

REGULAR MEETING MINUTES
Village of Put-in-Bay Council
Tuesday, September 12th, 2023
9:00 AM Village Town Hall

Mayor Called Meeting to Order at 9:03 am.

Roll: Stephens; present, Koehler; present, Market; present, Cox; present, Biery; present, Cerny; present.

Agenda Additions:

Mayor stated items that need to be added to the agenda:

1. The first payment for the police department new vehicle; ford expedition in the amount of \$11,893.43
2. Motion to direct the village administrator to coordinate with the Ottawa county engineer on the modification and repaving of the Village portion of Langram/Toledo and any grants that would coincide.

Motion to approve additional items to the agenda:

1. Biery
2. Stephens

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

Biery moved to approve the first payment of the Ford Expedition for the Police Department in the amount of \$11,893.43. Second by Cerny.

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

Biery moved to approve the direction of the Village Administrator to coordinate with the Ottawa County Engineer on the modification and repaving of Village portion of Langram and Toledo Ave and work on grants that would coincide. Second by Cox.

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

ORDINANCES:

ORD: 1409-23 AMEND CRITERIA FOR ISSUANCE OF LICENSE INTRO/EMERG

KOEHLER ASKED LEGAL HOW DO THE BUSINESSES KNOW IF THEY ARE DELINQUENT WITH THEIR TAXES? LEGAL STATED SEVERAL OPTIONS; THE BUSINESS COULD CHECK WITH THE STATE, OR THE VILLAGE COULD FOLLOW THROUGH WITH A CHECK BOX ON THE BUSINESS LICENSE APPLICATION AS WAS TALKED ABOUT PRIOR. THE DISCUSSION OF TRANSPERACY OF NON-COMPLIANT BUSINESSES TOOK PLACE.

Biery introduced Ordinance 1409-23.

Cox moved to treat Ordinance 1409-23 as an emergency.

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

Biery moved to waive the three-reading rule for Ordinance 1409-23. Second by Cerny.

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

Market moved for ordinance 1409-23 to go in to effect immediately. Second by Biery.

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

ORD: 1412-23

**CORRECTION ORD NO. ERROR;
VEHICLE LICENSING MORATORIUM**

INTRO/EMERG

Market introduced Ordinance 1412-13 as an emergency.

Stephens second the motion for Ordinance 1412-23 to be treated as an emergency.

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

Market moved to waive the three-reading rule for Ordinance 1412-23. Second by Biery.

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

Market moved for the ordinance to go in to effect immediately. Second by Cerny.

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

ORD: 1413-23

**CORRECTING ORD NO. ERROR;
SALARY AND COMPENSATION**

INTRO/EMERG

Cox introduced ordinance 1413-23.

Market moved to treat Ordinance 1413-23 as an emergency. Second by Cerny.

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

Market moved to waive the three-reading rule for Ordinance 1413-23. Second by Stephens.

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

Cox moved for Ordinance 1413-23 to go in to effect immediately. Second by Market.

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

ACTION OF COUNCIL NEEDED:

Bills:

Cox moved or the bills to be paid in September. Second by Koehler.

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

Financials:

Cox moved to approve the August 2023 Financial Reports (including All Purchase Orders, Supplemental Appropriations, and Mayor's Court, Utility Credits). Second by Koehler.

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

Cox moved to approve the Roetzel invoices \$18,809.50 for part of July and all of August Services. Second by Koehler.

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

Market moved to approve the contract with Roetzel Consulting Services/ Julius Ciaccia (attached). Second by Cox.

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

Resort Tax Publication:

Cox suggested action be taken after executive session.

Minutes:

Biery moved to approve the Meeting Minutes from August 1st and August 8th, 2023 Regular Meeting Minutes. Second by Stephens.

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

Elevated Tank:

Discussion took place on the timeline and bid amount of the elevated tank project. Village Administrator gave council the explanation of what Phase I and Phase II were for the water tower Project. The cost is higher than the original bid that was approved in 2019 due to inflation and cost of products. There is a difference of \$9,126.24, bringing the total cost of the project to \$56,793.50.

Market moved to approve. Cox second.

Fiscal officer asked if the motion was to include Nelson Tank invoice of \$780.00 as well.

Village Administrator stated to remove Nelson tank and break the approval up in to parts;

Market moved to rescind his motion; Cox moved to rescind his second.

Market moved to approve the additional \$9,126.24 to PIB Investments for elevated tank work to be expended out of water capital improvement fund, 5102. Second by Stephens.

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

Market moved to approve the \$56,793.50 total amount including the previously approved difference \$9,126.24 to be expended out of the water capital improvement fund, 5102.

Second by Stephens.

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

Invoice:

Market moved to approve the Air Technologies invoice for Qunicy air compressor (valves on filters), repair and replacement parts \$4,700.00. Second by Stephens.

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

Petitions:

Cox moved to authorize the village solicitor to prepare petitions for use by residents on Ibis Rd and East Point Boulevard regarding the potential installation of sewer service on those roads.

