

**PORT CLINTON CITY COUNCIL MINUTES
REGULAR MEETING**

Due to the coronavirus pandemic the May 12, 2020, regular meeting of the Port Clinton City Council was held outside in the sally port near the police department rather than in the Linda Hartlaub City Hall Chambers, with Lisa Sarty, President of Council, presiding. The meeting opened at 7:30 p.m.

Mr. Below moved to waive opening formalities and proceed to roll call; seconded by Mrs. Gillman: all agreed

The roll was called and the following council members were present: Pat Hovis, Beth Gillman, Margaret Phillips, and Jerry Tarolli, Gabe Below, Brian Hild; Roseann Hickman – excused.

Ms. Phillips moved to adopt minutes for April 28, 2020; seconded by Mr. Tarolli: all agreed.

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

GUEST PRESENTATION None

PUBLIC COMMENT None

PRESIDENT OF COUNCIL Nothing to report

MAYOR'S REPORT

Announced that Meals on Madison (M.O.M.) is officially starting on Friday, May 15, 2020 at 12 p.m. This entails blocking off the 100 block of Madison Street (north end only). This is only used for carry out meals. There is no end date at this time.

Chief Hickman is reinstating MORA, Friday, May 15, 2020 at 12:00 p.m.

With Mr. Below's assistance, there is an ordinance on the agenda this evening to suspend the need for Outdoor Café Permit until December 31, 2020. This allows restaurants to place additional tables in the front of their business (space requirements to be implemented) to increase tableside service due to the State's required guidelines.

Honk About (car parade) will be a monthly event on the first Sunday of each month through September.

May 27, 2020, (tentatively) there will be a High School Graduates Parade with their parents. This will include the surrounding area first responders as well. This will start and finish at the Port Clinton High School.

Thirty-Eight mowing notices were sent out last week throughout the City.

City Hall reopening has yet to be established. City business is being completed without interruption.

Kudos to the Service Department. Received several comments since last Sunday on how good the cemeteries look.

Community Development Block Grants (CDBG) – the City requesting \$28,000 for additional handicap ramps in the City. Out of pocket expense to the City is \$3,000 - \$5,000. Mr. Hatfield has been advised and is good with the City proceeding.

Fat Guy 4th of July fundraiser last week raised \$ 4,904.47.

Kudos out to Nikki Zhang (Mandarin teacher at PCHS). Chief Johnson ordered UV lights to assist with cleaning the ambulances after each call. UV light will kill the COVID-19 within 15 minutes. The instructions were written in Mandarin / Chinese. Ms. Zhang translated the instructions for the Fire Department.

Wishing Sandye Ostheimer the best. She will be out for shoulder surgery.

AUDITOR'S REPORT Not present

TREASURER'S REPORT Not present

LAW DIRECTOR REPORT Nothing to present

SAFETY SERVICE Not present

POLICE CHIEF REPORT Not present

COMMITTEE REPORTS **Mr. Below:** Finance Committee met last week.
Economic & Development Committee – nothing to report

Mrs. Hickman: Not present

Ms. Phillips: Nothing to report

Mrs. Gillman: Nothing to report

CORRESPONDANCE **Month End Reports – April 2020 – From Cole Hatfield**
AEP Ohio (Ohio Power Company)
First Energy
Planning Commission submittal of Architectural Review Board Letter
U.S. Census Bureau, Christine Zess

Mr. Below moved to accept correspondence, excluding the Planning Commission submittal of Architectural Review Board letter; seconded by Mr. Tarolli: all agreed.

THIRD READINGS

ORDINANCE 6-20

AN ORDINANCE ENCOURAGING AND REQUESTING THAT THE STATE TAX COMMISSIONER EXTEND THE FILING AND TAX PAYMENT DEADLINE FOR STATE AND MUNICIPAL INCOME TAX RETURNS FOR 90 DAYS AND DECLARING AN EMERGENCY.

