED:			



TO: Mayor Tapp and City Council FROM: Stuart Hamilton, Service Director

RE: Resolution No. 69-2024 (submitted by Stuart Hamilton)

DATE: August 27, 2024

Subject Matter/Background

Resolution No. 69-2024 relates to the annual maintenance billing from ODOT relating to Route 2. The amount of the current invoices covers maintenance costs for the period of July 1, 2023 through June 30, 2024, and reflects a sizeable increase over the amount paid the prior year (\$39,158.72). Staff requested an explanation for this increase and received the following response:

After speaking with our District Roadway team today we have talked over an explanation behind the increase Huron is seeing on its bill received from the Department of Transportation. The same calculation has been used since as far back as 2005. The 2024 bill was calculated in the same manner. The billing is based on the lane miles over all of SR 2 in Erie County added up with all the costs then divided to come up with a cost per mile. The bill sent to the City at that point reflects the lane miles within the City of Huron at the monetary cost per lane mile.

Last year (2024), Erie County ODOT did large amounts of pavement repairs on SR 2 EB and WB, berming, and pipe cleanout/ditching. In FY 2018 Erie County ODOT did similar jobs on SR 2 which would be the last year Huron had a bill comparable to the one this year. That year (2018), several of the paving patches fell within the City of Huron as well as berming the entire outside of SR 2 through the City. The monetary uptick in the bill will be more prevalent when Erie ODOT forces do more in-house work along the Erie SR2 corridor. Last year, as well as in 2018, we did the bulk of our work on SR2.

In the updated Maintenance Agreements, our D3 Roadway Services is working on now, we use a calculation from CO Chief Legal that takes the cost of maintaining all the roads in all of District 3. This formula then bills the City based on the ratio of lane miles they are actually responsible for, but we maintain. This calculation will be in the new documents and hopefully will reduce the peaks and valleys in the billing. A chart depicting costs to the City since 2005 is attached hereto as Exhibit 1.

For reference, the City was charged the following in recent years.

2023: \$39,158.72 2022: \$52,179.13 2021: \$37,888.48 2020: \$45,643.05 2019: \$38,162.33 2018: \$62,659.41

Financial Review

The payment of the annual maintenance agreement for US6/RT2 with ODOT is allocated between the Street Maintenance Fund (212) and State Highway Fund (213).

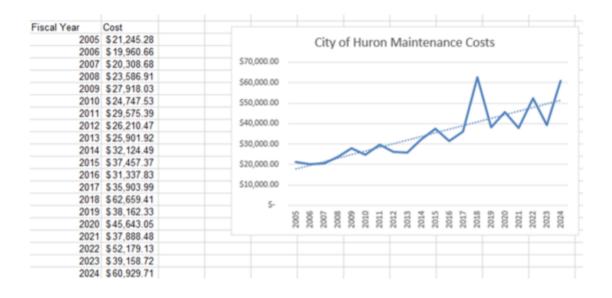
Legal Review

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. 69-2024 is in order.

Resolution 69-2024 Exh 1 Chart of ODOT Maintenance Charges for RT 2.png Resolution No. 69-2024 ODOT Maint Agr RT2 \$60,929.71 (1).docx Resolution No. 69-2024 ODOT Maintenance US 6 Route 2.PDF



RESOLUTION NO. 69-2024 Introduced by Joel Hagy

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PAY THE OHIO DEPARTMENT OF TRANSPORTATION AN AMOUNT NOT TO EXCEED SIXTY THOUSAND NINE HUNDRED TWENTY-NINE AND 71/100 DOLLARS (\$60,929.71) IN ACCORDANCE WITH THE TERMS OF THE ANNUAL MAINTENANCE AGREEMENT AUTHORIZED BY RESOLUTION NO. 67-2022, ADOPTED ON JULY 26, 2022, FOR FISCAL YEAR JULY 1, 2023 THROUGH JUNE 30, 2024.

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

<u>SECTION 1:</u> That the City Manager is authorized and directed to pay the annual invoice from the Ohio Department of Transportation for lane mile reimbursement for State Route 2 pursuant to the Annual Maintenance Agreement authorized by Resolution No. 67-2022 adopted on July 26, 2022 in an amount not to exceed Sixty Thousand Nine Hundred Twenty-Nine and 71/100 Dollars (\$60,929.71); a copy of the invoice is attached hereto as Exhibit "A" and incorporated herein by reference.

<u>SECTION 2</u>: 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 of the Revised Code.

<u>SECTION 3</u>: This Resolution shall be in full force and effect from and immediately following its adoption.

ATTECT.		Monty Tapp, Mayor	
ATTEST:	Clerk of Council		
ADOPTED:			





Department of Transportation

INVOICE

IN ACCOUNT WITH:

HURON CITY 417 MAIN ST HURON, OH 44839

ADDRESS QUESTIONS CONCERNING THIS INVOICE TO:

OHIO DEPARTMENT OF TRANSPORTATION 906 NORTH CLARK AVE ASHLAND, OH 44805 District - 3

(419)207-7031 (419)207-7050

COUNTY	INVOICE NO.	INVOICE DATE	PATROL REPORT	DUE DATE
	030084	08/08/2024	0	09/07/2024

DESCRIPTION OF WORK DONE:	UNIT	QUANTITY	UNIT PRICE	TOTAL
Annual Maintenance Agreement for SR2 and portion Resolution No. 67-2 002. 202-2	ons of US6 within the C	City of Huron in Erie Cou	nty, as per Legislative Autho	ority, City Consent

ANNUAL MAINTENANCE AGREEMENT YEAR

1 \$60,929.71 \$60,929.71

Pursuant to Ohio Rev. Code 131.02, in the event this invoice is not paid within 45 days after payment is due, the matter will be certified to the Ohio Attorney General's office for collection. Once the account is certified to the Attorney General, you and your insurance company are responsible for collection costs, interest, and any fees incurred if the account is assigned to special counsel or third-party vendors for collections.

SUBMISSION OF THIS INVOICE TO YOUR INSURANCE COMPANY OR EMPLOYER IS YOUR RESPONSIBILITY FOR VISA/MASTERCARD PAYMENT PLEASE VISIT www.transportation.ohio.gov/paybycard

	TOTAL AMOUNT DUE	\$60,929.71
◆ PLEASE RETURN BOTTOM PORTION O	F INVOICE WITH PAYMENT	+
MAKE CHECKS PAYABLE TO:	INVOICE NUMBER:	030084
TREASURER OF STATE C/O DEPARTMENT OF TRANSPORTATION	TOTAL DUE:	\$60,929.71
REMIT TO:	DUE DATE:	09/07/2024

OFFICE OF BUDGET AND FORECASTING 1980 WEST BROAD STREET, 4th FLOOR COLUMBUS, OH 43223 ATTN: ACCOUNTS RECEIVABLE MS2130



TO: Mayor Tapp and City Council

FROM: Doug Steinwart , Operations Manager

RE: Ordinance No. 2024-40 (*submitted by Doug Steinwart*)

DATE: August 27, 2024

Subject Matter/Background

As submitted by Doug Steinwart - Parks & Recreation Operations Manager:

Ordinance No. 2024-40 seeks approval to increase mooring charges at the Huron Boat Basin, under the Ordinance to Section 385.01 Rules; Permits and Fees of Chapter 385 – Small Boat Mooring Harbor.

We define a seasonal dock holder as someone who docks their boat here for the entire season April 15-Oct. 15. Historically, we have reviewed and evaluated the rates charged for seasonal dock holders at the Huron Boat Basin every five years. We did this several times in the 2000s and early 2010s. Our last review and rate adjustment was back in 2022 for the following season. However, due to current economic conditions combined with the ever-increasing costs of goods and services, we felt it best to review and update our rates for the 2025 season.

Operating a marina involves ongoing maintenance and infrastructure improvements. Increasing rates allows us to allocate funds for these essential tasks. According to industry reports, a significant percentage of marinas are adjusting their rates. While some remain stable, others are increasing rates to meet rising costs and maintain quality services. Our proposal aligns with this industry trend and ensures that the Huron Boat Basin Marina remains a preferred location for seasonal dock holders.

We ask that this ordinance be adopted as an emergency measure, as we will be sending out letters to our customers to book for the 2025 boating season shortly.

