

**PORT CLINTON CITY COUNCIL MINUTES  
REGULAR MEETING**

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The regular meeting of the Port Clinton City Council was held at the Port Clinton City Hall with DeAnna Kuzma, President of Council, presiding. The meeting opened at 7:30pm. Council recited the Pledge of Allegiance, The Lord's Prayer, and a moment of silence for our military, veterans and first responders and in memory of Chris Galvin who was a champion for Ottawa County, City of Port Clinton and all of its residents.

The roll was called and the following council members were present: Gabe Below, Joel Freedman, Beth Gillman, Roseann Hickman, Margaret Phillips and Lisa Sarty; Brian Hild - excused

The chair noted that certification has been received regarding the compliance with the rules and notification of this meeting.

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**GUEST PRESENTATION**           None

**PUBLIC COMMENT**

Kathy Jo Schweitzer – Port Clinton, OH  
Spoke in regards to Republic Services and what she is hearing from residents. Stated that residents received their bills last week and are upset about the increase. She stated that we as residents should be notified in mass when billing changes happen. A letter was received in 2013 when changes were made. She created a list of seven questions that she believes council should get answers on for the citizens. These were distributed to all of council. Mr. Below asked if any of these concerns have been discussed with the Mayor. Ms. Schweitzer stated that she has not spoken with anyone other than bringing to council this evening. Mrs. Sarty stated all of council received a forwarded email Ms. Phillips regarding questions from a citizen about Republic Services. Mr. Waggoner stated that looking at the old contract there was a fuel charge on there but didn't charge it until it reached \$4.25 a gallon. He stated that this is probably why they have not seen a charge until now. Ms. Phillips asked if there is a signed contract and Mr. Waggoner stated no. Mr. Wilber stated last week he communicated with Republic and pointed out to them a number of concerns/questions with the bid package they had submitted to the city. This afternoon at 4 pm they called back and scheduled a meeting with the City on Tuesday morning to address the concerns and work out a number of issues. They stated that if any adjustments need to be made they would adjust those with their next billings. They stated that they have put out the billing that was in the bid package. Ms. Phillips stated that in the meantime should everyone be paying their bills that are due April 4<sup>th</sup>. Mr. Wilber stated that everyone needs to make their own choice in regards to that decision. Mrs. Sarty asked Mr. Waggoner if any communication was going to be sent to the citizens. Mr. Waggoner stated they will be well informed. Mr. Wilber stated once they have a final decision some type of communication will be done.

Olen Martin – Port Clinton, Ohio  
Good Evening & Thank you Madam President and all of council for this opportunity to publicly address you. As you are all keenly aware, I was terminated 18 days ago by Mr. Wheeler on March 8, 2019. It was my request of the Law Director through legal counsel that I have an opportunity to address you in an executive session.

Unfortunately, I was informed that Mr. Wilber indicated he would not be recommending my request, but I could address council publicly.

Therefore, I wish to publicly state my utmost desire to continue my work as Safety Service Director with Council on behalf of the Citizens of Port Clinton. I truly value and have enjoyed the working relationships I have developed with each of you, our City employees, and our community. I feel we had made significant strides and positive progress on many fronts. Ultimately, it has been my desire to return to the City, move forward and heal the damage and embarrassment of all of this to the City in the timeliest fashion.

It was my desire to provide you with a briefing of the timeline of events since January 1 through my termination; to speak with and to you in an executive session. I feel strongly that there are facts that you have not been made privy to, and I do not feel that much of the information at least with relevance to my termination has been shared with council.

On March 13, just 5 days after my termination, Mr. Wilber delivered a letter to me from and signed by Mayor Wheeler. This letter was an offer to reinstate me to my position of Safety Service Director with no break in service or employment benefits, and with the same salary benefit package and other terms and conditions of employment, I enjoyed on March 8, 2019, with a requested start date of March 14.

As a result of that letter I retained legal counsel, who have had on-going dialog and correspondence of negotiations with Mr. Wilber and Mayor Wheeler since March 13. Last Friday, March 22, 2019 I received what is now the final offer of reinstatement to my position which included a deadline for my response "on or before" noon, tomorrow, the 27th of March.

