

Public Hearing on the 2013 Tax Budget

July 12, 2012 at 5:45 pm

Clerk-Treasurer Brown explains that the tax budget is the first step in the flexible process of communication between the Village of Kelleys Island and the Erie County Auditor. There were no questions at this time about the Tax Budget and no discussion. Clerk-Treasurer Brown explains that she has given members of council 2 replacement pages for the Tax Budget. Brown tried to reach the Erie County Auditor while working on the tax budget about how to portray the \$105,000 UNISON money for this year. It is revenue into the General Fund, but the Treasurer and Finance Committee agreed that it should be set aside for possible payments to the USDA for the airport runway repaving debt obligation in the case that the special levy is not renewed by the voters. Since the pre-printed tax budget form has to be used, and since there was no obvious way to show that intension, Brown needed to speak to Erie County about it. Contact to discuss the question was made after the date that the tax budget had to be made available to the public, hence the revision pages. The money now appears as revenue for 2012 and a debt payment for 2012, even though that does not completely describe the actual situation. Brown asks that council accept the replacement pages as part f the Tax Budget for 2013. A Public Hearing Council allows the replacement pages.

Motion to close the Public Hearing, made by Finger, second by Kaminski; all in favor; motion carried.

Minutes of the Special Council Meeting

July 12,2012 at 6:00 pm

Agenda: regular council meeting agenda

1. Mayor Paine calls council to order and roll call is taken. Present are Dennis Kaminski, Lance Marchky, Greg Ritchie, Patricia Seeholzer, Michael Feyedelem, and Gary Finger. None are absent.
2. All rise and recite the Pledge of Allegiance to the Flag.
3. Discussion and amendments to the June 14, 2012 council minutes: Motion to approve the June14, 2012 Minutes, made by Seeholzer, second by Ritchie; all in favor; motion passed.
4. Discussion and amendments to the June 29, 2012 council minutes. Motion to approve the June 29, 2012 Minutes, made by Kaminski, second by Feyedelem; all in favor; motion carried.
5. Discussion of Pay Ordinance No 1117. Motion to pass Pay Ordinance No. 1117, made by Seeholzer, second by Kaminski; Kaminski-yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; motion carried.
7. Committee Reports

7.A. Police- Chief Ehrbar reports that since the last meeting 50 reports were filed; 311 department phone calls were answered; 8 arrests were made; 15 traffic or misdemeanor tickets were issued; 10 warnings were given; 2 accidents were attended; 50 boat patrol inspections were done; and 15 vehicle lockouts were attended. Chief Ehrbar adds that John Boehner was on Kelleys Island last week and the Police Chief provided the security for him. With the assistance of the Casino, Mr. Lamb, and Police Chief Ehrbar, the Saturday night late boat coming to the Casino has been canceled. Chief Ehrbar asks council for support in hiring the two personnel on the agenda today, one officer and one dispatcher. This will make 7 officers and 1 dispatcher. The one dispatcher replaces 2 officers. The dispatcher can assist in making the arrest jacket reports. Mr. Gaither has completed all his requirements and has made additional voluntary things like AA. Ehrbar says that given a second chance, Gaither will do the village proud. Gaither also will not be driving any vehicles in his position as dispatcher.

7.B. Safety Committee- M. Feyedelem says that they are planning a safety meeting this coming week.

7.C. EMS- S. Devine reports that since the last meeting there have been 18 runs with 12 transports and 7 clinical patients have been seen.

7.D. Fire Dept.- Chief Hostal reports that there were three calls in June; one assist with EMS; and two calls for large campfires. The business fire inspections are almost completed and they should be finished by the end of the month. With the extreme dry conditions on the Island please make sure to keep all campfires small and in a fire ring. Also make sure the fire is out before leaving the area. The ABCO fire extinguisher company will be on the Island on July 24th all day to explain and demonstrate the use of fire extinguishers. A flyer will be posted at the Village office and Post Office with the class times. The Smokey Bear sign has been installed by the Village Office and we are getting good comments about it. The Firemen have a steak dinner fundraiser on August 11th.

7.E. Finance- P. Seeholzer reports that the Finance Committee met and went over the budget to pass today and we found no errors.