Mr. Below moved to retain the emergency clause on Ordinance 6-20, seconded by Ms. Phillips. Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

Mr. Below moved to adopt Ordinance 6-20; second by Ms. Phillips. Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

ORDINANCE 7-20

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO PREPARE AND SUBMIT APPLICATIONS AS MAY BE REQUIRED TO THE OHIO PUBLIC WORKS COMMISSION (OPWC), OHIO WATER DEVELOPMENT AUTHORITY (OWDA), COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT (USDA-RD), WATER POLLUTION CONTROL LOAN FUND (WPCLF), AND WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AND ANY OTHER FUNDING SOURCES THAT BECOME AVAILABLE (ALL HEREIN AFTER ALSO REFERRED TO AS "FUNDING SOURCES") FOR THE WATER AND SANITARY INFRASTRUCTURE IMPROVEMENTS, TO EXECUTE APPLICATION DOCUMENTS FOR THE FUNDING SOURCES REQUIRED AND TO EXECUTE CONTRACTS FOR PLANNING, DESIGN, AND/OR CONSTRUCTION; AND DESIGNATING REPAYMENT SOURCES FOR THE LOAN, AS REQUIRED AND DECLARING AN EMERGENCY.

Mr. Below advised Finance Committee discussed this ordinance with the Safety-Service Director, Mayor, Auditor and committee members last week in regard to recommended changes.

Mr. Below moved to amend Ordinance 7-20, in the nature of a substitute, marked "Below #1"; seconded by Mr. Tarolli.

Mr. Below advised the amendment would make several changes to the scope of the original ordinance, which was overly broad and not aligned with Council's historic role in oversight of large city projects. The amendment narrows the authorization to funding activities for the design-phase only; rather than all aspects of the water & sewer portion of the City infrastructure project. Mayor Snider told the Finance Committee he is fine with any changes to the ordinance Council would like to see. Mr. Below encouraged Council to vote yes on the amendment.

Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

Mr. Below moved to retain the emergency clause on Ordinance 7-20 as amended; seconded by Mr. Tarolli.
Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

Mr. Below moved to adopt Ordinance 7-20 as amended; seconded by Mr. Tarolli.
Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

ORDINANCE 8-20

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.

Mrs. Gillman moved to retain the emergency clause on Ordinance 8-20; seconded by Mr. Tarolli.
Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

Ms. Phillips move to adopt Ordinance 8-20; seconded by Mrs. Gillman.
Mr. Below moved to retain the emergency clause on Ordinance 8-20; seconded by Mr. Tarolli.
Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

ORDINANCE 9-20

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ISSUE REQUESTS FOR THE QUALIFICATIONS AND SERVICE TO ISSUE REQUESTS FOR QUALIFICATIONS, NEGOTIATE AND ENTER INTO AN AGREEMENT FOR DESIGN ENGINEERING SERVICES FOR THE PORT CLINTON INFRASTRUCTURE IMPROVEMENT PROJECT ("THE PROJECT") AND DECLARING AN EMERGENCY.

Mr. Below moved to offer an amendment to Ordinance 9-20, in the nature of a substitute, marked "Below #2"; seconded by Mr. Tarolli.

Mr. Below advised the amendment would make several changes to the scope of original ordinance, narrowing it to preliminary design to reduce the cost, down from millions of dollars to less than \$200,000, while providing the City a much better understanding of the total cost.

- Total project cost will be key to calculating the revenue needed to match.
- That will inform how we structure the eventual revenue provisions. Mayor Snider has proposed "infrastructure fee" or the ballot measure for the road portion.

Would need to look at the revenue piece so carefully, that means the actual amounts and the timing.

- The last thing I want to do is to rush into this in name of "doing what's right for the City", and then realizing it requires that we impose a big financial burden on residents right away, at a time of record unemployment when many, many individuals will struggle to pay.

