

**PORT CLINTON CITY COUNCIL MINUTES
REGULAR MEETING**

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: Margaret Phillips, Pat Hovis, Beth Gillman, Jerry Tarolli, Kelly Gangle and Richard Morgan.

Ms. Phillips moved to approve regular meeting minutes for November 22, 2022; seconded by Mr. Tarolli. All agreed.

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

GUEST PRESENTATION None

PUBLIC COMMENT None

PRESIDENT OF COUNCIL

Reminder that the December 27, 2022, meeting has been moved to December 20, 2022.

One new ordinances this evening:

The new ordinances can go all three readings.

- Ordinance 45-22: will be assigned to the Finance Committee.

MAYOR'S REPORT

Infrastructure Project: the planning phase is concluded; moving into the design phase, which is 99% complete. The past couple of days the Administration has had several meetings with the State Infrastructure Bank and US Department of Agriculture regarding the financing of the project. Plan A of the construction project will begin as soon as asphalt is available in April 2023.

Portage Resale helped local charities and non-profit organizations by gifting funds on Giving Tuesday (November 29, 2022). They gifted a record \$245,000, pushing the center's 11-year total of giving to more than \$1 million. The Port Clinton Fire Association received \$40,000.00 to replace air packs (SCBA) for the Fire Department.

The Portage Park playground has been installed. The City received a \$15,000 grant from the Park District of Ottawa County Parks and Trails, to put towards the cost of the playground equipment.

Wreaths Across America will take place this Saturday, December 17, 2022. The ceremony will be at Riverview Cemetery at 11:00 am. Following the ceremony, wreaths will be placed on Veterans' graves at Riverview and Lakeview Cemetery.

Leaf and brush pickup is complete for 2022. If there is storm damage, the City will address that individually.

Santa will be at his Santa House, Wednesday, December 14th and 21st from 5:00 – 6:00 pm. In addition to Sunday, December 18th from 12:00 – 1:00 pm.

This Sunday, December 17th, at 6:00 pm, numerous churches' in town are sponsoring an event called Journey's End. This is the second year they have had the event. It is a reenactment of Mary & Joseph's trip trying to locate a place to live. It will be about a quarter mile walk from Trinity Methodist Church to St. John's Lutheran Church to RJ's Ice Cream to the back parking lot of Our Guest Inn back then ending at the Gazebo at Adams Street Park. Cookies and hot Chocolate will be served at Trinity Methodist Church after the walk. This is free event - open to the public.

Republic Services will be picking up live Christmas Trees the week of December 26th and January 1st on your garbage pickup day. Please place the tree on the boulevard and remove all items from the tree.

If you would like to donate your live Christmas tree to African Safari Park to use for animal habitat, please call them at 419-732-3606, extension 4 to make arrangement to drop it off.

AUDITOR'S REPORT Not present

TREASURER'S REPORT Bed Tax: \$322,895.28
Watercraft Tax: \$21,000.00

LAW DIRECTOR REPORT Discussed a hand out that was provided to Council members that provides data on the dollar amounts listed in Ordinance 45-22.

SAFETY SERVICE Mr. Tarolli inquired when the Infrastructure project will go out for bid.

Mr. Colston advised that Plan A (above ground) will go out for bid January 2023, being finalized in March; starting work in April. Plan B (below ground) is tentatively going out for bid in last August, being finalized in November. Please note this is an 18 month project and will be completed in 2025, weather permitting.

FIRE CHIEF Not present

POLICE CHIEF Not present

COMMITTEE REPORTS

Safety Services Committee

Ms. Phillips

Safety Services Committee met prior to the Council meeting this evening; voted to recommend to Council to adopt three ordinances.

Finance Committee

Ms. Hovis

Next Finance Committee meeting will be on December 21, 2022, at 7:00 pm.

Economic and Community Development Committee

Mrs. Gillman

Next Economic and Community Development Committee meeting will follow the December 20, 2022, Council meeting.

CORRESPONDENCE

Safety & Service Committee meeting minutes, November 11, 2022

Planning Commission Letter, Zoning Map Amendment, December 8, 2022

Planning Commission meeting minutes, October 27, 2022

Ms. Phillips moved to add November 2022, Financial Report supplied by Mr. Below to correspondence; seconded by Mrs. Gillman. All agreed.

Mr. Tarolli moved to approve the correspondence as stated; seconded by Mrs. Gillman. All agreed.