7.F. Lands & Buildings- G. Finger has no report.

7.G. Airport- G. Ritchie has no report. Airport Manager Rob Quinn has a letter that he hands out that needs to be addressed in order for the airport project to stay on track. Quinn says that he can sign the current letter. There is

\$127,085.50 left in the Boker land fund and the FAA will send the village a check for that amount. Then that money will be used for the local match. The grant schedule is also passed out to council members- for construction this fall. The bid package will be put together next week and then the bid will be advertised. By Aug 9th, we will be able to award the bid. When the bills come in the village can submit the bills and pay only the match money out. We can also use the Boker money as seed money in the purchase of the Schreiber house and then replace it. Work order #7 includes removing trees, brush, the Byrne house, removing the wind sock and replacing it with a tetrahedron. It includes a lot of things. Clerk Brown asks if he is aware that the village applied for a grant to remove the Byrne house. Brown recently sent photos to Erie County for that grant. Quinn needs a motion to approve Work Order #7. This allows us to use some entitlement money before the end of their year. **Motion to approve the signing of work order #7**, made by Finger, second by Seeholzer; all in favor; motion carried.

7.H. Planning Commission- G.Finger reports that Planning Commission met and reviewed a request for re-zoning and soon there will be a meeting for a Conditional Use request.

7.I. Design Review Board- G. Finger reports no meetings

7.J. Board of Zoning Appeals- G. Finger reports that there have been no hearings.

7.K. Transfer Station- D. Kaminski has no report.

7.L. Village Administrator- S. Stevenson reports that 1. everything is almost set to do some road maintenance on Woodford and Monaghan and he asks if council members think it should be done now or wait until after Labor Day. Some of the road repair will be in high traffic areas. Finger suggests waiting until right after Labor Day. 2. Paving is scheduled at the State Park and they will do that after Labor Day. It will include the bridge and go to the entrance of the camp. 3. Within a week the Village Administrator will be sending a courtesy letter to residents about dangerous trees. 4. The Village Administrator has three bids out for sidewalks which he will review when he gets the responses. 5. Hartung is scheduled to survey Division St. in preparation for re-paving with federal dollars. Also Huntington Lane will be surveyed for the waterline, and the south property line of Village property by the Municipal Building to determine who owns the dead trees there.

Ritchie asks why we would be spending the money to survey Division Street now? Stevenson says that the surveying is step one to apply for federal money and CT suggested that we survey now. Ritchie says that from what he understood, the project is out 4 or 5 years. Mayor Paine adds that CT had said that the surveying needed to be done as a first step to apply for the money, even if it takes 4 to 5 years to apply for it. Mayor Paine says that the Village needs to get started to be able to apply for the money. Marchky says that the village needs some maintenance now on Division St., from the church to the north, not wait 4 or 5 years. Stevenson says that the whole surveying cost is \$3,500. Marchky says that he discussed upkeep on Division St. at an earlier Streets and Sidewalks meeting, from the church to the north. Both Stevenson and the engineering firm, CT Consultants, thought that Division St. was in good enough condition now to wait. Mayor Paine reiterates that when CT looked at Division St. they said it was not that bad and could wait.

7.M. Streets & Sidewalks- L. Marchky wants to see the Sidewalk program to start. He wants to see some sidewalks ground off and repaired.

7.N. Park Board- J. Erne reports that they have had meetings on June 15 and July 5. The minutes are recorded and filed at the village office.

7.O. Mayor's Financial Report- Mayor Paine reads the Mayor's Court report which includes a total June revenue of \$3,085 which is split between State funds and village funds. A total of \$6,098.18 has been collected in fines and costs YTD.

7. P. Legal- D. Lambros has an engineering estimate for the tar and chip project. **Motion to direct the Village Administrator to get plans and specs and to advertise for bids for the Sweetbriar tar and chip program**, made by Kaminski, second by Seeholzer; all in favor; motion carried.

