

REGULAR MEETING MINUTES
Village of Put-in-Bay Council
Tuesday, December 8th, 2020
9:00 am

Mayor Dress called the meeting to order at 9:00 AM.
Roll: Market, Koehler, Berry, Boyles, McCann; all present, Faris was present by ZOOM.

Susan Anderson also present by ZOOM.

ORD: 1244-20 **Revisions to Section 4.08 “Time Records”** **Second Reading**
Market moved the second reading for Ordinance 1244-20. Berry second.
Roll: Market; yes, Koehler; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes.
Motion Carries.
Third and final reading will be at the January Regular meeting.

ORD: 1267-20 **An Ordinance Approving the Rules** **Third Reading**
And Regulations of the Utility Department
Market moved the third and final reading of Ordinance 1267-20. Boyles second.
Roll: Koehler; yes, Market; yes, Berry; yes, Boyles; yes, McCann; yes, Faris; yes. Motion
Carries; Ordinance 1267-20 is in effect.

ORD: 1270-20 *Adjacent-Adjoining Definition* *Scheduled 12/10*

ORD: 1271-20 **2021 Budget/ Appropriations** **Intro/Emerg**
Market introduced ordinance 1271-20 as an emergency.
Boyles moved to treat Ordinance 1271-20 as an emergency. McCann second.
Roll: Market; yes, Koehler; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes.
Market moved to waive the three-reading rule. Berry second.
Roll: Market; yes, Koehler; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes.
Market moved for Ordinance 1271-20 to go in effect immediately. Berry second.
Roll: Market; yes, Koehler; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes.
Ordinance 1271-20 is in effect.

ORD: 1272-20 **Section 3.08 Probationary Period** **Intro/Emerg**
Market introduced Ordinance 1272-20 as an emergency.
Berry moved to treat Ordinance 1272-20 as an emergency. Market second.
Roll: Market; yes, Koehler; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes.
Berry moved to waive the three-reading rule for ordinance 1272-20. Market second.
Roll: Market; yes, Koehler; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes.
Market moved for ordinance 1272-20 to be in effect immediately. Berry second.
Roll: Market; yes, Koehler; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes.
Ordinance 1272-20 is in effect.

ORD: 1273-20**Revised Capital Cost Recovery Agree.****Intro/Emerg**

Faris introduced Ordinance 1273-20 as an emergency.

Market moved to treat as an emergency. Faris second.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Boyles; yes.

Boyles moved to waive the three-reading rule for Ordinance 1272-20. Market second.

Roll: Boyles; yes, McCann; yes, Faris; yes, Market; yes, Koehler; yes, Berry; yes.

Market moved for Ordinance 1272-20 to be in effect immediately. Berry second.

Roll: Faris; yes, McCann; yes, Boyles; yes, Berry; yes, Koehler; yes. Motion Carries.

Ordinance 1273-20 is in effect.

ACTION OF COUNCIL NEEDED:

Market moved to approve the Meeting Minutes; November 10th Regular Meeting and the November 19th Special Meeting including the amendments made by the Fiscal Officer. Koehler second.

Roll: Market; yes, Berry; yes, Koehler; yes, Faris; yes, McCann; yes, Boyles; yes. Motion Carries.

Financial:

Faris moved to approve the November 2020 Financial Statements including: (T&N, Bills, PO's over 3K/Supplemental Appropriations/Mayor's Court). Second by Koehler.

Roll: Market; yes, Berry; yes, Koehler; yes, McCann; yes, Boyles; yes, Faris; yes. Motion Carries.

Market moved to Approve Bills to be paid in December. Berry Second.

Roll: Faris; yes, Koehler; yes, Market; yes, Berry; yes, McCann; yes, Boyles; yes. Motion Carries.

*Boyles brings to attention an email sent by Legal Counsel advising council member Koehler to abstain from voting on any approvals that involve any clients he has through his personal business. His abstention needs to be approved by council beforehand.

Faris moved to approve the OWDA Payment - \$123,018.85. Second by Market.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Boyles; yes, Faris; yes. Motion Carries.

Berry moved to approve the OPWC current and Deferred payment from July 2020 for \$50,211.14. Market second.

Roll: Koehler; yes, Market; yes, Boyles; yes, Faris; yes, McCann; yes, Berry; yes. Motion Carries.

Market moved to approve Julian and Grube CPA to produce and submit 2020 Hinkle Report. Berry second.

Roll: Koehler; yes, Boyles; yes, McCann; yes, Market; yes, Berry; yes. Motion Carries.

Health Insurance:

Faris moved to Approve Health Insurance renewal with a 3% increase. Market second. Roll: Koehler; yes, Market; yes, Berry; yes, Faris; yes, McCann; yes, Boyles; yes. Motion Carries.

Berry moved to approve a Temporary use of a construction entrance for Seawall project. Second by Market.

