REGULAR MEETING Village of Put-in-Bay Council Tuesday, August 9TH, 2022 9:00am Village Town Hall

Mayor Dress Called the meeting to order at 9:03 am.

Roll Call: Berry, Koehler, Cox, Biery and Cerny all present. Market absent due to work.

Amend agenda to include the following items:

- 1. PDG Invoice: Seat Count Assessment: \$7472.91
- 2. Covalen Invoice: \$6,500.00 expended out of SIF
- 3. Jim Warner Vacation time payout (71 vacation hours)
- 4. Special Meeting Minutes from 7/23

Cox moved to approve the addition of the 4 items set for approval. Second by Biery.

Roll: Berry; yes, Koehler, yes, Cox, yes, Biery, yes, Cox, yes.

ORDINANCES:

ORD: 1311-22 UTILITY RULES/REG UPDATE TABLE WILL REVISIT IN SEPTEMBER, NOT READY FOR ACTION TO BE TAKEN.

ORD: 1312-22

ANGLED PARKING

THIRD

KOEHLER SUGGESTED PART PARALLEL AND PART ANGELED TO ACCOMMODATE VEHICLES THAT MAY FREQUENT BREAKFAST RESTAURANTS. LENGTHY DISCUSSION TOOK PLACE ON ROAD CONGESTION. BERRY SUGGESTED ANGLED PARKING ON HALF OF THE ROAD AS WELL. VILLAGE ADMINISTRATOR STATED IT IS \$5K FOR 117 STALLS.

DISCUSSION TOOK PLACE ON REGULATING PARKING ON A STATE HIGHWAY. COX STATED THE BENEFIT OF PROVDING THE COMMUNITY WITH AMPLE PARKING AND ACCOMADATING FOR ALL THE BUSINESSES.

LENGTHY DISCUSSION TOOK PLACE ON PRICING FOR TEMPORARY AND/OR PERMANENT MARKINGS.

BERRY MOVED MODIFY THE CURRENT ORDINANCE THAT IS UP FOR APPROVAL TO INCLUDE THE LANGUAGE OF ANGLED FROM CATAWBA TO LORAINE ON DELAWARE. SECOND BY COX.

ROLL: Roll: Berry; yes, Koehler, no, Cox, yes, Biery, yes, Cox, yes.

Berry moved to approve the ordinance to be approved as an emergency. Biery second.

Roll: Berry; yes, Koehler, no, Cox, yes, Biery, yes, Cox, yes.

Motion Fails.

ORD: 1315-22

AMENDING PERMITTED USES PERMITTES USES

INTRO/EMERG

KOEHLER INTRODUCED THE ORDINANCE AS AN EMERGENCY.

BERRY MOVED TO TREAT AS AN EMERGENCY. COX SECOND. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

BERRY MOVED TO WAIVE THE THREE-READING RULE. SECOND BY COX. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

BIERY MOVED FOR THE ORDINANCE TO GO IN TO EFFECT IMMEDIATELY. COX SECOND. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

ORD 1316-22REZONING 248 ERIE STINTRO/EMERGKOEHLER INTRODUCED THE ORDINANCE.

COX MOVED TO TREAT THE ORDINANCE AS AN EMERGENCY. SECOND BY BERRY. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

CERNY MOVED TO WAIVE THE THREE-READING RULE. BIERY SECOND. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

BIERY MOVED FOR THE ORDINANCE TO GO IN TO EFFECT IMMEDIATELY. BERRY SECOND. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

ORD 1317-22AMEND SALARY ORDINANCEINTRO/EMERGKOEHLER INTRODUCED THE ORDINANCE.

BIERY MOVED TO TREAT THE ORDINANCE AS AN EMERGENCY. SECOND BY KOEHLER. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

COX MOVED TO WAIVE THE THREE-READING RULE. SECOND BY BIERY. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

COX MOVED FOR THE ORDINANCE TO BE EFFECTIVE RETROCATIVE TO JULY 1ST, 2022. SECOND BY CERNY. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES. ORD 1318-22FLOOD PLAININTRO/EMERGLEGAL GAVE DESCRIPTION OF THE ORDINANCE. SUGGESTED JUST ANINTRODUCTION UNTIL TODD BICKLEY GAVE HIS RECCOMENDATIONS.

BERRY INTRODUCED THE ORDINANCE. THIS WILL SERVE AS THE FIRST READING.

ORD 1319-22 SYBIL BLVD. SANITARY INTRO/EMERG FISCAL OFFICER STATED THAT THIS IS JUST TO ESTABLISH THE FUND AND THE SOURCE OF ANY DISBURSEMENTS.

COX INTRODUCED THE ORDIINANCE.

