Minutes for the December 10,2016 Regular Council Meeting

Held at 10:00 am at the Town Hall on Division Street

1. Mayor Cooper calls council to order and roll call is taken. Present are G.Finger, D. Kaminski, P.Seeholzer, J.Wolfe, R. Ehrbar, and M.Feyedelem. All are present.

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

3. Motion to add an ordinance for the fire truck sale, made by Kaminski, second by Seeholzer; all in favor; motion carried.

4.0 Discussion and/or amendments to the 11-12-16 council minutes. Motion to accept the Minutes as presented, made by Finger, second by Seeholzer; all in favor; motion carried.

5. Discussion of Pay Ordinance No. 1163 : Motion to accept the Pay Ordinance as written, made by Seeholzer, second by Wolfe; RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

7. Committee Reports

Magistrate Grubbe and Prosecutor Kaufmann report on the 2016 Mayor’s Court:

Magistrate Grubbe says that 2017 was a pretty good year. There are four cases outstanding but he expects all will be resolved by 12/31 or maybe one case will be carried over. Kelleys Island is at the top of the list for case resolution on the Ohio Supreme Court list. Daneen Kindt caught on very quickly. The computer system has been improved and the money came from all the funds related to the court. In 2015 $18,000 went into the General Fund and in 2016 it was $30,000. Kelleys Island has one of the best groups of officials and everyone that participates in the court system. We have no complaints from users unlike other courts in the area. Prosecutor Kaufmann says that of the three outstanding cases, only one is unresolved at this time. Chief Craig does a great job. Keeping the court on Kelleys Island is efficient. Ten or twelve cases can be done in a court session. If the court moved to Erie County, the arraignments would be on different days. Magistrate Grubbe adds that by having the court here everyone is present. On the mainland there is an arraignment and then everyone returns with the prosecutor and there are many court dates.

7.A. Police- Officer Printy reports for Chief Craig: 10 reports were filed since Nov. 12th; 156 phone calls were made/received by the department; 2 warnings were given for hunting; 2 house checks resulted in open door and damaged shed; 2 vehicle lockouts were attended; and there were 2 assists with other agencies, KIEMS and the FBI. Chief Craig sent a letter to Council saying he cannot attend this meeting because of Police obligations.

7.B. Safety Committee- M. Feyedelem reports that no meetings were held since the last report.

7.C. EMS- S. Devine has no report. Mayor Cooper says that the Village has received a new contract from St. Vincent’s and it is under review.

7.D. Fire Dept.-Chief Hostal reports no fire calls since his last month’s report

7.E. Finance- R.Ehrbar reports that a combined Finance and Streets and Sidewalks Meeting was held. Discussions included Water Dept. finances and the lighting proposal for the downtown area.

7.F. Lands & Buildings- G. Finger says that in January his committee will start making plans for 2017 projects.

7.G. Airport- P.Seeholzer reports that there was a conference call between the Village and the Village consultant RS&H and it went well. Mayor Cooper adds that the ODOT grant was received. There was an informal meeting with RS&H about the relocation of Monaghan Road in order to start the process. It is about a three year project and requires an Environmental Review and the purchase of land.

7.H. Planning Commission- G. Finger reports that the Commission had two issues before it at the last meeting. The Commission approved the contract with Pierce Broadband for a tower at the Transfer Station. A B&B request was postponed

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

7.J. Board of Zoning Appeals- G. Finger reports that the Pierce Broadband request was approved and then passed to the Planning Commission for review.

7.K. Transfer Station- D. Kaminski reports that a new compactor has been ordered but not yet delivered.

7.L Village Administrator- Stevenson reports that he was asked to get loads of salt for winter especially to salt intersections. The side cutter from Erie County will be on the island on loan this winter. At the last Finance meeting Mayor Cooper expressed concern over past due water bills. The Village Administrator and staff are working on them.

7.M. Streets & Sidewalks- J. Wolfe says that the committee reviewed the lighting proposal and they decided that it was too big a project for now. There re too many side items that have to be resolved. The Committee decided that they would entertain a proposal that was only in the park area which would make it a Park Board project. OPWC denied the Village’s application for funding for Chapel St. and passed the request to the Small Government division. The Committee is waiting for an evaluation of the state of the island’s sidewalks from the Village’s engineers, CT Consulting.

Mayor Cooper asks if the Committee discussed the storm sewer for Denise Feasby. Wolfe replied that it is a $14,000 project and the Committee has to review it. The Committee will look for options to resolve Feasby’s drainage problem. Mayor Cooper continues that it might be part of a larger project in future years.

