Minutes for the August 9, 2018 Regular Council Meeting

Held at 7:00 pm at the Town Hall on Division Street

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

2. All rise for the Pledge of Allegiance to the Flag

4.0 Discussion and/or amendments to the 07-12-18 council minutes. Motion to accept the Minutes as presented, made by Seeholzer, second by Feyedelem; all in favor; motion passed.

5. Discussion of Pay Ordinance No. 1180 : Motion to accept the Pay Ordinance as written, made by Ehrbar, second by Seeholzer; RC: E.Longbrake- yes, G.Ritchie- yes, P.Seeholzer- yes, J.Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- yes; motion passed.

7. Committee Reports

7.A. Police- Mayor Cooper says that Chief Craig can’t make the meeting tonight as he has a doctor’s appointment for a foot injury. Mayor Cooper reads the report: Since the last Council Meeting report 27 Police Reports have been filed; the Department received/made 401 phone calls; there were 11 arrests for obstructing official business, possession of marijuana, tampering with evidence, criminal trespassing, disorderly conduct intoxication, disorderly conduct persistence, criminal damaging, felonious assault, assault, under age purchase of alcohol, false identification of age 21, resisting arrest, motor vehicle theft, aggravated menacing, telephone harassment, and failure to comply; 11 tickets were issued for speed, reckless operation, permitting to ride outside a motor vehicle, stop sign, left of center, reckless operation, no headlights, fictitious plates and seatbelt; 20 warnings were given for speed, stop signs, open container, permitting underage driver; 4 accidents were attended, motor vehicle and boat; 4 boat patrols were made, for wake zone and boat in distress; 18 vehicle lockouts were attended for keys locked in cars; and there were 8 assists with other agencies, KIEMS and ODNR. The Police Auxiliary requests permission to use Memorial Park on August 19th for the 3rd Annual Pig Roast. **Motion to allow the Police Auxiliary use of Memorial Park for their pig roast,**  made by Ritchie, second by Longbrake; all in favor; motion carried.

7.B. Safety Committee- M.Feyedelem reports no meetings but one is scheduled for next week.

7.C. EMS- S. Devine reports 24 runs and 20 clinic patients since the last report to Council. Vanguard/Sentinel has approved an EMT Class to begin in late August. Currently there are 6 people interested in taking the class. Ritchie thanks the EMS Department for their treatment of his daughter recently.

7.D. Fire Dept.- Chief Skeans reports no fire calls in the month of July. The Firemen’s Steak Fry was a success. The Fire Dept. thanks M. Feyedelem for arranging the use of the VFW , everyone who supported the event and all the volunteers who helped make it a success. The Fire Dept. will host an Open House during the Homecoming event. The weather has been warm and dry and the Fire Dept. reminds everyone to use caution when having a backyard campfire. Have a fire extinguisher or hose ready in case of an emergency. August 29th will be hose testing and Addison Rd. will be closed during that time.

7.E. Finance- G.Ritchie reports that the Finance Committee met on July 20, 2018 and discussed the following topics: 1. Review of Water Dept. finances for the first 6 months. More revenue was generated than expected from tap fees and expenses are running below the estimate. 2. General Fund finances were reviewed for the 1st 6 months. Resort Area tax exceeded the estimate and total expenses are below the budgeted amount. 3. Effective Jan. 1, 2019 Erie County will extend its 4% hotel lodging tax to all properties that collect rents on sleeping accommodations for transient guests. Kelleys Island can impose an additional 3% local tax. The money will go into the General Fund and is estimated to be revenue of $45,000. Recently it was reported in the Kelleys Island Register that Kelleys Island had one of the top dollar land sales, $835,000 to Kelleys Island Village. The money came from Western Reserve Land Conservancy. Brown adds that the $835,000 will be in the Village budget.

7.F. Lands & Buildings- P.Seeholzer reports that at their meeting Ritchie explained that Franklin Sanitation reviewed the septic at the Golias House and it works. However, there would be only about 30 feet of property that could be separated from the main property because of the configuration of the septic system.

7.G. Airport- J.Wolfe a meeting is scheduled for 8-15 with our consultant to discuss the Airport Improvement Plan. Mayor Cooper says that the FAA is coming tomorrow for their annual inspection. Requests to fly a drone at the airport were denied by the Mayor.

7.H. Planning Commission- J.Wolfe: A request has come in and the Commission will probably meet in September.

