

Council Minutes 08-08-2013

Minutes of the Regular Council Meeting

August 8, 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. Finger, D. Kaminski, L. Marchky, G. Ritchie, P. Seeholzer, and M. Feyedelem.

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

4. Discussion and/or amendments to the July 11, 2013 council minutes. Motion to accept the Minutes as presented, made by Seeholzer, second by Finger; All in favor; motion carried.

4.5 Discussion and/or amendments to the July 26, 2013 council minutes. Motion to accept the Minutes as presented, made by Seeholzer, second by Kaminski; All in favor; motion carried.

5. Discussion of Pay Ordinance No. 1129 : Motion to pass as presented, made by Finger, second by Seeholzer; Roll call: Finger- yes, Kaminski- yes, Marchky- yes, Ritchie- yes, Seeholzer- yes, Feyedelem- yes; motion carried.

7. Committee Reports

-

7.A. Police- Chief Ehrbar reports that since the last Council Meeting 53 reports have been filed; 21 citations, 25 warnings; 5 vehicle lockouts.

7.B. Safety Committee- M. Feyedelem has nothing at this point.

7.C. EMS- S. Devine reports 17 runs and 11 transports since the last Council Meeting. There were also 26 clinical patients. All EMT's will continue to train throughout the month.

7.D. Fire Dept.-Chief Hostal reports that there was one fire call in July that was an assist with EMS for a golf cart accident. The Fire Dept. received their washer and dryer last week. Twelve complete sets of turnout gear will be here by next week. Both the washer, dryer, and all the turnout gear were purchased with grant money. The Fire Dept. thanks everyone for their support at the steak fry last week-end.

7.E. Finance- P. Seeholzer reports that the Committee discussed an income tax. Claudia was going to get more information and she has reported back with her research. The council can pass a 1% income tax without going to the ballot. It can be researched to see what the costs might be and what we might gain and then decide if we want legislation or Solicitor Lambros can research the options and work on an ordinance right away. Mayor Paine says that he thinks it is a good idea. Council member Ritchie supports the municipal income tax. Brown says that she has a contact in RITA and plans to call them. **Motion to investigate the cost of having a tax agency collect income tax for us**, made by Ritchie, second by Seeholzer; all in favor; motion carried. Ritchie says that the tax would affect all business owners and wage employees. Kaminski asks if everyone who gets money from someone else would pay the income tax. Mayor Paine says that at 1% for the tax we would want to know the cost to have RITA collect it. Finger asks who would be liable to pay the income tax, and what incomes may be exempt and what incomes not, and he concurs with researching the income tax. Mayor Paine concludes the discussion by adding that we should know if we are going to make any money from the income tax, if not, why tax people to pay someone else. Seeholzer continues that the Committee also had a long discussion about how to make a bed tax more fair, how to spread it out to include rental rooms, B&B's, houses and the standard motel tax. They will ask Dave Lambros to research these aspects and to get back to council. Mayor Paine says that he thinks that the 3% motel tax that was discussed previously might generate more revenue than a fee per room for motels.

7.F. Lands & Buildings- G. Finger says that the park project with Operation Military Kids is almost complete. Lands and Buildings is in the process of reviewing what projects they want to get done before winter. There is a safety issue with doors on the Town Hall. Marchky wants to know about having a Lands & Buildings meeting to discuss the use of the Dwelle House. Finger says that there will be a meeting soon because a door at the Town Hall needs to be replaced and they are getting three bids for that. Mayor Paine says that the door on the Municipal Building is not up to par and he will try to get three estimates for that also. Finger continues that it will soon be time to get the buildings ready for winter. Mayor Paine asks that Rowdy Sheerer be called for an estimate. Tom McNeal says that was already done- Rowdy Sheerer and Koch were called for estimates. Finger and Seeholzer say that when the vendors come to do the estimates for the Town Hall doors they will also have them do one for the Municipal Building door. Mayor Paine says that he will get an estimate from someone else.

7.G. Airport- G. Ritchie reports that there will be two meetings soon for the airport. On 8-13 a meeting is scheduled with Herbst Excavating and RS&H for the obstruction removal project. That contract was actually approved last year and should be completed this year. On 8-27 a meeting is scheduled with ODNR about the land issues regarding the re-routing of Monaghan Road to the west which is needed for the end of the runway. The re-routing would take the road onto State of Ohio land.

7.H. Planning Commission- G. Finger reports that Planning Commission met and approved a Conditional Use for a shed on a parcel without a principal residence.

7.I. Design Review Board- G. Finger reports that they approved a demolition permit for the McCaffertys near the ball diamond, but did not approve their re-construction without further information.