Proposed Changes

Below is a summary of the rate structure for Resident Seasonal Dockage (redline is also attached)

Current 2024 - Resident		Proposed 2025 - Resident
20 ft. docks - \$48 per foot = \$960	Inc. \$1	20 ft. docks - \$49 per foot = \$980
24 ft. docks - \$64 per foot = \$1,536	Inc. \$2	24 ft. docks - \$66 per foot = \$1,584
30 ft. docks - \$68 per foot = \$2,040	Inc. \$2	30 ft. docks - \$71 per foot = \$2,130
32 ft. docks - \$70 per foot = \$2,240	Inc. \$3	32 ft. docks - \$73 per foot = \$2,336

Below is a summary of the rate structure for Non-Resident Seasonal Dockage

Current 2024 - Non-Resident		Proposed 2025 - Non-Resident
20 ft. docks - \$50 per foot = \$1,000	Inc. \$1	20 ft. docks - \$51 per foot = \$1,020
24 ft. docks - \$66 per foot = \$1,584	Inc. \$2	24 ft. docks - \$68 per foot = \$1,632
30 ft. docks - \$72 per foot = \$2,160	Inc. \$2	30 ft. docks - \$75 per foot = \$2,250
32 ft. docks - \$74 per foot = \$2,368	Inc. \$3	32 ft. docks - \$77 per foot = \$2,464

Occupancy details for 2024 season.

Dock Size	Total No. of Seasonal Docks	Occupied	Percentage Full
20'	18	15	83.3%
24'	34	33	97.0%
30'	18	18	100.0%
32'	3	3	100.0%

Approximately 63% of our seasonal dock holders were Huron residents. 37% were from out-of-town.

Financial Review

The estimated increase in revenue will be deposited, along with existing revenue, to 210-0006-41523 (Transient Dockage Fees) and 210-0006-41525 (Seasonal Dockage Fees).

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 Ordinance No. 2024-40 as an emergency measure is in order.

Ordinance No. 2024-40 REDLINE Section 385.01.pdf

Ordinance No. 2024-40 Section 385.01(a)(1) 2025 Mooring Fees.docx

Ordinance No. 2024-40 Exhibit A Chapter 385 Mooring Charges.docx

Ordinance No. 2024-40 Exhibit B Chapter 385 Mooring Charges - Copy.docx

385.01 RULES; PERMIT AND FEES.

- (a) The following rules and regulations are hereby adopted to govern the use of the small boat mooring harbor by all
- (1) No person shall moor a vessel at a City dock without first obtaining an official permit and berth assignment from the Dock Master, which permit shall at all times be displayed on the vessel in a manner so as to be visible from the adjoining pier or wharf. A fee shall be charged from April 1 through November 30 each year for dockage. The day period in the permit shall extend from noon to noon, and the permit shall reserve the berth for the vessel for the duration of the permit. Fees will be as follows:

