

Minutes for the Regular Council Meeting held on March 9, 2024 at 10:00 am

1.0 Mayor Ehrbar calls council to order –

RC: S. Stevenson __Y__, S. Smith __N/A__, M. Gaither __Y__, J. Wolfe __Y__, G.Finger __Y__, A.M.
Eaton __N/A__

J. Wolfe makes a motion to excuse A.M. Eaton from meeting; second by S. Stevenson. All in Favor. Motion Passed.

J. Wolfe makes a motion to excuse S. Smith from meeting; second by M. Gaither. All in Favor. Motion Passed.

2.0 All rise for the Pledge of Allegiance to the Flag

4.0 Discussion and/or amendments to the December 9, 2023 Regular Council minutes. Motion to accept/amend the Minutes as presented,

RC: S. Stevenson __Y__, S. Smith __N/A__, M. Gaither __Y__, J. Wolfe __2__, G.Finger __1__, A.M.
Eaton __N/A__

5.0 Discussion of Pay Ordinance No. 1234: Motion to accept the Pay Ordinance as written,

RC: S. Stevenson __2__, S. Smith __N/A__, M. Gaither __Y__, J. Wolfe __1__, G.Finger __Y__, A.M.
Eaton __N/A__

7.0 Committee Reports

7.A. Police – James E. Bartus II reports:

A. Krall resigned in January.

Thank you to Officer Jack Wade for all of his assistance this winter.

Chief Bartus congratulates Officer Jack Wade on his 29th year of service to the Kelleys Island Police Department.

Officers Melendez, Rodriguez and Vowell will be returning.

Updated office over the winter, will be completed by end of the month.

Request motion for the village to accept donation of equipment, MDT's and in-cruiser equipment, from the Police Association to the village...

Addresses the purchase of Golf Cart stickers.

Mayor Ehrbar thanks Chief Bartus for the painting and all the hard work to make the Police Station look really nice.

7.B. Safety Committee – G. Finger, S. Stevenson

G. Finger thanks Chief Bartus for all of his hard word and improvements to the station.

G. Finger makes motion for the village to accept the equipment; second by J. Wolfe.

All in Favor. Motion Passed.

7.C. EMS – Russ Maust reports: Winter EMS runs - 8 Year to date EMS runs - 7
Clinic calls – 8 Year to date Clinic calls - 6

Last month's training was a review of Protocol Updates. This month's training will be Trauma Surgery Case Review.

I have two purchase orders that need to be approved by the Council. The funds for these purchases are being funded by the insurance claim on the EMS equipment that was damaged in last years flood event. The money has been received from the insurance company. The Purchase orders are as follows.

Boundtree Medical – \$7825.90

AED Superstore – \$13,719.80

These are both for EMS training equipment and supplies.

As always, I would like to express my gratitude to the volunteers of Kelleys Island EMS for their dedication to the community of Kelleys Island.

M. Gaither makes a motion to approve EMS purchases; second by S. Stevenson. All in Favor. Motion Passed.

7.D. Fire Dept.- Chief Skeans reports: Runs for Year – 0

March and April training will be familiarizing the members with our equipment.

Over the winter assistant Chief Chuck Ehrbar has been working diligently on preparing the AFG grant application to replace our aging fire hose. I would like to ask council to approve the submission of this grant.

I would like to have a volunteer firefighter class this season to increase our volunteer numbers

At this time the fire department is on track with the 2024 budget.

M. Gaither makes a motion to allow Fire Dept. to AFG Grant; second by S. Stevenson. All in Favor. Motion Passed.

7.E. Water Department – T. Lange: A. Federle reports: that T. Lange has filed 2023 CCR compiled. Working with ARCAP to create an asset management. Series of 6, we are up to 5. Wrapping up winter maintenance projects. Working with me to prepare for the upcoming sanitary inspection with EPA next month.

7.F. Finance – A.M. Eaton, J. Wolfe reports for A.M. Eaton that a recent meeting was held to review department budgets and overall appropriations. Thank you to everyone that helped prepare and contributed to this. This winter we held numerous meetings regarding the short-term rental ordinance. We've met with a couple of similar municipalities. We will be keeping everyone informed as we make progress and continue to work with Dave on the Ordinance.

