

Minutes for the April 11, 2015 Regular Council Meeting  
Held 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 G. Ritchie, J. Wolfe, M. Feyedelem, and G. Finger. Absent are D.Kaminski and P.Seeholzer.
2. All rise and recite the Pledge of Allegiance to the Flag
3. Reaffirm and formally elect Gary Finger as President pro tem of Council, **Motion to make Gary Finger President pro tem of Council**, made by Feyedelem, second by Wolfe; all in favor; motion carried.
- 3.5 Motion to excuse Pat Seeholzer and Dennis Kaminski, made by Finger, second by Feyedelem; all in favor; motion carried.
4. Discussion and/or amendments to the 3-14-15 council minutes. Motion to accept the Minutes as presented, made by Finger, second by Feyedelem; all in favor; motion carried.
- 4.1 Discussion and/or amendments to the 3-19-15 council minutes. Motion to accept the Minutes as presented, made by Finger, second by Feyedelem; all in favor; motion carried.
- 4.2 Discussion and/or amendments to the 3-20-15 council minutes. Motion to accept the Minutes as presented, made by Finger, second by Feyedelem; all in favor; motion carried.
- 4.3 Discussion and/or amendments to the 4-8-15 council minutes. Motion to accept the Minutes as presented, made by Finger, second by Feyedelem; all in favor; motion carried.
5. Discussion of Pay Ordinance No. 1143 : Motion to accept the Pay Ordinance as written, made by Finger, second by Feyedelem; RC: D.Kaminski (absent) , G.Ritchie-yes, P.Seeholzer (absent), J.Wolfe- yes, M.Feyedelem- yes, G.Finger –yes; Motion passed.
6. Scott Thom of Erie County Health Dept. presents a summary of last year's inspection activities. They have a continuing plumbing program and home insulation program. 42 plumbing contractors registered, 98 contractors did continuing education classes with Erie County Health. Erie County Health has made agreements with other counties for services, Sandusky and Seneca counties. This brings the territory served up to almost 1200 square miles. The lead control program ended last November. 61 children were tested which led to 8 investigations. He reminds residents that they should check their buildings for radon. Radon checking kits are available free of charge from Erie County Health Dept. in Sandusky. Last year 50% of the kits that were returned for evaluation showed an excess of radon in the homes. Mr. Thom also brought Annual Reports for Council.
7. Committee Reports
  - 7.A. Police- Chief Ehrbar reads the report covering from March 14 to April 11, 2015: no reports were filed; there were 465 phone calls; no arrests; no activity. Mayor Paine comments that Chief Ehrbar will be formally retiring today. Chief Ehrbar welcomes Shawn Craig who will be sworn today as the next Police Chief. (applause for Chief Ehrbar's public service)
  - 7.B. Safety Committee- M. Feyedelem welcomes Shawn Craig and personally thanks Ron Ehrbar for his service, adding that he will be missed.
  - 7.C. EMS- S. Devine reports that there has been 1 EMS run and 3 clinic patients were seen. The volunteers are taking more trainings. There is a persistent internet problem at the EMS office which should be fixed. Stevenson replies that he spoke with Clerk Brown yesterday about the problem and it will get fixed. Brown adds that it will be fixed soon, she has already made arrangements. Devine thanks Ron Ehrbar for his service to the village and she welcomes Shawn Craig to the Police Dept. as Chief.
  - 7.D. Fire Dept.- Feyedelem reads Chief Hostal's report: no calls in March.
  - 7.E. Finance- P. Seeholzer is absent and there is no report.
  - 7.F. Lands & Buildings- G. Finger has nothing to report.
  - 7.G. Airport- G. Ritchie has nothing to report at this time.
  - 7.H. Planning Commission- G. Finger reports that no hearings have been held.
  - 7.I. Design Review Board- G. Finger reports that there was one hearing and a sign was approved.
  - 7.J. Board of Zoning Appeals- G. Finger reports that no hearings have been needed.
  - 7.K. Transfer Station- Village Administrator Stevenson reports that the Annual Report has been sent in. Summer open hours start in May. Tires will be part of recycling day this year in addition to the usual metal recycling.
  - 7.L Village Administrator- Stevenson reports that the public restrooms will open next week. New steps are planned for the north side of the Town Hall in the first couple weeks of May. There is some minor road repair to be done and some tree work. He will plan a drive around with Council Member Wolfe to look at the roads. Stevenson requested and had a meeting with the EPA over concerns he had at the Water Dept. Everything is OK and he will keep everyone posted. Finger says that the fence by Yako's is leaning and it needs to be fixed and it is the responsibility of the Village to maintain it.
  - 7.M. Streets & Sidewalks- J. Wolfe says that soon we will have news about the road work that we applied for. Wolfe plans on putting in a new application for this year and there will be a meeting shortly to decide what areas should be included.
  - 7.N. Park Board- James Erne reports that there has been no activity. The hedge in the downtown park was dead and has been removed. Erne thanks Bobby Skeans for his work cleaning up the park area on Titus Road.
  - 7.O. Mayor's Financial Report- Mayor Paine has no report.
  - 7.P Legal- D. Lambros says that at the council table we have a quorum of 4 so all the legislation will be as first readings. After the title is read for appointing a Police Chief, we will have a motion to swear in Shawn Craig as Police Chief pending the final adoption of the ordinance. Council will need an executive session today to update Council on two pieces of litigation.
  - 7.Q Treasurer's Report- C. Brown reports that Members of Council have the usual fund and treasurer's reports in their packets. Brown attended the required State Auditor's training the first week of April in Columbus. The State Auditor always has surprises for us. This year the legislature passed legislation that affects all of us. To remedy, we were told, a County Auditor's wishes, a new bill was introduced, H.B.10 that combined and replicated legislation already in effect in reference to removing a criminally corrupt fiscal officer from office plus making additional requirements for training. We were not told ahead about the education requirements nor which classes would count towards the new additional credit system. By chance, Brown happened to select 3 classes that count towards the new requirement so the village is on schedule. Most of these new requirement classes are at a beginner level and Brown spoke with our region's Local Government Official representative to ask him to give the Auditor feedback to request that every year he offer some more in-depth credit classes focused on the more experienced clerk.

