

**FAIRPORT HARBOR VILLAGE COUNCIL
REGULAR COUNCIL MEETING
March 21, 2023**

The Mayor called the 21 March 2023 Regular Council meeting to order.

Pledge of Allegiance to the flag of the United States.

Answering Roll call were Christina Bacnik, Anthony Bertone, Elisabeth Shaver, Jeff McKinney, and Frank Sarosy.

A motion to excuse Jerry Hites was made by Frank Sarosy, seconded by Christina Bacnik. All present voted aye.

A motion to approve the minutes from the February 21, 2023 meeting was made by Anthony Bertone, seconded by Elisabeth Shaver. All present voted aye. Motion passed.

From the Village Solicitor: James Lyons

No report.

Christina Bacnik asked Jim when he had an opportunity could he provide an update on the revitalization district and the DORA that we talked about last year.

Jim said I can give an update now. My recollection is as of last year we did not have enough liquor establishments that qualified. I thought that was one of the things we were looking for, and I think as soon as that happens then the Administration with council can file the necessary paperwork. That's my recollection. Does that sound close Mayor?

The Mayor said I know that especially with the DORA we don't have the necessary licenses to pull that in. The entertainment district I know we had talked with Representative Dan Troy and his office and I think Brian Durdle who works with the County to try to understand what the revitalization district might look like. That's the part I don't quite remember where we left off on that. Did we leave that off with the state and we didn't get information back from it, but there was a whole piece there that I think Columbus would have had to take action on because we don't meet the 50,000 people requirement or there is a square footage requirement with the revitalization district.

Anthony Bertone said it was the square footage requirement that we were challenged on I believe.

The Mayor said I think that's part of it, but I think there was some things that needed to be handled at the State level so with that one we may just need to engage with Callender and Cirino I think at this point. Jim said, but since I am not 100% sure, we can circulate where we were last year that's no problem.

The Mayor said that's probably not a bad idea.

Jim said, but I thought on the DORA we were waiting for one or two places and I thought that we were coupling that with the revitalization district. I'll take a look at where we are and send it out to everyone.

From Mayor Timothy S. Manross:

For me this evening I need to schedule a public hearing for the short term rentals for April 18, 2023 at 5:30 p.m., then for the sign ordinance on April 18, 2023 at 6:00 p.m. So do I need to do that by motion or we are just scheduling those.

Anthony Bertone made the motion and Frank Sarosy seconded it. All present voted aye. Motion passed.

Before I go to Amy the one thing I wanted to mention this evening. So I have already had a couple of calls. Anyone here in the Village and I'm one of them, I bring my yard waste down here to the garage, we have a pile behind the service garage. We are going to have that barricaded off for the foreseeable future. It's probably where the water tower is going to go. With that being said I don't believe we are going to be able to maintain that pile the way we did. I'm not sure that we have an alternative place to have the yard waste, but Scheiber Hauling is contracted to pick up the yard waste on the tree lawns. I think it's the first and third Tuesdays and I think it goes from the beginning of April to just about wintertime. So we'll put all that out on the website. I just wanted to make that announcement here tonight that we are at least temporarily closed, but I think temporary is going to become permanent and I'm not saying we don't have another spot for yard waste, but I'm pretty sure we are going to be challenged to find another spot. So if we could just start putting it out on our tree lawns that would be a big help.

Mr. Bertone asked the Mayor if we could go back to the sign ordinance real quick. So reading through that I don't know if we consider these sorts of signs, but if we take the Creamery, the ice cream cone is not a sign, but it sort of is right. It's something that's not part of the building's structure so that is something I think we should look at because I think that is probably more valuable than a sign with respect to their advertising. So we want to make sure we capture that. That becomes part of our charm and character I guess of our Village.

The Mayor said, ok I'll add that when we start talking about it a little bit more.

Anthony Bertone said another place we have an example of that is Hidden Harbor. They have a pretty tall replica of the lighthouse.

The Mayor thanked Tony.

From the Village Administrator, Amy Cossick:

I was asked by Leadership Lake County to participate in their Government Program Day on March 8. Their Leadership Class is made up of business leaders throughout Lake County – all of whom spent the day getting a behind the scenes look at local government. I was on a panel with Ken Filipiak, City Manager of Mentor – Mayor Fiala, City of Willoughby and Andy Rose, Township Administrator for Concord Township. We each shared with the group how our municipalities operate, as well as various projects that we have underway.

On March 16, I participated in the Community Reps Update that was hosted by the Eastern Lake County Chamber of Commerce. Every year 11 municipalities participate in this event and provide information on the many projects and events that are taking place throughout Lake County.

