

Council Minutes 03-08-2014

Minutes of the Regular Council Meeting
March 8, 2014 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 M. Feyedelem, G. Finger, G. Ritchie, and P. Seeholzer. Absent are J. Wolfe and D. Kaminski. There are no flights because of the weather and D. Kaminski cannot get to the island for the meeting. J. Wolfe had a family emergency and could not be present today.

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

4. Discussion and/or amendments to the 12-14-13 council minutes. Motion to accept the Minutes as presented, made by Seeholzer, second by Finger; all in favor; motion carried.

4.25 Discussion and/or amendments to the 12-16-13 council minutes. Motion to accept the Minutes as presented, made by Seeholzer, second by Feyedelem; All in favor; motion carried.

4.5 Discussion and/or amendments to the 12-17-13 council minutes. Motion to accept the Minutes as presented, made by Seeholzer, second by Feyedelem; all in favor; motion carried.

5. Discussion of Pay Ordinance No. 1134 : Motion to accept the Pay Ordinance as written, made by Finger, second by Seeholzer; RC: M. Feyedelem- yes, G. Finger- yes, D. Kaminski (absent), G. Ritchie- yes, P. Seeholzer- yes, J. Wolfe (absent); motion passed.

7. Committee Reports

7.A. Police- Chief Ehrbar reports that the department wrote a report covering January, February, and March; 549 phone calls were received by the department; 685 house checks were done; and there was one assist with another agency. Chief Ehrbar gave permission to Officer Craig to start a Facebook page for the KI Police Dept. It will be an informational page. A week ago the Ford Explorer went down. After checking it, maintenance thinks that the engine may have seized. The white Crown Vic is in storage and Chief Ehrbar is asking for a backup vehicle, or that the white Crown Vic be fixed or that the department acquire another vehicle. Mayor Paine adds that a hybrid might be a good purchase for the Police Dept. and maybe we could get a federal surplus vehicle. Seeholzer asks that the white Crown Vic be made ready for use. Mayor Paine thinks the village should also have another mechanic look at the Ford Explorer. Chief Ehrbar thinks that the Crown Vic might just need a new battery. He has also heard that the cost of fixing hybrid cars is significantly more than a usual car. He mentions leasing a vehicle instead of owning the police vehicles because they can be traded in every four years and get a new vehicle. Mayor Paine says that he will call Marcy Kaptur to see if there is any financial help available to purchase police cars.

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

7.C. EMS- S. Devine reports that the EMT's have completed about 40 hours of training so far.

7.D. Fire Dept.-Chief Hostal reports that there was one fire call in December at the Venture Resort followed by a slow two months.

7.E. Finance- P. Seeholzer reports that the Finance Committee had several meetings and the

Dwelle House ordinance is the result of some of the discussions. Seeholzer says that the Finance Committee recommends passing the ordinance about the Dwelle House use and also raises in wages.

7.F. Lands & Buildings- G. Finger says that after this cold winter he will investigate the Dwelle House and all the other buildings. Mayor Paine had Fox look at the furnace in the Dwelle House because there were problems with heat this winter and he said that we need a new gas furnace. Maybe we could use electric in the Police Station. Finger adds that the Town Hall still has electric baseboards in case the gas goes out. Seeholzer says that there will be some appropriations in Lands & Buildings that can cover these new expenses. Finger says that we also need backup systems in each building.

7.G. Airport- G. Ritchie says that about two weeks ago representatives of the village had a phone conference with the FAA and our RS&H consultant. They want finance plans for the airport. Council will put a tax levy on the November ballot. The first step is on the agenda today. Depending on what happens with the levy vote, we may have to adjust the plan with the FAA. The FAA was comfortable with that and said that they will continue to support the airport project as long as we are moving forward on the plan. Seeholzer asks how much millage would it cost the residents. Ritchie continues that he will research that and let people know before putting it on the ballot. Mayor Paine says that we need a second stop sign when exiting the airport driveway onto Monaghan Road. There needs to be a second stop sign to the east of the current stop sign that you would see after exiting the airport.

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

7.I. Design Review Board- G. Finger has no report.

7.J. Board of Zoning Appeals- G. Finger reports that there is a meeting at 10:00 am, April 5th.

7.K. Transfer Station- Mayor Paine secured a \$1,000 grant from Erie County for metal collection day.

7.L. Village Administrator- Stevenson is not present and there is no report.

7.M. Streets & Sidewalks- no report

7.N. Park Board- Feyedelem spoke with James Erne who asked him to tell council that there has been nothing going on this winter in the Park Board. J. Erne asks to be excused from this meeting.

7.O. Mayor's Financial Report- Mayor Paine reads that in December the court received a total of \$1,245.00 in fines and costs and it was distributed to the proper funds.