Mooring Charges

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Seasonal: 20234 Dockage Rates - Resident
20 ft. docks - $48.00 per ft. = $ 9860.00
24 ft. docks - $64.00 per ft. = $1,53684.00
30 ft. docks - $68.00 per ft. = $2,04130.00
32 ft. docks - $70.00 per ft. = $2,240336.00
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Seasonal: 20234 Dockage Rates - Non-Resident*
20 ft. docks - $50.00 per ft. = $1,0020.00
24 ft. docks - $66.00 per ft. = $1,584632.00
30 ft. docks - $72.00 per ft. = $2,<del>160</del>250.00
32 ft. docks - $74.00 per ft. = $2,368464.00
```

Less than three (3) hours - \$5.00 flat charge (one per any 24-hour period) rate cannot be deducted for a stay lasting longer than three (3) hours,

Daily fee: \$1.75 per foot with a minimum fee of \$35.00 for dock

Other Charges

	\$30.00 non-refundable rental per shelter for resident
Shelter House	\$35.00 non-refundable rental per shelter for non-resident*
Amphitheater	\$50.00 non-refundable rental for resident

Discounts

The Dock Master shall have the power to make such discounts and offer such promotional plans as he shall recommend to Council and for which Council shall give its prior approval.

- (1) The piers and docking spaces are numbered in accordance with the assignment of berthing spaces.
- (2) The word "Dock Master" shall be used herein to indicate any person authorized to represent the City. The words "tenant" or "owner" shall be used to indicate the owner of the boat legally within the harbor or any person who is otherwise using the facilities.
- (3) When a boat enters the harbor, it shall immediately come under the jurisdiction of the Dock Master and shall be berthed or anchored only where ordered and maneuvered as directed by the Dock Master or his assistant. Vessels should be docked in such a manner as to not present a safety hazard, as determined by the Dock Master or his assistant.
- (4) Boats not marked or identified and licensed as required by law will not be permitted within the harbor.
- (5) Tenants shall provide all required information requested by the Dock Master.
- (6) Boats shall be in a seaworthy condition and not constitute a fire hazard or they shall be removed from the harbor. No cooking or fires of any kind will be allowed on the docks.
- (7) No swimming, diving or fishing shall be permitted within the harbor.

^{*}anyone residing outside the Huron Joint Recreation District

- (8) Boats not equipped with approved sewage disposal devices as required by law will not be permitted within the harbor.
- (9) The direct or indirect dumping of sewage in the harbor will be cause for instant removal from the harbor and subject to fine in accordance with the laws of the City and State.
- (10) No refuse or excrement shall be thrown, pumped or discharged overboard. Garbage shall be deposited in containers supplied for the purpose and other debris shall be placed where specified by the Dock Master. Littering of either the docking area or the harbor shall be subject to prosecution under the laws of the City and/or the State.
- (11) Disorderly conduct by a tenant or his visitors that might cause injury to a person, damage to property, disturb the peace and quiet of the harbor or otherwise create a nuisance shall be cause for immediate removal from the harbor of the tenant and his boat.
- (12) Berth fees shall be charged and enforced strictly in accordance with published rates in these rules. All fees for berthing shall be paid in advance and no refunds will be made. No subleasing of berths or transfer of boats between berths will be permitted except as directed by the Dock Master, and no extended stay beyond the permit date will be allowed.
- (13) The City or any of its employees or agents shall not be responsible for any loss on or damage to boats in the harbor. Each owner will be held responsible for damage to other boats in the harbor or for any damage to any structure by him or his guests.
- (14) Dock boxes shall not be permitted.
- (15) No permit shall be required for docking to load or unload passengers or to receive provisions provided the stay is less than fifteen (15) minutes and does not interfere with an assigned berth.
- (16) No permit or fee shall be required of government vessels when, in the judgment of the Dock Master, berthing space is available. Each such vessel shall obtain a berth assignment from the Dock Master.
- (17) No person shall be given a permit to use the City docks as a permanent base for his business operations other than repeated commercial wharfage and common carriers transporting six (6) or less passengers (excluding crew members) through lease arrangements with Council.
- (18) Only minor emergency repairs and repairs to the radio system will be allowed in the boat harbor. All other repairs shall cause the berth permit to be immediately terminated without refund or any fee.
- (19) Beer or intoxicating liquor may be consumed, from paper or plastic containers only, by the holder of a valid small boat mooring harbor permit, his passengers and guests, within the confines of that portion of the small boat mooring harbor known as piers, docks, boardwalk, concrete walk, sidewalk, not including that portion of the walk area contiguous to the Huron River and extending northerly from the small boat mooring harbor. (Ord. 2022-45. Passed 8-23-22.)

ORDINANCE NO. 2024-40 Introduced by Matt Grieves