7.J. Board of Zoning Appeals- G. Finger reports that a hearing is scheduled. For August 31st.

7.K. Transfer Station- D. Kaminski reports that the Transfer Station is moving along fine.

7.L. Village Administrator- Stevenson reports that 8-15 is a tentative date for striping on the roads. Some of the striping will be reflective. Kaminski says that he thinks we need striping near Crafts, especially for passing, because people are coming up a hill at

Crafts and it is hard to see when people are passing on W. Lakeshore Drive. Marchky says that striping is not planned for anywhere west of Bag the Moon; nothing will be changed. Stevenson says that Kaminski's idea is good and he thinks they can do that additional striping.

7.M. Streets & Sidewalks- L. Marchky reports that he has received more complaints about pot holes west of the Post Office, near Steve Merkle's house at East Lakeshore and Cedar. Village Administrator Stevenson says that fixing those has already been scheduled. Mayor Paine says that the hole near Terry's was fixed.

7.N. Park Board- James Erne reports that KICC requested fireworks at Huntley-Beatty Preserve and the Park Board approved that pending paperwork for insurance. All went well. The Preserve was cleaned up well afterward. Joe Bell excavated at his own expense for the Military Kids project at the park. Erne commends G. Finger for his work on that. There may be a need for some minor excavation in the downtown park for the Water Dept. The park Board is waiting to hear more about what might need to be excavated. Western reserve Land Conservancy representatives came today for a walk through the preserve parks and Erne has heard nothing negative so far from them.

7.O. Mayor's Financial Report- Mayor Paine reads the report. Seeholzer asks what the bank expenses are. Brown says that she does not manage that account and so cannot tell them. Finger says that probably only clerk Zimmerman knows. Marchky comments that the Mayor's Court bank expenses have been getting higher and higher every month. Mayor Paine will check into that.

7.P Legal- D. Lambros has no report.

7.Q Treasurer's Report- C. Brown reports that members of council have the usual fund report and treasurer's report in their packets. In general the village bank expenses have not been getting higher and Brown manages six accounts for less than \$300 a month. Brown apologizes to the Park Board for not contacting them first about a sizeable donation that the village received on behalf of the village parks. Since the estate is not yet settled a portion of the Russ Wilson bequest has been sent and that amounts to more than \$22,800. There was an equal amount designated for the Village of Kelleys Island to maintain the Horseshoe Lake trail area. Since that area is controlled by the State of Ohio, not the Village of Kelleys Island, Brown has contacted the lawyer's office

with information about the Horseshoe Lake area and the contact information for a local State park official.

9. First Readings

10. Second Readings

11. Third Readings & Emergencies

11.1 RESOLUTION NO. 2013-R- 10 : A RESOLUTION HIRING A PART-TIME SEASONAL POLICE OFFICER IN THE VILLAGE OF KELLEYS ISLAND AND DECLARING AN EMERGENCY. (INTRODUCED BY: MAYOR KYLE PAINE)

Brown says that she checked on the name Ferrar and the spelling is incorrect in the ordinance because of a typo. Solicitor Lambros says that can be corrected by Brown before printing the legislation.

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

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

12. Items from the Mayor

Mayor Paine says that he has lots of issues but is not ready to discuss them now.

13. Items from Council

13.1 Seeholzer asks if one of the issues is the water intake. Mayor Paine replies that it is and he continues that if there are any changes he will call a special council meeting. Seeholzer asks if the Mayor is following the first bid that was accepted by Council. Paine says that he does not think the Village can afford any changes. Marchky says that the Superintendent of Water was at a meeting and he said that he wanted to add some things to the project. Tony Joyce addresses council to say that he would have preferred a total replacement of the water intake pipe. Mayor Paine says that he is afraid that the village will have to re-bid the project. Seeholzer asks the Mayor if he is planning to do the water intake project as it was bid, and Mayor Paine replies "yes".

13.2 Finger asks the status of the sidewalk project. Stevenson says that they are still working on it. They went directly to a few residents about the condition of their sidewalks. Seeholzer says that when she was notified, she fixed the sidewalk right away. Marchky asks when the Sweetbriar bills go out. Solicitor Lambros replies that as soon as final numbers are obtained, the council will need to pass an ordinance. The goal is for September.

