



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

Koehler moved that the ordinance go into effect immediately. Berry second.

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

**ORD: 1292-21**                      **PTI Single Service Line**                      **Intro/Emergency**  
An Ordinance Authorizing the Village Administrator to Prepare and Submit Plans and Specifications to the Ohio EPA For a Permit to Install a Single Service Line to Support the Water Treatment Plant.

Koehler introduced this ordinance as an emergency.

Koehler moved to treat this ordinance as an emergency. Market second.

Roll: Berry; recuse, Boyles; yes, Koehler; yes, Cerny; yes, McCann; yes, Market; yes.

Koehler moved to waive the three-reading rule for this ordinance. Market second.

Roll: Berry; recuse, Boyles; yes, Koehler; yes, Cerny; yes, McCann; yes, Market; yes.

Market moved for this ordinance to go in to effect immediately. Koehler second.

Roll: Berry; recuse, Boyles; yes, Koehler; yes, Cerny; yes, McCann; yes, Market; yes.

**ORD: 1293-21**                      **Time Limit to Deposit Funds Policy**                      **Introduction**

Koehler introduced this ordinance. This will serve as the first reading.

**ACTION OF COUNCIL NEEDED:**

Mayor Dress addresses council on the purpose of this public hearing. Applicant Melinda McCann-Myers is present. Robert Morrow is also present.

**Rescheduled date of the PUBLIC HEARING to October 12<sup>th</sup>, 2021**

AN ORDINANCE (1286-21) APPROVING THE APPLICATION OF MELINDA MCCANN MYERS TO AMEND THE OFFICIAL ZONING MAP OF THE VILLAGE OF PUT-IN-BAY TO CHANGE THE ZONING CLASSIFICATION OF PARCEL NO. 0250565132253001, 404 BAYVIEW AVENUE, FROM RESIDENTIAL TO C-2 GENERAL COMMERCIAL DISTRICT

Cerny inquires about the procedure of a public hearing; and why the applicants want to change the zoning.

Koehler stated that the public hearing can not be opened due to less than 30 days' notice to the public.

Anderson stated the notice went out within 29 days, and briefed council on the requirements of two different notices that need to go out; adjacent home owners (20 days) and public notice (30 days).

\*Lengthy discussion took place on the timeline compliance with this zoning request.

Fiscal Officer stated the days that the notices were drafted, posted, and mailed out to the residents.

Market moved to proceed with the hearing based on substantial compliance with notice provisions and it is determined that it is appropriate to proceed with public hearing. Second by Boyles.

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

Motion failed.

Fiscal Officer notified council that the meeting was posted on the 12<sup>th</sup>, and that indeed would be 30 days. Susan Anderson discussed with council that is compliant and council approved a valid meeting date.

Market moved that the hearing proceed as on the agenda. Berry second.

Roll: Berry; yes, Boyles; yes, Koehler; abstain Cerny; yes, McCann; recuse, Market; yes.

**Mayor Dress opens the public hearing:**

Mrs. Myers and Mr. Morrow discuss with council their business intent, and why they will need the zoning change.

\*Lengthy discussion takes place with applicants and council members on the zoning change with future owners, and the neighborhood.

Mr. Koehler is speaking on behalf of being a resident, NOT a council member.

Market has concerns regarding the street losing the “neighborhood” feel; residential to commercial is a very permanent change.

Applicants would agree on a C-1, not C-2 if that would satisfy council.

Anderson stated that Council has 65 days to make a decision after the first reading of the Ordinance.

Koehler spoke on behalf of being a citizen;

Voting is not approving the business, its voting to change the zoning of the property from residential to commercial. Concerns with what will happen with the building if the original business idea is not implemented.

“Upscale Inn” is what they are applying for, and it is not in the zoning manual. They should consider applying for something that is in the zoning manual. Koehler also stated that there are a lot of children on the street; would hate to see the safety of the street be lost.

Koehler would also like the Fiscal Officer to retrieve the file for 404 Bayview Ave; the one required to be available to public throughout the 30 day period until the hearing is held.

Anderson stated that Mr. Koehler is speaking as a member of the public and is welcome to review the documents after the meeting.

Fiscal Officer stated she has the documents present, and has had the documents in her office per Village policy.

Koehler is now speaking on behalf of being a council member.  
Lengthy discussion talked place on zoning requirements.

**Mayor closed the Public Hearing portion at 10:22 AM.**

Council will need to discuss C-1 use.  
Special uses of C-1 were discussed.

Discussion takes place on either amending or modifying the ordinance, and the super majority vote needed.

Market moved to introduce the Ordinance. This will serve as the first reading.  
Market moved to rescind his motion.

Mayor called for an introduction.  
Formally there was no introduction; Ordinance fails.

Applicants have the option to re-apply with a C-1 zoning change.

**MINUTES:**

Market moved to approve the Meeting Minutes from September 14<sup>th</sup>, 2021- Regular Meeting. Cerny second.