Roll: Koehler; yes, Market; yes, Berry; yes, Faris; yes, McCann; yes, Boyles; yes. Motion Carries.

Chronolog:

Mr. Huston gave an explanation on the post, camera, placement, and sponsor of this request.

Market moved to approve the Installation of the Chronolog camera post at the Bathing Beach with the contingency if it is not paid for it will be removed. Second by Berry.

Koehler is requesting to abstain from this vote on the premise that his personal business is sponsoring the Chronolog post at the beach.

Berry moved to accept Koehler's abstention. Market second. Roll: Market; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes. Motion Carries.

Roll call for installation of the post: Koehler; abstain, Market; yes, Berry; yes, McCann; yes, Boyles; yes, Faris; yes. Motion Carries.

*discussion took place on the possibility of a permanent blanket motion permitting Koehler to abstain in any instance where there might be a conflict of interest with personal business and village vendors.

Financial:

Boyles approved the Reallocation of \$22,063.54 from GF Principal to Interest fund retroactive to Dec 4th, 2020. Berry second.

Roll: Market; yes, Koehler; yes, Faris; yes, Boyles; yes, McCann; yes, Berry; yes. Motion Carries.

Market moved to approve the Bond Acquisition Note payment \$907,063.54 Retroactive Dec 4th, 2020. Second by Boyles.

Roll: McCann; yes, Faris; yes, Boyles; yes, Koehler; yes, Berry; yes, Market; yes. Motion Carries.

Walter-Haverfield Invoice:

McCann asked legal if he should recuse himself from this vote due to his son being interview for a particular incident. Legal replied it was not necessary to recuse his vote; but if he prefers that is also ok.

Boyles moved to approve the Walter-Haverfield invoices through November 30th, 2020. Second by Market.

Roll: Market; yes, Faris; yes, Boyles; yes, Koehler; yes, McCann; abstain, Berry; yes.
Motion Carries.

McCann requested to abstain from this vote due to conflict of interest. Market moved to approve. Berry second.

Roll: Faris; yes, Koehler; yes, Boyles; yes, Market; yes, Berry; yes. Motion Carries.

Dock Maintenance Invoice:

Boyles moved to approve the amended Dock Maintenance invoice in the amount of \$7,836.00. Berry Second.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes. Motion Carries.

MBL Season Passes 2021 Police Department Full Time Officers:

Market stated request to abstain from this vote due to conflict of interest due to his primary employment. Boyles moved to accept Markets request. Berry Second.

Roll: Koehler; yes, Berry; yes, Faris; yes, McCann; yes, Boyles; yes. Motion Carries.

Koehler requested to abstain from this vote due to conflict of interest with his personal business; the PIB Gazette. Boyles; moved to accept that request. Second by McCann; yes.

Roll: Market; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes. Motion Carries.

Boyles moved to approve the purchase of 2021 MBL Pass for 3 Full-time police officers;\$1,305.00. Faris second.

Roll: Berry; yes, McCann; yes, Faris; yes, Boyles; yes. Motion Carries.

Vacation Hours:

Market moved to approve CaptianMariano to roll over his unused vacation hours to 2021; totaling 50.50 hours to be used before April 1st, 2021. Second by Boyles.

Roll: Koehler; yes, Market; yes, Berry; yes, Boyles; yes, Faris; yes, McCann; yes. Motion Carries.

Arbor Day Celebration 2021

Faris requested to abstain from this vote due to his involvement on the Tree Commission board. Boyles moved to approve Faris' request. Second by Market.

Roll: McCann; yes, Market; yes, Berry; yes, McCann; yes, Boyles; yes. Motion Carries.

Boyles moved to approve up to \$500.00 for the Arbor Day celebration and Lisa Brohl to be appointed for 3 years. Second by Market.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Boyles; yes. Motion Carries.

Police District:

Mayor Dress discussedlegal moving forward with the exploration of a possible Village/Township Police District. Market wants a definitive answer from the Township. Lengthy discussion took place.

Faris moved to approve Legal to move forward exploring the option of a police district.
Boyles second.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes. Motion Carries.

Fiscal Officer Bonus:

Boyles moved to approve a \$400.00 bonus for job performance in 2020. Second by McCann.

Roll: Koehler; yes, Faris; yes, Market; yes, Berry; yes, McCann; yes, Boyles; yes. Motion Carries.

DeRivera Park:

Faris requests to abstain from the following vote due to being a member of the DeRivera Park Trustees. Boyles moved to approve Faris' abstention. Market second.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Boyles; yes. Motion Carries.

Discussion: Committee met and discussed the parks request. The came to Village with a letter; but no monetary amount has been discussed.

*Lengthy discussion took place.

Anderson: To move forward, more specifics will be needed from the park.

Market will set another property committee meeting to include the park trustees. Faris will talk to the park board and draft exactly what they are looking for.