7.N. Park Board- James Erne

7.O. Mayor’s Financial Report- Mayor Cooper reads the Kelleys Island Magistrates Court Report: For October, 2016 the Court collected $3652.08 in files, costs and restitutions. A check was paid to the Village in the amount of $1,126.69: $40 for the computer fund, $40 for the Court Improvement fund, $12 for the Library fund, and $1034.69 for the General Fund. The State was paid $174.50, $36 for Victims of Crime, $135 for the division of criminal justice, $3.50 for the State indigent support fund (HB1), and Erie County Municipal Court was paid $1.50 for their Indigent Drivers’ Alcohol Treatment fund. Bank expenses amounted to $109.39; Bond is being held at this time: $1025.00; Restitution Payment for $2,240.00. The Court has paid a total of $30,024.94 to the Village General Fund in 2016. October 2015 the Court had paid total of $18,248.92 into the General Fund.

7.P Legal- D. Lambros clarifies that the Fire Truck for sale is a 1969. If the property to be disposed of is worth $1,000 or greater then the Village must advertise the item but the sale does not have to return to the Council Chamber.

7.Q Treasurer’s Report- C. Brown reports that Members of Council have the usual funds and Treasurer’s reports in their Council envelopes. On the agenda today are two pieces of legislation: first is the temporary appropriations ordinance for January, February and March of 2017. Passage of the temporary appropriations ordinance allows payment of invoices in early 2017. The second is an increase in appropriations for two funds< water and fire. The Fire Fund was impacted by the Council decision to pay half of the cost of the ambulance from the Fire Fund which was not originally contemplated in the appropriations and by a recent emergency with the big Fire Truck. In the Water Fund there was a decision to purchase more chemicals in December that was not part of the original budget plan. No further increases are possible in the Water Fund after this one for 2016. According to State of Ohio Code and also the Kelleys Island Police Manual, there is a canine compensation of 10 hours in 28 days for the canine handler. Since the Police Chief is the canine handler and the Police Chief is part time, I needed an hourly wage to be able to make that payment. The Mayor, Police Chief, and herself had a short meeting on the topic. We reviewed the ordinance for Chief Ron Ehrbar, when he was the Village’s part time Police Chief, to use as a guide. It appears that currently the Village does not have any details for the current Police Chief such as hours that he is expected to work. Chief Craig said that he was following the schedule written in Chief Ehrbar’s hiring ordinance. Chief Ehrbar’s ordinance detailed: 18 weeks @ 24 hours weekly in uniform concurrently with 16 weeks @ 16 hours weekly in casual dress (summer) and for winter 34 weeks @16 to 24 hours weekly. The 16 to 24 hours weekly was a “flex time” that Chief Craig requested. Previously the requirement was only the 16 hours weekly. We agreed on 1264 hours annually at Chief Craig’s current salary which would be $39.56 an hour. The pay for canine training and maintenance will be 5 hours each two week pay period which totals $197.80. Brown would like to see Council get the contact hours stipulated in an ordinance because right now there is no current legislation that contains the information. Yesterday a continuing lease agreement came from St. Vincent’s which needs to be reviewed and a letter advising us that there was no cessation in the Village’s agreement with them. Based on that letter and on our use of their services all of 2016, I have put the payment for 2016 on this Pay Ordinance.

(next ordinance is 27; next resolution is 10 )

9. First Readings - none

10. Second Readings- none

11. Third Readings & Emergencies-

11.1 **ORDINANCE NO. 2016-O- 27 : AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR THE MONTHS OF JANUARY, FEBRUARY, MARCH, 2017 AND DECLARING AN EMERGENCY.** (Introduced by Mayor Cooper)

Motion to suspend the three reading rule, made by Seeholzer, second by Wolfe;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

Motion to pass as an emergency, made by Kaminski, second by Ehrbar;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

11.2 **RESOLUTION NO. 2016-R- 10 : A** **RESOLUTION HIRING PART-TIME SEASONAL POLICE OFFICERS IN**

**THE VILLAGE OF KELLEYS ISLAND AND DECLARING AN EMERGENCY.** (Introduced by Mayor Cooper)

Motion to suspend the three reading rule, made by Seeholzer, second by Wolfe;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

Motion to pass as an emergency, made by Kaminski, second by Ehrbar;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

11.3 **ORDINANCE NO. 2016-O- 28 : AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO MAKE CERTAIN APPROPRIATIONS INTO CERTAIN FUNDS AND DECLARING AN EMERGENCY.** (Introduced by Mayor Cooper)