13.3 Feyedelem makes a motion in reference to the newly proposed fire station: **Motion to build a new fire station behind the maintenance building and to waive the zoning fees.** Feyedelem says that there is no other area available. Mayor Paine says that there is a small chance on another building area. Feyedelem asks how long it would take? Mayor Paine says about a year. Seeholzer says that this village has waited more than a year. If the village could put EMS and Fire together, it would be worth it to investigate another site. Feyedelem says that this council has discussed this for several years and he knows the issues. Seeholzer asks if it fits with the zoning. Mayor Paine says that is an issue. Feyedelem adds that they were going for a similar use. He is willing to change local locations, but he would need a convenient place and no one has come up with property. Seeholzer says that she asked the Mayor to call ODNR to see about using some of their land. Feyedelem says that he is willing to pull his request off the agenda for two months if that is council's desire. Mayor Paine

says that one month is enough time for him to check out property. He will report at the September Meeting. Feyedelem says that the issue was spoken about at a recent Finance Committee Meeting, and that we can't wait too long. The Fire Dept. has some plans in general drawn up, and they have an architect in mind. Brown Explains that they did request information, and RFQ, and 7 to 8 architects have responded. They do not want to order plans until they are sure they can use the property. Lambros says that the first step is for council to authorize the expenditure to produce plans. Brown clarifies that she thinks they want a motion to allow them to go ahead for a similar use and Brown asks the Zoning Inspector for his comments. Zoning Inspector Minshall says that he wants council to agree on a plan of action and he wants the owner, the Village of Kelleys Island to decide if council would allow it. Brown suggests that one does not discount the other. You could allow the request for a similar use and you could still seek other properties. Lambros says that council could vote to allow a fire building on village property, which would allow them to see if a similar use could be obtained and if a fire station would actually fit, it may not. **Motion to build a new fire station behind the maintenance building and to waive the zoning fees**, made by Feyedelem, second by Marchky; All in favor: Finger- yes, Kaminski- yes, Marchky- yes, Ritchie- yes, Feyedelem- yes; Any opposed: Seeholzer- no; motion carried.

13.4 Ritchie asks about the water intake project. He asks if there are any conditions under which council would consider postponing the project and going the full distance to replace all the pipe. The council has agreed to a bid for 300 feet of pipe that would start around Labor Day and be done in two months. Could council add on the next 300 feet, it would cost about \$70,000 more, and the project might be postponed until spring ? Seeholzer asks if the project would re-bid the project ? Stevenson says "yes". The Village would also have to get the OK from the contractor. Seeholzer asks what the revised cost would be to the residents. Stevenson replies about \$15 and Seeholzer says that she wants to see the figures. Lambros and Stevenson say that it would be a different project. Brown asks what the liability would be in reference to the contractor since the Village just let the bid. Lambros says that you can talk with the contractor since no notice of Commencement has been filed yet and no funds have been

expended yet. Finger suggest a workshop with Mr. Beck. Ritchie says that it seems like a small expenditure to do the extra 300 feet since the equipment will be here and it would be a shame to pass it up because of a time constraint of re-bidding and possibly doing it later, in 2014. Mayor Paine says that he would like to see the water intake pipe longer. Kaminski says that if it takes 2 months for 300 feet, will it take longer for 600 feet. Stevenson said that the contractor has 2 months and he thinks it should take less time. Marchky asks if grants were investigated. Mayor Paine says that they were and the granting agencies did not want to give money because they considered the problem to be one of lack of maintenance, and it was not an emergency due to being taken out by ice or a storm.

14. Old Business

14.1 Huntington Road Waterline

14.2 Huntington Road Street Project

14.3 Sweetbriar Road Project

14.4 Water Intake Project

14.5 negotiations with ODNR re: airport

14.6 Fire Station

15. Public Participation for people interested in addressing council.

15.1 Merkle wants to speak about the tall ships. Mayor Paine and his wife are willing to donate the annual fee for a plane for airport use, so that KICC can have its flights for the tall ships. Merkel says that this is the last opportunity to address council before the event. There are 8 places for events on Kelleys Island. They are all listed in Kelleys Life. Camp Patmos has donated a tram as a way for people to get between the locations. The Chamber has worked with the local safety services to plan safe ingress and egress. The event will be huge and island-wide. We are a host port taking part in the celebration of the re-enactment of the War of 1812 battle. There is a level of alert for this Battle of Lake Erie event. There may be a bomb alert and

we have the full support of federal agencies. Single engine planes and pilots are being donated for Saturday, Sunday, and Monday rides. The planes take 2 passengers. The main enactment is on Monday, starting about noon, and lasts about 1 ½ hours. The Kelleys Island group has chartered a limited number of tickets. On Sunday there will be fireworks. 120 tickets are available for the cruise.

16. New Business

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

(adjourned at 8:10 pm)