AN ORDINANCE REPEALING AND AMENDING AND RESTATING SECTION 385.01(a)(1) RULES; PERMIT AND FEES OF CHAPTER 385 SMALL BOAT MOORING HARBOR OF THE HURON CODIFIED ORDINANCES; AND DECLARING AN EMERGENCY.

WHEREAS, this Council hereby determined the changes and amendments 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:

<u>Section 1</u>. That Section 385.01(a)(1) (Rules; Permit and Fees) of Chapter 385 (Small Boat Mooring Harbor) of the Codified Ordinances of the City of Huron, Ohio, which currently reads (refer to Exhibit "A" attached), shall be and hereby is repealed in its entirety.

<u>Section 2</u>. That a new revised and restated Section 385.01(a)(1) (Rules; Permit and Fees) of Chapter 385 (Small Boat Mooring Harbor) of the Codified Ordinance of the City of Huron, as attached hereto and made a part hereof as Exhibit "B", 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.

<u>Section 4</u>. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the residents, and to ensure the sound fiscal administration of the City of Huron; WHEREFORE, this Ordinance shall take effect immediately upon its adoption.

ATTEST:		Monty Tapp, Mayor
ATTEST	Clerk of Council	
ADOPTED:		

EXHIBIT A

385.01 RULES; PERMIT AND FEES.

- (a) The following rules and regulations are hereby adopted to govern the use of the small boat mooring harbor by all persons:
- (1) No person shall moor a vessel at a City dock without first obtaining an official permit and berth assignment from the Dock Master, which permit shall at all times be displayed on the vessel in a manner so as to be visible from the adjoining pier or wharf. A fee shall be charged from April 1 through November 30 each year for dockage. The day period in the permit shall extend from noon to noon, and the permit shall reserve the berth for the vessel for the duration of the permit. Fees will be as follows:

Mooring Charges

Seasonal: 2023 Dockage Rates - Resident 20 ft. docks - \$48.00 per ft. = \$ 960.00 24 ft. docks - \$64.00 per ft. = \$1,536.00 30 ft. docks - \$68.00 per ft. = \$2,040.00 32 ft. docks - \$70.00 per ft. = \$2,240.00

Seasonal: 2023 Dockage Rates - Non-Resident*

20 ft. docks - \$50.00 per ft. = \$1,000.00 24 ft. docks - \$66.00 per ft. = \$1,584.00 30 ft. docks - \$72.00 per ft. = \$2,160.00 32 ft. docks - \$74.00 per ft. = \$2,368.00

Less than three (3) hours - \$5.00 flat charge (one per any 24-hour period) rate cannot be deducted for a stay lasting longer than three (3) hours,

Daily fee: \$1.75 per foot with a minimum fee of \$35.00 for dock

Other Charges

	\$30.00 non-refundable rental per shelter for resident
	\$35.00 non-refundable rental per shelter for non-
	resident*
Amphitheater	\$50.00 non-refundable rental for resident

^{\$75.00} non-refundable rental for non-resident*

^{*}anyone residing outside the Huron Joint Recreation District

EXHIBIT B

385.01 RULES; PERMIT AND FEES.

- (a) The following rules and regulations are hereby adopted to govern the use of the small boat mooring harbor by all persons:
- (1) No person shall moor a vessel at a City dock without first obtaining an official permit and berth assignment from the Dock Master, which permit shall at all times be displayed on the vessel in a manner so as to be visible from the adjoining pier or wharf. A fee shall be charged from April 1 through November 30 each year for dockage. The day period in the permit shall extend from noon to noon, and the permit shall reserve the berth for the vessel for the duration of the permit. Fees will be as follows:

Mooring Charges

Seasonal: 2025 Dockage Rates - Resident 20 ft. docks - \$48.00 per ft. = \$980.00 24 ft. docks - \$64.00 per ft. = \$1,584.00 30 ft. docks - \$68.00 per ft. = \$2,130.00 32 ft. docks - \$70.00 per ft. = \$2,336.00

Seasonal: 2025 Dockage Rates - Non-Resident*

20 ft. docks - \$50.00 per ft. = \$1,020.00 24 ft. docks - \$66.00 per ft. = \$1,632.00 30 ft. docks - \$72.00 per ft. = \$2,250.00 32 ft. docks - \$74.00 per ft. = \$2,464.00

Less than three (3) hours - \$5.00 flat charge (one per any 24-hour period) rate cannot be deducted for a stay lasting longer than three (3) hours,

Daily fee: \$1.75 per foot with a minimum fee of \$35.00 for dock

Other Charges

	\$30.00 non-refundable rental per shelter for resident
	\$35.00 non-refundable rental per shelter for non-
	resident*
Amphitheater	\$50.00 non-refundable rental for resident

\$75.00 non-refundable rental for non-resident*

(Ord. 2022-45. Passed 8-23-22.)

^{*}anyone residing outside the Huron Joint Recreation District



TO: Mayor Tapp and City Council FROM: Terri Welkener, Clerk of Council

RE: Ordinance No. 2024-41 (submitted by Ed Widman)

DATE: August 27, 2024

Subject Matter/Background

Ordinance No. 2024-36 requests the Council's authorization for changes to the annual budget appropriations. Please refer to Exhibit "A" of the ordinance for the detailed breakdown.

Request submitted by Jack Evans, Water Superintendent:

Our line item for chemicals is exhausted due to the increased water demands this year. The initial budget for line item 604-5210-54042 (Chemicals-Gases) was \$\$170,000. I have calculated deliveries expected between now and end of year to put a dollar amount to this increase. I am requesting an additional \$47,500.00 for line item 604-5210-54042 (Chemicals-Gases). However, increased water sales results in increased revenues. The breakdown is as follows:

- Chlorine Gas / 6 deliveries / \$2,812.50 per load = \$16,875.00
- Caustic Soda / 2 deliveries / \$3,450.00 per load = \$6,900.00
- Polymer / 2 deliveries / \$4,312.00 per load = \$8,624.00
- Carbon / 1 delivery / \$8,624.00 per load = \$8,844.00
- Fluoride / 1 delivery / \$5,832.00 per load = \$5,832.00

Total: \$47,075.00

These are conservative estimates at current usage. This year has seen unprecedented water demand and it is unknown how much flows will decrease going into off-season. Additionally, some chemical deliveries may last several months, but may need to be filled before years end. For example, I do not predict a fluoride delivery until December, but the load will last 6 months. As always, we strive to use minimal chemicals to produce safe, potable, and palatable water.

Financial Review

See Exhibit "A" for financial review and details of supplemental appropriations.

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 Ordinance No. 2024-41 is in order.

Ordinance No. 2024-41 Supplemental Appropriations.docx Ordinance No. 2024-41 Exh A.pdf

ORDINANCE NO. 2024-41 Introduced by Joel Hagy

AN ORDINANCE AMENDING ORDINANCE NO. 2023-49, ADOPTED ON DECEMBER 12, 2023, TO PROVIDE FOR SUPPLEMENTAL APPROPRIATIONS FROM THE GENERAL FUND AND OTHER FUNDING SOURCES.

WHEREAS, pursuant to Ordinance No. 2023-49, adopted December 12, 2023, Huron City Council adopted the annual budget for the fiscal year ending December 31, 2024 for the operations of all City departments and offices; and

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

WHEREAS, it is necessary to amend the budget to reflect supplemental appropriations, and appropriation transfers to accommodate the operational needs of certain City departments and offices and to assure all funds of the City are in proper balance.

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

SECTION 1. That Exhibit "A" of Ordinance 2023-49, adopted on the 12th day of December 2023, as amended by Ordinance No. 2024-3 adopted on February 13, 2024, as amended by Ordinance No. 2024-6 adopted on February 27, 2024, amended by Ordinance No. 2024-23 adopted on June 11, 2024, and as amended by Ordinance No. 2024-36 adopted on July 23, 2024, is hereby amended to provide for supplemental appropriations and appropriation transfers as to each fund set forth in Exhibit "A" attached hereto and made a part hereof.

<u>SECTION 2</u>. That the Director of Finance and the City Manager are hereby authorized to expend the funds herein appropriated for the purpose of paying the operating expenses of the City for the fiscal year ending December 31, 2024, and to make the necessary entries on the accounting records of the City to reflect the appropriations and expenditures herein authorized to properly balance the various funds of the City.

<u>SECTION 3</u>. 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.

<u>SECTION 4</u>. That in accordance with Section 3.06 of the Charter of the City of Huron, appropriation ordinances shall take effect immediately; WHEREFORE, this Ordinance shall take effect immediately upon its adoption.

ATTENT	Monty Tapp, Mayor		
ATTEST: Clerk of Council			
ADOPTED:			

CITY OF HURON BUDGET APPROPRIATION ADJUSTMENTS, AND CASH TRANSFERS SUMMARY SHEET

Exhibit A

DATE:

8/23/2024

ORDINANCE:

2024-41

Appropriation Measure

Reason for Appropriation Measure

An appropriation measure is necessary to appropriately budget for additional expenses and transfer budget between line items. The appropriation measure below is necessary for the following reasons:

- 1. To appropriate additional funds for the cost of transitioning from Finance Director Swaisgood to Finance Director Widman.
- 2. To appropriate additional funds for the cost of increased water production in 2024.

In accordance with the Ohio Revised Code, Council must approve supplemental appropriations, budget transfers above the City's legal level of control, and cash transfers.

APPROPRIATION MEASURE

Fund Name	Fund Number	Department/Activity	Object Level	Inc	crease/(Decrease) Amount
General Fund	110	Finance	OTHER EXPENSES	\$	10,000
Water Fund	604	Water Pumping	OTHER EXPENSES	\$	47,075

NET IMPACT ON TOTAL APPOPRIATIONS \$

57,075



TO: Mayor Tapp and City Council

FROM: Matthew Lasko

RE: Council discussion regarding proposals submitted by Prephan Enterprises and Knez Homes/K

Hovnanian Homes relating to development of the former ConAgra parcel.

DATE: August 27, 2024

Knez_KHovnanian Proposal.pdf Prephan Enterprises Proposal.pdf

KH-Jovnanian^{*} Homes

Landings at Huron Harbor

A luxury waterfront townhome community



Proposed Plans

Lakeside 2 Story Townhomes:

Seagrove II 1955 Primary Down; Covered Patio
Seaview II 2542 2 story GR; Covered Patio

Parkside 3 Story Townhomes:
Abingdon 1649 Single Garage; Deck
Ridgewood 2300 Two Car; Deck







Huron City Council Meeting July 9th, 2024 5:30pm In partnership with





"The First Name in Lasting Value"."

HERITAGE

In 1959, Kevork S. Hovnanian envisioned a homebuilding company whose homes would provide lasting advantages and reward the people who owned them for years to come. Since then, K. Hovnanian. Homes has helped people everywhere find the home of their dreams.

CHOICE

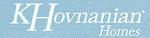