Brown took:  
How to analyze your financial reports- for reporting to the State  
Legislative Update for Municipalities  
Managing your Public Perception  
Form 941 depository rules and Form 1099 requirements  
Audit Update  
Mobile Device Trends in Local Government  
Cyber Theft  
Funding Opportunities for Transportation Infrastructure  
Legal Update for Villages  
Basic Policies for Small Government

Some of the most interesting classes were Mobile Device Trends in Local Govt., Cyber Theft, and Managing Your Public Perception. The latter focused on how the actions and perception of actions or inaction by local government individuals either promote or erode public trust. Mobile Device Trends in Local Government explained the options today and the best method to use to make choices. The presenter spoke about the future and also what is in use today. Especially valuable for us was the topic of upgrading water meters to be “smart” meters which can be read electronically from the street and farther away. The presenter included the names of three companies that retrofit older meters. The least expensive provide readings once or twice daily. Besides giving the meter reading, they can monitor and help find leaks, running toilets, etc. Since we still have meters in houses and no project to remove them and put them in a more accessible location, and Brown has been told by constituents that their meters are not being read regularly, Brown thinks that Council should be part of the research and scheduling of a project to add these retrofits. These devices pay for themselves in a short period of time, especially if they help detect water waste. Other devices were presented, some of which were cost effective and some not and some that really would be beneficial in a larger population area than KI. The most interesting class was on Cyber theft, given by an FBI Special Agent who is the supervisor of the regional cyber program which includes Ohio. He has had extensive experience, first in military counter intelligence with a cyber focus and now as a career professional in the FBI. He was part of the team that uncovered what happened in the December 2014 North Korean attack on Sony. He described problems we are likely to encounter on the local government level—which roughly reflects the same type of cyber crime one is likely to encounter on a personal level. Frankly we have already encountered some of these problems but we have managed not to be affected by them. The top 3 priorities of the FBI are 1. Terrorism, 2. Counterintelligence, and 3. Cyber crime. Every month cyber theft becomes more sophisticated and more prevalent. We all need to find a balance between security and ease of use. The State of Ohio and some cities have already been targeted and their web sites shut down for a period of time. The types of cyber threats are hacktivism, crime, insider, espionage, terrorism, and warfare. He explained intrusion methods: phishing, spear phishing, social engineering, whaling, watering hole attack, trusted third party, supply chain vendor, close access, ransom ware attack, business email compromise, and national security intrusions. He said that the best thing to do is to update malware and virus checking programs every few days. He said that generally the CPU area is better protected. He mentioned to never do banking on your mobile phone, which we do not do at the village. The danger is exponentially increasing both in the US and outside the US.

