

**REGULAR MEETING**  
**Village of Put-in-Bay Council**  
**Tuesday, September 13<sup>th</sup>, 2022**  
**9:00am Village Town Hall**

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

Roll Call: Berry; present, Koehler; present; Market; present, Cox; present, Biery; absent, Cerny; present.

Market moved to amend the agenda to include the following items:

1. Increase appropriations to the general fund up to \$30k for police operating.
2. Amend 1308-22; one way traffic on Delaware.

Cox second.

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

**ORDINANCES:**

**ORD: 1308-22 AMEND ONE WAY ON DELAWARE. INTRO/EMERG**

COX MOVED TO INTRODUCE THE ORDINANCE.

BERRY MOVED TO TREAT THE ORDINANCE AS AN EMERGENCY.

SECOND BY CERNY.

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

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

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

COX MOVED FOR THE ORDINANCE TO GO IN TO EFFECT IMMEDIATELY. SECOND BY CERNY.

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

**ORD: 1311-22 UTILITY RULES/REG UPDATE (CHATER III) THIRD/FINAL**

DISCUSSION TOOK PLACE ON SEVERAL CLARIFICATIONS IN CHAPTER III; PRIVATE GRINDER PUMPS, EASEMENT FOOTAGE, AND EXHIBIT "A" SEWER CONNECTION.

COX MOVED TO UNTABLE THE ORDIANNCE. SECOND BY MARKET.

ROLL: BERRY; YES, MARKET; YES, KOEHLER; NO, COX; YES, CERNY; YES.

MARKET MOVED THE THIRD AND FINAL READING. SECOND BY COX.

ROLL: BERRY; YES, MARKET; YES, KOEHLER; NO COX; YES, CERNY; YES.

**ORD 1318-22 FLOOD PLAIN SECOND**

MARKET MOVED THE SECOND READING. BERRY SECOND.

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

**ORD 1320-22 AMENDING "SYBIL BLVD. LPSS ORD" INTRO/EMERG**

MARKET INTRODUCED THE ORDINANCE.

MARKET MOVED TO TREAT AS AN EMERGENCY. SECOND BY COX.

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

\*NOT ENOUGH TO PASS AS AN EMERGENCY.

\*SPECIAL MEETING WILL BE SCHEDULED TO MOVE FORWARD WITH THE READINGS.

**ORD 1321-22 ESTABLISH FUND 5211 "SYBIL BLVD SAN. SEWER IMP."**  
**INTRO/EMERGENCY**

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

**ORD 1322-22 AMEND FLOATING HOLIDAY INTRO/EMERG**

MARKET INTRODUCED THE ORDINANCE.

COX MOVED TO TREAT AS AN EMERGENCY. SECOND BY BERRY

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

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

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

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

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

**ORD 1323- 22 PARKING FINES AMENDED INTRO/EMERG**

BERRY INTRODUCED THE ORDINANCE.

COX MOVED TO TREAT THE ORDINANCE AS AN EMERGENCY. BERRY SECOND.

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

BERRY MOVED TO WAIVE THE THREE-READING RULE. MARKET SECOND.

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

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

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

**RES 2-22 AUTHORIZE TAX LEVIES INTRO/EMERG**

COX INTRODUCED THE RESOLUTION.

MARKET MOVED TO TREAT AS AN EMERGENCY. SECOND BY BERRY

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

BERRY MOVED TO WAIVE THE THREE-READING RULE, COX SECOND.

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

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

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

## **ACTION OF COUNCIL NEEDED:**

### **MINUTES:**

Cox moved to approve the Meeting Minutes: August 9<sup>th</sup>, 2022 Regular Meeting and Amended minutes to reflect correct roll call. Second by Cerny.

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

### **FINANCIALS:**

Market moved to approve the August 2022 Financial Statements including: All Purchase Orders, Supplemental Appropriations, and Mayor's Court. Second by Koehler.

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

Market moved to approve the Bills to be paid. Second by Cerny.