K. Hovnanian Homes offers a superb selection of home designs from which to choose. From garden homes, townhomes and single-family homes to mid- and high-rise luxury homes, magnificent estate homes and active lifestyle communities, we have exciting home designs to suit your taste, budget and lifestyle.

QUALITY & VALUE

Thorough inspections at each phase of construction ensure that workmanship is of the finest quality. Our high sales volume, large number of new communities and relationships with industry professionals enable us to purchase the best quality materials. In quantity, from the most reliable sources. This means that you get a superior quality home at the best possible value.

RELATIONSHIPS

Building a good relationship is essential to building a good home. Whether you are a home buyer, contractor, real estate agent or vendor, this simple message stands at the center of everything we do at K. Hovnanian Homes.



CUSTOMER SATISFACTION

We promise to pursue excellence in everything we do to meet your expectations. Our Associates are available to answer your questions and make your home buying experience a positive one. When asked about your home buying experience, we hope you won't hesitate to recommend K. Hovnanian Homes to your friends and family Your complete saltsfaction is our first priority.

LOCATION

Where you live is as important as how you live. Our land acquisition specialists search for the best areas to plan communities that are conveniently located and take advantage of the natural tenain. That way, you can find a great home in a neighborhood that's right for you.

LIFE STYLE CHOICES.

K. Hovnanian's Four Seasons active lifestyle communities set the standard for fun, fulfillment and value, Ideally located, these unique, resort-at-home communities provide a world where friendships flourish, recreation abounds and quality is second to none.

REPUTATION

As a company, we must earn our home buyers' trust. With a growing number of communities in 14 states, K. Hovnanian Homes has established a reputation as one of the nation's most respected homebuilders.

EVALVITA.

We consider everyone we come into contact with to be an essential part of our family. This includes not just the home buyers we serve, but our Associates, trade partners and the communities in which we build. To succeed for more than 60 years as a company, it helps to have a clear vision of what you stand for Back in 1959, Kevork S. Hovnaniar did just that when he created his homebuilding company. Today, K. Hovnanian Homes is still going strong by adhering to the principles set in place by its founder.

KH Jovnanian

A LEGACY OF BUILDING QUALITY.

Dear Prospective Home Buyer

For over 60 years, we have realized that buying a home is one of the most important steps you will take; a step involving vital decisions about where to live, as well as the size, design and price of your new home.

To this day, our greatest pride is knowing that over the years we have earned the trust of hundreds of thousands of home buyers. We know that your home is the foundation of your family's lifestyle, and we respect that philosophy by making sure your new home is everything you want it to be. We are especially pleased by the number of our homeowners who have relocated or moved up to another K. Hovnanian home—an honor that underscores their confidence in us.

The K. Hovnanian family of builders is one of the leading homebuilders in the nation. Although our parent company, Hovnanian Enterprises, inc., is a publicly held corporation traded on the New York Stock Exchange, the Hovnanian family continues to lead the company. Hence, we have the best of both worlds, the credibility and dependability of a public corporation and the attention to detail and caring of a family business.

The K. Hovnanian name is proudly displayed on every community we build. It's more than just how K. Hovnanian homes look. It's how they make you feel. Now in its second generation of family leadership, K. Hovnanian Homes continues to provide well-built, quality homes for every lifestyle and stage of life. And that's why for over 60 years, we've been, and will continue to be "The First Name in Lasting Values".

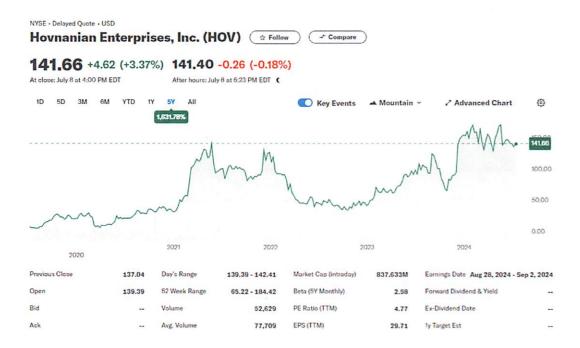


vnanian Ara K Hovr





CURRENT PERFORMANCE



THE TOP 100

THE NEXT 100 >

Our annual Builder 100 and Next 100 list looks at the top 200 home builders across the United States, ranked by closings. The list, populated from responses to our annual survey, also includes the firms' gross revenue from home building operations, and where and what they built. For more information, email builder:100@zondahome.com

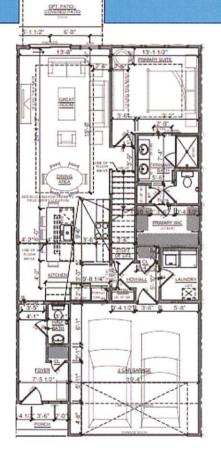
A PDF of this year's list can be downloaded here

Filter by: Region - Type of Home - Status - What They Build - Year: 2024 -

2024 RANK	COMPANY ©	2023 TOTAL CLOSINGS	٥	2023 GROSS REVENUE	¢	2023 RANK
1	D.R. Horton (p)	90,777		\$32,295		1
2	Lennar Corp. (p)	73,087		\$32,459		2
3	PulteGroup (p)	28.603		\$15,598		3
4	NVR (p)	20.662		\$9,314		4
5	Meritage Homes (p)	13,976		\$6,056		5
6	KB Home (p)	13.236		\$6,381		δ
7	Taylor Morrison (p)	11,495		\$7,200		7
8	Clayton Properties Group	9,957		\$3,993		8
9	Toll Brothers (p)	9,597		\$9,865		10
10	Century Communities (p)	9,568		\$3,604		9
11	Ashton Woods Homes	8.947		\$3,601		12
12	M.D.C. Holdings (p)	8.228		\$4,520		11
13	M/I Homes (p)	8,112		\$3,914		13
14	Dream Finders Homes (p)	7,314		\$3,485		14
15	LGI Homes (p)	6,729		\$2,358		15