7.I. Design Review Board- J.Wolfe reports that two applications were approved and two more need clarifications.

7.J. Board of Zoning Appeals- E.Longbrake reports that no appeals have been filed.

7.K. Transfer Station- R.Ehrbar reports that the Committee did not meet, but he spoke with Tiffany McNeel about recycling and also to Ohio Bulk about an additional dumpster for recycling. The idea is still in the planning stage.

7.L Village Administrator- K.Valentine reports that he has worked with the Water Dept. to prioritize water lines and also to replace some out of service hydrants. More water was used last week-end than usual. Mayor Cooper adds that a Boy Scout Troop is painting the fire hydrants for community service credit.

7.M. Streets & Sidewalks- E.Longbrake reports that no committee meetings were held. Since the last Council Meeting, crack sealing and striping roads was completed. The Committee is working on tar & chip for Bookerman and Woodford Roads where the wedge paving was done earlier in the year. Village Engineer Tom Beck arranged a meeting between ODOT officials and the Village to discuss State Route 575 and Division Street for future resurfacing. Maintenance is currently filling potholes around the Island. Chuck holes on Memory and Fairview Roads have already been filled. Longbrake attended the Erie County Regional Planning Commission Meeting in early July. The meeting was mostly about census numbers and the dynamics they contribute to Erie County. Kelleys Island lost the most population in Erie County during the last decade and has one of the oldest populations in the State of Ohio. Kelleys Island has average property values and average median income.

7.N. Park Board- James Erne reports that the Board met earlier today. Two Council Members were in attendance, Councilmen Ehrbar and Longbrake. The Huntley family want to put up a sign at the Preserve. They will pay for it. He is advised that a Zoning Permit will need to be obtained. Erne asks Council to waive the $25 application fee. **Motion to waive the $25 Zoning Application fee**, made by Longbrake, second by Ehrbar; all in favor; motion carried. There are new park benches in the downtown park, donated by L.Klonaris and the KILA group. The Board discussed donations for memorials and maybe the installation of a walkway. The Park Board is interested in ideas from Council how memorials could be done. Wolfe asks if the groups would propose changes to other properties. Erne says there is not enough room for more trees in the downtown park. Ehrbar adds that restraints on requested donations were also discussed and a need for policies and procedures. Erne says that the Board likes participation by Council Members at the Park Board Meetings.

7.O. Mayor’s Financial Report- Mayor Cooper reads the July Report: the Court collected $7,304.25: $200 for the Computer Fund, $200 for the Court Improvement Fund, $60 for the Library Fund and $6,144.25 for the General Fund. The State was paid $682: $180 for Victims of Crime, $42 for the Division of Criminal Justice, $460 for the State Indigent Support Fund. Erie County Court was paid $18 for their Indigent Drivers’ Alcohol Treatment Fund. There are 13 cases/tickets pending for 2018.

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

7.Q Treasurer- C.Brown reports that members of Council have the usual Funds and Treasurer’s reports in their envelopes. All the documents were signed and sent for the Curilla Preserve sale and we are waiting for the deed for the transfer of the property. We are in the process of replacing the printer for the budgetary software. The State has a projected surplus of $147 million dollars and an additional $68 million which will max out the State’s rainy day fund. OML is urging the Governor and State legislature to route the money back to cities and villages. $435 million dollars were lost from the Cities and Villages to the State of Ohio in 2015 alone, when the State cut back the Local Government Funds distributions. Representative Steve Arndt’s Office called this morning At the State Park dedication Rep. Arndt mentioned that he wanted to schedule a joint meeting with the KI Chamber of Commerce and the KI Council. Rep. Arndt would like to schedule the meeting for September 10th at 11:30 am. Rep. Arndt asks if members of Council could attend at that time. Today notice was received for the renewal of the Village’s insurance. The Village is with the Public Entities Pool. The renewal quote is less than 1% increase, exactly $412 higher. The cost is $45,868. Brown asked the agent to get additional quotes next year. The Design Review Board can’t meet tomorrow for lack of a quorum. They do not have alternates; their chair Russ Maust favors having alternates. The codified does not specify alternates. The BZA and Planning Commission have alternates stipulated in the codified. Lambros clarifies that legislation would be needed to add alternates to the Design Review Board. Wolfe comments that he does not think alternates are needed. The State of Ohio will no longer do audits for the Village. They are handing the Village off to an IPA, Independent Public Auditor. The State writes an RFQ and circulates it. The Village was put in a group of 6 other villages. During the last Cemetery Board of Trustees Meeting, several items were discussed and voted to move forward. Calls were made to two tree trimmers to trim the trees along Division Street and to trim a large Spirea and lilac in the Cemetery in addition to removal of two volunteer trees that are large enough to cause damage. Rowdy Sherer was called for an estimate for the maintenance of the Cemetery building. The minimum needed is a new door. Other maintenance should be done to preserve the building into the future. Grave sites need to be filled in and seeded. A complaint was made by Ila Dick’s family that the grave site needs dirt and grass and that the cemetery access road needs to be patched next to the grave. Brown asks the Mayor to direct Maintenance to do the work and he replies that the work has already been done. Wolfe and Seeholzer cannot attend the meeting with Rep. Arndt but everyone else says that they can attend.