Roll: Berry; yes, Boyles; recuse, Koehler; yes Cerny; yes, McCann; yes, Market; yes.

Berry moved to approve the September 10<sup>th</sup>, and 24<sup>th</sup>, 2021- Special Meeting minutes. Second by Koehler.

Roll: Berry; yes, Boyles; recuse, Koehler; yes Cerny; yes, McCann; yes Market; yes.

**FINANCIALS:**

Market moved to approve the September 2021 Financial Statements including: (Then & Now Purchase Orders/PO's over 3K/Supplemental Appropriations/Mayor's Court Monthly). Second by Cerny.

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

Cerny approved to Increased appropriations for Fund 2904 by \$4,000.00. Koehler second.

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

Market moved to approve the Bills to be paid in October. Cerny second.

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

Market moved to approve \$4,157.66 and \$1,536.98 (Tim Niese portion) to Sandusky Sheriff's Dept and \$4,589.02 to Ottawa County Sheriff's Dept for mutual aid. To come out of the police operating fund. Boyles second.

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

**OTHER BUSINESS:**

Village Admin. And Anderson stated what the agreements entail.

Market moved to approve the Chapman Rd and the Zilch Agreements. Berry second.

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

**TRAINING:**

\*discussion took place on the necessity of sending two employees to this out of State conference.

Boyles moved to Approve the Village Administrator to attend two-day seminar in Madison Wisconsin; "Municipal Engineering Fundamentals for Non-Engineers" Nov 9<sup>th</sup> and 10<sup>th</sup>, 2021. Cerny second.

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

Market moved that the V.A in consultation with the Mayor, will select one person to attend the conference with her. Koehler second.

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

**POLICY HANDBOOK:**

Rules and Regulations committee meeting took place this morning; Mayor asked for a motion to approve the proposed changes to the Village policy handbook.

Cerny moved. Koehler second.

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

**PURCHASES:**

**Approve:** Erie Island Petroleum; Winter Fuel/ Diesel Purchases:

**Police Department:** \$2,000.00

**Water Plant:** \$15,000.00

**Town Hall:** \$10,000.00

**Waste Water:** \$1,000.00

Market moved to approve the winter fuel purchases listed above. Berry second.

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

**INVOICES:**

Generator Systems Quotation- \$4242.76 (3 year contract) for the new generator.

Council tabled this until the November meeting.

Market moved to approve the Allset Marine invoice - \$4940.10. maintenance of other generators at the townhall., bath house, WTP, and ground storage. Cerny second.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

Berry moved to approve the PIB Investments \$7073.00 invoice for sewer issues at the Erie Street housing. Market second.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

Market moved to approve the Roetzel Invoices for Services rendered through August 31<sup>st</sup>, 2021 - \$5272.50 . Berry second.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

Berry moved to approve the Westfield Electric 2021 Testing invoice to come out of 4909 Dock Improvement Fund - \$2278.00. Market second.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

Market moved to approve the Manning and Manning invoice - \$3,612.50 for prosecutorial services. Berry second.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

Market moved to approve the American Tree Estimate \$3800.00, to remove the two trees on Village property that had damaged private property on Shire Villas. Second by Berry.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

**PAY INCREASE:**

Market moved to approve the pay increase for Harry Williamson; Class 3 operator for \$27.00 based on the Village Administrators recommendation, retroactive to October 10<sup>th</sup>, 202. Second by Berry.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

**INVOICE:**

Berry moved to approve the GFS invoices totaling \$6,720.87 from 2151 Coronavirus relief. Second by Market.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

**PROBATION:**

Market moved to terminate Chief Kimble's end of 6-month probationary period per the Mayor's recommendation. Second by Koehler.  
Roll: Berry; yes, Boyles; yes, Koehler; yes, Cerny; yes McCann; yes, Market; yes.

**COMMITTEE REPORTS:**

Berry discussed status with the State regarding Resort Tax collection.

**DEPARTMENTS:**

**Chief of Police:**

Ballistic Shields are on the way, and the two old Chevy vehicles will be sold on an auction site.

**Administrator:**

**(See report)**

Presented letter from Bath Street resident regarding the launch ramp.

**Fiscal Officer:**

Discussion on the Request for increase in allotted floating holidays. Also discussed budget status as of October 1<sup>st</sup>, 2021.

**LEGAL COUNSEL:** Request for an executive session.

Market moved for council to enter Executive Session for the discussion of pending and imminent litigation and the potential sale of property. Koehler second.

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

Council entered Executive Session at 11:35 AM.

Berry moved to exit Executive Session. Market second.

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

Council exit at 12:03 pm.

The November Regular Meeting of Council to be changed to 12:15 pm, NOT 9:00 AM.

Market moved to adjourn. Second by Cerny.

Roll: Voice Vote; all yes.

Meeting Adjourned at 12:05 PM.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
Fiscal Officer

***Council may enter into executive session for the discussion of pending and imminent litigation and the sale of public property. R.C. 121.22.***