16	Hovnanian Enterprises (p)	5,473		\$3,054		16



SEAGROVE II





Primary Down **Loft & Suite Upstairs Covered Patio**



LOFT



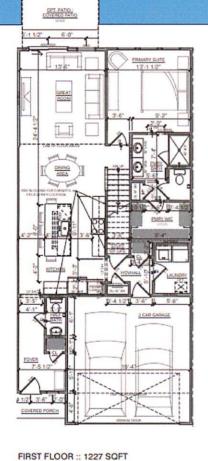


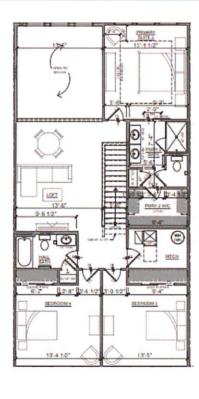
KI-Jovnanian Companies

LOFT

NATIONAL PORTFOLIO

SEAVIEW II





Primary Down & Up Loft Upstairs Covered Patio









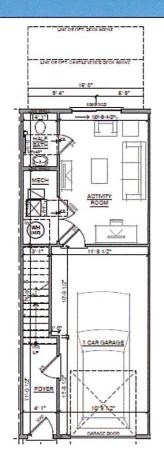
SECOND FLOOR :: 1315 SQFT

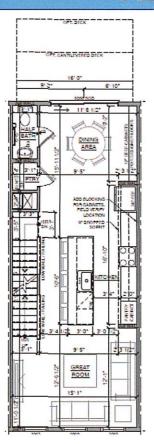
NATIONAL PORTFOLIO

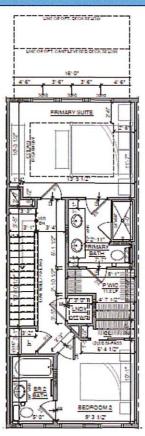
28' 2 Story TH Portfolio

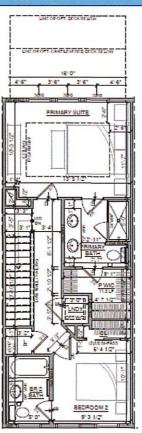


ABINGDON











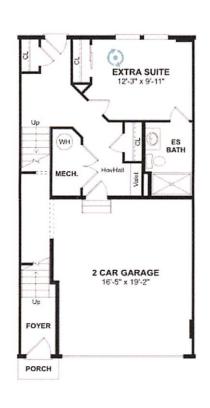








RIDGEWOOD







Primary Up HovHall Entry Deck off Kitchen









KI-Jovnanian Companies

NATIONAL PORTFOLIO

22' 3 Story Townhomes

First floor Sunroom

Primary Suite Terrace



INTERIOR FEATURES



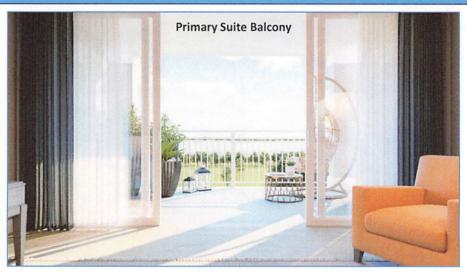








INTERIOR FEATURES







EXTERIOR OPTIONS - COASTAL





- Mix of exterior elements (vinyl, shake, stone, etc.)
- Upgraded Garage Doors w/windows



- Front covered porches
- Rear balconies overlooking the lake
- Rear covered porch

EXTERIOR OPTIONS - COASTAL







EXTERIOR OPTIONS - COASTAL







EXTERIOR OPTIONS - CONTEMPORARY





- Black windows
- Exterior Cladding
- Upgraded Garage Doors w/windows

- Clean, sleek lines
- Earthy tones

EXTERIOR OPTIONS - URBAN

- Black windows
- Exterior Cladding
- Metal railings



- Mix of exterior elements
- Additional windows on rear

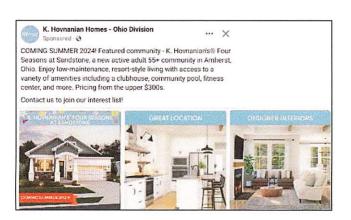


EXTERIOR OPTIONS - URBAN



MARKETING PROGRAMS: COMING SOON

6-12 months prior to community opening



- Website Launch
- Facebook & Instagram
 - Google & YouTube
 - E-Blast





MARKETING PROGRAMS: PRE-SALES



SINGLE-FAMILY HOMES IN AMHERST, OH



Details are Coming Soon!

AND WE CAN'T WAIT TO SHARE

Introducing K. Hovnanian's Four Seasons at Sandstone, a 55+ active lifestyle community in Amherst, Ohio. With community amenities including a clubhouse with a fitness center, a game room, an outdoor pool, pickleball courts, shuffleboard, a dog park and walking trails, your next chapter should be your best.

Stay tuned for your first look at home designs, pricing, and more!

JOIN INTEREST LIST

4-6 months prior to community opening

- FB, Insta, Google Ads
 - E-Blast Schedule



Introducing K. Hovnanian's Looks

YOUR CURATED HOME AWAITS

Crafted by our interior design team, Looks are our exclusive curated design collections, providing you a simple and unique way to build your new home with on-trend styles.



Check Out Our Amazing Brand-New Home Designs!

A HOMER WHEN, I DAN EPROPERTY AND FACE AND

Howmenian's Four Suppose of Sonablane is a new unlive lifestyle.
 Control and a located in desirable Ambana Transation. Ohio

Offering limited-maintenance, resort-style living with baseaful over single-family harms. Each home is offered in one of our new interest. Links. Link Familiacus, Classic or Elements for designer-cureted style in your name home.

This community of new construction homes is conservently focused near beautiful parts, a quarif downtown, beatfocus and catal.

Click the link balow talearn more about K. Hormanian's Faur Syapor of Soriations, single-family home clasigns, and available Quick



Join us for food, drinks, live music and special VIP details about K. Hovnanian's Four Seasons at Sandstone, a 55+ resort-style community in Amherst!

ARREST COURSE





Exclusive Model First Look!

Join us for an exclusive first look at our newest model homes!

Saturday, May 18th from 11am-1pm

Tour the Barcalona and Water Lily Medels at our offsite model sales center in Sunbury, Ohio.

6830 OH-37, Sunbury, OH 43074

LEARN MORE

MARKETING PROGRAMS: COMMUNITY OPENING

0-3 months prior to community opening

- Facebook, Instagram, Google, YouTube Ads
 - Realtor Sites & MLS go live



VIP Events

K. Hovnanian's® Four Seasons at Sandstone by K Hovnanian's Four Seasons

Amherst Township, OH 44035

Contact builder



Available soon

Contact the builder to learn about upcoming homes within this community and join the interest list.

Community features

Welcome to K. Hovnanian's® Four Seasons at Sandstone, a new active adult 55+ community in Lorain County's Amherst Township, OH, offering limited maintenance, resort-style living with beautiful single-family new homes. Enjoy amenities including a clubhouse, community pool, fitness center, and more. Offered By: K. HOVNANIAN'S FOUR SEASONS AT SANDSTONE, LLC



House for sale

Contact for price

3 bed 2 bath 1,907 sqft

Bogart Plan, K. Hovn... Amherst Township, O...

Contact Builder



MARKETING PROGRAMS: GRAND OPENING



Official new community opening!

- FB, Instagram, Google, YouTube Ads
- On site Signage: Flags, Open House, etc.
 - Grand Opening Event
 - · Models are Open
 - Sales BEGIN!



Ready to Move?

FIND A QUICK MOVE-IN

Take a look at our available quick move-in homes below. You can click the link to view the community page that interests you or or call (803) 881-6783 to learn more about available quick move-in homes or to schedule a tour with our internet sales team.

VIEW ALL COMMUNITIES

LIBERTY HILL FARM



SINGLE-FAMILY HOMES & TOWNHOMES

1485 CULTIVATION LANE MOUNT PLEASANT, SC 29466

VIEW COMMUNITY

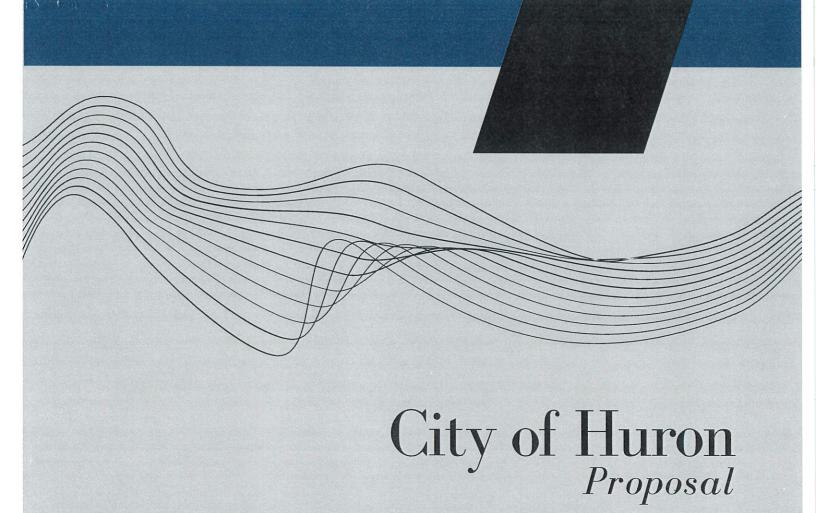
Home Design	Homesite	Bed	Bath	Square Feet	Price Was	Price Now	Avollable
Marsh	332	3	2.5	2,115	9912,073	5854,900	04/2024