As Congress develops fiscal year 2024 appropriations bills, Congress will include Community Project Funding (CPF) which allows local governments and 501 (c)(3)s to make direct funding requests through the congressional appropriations process. Congressman Dave Joyce and Senator Sherrod Brown both provided an opportunity to submit appropriations requests. On behalf of Fairport Harbor, CT Consultants submitted requests for \$750,000 for our secondary waterline connection, and Lake Development Authority submitted a \$3 million dollar request for the Transient Marina project. I will keep you posted as we move through this process.

The Village was contacted by Mr. Greg Perry, who is a teacher in charge of the Junior Achievement program in Beachwood. Each year the students tackle a new project and this year they are focusing on clean and fresh water, as well as the health of Lake Erie and the Great Lakes. In that regard, the students will be participating in a Beach cleanup at Headlands and Fairport on Earth Day which is April 23. In addition, Fairport has been selected for an interactive public art installation, featuring 4 giant water-inspired inflatables- which will be on display at Veteran's Park from May 19 to May 30.

Just run Lake County will take place in Fairport Harbor on Saturday, May 27 from 9:00 a.m. to 11:00 a.m. A map of the route is included in your packets.

Numerous articles that appeared in the News-Herald through February are included in your packet, as well as the Transient Marina article that appeared in the latest edition of the Lake County Newsletter.

The Mayor said thanks Amy, thanks for the hard work. I know CT put in the request as well as Lake Development Authority, but Amy had a pretty big helping hand in both of those appropriation requests going into the Congressman's office. I think we put it to Sherrod Brown's office also correct.

Amy said that is correct.

The Mayor said yeah so both of those are real big projects here in the Village and it's just the continued way we are trying to continue to reduce the cost of water plant renovations, well not renovations, but the decoupling of the water plant that we are doing and then of course the marina that is still very much an active project. So thank you for that Amy. Any questions of Amy?

From the Village Engineer, Clyde Hadden:

Thank you Mr. Mayor, member of Council, just a few updates on some of our projects. The water vault improvements that we bid out on February 17, 2023, we are looking for a motion to approve that award or to approve receiving those bids. The completion date is scheduled for June 23, 2023. The other three water plant projects, the plant demo, the new water tower and the secondary water connection, those bids are opening on March 31, 2023. Chestnut St. is nearing the final design. We will be bidding that project out in June and Third St. Streetscape is also nearing the final design and we will be bidding that out in April.

Chris Page asked Clyde, do you have the successful bidder on the vault.

Clyde said I do, I think it's in your packet.

Mr. Bertone said Mayor, a quick question, so all of those projects that Clyde laid out can we see that at our next Council meeting have him take some time and do a presentation on all of those starting with the water plant, maybe inviting people in from Chestnut to see what that project looks like.

The Mayor said sure.

Clyde said sure.

The Mayor said we need a motion to approve the bid in the amount of \$153,000.00 submitted by Great Lakes Crushing, Ltd. Of Willowick, Ohio for the water vault improvement. Jeff McKinney made the motion, Elisabeth Shaver seconded it. All present voted aye.

From the Fiscal Officer, Christine Page:

Ok so you have the financials from both January and February. I believe I sent you those directly by email and you now have printed copies. For the month of January your revenue was \$339,989.94. Your expenditures for the month were \$338,843.99. Your reconciled cash on hand is \$3,590,012.42. Your investment interest for the month is \$12,957.74. Your check register is the last piece of each of these packages. Do we do a motion to approve the check register? The Mayor said he doesn't believe they have in the past. Okay so moving forward into February your revenues for the month were \$314,162.99. Part of that is an advance on real property taxes and then your expenditures for the month were \$306,221.49. Reconciled cash is \$3,597,953.92. Interest for the month was \$12,134.24. The majority of what we have is still sitting in Star. We are getting about 4.7, 4.8 just now. It seems to have stabilized, but still it's better than nothing at all, it's really good actually so I'm real pleased. The state report is done. I think I sent that to all of you. At this point now the next thing that will happen is the State Auditors ought to be knocking on my door. I'm excited about that. But that will be the next thing to come will be the state auditors and then maybe things will settle down a little bit. I'm not expecting to see them till June.

ZONING DEPARTMENT- DAVID RADACHY

The Mayor said I don't see Dave, but his report is in the packets. Do we have any questions of zoning that we can pass along.

Frank said while we are on that I'd like us to, I am not happy with Zoning at all and I've talked to Amy about it quite a few times. I've been walking the Village now that the weather is better and I've seen so many what I consider zoning problems and I feel we need our own zoning inspector and get away from going through the county, through Mr. Radachy. We can talk about it further, but I'm definitely not happy at all.

The Mayor said thank you.

OLD BUSINESS

No old business.