This change would also better enable the City to address downtown flooding and Lakeshore Drive erosion problems, by freeing up funds that could be used for necessary design work so that these natural disaster mitigation projects would be shovel-ready, should additional Federal or State funds eventually become available.

- It seems to me that Lakeshore Drive and downtown flooding would be much better candidate for any future Federal stimulus legislation, as opposed to repairing the years of wear-and-tear of our residential streets. I encourage Council to vote yes on the amendment.

Mr. Hild asked Mayor Snider his thoughts on the amendment. Mayor Snider advised, "As long as we move forward, I am happy".

Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

Mr. Below moved to retain the emergency clause of Ordinance 9-20 as amended; seconded by Ms. Phillips.

Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

Mr. Below moved to adopt Ordinance 9-20 as amended; seconded by Ms. Hovis.

Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

SECOND READINGS

RESOLUTION 20-1

A RESOLUTION SUPPORTING THE CREATION OF A REVOLVING LOAN FUND OR OTHER FINANCIAL ASSISTANCE PROGRAM TO SUPPORT THE COMMERCIAL AND INDUSTRIAL SECTORS IN THE CITY OF PORT CLINTON, STATE OF OHIO, WITH INITIAL CAPITALIZATION FROM A CONTRIBUTION TO BE MADE BY THE OTTAWA COUNTY COMMUNITY FOUNDATION, AND DIRECTING THE CITY ADMINISTRATION TO DETERMINE THE REQUIREMENTS AND ELIGIBILITY OF THE CITY TO ESTABLISH SUCH A PROGRAM TO PROMOTE ECONOMIC STABILIZATION AND DEVELOPMENT WITHIN THE CITY.

No action taken – Resolution 20-1 will be moved to a third reading on May 26, 2020, at the regular scheduled Council Meeting.

FIRST READINGS

RESOLUTION 20-2

A RESOLUTION TO APPROPRIATE FUNDS FOR THE PURPOSE OF DECORATION OF GRAVES, CONDUCTING MEMORIAL SERVICES AND OTHERWISE ENGAGING IN ACTIVITIES APPROPRIATE FOR THE CELEBRATION OF MEMORIAL DAY 2020.

Mr. Tarolli inquired with Mrs. Sarty if the Resolution needs to be passed this evening. Mrs. Sarty advised it could be delayed to the second reading, per Mr. Hatfield.

No action taken – Resolution 20-2 will be moved to a second reading on May 26, 2020, at the regular scheduled Council Meeting.

ORDINANCE 10-20

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO APPLY FOR, ACCEPT, AND ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF PORT CLINTON WITH THE OHIO EPA'S DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE (DEFA) TO OBTAIN FUNDING FOR THE CITY'S LAKEVIEW BEACH PROJECT AND DECLARE AN EMERGENCY.

No action taken – Ordinance 10-20 will be moved to a second reading on May 26, 2020, at the regular scheduled Council Meeting

ORDINANCE 11-20

AN ORDINANCE SUSPENDING SECTION 727 OF THE PORT CLINTON CODIFIED ORDINANCES (TEMPORARY PUBLIC RIGHT-OF-WAY-OCCUPANCY PERMITS FOR OUTDOOR RESTAURANTS) UNTIL DECEMBER 31, 2020, TO ALLOW FOR OUTDOOR DINING, AND DECLARING AN EMERGENCY.

Mr. Below moved to waive the three required reading on Ordinance 11-20; seconded by Mr. Tarolli.

Mr. Below advised this ordinance is about helping restaurant and bar owners, but more importantly, it is about helping servers getting back to work. Mr. Below wrote to City Hall and Mrs. Sarty about this last week when the Governor announced outdoor dining service could resume May 15. We discussed it the next day and all agreed this would be a good idea.

There is the street side take-out dining option Mayor Snider has discussed with the Chamber (M.O.M.). However, that probably does nothing for servers who need tables, actual tables, to make a living.

