

Minutes for the November 14, 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 J. Wolfe, M.Feyedelem, G.Finger, D.Kaminski, G.Ritchie, P.Seeholzer
2. All rise and recite the Pledge of Allegiance to the Flag.
4. Discussion and/or amendments to the 9-10-15 council minutes. Motion to accept the Minutes as presented/corrected, Motion by Seeholzer, Second by Ritchie; all in favor; motion carried.
- 4.5 Discussion and/or amendments to the 11-05-15 council minutes. Motion to accept the Minutes as presented/corrected, made by Seeholzer, second by Finger; all in favor; motion carried.
5. Discussion of Pay Ordinance No. 1149 : Motion to accept the Pay Ordinance as written, made by Finger, second by Seeholzer; RC: J.Wolfe-yes, M.Feyedelem-yes, G.Finger-yes, D.Kaminski-yes, G.Ritchie-yes, P.Seeholzer-yes; motion carried.

7. Committee Reports

7.A. Police- Chief Craig reports that the department has responded to 655 phone calls; made 2 arrests; given 1 traffic ticket and 8 warnings; responded to 2 accidents, 12 vehicle lockouts, and 4 assists with other agencies (fire and ems). Chief Craig says that their prayers go out to the safety services in Paris. Chief Craig thanks Mayor Paine on his 4 years as Mayor and for allowing Craig to become Chief of the KI Police Dept. He thanks M. Ritchie on his 4 year term as councilman and for the members of Council believing in Craig's qualifications to run the department. Craig congratulates Arden Cooper for winning the Mayor's race and Mr. Ron Ehrbar and Mr. Mike Feyedelem for winning seats on council. The police boat was taken out of the water the first week of October and is being stored in a heated garage at Sugarridge South. Chief Craig requests permission to apply for an ODNR grant for the summer 2016 boating season. **Motion to authorize Chief Craig to apply for an ODNR grant for the 2016 boating season**, made by Finger, second by Seeholzer; all in favor; motion carried. All cruisers have been detailed and maintained for the winter by Ed Novak. They will be stored in the old KI fire dept. garage. Chief Craig requests permission from council to sell 2 KI police department vehicles. A 2008 Impala has a blown engine and the 1996 red blazer would be too costly to fix up. **Motion to allow Chief Craig to sell the two cars**, made by Kaminski, second by Seeholzer; all in favor; motion carried. Chief Craig purchased a 2009 Dodge Charger for \$2000 from the Perkins Police Dept. The funds to purchase the vehicle were paid from the Police Levy fund which is being used as a police capital expense fund and is funded through donations. Chief Craig thanks Mrs. Lindsey Seitz and family from the Venture Resort and Mrs. Lisa Klonaris and family from Captains Corner for the donations they raised through the 3rd annual 13.1 Cop Chase Marathon. The department is still receiving winter house check forms and the house checks will start when the boat stops running. The department is also taking applications for the KI senior check-in and will start doing these checks beginning 12-1-15. Chief Craig wishes everyone a great Thanksgiving and Happy Holidays.

7.B. Safety Committee- M. Feyedelem reports that he attended a Fire Department Meeting on 11-10-15 with a fire truck company to spec out a new fire truck for the Village. A new truck will cost approximately \$220,000 to \$240,000. It will also have a six month lead time to make it. Feyedelem thinks that the Fire Dept. has done a great job in visiting other departments and narrowing down what will best suit us without all the fancy bells and whistles, but with a siren. The "new" truck purchased in 2000 cost \$270,000. The Fire Dept. has a 1969 truck which is 46 years old, a 1984 truck which is 31 years old and the 2000 truck which is already 15 years old. The Fire Dept. would like the village to join the State Purchasing Program which costs \$100 to join, so that the Fire Dept. could take advantage of Fire Truck companies in that program. To join the program requires an ordinance be passed by Council. It would mean that the village would not have to do a bid process to purchase a truck. This program is where the State bids with companies on a yearly basis to purchase equipment. **Motion to join the Department of Administrative Services cooperative purchasing program for \$100, to be able to purchase a fire truck through them**, made by Feyedelem, second by Ritchie; all in favor; motion carried. Feyedelem thanks the maintenance department for checking the emergency lights at the EMS building also for servicing the overhead door the week that it would not work. He also thanks Chief Craig for finding and making the purchase of the new police vehicle. Feyedelem will coordinate and schedule a Safety Meeting soon.