SAFETY COMMITTEE

Mr. Sarosy said the reports are in the packet and I want to thank both of the Chiefs, they're excellent. Do you have anything else to add to that, either one of you. Thanks again for the great job you are doing. I love that your reports are totally detailed. Thank you.

LEGISLATION:

ORDINANCE 2023-023

AN ORDINANCE TO PAY THE BILLS. A motion to adopt was made by Frank Sarosy, seconded by Christina Bacnik. All present voted aye. Motion passed.

RESOLUTION 2023-018

A RESOLUTION APPOINTING NICHOLAS O'BRIEN AS A FIREFIGHTER I FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Christina Bacnik, seconded by Jeff McKinney. All present voted aye. Motion passed. A motion to adopt was made by Christina Bacnik, seconded by Jeff McKinney. All present voted aye. Motion carried.

RESOLUTION 2023-019

A RESOLUTION APPOINTING DAVID BLADOS AS FIRE LIEUTENANT FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Anthony Bertone, seconded by Frank Sarosy. All present voted aye. Motion passed. A motion to adopt was made by Anthony Bertone, seconded by Frank Sarosy. All present voted aye. Motion carried.

RESOLUTION 2023-021

A RESOLUTION APPOINTING ADAM MCGING AS A FIREFIGHTER II FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Elisabeth Shaver, seconded by Christina Bacnik. All present voted aye. Motion passed. A motion to adopt was made by Elisabeth Shaver, seconded by Christina Bacnik. All present voted aye. Motion carried.

RESOLUTION 2023-022

A RESOLUTION APPOINTING JASON BROTHERS AS A FIREFIGHTER I FOR THE VILLAGE OF FAIRPORT HARBOR, OHIO AND DECLARING AN EMERGENCY. A motion to suspend the rules was made by Jeff McKinney, seconded by Christina Bacnik. All present voted aye. Motion passed. A motion to adopt was made by Jeff McKinney, seconded by Christina Bacnik. All present voted aye. Motion carried.

RESOLUTION 2023-023

A RESOLUTION AUTHORIZING THE VILLAGE OF FAIRPORT HARBOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE VILLAGE OF FAIRPORT FOR PLANNING, DESIGN AND CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN. A motion to suspend the rules was made by Frank Sarosy, seconded by Jeff McKinney. All present voted aye.

Motion passed. A motion to adopt was made by Frank Sarosy, seconded by Jeff McKinney. All present voted aye. Motion carried.

ORDINANCE 2023-024 1st Read

AN ORDINANCE CREATING CHAPTER 1319 – SHORT TERM RENTAL REGULATIONS AND DECLARING AN EMERGENCY.

ORDINANCE 2023-025 1ST Read

AN ORDINANCE AMENDING ORDINANCES 1133.02, 1133.04 (a), 1133.05, and 1133.07 (b) & (c) AND CREATING NEW ORDINANCE 1133.051 OF CHAPTER 1133 – SIGNS OF THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

OPEN TO THE PUBLIC

Greg Major, 501 New Fourth St., My first one is with my favorite subject, House Bill 563. I know you haven't done the first reading yet, but I just wondered if in this first reading that you are going to have, it says House Bill 563 includes language providing that local governments will be prohibited from adopting or enforcing related regulations. I don't know, it goes on to say that basically you can't enforce anything you are going to do. Is that true?

The Mayor said I don't believe the State has taken any action. Is this in regards to the airbnbs? Greg said correct.

The Mayor went on to say that from what he understands they have tabled it and they are not discussing it, but if they pass something that is different than us then we will have to follow it because we are a statutory form of government. But as I understand it they are not moving forward with it. I don't have any firsthand knowledge from anyone in Columbus, I'm not that connected. Just from what I've been told they are not taking action on it.

Ok, I have one other thing. On June 20th when the GOBA comes through here is the Village planning on doing anything or is it too early to know. Do you know what this is or not?

The Administrator said it's the bicycle group.

Greg said correct. Was the Village going to take part in that or is that just going to be the locals get together and do something.

The Mayor stated that all he knew at this point was that the Tourism Council had a meeting with those folks and then you stopped by the house and dropped off the information they had. I don't think Amy or I have had a chance to follow up with them directly to where the Village would be directly involved or not. But I have not even heard from the Tourism Council on what had come from the meeting. I would say at this point no, but I would guess that we would do something.

They are bringing quite a few people to town.

Greg said yes, they have 900 signed up for it so far and they are planning on 1500 so...

The Mayor joked and said they can all bring a gift, that's my birthday.

The Mayor said if there is nothing else from the public at this time he would ask for a motion to adjourn. This motion was made by Frank Sarosy, seconded by Elisabeth Shaver. All present voted aye. Motion passed, meeting adjourned.

FISCAL OFFICER

MAYOR