

REGULAR MEETING MINUTES
Village of Put-in-Bay Council
Tuesday, January 17th, 2022
9:00 AM Village Town Hall

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

Roll: Berry; present, Koehler; absent, Cox; present, Cerny; present.
Biery enter at 9:02 am, Market enter at 9:03 am.

Fiscal officer absent.

Mayor stated the agenda will need to be amended to include several items;

1. Riddle Reimbursement
2. Island Supply LLC Liquor License approval
3. Village Admin to advertise for bids for Elevated Tank
4. Approve three NTEC Contracts for inspections for AT&T, T-Mobile, and General.
5. Approve Village Admin to advertise for bids for Sludge Pad with construction this fall.
6. Kleinfelder invoice for Elevated Tank Design Rehab in the amount of \$22,576.78
7. PDG Ground Storage invoice in the amount of \$5,300.00

Berry moved to amend the agenda to include the approval for the above listed items. Biery second.

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

ORDINANCES:

1. ORD: 1331-22 ANNEXATION INTRO/EMERG
BERRY MOVED THE SECOND READING. SECOND BY BIERY.
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

2. ORD: 1333-22 AMENDED TAXI THIRD/FINAL
BERRY DISCUSSED POSSIBLE LANGUAGE CHANGES TO THE EXISTING ORDINANCE WITHIN SECTION 3 (A). NEED TO CLARIFY ALL PRICING AND LOCATION ON VEHICLE.
LEGAL NOTED THE LANGUAGE CHANGE TO READ AS;
"PRICE OF ALL FARES CHARGED PER PERSON TO BE CLEARLY MARKED ON THE OUTSIDE, MIDSECTION OF PASSENGER SIDE OF TAXI CAB."
BERRY MOVED TO APPROVE THE THIRD READING OF THIS ORDINANCE INCLUDING THE LANGUAGE CHANGE AS LISTED ABOVE. CERNY SECOND.
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

3. ORD: 1334-22 AMENDED VEHICLE LICENSING FEE THIRD/FINAL
COX SUGGESTED WAITING UNTIL PARKING PERMIT DISCUSSION TO TAKE ACTION ON THIS ORDINANCE LATER IN THE MEETING.

COX MOVED THE THIRD AND FINAL READING. SECOND BY BERRY.
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

4. ORD: 1335-22 BUSINESS LICENSE THIRD/FINAL
BERRY MOVED THE THIRD READING OF THIS ORDINANCE. SECOND BY MARKET.
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

5. ORD: 1336-23 CONFLICT OF INTEREST SECOND/EMERG
BERRY MOVED THE SECOND READING. SECOND BY BIERY.
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

MARKET MOVED TO WAIVE THE THREE-READING RULE. SECOND BY BIERY.

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

BIERY MOVED FOR THE ORDINANCE TO GO IN TO EFFECT IMMEDIATELY. SECOND BY MARKET.

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

****SHERIFF LEVORCHICK ENTERED MEETING AT 9:30 AM. AGENDA PAUSED FOR DISCUSSION OF 2023 POLICE SERVICES.**

Ottawa County Sheriff Levorchick discussed with council and public the police services that will be provided for the Township in 2023.

Levorchick stated a mutual Aid agreement is not needed; Village legal suggested a "Memorandum of Understanding" between both parties. This would list expectations of both departments.

Levorchick stated mutual aid goes both ways, and also discussed dispatching responsibilities and the number of officers he would like to hire; 7.

Village would provide housing for inmates and coverage for the Township when needed. The Sheriff's Department will draft the MOU, and Village legal will review.

6. ORD. 1337-23 AMENDING DOCK CAPITAL IMP FUND. INTRO/EMERG

DISCUSSION TOOK PLACE ON LANGUAGE IN AMENDED ORDINANCE.

MARKET MOVED TO TABLE UNTIL MARCH MEETING. COX SECOND.

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

7. ORD. 1338-23 PARKING PERMIT INTRO/EMERG

*LENGTHY DISCUSSION TOOK PLACE. FEEDBACK FROM GOLF CART RENTAL OWNERS HAS BEEN RECEIVED. LEGALITY CONCERNS WERE ALSO DISCUSSED. Ordinance Committee Meeting will be held on Jan 25th, 2023 at 9:00 am. for further discussion and/or potential action.

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

8. ORD. 1339-23 APPOINTING ROETZEL INTRO/EMERG

Market introduced.

Market moved to suspend the rules. Biery second.

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

Berry moved to approve the ordinance and declare an emergency. Market second.

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

9. RES. 1-23 AT&T AGREEMENT

Market introduced the ordinance authorizing the Mayor to sign the agreement.

Cox moved to suspend the rules. Second by Cerny.

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

Cox moved to approve the ordinance and declare it as an emergency. Biery second.