7.G. Lands & Buildings – M. Gaither, G. Finger: M. Gaither reports that a meeting was held on March 1. Discussion was on improvements to the police station and the progress of playground.

7.H. Airport – J. Wolfe, A.M. Eaton: J. Wolfe reports that he is still having meetings in regards to the Monagan Road project. It is a long way from completion. Another call scheduled for next week.

7.I. Planning Commission – J. Wolfe reports: no applications; no meetings.

7.J. Design Review Board – R. Maust reports: no applications received. Plan on having a meeting 1st Saturday of April.

7.K. Board of Zoning Appeals – Gary Finger reports: no meetings scheduled that I know of at this time.

7.L. Transfer Station – S. Smith, M. Gaither reports that a meeting was held in December. No report.

7.M. Village Administrator – Andy Federle reports:

Lakeview Crestview Fairview Project: due to the geotechnical report showing poor subgrade, working with Bramhall and Precision Paving to revise Eng Estimate for paving project.

East Lakeshore Project: ODNR application submitted in December, have had a couple back and forth to answer additional questions. Expect approval to move forward this month.

Dwelle House Project: OEPA agreed to allow us to remove the turbidity water from the septic to the sanitary, working with CDM Smith to submit PTI

Town Hall: remediation completed, reconstruction to begin this spring.

Grant application for Lakeshore waterline replacement between Addison and Pebble Beach submitted.

7.N. Streets & Sidewalks- S. Stevenson, S. Smith: S. Stevenson reports that he is waiting on pricing for some possible projects.

7.O. Park Board – Lisa M Klonaris; Council Rep. M. Gaither reports: Shores and Islands has awarded the Kelleys Island Park Board / Village of Kelleys Island a \$50,000 matching funds grant for costs associated with the purchase and installation of the playground flooring to make the playground ADA / Handicapped accessible.

Lisa Klonaris will be meeting with Shores & Islands regarding the Village membership which is needed to receive the grant.

The playground equipment was ordered in December and Andy Federle is working with the supplier to assure that the site is prepped properly in order for the playground equipment installation to be scheduled.

Donations are still being accepted and needed to meet our goals and for the additional miscellaneous items such as fencing, benches and the additional landscaping that is needed for the project.

There is legislation on the agenda which is required upon application to the 2024 Erie Metroparks Grant for use in the downtown park.

7.P. Mayor's Financial Report- Mayor Ehrbar reports:

Mayor's Court report submitted by Rosalyn Ahner

March 9, 2024: For the month of January 2024 the court collected a total of \$475: 0.00 Computer Fund, \$0.00 Court Improvement Fund, \$0.00 Library Fund, \$0.00 Other Costs. \$0.00 General Fund. All funds collected were from payment plans and fines. State was paid \$ 0.00: \$0.00 Victims of Crime, \$0.00 HB1 (state indigent support fund), \$0.00 State Bond Surcharge, \$0.00 Drug Law Enforcement/Justice Program Services.

Erie County Municipal was paid \$0.00

Indigent Drivers Alcohol Treatment Fund \$0.00. Bank / Online payment expenses totaled: \$0.00 (Credit Card & US Bank service fee). Court has paid a total of \$0.00 to the Village General Fund in 2024. Court has paid a total of \$16158.00 to the Village General Fund in 2023.

Court has paid a total of \$7805.00 to the Village General Fund in 2022

Court has paid a total of \$23133.00 to the Village General Fund in 2021

Court has paid a total of \$14352.46 to the Village General Fund in 2020.

Court has paid a total of \$33837.90 to the Village General Fund in 2019.

Court has paid a total of \$31425.03 to the Village General Fund in 2018.

2024– 0 tickets issued

2023 - 60 tickets issued

2022 – 49 tickets issued
2021 – 98 tickets issued
2020 – 37 tickets issued
2019 – 120 tickets issued
2018 – 157 tickets issued

7.Q. **Legal-** D. Lambros reports: Cannabis legislation on agenda will prohibit the operation of these stores within the village.

