

Council Minutes 06-13-2013

Minutes of the Regular Council Meeting

June 13, 2013 at 7:00 pm

at the Town Hall on Division Street

1. Mayor Paine calls council to order and roll call is taken. Present are G. Ritchie, M. Feyedelem, G. Finger, D. Kaminski, L. Marchky. Absent is P. Seeholzer.

2. All rise and recite the Pledge of Allegiance to the Flag.

2.5 Motion to excuse Pat Seeholzer, made by Marchky, second by Finger; all in favor; motion carried.

4. Discussion and/or amendments to the June 13, 2013 council minutes. A clerical correction is pointed out. Motion to accept the minutes as written with the clerical correction, made by Kaminski, second by Finger; all in favor; motion carried.

5. Discussion of Pay Ordinance No. 1127 : Motion to accept the Pay Ordinance as presented, made by Finger, second by Feyedelem; Roll call: Ritchie- yes, Seeholzer (absent), Feyedelem- yes, Finger- yes, Kaminski- yes, Marchky- yes; motion carried.

7. Committee Reports

-

7.A. Police- Chief Ehrbar reports that during May and June 8 reports were filed; the computer was down so the department phone calls were not logged; no arrests; 4 traffic or moving violation tickets were issued; 4 verbal warnings were given and 2 written warnings were given; 1 accident was attended; 2 building checks were done; 7 vehicle lockouts were attended; and there were 11 assists with other agencies. Bike day went off without a hitch. The Police Chief made some suggestions to the Chamber of

Commerce about the 5 & 10 K race. The Police boat is in the water, but the lights need repair. Chief Ehrbar is interviewing a couple of new recruits.

7.B. Safety Committee- M. Feyedelem has nothing to report at this time.

7.C. EMS- S. Devine reports that there were 7 runs with 2 transports. Four people were treated and released. There was 1 standby for the US Coast Guard and there were 5 clinical patients. CPR training was completed successfully by the volunteer EMT's. Continuing education will continue throughout the month. Safety Forces Day and the EMS Spaghetti Dinner were well attended. Grant money has been received from the Department of Public Safety for equipment.

7.D. Fire Dept.-Chief Hostal reports that there were no calls in May. The burning ban is in effect and continues until fall. Business fire inspections started and will continue. The Fire Dept. members were fitted for their new turnout gear last month which is being purchased through the grant we received. It will take about 6 to 8 weeks for the turnout gear to arrive.

7.E. Finance- M. Feyedelem has nothing to report as there was no meeting this month.

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

7.G. Airport- G. Ritchie reports that he and Mayor Paine attended a meeting in Michigan with the FAA to review the airport plan. They informed the FAA of the legislation passed by council that keeps the 2,200 foot runway length. The FAA said that was OK. The FAA wants to resolve the Monaghan Road issue at the end of the runway. The consultant is trying to set up a meeting date with ODNR to discuss the moving of Monaghan Road and to determine just what Kelleys Island has to do to use the land to the west of the runway. It will probably take more than one meeting before ODNR comes to a final decision.

7.H. Planning Commission- G. Finger has no report.

7.I. Design Review Board- G. Finger says that no hearings were scheduled.

7.J. Board of Zoning Appeals- G. Finger says that no hearings were scheduled.

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

7.L. Village Administrator- Stevenson reports that the Sweetbriar Road Project is almost complete. The fogging still has to be done on the road. To do the fogging the

temperature has to be in the high 70's or low 80's for 2 days. Stevenson apologizes to everyone that was affected by the dust on Division Street.

7.M. Streets & Sidewalks- L. Marchky says that there was a meeting held to try to improve the communication between the Village Administrator and Members of Council and residents. Street signs are being stolen again. Please call the police if you see activity around the street signs. The Huntington Lane sign is reposted.

7.N. Park Board- James Erne reports that during last night's storm the prettiest tree in the downtown park was severely damaged. Half of the tree remains but it will probably have to be cut down. Erne tanks Tom McNeal for getting out early and cleaning up the tree debris.