THIRD READING OF ORDINANCES AND RESOLUTIONS

Ordinance 35-22

AN ORDINANCE TO APPROVE OCTOBER 2022 REPLACEMENT PAGES TO THE PORT CLINTON CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

Mrs. Gillman moved to retain the emergency clause for Ordinance 35-22; seconded by Mr. Tarolli.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty

Mrs. Gillman moved to adopt Ordinance 35-22; seconded by Mr. Tarolli.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty

Ordinance 36-22

AN ORDINANCE PROHIBITING PUBLIC URINATION IN THE CITY OF PORT CLINTON AND DECLARING AN EMERGENCY

Ms. Phillips advised that the Safety Services Committee recommend 3-0, that Council adopt Ordinance 36-22.

Mr. Tarolli moved to retain the emergency clause for Ordinance 36-22; seconded by Ms. Phillips.

Discussion: Mrs. Gangle and Mr. Morgan inquired why Ordinance 36-22 requires “Declaring an Emergency”. Mr. Morgan feels the “Emergency Clause” is used on too many ordinances. It was discussed by other Council members that the Walleye Drop is in the near future.

Ms. Shenker advised that the Police Department only recourse currently is to charge an individual with indecent exposure (which could place an individual on the sex offender registry) or disorderly conduct (another individual has to see the incident (beside the Police Officer) and it cause them annoyance, inconvenience and alarm to that individual.

Mr. Morgan advised of the six ordinances on the agenda this evening five have the “emergency clause listed in the title; he feels it wasn’t meant to be used this often. Mr. Morgan feels this doesn’t allow the public to announce their objection to the ordinance. Mr. Shenker advised the public can file a referendum to place the item on the next ballot.

Mr. Tarolli and Mrs. Gillman stated the public have three readings and committee meeting for people to participate and become engaged.

Mrs. Sarty advised that Public Comment option on the agenda at one time was at the end of the Council meeting. It was recognized that the public couldn’t comment until after ordinances had been passed. City Council voted to reorganize the agenda to allow the public to comment in the beginning of the meeting, prior to any ordinances being discussed by Council.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, no; Mr. Morgan; no, and Mr. Tarolli, yes. Motion carried 4-2: per Mrs. Sarty

Mr. Tarolli moved to adopt Ordinance 36-22; seconded by Ms. Phillips.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty

Ordinance 37-22

AN ORDINANCE AMENDING SECTIONS 521.06(B), 521.07(C), 521.14, 521.15 OF CHAPTER 521 OF THE PORT CLINTON CODIFIED ORDINANCES AND DECLARING AN EMERGENCY

Ms. Phillips advised that the Safety Services Committee recommend 3-0, that Council adopt Ordinance 37-22.

Mr. Tarolli moved to retain the emergency clause for Ordinance 37-22; seconded by Ms. Hovis.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty

Ms. Phillips moved to adopt Ordinance 37-22; seconded by Ms. Hovis.

Mr. Morgan inquired what the previous violation was prior to Ordinance 37-22.

Ms. Shenker advised that all violations where a Misdemeanor of the Fourth Degree (subject to 30 days in jail). Ordinance 37-22 has been revised to a Minor Misdemeanor (fine, no jail time).

Ms. Gangle asked that 521.07 (C) verified that it has nothing to do with fences. She believes when she looked it up, it did.

Ms. Shenker read Chapter 521.07 (C) from the online Codified City Ordinances to all present at the Council meeting. It had no reference to fences.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty,

Ordinance 38-22

AN ORDINANCE PROHIBITING CYBERBULLYING AND DECLARING AN EMERGENCY

Ms. Phillips advised that the Safety Services Committee recommend 3-0, that Council adopt Ordinance 38-22.

Mr. Tarolli moved to retain the emergency clause for Ordinance 38-22; seconded by Ms. Hovis.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty

Mr. Tarolli moved to adopt Ordinance 38-22; seconded by Ms. Hovis.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty

Ordinance 39-22

AN ORDINANCE CREATING RESIDENTIAL PARKING RESTRICTIONS THAT PROHIBIT PARKING OR STORING MOTOR VEHICLES, CAMPERS, BOATS, AND WATERCRAFT IN A FRONT YARD OR A SIDE YARD ABUTTING A STREET OR ALLEY ON A PROPERTY USED FOR RESIDENTIAL PURPOSES AND DECLARING AN EMERGENCY

Ms. Phillips moved to table Ordinance 39-22; seconded by Mrs. Gillman.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty

Ordinance 40-22

AN ORDINANCE APPROPRIATING CERTAIN FUNDS FOR THE OPERATION OF THE CITY OF PORT CLINTON, OHIO

Ms. Hovis moved to adopt Ordinance 40-22; seconded by Mr. Tarolli.