7.C. EMS- S. Devine reports that there have been 14 runs with 10 transports, 2 fire stand-bys and 6 clinical patients. The 30 hour EMT Refresher course is beginning at the end of November and will continue through December to ensure that all EMT's have the necessary continuing education requirements. A donation of \$200 was received in the memory of Sally Hiller. Devine gives the envelope to Treasurer Brown.

7.D. Fire Dept.-Chief Hostal reports that there were 2 fire calls in September and no calls in October. The burning ban was lifted in September. The Fire Dept. did CPR certification in August. The annual hose and pump testing was completed in September. After the council meeting today the Fire Dept. will be decorating Memorial Park for Christmas. Everyone is welcome. The Fire Department thanks the community for passing the Fire Levy.

7.E. Finance- P. Seeholzer has no report.

7.F. Lands & Buildings- G. Finger says that the new front door has been installed on the Town Hall.

7.G. Airport- G. Ritchie says there is nothing new to report. There is still an open issue about the lights on the auxiliary runway. Ritchie will go out with John Kuyoth to review which lights are compromised.

7.H. Planning Commission- G. Finger reports no hearings.

7.I. Design Review Board- G. Finger reports no hearings.

7.J. Board of Zoning Appeals- G. Finger has no report.

7.K. Transfer Station- D. Kaminski

7.L. Village Administrator- Stevenson apologizes to everyone for the errors in the most recent water billing. The Water Department got a new updated system and it was implemented rapidly. There was a problem in the software and there was a second problem in the clerical end. Those customers affected should see either a credit or an additional charge on the next water bill. A Lands and Buildings meeting is needed to discuss a request from McKay Brothers regarding the possibility of constructing a new cellular tower on Kelleys Island, probably at the Transfer Station area. Ritchie sent a memo to council and received financials for the Water Dept. Ritchie believes that there may be a \$30,000 short fall. Because of a lack of confidence in the current Water Dept. personnel to make corrections in the billing, Ritchie wants a Water Dept. Committee to audit the books. Ritchie wants himself, Dee Zimmerman and a computer person to be on the Committee. It should be done before January 15th, 2016, before the 4th quarter 2014 bills are run. Brown adds that they do not need a computer person. They need to speak to the software vendor and if there is a problem with the software that vendor needs to respond. The committee just needs to verify whether the bills are correct or not when the correct information is given to the program software. Seeholzer asks what Ritchie proposes to do with the information after the committee reviews the billings. Ritchie says the information will be used to make sure that the bills are correct by January 15th. Ritchie has spoken with

Mayor-elect Cooper and he supports it. Village Administrator Stevenson says that he is not opposed to having a temporary committee look at the billings and the corrections that have been calculated by the Water Dept. clerk. Council turns to the Solicitor for advice. Lambros says that what he is hearing is that Ritchie wants an audit of the Water Department's billing and that can be done internally or externally, but if it is an internal committee then it should involve a member of council. Ritchie will no longer serve on Council after January 1st and this committee will be active until January 15th. Some discussion ensues as to which member of council is willing to serve until January 15th and finally the Village Administrator asks Seeholzer if she is willing to serve. Seeholzer replies that she will serve. **Motion to form a temporary committee to review the 2015 billings from the Water Department, composed of P.Seeholzer, G.Ritchie, former Water Dept. clerk D.Zimmerman, and Village Administrator S.Stevenson,** made by Seeholzer, second by Feyedelem; all in favor; motion passed. Village Administrator Stevenson apologizes again for the recent billing problems in the Water Dept.

