

Regular Meeting of Council
Wednesday, June 12th, 2019
9:00 AM
Put-in-Bay Town Hall

The Council of the Village of Put-in-Bay met for a Regular Meeting on Wednesday June 12th, 2019 at 9:00 AM in the Town Hall.

Mayor Dress called the meeting to order at 9:02 AM.

Roll Call: McCann; present, Koehler; present, Faris; present, Boyles; present, Market; absent, Ladd; present.

Solicitor Susan Anderson was in attendance.

Council acted on the following:

ORDINANCE:

ORD: 1209-19 Amending Chapter 866- Taxicabs - Tabled

ORD: 1215-19 Amending Sections 1260(41), 1288.04(j) and 1292.03 of the Planning and Zoning Code of The Village Of Put-in-Bay Regarding Swimming Pools.

Boyles moves to amend the ordinance to the correct number. Seconded by Faris.
Roll: Ladd, yes, Boyles; yes, Koehler; yes, McCann; yes, Faris; yes, Motion Carries.

Boyles moved to hold the second reading of Ord 1215-19. Seconded by Ladd.
Roll: Koehler; yes, Boyles; yes, Ladd; yes, McCann; yes, Faris; yes, Motion Carries.

ORD: 1216-19 Utility Wages

Faris moved to hold the second reading of Ord 1216-19. Seconded by Ladd.
Roll: Koehler; Boyles; yes, Ladd; yes, McCann; yes, Faris; yes. Motion Carries.

RES: 25-19 A Resolution Authorizing Village of Put-in-Bay to Place a Temporary Moratorium on the Reissuance of Previously Granted Taxicab Licenses and Declaring an Emergency.

Boyles moved to hold the third and final reading of Resolution 25-19. Seconded by Ladd.
Roll: Koehler, Boyles, yes, Ladd; yes, McCann; yes, Faris; yes. Motion Carries.
Resolution 25-19 goes into effect immediately.

ORD: 1219-19 “A”- An Ordinance Amending Ordinance 1211-19 That Enacted New Chapter 1026 Titled “Use of Public Ways For Small Cell Wireless Facilities and Wireless Support Structures,” of the Streets, Utilities, and Public Services Code of the Codified ordinances of the Village of Put-in-Bay, and Declaring an Emergency.

Boyles introduces Ord. 1219-19 “A” as an Emergency.

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

Boyles moved to waive the three-reading rule of Ord 1219-19 “A”. Seconded by Ladd.

Roll: Koehler; yes, McCann; yes, Faris; yes, Boyles; yes, Ladd; yes.

Boyles moved that Ord 1219-19” A” go into effect immediately. Seconded by Ladd.

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

ORD: 1220-19 An Ordinance Adopting a Moratorium on Applications For, and the Granting of Building Permits, Zoning Approvals, Certificates of Business Occupancy and Certificates of Occupancy That Would Enable the Cultivation of Processing, Distribution or Sale of Medical Marijuana for a Period Not to Exceed One Year in Order to Allow the Village of Put-in-Bay to Review Applicable State and Local Laws, To Plan for Regulations Relating to Such Uses, and Declaring an Emergency.

Faris introduces Ord. 1220-19. as an emergency.

Boyles moved to treat Ord. 1220-19 as am emergency. Seconded by Ladd.

Roll: McCann; yes, Koehler; yes, Faris; yes, Ladd; yes, Boyles; yes.

Faris moved to waive the three-reading rule on Ord. 1220-19. Seconded by Boyles.

Roll: Ladd; yes, Boyles; yes, McCann; yes, Koehler; yes, Faris; yes.

Faris moved for Ord. 1220-19 to go into effect immediately. Seconded by Boyles.

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

ORD: 1221-19 An Ordinance Amending Sections 672.01, 672.02, 672.05, 672.07, 672.09 and 679.14 of Chapter 672, “Weapons and Explosives,” Of the Codified ordinances to Conform State Law, and Declaring an Emergency.

Boyles moved to introduce Ord. 1221-19 as an emergency,

Boyles moved to treat Ord. 1221-19 as an emergency. Seconded by Koehler.

Roll: Ladd; yes, Boyles; yes, McCann; yes, Koehler; yes, Faris; yes.

Boyles moved to waive the three-reading rule for Ord. 1221-19. Seconded by McCann.

Roll: Boyles; yes, Koehler; yes, McCann; yes, Ladd; yes, Faris; yes.

Boyles moved for Ord. 1221-19 to go into effect immediately. Seconded by McCann.

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

Koehler wants to change his vote on Res. 25-19 for reasons of conflict of interest.

