

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

AGENDA

1. Mayor Paine calls council to order and roll call is taken. Present are L.Marchky, G.Ritchie, P.Seeholzer, M.Feyedelem, and G.Finger. Absent is D.Kaminski, who had surgery recently and who was excused from this meeting at the October council meeting.
2. All rise and recite the Pledge of Allegiance to the Flag.
- 3.5 Discussion and/or amendments to the October 13, 2012 council minutes. Motion to accept the October 13th minutes as written, made by Finger, second by Feyedelem; all in favor; motion carried.
5. Discussion of Pay Ordinance No. 1121 : Motion to accept the Pay Ordinance as written, made by Seeholzer, second by Marchky; Roll call: Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes, Finger- yes, Kaminski (absent); motion passed.
7. Committee Reports
 - 7.A. Police- Chief Ehrbar reports that since the last council meeting there have been 11 reports filed; 108 phone calls answered; 2 arrests for disorderly conduct; 7 traffic tickets, for OVI, disorderly conduct, stop sign, DUS, failure to control and speeding; 15 warnings were issued, for stop sign, speed, open containers and parking violations; 1 accident was attended, hit skip/traffic accident. Winter house check forms are available.
 - 7.B. Safety Committee- M. Feyedelem reports that on 11-2-12 the Safety Committee had a meeting. James Erne, chair of the Park Board, gave a presentation about the new Park Preserves and asked for an evaluation of safety concerns.
 - 7.C. EMS- S. Devine reports that there were 7 runs with 5 transports and 6 clinical patients were seen. The State ambulance inspection has been completed successfully. Supplies will need to be ordered to replace supplies that were used throughout the year and that have expired. The cost will be less than \$1,000.
 - 7.D. Fire Dept.-Chief Hostal reports 2 calls in October: a pool house fire and a propane leak investigation. The Fire Department volunteers are decorating the downtown park for Christmas after this council meeting and all are welcome to help. The annual Christmas lighting will be at 6:00 pm the Friday after Thanksgiving. Santa Claus will attend. Captains Corner will have cookies and hot chocolate for all attendees.
 - 7.E. Finance- P. Seeholzer reports that it is time to renew the village health insurance and the village has 2 plans and quotes to consider. The quote from Ohio Insurance Pool has just arrived and there were some discrepancies. They forgot to include one of the employees in the quote. So more time will be needed to compare the two plans and the renewal date is December 1st. The Finance Committee is asking council for the authority to choose the best plan. Motion to authorize the Finance Committee to choose the best Health care plan for the village, made by Seeholzer, second by Finger; all in favor; motion passed. The Finance Committee will have a meeting to decide. B. Christy, member of the public, asks if she can review the plans. C. Brown responds that she can come and see the paperwork that the Village has received on the next day the office is open to the public and she can also attend the Finance Meeting which will probably be held next week.
 - 7.F. Lands & Buildings- G. Finger has no report.
 - 7.G. Airport- G. Ritchie has no report.
 - 7.H. Planning Commission- G. Finger reports that Planning Commission has a meeting scheduled for 11-24 and has had no business to report since the last council meeting.
 - 7.I. Design Review Board- G. Finger reports that there have been no applications to review.
 - 7.J. Board of Zoning Appeals- G. Finger reports that no applications have been received for the BZA.
 - 7.K. Transfer Station- D. Kaminski is absent and Ritchie has no report. C.Brown adds that there are still 5 or 6 outstanding accounts, ranging from \$4 up to several hundred dollars. Sue Marchky has done a good job to find people and communicate with them, resulting in the outstanding list shrinking in size. The remaining outstanding accounts have been sent to Mayor's Court.
 - 7.L Village Administrator- Stevenson reports that the public restroom will be shut down after this week-end. The road maintenance project will be scheduled for the spring. The Purchase Order has been issued and the contractor will hold his price. Monaghan Road and the east end of Woodford Road are included in the project. A few more trees have to be cut down. There was an issue at the east end of Lincoln Road. The Village Administrator spoke with the neighbors and the Village will be putting in a turn around and a road sign to resolve the issue.
 - 7.M. Streets & Sidewalks- L.Marchky says that the Village Administrator has pretty much described the activities since the last meeting. Marchky adds that some patching was done last week-end McNeal got the roads cleaned up quickly after the destruction from the edge of hurricane Sandy.
 - 7.N. Park Board- James Erne reports that he attended the Safety Committee meeting during which safety concerns were expressed with the new Village Park areas. After the discussion he assumes that the Village Park areas will be treated in a similar way to the other park areas on the island. There will be no ambulance access in the Village park areas. The Park Board has also met with members of Fish and Wildlife to finalize the paperwork to allow the planting of Lakeside Daisies in the Huntley-Beatty, \$40 to Court Improvement, and \$1,591.03 to the General Fund. The State was paid \$241.50, split as follows: \$36 for Victims of Crime, \$10.50 to Drug Law Enforcement/Justice Program, and \$195 to Indigent Defense Support Fund. No bond surcharge was paid.
 - 7.P Legal- D. Lambros says that he is still working on the dock tax ordinance. He plans to get a draft emailed to members of council prior to the December Council Meeting.
 - 7.Q Treasurer's Report- C. Brown reports that members of council have the usual fund report and treasurer's report in their packets. The village is now making bank deposits directly from the office, both for the General Account and the Mayor's Court account. Being able to do this has addressed problem that the Mayor's Court was having. At the December council meeting we will need to appropriate more money in several funds. This needs to be done to end the year in a good financial condition. Notices for the public hearing on the re-zoning of Jesse Kryanak's property were sent. The hearing is scheduled for 9:30 am on December 8th, prior to the scheduled council meeting. Notices for the Assessment Equalization Board were sent certified mail. That meeting is scheduled for 11-17-12 at 10:00 am. No bids were received for the water intake project and the Mayor and engineers are discussing how they want to proceed. Arrangements have been made with the bank for a 9 month period for interim financing for the project. The Mayor and Clerk are scheduled to attend a meeting with State of Ohio Tax Dept. lawyers about the Resort Tax.
9. First Readings