7.Q. Treasurer's Report- C. Brown reports that Council members have the usual fund and treasurer's reports in their packets. Clerk-Treasurer Brown is looking into remote deposit for checks with two different vendors, to get prices. It was researched several years ago and was too expensive at that time to consider. It would allow checks to be deposited from the office instead of sending them in. The website is down and along with that all the village emails. We will have to use telephones instead of email. One of the main computers in the Clerk-Treasurer's office had a bad virus. It has been repaired, but it made getting ready for this meeting a challenge. The Clerk's office still needs the Refuse Board to meet. The Refuse Board is composed of the Transfer Station Committee and one citizen. Mayor Paine appoints Scott Stevenson as the citizen representative. There is an outstanding problem with payment for water tap materials where the consumer paid for a road opening that he now says he did not do. Clerk-Treasurer Brown has asked the Water Dept. for something in writing as a witness as to whether the road opening occurred or not. This has been going on for several months now. The consumer is on a payment plan while waiting for the road opening question to be resolved. The consumer says that he should get his \$250 road opening fee returned and refuses to pay the tap materials balance due until that is resolved.

9. First Readings

9.1 **ORDINANCE NO. 2012-O-_____ : AN ORDINANCE ACKNOWLEDGING THAT A PORTION OF A CERTAIN LANE FROM WEST LAKESHORE NORTHERLY TO THE NORTHERN EXTENSION OF BICKLEY COURT IS NAMED BIANCHI LANE IN THE VILLAGE OF KELLEYS ISLAND, OHIO.**
(INTRODUCED BY: COUNCILMAN FEYEDELEM)

9.2 ORDINANCE NO. 2012-O-_____ : AN ORDINANCE REPEALING ORDINANCE NO. 2012-O-13 AND ACKNOWLEDGING THE PROPER SPELLING OF CHAPPEL STREET IN THE VILLAGE OF KELLEYS ISLAND, OHIO. (INTRODUCED BY: MAYOR PAINE)

10. Secon Readings

11. Third Readings & Emergencies

11.1 ORDINANCE NO. 2012-O-23 : AN ORDINANCE DECLARING THE NECESSITY FOR A TAX LEVY IN THE AMOUNT OF ONE AND 25/100 (1.25) MILLS FOR CURRENT OPERATING EXPENSE PURPOSES PURSUANT TO R.C. SECTION 5705.19 (A); CERTIFYING THE SAME TO THE BOARD OF ELECTIONS OF ERIE COUNTY, OHIO AND DECLARING AN EMERGENCY. (INTRODUCED BY MAYOR PAINE)

Motion to suspend the three reading rule, made by Seeholzer, second by Finger; Roll Call: Kaminski- yes, Marchky- yes, Ritchie- no, Seeholzer- yes, Feyedelem- yes, Finger- yes; Motion passed.

Motion to pass as an emergency, made by Finger, second by Seeholzer; Roll Call: Kaminski- yes, Marchky- yes, Ritchie- no, Seeholzer- yes, Feyedelem- yes, Finger- yes; Motion passed.

Clerk-Treasurer Brown clarifies for the minutes that it is her understanding that she will only take this legislation to the Erie County Board of Elections if the levy is not passed at the August Special election. This legislation will put the levy on the November ballot. Brown asks if that understanding is correct and the Mayor and members of council affirm that she is correct.

Mayor Paine adds that if the levy does not pass, there will be dire consequences for the Village of Kelleys Island.

11.2 ORDINANCE NO. 2012-O-24: AN ORDINANCE AMENDING THE ANNUAL APPROPRIATION FOR THE VILLAGE OF KELLEYS ISLAND, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2012, AND DECLARING AN EMERGENCY. (INTRODUCED BY: MAYOR KYLE PAINE)

Motion to suspend the three reading rule, made by Seeholzer, second by Finger; RC: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; Motion carried.

Motion to pass as an emergency, made by Finger, second by Kaminski; RC: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; Motion carried.

11.3 Tax Budget for 2013

Motion to pass the 2013 Tax Budget, made by Finger, second by Seeholzer; RC: Kaminski- yes, Marchky- yes, Ritchie- no, Seeholzer- yes, Feyedelem- yes, Finger- yes; Motion carried.