Koehler moves to rescind his affirmative vote on Res. 25-19 and revise it to an abstention.
Seconded by Boyles.

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

ACTION OF COUNCIL NEEDED:

Ladd moved to approve Meeting Minutes: May 8th, 2019- Special Meeting, May 15th, 2019, and Public Hearing May 15th, 2019. Seconded by Faris.

Roll: Voice vote; all yes. Motion carries.

Faris moved to amend May 5th meeting minutes: \$15/hr NOT \$16/hr for new utility employee. Seconded by Boyles.

Roll: Voice Vote; all yes. Motion Carries.

Faris moved to approve May Financial Statements including: (T&N/Bills/PO's over 3K/Supplemental Appropriations/Mayor's Court). Seconded by Boyles.

Roll: Voice Vote; all yes. Motion Carries.

Faris moved to approve all bills to be paid. Seconded by Ladd.

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

Faris moved to approve Utility Bills over \$3,000.00: USA Bluebook- \$3034.17, Poggemeyer: \$18,735.54, Calgon Carbon: \$11,992.20, Poggemeyer – Water System Asset Management: \$14,750.00, Zimmerman Paint: \$12,985.00. Seconded by Boyles.

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

Faris moved to approve OPWC (\$19,949.32) and ODWA (\$142,988.65) debt service due July 1st, 2019. Seconded by Boyles.

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

Faris moved to approve annual \$5,000.00 Village contribution to Bathhouse. Seconded by Boyles.

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

Ladd moved to approve the Ohio Municipal Joint Self-Insurance Semi-annual Payment \$44,966.00. Seconded by Faris.

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

Boyles moved to approve Swim/Sail water request; 500 gallons of water for dunk tank; \$7.50. Seconded by Ladd.

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

Boyles moved to approve utilities including water/sewer/electricity for police housing to come out of the General Fund, not the department fund. Seconded by Ladd.

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

No action was taken on payment for American Legal estimate for Ordinances. \$6,700-\$7,500 and \$550-\$650 for internet update. Fiscal Officer will conduct more research into this matter.

Faris moved that the Fiscal Officer be the point person to work American Legal. Seconded by Koehler.

Boyles added to the motion; “not limited to American Legal, but whatever company is chosen to facilitate online ordinance.”

Faris amends his original motion to be that the Fiscal Office be the point person to work with whatever company the Village chooses to produce the Codified Ordinances. Koehler seconded.

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

Boyles moved to approve the Walter-Haverfield Invoices in the amount of \$45,474.49. Seconded by Ladd.

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

**Discussion took place on the Village if Put-in-Bay and State codified ordinances on the hiring and approval of Deputies.*

Faris moved to confirm the Mayor’s appointments of the 2019 Police Roster as of June 1st, 2019. Seconded by Koehler.

Roll: McCann; yes, Faris; yes, Ladd; yes, Boyles; yes, Koehler; yes. Motion carries.

*Chief attended Middle Bass Island Township meeting and confirmed that the Township will pay \$2,500.00 towards the \$4,894.00 radio expenditure and approved \$2,600.00 towards radio booster and antennae in the Township.

Boyles moved to approve the Police Department expenditure of \$2,500.00 to Ray’s Electronics for radios to come out of the General Fund Capital Improvements fund. Seconded by Ladd.

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

Faris moved to approve the Real Property 2nd Half payment of \$4,610.43. Seconded by Koehler.

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

The approval of the Revised Taxicab Inspection Form: tabled to next Regular Meeting. Mayor Dress is still reviewing all Taxi Ordinances and State Regulations.

Approval of the Shoreline Protection: Poggemeyer is still determining the cost of the project.

The approval of Deputy Chief Doug Miller Resignation Letter and the approval for the Police Department to hire Miller replacement will be acted on after Executive Session.

Boyles questioned whether the IV bus would be classified as a “roving entertainment vehicle.” *Lengthy discussion took place on business licenses and fixed locations.*

PUBLIC PARTICIPATION:

Ryan McBride- PIB Rolling Pub. Requesting confirmation that the space on Bayview Ave is indeed an appropriate for the rolling pub to make brief stops, as long as driver stays with the vehicle. Chief stated it is not a parking stop; but a pick- up and drop off spot. Boyles explained that the discussion has taken place on red zones and yellow curbs, and how taxis and pedicab may use them for brief pick-up and drop off zones. Boyles clarified that McBride’s request was correct as long as drives stays with vehicle.

Jodi Frimel – Requesting the Village provides a dump truck, driver, and a place to drop debris off after the Garden Club is finished cleaning the bathing beach. Legal Solicitor will work with Village Administrator to sort through liability waivers, volunteers.