9.1 ORDINANCE NO. 2012-O- : AN ORDINANCE APPROVING A CHANGE OF ZONING FOR PARCEL #54-01871.000 IN THE VILLAGE OF KELLEYS ISLAND, OHIO. (INTRODUCED BY: MAYOR KYLE PAINE)

Mayor Paine explains that the property referred to in this ordinance is that of Jesse Kranyak, behind the Island House.

10. Second Readings

11. Third Readings & Emergencies

11.1 ORDINANCE NO. 2012-O- 35 : AN ORDINANCE TO LEVY A TAX ON HOTELS AND MOTELS IN THE VILLAGE OF KELLEYS ISLAND, OHIO. (INTRODUCED BY: MAYOR KYLE PAINE)

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

11.2 ORDINANCE NO. 2012-O- 36 : 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)

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

11.3 RESOLUTION NO. 2012-R- 16 : A RESOLUTION SUPPORTING THE BUDGET COMMISSION OF ERIE COUNTY, OHIO FOR THE PURPOSE OF RECOMMENDING AN ALTERNATIVE DISTRIBUTION FORMULA FOR THE LOCAL GOVERNMENT FUNDS, AND PUBLIC LIBRARY FUND, FOR THE CALENDAR YEARS OF 2013 AND 2014 IN THE VILLAGE OF KELLEYS ISLAND, OHIO. (INTRODUCED BY: MAYOR KYLE PAINE)

Ritchie asks what this is for and Brown responds that in her October report to council she mentioned that the Erie County Auditor had asked for this resolution and in that council packet she had included all the information that she had received from the county. No one made a motion for the legislation at last council, but Brown spoke with Solicitor Lambros and they decided to put the legislation before council today for council's consideration. To summarize the process, the State has made a new distribution formula for the Local Government Funds to the counties and then the Erie County did the same to its governmental entities. The county is asking that the village acknowledge and approve the formula. In reality the Village of Kelleys Island had no input into the formula. Whether or not the Village passed this resolution may not have a direct impact on the actual dollars that will come to the village, but non-participation would certainly be seen as a demonstration of a lack of willingness to cooperate with the county. Mayor Paine adds that it could affect the money distributed to Kelleys Island in the future.

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

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

12. Items from the Mayor

12.1 Mayor Paine says that he hopes the General Fund levy will pass. With the votes counted, it would pass by 2, but there are 6 provisional ballots that were cast and we won't know about the levy until they are counted.

13. Items from Council

13.1 Marchky says that he has a copy of the revised driving rules. He thinks it is general enough that it can be passed. It appears that not everyone has a copy so Clerk Brown will get a copy to all members of council for their review and consideration.

13.2 Finger asks about the sidewalk program and Village Administrator Stevenson replies that it has been postponed until spring. Clerk Brown asks that it be started in early spring because letters will have to be mailed about the program.

14. Old Business

14.2 policy on driving rules- suggested by PEP loss control visit- Streets and Sidewalks- see 13.1 Items from Council above

15. Public Participation for people interested in addressing council.

15.1 Steve Merkel is chairman of the Tall Ship Celebration on Labor Day 2013. The committee is planning island wide activities connected with the Tall Ship Celebration. Donations for the event are going well. Merkel is leaving the island soon for the winter. Merkel will update council through Pat Seeholzer. He will send her reports and she will relay them to council. There may be a parade connected with the event. Merkel hands out a summary of the planning so far. Event locations include Camp Patmos and Seaway Marina. They are getting a good response from businesses. The tall ship Appledore IV will be docked at Portside Marina. Merkel says that since his involvement in promoting the General Fund Levy this year he has received questions about the Airport Expansion and he would like to forward them on to the Village to get a response.

15.2 Leslie Korenko asks for clarification about the Public Hearing on the re-zoning of the Jesse Kranyak property. She asks if correspondence will be acknowledged at the Public Hearing or during Council. Clerk Brown responds that correspondence will enter the record during the Public Hearing, but since it is council's Public Hearing, the testimony and correspondence will also be available to members of council for their meeting. Korenko also asks if any plans have been submitted for the use of the land behind the Island

House and Planning Commission Council Member Finger responded that no plans for consideration have been submitted and he is not prepared to talk about all the options at this time.

15.3 Walter Christie thanks council for the change in the table arrangement and the speaker system for the Mayor, he said that he finds it easier to hear the participants.

15.4 Sandy Alexander asks about the use of the land behind the Island House if it is re-zoned, and if any plans can be shared with the community since the condos back up to that property. Clerk Brown responds that no specific plans have been submitted for use of the property, but that if Alexander comes to the office, she can see that part of the zoning code that lists permitted uses and conditional uses for C-1, the proposed zoning.

16. New Business

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