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

Approve: Bills to be paid in February.
COX MOVED FOR THE FEBRUARY BILLS TO BE PAID. SECOND BY MARKET
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

Approve: Rowan Myers, Inc. \$4,114.00 replacement actuator for WWTP.
Village Administrator gave explanation on the invoice.
Market moved to approve the invoice. Second by Cox.
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

Approve: USA Bluebook \$2,027.25 for dock bubblers out of Dock Capital Improvements 4909.
Cox approved the invoice to be paid. Second by Market.
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

Approve: Village Employee Policy Handbook Update; Flight Policy
Cox moved to approve the update to the handbook. Second by Biery.
Roll: Market; yes, Berry; yes, Cox; yes, Biery; yes, Cerny; yes.

Approve: Fiscal Officer to attend 2-day Local Gov't Officials conference in Columbus Ohio;
March 28th – 29th, 2023
Berry moved the approval. Second by Market.
Roll: Berry; yes, Market; yes, Cox; yes, Biery; yes, Cerny; yes.

Approve: Ali Uthumalebbe to be hired as a full-time police officer, as of January 29th, 2023, with a 6-month probation period, as a rate of \$25.00/hr
Cox moved to approve the hiring of Ali as a full-time officer with a rate of pay as \$25/hour with a 6-month probation period as of Jan 29th, 2023. Second by Cerny.
Roll: Berry; yes, Market; yes, Cox; yes, Biery; yes, Cerny; yes.

Approve: Perry Partners Settlement Agreement
Cox approve the settlement agreement. Second by Berry.
Roll: Berry; yes, Market; yes, Cox; yes, Biery; yes, Cerny; yes.

Amended Items added:

1. Island Supply LLC Liquor License approval

TREX Application submitted to the Village of Put-in-Bay.

*Lengthy discussion took place on the logistics of this license. Mayor read the application language to council. Chris Cooper spoke on behalf of the business and stated their intentions are to provide carry-out beverages; not a bar. Market asked about zoning regulations.

Market moved to approve the application to be signed by the Mayor.

Cerny asked about future plans with this type of license. License is a D-1 through D-3 application, which is consumption on premise. "C" licenses are for carry-out.

*Discussion took place on they different types of licensing, the potential of modifying.

Council asked legal for options on how to move forward.

After much discussion, Market rescinded his original motion.

Cox moved to table until further discussion and research can be done by legal, including details on economic development and what that entails for the business. Cerny second.

*Pause for legal to review document.

Cerny discussed the Township Sheriff agreement discussion that took place either. A few questions arose regarding the services being provided by the sheriffs dept; mutual aid, costs, number of officers staffed.

*Liquor license transfer resumes.

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

Special Meeting was called for January 25th, 2023 at 1:00 pm for the consideration of liquor transfer.

Market inquired on a moratorium on liquor licenses with legal.

2. Village Admin to advertise for bids for Elevated Tank

Cerny moved to approve the V.A. to go ahead and advertise for bid for the Elevated Tank Project. Second by Berry.

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

3. Approve three NTEC Contracts for inspections for AT&T, T-Mobile, and General.

Village Admin. Stated the costs of work on tower of each three

AT&T \$3600

T-Mobile \$3600

General Village \$18,000

Cerny moved to approve, Biery second.

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

4. Approve Village Admin to advertise for bids for Sludge Pad with construction this fall.

Biery motioned to approve. Second by Cerny.

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

5. Kleinfelder invoice for Elevated Tank Design Rehab in the amount of \$22,576.78

Cox moved to table the invoice. Second by Biery.

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

6. PDG Ground Storage invoice in the amount of \$5,300.00.

Cox moved to approve the invoice. Second by Cerny.

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

Public Participation: N/A

COUNCIL BUSINESS:

Berry: Checking on status of the DeRivera Park sale; has legal been in touch with landbank and other parties legal representative.

DEPARTMENTS:

Village Administrator: See Report.

Dockage Rates, issues with ATV and other vehicles on the docks, the language on the back of the dock tickets was discussed, liability is not mentioned thoroughly. Potentially making it a ticket able offense. EPA violation over the Holiday for the water plant; polymer order was lost within the company; shipping sent it somewhere else. Replacement was purchased, but was not conducive, and water was unable to be made. Subsequent events led to a tier II violation.

Cox asked about the status of the furnace project; will be revisited in the spring.

LEGAL COUNSEL:

Coops Cab's appeal scheduled for next week.

Reached out to the Twp attorney regarding contract dispute with police services.

Cox moved to enter executive session for the discussion of pending and imminent litigation. Biery second.

Roll: Market; yes, Berry; yes, Coc; yes, Biery; yes Cerny; yes.

Enter at 12:03 pm

Cox moved to exit executive session. Second by Biery.

Roll: Market; yes, Berry; yes, Coc; yes, Biery; yes Cerny; yes.

Exit at 12:08 pm.

Cox moved to adjourn. Second by Biery

ROLL: VOICE VOTE; ALL YES.

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