

## REGULAR MEETING MINUTES

### Village of Put-in-Bay Council

Tuesday, May 10<sup>TH</sup>, 2022

**9:00am Village Town Hall**

Mayor Dress called the meeting to order at 9:00 am.

Roll: Berry; present, Market; present via zoom, Koehler; present, Cox; present, Biery; present, Cerny; present.

Cerny moved to amend the agenda to include the resignation of full time officer Anthony Battista. Biery second.

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

Biery moved to amend the agenda to include Ordinance 1308-22; Traffic Control on Delaware, and also Ordinance 1309-22; Angled Parking on Delaware. Cerny second.

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

#### **Ordinance 1304-22; Overloaded Golf Carts; Second Reading**

Cox moved the second reading of this Ordinance. Cerny second.

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

#### **Ordinance 1305-22; 2022 Dockage Rates; Introduction/Emergency**

Cox introduced the Ordinance.

Berry moved to treat the Ordinance as an emergency. Cox second.

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

Cox moved to waive the three-reading rule for this ordinance. Biery second.

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

Cerny moved for the ordinance to go into effect immediately. Berry second.

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

#### **Ordinance 1306-22; Water/Sewer Rates; Discussion**

Discussion takes place before putting rates into ordinance form, Legal needs clarification on the increase. Village Admin. presented the regular 3.5% increase, an additional 3.5%, and highest consumer 10.5%.

Discussion took place on master meters, multiple meters, residential vs. commercial.

Market moves to authorize legal to draft an ordinance including the rates provided by the village administrator and discussed by council. Cox second.

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

Market will schedule a Water/Sewer Committee meeting via zoom.

#### **Ordinance 1307-22; Utility Rules/Regs Update to Chapter III; Introduction**

Market moved to introduce the ordinance. This will serve as the first reading.

#### **Ordinance 1308-2022; Traffic Control on Delaware; Intro/Emergency**

West to East, Between Catawba Ave and Hartford Ave, between the dates of May 1<sup>st</sup>, to August 31<sup>st</sup> of each year.

Language discussion of dates took place. Council suggested Memorial Day to Labor Day.

Councilman Cox discusses busy dates on the island.  
Cox introduced the ordinance based on the new suggested dates of Memorial Day through Labor day.

Berry moved to treat the ordinance as an emergency. Biery second.  
Roll: Berry; yes, Market; yes, Koehler; yes, Cox; yes, Biery; yes, Cerny; yes.

Cerny moved to waive the three-reading rule. Market second.  
Roll: Berry; yes, Market; yes, Koehler; yes, Cox; yes, Biery; yes, Cerny; yes.

Cox moved for the ordinance to go into effect immediately. Berry second.  
Roll: Berry; yes, Market; yes, Koehler; yes, Cox; yes, Biery; yes, Cerny; yes.

Cox moved to amend the previous action to include language of the Friday before Memorial Day weekend to the Tuesday after Labor Day weekend. Market second.  
Roll: Berry; yes, Market; yes, Koehler; yes, Cox; yes, Biery; yes, Cerny; yes.

**Ordinance 1309-22; Angled Parking on Delaware; Introduction/Emergency**

Discussion took place on loading/unloading areas; possible redesignation of that area, size of area.

Market suggested the 20ft zone be stretched to include a full size truck.

Cox introduced the ordinance. This will serve as the first reading.

Cerny moved to approve the resignation of Anthony Battista as of May 7<sup>th</sup>, 2022 his last day worked. Berry second.

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

**Meeting Minutes: April 12<sup>th</sup>, 2022 Regular Meeting.**

Cox moved to approve the minutes. Koehler second.

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

**April 2022 Financial Statements including: All Purchase Orders, Supplemental Appropriations, and Mayor's Court:**

Cerny moved to approve the April financials. Biery second.

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

**Roetzel Legal Invoice: \$9,022.43:**

Market moved to approve the invoice to be paid. Second by Koehler.

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

**Ohio Municipal Joint Self-Insurance Pool Invoice: \$63,852.00:**

Market moved to approve the invoice to be paid. Second by Berry.

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

**Municipal Dock Improvement- Debt Service Invoice: \$66,437.50:**

Berry moved for the interest only payment to be made. Market provided the second.

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

**Annual transfer of \$5,000.00 to Bathhouse Capital Imp. Fund:**

Cerny moved for the annual transfer. Koehler second.

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

**Golf Cart Purchase; for Wastewater Department; \$13,750.00 out of Sewer Department Capital Improvement Fund:**

Biery moved the approval for the purchase of the golf cart. Second by Cox.