11.4 RESOLUTION NO. 2012-R-_____ : A RESOLUTION IMPOSING A MORATORIUM ON THE INSTALLATION OF ¾ INCH OR GREATER WATER METERS IN THE VILLAGE OF KELLEYS ISLAND, OHIO AND DECLARING AN EMERGENCY. (INTRODUCED BY COUNCILMAN RITCHIE)

During discussion it is discovered that the effect of the ordinance as presented would be to make a moratorium on all water taps since a ¾ inch tap is the smallest water tap available. Clerk Brown had prepared another ordinance that read imposing a moratorium on installing water taps “greater than a ¾ inch “. **Motion to replace the ordinance on the agenda with the second version**, made by Marchky, second by Ritchie; all in favor; motion carried.

RESOLUTION NO. 2012-R-7 : A RESOLUTION IMPOSING A MORATORIUM ON THE INSTALLATION OF GREATER THAN .75 INCH WATER METERS IN THE VILLAGE OF KELLEYS ISLAND, OHIO AND DECLARING AN EMERGENCY.

Motion to suspend the three reading rule, made by Finger, second by Ritchie; RC: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; Motion carried.

Motion to pass as an emergency, made by Finger, second by Marchky; RC: Kaminski-yes, Marchky- yes, Ritchie-yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; Motion carried.

11.5 RESOLUTION NO. 2012-R- 8 : A RESOLUTION HIRING A PART-TIME SEASONAL DISPATCHER IN THE VILLAGE OF KELLEYS ISLAND AND DECLARING AN EMERGENCY. (INTRODUCED BY MAYOR PAINE)

This legislation will hire Gaither. Mayor Paine says that he thinks the Police Chief has given the council good reasons to hire Gaither back.

Motion to suspend the three reading rule, made by Finger, second by Kaminski; RC: Kaminski- yes, Marchky- no, Ritchie- yes, Seeholzer- abstain, Feyedelem- yes, Finger- yes; four yeas, one nay, one abstention; motion passed.

Motion to pass as an emergency, made by Finger, second by Kaminski; RC: Kaminski- yes, Marchky- no, Ritchie-yes, Seeholzer- abstain, Feyedelem- no, Finger- yes; three yeas, two nays, one abstention; vote is tied; Solicitor Lambros says that this is a 3-3 vote and the Mayor must break the tie; Mayor Paine breaks the tie by voting yes; motion passed.

Solicitor Lambros explains that an abstention is commonly thought to count as a vote with the majority, but that is incorrect. In counting, the Solicitor says that it acts as a “no” vote.

11.6 RESOLUTION NO. 2012-R- 9 : A RESOLUTION HIRING A PART-TIME SEASONAL POLICE OFFICER IN THE VILLAGE OF KELLEYS ISLAND AND DECLARING AN EMERGENCY.
(INTRODUCED BY: MAYOR PAINE)

This legislation will hire Officer Spangler.

Motion to suspend the three reading rule, made by Finger, second by Seeholzer; RC: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; motion carried.

Motion to pass as an emergency, made by Finger, second by Kaminski; RC: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; motion carried.

11.7 ORDINANCE NO. 2012-O-25 : AN ORDINANCE ADVANCING TWENTY-TWO THOUSAND DOLLARS (\$22,000) FROM THE FIRE LEVY FUND TO THE EMS LEVY FUND IN THE VILLAGE OF KELLEYS ISLAND AND DECLARING AN EMERGENCY.

Motion to suspend the three reading rule, made by Seeholzer, second by Finger; RC: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; motion carried.

Motion to pass as an emergency, made by Kaminski, second by Seeholzer; RC: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes; motion carried.

12. Items from the Mayor

Mayor Paine says that we have to keep the meeting short tonight because the hall is scheduled for a group at 7:00 pm.

13. Items from Council- none

14. Old Business-

14.1 Village Administrator Stevenson says that he forgot to mention that there is a new water dispenser at the Water Dept, for smaller quantities of water, 1-3-and 5 gallons of water.

15. Public Participation:

15.1 Jim Zeller, 137 W. Lakeshore Drive, President of KILA, expresses his appreciation for council moving its meeting up one hour.

16. New Business- none

16.1 The Village has received a request to vacate a portion of Lincoln Road—but the paperwork was not complete to continue the process tonight.

17 Motion to adjourn, made by Finger, second by Feyedelem; all in favor; motion carried.

(6:45 pm, adjourned)