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

Berry moved to approve the Ottawa Co. Sheriff's Dept invoice for August Services: \$4628.87. Second by Cox.

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

Markey moved to approve Jim Warner Vacation Payout in the amount of: \$1780.55 retroactive to August 2<sup>nd</sup>, 2022. Second by Cerny.

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

Market moved to approve the Griffin Invoice for Striping Delaware \$3,700.00 to be expended out of Fund 2011. Second by Cox.

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

Cerny moved to approve the Air Technologies (\$46,036.54) to be expended out of Water Capital Improvements Fund 5102. Second by Berry. Roll: Berry; yes, Market; yes, Koehler; yes, Cox; yes, Cerny; yes.

### **OTHER BUSINESS:**

Market moved to approve the Oliver Thwaite Browns Backers Request – April 30<sup>th</sup>, 2023 Race and road closure. Second by Cox.

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

Fiscal officer provided an explanation on the invoices and the status of OWDA disbursements.

Market moved to approve the following PDG Invoices:

Generator Improvements: \$18,273.00, Toledo Ave: \$9,631.12,

Sludge Pad: \$5,484.27, and Sybil Blvd. Sanitary Sewer: \$52,861.59. Second by Cox.

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

Market moved to approve the Sewer forgiveness for Dave Brown, faulty pressure release valve, \$959.24. Berry second.

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

### **APPROVAL OF RUSSO SETTLEMENT:**

\*after executive session

**TOWER BUYOUT:**

Fred Cerny has meeting scheduled for Thursday to discuss further negotiations.

**APPEAL:**

Discussion took place on an appeal.

Decision to appeal Liquor License Permit – Put -in-Bay Resort.

Berry moved approve the appeal and for the fiscal officer to be in touch with legal on the next steps in the process. Second by Market.

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

Cox moved to approve the fiscal officer request to increase the general fund appropriations up to \$30,000.00 to go to police operating. Market second.

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

**PUBLIC PARTICIPATION:**

Kelly Mohn; Cooper Drive.

Submitted letter to council regarding an explanation on a specific past event that occurred regarding Chief Kimble and her husband. Request council take action.

**COUNCIL BUSINESS:**

Mayor Dress would like to discuss the status of the police contract with the Township after executive session.

Koehler: Issues with the impound lot; the historical museum stated there is a vehicle outside the gate parked. Chief Kimble will look into the issue.

Berry: while attending the PIBPOA meeting, a resident stated concerns will constant gunfire on July 30<sup>th</sup>, 2022. Chief stated it was shooting practice.

Berry asked if vehicles were allowed to pass other vehicles on a double lined road.

**DEPARTMENTS:**

Chief of Police: Radios are delayed until 2023.

Administrator: (See report).

Striping is done, needs direction for signage.

Cox asked if it would be possible for ES Wagner to give explanation on status of project.

Fiscal Officer: Working on getting together with the police Department and contacting rental companies to come in and get their vehicle stickers places.

Will also draft up latter to Township rental companies asking for their voluntary compliance.

**LEGAL COUNSEL:**

Requests Executive Session for pending and imminent litigation.

**EXECUTIVE SESSION:**

Koehler moved for council to enter executive session for the discussion of pending and imminent litigation. Second by Cox.

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

Council entered at 10:15 am.

Market moved for council to exit executive session. Second by Cox.

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

RUSSO AGREEMENT:

Market moved to approve the Russo settlement agreement subject to court acceptance and authorizing the Mayor to sign said agreement. Second by Cox.

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

OTHER BUSINESS CONTINUED:

Mayor Dress and President of Council Berry will have a call with Legal to discuss the following:

1. Requiring businesses to provide their own certified peace officers on-site of their business. Looking to see if it is an option to put that in Ordinance form.
2. The possibility of increasing the Vehicle Fees.

PENDING ITEMS:

Paid Parking;

Generator for Town Hall;

Cox moved to adjourn. Second by Cerny.

Roll: Voice Vote; all yes.

Meeting Adjourned at 11:15 am.

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