

**PORT CLINTON CITY COUNCIL MINUTES**  
**REGULAR MEETING**

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The regular meeting of the Port Clinton City Council held in the Linda Hartlaub City Hall Chambers. Lisa Sarty, President of Council, presided and the meeting opened at 6:00 p.m.

The roll was called and the following council members were present: Pat Hovis, Margaret Phillips, Jerry Tarolli, Lisa Slobodzian, Beth Gillman, Roseann Hickman and Gabe Below.

Mr. Tarolli moved to adopt minutes for May 25, 2021; seconded by Ms. Phillips: all agreed.

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

**GUEST PRESENTATION**           None

**PUBLIC COMMENT**           **Ken Russ, Legend General Contractors** representing the developers that submitted the request for change of zoning on Fulton Street and E. Third Street.

A set of plans were submitted with the zoning change application request, knowing that plans were not required. However, that was to be transparent to show what the developers are considering for the property and surrounding properties. Of the properties, that the developers currently own most are zoned General Business (GB). Two of the properties are zoned Medium High Density District (R3). The developers were advised that having consistent zoning would be best.

**Barb Ritter (community member)**

Ms. Ritter advised that she and several individuals canvassed the neighborhoods reactions to the proposed zoning change. Out of 35 individuals (1) in favor, (3) did not say due to religious or business reasons, (2) no opinion, and (29) against (mostly due to traffic and safety).

She was advised that there are five voting members of the Planning Commission. Only three voted and only two voted for the Zoning Map Amendment application. That this is merely a recommendation from the Planning Commission and that City Council will actually decide.

How many City Council votes are required for the Zoning Map Amendment application to pass or fail?

Mr. Bickley, Zoning Inspector advised that Chapter 1133 states Council may overrule the recommendations of the Commission by a three-fourths vote of the full membership of Council. His interpretation is if Council is going to modify or overrule the recommendation of the Planning Commission, Council must do so by three-fourths vote. To adopt or approve the recommendation of the Planning Commission would take the majority vote of Council.

Ms. Ritter feels the public was misled. She feels two people should not be responsible for the neighborhood.

**Martha Snyder (community member)**

Ms. Snyder lives in the neighborhood and backs out to Fulton Street from her property. She is concerned about additional traffic and parking. In the plans that they viewed the apartments would call for 75 additional beds in the apartment complex Concerned that will be another seventy-five to one hundred additional drivers in this area. This location is one of the busiest in the area due to EMS, hospital (largest employer of the City), City garage, athletic complex and school traffic.

Years back there was talk of moving the fire station to Fourth and Fulton Street. There was a traffic study completed and it was determined the traffic was very high and decided against moving the fire station in that location.

Ms. Snyder is very concerned about another 75 to 150 cars in this area. There are many accidents and allot of near missing in this area.

**Pam Hatfield – (community member)**

Ms. Hatfield has same concerns that Ms. Ms. Ritter and Ms. Snider spoke of earlier. In addition to concerns regarding the sewer system and a tax abatement for this project. Concerned that a building built in the 1800's would be torn down.

Mr. Colston and Mayor Snider voted on this application on Planning Commission are they able to vote as City Council also?

President Sarty advised no. Only the seven members of Council are able to vote.

Mr. Below responded in reference to the mention of tax abatement. Nothing has been brought to the Finance Committee for a tax abatement. Any use of a tax abatement has no impact on the full time residence. Anyone who would live at the potential development would pay income tax for City services. All those residents would still be contributing.

Ms. Ritter inquired does income tax pertain to full time residence only.

Mr. Below advised it pertains to full time residence and anyone who works within the City limits. There is no personal property abatement.

**Jody Gagnon (community member)**

Ms. Gagnon is the owner of the 227 Fulton Street that has been included on the plan provided with the Zoning Map Amendment Application for 212 Fulton Street and 517 E. Third Street. Ms. Gagnon announced that her building has not been sold.

Ms. Gagnon's concern is the alleyway that the developers is considering to request to be vacated – that is a right-of way. This is access for emergency services.

President Sarty advised that during correspondence she would provide more information regarding the process for Council.

