

Minutes of the Regular Council Meeting
October 13, 2012 at
10:00 am at the Town Hall on Division Street

1. Mayor Paine calls council to order and roll call is taken. Present are D. Kaminski, L. Marchky, G. Ritchie, M. Feyedelem and G. Finger. Absent is P. Seeholzer. **Motion to excuse Seeholzer**, made by Kaminski, second by Marchky; all in favor; motion passed.
2. All rise and recite the Pledge of Allegiance to the Flag.
- 3.5 Discussion and/or amendments to the September 13, 2012 council minutes. Motion to accept the minutes as written, made by Finger, second by Feyedelem; all in favor; motion carried.
- 3.6 Discussion and/or amendments to the September 28, 2012 council minutes. . Motion to accept the minutes as written, made by Finger, second by Feyedelem; all in favor; motion carried.
- 3.7 Discussion and/or amendments to the October 4, 2012 council minutes. . Motion to accept the minutes as written, made by Finger, second by Feyedelem; all in favor; motion carried.
- 3.8 Discussion and/or amendments to the October 5, 2012 council minutes. . Motion to accept the minutes as written, made by Finger, second by Feyedelem; all in favor; motion carried.
5. Discussion of Pay Ordinance No. 1120 : Motion to pass the Pay Ordinance, made by Finger, second by Kaminski; Roll call: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer (absent), Feyedelem- yes, Finger-yes; motion carried.

7. Committee Reports

- 7.A. Police- Chief Ehrbar reports that since the last report, 11 reports were filed; 125 phone calls were received; 1 arrest for domestic violence; 12 traffic tickets were issued, for driving under suspension, possession of marijuana, failure to control, and speed; 5 warnings were given, for stop signs and speed; 1 accident was attended, a hit and skip; and 5 vehicle lockouts were attended. At this time we have no information about the COPS grant application.
- 7.B. Safety Committee- M. Feyedelem reports that a meeting will be scheduled in the near future.
- 7.C. EMS- S. Devine reports that there have been 9 runs with 6 transports and there have been 7 clinical patients seen. The EMTs thank everyone for coming to the EMS open house. It gave the EMTs a chance to answer questions and talk about the service they provide. In November the EMTs go for continuing education. They are requesting \$50 each for meals and transportation. **Motion to allow up to \$750 for meals and transportation**, made by Finger, second by Feyedelem; all in favor; motion passed.
- 7.D. Fire Dept.-Feyedelem reads Chief Hostal's report: There was one call in the month of September, a propane gas leak investigation. The fire trucks had their annual pump test and everything was OK. The burning ban has been lifted and burn permits are now available at the village office. Remember that the burn permit must be picked up at the village office before burning.
- 7.E. Finance- Feyedelem reports that a meeting was held and they discussed a number of things. The Committee is waiting for legislation from the solicitor.
- 7.F. Lands & Buildings- G. Finger reports that the furnaces are being checked for the winter and buildings are being winterized.
- 7.G. Airport- G. Ritchie reports that there has been a meeting and the primary purpose for the meeting was to discuss legislation for obstruction removal and why the current estimate of expense is more than the original plan. All three pieces of legislation for the obstruction removal project were passed by council for about \$105,000 to do the obstruction removal and \$40,000 to re-locate utilities.
- 7.H. Planning Commission- G. Finger has no report.
- 7.I. Design Review Board- G. Finger reports that no applications have been received.
- 7.J. Board of Zoning Appeals- G. Finger reports that no hearings have been scheduled.
- 7.K. Transfer Station- D. Kaminski reports that they have not had a meeting, but he will be checking about the outstanding accounts. The Village Administer has changed the Transfer Station hours. The new hours will be Wednesday, Friday, Saturday and Sunday from 11:00 am to 3:00 pm. The new hours will start November 1st.
- 7.L. Village Administrator- Stevenson
- 7.M. Streets & Sidewalks- L.Marchky has no report.
- 7.N. Park Board- James Erne reports that there has been no recent activity.
- 7.O. Mayor's Financial Report- Mayor Paine reads the Mayor's Court Report: In September the Court collected \$2,237.50 of which the village received \$1,687.48: \$50 to the Computer Fund, \$15.00 to the Library Fund, \$50 to the Court Improvement Fund, and \$1,572.48 to the General Fund. The State was sent \$245: \$45 for Victims of Crime, \$17.50 to Drug Law Enforcement, \$125 to Indigent Defense, and \$50 bond surcharge. The County Municipal Court received \$7.50 for their Indigent Driver Alcohol Treatment Fund. Bank Expenses were \$305.02 and \$1,025 in bond is being held. Several cases are pending. In 2012, a total of \$19,731.66 has been collected by the court in fines and costs.
- 7.P. Legal- D. Lambros has two updates: the Tremmel lawsuit was re-filed and the magistrate said that there might be a decision in the winter. The Dwelle Lane lawsuit continues. In the ordinance for levying the hotel/motel tax, the Clerk-Treasurer will be responsible for that collection. Solicitor Lambros is waiting to hear from the county if they do their collection monthly or quarterly to match theirs.
- 7.Q. Treasurer's Report- C. Brown reports that council has the usual fund and treasurer's reports in their packets. Soon we will be doing offsite deposit of checks. A training is required before we can start. We will save \$200 a month off the bank service charge and we won't have to send deposits to the bank anymore. The Erie County Auditor is requesting a resolution in support of the Budget Commission's formula for local government funds for 2013. A motion is requested to pay a few large expenses that just came in: Hartung for \$1,400 for surveys for Huntington Lane and the Village parcel at the corner of Addison and Chappel, and Seaway Marina for \$1,043.93 for gasoline. **Motion to accept and pay the expenses**, made by Finger, second by Marchky; all in favor; motion carried. Next Saturday, 10-20-12, the Village Office will close early for the funeral of Frank Pohorence. Final arrangements are being made with the bank for a loan to do the water intake. Three projects are being deferred to the spring of 2013: the current airport obstruction removal because of council delays in awarding the bid; Sweetbriar Subdivision roads because of delays caused by the need for an assessment equalization board; and the Huntington Road waterline replacement because of delays caused by looking for a grant.