Motion to suspend the three reading rule, made by Seeholzer, second by Wolfe;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

Motion to pass as an emergency, made by Kaminski, second by Ehrbar;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

11.4 **RESOLUTION NO.: 2016-R- 11 : A RESOLUTION IN SUPPORT OF THE APPLICATION FOR CLEAN OHIO FUNDING FOR THE PRESERVATION OF THE ED CURILLA PRESERVE BY THE KELLEYS ISLAND PARK DISTRICT RECREATION BOARD.** (Introduced by: Village Park District Recreation Board)

Motion to suspend the three reading rule, made by Seeholzer, second by Finger;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

Motion to pass as an emergency, made by Finger, second by Seeholzer;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

11.5 **ORDINANCE NO. 2016-O- 29 : AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO**

**AN AGREEMENT WITH PIERCE BROADBAND, LLC TO LEASE PROPERTY IN THE WIRELESS COMMUNICATIONS DISTRICT IN THE VILLAGE OF KELLEYS ISLAND, OHIO FOR A WIRELESS COMMUNICATIONS FACILITY.** (Introduced by: Mayor Arden Cooper)

Motion to suspend the three reading rule, made by Seeholzer, second by Wolfe;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

Motion to pass as an emergency, made by Finger, second by Ehrbar;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

11.6 **ORDINANCE NO. : 2016-O- 30 ; AN ORDINANCE ESTABLISHING A NEW SALARY FOR THE POSITION OF VILLAGE ADMINISTRATOR IN THE VILLAGE OF KELLEYS ISLAND, OHIO.** (Introduced by: Councilman Ron Ehrbar)

Mayor Cooper asks Ron Ehrbar for clarification on the Village Administrator earning $18,000 in 2016 and now with an increase to $25,000 for 2017. The response is that there has been no financial increase in seven years. Mayor Cooper asks if Council Member Ehrbar is aware that the position of Village Administrator is reviewed annually by the Mayor and then with recommendations by the Mayor. It (the supporting paper) says that the responsibilities for the position have increased but that is not true. Mayor Cooper asks that Council stay the legislation until he has made the employee review and until he has made his recommendation. Mayor Cooper says that he cannot support the legislation.

Motion to suspend the three reading rule, made by Kaminski, second by Seeholzer;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

Motion to pass as an emergency, made by Seeholzer, second by Kaminski;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

11.7 **ORDINANCE NO. 2016-O-31 : AN ORDINANCE AUTHORIZING THE DISPOSITION OF PROPERTY UNNEEDED FOR MUNICIPAL PURPOSES.** (Introduced by: Mayor Arden Cooper) (Fire Truck)

Motion to suspend the three reading rule, made by Finger, second by Seeholzer;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

Motion to pass as an emergency, made by Ehrbar, second by Seeholzer;

RC: G.Finger- yes, D. Kaminski- yes, P.Seeholzer- yes, .Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion carried.

12. Items from the Mayor

12.1 car parking at the airport: the Airport Committee will meet to discuss fees and stickers. Solicitor Lambros suggests that the Committee also review the two lots. When asked what could be done today to resolve the situation since it is December and many people will be taking planes, the Solicitor replies that Council could suspend the permit fees while the topic is under discussion. **Motion to suspend the fees for car parking at the Kelleys Island Municipal Airport while the boat is not running,** made by Finger, second by Seeholzer; all in favor; motion passed.

13. Items from Council

13.1 Council Member Finger thanks everyone for their work with the Village in 2016 and wishes all Happy Holidays. **Motion to recess Regular Council Meetings this winter during January and February,** made by Finger, second by Kaminski, all in favor; motion carried.

13.2 Council member Wolfe says that the Village has some salt to be used on the roads this winter. Wolfe asks if the Village can give the salt to people for their steps, etc. ? Solicitor Lambros replies that if the salt was free then the Village could hand it out to residents. The Village should have the invoices for donations for salt and for the bushes from Barnes.

13.3 Council Member Kaminski wishes everyone a Merry Christmas and the Best in the New Year.

14. Old Business

15. Public Participation for people interested in addressing council. (Those who have signed the sheet will be called on first to speak. When called, please stand, face council, and state your name and address for the record. Please limit your comment to 1 minute to try to allow time for everyone.)

16. New Business

16.1 alcohol permit renewals—objections ?? No problems were mentioned.

18. Motion to adjourn, made by Finger, second by Kaminski; All in favor; motion carried.

(adjourned 10:55 am)