*Discussion took place on what portion of property will be available, and how to facilitate the bidding process.

Approval: for Legal to explore lease agreements for the Village to enter in with DeRivera Park for possible land lease.

Impact Fees:

Village Administrator circulated an updated list.

Discussion took place on the proper way to collect fees in the future.

Koehler requested to abstain from the following vote due to conflict of interest. Market moved to approve Mr. Koehler's' request. Berry second.

Roll: Market; yes, Berry; yes, McCann; yes, Boyles; yes, Faris; yes. Motion Carries

Market moved for all delinquent accounts proceed to the next step of collection directed by the Village Administrator after the proper review and approval of legal counsel.

Boyles second.

Roll: Berry; yes, Market; yes, McCann; yes, Boyles; yes, Faris; yes. Motion Carries.

Council directs Village Administrator to send out letters of delinquency based on the updated list.

Sybil Committee:

Berry requested to abstain from the following vote due to conflict of interest as she is a resident of Sybil Blvd. Market approved the request. Boyles Second.

Roll: Koehler; yes, Market; yes, McCann; yes, Boyles; yes, Faris; yes. Motion Carries.

Boyles moved to approve the creation of a specialSpecial Committee “Sybil Blvd Committee” members including Koehler, Market, and McCann. Second by Faris.

Roll: Koehler; yes, Market; yes, McCann; yes, Boyles; yes, Faris; yes. Motion Carries.

Dockage:

Dockage rate discussion; no action taken.

ILYA Contract: Mayor Dress stated 30% discount was offered to ILYA members only on weekdays; and full rate Friday and Saturday. ILYA members were not present at the meeting. Counter offers took place.

Lengthy discussion took place on rates and dates and dock spacing.

Boyles moved to approve a 30% week day and 15% Friday and Saturday discount; any overflow on other Village docks will be full price. Berry second.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Boyles; yes, Faris; yes. Motion Carries.

CARES ACT MONIES

Fiscal Officer gave an explanation of the funds.

Faris moved to approve the \$5,895.45 Corona Relief Funds be allocated to the parks fund for cleaning and sanitizing product. Market second.

Roll: Koehler; yes, Market; yes, Berry; yes, Faris; yes, Boyles; yes, McCann; yes. Motion Carries.

PUBLIC PARTICIPATION:

Peter Huston:

ODOT is getting public comment on Route 53 construction.

Steve Cooks:

Requested update on Sewer for Shore Villas. Village Administrator will discuss during report.

COMMITTEE REPORTS:

Sybil Blvd committee meeting set for December 18th, 2020 11:00 am or 12:00 pm at the Village Town Hall. Fiscal Officer will post notice when time has been decided.

REPORTS:

Chief of Police:

Discussed Ohio Collaborate Group and the benefits for the Village Police Department (see report)

Administrator:

(see report)

Seeks Council approval on the letters submitted to the Village on behalf of two different residents seeking approval for sewer extension.

Market moved to approve Mr. Pesieka's request for LPSS based on the engineer's recommendation. Koehler second.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes. Motion Carries.

Market moved to approve Mr. Berhen's request for sewer extension (gravity line) based on the engineer's recommendation. Koehler second.

Roll: Koehler; yes, Market; yes, Berry; yes, McCann; yes, Faris; yes, Boyles; yes. Motion Carries.

LEGAL COUNSEL: Request for Executive Session.

MAYOR / COUNCIL REPORTS:

Berry: Update on the lobbyist report- increasing the cap on resort tax; no support as of now. Questions council on pursuing the increase? Focus on existing collections.

Koehler: Will health Department bring Covid-19 vaccines over to the island?

Mayor Dress: Items for approval at the January meeting:

Committee seats

Council Rules

Zoning/Planning Commission seat

President of Council

Electronic meetings? Public broadcasting for the future.

Market: The possibility of establishing a capital improvement fund specifically for the funding of a dormitory. Fiscal Officer will look into revenue and fund development.

Faris: Letter was sent out on behalf of Council regarding the Submerged Land Lease and the monies that failed to be collected by the previous fiscal officer. ODNR legal will be following up with the letter.

Market 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. Boyles second. Roll: Koehler; yes, Market; yes, Berry; yes, Boyles; yes, McCann; yes, Faris; yes. Motion Carries.

Council entered Executive Session at 11:07 AM.

Berry moved to exit Executive Session. Koehler second. Roll: Koehler; yes, Market; yes, Berry; yes, Boyles; yes, Faris; yes, McCann; yes. Motion Carries.

Council exited executive session at 11:56 AM.

Other Business:

Berry inquired about IONOS email app on her phone; Don Dress could be contacted for a brief instructional session on how to download and use.

Boyles moved to adjourn; Market second. Roll: Voice Vote; all yes. Motion Carries.

Meeting adjourned at 12:01 PM.

Mayor

Fiscal

Council may 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. R.C. 121-22