Second by Biery.

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

Sewer Project:

Discussion for approval of council's options for residents for East Point and Ibis sewer project took place.

Cox stated that this will be broken up in to four different motions:

1. Cox moved for council to compute the assessments based on linear frontage. Second by Market.

Koehler questioned what happens when a property has no frontage? Discussion took place.

Cox stated that this would be treated similar to living on a cul-de-sac.

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

2. Cox moved that the Village would be financially responsible for the projects if they move forward; road removal, grinding, paving, re-paving of the road, and costs to be expended out of the Streets and Maintenance fund 2011. Second by Market.

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

3. Cox moved that the Village would pay 2% of the project costs including construction, technical and other if they move forward. Market second.

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

Legal stated that council will need to consider the time period in which the assessments will be paid. Life of a sewer system is typically 50 years; Nusser has seen assessments like this going no more than 20 years. Determination will need to be made now so property owners are aware of the time period of the repayment.

*Lengthy discussion took place on finance options and how the assessment would be presented.

Cox stated the need for a motion for the Village to further look into finance options for the resident portion of the assessment.

Market suggested just agreeing on a time period of the assessment.

Market moved for a 20 year assessment. Stephens second.

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

Mr. Antau; Residents were promised the petitions on this day; questioned the status of them?

Cox stated that after the previous motions, legal and engineer will need to review.

Legal stated that they would be available at the end of the business day on Wednesday. They would be available for pick up and be sent USPS.

Discussion took place on the delivery/pick up/return of the petitions took place.

Mr. Cooks: the construction of the petition; why is there not a third column to state the choice to abstain? Market explained why there is not a third column; if resident does not want either, then they are directed to not sign the petition at all; then it gives the Village, by state law, more opportunity to assess the resident (33.1/3 percent).

There will also be an are to list all parcel numbers owned by the resident.

Mr. Titchner: What about undeveloped land receiving a tap?

Market stated that the Village will not put a tap on land that is not developed.

Joe Cerny directed the Village to look at ORC regarding curbside tap requirement.

New Police Vehicle:

Biery moved to approve the amended cost of the new police vehicle (Ford Expedition) for the amount of \$51,286.00. Cerny second.

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

Stephens moved to approve the D.R. Ebel invoice for the cost of upfitting the police department new vehicle in the amount of \$11,046.92. Second by Market.

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

Cerny moved to approve the invoice for Decals for new police vehicle in the amount of \$699.00. second by Biery.

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

PUBLIC PARTICIPATION:

Dave Shaffer: 557 Catawba Ave:

Golf Cart rental companies should be denied a business license for no remittance of the vehicle licensing tax.

Thanked Judy and council members for their commitment to the Village for the future.

Kathi Spayde: Conlan Road:

Bathing Beach reconstruction from Federal Monument project.

Questioned if there was a contract between the Village and the Fed's for the use of the Village property? Council stated there was no contract signed.

COMMITTEE REPORTS:

Streets and Safety Committee:

Biery and Cerny have been researching different parking solutions, including "Text to Park" apps. It would include a parking ticket machine that would cost around \$5k for the first year.

\$249/month after that.

This would be used for the officers to issue tickets for parking violations, and the company would remit fines to the Village. If the ticket does not get paid then the company will go after the golf cart company or the individual themselves.

This will be discussed further in a committee meeting; yet to be scheduled.

DEPARTMENTS:

Village Administrator:

Lakeland Boating Magazine will be on the island Thursday at 11am to conduct a piece on the marina downtown.

Auger has spoke with the adjuster regarding the police department basement. Will be assessing the need for desks and other office furniture that was ruined in the storm.

Market directed Anne to speak with Kowalski on fuel for the winter.

MAYOR REPORT:

Questioned the place for pick up for the petitions? Auger stated that they will be at the Utility Department. The due date would be October 2nd, 2023 at 5:00 pm.

PENDING ITEMS:

Longevity pay

No discussion took place.

Executive Session:

Market moved for council for enter executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official; and for the discussion of pending and imminent litigation; and for the sale of property, and for matters to be kept confidential pursuant to state law. Second by Stephens.

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

Council entered executive session at 10:10 am

Cox moved to exit executive session. Second by Biery.

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

Council exit at 11:00 am.

Previous Items for Action:

Resort Tax Publication:

Cerny moved to approve the letter for publication in the PIB Gazette regarding resort tax non complaint businesses with the corrections made by council. Second by Biery.

Roll: Stephens; yes, Koehler; abstain, Market; yes, Cox; yes, Biery; yes, Cerny; yes.

Motion to adjourn made by Market. Second by Biery.

Roll: Voice Vote; all yes.

Adjourned at 11:03 am.

Mayor

Date

Attest:

Date:

Council may enter Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official; and for the discussion of pending and imminent litigation; and for the sale of property, and for matters to be kept confidential pursuant to state law.

Council may enter Executive Session for any items listed in R.C. 121.22