BIERY MOVED FOR THE ORD. TO BE TREATED AS AN EMERGENCY. BERRY SECOND. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

BIERY MOVED TO WAIVE THE THREE-READING RULE. SECOND BY BERRY. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

BERRY MOVED FOR THE ORD. TO GO IN TO EFFECT IMMEDIATELY. SECOND BY CERNY. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

ACTION OF COUNCIL NEEDED:

Cerny moved to approve the Meeting Minutes: July 12th, 2022 Regular Meeting, and July 19th, 2022 Special Meeting minutes. Second by Berry.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Berry moved to approve the minutes from the July 23rd, 2022 Special Meeting. Cox second.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Berry moved to approve the July 2022 Financial Statements including: All Purchase Orders, Supplemental Appropriations, and Mayor's Court. Cerny second.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Koehler moved to approve all of the Bills to be paid. Second by Cox. ROLL: BERRY; ABSTAIN, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Cox moved to approve the Roetzel and Roetzel invoice: \$18,686.70. Second by Biery. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Berry moved to approve the Ottawa Co. Sheriff's Dept invoice for July services: \$10,913.09. Second by Cox.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Koehler moved to Amend motion to approve Waters Agreement to reflect \$8,849.00 not \$8449.00 retroactive to July 19th, 2022. Berry provided the second. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Lengthy discussion took place on lobbying for resort and head tax. Legal spoke with colleague on what existing options would be with head tax in addition to resort tax. Township has agreed to share costs as would like to be included.

Biery moved to Direct Susan Anderson/Roetzel and Roetzel to further research head Tax based on existing taxation options. Second by Cox.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Biery moved to approve the engagement of Roetzel consultants for lobbying services regarding resort tax. Second by Cox.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

ADDITIONS:

PDG Invoice:

Cox moved to approve the PDG invoice for the Seat Count Assessment: \$7472.91. second by Biery.

ROLL: BERRY; ABSTAIN, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Covalen Invoice:

Cox moved to approve the Covalen Invoice for \$6,500.00 for a back up pump and to be expended out of SIF. Second by Biery.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Vacation Payout:

Berry moved to approve Jim Warner resignation as of 7/29/2022. Second by Cox.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Fiscal Officer provided the amount to be \$2,437.43 before taxes, based on \$34.33 hourly rate. The amount after taxes will be approved at the September meeting. Biery moved to approve Jim Warner Vacation time payout (71 vacation hours).

Second by Cerny.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Koehler moved to approve the \$1,138.42 D'Amico meter error credit. Second by Cerny.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Berry moved to approve the Village portion of the All American Tree Care, DeRivera Park \$ 5,200.00. Second by Biery.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Biery moved to approve the Poggemeyer Sybil Blvd invoice in the amount of \$7,861.88. Second by Cerny.

ROLL: BERRY; ABSTAIN, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Biery moved to approve the AOS Invoice: \$5,043.00 for auditor services. Second by Koehler.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Biery moved to increase Harry Williamson pay rate (currently \$28.09) to \$30.09/ hour. Effective the next pay period of Aug 14th, 2022. Berry second.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Biery moved to designate the Fiscal Officer to be the Public Records Designee for 2022. Second by Cox.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Cerny moved to approve ant and all Police Department overtime back-pay from the last two pay periods where the Sunday rate was in effect. Second by Biery. ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

Berry moved to approve the American Legal Codified Ordinance Update (2 year update) \$6208.50. Second by Biery.

ROLL: BERRY; YES, KOEHLER; YES, COX; YES, BIERY; YES, CERNY; YES.

PUBLIC PARTICIPATION:

Joe Cerny; Sybil Blvd:

Email was sent regarding sewer line installation survey; the possibility that it is on his property. Would like documentation that it is not. May also include the manhole. Asphalt concerns; sent email to council regarding his concerns.

COUNCIL BUSINESS:

Berry: Research other insurance options for 2033; general liability and health. The one-way on Delaware is creating a bottleneck on Hartford. Will need to assess options to alleviate. The Township is putting reflectors on telephone poles, would the village be ok with that. General consensus is that it would not hurt anything.

Cox: The need for employee and police housing is dire. Mike Russell presented council with ideas on how to facilitate additional housing and options on building vs. purchasing. Lengthy discussion took place.

A Property/Town Hall Committee Meeting was scheduled for August 12th, 2022 at 8:30 am. Meet at the Erie Street Property.

DEPARTMENTS:

Chief of Police:

Sgt. McMicheaux and Cpl. Fenstermaker have been attending training. Department of Safety will be coming to the island for training in September; report writing and legal updates. Discussion has been taking place on a SRO between the PD and the School Board.

Village Administrator:

(See report)

"No Parking" has been stenciled per council request on the yellow curbs. The crosswalk signs have been ordered for the corner by the boathouse and candy bar.

Fiscal Officer: Permissive Tax Increase follow up.

Biery moved to direct legal to draft the increase in permissive sales tax ordinance. Berry second.

Roll: Berry; yes, Koehler; yes, Cox; yes, Biery; yes, Cerny; yes.

Legal Council: Requests executive session for pending and imminent litigation.

Biery moved for council to enter executive session for the discussion of pending and imminent litigation, and to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official. Second by Berry.

Roll: Berry; yes, Koehler; yes, Cox; yes, Biery; yes, Cerny; yes. Council entered executive session at 10:20 am.

Biery moved to exit executive session. Cerny second.

Roll: Roll: Berry; yes, Koehler; yes, Cox; yes, Biery; yes, Cerny; yes. Council exited at 11:15 am.

Cox requested redlined version of the current police contract with the Township.

No other business.

Biery moved to adjourn; Cox second. Roll: Voice Vote; all yes.

Council may enter Executive Session for pending and imminent litigation and/or any of the listed items in R.C. 121-21.