I am pleased to announce that I am hereby accepting reinstatement to my position of Safety Service Director under the unconditional offer of reinstatement without release of any existing claims against Mr. Wheeler or the City of Port Clinton and the terms and conditions contained in the March 22, 2019 letter from the City of Port Clinton. I have a signed copy of my response letter and I will be delivering to Mr. Wilber now. I look forward to continuing our work together on behalf of those we serve and moving forward with all of you!

Mr. Below asked Mrs. Kuzma if she was aware if Mayor Wheeler plans on attending any future meetings. Mrs. Kuzma said she was not.

<b>MAYOR'S REPORT</b>	Not present
<b>AUDITOR'S REPORT</b>	Nothing to present
<b>TREASURER'S REPORT</b>	Bed taxes to date are \$6,532.27
<b>LAW DIRECTOR REPORT</b>	Nothing to present
<b>SAFETY SERVICE</b>	Wetlands project update – placed an order for the Geo-Fabric and work on the access road will begin as soon as it is received. The Jefferson Street project is moving along as planned. They will be moving to the 200 block in 2-3 weeks. There is a meeting scheduled with the school board administration on March 27 at 10:30am. Brush pickup starts the week of April 8. Citywide clean up and beach cleanup is scheduled for April 27. Riverwalk project update – mussel survey is being schedule and this report can be used for both the Jefferson street project and the Riverwalk project. The Street department is cleaning up parts of the new cemetery.
<b>POLICE CHIEF REPORT</b>	Nothing to present
<b>FIRE CHIEF REPORT</b>	Reminded everyone that April 1 <sup>st</sup> , 2019 the City will be taking back the EMS. The first tone for the Port Clinton EMS will be at noon. There will be an open house from 11am to 12pm. Thanked everyone for his or her help with getting this project going.
<b>CORRESPONDENCE</b>	<b>New Liquor License request – RAR Hospitality LLC</b> Mr. Below moved to waive councils right to a hearing; seconded by Ms. Phillips. Results of a voice roll call are as follows: Below, yes; Freedman, yes; Gillman, yes; Hickman, yes; Phillips, yes and Sarty, yes. With all those in favor, the right to a hearing was waived.  Notice that all liquor licenses expire on June 1 <sup>st</sup> – Mrs. Kuzma placed the objection letter with the Planning and Development Committee for review.  Emergency Services Committee minutes dated March 19 <sup>th</sup> , 2019 Ms. Phillips moved to approve the correspondence as stated; seconded by Mrs. Sarty. With all those in favor, the correspondence was approved as stated.  Mr. Below moved to amend the agenda to state Emergency Services instead of Safety Services; seconded by Mr. Freedman. With all those in favor, the agenda was amended.

**THIRD READINGS**

**ORDINANCE 9-19**

AN ORDINANCE MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF PORT CLINTON, COUNTY OF OTTAWA, STATE OF OHIO, DURING FISCAL YEAR ENDING ON DECEMBER 31, 2019.

Mr. Below moved to adopt Ordinance 9-19; seconded by Mrs. Sarty. Results of a voice roll call are as follows: Below, yes; Freedman, yes; Gillman, yes; Hickman, yes; Phillips, yes and Sarty, yes. With all those in favor, Ordinance 9-19 was adopted.

**ORDINANCE 10-19**

AN ORDINANCE TO APPROVE 2019 REPLACEMENT PAGES TO THE PORT CLINTON CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

Mrs. Sarty moved to retain the emergency clause on Ordinance 10-19; seconded by Mr. Below. Results of a voice roll call are as follows: Below, yes; Freedman, yes; Gillman, yes; Hickman, yes; Phillips, yes and Sarty, yes. With all those in favor, the emergency clause on Ordinance 10-19 was retained.