7.R. Telecommunications Oversight and Development Committee- J.Wolfe reports that he has been working closely with Frontier to get their sites completed to upgrade their internet service. Melody Lane and Monaghan Rd have been completed. Frontier plans installations to help the internet speed and reception. The site selected on Pauline Dr. had some problems with the owners of the property so Frontier searched for an alternate site for their installation. The Village has an easement on Cameron Dr. but the site would not provide as good coverage as the Pauline Dr. site. They went back to the property owner and are arranging an easement near the original site. Wolfe spoke with Tim Meecham of Pierce-Broadband about co-location applicants on the tower, when it is up. AT&T and Verizon have not requested consideration as co-locators; Sprint has requested information. An unsolicited copy of the co-location lease was sent to Verizon. Wolfe suggests Sprint, Verizon and another WIFI company as co-locators.

7.T. Shoreline Protection Committee- Longbrake reports that no meeting has been called yet but he spoke with Bob Perry and he should meet with him about August 23rd.

9. First Readings - none

10. Second Readings-

10.1 **ORDINANCE NO. 2018-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: 2018-0-3**  (INTRODUCED BY: COUNCILMAN GREG RITCHIE)

11. Third Readings & Emergencies-

11.1 **ORDINANCE NO. 2018-O-\_\_\_\_\_: AN ORDINANCE AUTHORIZING THE MAYOR TO SELL REAL PROPERTY KNOWN AS 117 ADDISON DTREET IN THE VILLAGE OF KELLEYS ISLAND, OHIO**

(INTRODUCTED BY: (MAYOR COOPER)

Motion to pass, made by Wolfe, second by Seeholzer;

RC: E.Longbrake- no, G.Ritchie- no, P.Seeholzer- yes, J.Wolfe- yes, R. Ehrbar- yes, M.Feyedelem- no; The motion is tied; Mayor Cooper votes no; motion fails.

12. Items from the Mayor

12.1 Mayor’s Proclamation for Zion United Methodist Church:

HONORING

THE UNITED METHODIST

CHURCH OF KELLEYS ISLAND

 WHEREAS, the Zion Church of Kelleys Island and its congregation have been an integral part of the Kelleys Island community for many decades, possibly existing as an organized group of Christian believers as early as 1854; and

 WHEREAS, the founding church members, after originally meeting in homes, did in 1873 erect a building for the purpose of worshipping together and that this building did become known as “Beatty’s Little Church”; and

 WHEREAS, the increasing number of members of the congregation did build a larger building at the corner of Division and Chappel Streets, dedicating it on October 29, 1893, with a cornerstone in the German language designating it the “Evangelical Community Church”; and

 WHEREAS, the original structure still exists today and has continuously been used for Christian worship, and that the congregation did later build necessary additions to this structure to provide fellowship rooms, a kitchen and office facilities; and

 WHEREAS, in 1973 the Zion Community formally aligned with the United Methodist Church and officially became known as the Zion United Methodist Church of Kelleys Island; and

 WHEREAS, Zion’s officers, members and pastor have established a date to observe and celebrate the 125th anniversary of the church sanctuary built in 1893.

 NOW, THEREFORE, LET IT BE PROCLAIMED THAT THE VILLAGE OF KELLEYS ISLAND MAYOR AND COUNCIL WOULD LIKE TO HONOR THE ZION UNITED METHODIST CHURCH OF KELLEYS ISLAND BY DECLARING THAT AUGUST 19, 2018 WILL HERETOFORE BE KNOWN AND RECOGNIZED AS ZION COMMUNITY CHURCH DAY THEOUGHOUT THE VILLAGE OF KELLEYS ISLAND.