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

**Rawdon Meyers Invoice; \$4,114.00 (for a Decant Drive):**

Berry moved. Cerny second.

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

**Franklin Sanitation Invoice pt. 2; \$4,100.00:**

Koehler moved to approve the second payment to Franklin Sanitation.

Cox second.

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

**Water Treatment Plant Intern @ \$15.00/hour and \$5.00/night in utility housing:**

Koehler moved to approve the WTP intern rate of pay and housing cost. Second by Cerny.

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

**Wastewater Intern @ \$15.00/hour:**

Cox moved the approval of the WWTP intern rate of pay. No housing needed. Second by Biery.

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

**Mr. Cooks request to tie into Low Pressure Sewer on Shore Villas (East Point Blvd):**

Cerny moved. Biery second.

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

**Non-Renewal of current police contract effective 12/31/2022:**

Will be discussed in Executive Session.

**PDG Assessment re-evaluation of seat count; \$10,880.00:**

Cox moved for the approval of the PDG re-evaluation at the cost listed above. Second by Biery.

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

**Erie Street Sale:**

For DeRivera Park to be able to purchase and use the Erie Street lot for their intended purposes, Legal drafted language to revise CO 1278.01 Permitted Uses, to include "parks or playgrounds, including facilities and operations furtherance thereof". This would have to be referred to the Planning Commission for its consideration.

Koehler provided the motion to revise CO 1278.01 Permitted Uses, to include "parks or playgrounds, including facilities and operations furtherance thereof". This would have to be referred to the Planning Commission for its consideration. Second by Berry.

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

Will be sent to Planning Commission for its consideration.

Koehler moved to authorize the Village Administrator to submit an application for rezoning of the parcel at 248 Erie Street to institutional. Biery second.

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

**PUBLIC PARTICIPATION:**

Joe Cerny questioned how many seat licenses are sold in a year.

**COUNCIL BUSINESS:**

Berry: Met with Taxation representatives and the Fiscal Officer regarding collection of taxes and non-compliant businesses. A list will be put together of all of the businesses that are either for sale or have recently been sold. Will also be in touch with compliance department regarding habitual offenders, and the potential of withholding vendors license or liquor licenses.

Cox: Business License informational letter; is one sent out to help new businesses be in compliance. F.O. stated there is indeed a letter that is sent out with the business license application.

Berry: Would like a Rules/Ordinance Committee Meeting to be set to review the business license ordinance.

**DEPARTMENTS:**

**Chief of Police:**

Hiring process still taking place. Battista resignation as of May 7<sup>th</sup>, 2022. 16 calls last Saturday.

**Administrator:**

**(See report)**

Discussed western basin algae bloom issues, and the availability of federal funding to be allocated towards algae bloom awareness. Spoke with AT&T and PDG regarding the water tower violations and repairs; possible buy out option was discussed. No action was taken. A small fire took place in the WTP breaker panel.

**Fiscal Officer:**

Request to schedule Finance/Audit Committee meeting for 3<sup>rd</sup> quarter update. Meeting scheduled for July 5<sup>th</sup>, 222 at 8:00 am before the workshop session.

**LEGAL COUNSEL:**

Final agreement on the settlement for the License Fee cases. Asked council for a motion to approve the settlement.

Market moved to approve the settlement of case numbers 12 CR 046 and 15 CR 045 in the Ottawa County Court of Common Pleas and authorizing the mayor to enter in to a settlement agreement with the defendants to implement the terms of the settlement.

Biery second.

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

Ruling in the Coops Cab's case regarding vehicle width. Legal will review.

**Executive Session:**

Cerny moved for council to enter Executive Session for the discussion of pending and imminent litigation and the employment of public employees. Biery second.

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

Council entered at 10:25 am.

Market moved for council to exit executive session. Berry second.

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

**Police Contract:**

Cerny moved to provide the Township of Put-in-Bay with two notices; consideration of a new contract starting in 2023, and the nonrenewal of the contract expiring at the end of 2022 authorizing the mayor and solicitor to enter into negotiations for a successor contract. Second by Biery.

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

Special meeting has been scheduled for Thursday, May 12<sup>th</sup>, 2022 at 12:15 pm.

Biery moved to adjourn, Cerny second.

Roll: Voice Vote; all yes.

Meeting adjourned at 10:55 am.

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Attest:

\_\_\_\_\_  
Mayor, Date

***Council may enter Executive Session for any of the listed items in R.C. 121-21.***