7.P. Legal- D. Lambros reports on the FEMA program. He has some information that he wants to copy for council. Addresses in the flood plain have to be found and specified, determine where that will be stored, decide if the village wants to adopt a free-board which has stricter limits, and many more decisions about the program. Lambros says that it is a very complicated administrative program and members of council should completely understand it before they decide to do it or not. A flood plain administration program has to be done along with compensation for that position. The administration of the flood plain program is a double edged sword. There is a question if everyone will have to purchase flood insurance. Ritchie asks what the benefit is? Brown says that this came up because a homeowner had trouble selling his house because the mortgage lender asked for the flood insurance. Lambros says that he does not have an answer yet to one of his questions which is, if the village enters the flood insurance program, is everyone in that zone required to purchase flood insurance, because it is very expensive. Lambros continues that is the double edged sword. We have to be sure that we aren't passing something that will cost our homeowners \$5,000 a year in flood insurance because they live in a zone and we established the flood insurance. Brown and Seeholzer remember that the village came to this same point years ago and dropped it and they think that may have been the reason.

7.Q Treasurer's Report- C. Brown: Members of Council have the Treasurer's Report in their packets. It includes the year end for 2013 and the January closing and the February MTD of 2014. Brown just returned yesterday afternoon from the State Auditor's Local Government Officials Conference, which is required attendance for all finance officers, whether elected or hired. It is 2 days of class sessions. Brown comments that a lot of the information she knows already because she has been doing this since Petro, before it was a state law making mandatory attendance. Now, the village is doing just about everything as the State desires. In the past, Brown would bring back a list of items that the village should enact or change procedure on, and now the village is doing just about everything as presented in the sessions. The two sessions that stood out in Brown's mind as being beneficial for the village and that included new information were the sessions on the current and proposed legislation for local income taxes, at the State level, and an update on the Federal Health Care. The session on Local Income Taxes was very informative. They explained what is legal currently and how the revisions in HB9 would make changes. Some of the proposed changes would not affect us much as they are focused toward communities that have industry. Brown will share the information with the Finance Committee. Some of the things that were discussed at our local committee meetings are not even an option now. If the most recently proposed legislation passes at the State level, it would become illegal to have an income tax apply to anyone who is a transient worker. Transient worker was defined as anyone who has their primary residence outside of the municipality. For Kelleys Island it would mean that all the transient summer workers on KI would be exempt from the local income tax. The other class with new information was the Federal Health Care Update. At the end of this year is when it can start affecting us. We have a December renewal date, and that is the reason we are not affected yet. There is some data that we have to gather, analyze, and report to determine if we qualify as a small group. It might seem obvious that we are a small group employer, but with a lot of part-time employees, it is hard to really be sure of that. The presenter went over how we need to do calculate the group size. It requires a calculation per month that is then averaged for the year to determine what class the village will be in. 2013 was closed and the annual report was written and submitted to the State Auditor on time. It appears that the State of Ohio is considering changes to that process in the near future. Brown adds that she has the State Auditor's Certificate for her attendance at this training conference, which is checked every time the State auditors come to do an audit.

Mayor Paine asks Clerk Brown to read the titles. Brown explains that with only four members of council present, there is a quorum to have a meeting but there are not enough members present to suspend the three reading rule to pass most of the legislation today. Therefore, all legislation included on the agenda that needs the suspension of the third reading rule will be read as first readings today. At least one piece of legislation must be passed and delivered to the Erie County Auditor before the end of March. To do that, council will meet two more times, on Sunday and Monday.

9. First Readings

9.1 ORDINANCE NO. 2014-0-____ AN ORDINANCE ESTABLISHING A NEW POLICY CONCERNING THE USE OF THE DWELLE HOUSE BY FULL-TIME EMPLOYEES.
(INTRODUCED BY: MAYOR KYLE PAINE)

This came up in the Finance Committee and has come up several times in different meetings. It was on the agenda as a first reading for today. Brown asks the Finance Committee if they

want this considered as a second reading tomorrow. Seeholzer replies yes, that the Finance Committee would like this passed. Brown suggests that Council Members have their questions ready tomorrow for the Finance Committee.

9.2 ORDINANCE NO. 2014-O-____ : AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ERIE COUNTY REGARDING THE ISSUING OF "HAULING PERMITS" OF VEHICLES/LOADS THAT MAY BE OPERATED OR MOVED ON ROADWAYS UNDER THE JURISDICTION OF THE VILLAGE OF KELLEYS ISLAND, OHIO. (INTRODUCED BY: MAYOR KYLE PAINE)

This came to the village from Erie County with a request that we pass it. Our solicitor has reviewed it made a recommendation to the Mayor for passage. Brown asks Lambros if he wants to speak to it. Lambros replies that Erie County came to the December Council Meeting and explained it. It makes the county responsible for tracking the vehicles and all oversight. Brown adds that it will not cost the village anything and Lambros agrees.