9. First Readings

10. Second Readings

10.1 **ORDINANCE NO. 2012-O- : AN ORDINANCE TO LEVY A TAX ON HOTELS AND MOTELS IN THE VILLAGE OF KELLEYS ISLAND, OHIO.** (INTRODUCED BY: MAYOR KYLE PAINE)

10.2 **ORDINANCE NO. 2012-O- : AN ORDINANCE AMENDING SECTION 96.20 AND 96.21(A) ENTITLED “RENTAL OF PUBLIC GROUNDS AND BUILDINGS” OF THE KELLEYS ISLAND, OHIO CODIFIED ORDINANCES.** (INTRODUCED BY: MAYOR KYLE PAINE)

11. Third Readings & Emergencies

11.1 **RESOLUTION NO. 2012-R- 14 : A RESOLUTION SUPPORTING PRESERVATION OF APPROXIMATELY 10 ACRES ON PARCEL NO. 54-01214.000 IN THE NAME OF BUFFLEHEAD BAY, LLC IN THE VILLAGE OF KELLEYS ISLAND, OHIO.** (INTRODUCED BY: MAYOR KYLE PAINE)

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

Motion to pass made by Ritchie, second by Feyedelem; Roll call: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer (absent), Feyedelem- yes, Finger-yes; motion carried.

11.2 **RESOLUTION NO. 2012-R- 15 : A RESOLUTION ESTABLISHING U. S. BANK, N.A., A NATIONAL BANK LOCATED AND DOING BUSINESS IN ERIE COUNTY, OHIO AS THE DEPOSITORY FOR THE ACTIVE AND INTERIM DEPOSITS OF THE VILLAGE OF KELLEYS ISLAND, OHIO; REPEALING ANY AND ALL OTHER ORDINANCES AND/OR RESOLUTIONS INCONSISTENT HERewith; AND DECLARING AN EMERGENCY.** (INTRODUCED BY: MAYOR KYLE PAINE)

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

Motion to pass, made by Kaminski, second by Feyedelem; Roll call: Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer (absent), Feyedelem- yes, Finger-yes; motion carried.

12. Items from the Mayor

12.1 Mayor Paine proposes to eliminate the automatic CPI increases each year for employees. He feels it would be better to have increases based on merit.

12.2 Mayor Paine appoints 3 members to the Assessment Equalization Board, Barbara Christy from the Southaven Subdivision, Sandy Alexander from the Quarry Condos, and Frank Dodson from Fairview Lane. **Motion to approve the Mayor’s appointments**, made by Finger, second by Ritchie; all in favor; motion carried. Solicitor Lambros asks for their contact information, especially email addresses. Lambros continues that this should be done this fall. There is a notice required and a time frame. Council member Ritchie asks to be copied on correspondence and adds that Christy will be back after November 1st.

13. Items from Council

13.1 Kaminski is having surgery and would like to be excused from the November Council Meeting. **Motion to excuse Kaminski from the November Council Meeting because of surgery**, made by Finger, second by Marchky; all in favor; motion carried.

14. Old Business

14.2 policy on driving rules- suggested by PEP loss control visit: this topic was sent to the Streets and Sidewalks Committee for discussion.

14.3 disposition of vehicles- discussion from 9-28-12—Solicitor Lambros explains that the person in charge of the vehicle comes to council and asks if council wants to scrap the vehicle or auction it off. The Village Administrator was told last year to scrap the vehicle, but then there was the possibility of getting more money from it by sending it to auction. **Motion to send the ambulance to auction**, made by Kaminski, second by Finger; all in favor; motion carried.

15. Public Participation

15.1 Patty LeClair says that she has researched Huntington Lane and it is the most dedicated road on Kelleys Island. There is a problem with the name for the road. There is a Huntington Lane and a Huntington Street. LeClair wants to know who changed the names. On her deed it says Huntington Lane. The pat map shows “Lane” off Bookerman and “Street” off Lakeshore Drive. LeClair requests that her street be called “Huntington Lane” In the past 10 to 12 years there has also been a problem of having the street sign stolen.

15.2 Patty LeClair says that a survey was done of her road and she is tired of stones being placed in the street at Thinnes’ property. It makes the street narrower and causes a safety hazard to cars and drivers.

16. New Business

16. Halloween date and hours for Trick-or-Treat: Motion to have Trick-or-Treat on 10-31-12 is on a Wednesday; from 4:30 pm to 6:30 pm, made by Feyedelem; second by Finger, all in favor; motion carried.

17. Motion to adjourn, made by Finger, second by Kaminski; all in favor; motioned carried.

(adjourned at 10:50 pm.)