

C O U N C I L C H A M B E R

VILLAGE OF KELLEYS ISLAND, OHIO

ORDINANCE NO. 2021 – O - 25

INTRODUCED BY: MAYOR RONALD E EHRBAR

A ORDINANCE PROVIDING FOR THE APPOINTMENT  
OF A SOLICITOR FOR THE VILLAGE  
OF KELLEYS ISLAND, OHIO.

WHEREAS, the Village of Kelleys Island Council desires to appoint David A. Lambros, Solicitor for the Village of Kelleys Island, Ohio; and

WHEREAS, the Solicitor shall perform all duties now or hereafter imposed upon Village Solicitors by the general law of Ohio.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
VILLAGE OF KELLEYS ISLAND, COUNTY OF ERIE AND STATE OF OHIO AS  
FOLLOWS:**

SECTION 1. That said David A. Lambros shall be appointed from January 1, 2022 until December 31, 2023 as Village Solicitor.

SECTION 2. That said Solicitor shall receive the sum of \$55,000.00 per annum from the effective date of this Ordinance which shall be compensation in full for all of said Solicitors' services and or any employees of the Solicitor, other than incidental costs associated with the performance of his duties, including but not limited to: copying fees, recording fees, court costs associated with litigation, use of experts or any other expenses deemed relevant or important to the defense of the Village, its Mayor, Council members or members of Boards or Commissions. Said position shall be subject to OPERS rules and regulations.

SECTION 3. That it is found and determined that all formal actions of the Council of Kelleys Island concerning and relating to the adoption of this Ordinance were adopted in an open meeting of such body, and that all deliberations of the Council of the Village of Kelleys Island and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the citizens of the Village of Kelleys Island, and for the further reason that the Village needs to maintain uninterrupted legal services. Therefore, this Ordinance shall be in force and effect immediately upon its passage.

DATED THIS 11<sup>th</sup> DAY OF December, 2021.

  
MAYOR RONALD E EHRBAR

ATTEST:

  
LISA M. KLONARIS, Clerk-Treasurer

C O U N C I L   C H A M B E R  
VILLAGE OF KELLEYS ISLAND, OHIO

ORDINANCE NO. 2021 – O - 26

INTRODUCED BY: MAYOR RONALD E. EHRRBAR

A ORDINANCE PROVIDING FOR THE APPOINTMENT  
OF A PROSECUTOR FOR THE VILLAGE  
OF KELLEYS ISLAND, OHIO.

**WHEREAS**, the Village of Kelleys Island Council desires to appoint Michael Kaufman Prosecutor for the Village of Kelleys Island, Ohio; and

**WHEREAS**, the Prosecutor shall represent the Village in all criminal proceedings in court or before any administrative body; and

**WHEREAS**, the Prosecutor shall perform all other duties now or hereafter imposed upon village prosecutors by the general law of Ohio.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KELLEYS ISLAND, COUNTY OF ERIE AND STATE OF OHIO AS FOLLOWS:**

**SECTION 1.** That said Prosecutor shall be appointed from January 1, 2022 until December 31, 2023.

**SECTION 2.** That said Prosecutor shall receive the sum of \$15,000.00 per annum which shall be compensation in full for all of said Prosecutor services and or any employees of the Prosecutor, other than incidental costs associated with the performance of his duties, including but not limited to: copying fees, recording fees, court costs associated with litigation, use of experts or any other expenses deemed relevant or important to the defense of or prosecution for the Village, its Mayor or Council members. Said position shall be subject to OPERS rules and regulations.

**SECTION 3.** That Michael Kaufman is hereby appointed Prosecutor for the term set forth above.

**SECTION 4.** That it is found and determined that all formal actions of the Council of Kelleys Island concerning and relating to the adoption of this Ordinance were adopted in an open meeting of such body, and that all deliberations of the Council of the Village of Kelleys Island and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 5:** That this Ordinance shall be in effect from and after the earliest period allowed by law.

DATED THIS 11<sup>TH</sup> DAY OF December, 2021.

  
MAYOR RONALD E EHRRBAR

ATTEST:

  
LISA M. KLONARIS Clerk-Treasurer

COUNCIL CHAMBER  
VILLAGE OF KELLEYS ISLAND, OHIO

ORDINANCE NO. 2021 – O - 27

INTRODUCED BY: MAYOR RONALD E EHRBAR

AN ORDINANCE AMENDING SECTION 152.004 ENTITLED  
“DEFINITIONS” OF THE KELLEYS ISLAND CODIFIED  
ORDINANCES.