The Transfer Station collections are going smoothly. We need the Refuse Board to meet to go through the part-time status requests. For the Small Government Final Composite Score on our application for the Lakeshore Drive Resurfacing Project, we have 64 points which puts KI in the running for funding. Our 1<sup>st</sup> notification said 60 points but yesterday Brown was notified that was incorrect. It was revised to 64 points, and here Brown quotes “reflecting the district’s number 1 priority”. Brown checked with the State to verify that Kelleys Island was the number one project exiting the District competition level which includes more than Erie County. The next and last level is State wide. On May 7<sup>th</sup> we will know if we are funded. If we get an email on that day, then it will be to notify the Village that the project has been funded.

Yesterday Brown received the estimate for the next update to the codified ordinance book, which will be around \$2,000. The update will cover a two year period and will include only local ordinances.

Wolfe asks if the encumbered money in the Road Construction Fund refers to this project. Brown replies that it does. One of the requirements in the grant/loan application was that the local share be encumbered. After a question by Ritchie, Brown adds that the application had to be a combination of grant, loan and local money. Brown changed some numbers for the Small Government application to get a better score for the Village on the grant side. The changes were cleared with the Mayor.

## 9. First Readings

## 10. Second Readings

10.1 request from Marianne Cheetham, EMA Assistant/Planner, for Kelleys Island to adopt the Erie County All Hazard Mitigation Plan

**ORDINANCE NO. 2015-R- \_\_\_ : AN ORDINANCE APPROVING AND ADOPTING THE COUNTYWIDE NATURAL HAZARDS MITIGATION PLAN PREPARED BY URS CORPORATION. (INTRODUCED BY MAYOR KYLE PAINE)**

## 11. Third Readings & Emergencies

Emergencies cannot be passed today as there are only four Members of Council present. Any legislation needing a suspension of the three reading rule will receive a first reading today. Two additional meetings on two separate days will be needed to pass those ordinances.

**11.1 ORDINANCE NO. 2015-O- \_\_\_ : AN ORDINANCE AMENDING SECTION 96.21(A) ENTITLED “RENTAL OF PUBLIC GROUNDS AND BUILDINGS” OF THE KELLEYS ISLAND, OHIO CODIFIED ORDINANCES. (INTRODUCED BY: \_MAYOR KYLE PAINE)**

Feyedelem explains that he initiated this legislation and then decided that it would circumvent the intention that the Finance Committee had in requiring the fee. It would also extend the time necessary to obtain permission to hold events on village property because it would require a meeting of Council. Feyedelem recommends voting the legislation down. If someone does not want to pass it then they should vote “no” during roll call.

Motion to pass, made by Feyedelem, second by Finger;

Roll call: D.Kaminski (absent), G.Ritchie- yes, P.Seeholzer (absent), J.Wolfe- no, M.Feyedelem- no, G.Finger- no; three nays and one aye are recorded; motion defeated.