Levy Season: This is a 2 part process with legislation that is then forwarded to Erie County to be placed on the November ballot. Road Levy is on agenda and Fire Levy will be placed on agenda next month.

Requesting a motion to advertise for a criteria engineer for the waste water treatment plant.

J. Wolfe motions; second by M. Gaither. All in Favor. Motion Passed.

7.R. **Treasurer** - L. Klonaris reports: Financials included in Council packets.

The 2023 Financial Notes have been filed and accepted by the State. A Public Notice has been posted and financials are available for review in office.

2024 Permanent Appropriations are on the agenda.

Resolution needed to apply to Erie Metroparks grant.

Public Meetings & Hearings are now being posted on the Village of Kelleys Island website.

Legislation is posted on website following each Council meeting.

American Legal will begin to post legislation monthly.

I will be attending the Council Training Seminar on March 23. Mary & Max will also be attending.

I will be attending the Annual Local Government Officials Training March 26 – 28.

7.S. **Telecommunications Oversight and Development Committee-** J.Wolfe reports: No report.

(next legislation numbers O – 01 and R - 01)

9.0 First Readings:

9.1 ORDINANCE NO. 2024 – O - _____: ANNUAL APPROPRIATION ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF KELLEYS ISLAND, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY.

(INTRODUCED BY COUNCIL MEMBER A. MAX EATON)

Motion to suspend the three reading rule,

RC: S. Stevenson _____, S. Smith _____, M. Gaither _____, J.Wolfe _____, G.Finger _____, A.M. Eaton _____

Motion to pass:

RC: S. Stevenson _____ S. Smith _____, M. Gaither _____, J.Wolfe _____, G. Finger _____, A.M. Eaton _____

9.2 RESOLUTION NO. 2024– R - _____: A RESOLUTION AGREEING TO COOPERATE FOR THE PURPOSE OF PROVIDING OUTDOOR RECREATION IMPROVEMENTS.

(INTRODUCED BY: MAYOR RONALD EHRBAR)

Motion to suspend the three reading rule,

RC: S. Stevenson _____, S. Smith _____, M. Gaither _____, J.Wolfe _____, G.Finger _____, A.M. Eaton _____

Motion to pass:

RC: S. Stevenson _____ S. Smith _____, M. Gaither _____, J.Wolfe _____, G. Finger _____, A.M. Eaton _____

9.3 ORDINANCE NO. 2024 – O - _____ : AN ORDINANCE ENACTING A NEW CHAPTER 856 “RECREATIONAL MARIJUANA” OF TITLE TWO OF PART EIGHT-BUSINESS REGULATION AND TAXATION CODE OF THE CODIFIED ORDINANCES OF THE VILLAGE OF KELLEYS ISLAND CONCERNING THE SALE OF RECREATIONAL MARIJUANA AND DECLARING AN EMERGENCY.

(INTRODUCED BY: MAYOR RONALD EHRBAR)

Motion to suspend the three reading rule,

RC: S. Stevenson _____, S. Smith _____, M. Gaither _____, J.Wolfe _____, G.Finger _____, A.M. Eaton _____

Motion to pass:

RC: S. Stevenson _____ S. Smith _____, M. Gaither _____, J.Wolfe _____, G. Finger _____, A.M. Eaton _____

9.4 RESOLUTION NO. 2024 – O - _____ : AN RESOLUTION DECLARING IT NECESSARY TO RENEW THE EXISTING 3.00 MILL LEVY TO PROVIDE FOR GENERAL CONSTRUCTION,RECONSTRUCTION,RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES AND AUTHORIZING THE ERIE COUNTY AUDITOR TO CERTIFY TO THE COUNCIL OF THE VILLAGE OF KELLEY ISLAND, OHIO THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE OF KELLEY ISLAND, OHIO AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A RENEWAL TAX LEVY OF THREE AND 00/00 (3.00) MILLS AND FOR A RENEWAL TAX LEVY TO PROVIDE FOR GENERAL CONSTRUCTION,RECONSTRUCTION,RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES PURSUANT TO RC SECTION 5705.19(G) CERTIFYING THE SAME TO THE BOARD OF ELECTIONS OF ERIE COUNTY, OHIO AND DECLARING AN EMERGENCY.

