

RECORD OF PROCEEDINGS

011 4.0

Minutes of

Meeting

Minutes for the Regular Council Meeting held on June 8, 2024 at 10:00 am

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

20

1.0 Mayor Ehrbar calls council to order
RC: J.Wolfe Y, G.Finger Y, A.M. Eaton Y, S. Stevenson Y, S. Smith Y, M. Gaither Y

2.0 All rise for the Pledge of Allegiance to the Flag

4.0 Discussion and/or amendments to the April 13, 2024 Regular Council minutes. Motion to accept/amend the Minutes as presented,
RC: J.Wolfe Y, G.Finger 1, A.M. Eaton Y, S. Stevenson 2, S. Smith Y, M. Gaither Y

5.0 Discussion of Pay Ordinance No. 1237: Motion to accept the Pay Ordinance as written,
RC: J.Wolfe 1, G.Finger Y, A.M. Eaton 2, S. Stevenson Y, S. Smith Y, M. Gaither Y

Rob Quinn, Zoning Inspector:

There has been some inconsistency in the way we have been referring to the section of code that deals with accessory / structures. It has been interpreted differently than it is written. Subsection 9a; structures not attached to principal structure shall not be located within 10 feet of any property line.

Additional setback requirements can be located in each zoning district. It's always been interpreted that if somebody wants to put a shed in the back corner of a lot it needs to be 10 feet off line.

What it really says is that it has to be in the building envelope of the home structure. In an R-1, 35 ft. off rear, 50 ft. off front and 15 ft. off side which would make shed location look odd. It would be really tight to house. So, I would recommend to Council to consider the process of doing whatever necessary to change it so that it says what we've been doing for forever.

D. Lambros: Would have to go to Planning Commission first and then amend Zoning.

R. Quinn: Only other section to consider says accessory structures are not considered dwellings and a change of use from accessory structure to a living area requires a change of use permit. It can't be converted into a living area and unless a change of use permit is obtained and the Health Department has to be involved.

I want Council to think about and tighten up. A lot of accessory structures are being built and applied for or converted into living structures. Especially with short term coming on; everybody converting garages and doing things. May want to address in Zoning Code at the same time.

7.0 Committee Reports

7.A. Police - James E. Bartus II reports:
Monthly Activity October 2022

Report(s) = Reason(s): Hit Skip (State)/Civil

Department Phone Call(s) = 410

Arrest(s) or Charge(s) = 3 Reason(s): Crim. Damage / F-3 Firearm Poss. / Menacing / Unauth. Use

Traffic or M/M Ticket(s) = 6 Reason(s): D.C.I./O.V.I/Obstruction/Leave Scene/Seat

Warning(s) = 3 Reason(s): Speed x 2/ O.C/

Accident(s) = 2 Reason(s):

House/Business Check(s) = 0 Reason(s): for contact =

Vehicle Lock-out(s) = 2 Reason(s):

Assist w/other agencies = 7 Reason(s): KIEMS & KIFD

Budget YTD Expenditure = 29%

Chief Bartus reports a busy month for the department. Will continue to focus on traffic. Ongoing issues with speed and various other things. Completed training with new body cameras. Thank you to council for the support. They are now in full service. If anyone has questions or wants to see them contact me.

During the Department Head meeting we discussed requesting Erie County Sheriff's Office having their trustee inmates come to island to assist with various maintenance tasks. Starting on Monday, 6/10 - 6/14, there will be 2 trustees, accompanied by a Corrections officer. Trustees are individuals who have committed minor misdemeanor offenses. Any comments, questions or concerns...please contact me.

KIPD is hosting Dino Day at the ballpark today. Event begins with a parade of Jurassic Jeeps leaving Neuman Dock at 12:30. Activities for kids at ballpark from 12:30 - 2 pm include animatronic dinosaurs.

7.B. **Safety Committee** – G. Finger, S. Stevenson: G Finger reports: No Report / Everything is good.  
Held 20

7.C. **EMS** – Russ Maust reports: May EMS Runs – 17 Clinic Calls – 18

Last month's training was a review of Skills Lab and Competency. This month's training will be a Run Review with Dr. Escajeda.

The EMS Department is currently at 33% of the yearly budget as of the end of May.

As many of you knew, the Annual 5k/10K race was last weekend. Cleveland Metro sent their event Medecine Vehicle and crew to assist with the race. The Kelleys Island EMS crew would like to acknowledge how incredibly helpful the MetroHealth crew was during this event.

7.D. **Fire Dept.**- Chief Skeans reports: Runs for May – 5

June training will be on auto extrication.

B.O.B will be on the island doing Business Inspections this month.

Rudy has been busy checking all the Village buildings to make sure we pass all fire inspections.