Melinda Myers- Voiced concerns on Fisherman Parking at McCann field. She had heard it was not in compliance with the Zoning Ordinances for public parking lots rules and regulations. Mayor addressed that it was brought to zoning as an observation, and that there is no issue with parking at McCann field due to its service it pays to the community and downtown roads.

Steve Cooks- Concerns about license tags on quads and other low speed motor vehicles. Also, the road maintenance and responsibility for spills from dump trucks.

REPORTS:

Chief of Police:

Chief’s Report May 2019

Explained how John Huffman – Karaoke Cart Owner/Operator paid him a visit stating he indeed was issued a 2019 Business License. Chief voices concern with the current moratorium that is in effect. Mayor stated she believed that license was issued before the moratorium went into action. Further communication will take place on this issue.

Chief suggested that after an Ordinance is written, it gets reviewed by the Magistrate; which then would be explained to the Chief on what he is to enforce. States it will provide an extra set of eyes on Ordinances that are complicated to understand.

Administrator:

Administrator Report May 2019

Addressed the parking stripes that were missed by Zimmerman Painting. They were corrected.

Safe Island Task Force signage had been dropped off, and any suggestions on placement for locations is appreciated.

3 “High Water” signs will be placed at the docks.

Administrator addressed councils concern with limited garbage cans in and around the park. Lake disposal will charge village \$15/ can for pick up on trash. The Village would be responsible for the purchase of additional garbage cans. There are currently 20-25 cans in the park.

Mayor Dress assigned this issue to the Safety and Streets Committee to review.

Koehler will look into signage for restrooms and lockers in the park, and coordinate with DeRivera Park.

Mayor Dress gave update on golf cart safety stickers. Safe Island Task Force has received 100% voluntary compliance. Mayor recommended that council approves a mandatory safety sticker for all golf carts for inspection for the year to come.

Susan Anderson will research the level of enforceability with the stickers if council see it necessary at this time.

Legal Solicitor responds to Chief’s suggestion of Ordinance enforcement. States that Ordinance drafts should not be reviewed by magistrate; as he is a neutral party. The prosecutor should be the third party in reviewing ordinances for enforcement.

Zoning Update:

Currently working on changing signage ordinances.

Fiscal Officer: May Financial Report

LETTERS AND MATERIALS SUBMITTED:

DeRivera Park Trustee Letter

Peter Beane – Letter regarding back flow concerns

Kerry Burris – rate increases for the elderly

EXECUTIVE SESSION

Boyles moved to enter in to two consecutive executive sessions *to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official; and pending or threatened litigation.* Seconded by Ladd.

Roll: Faris; yes, Koehler; yes, Boyles; yes, McCann; yes, Ladd; yes. Motion carries.

Council entered executive session at 10:30 AM.

Boyles moved to exit executive session. Ladd seconded.
Roll: Voice Vote; all yes. Motion Carries.

Council returned to regular session at 11:40 AM.

Boyles moved to recess the regular meeting for 10 minutes. Seconded by Ladd.
Roll: Voice Vote; all yes. Motion Carried.

Ladd moved to end recess and enter back into regular session at 11:55 AM. Seconded by Boyles.
Roll: Voice Vote; all yes. Motion Carries.

Boyles moved to accept Deputy Doug Miller formal resignation letter. Seconded by Ladd.
Roll: Faris; yes, Koehler; yes, McCann; yes, Ladd; yes, Boyles; yes. Motion Carries.

Boyles moved to allow Miller to use 5 Floating Holidays for the pay period ending on June 8th and allow him to use 2 weeks' vacation for use until his effective end date of June 17th, 2019.
Faris seconded.
Roll: Boyles; yes, Ladd; yes, McCann; yes, Koehler, yes, Faris; yes. Motion Carries.

Boyles moved to approve Chief Riddle to hire another full-time officer. Seconded by Ladd.
Roll: Voice Vote; yes. Motion Carries.

Mayor Dress recommended to appoint Anne Auger for the permanent position of the Village Administrator for the Village of Put-in-Bay with a salary of \$62,000.00 per year; starting June 12th, 2019. Seconded by Ladd.
Roll: Boyles; abstain, Ladd; yes, McCann; abstain, Koehler; yes, Faris; yes. Motion Carries.

Faris moved to adjourn the regular meeting. Seconded by Ladd.
Roll: Voice Vote; all yes. Motion Carries.

Meeting Adjourned at 12:04 PM.

Mayor

Attest: _____
Fiscal Officer