Ms. Phillips voiced her concern with the size of the project.

**PRESIDENT OF COUNCIL**

The next scheduled Council meeting we will attempt to have a hybrid meeting in person as well as Zoom. If it does not work, the meeting will only be held in person.

Ms. Shenker did advise that as of June 30, 2021, Council members must be present to vote and participate. Governor DeWine did not extend the Governmental bodies to conduct meetings only by Zoom.

Community Reinvestment Area (CRA) is to appoint two vacancies to the CRA Housing Council. Gabe Below and Beth Gillman have shown interest in serving on this Commission. Mayor Snider and Tracy Colston support their interest.

Mr. Tarolli motioned to approve Mrs. Gillman to a three-year term, effective May 1, 2021 through April 30, 2024 and approve Mr. Below to a one-year term, effective May 1, 2021 through April 30, 2022; seconded by Mrs. Hickman.

Results of a voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Ms. Slobodzian, yes; Mrs. Hickman, Mr. Tarolli, yes; Mr. Below – abstain; and Mrs. Gillman, abstain. Motion carried 5-2-0: per Mrs. Sarty.

Resolution 21-4, Administration feels it can be read all three full readings. However, it is time sensitive due to the deadline to provide to the Board of Elections.. The second reading will be conducted at a Special Council meeting on Tuesday, June 15, 2021, at 6:00 p.m. (this will be the only item on the agenda). The third reading will be on the regular scheduled meeting on Tuesday, June 22, 2021.

Mr. Below moved to have the second reading of Resolution 21-4 at a Special Council meeting, on Tuesday, June 15, 2021 at 6:00 p.m.; second by Mr. Tarolli

Results of a voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Ms. Slobodzian, yes; Mrs. Hickman, Ms. Phillips, yes; Mr. Below, yes; and Mrs. Gillman, yes. Motion carried 7-0: per Mrs. Sarty.

Two liquor licenses were received: Capl Retail, LLC DBA Hy Miler (renewal) and We Luv Mom, LLC. (new) Chief Hickman has no objection to either license, if Council so chooses to take action on the licenses this evening.

## MAYOR'S REPORT

Thank you to Rob Zajac and his father for installing the new sound system in Council Chambers.

The State of Emergency that was put in place on May 28, 2021, is still in place to allow us to seek funding for damage and repairs.

Thank you to all levels of City staff for what a great job was done during and after the Memorial Day weekend storm. There are three individuals that went way above and beyond: Tracy Colston, Fire Chief Kent Johnson, and Street Foreman, Lucas Johnson.

Thank you to ODOT for the participation in the same weather event. ODOT placed a temporary fix the following Wednesday to West Lakeshore Drive, it is safe to use. ODOT will be returning in a couple of weeks with engineers and crew to make it more secure.

Thank you to the City of Findlay, Mayor Christina Muryn, for lending the City a bulldozer. We were able to get the beach ready for the following weekend.

Nicole and Brittany of Main Street Port Clinton worked through some difficult situations to reorganize the Walleye Festival to open the weekend after Memorial Day.

Army Corp of Engineers were in Port Clinton to assess the damage to the wetlands and beach. They also noted several issues at the pier. They will be in town next week to investigate further to determine what needs fixed at the pier and wetlands.

Ohio Edison is currently shutting lights off all streetlights, north of the railroad tracks for Mayfly season.

Saturday, June 19, 2021 at 4:00 p.m. Wounded Warriors project will be having a retreat to give thanks to the Wounded Warriors – grab your American Flags and line Perry Street and Fulton Street. They will be escorted into town for an event at the Port Clinton High School. Then at 5:00 p.m. that same evening a parachuting team will be landing in the field behind the high school.

M.O.M. is up and running. There are 89 performances scheduled, art events, farmers market, and kids events.

Today has been proclaimed Jim Lehman Day. He is a retired local pastor and Chaplain of the Port Clinton Fire Department. He will be receiving the key to the City this evening.