9.3 ORDINANCE NO. 2014-O-____ : ANNUAL APPROPRIATION ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF KELLEYS ISLAND, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2014, AND DECLARING AN EMERGENCY. (INTRODUCED BY: MAYOR KYLE PAINE)

This is the housekeeping ordinance that must be passed and delivered to the Erie County Auditor before the end of March, or else we can't spend any money no matter how much we have.

9.4 ORDINANCE NO. 2014-O-____ : AN ORDINANCE ESTABLISHING A BASE RATE SALARY RANGE FOR PAID FULL-TIME AND PART-TIME PERMANENT EMPLOYEES, ESTABLISHING COST OF LIVING INCREASES, REPEALING ORDINANCE NO. 2009-O-10 AND DECLARING AN EMERGENCY. (INTRODUCED BY: MAYOR PAINE)

The village has had a range ordinance for each hourly position. The last time that was reviewed was in 2009. Since about December the Finance Committee began comparing local government wages within five nearby communities to ours and found that we needed to make some changes.

9.5 ORDINANCE NO.: 2014-O-____ : AN ORDINANCE PURSUANT TO SECTION 5705.03 OF THE OHIO REVISED CODE REQUESTING THE ERIE COUNTY AUDITOR TO CERTIFY TO THE COUNCIL OF THE VILLAGE OF KELLEYS ISLAND, OHIO, THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE OF KELLEYS ISLAND, OHIO AND THE AMOUNT OF MILLAGE REQUIRED TO GENERATE THE SUM OF SIXTY-FIVE THOUSAND DOLLARS (\$65,000), EIGHTY-FIVE THOUSAND DOLLARS (\$85,000), NINETY-FIVE THOUSAND DOLLARS (\$95,000) AND ONE HUNDRED AND FIVE THOUSAND DOLLARS (\$105,000) FOR AN ADDITIONAL TAX LEVY TO PROVIDE FOR THE CONSTRUCTION OR ACQUISITION OF ANY SPECIFIC IMPROVEMENT OR CLASS OF IMPROVEMENTS THAT THE TAXING AUTHORITY OF THE SUBDIVISION MAY INCLUDE IN A SINGLE BOND ISSUE TO WIT: ACQUISITION OF LAND TO BRING THE KELLEYS ISLAND AIRPORT INTO FAA COMPLIANCE PURSUANT TO R.C. SECTION 5705.19(F) ,CERTIFYING THE

SAME TO THE BOARD OF ELECTIONS OF ERIE COUNTY, OHIO AND DECLARING AN EMERGENCY. (INTRODUCED BY: COUNCILMAN RITCHIE)

It takes two steps to put a levy on the ballot. This is step one where we ask for information from the Erie County Auditor. This is the levy for the airport that Councilman Ritchie mentioned earlier in this meeting. After our response from the Auditor council will decide which millage they want to put on the ballot. The Erie County Auditor's response has to accompany the ballot legislation when it is taken to Erie County Elections.

10. Second Readings

11. Third Readings & Emergencies

12. Items from the Mayor

12.1 Mayor Paine also went to the same meeting in Columbus for Local Government Officials for one day. Mayor Paine supports the new airport levy. He is not interested in lengthening the runway, but our airport has some safety problems and we should change the road path to alleviate that problem.

Mayor Paine adds that right now we need another stop sign at Monaghan after you leave the airport property. The current stop sign is back too far on Monaghan Road.

Jacque Kranyak asks for some alternates for the BZA.

Mayor Paine appoints Chuck Herndon for another term on the Cemetery Board and Kranyak and Finger on the BZA. Motion to approve the Mayor's appointment, made by Seeholzer, second by Ritchie; all in favor; motion carried.

Motion by Seeholzer, second by Feyedelem to make G. Finger Council President for 2014; all in favor; motion carried.

Mayor Paine says that the Zettler family is requesting that one of them be appointed to the Park Board. Mayor Paine will contact J. Erne about the Park Board.

13. Items from Council

13.1 Seeholzer reports that the Finance Committee is recommending pay raises for some village employees: McNeal to \$20/hr, Kryznowek \$19/hr, Craig \$20/hr, S.Marchky \$14/hr, Zimmerman \$14/hr, Bradburn \$13/hr. The Finance Committee asks that these increases be considered and passed.

14. Old Business

14.1 Dispatching service through Erie County- Motion to pay the Erie County Sheriff for Dispatching Service, made by Seeholzer, second by Feyedelem; all in favor; motion carried.

15. Public Participation for people interested in addressing council.

15.1 Leslie Korenko comments that this was a very snowy winter and she thanks T. McNeal for the good job removing snow. She had a family emergency a day after a big snow storm

and not only was the airport clean, but also many of the streets.

16. New Business

16.1 Md7 letter is a notice that they want to do something on the water tank. Mayor Paine has spoken with them and AT&T wants to upgrade and they have engineering plans. They want to go to 4G. The 4G network will allow you to use a smart phone as a computer. Brown adds that their letter says that the work on the water tower may take place within the next 4 to 6 months.

16.2 Lisa Buersken notification of the \$1,000 grant.

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