7.M. Streets & Sidewalks- J. Wolfe reports that Richland Engineering has been doing the preliminary work to making the bid documents. They have a drawing that includes a handicapped ramp plan for downtown and striping. The geo-boring is scheduled for next week. By next month Richland should have the bid documents ready for publication. The contract with Richland Engineering has been signed, the plans should be ready by the end of November and then the bid package will be done.

7.N. Park Board- Motion to excuse Erne from giving his report as he is decorating Memorial Park now, made by Feyedelem, second by Seeholzer; all in favor; motion carried.

7.O. Mayor's Financial Report- Mayor Paine reports that in September the Mayor's Court collected \$3,695 in fines and costs.

7.P Legal- D. Lambros

7.Q Treasurer's Report- C. Brown reports that members of Council have the usual Treasurer's and Fund Reports in their Council packets. It covers 2 months of time. The Clerk-Treasurer would like authorization from Council to make loan payments that have a short date between this meeting and the December Council Meeting. **Motion to authorize the Clerk Treasurer to make loan payments as necessary from now to the next Council Meeting,** made by Finger, second by Wolfe; all in favor; motion carried. Since no one has mentioned it earlier in this meeting, in October the Erie County Health Dept. inspected the Transfer Station and everything was in order.

9. First Readings

10. Second Readings

11. Third Readings & Emergencies

11.1 ORDINANCE NO. 2015-O- 21 : AN ORDINANCE APPROPRIATING AND ADVANCING TWO HUNDRED SEVENTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$272,500) FROM THE ROAD CONSTRUCTION LEVY FUND TO THE OPWC ROAD PROJECT FUND IN THE VILLAGE OF KELLEYS ISLAND AND DECLARING AN EMERGENCY. (INTRODUCED BY MAYOR KYLE PAINE)

Motion to suspend the three reading rule, made by Seeholzer, second by Kaminski; RC: J.Wolfe-yes, M.Feyedelem-yes, G.Finger-yes, D. Kaminski-yes, .Ritchie-yes, P.Seeholzer-yes; motion carried.

Motion to pass as an emergency, made by Kaminski, second by Finger; RC: J.Wolfe-yes, M.Feyedelem-yes, G.Finger-yes, D. Kaminski-yes, .Ritchie-yes, P.Seeholzer-yes; motion carried.

11.2 RESOLUTION NO. 2015-R- 7 : A RESOLUTION SUPPORTING THE DISTRIBUTION FORMULA FOR LOCAL GOVERNMENT FUNDS AS RECOMMENDED BY THE BUDGET COMMISSION OF ERIE COUNTY, OHIO FOR THE CALENDAR YEARS OF 2016 AND 2017 IN THE VILLAGE OF KELLEYS ISLAND, OHIO. (INTRODUCED BY MAYOR KYLE PAINE)

Motion to suspend the three reading rule, made by Seeholzer, second by Wolfe; RC: J.Wolfe-yes, M.Feyedelem-yes, G.Finger-yes, D. Kaminski-yes, .Ritchie-yes, P.Seeholzer-yes; motion carried.

Motion to pass as an emergency, made by Finger, second by Feyedelem; RC: J.Wolfe-yes, M.Feyedelem-yes, G.Finger-yes, D. Kaminski-yes, .Ritchie-yes, P.Seeholzer-yes; motion carried.

11.3 journalize new police car purchase

Motion to authorize the purchase of a used police vehicle from Perkins Township Trustees and to authorize the purchase of equipment and necessary to customize the police vehicle, made by Seeholzer, second by Feyedelem; all in favor; motion carried.

Motion

12. Items from the Mayor

12.1 Mayor Paine will not be at the December Council Meeting because he is scheduled for back surgery in early December. Clerk Brown asks President pro tem Finger if he will be at the December meeting and he replies that he will.