WHEREAS, the purpose of this amendment is to updated definitions in the zoning code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KELLEYS ISLAND, COUNTY OF ERIE AND STATE OF OHIO AS FOLLOWS:

SECTION 1:

That Section **152.004 MODULAR HOME** definition which states; For the purpose of this chapter, this term has no meaning except as the construction meets the requirements of an industrialized unit, manufactured home or mobile home as defined herein

**Is hereby amended to read;**

**MODULAR HOME.** A modular home is a pre-fabricated building that consist of repeated sections called modules. Modularity involves constructing sections away from the building site, then delivering them to the intended site, where installation is completed. Modular homes are held to the same local, state and regional building codes required for on-site homes. Modular homes must be certified by the Ohio Board of Building Standards (BBS)

SECTION 2: That Section 152.004 **INDUSTRIALIZED UNIT** definition which states; A building unit or assembly of closed construction, fabricated in an off-site facility, that is substantially self -sufficient as a unit or as a part of a greater structure, and that requires transportation to the site of intended use. **INDUSTRIALIZED UNITS** include units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a complete structural entity. **INDUSTRIALIZED UNITS** does not include manufactured homes as defined herein or mobile homes as defined herein.

**Is hereby amended to read;**

**INDUSTRIALIZED UNIT.** A building unit or assembly of closed construction, fabricated in an off-site facility, that is substantially self -sufficient as a unit or as a part of a greater structure, and that requires transportation to the site of intended use. **INDUSTRIALIZED UNITS** include units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a complete structural entity. **INDUSTRIALIZED UNITS** does not include manufactured homes as defined herein or mobile homes as defined herein. **Industrialized units must be certified by the Ohio Board of Building Standards**

**SECTION 3.** That it is found and determined that all formal actions of the Council of Kelleys Island concerning and relating to the adoption of this Ordinance were adopted in an open meeting of such body, and that all deliberations of the Council of the Village of Kelleys Island and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 4.** That this Ordinance shall be in effect from and after the earliest period allowed by law.

DATED THIS 11<sup>th</sup> DAY OF December, 2021.

  
MAYOR RONALD E EHRBAR

ATTEST:

  
LISA M KLIONARIS, CLERK-TREASURER

# Ohio's Industrialized Unit Program

## A DESCRIPTION OF THE APPROVAL PROCESS

**Our Objective:** The Ohio Board of Building Standards (BBS) is required to regulate factory-built construction components (except for those regulated by HUD). Our objective in regulating this industry is to do it in the simplest manner possible. Our bottom-line focus intends to: minimize unnecessary bureaucratic procedures; achieve the fastest turn-around time for plan review possible; and, assure code compliant products for Ohio homeowners and businesses.

**The System:** Ohio's program is very simple. The BBS receives and processes for approval, the construction documents related to factory-built closed construction. We also certify the individuals who inspect the closed construction in the factory, and sell the insignias (to be placed within the units) that indicate the units can be used throughout Ohio.

**Registering or participating in Ohio's program** – In order to get started, we need to know who you are. Each manufacturer, or assembler of closed-construction, must contact us ([E.plans@com.state.oh.us](mailto:E.plans@com.state.oh.us)) and provide us with the following:

1. **Name of Manufacturer/Assembler/Constructor** – This could be a large corporation manufacturing complete houses, classrooms, storage buildings, etc. and shipping them from hundreds of miles away, a small business assembling and selling walls & panels or a Ohio high school or joint vocational/tech school that only builds one house per year for a location within it's community.
2. **Primary Address** of the facility where the construction/assembly will occur. If a company has several manufacturing facilities, we need the addresses of each of the facilities where products destined for use in Ohio are to be manufactured. We also need the **corporate headquarters address and phone number**.
3. **Contact Person** responsible for the construction documents we'll be reviewing, their email address and their **phone number**. Our contact with you will be primarily related to submittal documents. If we need to contact a company officer, we'll find out who is in charge at that time.
4. **Name of Inspection Entity**. We require in-plant inspections for each unit destined for use in Ohio. These inspections must be conducted by individuals certified by the board. Initially, we need to know who or what organization (3<sup>rd</sup> party inspection agency, certified Ohio building department or, for Ohio manufacturers, the option to choose to have the state perform periodic audit inspections) will be performing these inspections. Subsequent to the initial information, we need letters from both the manufacturer and the inspection agency indicating that they have entered into an agreement for the inspections to occur.

**We respond by email** – We will be sending, via the email address you provided, a **Manufacturer User ID # & User Password**. These are unique to your company and will allow you access to Ohio's on-line Industrialized Unit system.

