

Regular Meeting Minutes  
Village of Put-in-Bay Council  
Monday, March 23rd  
9:00 AM

Mayor Dress called the meeting to order at 9:31 AM.

Roll: Boyles; present, Berry; present, McCann; present, Faris; present by telephone, Market; present, Koehler; present by telephone.

Susan Anderson was in attendance by video conference.

Legal counsel advised council that voting by phone would be allowed. Directed council to only vote to pass items that are an emergency if necessary.

**ORD: 1244-20                      Revisions to Section 4.08 “Time Records”    Intro**

Faris asked for clarification on this Ordinance.

Legal counsel stated purpose of the Ordinance and who is included.

Berry stated concerns on paid and unpaid breaks. Who clocks in and out for lunch or paid breaks?

\*lengthy discussion took place on “on-call” employees, breaks, and overtime.

Faris moves to put a moratorium on usage of time clock machines until a policy is finalized.

Seconded by Berry.

Roll: Boyles; no, Berry; yes, McCann; no, Faris; yes, Market; yes, Koehler; yes. Motion Carries.

Mayor will work with Legal counsel to develop a consistent policy.

Market moved to introduce ordinance 1244-20.

**ORD: 1245-20                      DOCKAGE RATES                      Intro**

Boyles introduced Ordinance 1245-20.

**ORD: 1246-20                      Amending Revised Housing Agreements    Intro/  
Section 10 “Pets”**

Market introduced Ordinance 1246-20.

**ORD: 1247-20                      AN ORDINANCE AMENDING AND MODIFYING CERTAIN SECTIONS  
OF CHAPTER 1260, 1274 AND 1288 OF THE PLANNING AND ZONING CODIFIED  
ORDINANCES OF THE VILLAGE OF PUT-IN-BAY IN ORDER, AND DECLARING AN  
EMERGENCY**

Boyles introduced Ordinance 1247-20 as amended per discussion during the Public Hearing as an Emergency.

Market moved to treat Ordinance 1247-20 as an Emergency. Berry seconded.

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

Boyles moved to waive the three-reading rule for Ordinance 1247-20. Seconded by Market.

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

Boyles moved for Ordinance 1247-20 to go into effect immediately. Seconded by McCann.

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

Ordinance 1247-20 is in effect.

Market moved to approve Meeting Minutes from February 11<sup>th</sup>, 2020 Regular Meeting and March 3<sup>rd</sup>, 2020 Special Meeting with the following amendments; Market was present by telephone and Berry voted yes on Ordinance amending Chapter 866 "Taxis".

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

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

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

Faris moved to approve the Bills to be paid for February and March.

\*Boyles prompted discussion on cutting back on purchases of larger dollar amounts. Specifically, the Utility tractor purchase. Suggests pulling the tractor and golf cart purchases, and possibly putting the dock project on hold. Golf carts have already been ordered.

\*discussion took place on the tractor being an absolute necessity.

Purchase of the tractor had been approved by council during the February 2020 meeting.

Seconded by Berry.

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

Faris moved to approve the Temporary Easement Agreement with PIB School. Berry Seconded.

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

Faris moved to approve the payment of the 2019 Recoup Agreements as follows:

Cotton Clan:	\$9,913.24
Chan Stevens:	\$3,182.97
Morgan Park:	\$5,330.40
OSU:	\$6,094.28

Seconded by Boyles.

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

Faris moved to approve Police Dept. credit card purchase in the amount of \$1,357.62 for evidence packaging materials. Boyles seconded.

\*discussion took place on the credit cards and their limit of spending.  
Mayor and Fiscal Officer will meet to review the Credit Card policy that the Village has implemented.

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

Village Administrator discussed the possibility of holding off on Sybil project funding and purchasing a holding tank for the Water Treatment Plant as a temporary fix until the Covid Crisis subsides.

\*lengthy discussion took place on EPA deadline for timelines, and specific costs of a holding tank.

Market requests EPA justification on holding tank specifications, and why the Village is held to a different standard.

Boyles moved to approve the purchase of the holding tank only if it is installed above ground; if tank needs to be installed below ground, another estimate will need to be brought forward for council approval. Market seconded.

Village Administrator stated the price of the tank would be \$3900.00

Roll: Boyles; yes, Berry; yes, McCann; yes, Faris; no, Market; yes, Koehler; yes. Motion Carries.

Boyles moved to approve the creation of a line item in Water and Sewer Operating to pay for Consumer Rent to come out of water and sewer operating. Seconded by Market.

Roll: Boyles; yes, Berry; yes, McCann; yes, Faris; no, Market; yes, Koehler; yes. Motion Carries.

Boyles moved to approve Per Village Recoup Agreement, the placement of lien's on non-paying party. Seconded by Faris.

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

Market moved to approve Nature Works Community Beach Fund 2062 to contribute to Tractor Purchase if allowable per the Ordinance. Berry seconded.

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

Boyles moved to approve the Mayors Court Clerk Petty Cash Reallocation of \$200.00. Seconded by Market.