7.O. Mayor's Financial Report- Mayor Paine reads the Magistrate's report: In May the court received \$715 in fines and costs. In order to reduce bank fees the Court is in the process of changing the credit card company. To break the contract there were fees and the new company will reimburse the court for those fees. For May the State will be paid \$9.00 for Victims of Crime, \$15 for Indigent Defense Fund, \$25 for bond surcharge. For May the court will pay the Village Computer Fund \$10, the Library Fund \$3.00, Court Improvement Fund \$8.00. Bank expenses were \$776.58 for May. No bond is being held. Court will be held June 17<sup>th</sup>.

7.P Legal- D. Lambros is present. Ritchie asks Lambros about the Tremmel case and if he was to remove some posts. Lambros replies that the Tremmels had until May 6<sup>th</sup>. A citation was issued that gave them until June 3<sup>rd</sup> to comply. Ritchie asks for a realistic budget from EMS to help determine the number of mills for the EMS Levy. Four different amounts have been certified by the Erie County Auditor. Brown replies that when P. Seeholzer returns she will ask for a Finance Meeting prior to the next council meeting because there are several items for discussion.

7.Q Treasurer's Report- C. Brown says that she had not planned on being at council tonight because she is taking classes for treasurers of public funds, however she had to return for another matter and so decided to stay for the council meeting. The State Audit team has been at the village working on 2011 and 2012 for the last two weeks. The State Auditors have taken up a lot of the time in the office retrieving documents, running special reports for them, and answering questions. The less expensive audit that we are

doing has probably cost Brown more time in support of the audit as the auditors have requested specialized reports to help them decrease their time on the audit. That coupled with the week-long training obligations have meant that Brown encountered a severe shortage of time just before the council meeting. Brown did not have time to enter everything into the computer program for May. That is the reason that members of council are not getting the detailed Fund Report tonight. The Auditors are returning next week and Brown will be back in the office also.

OPERS has reviewed the wage ordinances that they requested for the positions of council member, EMT, and zoning inspector. Brown has enclosed copies of the OPERS responses in the council packet. To summarize, OPERS now finds that members of council, EMT's, and the fees part of the Zoning Inspector's pay are not eligible for PERS contributions. OPERS has requested a letter with the names of our employees that are in those positions. Brown adds that the State Auditors were very interested in this wrinkle with PERS. I said to them that maybe we were the only ones that were caught with this problem and they assured me that we were not.

The Bureau of Compensation has just announced a \$1 billion dollar rebate that will be coming to private and public employers that pay into the system. We should be hearing about the rebate in June or July of this year. The estimate for the rebate is up to 56 % of the premium that was paid the previous year.

Some of the highlights of the classes this week include employer-employee relations, debt, and information about the new federal medical plan which has an effective date of 2014 and for which municipalities have to prepare. I mentioned at an earlier council meeting that a formula based on full time or equivalent full time employees would be used to determine our entity's status for the plan. According to the lawyer that presented today, council members may not be included in the formula for determining if we qualify as a small or large entity in respect to the medical plan. We will have to assign a number of hours to each salaried position that does not require time sheets. All the part time employees are included in the formula.

## 9. First Readings

10. Second Readings

11. Third Readings & Emergencies

**11.1 ORDINANCE NO. 2013-R-6 : A RESOLUTION DECLARING THAT CERTAIN LANDS KNOWN AS 403 WARD ROAD, KELLEYS ISLAND, OHIO, UNDERLYING LAKE ERIE AND LOCATED WITHIN THE TERRITORIAL LIMITS OF THE VILLAGE OF KELLEYS ISLAND, OHIO, ARE NOT NEEDED FOR DEVELOPMENT OR IMPROVEMENT. (1<sup>ST</sup> reading May 9, 2013)**

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

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

**11.2 ORDINANCE NO. 2013-O- \_\_\_\_ : AN ORDINANCE DIRECTING THE CLERK-TREASURER TO TRANSFER \$22,000.00 FROM THE FIRE LEVY FUND TO THE EMS LEVY FUND AND DESIGNATING SUCH TRANSFER AS A PERMANENT GIFT IN THE VILLAGE OF KELLEYS ISLAND, OHIO. (INTRODUCED BY: MAYOR KYLE PAINE)**

Council Member Ritchie asks if another advance could be made to the EMS fund, which money would be used to re-pay the previous advance instead of doing a transfer which is a permanent process to move money, not a loan. Brown and Solicitor Lambros say that they will research the possibility. Brown adds that the transfer was prepared because that is how the State prefers such a situation be resolved, but that does not mean that another advance is prohibited.