Resolution 21-4 is in relationship to the Infrastructure Project. This is time sensitive due to the Ottawa County Auditor needing to provide and verify the mileage. Then it needs to be sent to the Ottawa County Election Board by August 3, 2021 to be placed on the ballot in November.

<b>AUDITOR'S REPORT</b>	Not present
<b>TREASURER'S REPORT</b>	Bed Tax: \$28,767.87 / Dock Tax \$11,550.00 – presented by Lisa Sarty.
<b>LAW DIRECTOR REPORT</b>	Nothing to present
<b>POLICE CHIEF REPORT</b>	Not present
<b>FIRE CHIEF REPORT</b>	Not present
<b>SAFETY SERVICE</b>	H2O program update – there are 56 participants that have taken part in the program.

***Finance Committee:***

Next meeting to be determined

***Economic & Community Development Committee:***

Next meeting will be after July 13, 2021

**Ms. Phillips:**

***Safety Services Committee:***

The Port Clinton Police Department needs a new police car or two.

Mr. Hatfield advised when it is determined where the finance will be coming from is when a car or two would be purchased.

**Mrs. Hickman**

***Environmental & Public Works:***

Nothing to present

**Mrs. Gillman:**

***Arts and Culture:***

Nothing to present

**CORRESPONDENCE**

Planning Commission recommendation Letter, Zoning Map Amendment Application; 221 Fulton Street and 517 E. Third Street

Mr. Below moved to accept the Planning Commission letter, Zoning Map Amendment Application; 221 Fulton Street and 517 E. Third Street; seconded by Mrs. Gillman.

Results of a voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Ms. Slobodzian, yes; Mrs. Hickman, Ms. Phillips, yes; Mr. Below, yes; and Mrs. Gillman, yes. Motion carried 7-0: per Mrs. Sarty

Public Hearing will be held on Tuesday, July 13, 2021, at 5:00 p.m. at Port Clinton City Hall, Linda Hartlaub Council Chambers.

The Clerk of Council is to place the legal notice of the Public meeting announcement in the local newspaper.

First reading on the Ordinance will be on Tuesday, July 13, 2021 at 6:00 pm at Port Clinton City Hall, Linda Hartlaub Council Chambers.

Second reading on the Ordinance will be on Tuesday, July 27, 2021 at 6:00 pm at Port Clinton City Hall, Linda Hartlaub Council Chambers.

Third reading on the Ordinance will be on Tuesday, August 10, 2021 at 6:00 pm at Port Clinton City Hall, Linda Hartlaub Council Chambers.

Ms. Shenker advised that once Council receives a letter of recommendation to change zoning a public meeting must be held. That public meeting must be advertised in the local newspaper. The meeting has be held at least 30 days after receiving the letter. The ordinance will be presented to Council on July 13, 2021, regularly scheduled Council meeting. The ordinance cannot be presented prior to the public hearing. If Council decides to follow the recommendation of the Planning Commission, that only changes the zoning of the two stated properties from Medium High Density District (R3) to General Business (GB). The developer still needs to submit a Site Plan application to Planning Commission for approval. Concerns regarding parking, structure size, etc. will be addressed by Planning Commission once an application has been submitted. Council is only considering the zoning change not any development on the properties. Residents do not get individual letters regarding the public meeting. It is announced today and will be placed in the local newspaper this week and placed on the City's website.

Ms. Snyder inquired about being able to voice their concerns at the Planning Commission meeting. Ms. Shenker and Mr. Colston advised there is public comment at the end of the agenda.

Ohio Division of Liquor Control, Capl Retail, LLC, DBA Hy Miler 2237  
1814 E. Perry Street

Ohio Division of Liquor Control, We Luv Mom, LLC  
116 S. Madison Street

Mr. Below stated that a liquor license request for 116 S. Madison hearing was waived by Council two meetings ago. Can someone advise what the second license request is for.

Mayor Snider advised that the first license for 116 S. Madison Street was for the property owner's future project. The license on the agenda this evening is for the garage door space that was in the front of the building that Ron Miller and family will be opening a business.

Mr. Below moved to waive right to object the liquor licenses for Capl Retail, LLC DBA Hy Miler, 1814 E. Perry Street and We Luv Mom, LLC, 116 S. Madison Street; seconded by Ms. Phillips.