Results of voice roll call are as follows: Ms. Phillips, yes; Ms. Hovis, yes; Mrs. Gillman, yes; Mrs. Gangle, yes; Mr. Morgan; yes, and Mr. Tarolli, yes. Motion carried 6-0: per Mrs. Sarty

SECOND READING OF ORDINANCES AND RESOLUTIONS

Ordinance 41-22

AN ORDINANCE AMENDING SECTION 183.051(B) (1) (a) OF CHAPTER 183 OF THE CITY OF PORT CLINTON CODIFIED ORDINANCES REGULATING INCOME TAX EFFECTIVE JANUARY 1, 2016

No action taken – Ordinance 41-22 will be moved to third reading on December 20, 2022, at the regular scheduled Council meeting.

Ordinance 42-22

AN ORDINANCE AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF NATURAL RESOURCES FOR FINANCIAL ASSISTANCE FOR THE OPERATION OF THE PORT CLINTON HARBOR PATROL AND APPROPRIATING FUNDS

No action taken – Ordinance 42-22 will be moved to third reading on December 20, 2022, at the regular scheduled Council meeting.

Ordinance 43-22

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ENTER INTO AN AGREEMENT WITH POGGEMEYER DESIGN GROUP INC., A KLEINFELDER COMPANY, FOR FINAL DESIGN AND BIDDING FOR THE ROADWAY PAVEMENT RESURFACING IMPROVEMENT PORTION OF THE PORT CLINTON INFRASTRUCTURE IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

Mr. Tarolli inquired if there was any time sensitivity to this ordinance.

Mr. Colston advised, no.

No action taken – Ordinance 43-22 will be moved to third reading on December 20, 2022, at the regular scheduled Council meeting.

Ordinance 44-22

AN ORDINANCE AMENDING ORDINANCE NO. 6-22 AS AMENDED, AS FURTHER AMENDED BY ORDINANCE NO. 23-22, OF THE CITY OF PORT CLINTON

No action taken – Ordinance 44-22 will be moved to third reading on December 20, 2022, at the regular scheduled Council meeting.

FIRST READING OF ORDINANCES AND RESOLUTIONS

Ordinance 45-22

AN ORDINANCE SETTING THE COMPENSATION OF CERTAIN ELECTED OFFICIALS OF THE CITY AND DECLARING AN EMERGENCY

No action taken – Ordinance 45-22 will be moved to second reading on December 20, 2022, at the regular scheduled Council meeting.

Mrs. Gangle inquired of Ms. Shenker if the information provided on the handout for Ordinance 45-22 was provided by online or via a representative provide them to you.

Ms. Shenker advised that each jurisdiction was contacted and a public records request was submitted and they provided requested information.

Ms. Shenker advised that the Mayor and Auditor opted out of any pay increase.

Mayor Snider advised that over the years the Mayors job has always been the Mayors job, the Auditors job has always been the Auditors job, the Treasurer's job has always been the Treasurer's job, and Council's job has been the Council's job; in the past sixteen years he has been involved with the City. However, the Law Director's job has changed greatly in the world in general. In the past agreements were done with a hand shake; that is no longer the case. Nearly everything the City is involved with goes through the Law Director's office. It did in the past as well, but the past Law Director had his own practice. Each department including Council has needed the Law Director's assistance in one way or another on a daily basis. Ms. Shenker has provided a thorough documentation on compensation for a full and part-time Law Director with similar population and such. He feels that what is listed in Ordinance 45-22, is not an unreasonable request and there should be an increase in the salary for this position. It is his understanding that the Law Directors position will remain a part-time position.

Mrs. Gillman requested that demographics / census data be provided to the Council members.

BUSINESS FROM THE FLOOR

Ms. Hovis – Nothing to present.

Mr. Tarolli – Nothing to present.

Mr. Morgan – Nothing to present.

Ms. Phillips – Portage Resale has awarded Port Clinton Fire & Rescue last year also; bringing the grand total received in the last two years to \$77,000.00.

Mrs. Gillman – Thank you Santa for our treats.

Thank you Ms. Shenker for being very accessible and doing a good job.

Mrs. Gangle – 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 6:53 p.m.

Sandra Ostheimer
Clerk of Council

Lisa Sarty
President of Council