11.2 **ORDINANCE NO. 2015-O-\_\_\_ : AN ORDINANCE ENACTING A NEW SECTION OF THE KELLEYS ISLAND CODIFIED ORDINANCES ENTITLED “PURCHASES” IN THE VILLAGE OF KELLEYS ISLAND, OHIO.**  
(INTRODUCED BY: MAYOR KYLE PAINE)

First Reading is performed.

11.3 **ORDINANCE NO. 2015-O-\_\_\_ : AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO MAKE CERTAIN APPROPRIATIONS INTO CERTAIN FUNDS AND DECLARING AN EMERGENCY.** (INTRODUCED BY: MAYOR KYLE PAINE)

First Reading is performed.

11.4 **ORDINANCE NO. 2015-O-\_\_\_ : AN ORDINANCE AMENDING SECTION 34.01 (D) ENTITLED “CHIEF OF POLICE; COMPENSATION AND DUTIES” AND DECLARING AN EMERGENCY.**  
(INTRODUCED BY: MAYOR PAINE)

First Reading is performed.

11.5 **ORDINANCE NO. 2015-O-\_\_\_ : AN ORDINANCE ESTABLISHING THE RATE OF COMPENSATION FOR THE CHIEF OF POLICE AND DECLARING AN EMERGENCY.** (INTRODUCED BY: MAYOR PAINE)

First Reading is performed.

11.6 **ORDINANCE NO. 2015-O-\_\_\_ : AN ORDINANCE HIRING A POLICE CHIEF IN THE VILLAGE OF KELLEYS ISLAND, OHIO AND DECLARING AN EMERGENCY.** (INTRODUCED BY: MAYOR KYLE PAINE)

First Reading is performed.

**Motion to appoint Shawn Craig as Police Chief pending final ordinance approval,** made by Wolfe, second by Feyedelem; all in favor; none opposed; motion passed.

Mayor Kyle Paine gives the oath to Shawn Craig and he becomes the Police Chief of Kelleys Island. (applause) Immediately after the swearing in ceremony, Chief Craig asks former Police Chief Ehrbar to come forward and Chief Craig has a plaque that he presents to Ehrbar in appreciation of Ehrbar’s service as Police Chief. (applause)

12. Items from the Mayor

12.1 Mayor Paine has two Proclamations:

I. Proclamation-- Municipal Clerks Week-- May 3 - 9, 2015

Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and  
Whereas, The Office of the Municipal Clerk is the oldest among public servants, and  
Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and  
Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.  
Whereas, The Municipal Clerk serves as the information center on functions of local government and community.  
Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.  
Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

Now, Therefore, I, Kyle Paine, Mayor of the Village of Kelleys Island, do recognize the week of May 3 through May 9, 2015, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Claudia Brown and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this eleventh day of April, 2015

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_

Mayor Paine personally thanks Claudia Brown for her service to him and to the Village. (applause)

II. VILLAGE OF KELLEYS ISLAND -- HONORING RON EHRBAR

WHEREAS, Ron Ehrbar is to be commended and honored for all of his contributions to the Village of Kelleys Island; and

WHEREAS, Ron Ehrbar was appointed Chief of Police of Kelleys Island, Ohio on March 11, 2006 and has served continuously with honor until his recent retirement April 8, 2015; and

WHEREAS, Through Ron Ehrbar’s stewardship the administration of the Village Police Department was greatly improved from both an operations and equipment standpoint; and

WHEREAS, Ron Ehrbar started as a Police Dispatcher in the City of Cleveland (CPD)in 1973, was appointed to the Cleveland Division of Police, Basic Patrol in 1979, and subsequently assigned to the Police Academy, Ordnance Unit in 1984; and

WHEREAS, Ron Ehrbar became a Detective in the CPD in 1992, assigned first to the Narcotics Unit and then to the Forensics Unit in 1997; and

WHEREAS, Ron Ehrbar was promoted to Sergeant and assigned as Officer in Charge of the Ordnance Unit where he served until his retirement from the CPD November 3, 2006.