Results of a voice roll call are as follows: Mr. Below, yes; Mrs. Gillman, yes; Ms. Phillips, yes; Mrs. Hickman, yes; Ms. Slobodzian, yes; Ms. Hovis, yes; and Mr. Tarolli, yes. Motion carried, 7-0: per Mrs. Sarty.

Port Clinton Architectural Review Board, May 13, 2021, minutes  
Port Clinton Planning Commission, May 13, 2021, minutes  
Port Clinton Planning Commission, May 19, 2021, minutes  
Month End Reports, May 2021 / Cole Hatfield, Auditor  
Email from Bradley & Jen Brown, Kona Ice – Walleye Festival/Revoked City Permit

Mr. Below motion to approve received correspondence; seconded by Mrs. Hickman. All agreed

**THIRD READINGS**

None

**SECOND READINGS**

**Resolution 21-2**

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY THE QUESTION OF THE RENEWAL OF AN EXISTING 1.9-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES, BUILDINGS, OR SITES THEREFORE, OR SOURCES OF WATER SUPPLY AND MATERIALS THEREFORE, OR THE ESTABLISHMENT AND MAINTENANCE OF LINES OR FIRE ALARM TELEGRAPH, OR THE PAYMENT OF PERMANENT, PART-TIME, OR VOLUNTEER FIREFIGHTERS OR FIREFIGHTING COMPANIES TO OPERATE THE SAME, INCLUDING THE PAYMENT OF THE FIREFIGHTER EMPLOYERS' CONTRIBUTION REQUIRED UNDER SECTION 742.34 OF THE REVISED CODE, OR THE PURCHASE OF AMBULANCE EQUIPMENT, OR THE PROVISION OF AMBULANCE, PARAMEDIC, OR OTHER EMERGENCY MEDICAL SERVICES OPERATED BY A FIRE DEPARTMENT OR FIREFIGHTING COMPANY, AND DECLARING AN EMERGENCY.

No action taken – Resolution 21-2 will be moved to third reading on June 22, 2021, at the regular scheduled Council meeting.

Results of a voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Ms. Slobodzian, yes; Mrs. Hickman, Ms. Phillips, yes; Mr. Below, yes; and Mrs. Gillman, yes. Motion carried 7-0: per Mrs. Sarty

## **FIRST READINGS**

### **Resolution 21-4**

A RESOLUTION DECLARING IT NECESSARY TO ENACT A 3.6-MILL TAX LEVY AND REQUESTING THE OTTAWA COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT LEVY, PURSUANT TO SECTION 5705.19 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

No action taken – Resolution 21-4 will be moved to a second reading on June 15, 2021, at a special scheduled Council meeting.

Results of a voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Ms. Slobodzian, yes; Mrs. Hickman, Ms. Phillips, yes; Mr. Below, yes; and Mrs. Gillman, yes. Motion carried 7-0: per Mrs. Sarty

Resolution 21-4 has been assigned to the Finance Committee

## **BUSINESS FROM THE FLOOR**

**Mr. Tarolli** – Thank you to the City crews for all they did during and after the Memorial Day Weekend storm.

**Ms. Hovis** - Nothing to present

**Mrs. Gillman** – Thank you Mayor Snider and Nicole Kochensparger for all you did during the storm and Walleye Festival

**Ms. Phillips** – The City pulled together in a hard time.

**Ms. Slobodzian** – Appreciates the notifications on social media and leadership regarding the storm and Walleye Festival

**Mrs. Hickman** – Nothing to present

**Mr. Below** – Requested that Ms. Phillips halt the reminders regarding the need for additional police cars – everyone has a wish list.

**ANNOUNCEMENTS**                      None

## **ADJOURNMENT**

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With no further business to discuss Ms. Phillips moved to adjourn; seconded by Mr. Tarolli. With all those in favor, the meeting was adjourned at 7:22 p.m.



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Sandra Ostheimer  
Clerk of Council

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Lisa Sarty  
President of Council