The legislation had its 1<sup>st</sup> reading.

**11.3 ORDINANCE NO. 2013-O- \_\_\_\_ : AN ORDINANCE DIRECTING THE CLERK-TREASURER TO REPAY \$22,000.00 FROM THE EMS LEVY FUND TO THE FIRE LEVY FUND IN THE VILLAGE OF KELLEYS ISLAND, OHIO. (INTRODUCED BY: MAYOR KYLE PAINE)**

The legislation had its 1<sup>st</sup> reading.

**11.4 RESOLUTION NO. 2013-R- 7 : A RESOLUTION DECLARING THE NECESSITY FOR A RENEWAL TAX LEVY IN THE AMOUNT OF ZERO AND 38/100 (0.38) MILLS FOR THE PURPOSE OF A PERMANENT IMPROVEMENT TO-WIT: AN AIRPORT RESURFACING PROJECT PURSUANT TO R.C. SECTION 5705.19 (F) CERTIFYING THE SAME TO THE BOARD OF ELECTIONS OF ERIE COUNTY, OHIO; AND DECLARING AN EMERGENCY.**

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

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

12. Items from the Mayor – none

13. Items from Council – none

14. Old Business

14.1 Mayor formerly appoints Bob Maier to the Refuse Board

15. Public Participation for people interested in addressing council:

15.1 Tom Beck, 1036 W. Lakeshore Drive, says that he has discussed the topic with Mayor Paine of his volunteering to be an engineering advisor to the village. Beck says that he is interested because he has been on Kelleys Island for 35 years. In about 2 years he plans to retire as the County Engineer of Richland County and at that time he plans to change his permanent address to Kelleys Island. Beck has 25 years experience as a county engineer. He manages a staff of 50 people, and 360 miles of road, and a number of bridges. Beck started his career as an assistant city engineer in Mentor, right out of college. He next worked for consulting and construction firms. Beck then moved to Richland County. At first he had his own consulting firm, then a construction firm, then he started his own construction company, which he had for 15 years. Beck mostly did water and sewer construction for municipalities. Next Beck worked for other construction companies, then he ran for election for county engineer and he has stayed in that position for 25 years. Beck thinks that there are some areas in which he can help the village obtaining federal and state grants. While County Engineer he has replaced or repaired over 200 bridges. Beck has served 8 years on the OPWC small projects committee. Working with the village would be a similar position to that which he now occupies as a County Engineer. Now Beck advises townships on their engineering. He is looking forward to being a resident of Kelleys Island. Mayor Paine says that his offer will be discussed at a Streets and Sidewalks Committee meeting soon.

15.2 Kurt Kraus, 211 Melody Lane, thanks council members, Mayor Paine and the administrative staff for the road improvements on Melody Lane. He especially thanks Councilman Finger who has communicated with them regularly. Mr. Kraus also thanks the Police Dept. for their extra patrols because of all the extra speeders on the new road. Mayor Paine thanks Village Administrator Stevenson for his efforts on behalf of the project.

15.3 Patty Hart says that if the Sweetbriar Project was assessed, was Division Street also ? Village Administrator Stevenson replies that Division Street was not

assessed. Stevenson continues that Sweetbriar had never been tar and chipped before and the work on Division Street was maintenance. Hart asks about Huntington and adds that Huntington Road has a base. Stevenson replies that Huntington will be more like Sweetbriar than Division Street. Marchky intervenes to ask about the waterline down Huntington Road. Stevenson replies that the plan is being worked on and it just takes time.

15.4 Leslie Korenko asks why the Huntington Lane Waterline is not on as an old business item. Korenko continues that in March members of council complained that they were not getting communications back from the Village Administrator.

16. New Business – none

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