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 MAYOR ARDEN COOPER

12.2 Mayor Cooper says that he was notified that Pierce Broadband has all the State, Federal, and local approvals and they plan to start the tower at the Transfer Station in mid-September.

13. Items from Council

13.1 Seeholzer says that the fence behind the Municipal Building and the Golias house is propped up. Mayor Cooper responds that maintenance is waiting for materials to fix the fence. Because of the Homecoming event, Seeholzer requests that the public bathrooms be taken care of 2 or 3 times each of those days on the week-end. The Village has received complaints before about the public bathrooms during events.

13.2 Feyedelem mentions that EMS needs authorization to spend money for training. **Motion to authorize up to $1,100 for each participant for EMS training**, made by Feyedelem, second by Ehrbar; all in favor; motion carried.

14. Old Business

14.1 Mayor Cooper reports that he met with R.Skeans and F.Dodson and he put a synopsis of the discussions in the Council packets about what was brought up during the last executive session. Cooper continues that he thinks his report is sufficient but if anyone else wants to discuss it further they should request another executive session. Discussion included the repair of the bat wing mower, Herbst Construction water line repair, and a Water dept. confrontation. Both men apologized to each other. Mayor Cooper reports that no disciplinary action will be recorded to F.Dodson’s personnel file.

Seeholzer asks why the executive session topic was brought into open Council by the Mayor. Seeholzer says that what is said in executive session was supposed to stay in executive session. Mayor Cooper responds that he thought the same but immediately after the Council meeting he was approached by several people who seemed to know everything that happened. Mayor Cooper responds that his synopsis of the interview was given in open council because in the handbook it says that any supervisor with a written or verbal complaint should make a report within five days either during a regular session or an executive session of council. Cooper adds that he sat down with the employees the day after the Council meeting to discuss it. Seeholzer says that she thinks items discussed in Executive Session should be reported back in Executive Session and not in public session. Seeholzer continues that maybe the handbook should be changed to say that executive session topics should be reported back to Council in an executive session. Mayor Cooper says that he thinks “verbal” complaint should be removed from the handbook and that complaints should be required in writing.

14.2 Ritchie says that Jorski will take care of the shrubs on her property along Division St. Barnes will be back to do the job.

15. Public Participation for people interested in addressing council

15.1 Daneen Kindt, Fairview Lane, says that on April 14th Council froze increases in wages and then on July 12th Council increased Robert Skeans’ pay rate to be equal for both maintenance men. Kindt asks how Council can do that. Solicitor Lambros explains that the most recently passed legislation concerning pay rates takes precedent. It was both legal and proper for Council to do pay raises by motion. Kindt asks if the most recent Council action negates the previous action and Lambros says that in this particular instance it does. Lambros adds that Council can re-address it individually or with the original motion. It’s up to them. As Kindt continues to ask Lambros questions about Skeans’ pay raise, Lambros explains: There is still a pay freeze unless Council brings forth another motion for an individual. They can do that individually. It is in legislation that Council can make pay raises by motion, they do not have to go back to legislation. Council has the right to do that.

15.2 Marcy Mielke, 131 E. Lakeshore Lane, expresses concern over what happened at Put-In-Bay a few weeks ago. What would Kelleys Island do if a similar situation happens? Longbrake says that he has already contacted the Erie County Sheriff and the Sheriff has spoken with our Police Chief. A Mutual Aid agreement is already in place.

15.3 Tom Beck, 1036 W. Lakeshore Dr., says that last year an application was made to OPWC for a Huntington Road waterline. Beck wants to try it again. Beck is also working with John Kuyoth on the design of a waterline near the airport. Kuyoth has agreed to put in an 8” D line which will be sufficient for fire hydrants in the same area. The Water Dept. has stated that the new line has to be to the 10 state standards.

16. New Business

17. Correspondence

17.1 liquor permit- Captain’s Corner change of ownership, object or not object : **Motion to not object to the change in ownership for the liquor permit**, made by Wolf, second by Seeholzer; all in favor; motion carried.

18. Motion to adjourn, made by Seeholzer, second by Ehrbar; all in favor; motion passed.

(adjourned at 8:15 pm)