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

Faris moved to accept Jimmy Glauser Resignation letter as of March 27<sup>th</sup>, 2020 and pay out his vacation time in the amount of 160 hours. Market seconded.

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

Boyles moved to approve the Scada Update for WWTP computer software in the amount of \$7,050.00. Faris seconded.

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

Faris moved to approve PDG to provide construction administration and observation services for Toledo Ave/ Legends Project (Developer will reimburse the Village). Seconded by Boyles.

\*Village Administrator explained PDG role with this project with the Village.

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

Faris moved to authorize the Mayor to sign the Escrow Agreement with the developer (Legends) regarding Toledo Ave. Seconded by Market.

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

Faris moved to authorize the Mayor or Village Administrator to sign pay requests for the Legends Escrow Disbursements. Seconded by Boyles.

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

Market moved to approve the request for Put-in-Bay Lodging to rollover leftover impact fees; to be paid by new owner. Boyles seconded.

\*Village Administrator also stated there will be a letter stating both parties are privy to this agreement.

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

Mayor Dress signed the Arbor Day Proclamation.

Village Administrator distributed Wally Senny letter request for waterline/ sewer extension on Chapman Road; to pick up where master plan had left off.

\*lengthy discussion took place on current engineering, township and county compliance.

Market moved that as long as the extension fits with the Village master plan, the 6-inch extension of a water line be approved at no cost to the Village of Put-in-Bay. Boyles seconded.

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

\*discussion took place on PDG being the engineer for the Village for this project. Village Administrator explained that PDG already designed the plans for this project in 2018.

Boyles moved to reduce the appearance of a conflict of interest, any engineering services on the identified water and sewer line projects done on behalf of the consumer must be done by an agency other than the Village engineer. Seconded by Market.

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

McCann, Boyles, and Market asked for clarification on who would be included on this extension and where the extensions would take place.

Market moved that the Village of Put-in-Bay in correlation with the Township and Ottawa County, pursue the approval of Mr. Senny's request for sewer extension at no cost to the Village of Put-in-Bay, in accordance with the Village masterplan and any and all applicable Ordinances and laws. Seconded by Boyles.

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

**Public Participation:** None

## **REPORTS:**

### **Chief of Police:**

February Report

Officers will be providing food/grocery delivery services to residents that do not want to leave their homes during the Covid Crisis.

Mayor thanked the police department for their services.

### **Village Administrator:**

February Report:

### **Fiscal Officer:**

February Report

Clerks Report – upon Hinkle Filing Completion

Possible Tax refresher course at the Townhall postponed

Tax Exempt Appeal Update – in Village favor. Will be reimbursed for payments made.

## **LEGAL COUNSEL:**

Oral Argument took place on March 10<sup>th</sup>, 2020; video is available online.

If legal advice is solicited regarding Covid-19; it will show up as a new matter on invoices.

\*lengthy discussion took place on Governors orders of essential/non-essential employees.

Government bodies are to identify essential/nonessential employees and essential functions of the entity.

Boyles moved to declare the following functions of the Village of Put-in-Bay as essential as follows, Governance, Executive, Fiscal and Administrator functions, Utility and Law enforcement functions, and Facilities (maintenance of the Village properties). Market Seconded.

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

Market moved to declare the following employees and/or contractors as essential employees of the Village of Put-in-Bay as follows; the Mayor, Fiscal Officer, Village Administrator, Mayors Court Clerk, Utilities employees, Chief of Police and currently employed law enforcement officials. Seconded by McCann.

Roll: Boyles; yes, Berry; yes, McCann; yes, Faris; yes, Market; yes, Koehler; yes.

Mayor Dress also stated she will allow employees to use their accrued sick time if they choose.

\*lengthy discussion on water shut off and/or forgiveness of water/sewer bills during the Covid-19 crisis.

Mayor will consider changing the dates of the April meeting dates as time approaches.  
April 7<sup>th</sup> 2020 will be a tentative date for Workshop/Regular Meeting.

Market moved to approve a \$75.00 donation from the Village to the Ida Rupp Library- Put-in-Bay Branch, in memory of Muriel Sneller and in recognition of her serving the community as a council member. Seconded by Berry.

Roll: Boyles; yes, Berry; yes, McCann; yes, Faris; yes, Market; yes, Koehler; yes.

#### EXECUTIVE SESSION:

Boyles moved to enter into Executive Session *to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.* Market second.

Roll: Boyles; yes, Berry; yes, McCann, yes, Market; yes, Faris; no, Koehler; yes.

Council entered Executive Session at 11:40 AM.

Market moved for council to exit Executive Session. Seconded by

Roll: Boyles; yes, Berry; yes, McCann; yes, Market; yes, Koehler; yes, Faris; yes.

Council exited Executive session at 11:52 AM.

#### **Council Business:**

Berry- Stated the roots of the trees on the North side of Bayview; sidewalk on the dock side of the street, are causing the bricks and the concrete to rise. This could be a tripping hazard if not fixed.

Boyles moved to adjourn the regular meeting. Market seconded.

Roll: Voice Vote; All yes.

Meeting Adjourned at 12:03 PM