**Fees & Using The On-Line System, (see over)**

**Fees-**

1. **Application & Document Approval fees.** To help reduce time delays related to multiple invoicing and speed up making approved plans available, we have consolidated the application fee and minimum plan review time fee. **The initial fee of \$135.00** must be received before we will place your set of documents in line for review. This gives you one hour plan review time. Most plans for homes and typical commercial modular units can be reviewed and approved within in this time if referenced system documents are already approved and on file, or the documents are complete and adequately detailed.
2. **Additional Plan Review fees.** If additional time is required to complete the review before an approval can be issued, **we charge \$100.00/hour which accrues in ½ hour increments.** You will receive an indication of the balance due only after the documents have been approved. An invoice will be sent via email indicating the amount that must be paid before the documents can be released/downloaded.
3. **Insignias.**
  - a. An Ohio Insignias must be placed in each component or modular unit (preassembled combinations of walls, floors, roofs, etc.). The modular unit insignia cost is \$50.00 each.
  - b. An insignia must also be purchased if the manufacturer assembles and ships into Ohio, panelized components. The panelized component insignia cost is based on the area of the component, \$1.00/20sq.ft. of wall, floor, roof area, etc.

Purchase of insignias requires use of the form we have posted on our website.

To access information and forms, submit applications, make payments for IU program fees and receive approved documents back, you first must access our website at:

[https://www.comapps.ohio.gov/dlc/dico\\_apps/bbst/iu\\_plans/login.aspx](https://www.comapps.ohio.gov/dlc/dico_apps/bbst/iu_plans/login.aspx)

**Using the on-line system, you will be able to:**

1. Provide us the document approval application information necessary (such as model#, contact name, etc.)
2. Make secure, on-line payment of fees or provide us with the alternative fee payment method intended.
3. Upload electronic design, construction and specification document files required for code review.
4. Check status of document approval applications.
5. Check for any fee balances due for extra plan review time.
6. Download documents that have been sealed with our electronic designation after the submittal has been approved and fees paid.

***Please use the electronic media for applications, payment on-line, upload & download of construction documents....it will save significantly on our time to get your approval back to you.***

COUNCIL CHAMBER

VILLAGE OF KELLEYS ISLAND, OHIO

ORDINANCE NO. 2021 – O - 28

INTRODUCED BY: MAYOR RONALD E FHRBAR

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT  
BY AND BETWEEN THE VILLAGE OF KELLEYS ISLAND, OHIO (THE VILLAGE)  
AND HANCOCK-WOOD ELECTRIC COOPERATIVE, INC (HW) FOR STREET  
LIGHTING SERVICES.

WHEREAS, the Village of Kelleys Island, Ohio needs to have the street lighting system throughout the Island maintained and provided for; and

WHEREAS, the parties agree to enter into a contract wherein HW agrees to provide and maintain the street lighting system on Kelleys Island and Kelleys Island agrees to accept street lighting services and pay for the same at the Street Light Rate schedule attached hereto as Exhibit “A”.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE  
VILLAGE OF KELLEYS ISLAND, COUNTY OF ERIE AND STATE OF OHIO AS  
FOLLOWS:**

SECTION 1. That the Council of the Village of Kelleys Island, Ohio does hereby authorize the Mayor to enter into a contract by and between the Village of Kelleys Island, Ohio and HW for street lighting services, said contract attached hereto and incorporated herein as if fully rewritten as Exhibit “A”.

SECTION 2. That the funds needed for this transaction are hereby appropriated or will be appropriated.

SECTION 3. That the contract be approved by the Village Solicitor.

SECTION 4. That it is found and determined that all formal actions of the Council of the Village of Kelleys Island concerning and relating to the adoption of this Ordinance were adopted in an open meeting of such body, and that all deliberations of the Council of the Village of Kelleys Island and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**SECTION 5.** That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

DATED THIS 11<sup>TH</sup> OF December, 2021.

  
MAYOR RONALD F EHRBAR

ATTEST:

  
LISA M. KLONARIS, CLERK-TREASURER



**AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR THE MONTHS OF JANUARY, FEBRUARY, MARCH, 2022 AND DECLARING AN EMERGENCY.**

Introduced by Mayor Ronald Ehrbar

Whereas, the Clerk has advised Council that in order to provide for the usual daily operations of the Village departments that special appropriations for the months of January, February, and March of 2022 be made at once,

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF KELLEYS ISLAND, OHIO:**

**Section 1.** That there shall be, and hereby are, appropriated out of any monies now in the treasury or any accruing revenues of the Village available for said purpose except for Federal General Revenue Sharing Funds, the sum of money set forth in the column marked "Appropriations" for the payment of all expenses and obligations of the Village during the months of January, February, and March, 2022 for various purposes.