ColignyII	1003	4	3.5	2,446	\$1,096,900	\$599,900	07/2023
Hamlin	400	5	3.5	2,952	91,155,900	\$979,900	08/2023
Hamlin	398	5	3.5	2,930	51,175,549	\$999,900	10/2023

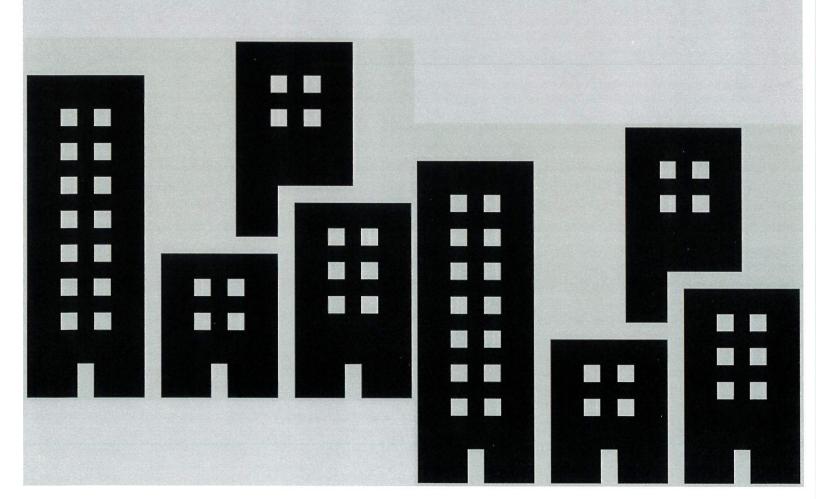
OPEN FOR SALE

- FB, Instagram, Google, YouTube Ads (Life of the Community)
 - Open Houses advertised weekly
- All homes continuously updated on MLS, Zillow, Realtor.com
- Sales team consistently monitored for performance objectives
 - Quick Move In homes built steadily to maintain pace
 - Prices reviewed weekly & adjusted as needed
- Pace impacts overall project profitability so we want to move units quickly!

ANY QUESTIONS?

THANK YOU FOR YOUR TIME!





Meat the Team

SCOTT PREPHAN

MARK RUSSELL TIM EVANS COURTNEY CAVALIERE

Developer

Director of Operations Construction Manager Marketing Director

Professional Consultants

GREG FELLER

Engineering/Survey

Feller, Finch & Associates, Inc. 1683 Woodlands Dr Suite 200 Maumee, OH 43537

BRUCE SCHOENBERGER

Legal

Suite 1645 One SeaGate Toledo, OH 43604-1584

TRAVIS MAYER

Architect

Mayer Architectural Group Inc. 16 Edgewater Court Wakeman, OH 44889

ED HARTUNG

Title Work

217 Madison St Port Clinton, OH 43452

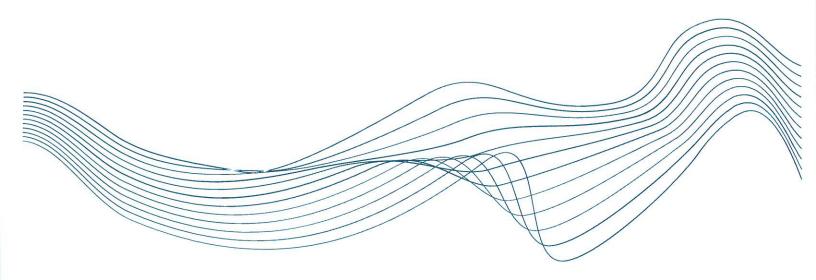
KEN RUSS

Builder

37 Saint Marys St Norwalk, OH 44857

Our Company Our History

Marblehead Estates and Prephan Enterprises have been developing high end residential communities throughout Ohio and Michigan for over 35 years. We specialize in waterfront communities. We have developed multiple types of units, but specialize in condominiums including clubhouses and community amenities. Our signature development, Marblehead Estates, has become the premier waterfront community in Marblehead Ohio.



Our Development Experience

PAST AND CURRENT PROJECTS

Marblehead Estates & Yacht Club - Lakeside Marblehead, OH 142 Condo Units, 82 Lots, 235 Marina Slips, Clubhouse, Pool and Beach

Port of the Islands Marina - Naples, FL 175 Marina Slips

Midway Marina - Catawba, OH
500 Marina Slips, 70 Condo Units, Clubhouse and Pool

Spinnacker Bay - Port Clinton, OH 64 Condo Units, 64 Marina Slips

The Villas at Summerfield - Bowling Green, OH 64 Condo Units, Clubhouse and Pool

The Villas at River Place - Perrysburg, OH 60 Condo Units, Clubhouse and Pool

The Villas at Fox Run - Findlay, OH
48 Condo Units and Clubhouse

Development & Marketing of

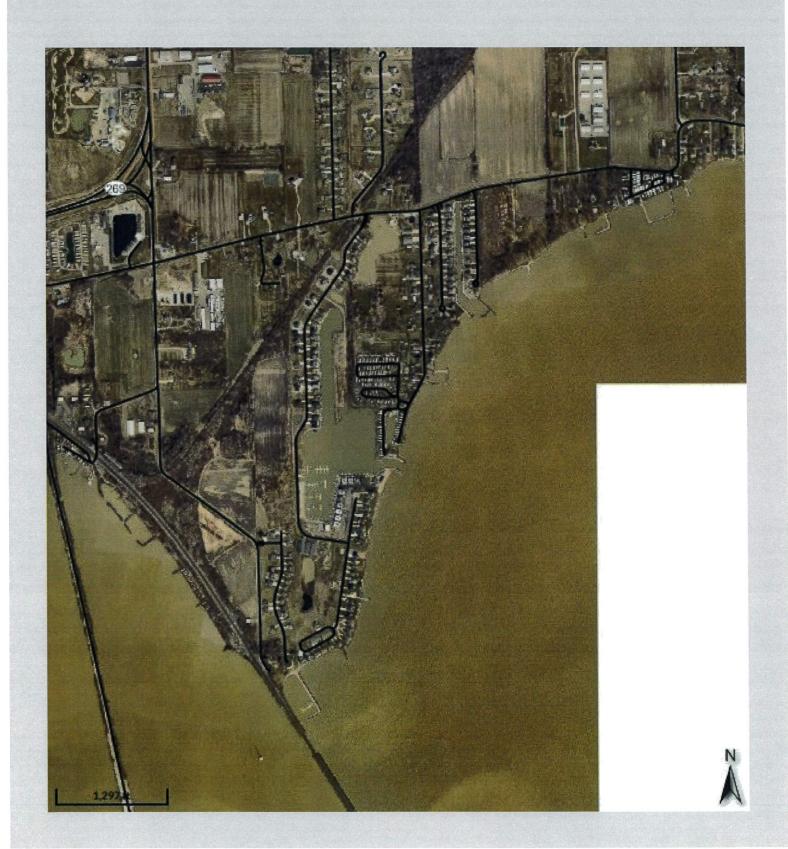


BAY VIEW VILLAS CONDOMINIUMS BAY VIEW VILLAS DUPLEX HOMES





Our Development Experience Marblehead Estates & Yacht Club



Our Development Experience

Port of the Islands Marina



Our Development Experience

Midway Marina



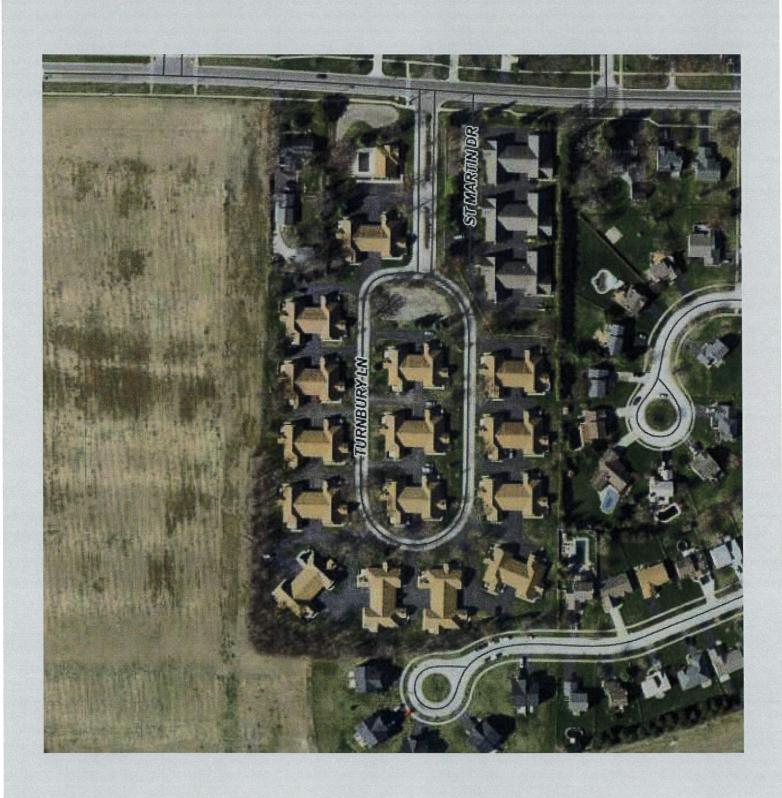
Our Development Experience Spinnacker Bay



Our Development Experience Villas at Summerfield

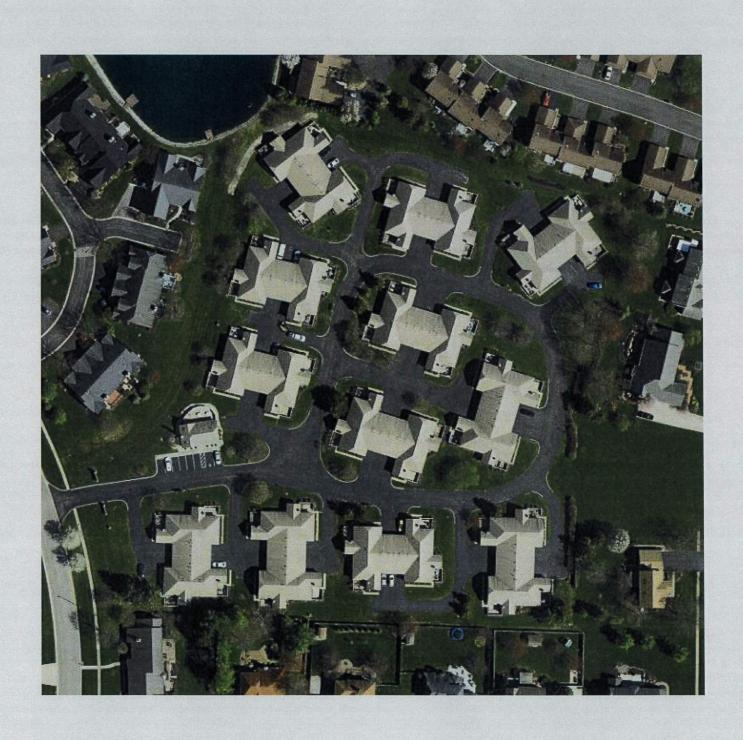


Our Development Experience River Place



Our Development Experience

Villas at Fox Run



Financial Capacity



Over the years, we have worked with many regional financial institutions throughout the multiple phases of our developments. Because of our success over the years, we now find ourselves in a position of being debt free and have been for over five years. As such, we self finance all of our development and construction.







Because of the success of Marblehead Estates, it is our intention to continue to expand our products and vision on a regional basis while keeping with our philosophy of being able to reach all of our projects on a daily basis. Our product line has expanded into high end duplexes and multi level condominiums including flat rooftop decks, elevators and amenities consistent with a high end living environment. Our Marblehead Estates development includes docks, garages, beachfront, a clubhouse and fitness center, family play areas, outdoor grills etc.

While we are incredibly proud of our development products, we are equally proud of the family environment we create by facilitating social events throughout the year. These events include live entertainment, magicians, traveling animal petting zoos, rib offs, pot luck dinners, community garage sales, roving neighbor dinner parties, water aerobics, book clubs and many others.

The combination of top end products and socially diverse engagement opportunities is what truly sets us apart from your typical residential developments. We would intend to a similar environment in Huron.



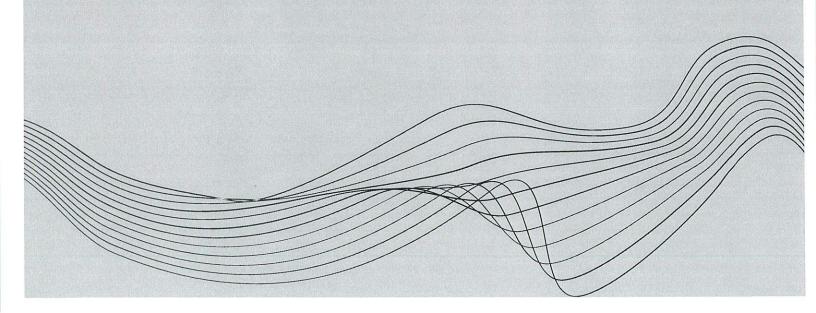
SCOTT PREPHAN

PHONE 419-266-7378

ADDRESS 118 W. South Boundary St.

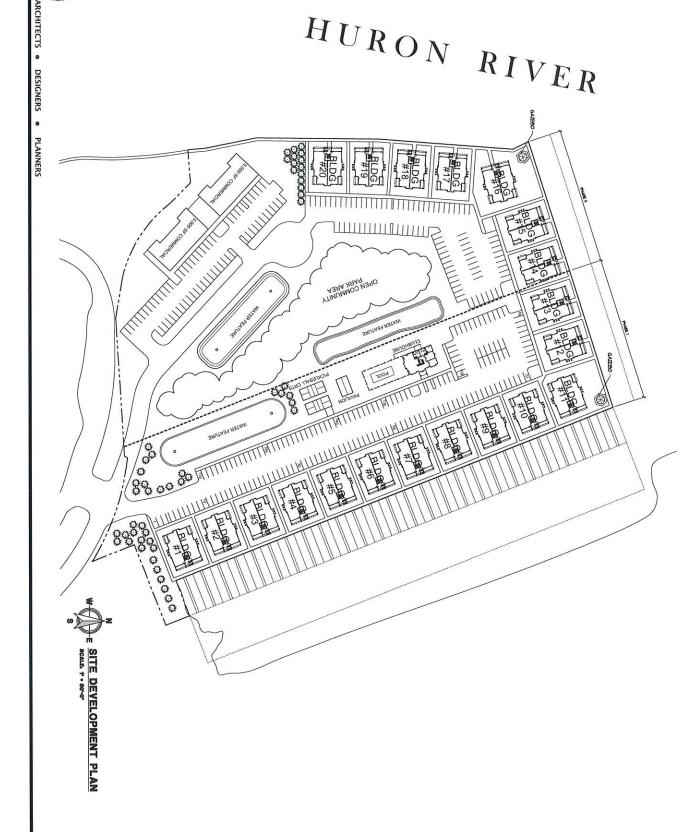
Perrysburg, OH 43551

EMAIL sprephan@prehpan.com

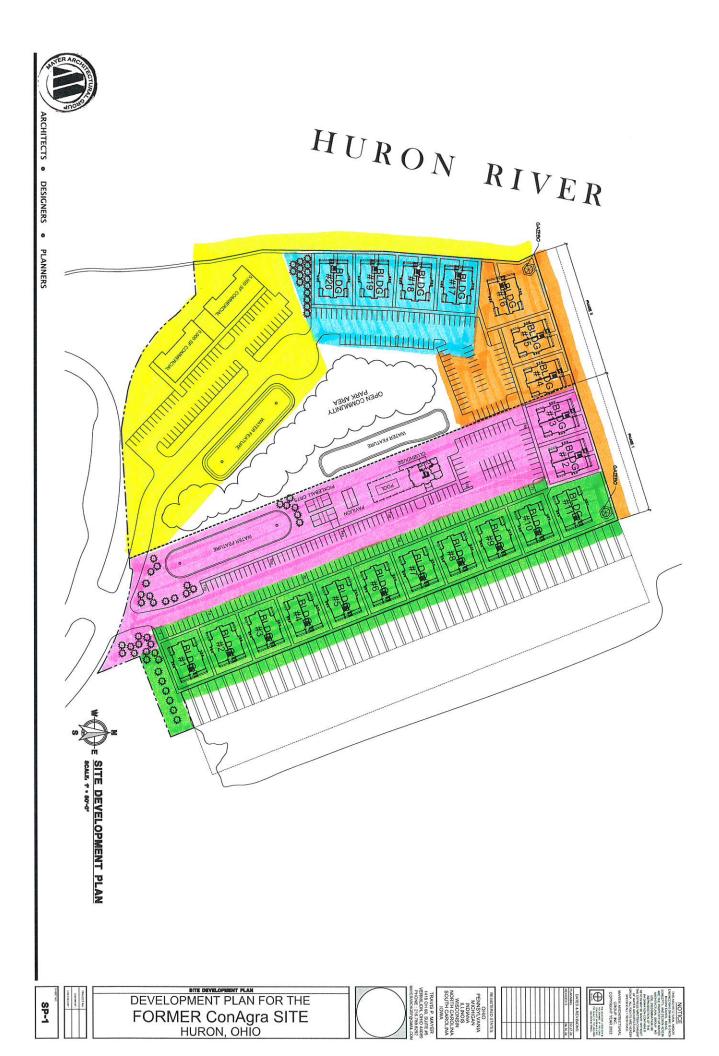


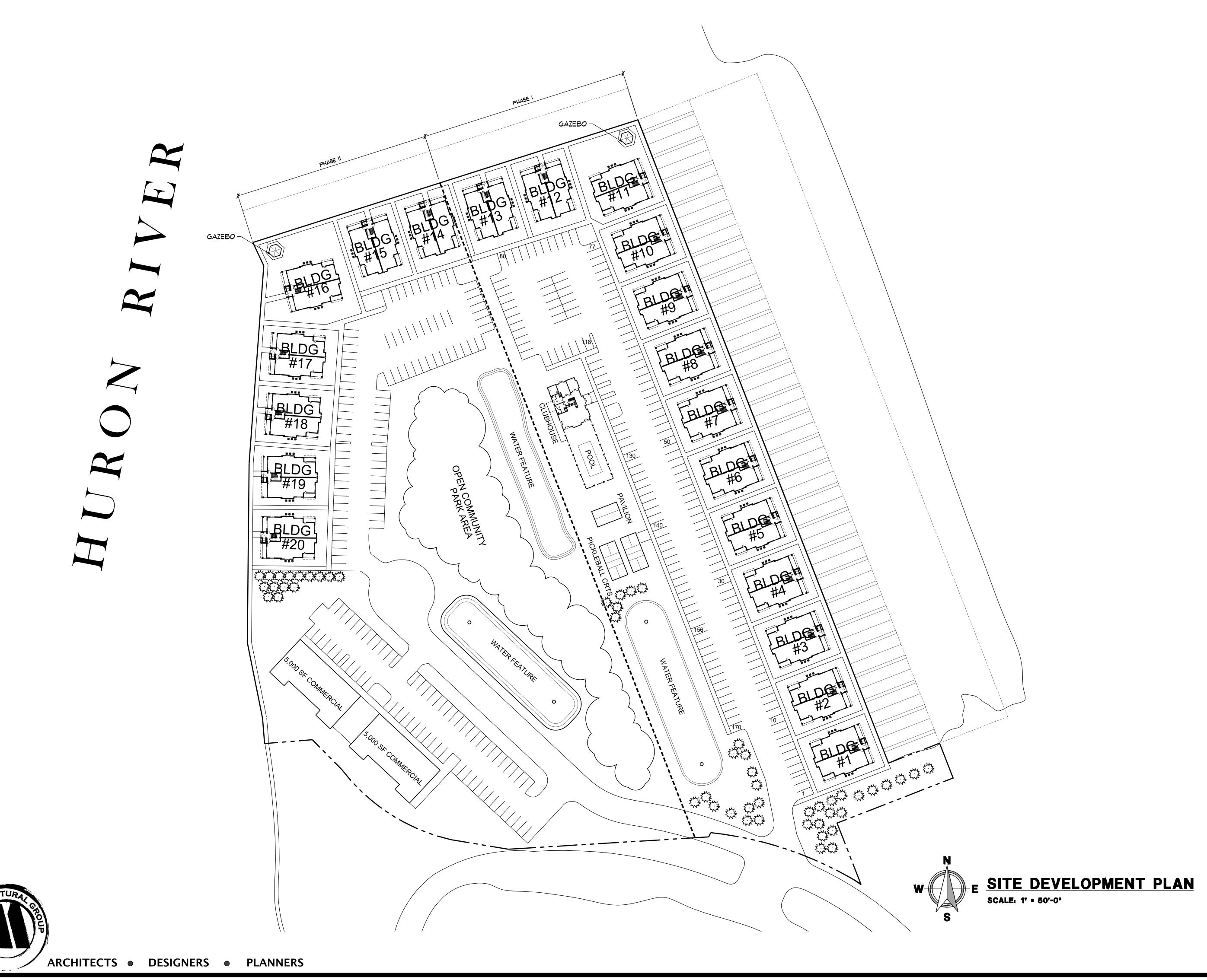


HURON RIVER



SP-1





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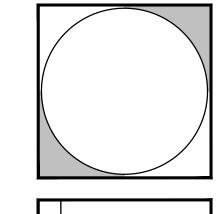
THE ADJACENT LOGO BOX IS 0.5" SQUARE. IF THE LOGO DOES NOT APPEAR 0.5"SQ, THE SCALE OF THE DRAWING HAS BEEN ALTERED.

DATES & REVISIONS:	
PLANNING	02.27.24
REVISED 5	04.16.24

REGISTERED STATES:

OHIO
PENNSYLVANIA
MICHIGAN
INDIANA
ILLINOIS
WISCONSIN
NORTH CAROLINA
SOUTH CAROLINA
IOWA

TRAVIS P. MAYER
1418 OH 60, SUITE #5
VERMILION, OHIO 44089
PHONE: 216.789.8292
MAYERARCHGRP@GMAIL.COM



DEVELOPMENT PLAN FOR THE FORMER ConAgra SITE HURON, OHIO

PROJECT NO:

DRAWN BY:

CHECKED BY:

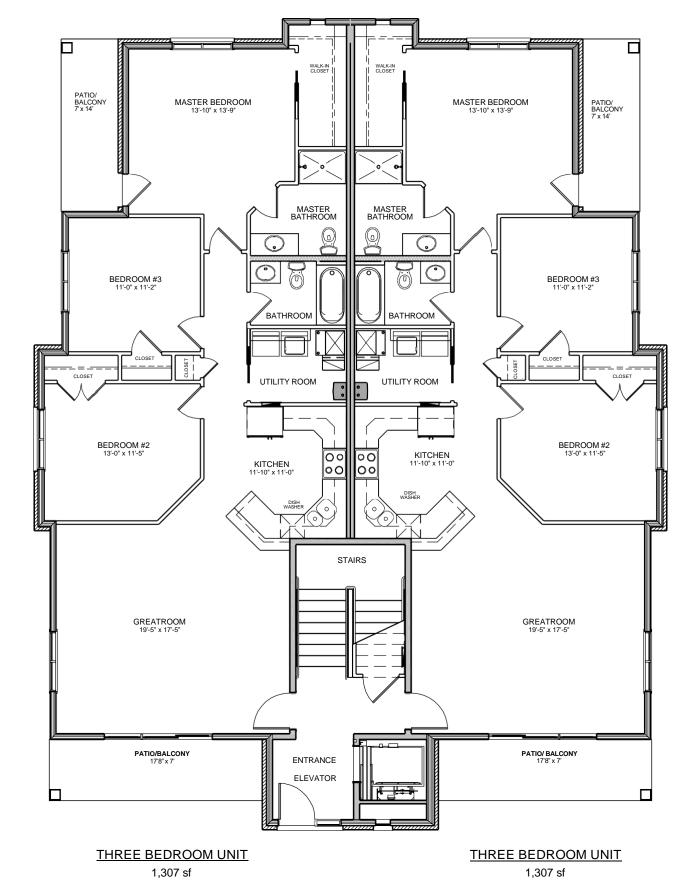
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BAY VIEW VILLAS CONDOMINIUMS