(INTRODUCED BY: MAYOR RONALD E EHRBAR)

Motion to suspend the three reading rule,

RC: S. Stevenson _____, S. Smith _____, M. Gaither _____, J.Wolfe _____, G.Finger _____, A.M. Eaton _____

Motion to pass:

RC: S. Stevenson _____ S. Smith _____, M. Gaither _____, J.Wolfe _____, G. Finger _____, A.M. Eaton _____

9.5 ORDINANCE NO. 2024 – O - _____ : AN ORDINANCE AUTHORIZING THE CLERK-TREASUER TO CREATE A SHORLINE PROTECTION PROJECT FUND

(INTRODUCED BY: MAYOR RONALD E EHRBAR)

Motion to suspend the three reading rule,

RC: S. Stevenson _____, S. Smith _____, M. Gaither _____, J.Wolfe _____, G.Finger _____, A.M. Eaton _____

Motion to pass:

RC: S. Stevenson _____ S. Smith _____, M. Gaither _____, J.Wolfe _____, G. Finger _____, A.M. Eaton _____

10.0 Second Readings:

11.0 Third Readings & Emergencies:

12. Items from the Mayor: State of Village Address:

I would like to report that finances are all in order and the village continues to operate in the black.

2023 Resort Tax received - \$507,000

2019 approx. \$150,000. There has been a steady increase. Shows that there are a lot more visitors to the island and prices have increased.

Council Committees: assigned committees will remain the same as in 2023

Park Board: Tom Pieratt appointed for another 5 year term.

Refuse Board: Steve Wermuth appointed for 1 year term.

Summer Transfer Station Hours Begin: April 1

M-W-F-Sat-Sun 10 - 3

12.5 Executive Session: Agenda - Personnel (Cancelled)

13. Items from Council: N/A

14. Old Business: N/A

15. Public Comment:

Leslie Korenko: In June a request was put in to Dave Lambros to review 2 sections that conflicted in our Zoning Code. One section gives the Zoning Inspector the authority to interpret the code and take any actions necessary. The other section is in the BZA section and it says they have the authority to interpret the code. I asked him to clarify and resolve those 2 conflicting statements. This all came up last year when I waited 9 months for my application to move forward to the BZA. The inspector cited his section of the code. It would be a conflict of interest for the Zoning Inspector to interpret because he is the one approving a/o disapproving. If the Zoning Inspector does have the final authority, then he might as well just disband the BZA. Just asking if that is going to be resolved anytime soon.

D. Lambros responds: I did read your comments. I don't agree with it. I think it's the way the code is set up is the 3 step process. The board is only appeals. It is responsible for handling appeals from the decision of the Zoning Inspector. Therefore they have final authority with the accepted report. So this process goes through the Zoning Inspector to the BZA. If you don't like that decision, you can go to Erie County Commissioner. The decision on changing any of the Zoning Code comes from the Planning Commission. D. Lambros goes on to further explain.... L.Korenko suggests that maybe J. Wolfe from Planning Commission can look at it and see what their recommendation is.

Shawn Shaw: There is a Renewal Road Levy coming up on November ballot. The 3 million dollar Levy. Is Fairview going to be involved if that gets approved? Mayor Ehrbar responds part of the village money will be used but, this is an assessed project. There are parts of that project that the village will be responsible for.

S. Shaw: Ok, so basically the residents are responsible.

Can I do work on the road? Will there be repercussions?

Mayor Ehrbar: I would suggest speaking to our Village Administrator.

16. New Business: N/A

17. Correspondence: N/A

18. Motion to adjourn,

RC: S. Stevenson __2__, S. Smith __N/A__, M. Gaither __Y__, J.Wolfe __Y__, G. Finger __1__, A.M.

Eaton __N/A__

Meeting Adjourned At: 10:37 am



Lisa M Klonaris, Clerk-Treasurer



Mayor Ronald E. Ehrbar