Mrs. Sarty moved to adopt Ordinance 10-19; seconded by Mrs. Below. Results of a voice roll call are as follows: Below, yes; Freedman, yes; Gillman, yes; Hickman, yes; Phillips, yes and Sarty, yes. With all those in favor, Ordinance 10-19 was adopted.

**ORDINANCE 12-19**

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE AND THE CITY AUDITOR TO ENTER INTO AGREEMENTS FOR THE ACQUISITION OF AN EXCAVATOR AND RELATED NECESSARY EQUIPMENT BY LEASE/PURCHASE, AND DECLARING AN EMERGENCY

Mrs. Sarty moved to retain the emergency clause on Ordinance 12-19; seconded by Ms. Phillips. Results of a voice roll call are as follows: Below, yes; Freedman, yes; Gillman, yes; Hickman, yes; Phillips, yes and Sarty, yes. With all those in favor, the emergency clause on Ordinance 12-10 was retained.

Mrs. Sarty moved to adopt Ordinance 12-19; seconded by Ms. Phillips. Results of a voice roll call are as follows: Below, yes; Freedman, yes; Gillman, yes; Hickman, yes; Phillips, yes and Sarty, yes. With all those in favor, Ordinance 12-19 was adopted.

**SECOND READINGS**

**ORDINANCE 13-19**

AN ORDINANCE ENDORSING THE ESTABLISHMENT OF THE PORTAGE RIVER WATER TRAIL AS A DESIGNATED WATER TRAIL BY THE OHIO DEPARTMENT OF NATURAL RESOURCES

Ms. Phillips asked if this is time sensitive. Mrs. Sarty stated that it is not. With no action taken, Ordinance 13-19 was moved to the April 9 meeting for third reading.

**FIRST READINGS**

**ORDINANCE 14-19**

AN ORDINANCE AUTHORIZING PARTICIPATION IN THE ODOT COOPERATIVE PURCHASING PROGRAM, INCLUDING THE WINTER ROAD SALT CONTRACT, AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO EXECUTE ALL NECESSARY AND REQUIRED DOCUMENTS AND AGREEMENTS FOR PARTICIPATION IN THE PURCHASING PROGRAM AND DECLARING AN EMERGENCY

With no action taken, Ordinance 14-19 was moved to the April 9 meeting for second reading.

**BUSINESS FROM THE FLOOR**

**Mrs. Sarty** – The City Easter Egg Hunt is April 12 at the Lakeview Park. The next Beautification meeting is scheduled for April 1 at 6pm. The next Infrastructure meeting is scheduled for April 2. The next Parks and Rec meeting is scheduled for April 9. Thanked Chief Johnson and everyone who worked on the EMS project. Asked Mr. Waggoner if he is going to respond to the citizen email in regards to the Republic Services questions. Mr. Waggoner stated that he will reply. Expressed he sincere sorrow to the Galvin Family.

**Mr. Freedman** – nothing to present

**Mrs. Hickman** – Congratulated the fire department on completing everything to start the Port Clinton EMS. Stated that Mrs. Chris Galvin will be greatly missed. The Galvin Family is in our thoughts and prayers.

**Ms. Phillips** – Thanked Ms. Schweitzer for the willingness to come and bring her concerns. She is looking forward to April 1 and everything happening that day. Asked the date for Arbor Day this year. Sent condolences to the Galvin Family.

**Mrs. Gillman** - Happy to see Mrs. Schweitzer for being here tonight and thanked her for the list of questions. She welcomed Mr. Martin back. Congratulated the Fire Department on the EMS. Extended a Thank you to all the residents of Port Clinton and beyond who have offered us any prayers, support and condolences. Chris lived life every single day and Port Clinton is what she called home. She did not live in the city but did a lot for the city. Loved it as much as I do if not more. Thank you all

**Mr. Hild** – not present

**Mr. Below** – nothing to present

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With no further business to discuss Ms. Phillips moved to adjourn; seconded by Mrs. Sarty. With all those in favor, the meeting was adjourned at 8:09 p.m.

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April Pipoly  
Clerk of Council

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DeAnna Kuzma  
President of Council