13. Items from Council

13.1 Wolfe says that he passed around a list from CT Engineering of a wish list of projects. The Village Administrator said that they found a set of plans for drainage for all of Division Street.

13.2 Finger says that it is time to discuss the suspension of regular council meetings in January and February. Council could have Special Council Meetings as needed. Finger looks at Mayor-elect Arden Cooper who nods "no".

13.3 Kaminski thanks the KI School Board for their vote to not collect all of the millage due the school from the property taxes.

13.4 Feyedelem says that since the Village has additional legislation that pertains to drainage and now we have a village engineer again, CT Consultants, he thinks it is time to proceed on some on-going drainage problems. **Motion to proceed on drainage problems: Division Street at the Kuyoth property, Division Street on the west side between Bookerman Rd. and KI Historical, and on Chappell Street,** made by Feyedelem, second by Finger; all in favor; motion carried.

14. Old Business

14.1 accident between village vehicle and private vehicle- claim update and possible motion: Clerk Treasurer Brown summarizes that there was an accident in June between a village vehicle and a personal vehicle and two estimates for repair were obtained and Brown submitted the accident report to the Village's insurance company. Brown spoke with the adjuster recently who confirmed what the owner of the vehicle had told her—that according to State law, because we would be paying with public money, the owner's insurance had to respond first. The owner thinks that this would be a first claim on his insurance and would affect him negatively if he had a second claim. The deductible is \$500 and the less expensive estimate is about \$925. Brown asks Council if they want to consider just paying the \$925, since the village would pay the deductible of \$500 anyway and the difference is \$425 more. Solicitor Lambros says that he thinks the adjuster may be wrong and in fact the citation that the adjuster gave Clerk Treasurer Brown as support of what he was saying referred to torte reform. Lambros will call the insurance adjuster and then advise Clerk Treasurer Brown what to do. In case it is true that the owner's insurance has to respond first, does council want to decide how to handle the case since it has gone on so long. **Motion to authorize up to \$925 to pay for the repair of the personal vehicle**, made by Seeholzer, second by Finger; all in favor; motion carried.

15. Public Participation

15.1 Chuck Herndon, President of the Kelleys Island Historical Assn. (KIHA) says that last spring he met with representatives of the Western Reserve Land Conservancy about finding a way to hold/preserve the Kelleys Island Winery ruins. Money can be raised from the Clean Ohio Fund to purchase the property but there is a requirement attached to that money that specifies that the land must be open to the public. Because the winery is in ruins and has deep holes that a person can fall through, there is inherent danger. The property would need to be made safe and a way to make it accessible to the public would have to be found. The Clean Ohio grant ends in April. The Park Board need to be involved in the decision. KIHA pursued purchasing the property in their name but found that the liability associated with the ruins carried a prohibitive cost for insurance. The Village of Kelleys Island has sovereign immunity, so if the village owns the property, the insurance cost to KIHA would go away. Clean Ohio has a local match required for their grant which is \$25,000. Finger suggests a special meeting be held to discuss the issues of taxes and liability, etc. in reference to Herndon's request.

15.2 Leslie Korenko says that she found a village book of minutes covering the years of 1865 to 1883 in a box at the Kelleys Island Historical Association and she is returning them to the Village of Kelleys Island today. (Korenko hands the book to Clerk Treasurer Brown.)

16. New Business

16.1 Motion to waive the zoning fee for Park Board sports hut, made by Finger, second by Seeholzer; all in favor; motion carried.
16.2 two road closure requests for 2016: 5/10 K walk-run and Islandfest: Motion to allow the two road closures requested by KI Chamber of Commerce, on 6-5-2016 for the 5-10 K run-walk, and 7-15-16 to 7-17-16 for Islandfest, made by Seeholzer, second by Finger; all in favor; motion carried.

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

(adjourned at 10:50 am)