The Fire Dept. Annual Hose Testing was completed with all sections passing.

Currently the Fire Dept. is on track with the 2024 budget.

7.E. **Water Department** – T. Lange: A. Federle reports that Tom is working on inspection of all backflow installations per the Ohio EPA five-year rule. Also, scheduling for lead and copper sampling to stay in compliance. 2<sup>nd</sup> quarter meter readings have begun.

7.F. **Finance** – A.M. Eaton, J. Wolfe: A.M. Eaton reports that a workshop was held to continue work on short term rentals. On agenda today, 1<sup>st</sup> reading for building department and building codes. Dave will get into that. This is so all can be tied in together.

7.G. **Lands & Buildings** – M. Gaither, G. Finger: M. Gaither reports that the Police Department renovations have been completed as well as other small maintenance projects. No meetings.

7.H. **Airport** – J. Wolfe, A.M. Eaton: No Report

7.I. **Planning Commission** – J. Wolfe: No Report

7.J. **Design Review Board** – R. Maust: 3 applications submitted. 2 approved. 1 approved for demolition and permission to build except for selection of colors.

7.K. **Board of Zoning Appeals** – Gary Finger reports: there is a BZA meeting scheduled for June 27.

7.L. **Transfer Station** – S. Smith, M. Gaither: No Report

7.M. **Village Administrator** – Andy Federle reports that Lakeview, Crestview and Lincoln berm projects have been completed. Permit to install submitted to the Ohio EPA for the turbidity water redirection. Waiting on agency approval.

Requested an extension for House Bill 33 funds for Sewer Project.

Worked with Precision Paving to complete a 3 year forecast for the Road Levy.

7.N. **Streets & Sidewalks**- S. Stevenson, S. Smith: S. Stevenson reports that everything was included in Andy's report.

7.O. **Park Board** – Lisa M Klonaris: M. Gaither reports:

The Community Park Playground is open to the public. There is still a lot of work to be done: landscaping, fencing, etc... Donations are still being accepted to help in completing the project.

Please do not park in the Fire Lane parking when visiting the playground.

Next Park Board Meeting is scheduled for Monday, June 24, 2024 at 6:00 at the Community Park Pavilion.

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

Mayor's Court report submitted by Rosalyn Ahner

June 6, 2024: For the month of May 2024 the court collected a total of \$2570: 70.00 Computer Fund, \$70.00 Court Improvement Fund, \$21.00 Library Fund, \$0.00 Other Costs. \$1755.00 General Fund. All funds collected were from payment plans and fines. State was paid \$ 66.50: \$63.00 Victims of Crime, \$175.00 HB1 (state indigent support fund), \$0.00 State Bond Surcharge, \$14.00 Drug Law Enforcement/Justice Program Services.

Erie County Municipal was paid \$6.00

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 \$2992.00 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.

RECORD OF PROCEEDINGS

Minutes of

Meeting

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

2024 - 10 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

20

7.Q. Legal- D. Lambros reports: There are a couple of levies on the agenda. Fire Levy to be placed on ballot. Behind on General Construction Levy so needs to be passed today. Has to be Auditor certified with millage. Also on agenda, 1st Ordinance of building code. Scott Thom of Sandusky was Good enough to put together some of the costs associated. Still need to work through Sandusky Law Department to determine how we are going to allow them to come in and do the inspections.

I think it would be Good if Council considered tabling the transient rental Ordinance that is on 2nd Reading. Would like to get both pieces of legislation in sync because there will be crossover with that sort of stuff.

7.R. Treasurer - L. Klonaris reports: Financials included in Council packets. Public Meetings & Hearings are now being posted on the Village of Kelleys Island website. Legislation is posted on website following each Council meeting.

2024 Business Licenses are posted at Post Office, Memorial Park and Village Office.

Council Members: please review the Employee Handbook that I recently resent. Please forward me any changes, additions and suggestions.

7.S. Telecommunications Oversight and Development Committee- J.Wolfe reports that there have been no meetings. In the next couple of months we should have more information relating to Verizon site on our tower.

