

**PORT CLINTON CITY COUNCIL MINUTES
REGULAR MEETING**

The regular meeting of the Port Clinton City Council was held at the Port Clinton City Hall with De Anna 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 those serving our Country.

The roll was called and the following council members were present: Gabe Below, Joel Freedman, Beth Gillman, Roseann Hickman, Margaret Phillips, Lisa Sarty and Jerry Tarolli

Mr. Below moved; seconded by Mr. Tarolli to approve the September 13th, 2016, Port Clinton City Council regular meeting minutes. With all those in favor the motion was carried.

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

GUEST PRESENTATION

None

PUBLIC COMMENT

Debby Kroft

Mrs. Kroft asked if anything is being done about the all the empty buildings downtown. She stated that she has spoken to several business owners downtown and one suggested to give them a certain amount of time to fix the building. At that point if nothing is done with the building she suggested to start fining and adding it to their tax bill. She stated that she called the owners of the old city hall building due to it not being kept up. She is wondering if the city can go in and trim all the trees and charge them for it. She stated that it is an eye sore for the community. Mr. Below stated that he completely agrees with her. He stated that in many ways he feels that councils hand are tied to a certain point. He states that we rely on the zoning inspector, administration and the architecture review board to follow up on them. She stated that the owner of the building on Madison and Second has been working on the building in the evenings because she has heard that he wants to live there.

Vince Leone

He would like to address Council in regards to the records requests that he has been asking for. He handed out copies of records requests to Council members for review and discussion. He stated that he was fortunate enough during his term to work with the county commissioners and JB Barter Grant to secure funds to move forward with more environmental studies on the property. Mr. Leone stated that on November 12th, 2015, there was a meeting between himself, the current mayor (Mayor Wheeler), Mr. Colston and Mr. Hatfield along with Ann Winegar. At that time, she presented everyone with the map that was distributed to council tonight. The circles on the map indicate the areas that need to be remediated. He stated that before he left office he filed a purchase order to continue with the soil samples, testing of ground water, the remediation and also a NFA letter. A NFA letter is a letter that goes to the EPA and in that letter we would talk about three different things.

1. A Voluntarily Action Plan (VAP) - basically we have identified the issue and what needs to be done
2. Rule 13 – talks about how to handle the soil
3. Covenant not to sue – to safeguard our community

He stated at that meeting we were instructed of the areas and what needed to be done to make the soil safe for our community. Since that meeting nothing has been done to that property.

President Kuzma advised Mr. Leone that he was about 6 minutes into his allotted 10minutes. At that time Mr. Below moved to waive the time restriction; seconded by Ms. Phillips. With all those in favor, the time restriction was waived.

Mr. Colston asked Mr. Leone to speak in regards to the residential verses commercial aspect. Mr. Leone stated what he was told by Ann Winegar from SME (Soil Materials and Engineering) it was assumed that we needed to follow the residential guidelines due to how the property was being used. He stated the him and Mr. Colston discussed the area and the fact that the playground was directly on top of one of the areas for remediation. He stated that he did not present it to Council during his term because he did not have enough information. He urged council to make a motion tonight

to direct the administration to move forward with bringing Ann into council to explain everything from top to bottom and also to move forward with remediation of those areas. Mr. Freedman stated that he was at the meeting when Ann WInegar presented to council. He stated that Ann stated from what he understands there was a difference between residential or commercial. He stated in her words the levels were acceptable due not living there 24/7. Mr. Leone stated that he does recall her making that statement and stated for council to reference the date stamp on the map and that there was more drilling done after the original meeting. The date stamp on the map was September 22nd, 2015 by SME. Mr. Leone stated that we paid for the final report but we do not have the final report from SME. Mr. Colston stated that he knows that Mayor Wheeler has been talking with Ann. He stated that he was under the impression that we were fine now but if it were to become commercial we would have to move forward with the remediation. Mr. Leone brought up the trench that was dug for the electrical line and that he was not trying to sabotage the progress. He stated that he witnessed city workers pushing the dirt back into the trench and he believed that they were in violation of Rule 13. Mr. Colston stated that he contacted the EPA and they were in compliance. Mr. Leone stated that he appreciates what he is stating but from what he knows about the EPA they never do anything by phone call. He stated that he requested a copy of the applications filed with the EPA for the lighthouse. He only received a copy of the application for the foundation. Mr. Freedman stated that he deals with the EPA a lot personally with his job and if there is not an application there is no need to contact the EPA.

Mr. Below stated that he will take this to the Finance Committee on Thursday.

Larry Holman

Tree Commissioner - He stated that the Tree Commission would like to thank Ms. Phillips and the Law, Rules and Ordinances Committee for drafting of the amendment to the tree ordinance.

Resident – Is the city aware that the lights on the flag at Veterans Park are not working? Is the city aware that the lights on the flag at Waterworks Park are not working? Mr. Holman asked if the trees that are down by the lake can be put into the dumpsters during city cleanup. These are actually located in the Marsh and cannot be touched. Mr. Below stated that medical marijuana will be discussed at the next Planning and Development Committee meeting on October 4th, 2016.