The amounts appropriated for various purposes shall, in no event, be exceeded unless the Village Council shall by ordinance appropriate additional unappropriated money or revenues.

<b>General Fund</b>		
Police & Law enforcement	\$ 317,930	(wages \$ 196 000 )
Public Health	\$ 2 000	
Planning & Zoning	\$ 8 500	(wages \$ 6 400 )
Maintenance Dept-transportation	\$ 90 000	(wages \$ 60 000 )
Mayor	\$ 40 000	(wages \$ 25 000 )
Legislative	\$ 10 000	(wages \$ 4 000 )
Mayor's Court	\$ 45 000	(wages \$ 34 000 )
Clerk-Treasurer's Office & staff	\$ 176 000	(wages \$ 75 000 )
Board & Commissions	\$ 5 000	(wages 2 000)
Lands & Buildings	\$ 175 000	(wages \$ 1 500 )
Solicitor	\$ 72 000	(wages \$ 55 000)
Transfer out	\$ 26 000	
Other Uses	\$ 10 000	
Grand Total	General Fund	\$ 977,430

The legal level of control for the General Fund appropriations is reflected in the above designations within the General Fund.

**Section 4.** That there be appropriated from the following **SPECIAL REVENUE FUNDS.**

Street Maintenance Fund	\$ 80 000	(wages \$ 45 000 )
State Street Fund	\$ 8 000	
Cemetery Fund	\$ 10 000	
Drug Fine Fund	\$ 1 500	
DUI Education Fund	\$ 0	
Road Construction Levy Fund	\$ 120 000	(wages \$ 5 000 )
Airport Levy Fund	\$ 10 000	
Fire Levy Fund	\$ 98 000	(wages \$ 10 000 )
EMS Levy Fund	\$ 150 000	(wages \$ 80 000 )
Mayor's Court Computer Fund	\$ 3 700	
Mayor's Court Legal Research Fund	\$ 1 200	
Mayor's Court Improvement Fund	\$ 4 000	
Police Education	\$ 2 700	
Starweather Park Fund	\$ 10 000	
Law Enforcement Trust Fund	\$ 350	
Total Special Revenue Funds	\$ 499,450	

The legal level of control for the above listed Special Revenue Funds are at the fund level.

**Section 5.** That there be appropriated from the following ENTERPRISE FUNDS.

Water Dept. Fund	\$ 640 000	(wages \$ 200 000 )
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The legal level of control for the Water Fund appropriations is \$ 600 000 for all fund line items.

Transfer Station Fund	\$ 60 000	(wages \$ 25 000 )
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**Section 6.** That there be appropriated from the following DEBT SERVICE FUNDS.

First Mortgage Debt Service	\$ 20 000
Debt Service Reserve	\$ 20 000
Water Intake	\$ 40 000
Sweetbriar Assessments	\$ 24 000

Golias House \$ 26 000  
MFM Assessment \$ 30 000

Section 7. That there be appropriated from the following CAPITAL EXPENSE FUNDS.

Airport Improvement \$ 30 000  
Boker Land Grant FAA Match \$ 30 000

Section 8. That there be appropriated from the following PERMANENT FUNDS.

Cemetery Trust Fund \$ 10 000

Grand Total for Appropriations (all funds)----- \$ 2,406,880.00

The Village Clerk-Treasurer is hereby authorized to make payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefor, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. Provided further that any appropriations for contingencies can only be expended upon appeal of two-thirds vote of Council for items of expense constituting a legal obligation against the village, and for purposes other than those covered by other specific appropriations herein made.

**Section 7.** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the Village of Kelleys Island and for the further reason, that it is imperative that the Village pass and send the permanent appropriations for 2022 to the Erie County Auditor before the April 1<sup>st</sup> deadline per R. C. 5705.38, therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

Appropriations 2022 Jan. Feb. March

**Section 2.** No payments shall be made out of any of the funds herein appropriated for any extraordinary purpose, without specific authority of the Village Council. Council authorizes the following non-customary payments during temporary appropriation in 2022 for the following reasons:

UAN seminars & training in Columbus including trip expenses

**Section 3.** That, this Council hereby, finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

**Section 4.** That this ordinance is adopted pursuant to Section 5705.38 of the Ohio Revised Code, and shall be effective at the earliest date permitted by law.

Mayor



Mayor

Attest:

Clerk



Clerk