NOW, THEREFORE, LET IT BE PROCLAIMED THAT RON EHRBAR BE CONGRATULATED BY THE MAYOR, VILLAGE OFFICIALS AND THE RESIDENTS OF THE VILLAGE OF KELLEYS ISLAND;

AND, FURTHER, LET IT BE PROCLAIMED THAT RON EHRBAR BE FOREVER HONORED AS AN OUTSTANDING CITIZEN OF THE VILLAGE OF KELLEYS ISLAND.

Dated this eleventh day of April, 2015.

\_\_\_\_\_  
MAYOR KYLE PAINE

ATTEST:

\_\_\_\_\_  
CLAUDIA M. BROWN, Clerk-Treasurer

Mayor Paine personally congratulates Ron Ehrbar and adds that he thinks everyone would say the same. (applause)

12.2 Mayor Paine re-appoints Claudia Brown to the Cemetery Board.

12.3 Mayor Paine keeps the 2015 Council Committee assignments the same as 2014.

12.4 Mayor Paine Board of Zoning Appeals appointment starting 1-1-2015 for 4 years— Ron Ehrbar is appointed.

12.5 Two appointments (or re-appointments) to Design Review Board:

Mayor Paine re-appoints Knut Lahrs to a next term as a Historical District Representative on the Design Review Board.

Mayor Paine re-appoints Don Gilles to a next term on the Design Review Board.

12.6 Mayor Paine re-appoints Lance Marchky as the Citizen Representative on the Refuse Review Board.

13. Items from Council- none is brought forth

14. Old Business-none is brought forth

15. No one in the Public wishes to address council.

16. New Business

16.1 Council selection for the 2015 representative and alternate to Erie Regional Planning Commission: **Motion to have Mayor Paine be the representative to the Erie Regional Planning Commission**, made by Finger, second by Feyedelem, all in favor; motion carried. **Motion to have Claudia Brown be the alternate**, made by Feyedelem, second by Wolfe; all in favor; motion carried.

16.2 request for road closures:

Kelleys Island Chamber of Commerce requests permission to close Division Street between Lake Shore Rd. and the Cady Shack for a street dance on July 17<sup>th</sup> and 18<sup>th</sup>. **Motion to allow the road closures and to require the notification of the event be given to the Police, EMS, and Fire Departments**, made by Ritchie, second by Finger, all in favor; motion carried.

The Kelleys Island Chamber of Commerce requests permission for road closures on June 7<sup>th</sup> for the 5K and 10K runs. **Motion to allow the road closures and to require the notification of the event be given to the Police, EMS, and Fire Departments**, made by Finger, second by Ritchie, all in favor; motion carried.

16.3 Brown addresses members of council to say that with the impending passage of the Purchase Order legislation requiring approval by Members of Council, her concern is about the rapidity of Council Members' responses. Brown thinks that the best implementation would be through email. Many communities have provided tablets to their Councils. Every Council Member would need easy access to email. Brown proposes that all Council Members be offered an inexpensive tablet equipped with WIFI that they can use with some of the public networks on the island to access their emails from the Clerk's Office and other Village communications. Otherwise Brown believes that with passage of the legislation council will be creating an environment that will cause thrashing of the bill payment process in the Clerk's Office, resulting in late payments to vendors.

Mayor Paine reminds Council that 2 more meetings are needed to complete their agenda. Meetings will be Sunday and Monday.

**Motion to enter an executive session for impending litigation**, made by Finger, second by Feyedelem; all in favor; motion carried.

**Motion to close the executive session and resume the open session**, made by Ritchie, second by Feyedelem; all in favor; motion carried.

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

(11:20 am adjourned)