MAYOR’S REPORT

Not present

AUDITOR’S REPORT

Mr. Hatfield stated Resolution 16-6 is done yearly to accept and acknowledge the amount of property tax revenue that the City is eligible for the 2017 fiscal year primarily for the general fund and also the fire levy. He also spoke in regards to Ordinance 23-16 which is an ordinance amending the appropriations that were assigned earlier this year. He stated that this does an increase to the fire insurance claims fund due to insurance claims that city is holding that will need to be paid out soon and also deals with the Madison Street project.

TREASURER’S REPORT

Not present

LAW DIRECTOR REPORT

Nothing to present

**SAFETY SERVICE
DIRECTOR REPORT**

Stated that they will know on Friday whether the bridge project is a go or not for this year. He stated that Adkins is in town and will be working down town. Spear Brothers will be in town October 3rd and will be starting at the intersection of Madison and Second which will be closed for approximately one week. Cemetery cleanup is October 1st and City Wide cleanup is October 8th. If you are elderly and need help with your items for the City clean up, please contact City Hall and they will put you on a list to get assistance. Final brush cleanup is scheduled beginning on October 11th, 2016.

POLICE CHIEF REPORT

Chief Hickman stated that he attended the Perkins Township Committee meeting tonight. Detective Sargent Corbin Carpenter and along with members of the Danbury Police Department were recognized for their assistance with the murder investigation that happened in Perkins Township. The suspect who resided in Danbury Township who was later located in Port Clinton, recently pleaded guilty to aggravated murder this year.

The Port Clinton Civil Service Commission recently gave a written examination for police office on Saturday, September 17th. There were 10 applicants and of the six that passed they will be taking the physical agility test on October 1st, 2016. The traffic light at the city beach will be turned to flashing on October 1st, 2016.

FIRE CHIEF REPORT

Not present

CORRESPONDENCE

Infrastructure Committee Meeting minutes from August 2nd and September 6th, 2016

Parks and Rec Committee Meeting minutes from August 9th, 2016

Ms. Phillips moved to accept the correspondence as stated; seconded by Mr. Freedman. With all those in favor, the correspondence was accepted.

THIRD READINGS

RESOLUTION 16-6

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Mr. Below made a motion to adopt Resolution 16-6; seconded by Mrs. Sarty. Results of voice roll call are as follows: Below, yes; Gillman, yes; Tarolli, yes; Phillips, yes; Sarty, yes; Hickman, yes; and Freedman, yes. With all those in favor, Resolution 16-6 was adopted.

SECOND READINGS

None

FIRST READINGS

ORDINANCE 23-16

AN ORDINANCE AMENDING ORDINANCE NO. 6-16 OF THE CITY OF PORT CLINTON AND ADJUSTING ACCOUNTS WITHIN THE CITY OF PORT CLINTON

BUSINESS FROM THE FLOOR

Mrs. Gillman – Nothing to report

Mr. Below – Planning and Development Committee meeting is scheduled for next Tuesday, October 4th, 2016, at 5:30pm. Mr. Below congratulated the Port Clinton Lighthouse Committee on the placement and dedication of the Lighthouse. Congratulated Matt Ritter and Madison Insurance on the mural that is being done on Second Street. The Finance Committee meeting for September is rescheduled to Thursday, September 29th, 2016. The agenda will include incentives for proposed residential development within the city, interactive kiosks, dispatch and Ordinance 23-16.

Mr. Tarolli – Nothing to report

Ms. Phillips - No one can state that there is nothing to do in Port Clinton especially after last weekend. The Homecoming festival was great and hope that it is bigger next year. Stated that the dedication of the lighthouse on Monday was great.

Mrs. Hickman – Nothing to report

Mr. Freedman – Nothing to report

Mrs. Sarty – She asked Mr. Below if he would be adding what Mr. Leone discussed to the agenda for the Finance Committee. Mr. Below stated yes he is. The next Infrastructure meeting is scheduled for October 4th, 2016, at 6:30pm. The next Parks and Rec Committee meeting is scheduled for October 11th, 2016 at 6:30pm. She stated that last night she attended the special Olympics softball banquet along with Chief Hickman and Council Mrs. Hickman. Amy Hartlaub-Cantu thanked the City of Port Clinton and Mr. Colston for always having the field clean and ready to go. She stated the Port Clinton Homecoming Festival turned out great. She thanked Main Street for putting it on. She also stated that the sidewalks on Lakeshore Drive look great. The Lighthouse looks great after completion. She stated that the City of Port Clinton won Best Park for Lakeview Park at the Beacons Best of the Best.

With no further business to discuss Ms. Phillips made a motion to adjourn; seconded by Mr. Below. With all those in favor, the meeting was adjourned at 8:13 p.m.

April Pipoly
Clerk of Council

De Anna Kuzma
President of Council