- Restaurants will have reduced indoor capacity, tables left unused. This ordinance would allow those tables to be placed on the sidewalk and allow restaurants to accommodate as close to their original indoor capacity as possible.
- The ordinance would allow establishments to set up outside dining, even if they have not done so before, with no permit fees and no onerous restrictions on hours of operation, curfews, and no penalties.
- The way you do that is temporarily cease enforcement of Section 727 of the codified ordinances because that is where the current rules are spelled out.

If Slater's wants to serve outside, great. It's not just downtown either. If Bell Mell wants to place tables on the sidewalk, I am all for it.

It would still allow for basic health, safety, and sanitary conditions required by the county health department and Division of Liquor Control.

Mr. Noderer inquired if the MORA glasses are going to be used outside. Mayor Snider advised yes.

Mr. Norder inquired since this is on City property, if business owners going to alleviate the City from any accidents. Mrs. Shenker advised that would need to be in a separate ordinance. Mr. Below believed that Chapter 727 does not discuss liability as it reads today.

Mr. Nipper inquired if this extends being able to have a beverage through MORA beyond the 12:00 p.m. current curfew? Mayor Snider advised that MORA is separate, those hours are from 12:00 p.m. to 12:00 a.m. A MORA cup is still required. To participate in MORA you have to go into the establishment to order your alcohol beverage and pay for it then, including the cup. The meal that you order outside at your table will be on a separate check.

Mrs. Sarty advised that the establishment needs to allow for a walking path. This may only allow them one or two tables depending on the space available and following the social distancing requirements established by the Governor of Ohio.

Mr. Below recommended that Council adopt Ordinance 11-20 this evening. Then in the next two days, Council and the Administration can look into the liability concern and come to a decision that will work for everyone involved.

Mr. Nipper is concerned about the liability on the City of Port Clinton for the M.O.M. event. What does it cost the City and what is the revenue to the City. In addition to the fact that Jefferson Street is closed to traffic, Monroe Street is flooded most of the time, now you are blocking north end of Madison Street (100 block); how are you to get around town. When he contacted his Councilman – the Councilman did not know anything about M.O.M.

Mayor Snider advised that Chief Hickman and Chief Johnson were involved in this decision and are very comfortable with the partial closing of Madison Street. This will cost next to nothing. A security camera was donated by Ohio Telecom (using internet service at the Port Clinton Chamber of Commerce building), large boulders were donated by Standard LaFarge.

Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

Ms. Phillips moved retain the emergency clause of Ordinance 11-20; seconded by Ms. Hovis. Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused

Mr. Below moved to adopt Ordinance 11-20; seconded by Mrs. Gillman. Results of a voice roll call are as follows: Below, yes; Hovis, yes; Gillman, yes; Phillips, yes; Tarolli, yes; Hild, yes; Hickman, excused.

BUSINESS FROM THE FLOOR

Ms. Hovis – nothing to present

Ms. Phillips – Census 2020 in Ottawa County current participation is at 44%, both Sandusky and Erie County has over 66%. Need to get the word out to participate.

The Cruisers parade was great. Looking forward to additional parades.

Mr. Tarolli – nothing to present

Mr. Below – nothing to present

Mr. Hild – Apologized to Mr. Nipper for misinforming him on not receiving an email on the M.O.M. What he received he felt was pretty vague and does not mention an end date.

Mrs. Gillman – nothing to present

ANNOUNCEMENTS

None

ADJOURNMENT

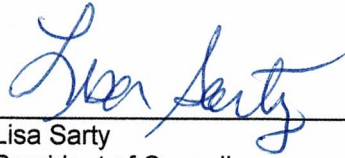
With no further business to discuss Ms. Phillips moved to adjourn; seconded by Ms. Hovis. With all those in favor, the meeting was adjourned at 8:31 p.m.



Sandra Ostheimer
Clerk of Council

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Beth Gillman



Lisa Sarty
President of Council