(next legislation numbers O - 06 and R - 08)

9.0 First Readings:

9.1 ORDINANCE NO. 2024 - O - \_\_\_\_\_ : AN ORDINANCE APPOINTING ROBERT J. QUINN AS THE ZONING INSPECTOR FOR THE VILLAGE OF KELLEYS ISLAND, OHIO AND DECLARING AN EMERGENCY

(INTRODUCED BY: MAYOR RONALD E. EHRBAR)

Motion to suspend the three reading rule,

RC: J.Wolfe \_\_Y\_\_, G.Finger \_\_Y\_\_ A.M. Eaton \_\_1\_\_, S. Stevenson \_\_2\_\_, S. Smith \_\_Y\_\_, M. Gaither \_\_Y\_\_

Motion to pass:

RC: J.Wolfe \_\_1\_\_, G. Finger \_\_Y\_\_, A.M. Eaton \_\_2\_\_, S. Stevenson \_\_Y\_\_, S. Smith \_\_Y\_\_, M. Gaither \_\_\_\_\_

9.2 RESOLUTION NO. 2024 - R - \_\_\_\_\_ : A RESOLUTION DECLARING IT NECESSARY TO REPLACE THE EXISTING 1.0 MILL FOR FIRE PROTECTION SERVICES WITH A LEVY OF THE SAME 1.0 MILL RATE TO CONTINUE TO PROVIDE FUNDS FOR FIRE PROTECTION SERVICES AND SUBMITTING THE QUESTION OF SUCH REPLACEMENT LEVY FOR FIRE PROTECTION SERVICES TO THE ELECTORS OF THE VILLAGE OF KELLEYS ISLAND, OHIO,

(INTRODUCED BY: MAYOR RONALD EHRBAR)

Motion to suspend the three reading rule,

RC: J.Wolfe \_\_Y\_\_, G.Finger \_\_Y\_\_, A.M. Eaton \_\_Y\_\_, S. Stevenson \_\_2\_\_ S. Smith \_\_Y\_\_, M. Gaither \_\_1\_\_

Motion to pass:



RC: J.Wolfe \_\_Y\_\_, G. Finger \_\_Y\_\_, A.M. Eaton \_\_1\_\_, S. Stevenson \_\_Y\_\_, S. Smith \_\_Y\_\_, M. Gaither \_\_2\_\_

BLAHOFFICIALS 32-BU93 FORM NO. 10148

Held \_\_\_\_\_ 20\_\_\_\_\_

**9.3 ORDINANCE NO. 2024 – O - \_\_\_\_\_: AN ORDINANCE AUTHORIZING THE CLERK-TREASURER TO CREATE A TRANSIENT RENTAL REGISTRATION FUND # 2405 AND TRANSFER \$40,000 FROM THE GENERAL FUND INTO THE NEWLY CREATED FUND**

(INTRODUCED BY: MAYOR RONALD E EHRBAR)

Motion to suspend the three reading rule,

RC: J.Wolfe \_\_Y\_\_, G.Finger \_\_Y\_\_, A.M. Eaton \_\_Y\_\_, S. Stevenson \_\_1\_\_, S. Smith \_\_2\_\_, M. Gaither \_\_Y\_\_

Motion to pass:

RC: J.Wolfe \_\_Y\_\_, G. Finger \_\_1\_\_, A.M. Eaton \_\_2\_\_, S. Stevenson \_\_Y\_\_, S. Smith \_\_Y\_\_, M. Gaither \_\_Y\_\_

**9.4 ORDINANCE NO. 2024 – O - \_\_\_\_\_: AN ORDINANCE ENACTING A NEW CHAPTER ENTITLED OHIO BASIC BUILDING CODE**

(INTRODUCED BY: MAYOR RONALD E EHRBAR)

Motion to suspend the three reading rule,

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

Motion to pass:

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

**10.0 Second Readings:**

**10.1 RESOLUTION NO. 2024 – R - \_\_\_\_\_: AN RESOLUTION DECLARING IT NECESSARY TO REPLACE 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 REPLACEMANT TAX LEVY OF THREE AND 00/00 (3.00) MILLS AND FOR A REPLACEMENT 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: J.Wolfe \_\_Y\_\_, G.Finger \_\_1\_\_, A.M. Eaton \_\_Y\_\_, S. Stevenson \_\_Y\_\_, S. Smith \_\_Y\_\_, M. Gaither \_\_2\_\_

Motion to pass:

RC: J.Wolfe \_\_Y\_\_, G. Finger \_\_Y\_\_, A.M. Eaton \_\_1\_\_, S. Stevenson \_\_Y\_\_, S. Smith \_\_Y\_\_, M. Gaither \_\_2\_\_

7.E. **Water Department** – T. Lange: A. Federle reports that Consumer Confidence Report 2023 has been finished and published to the Village website. EPA yearly inspection complete with no violations noted. Lab Survey has been completed. Jaime Mendoza is now fully operational and certified.

7.F. **Finance** – A.M. Eaton, J. Wolfe: A.M. Eaton reports that there was a meeting held to review levies and continue work on short-term rentals. There will be an upcoming workshop. We will update everyone as changes are made.

7.G. **Lands & Buildings** – M. Gaither, G. Finger: No Meeting. No Report.

7.H. **Airport** – J. Wolfe, A.M. Eaton: J. Wolfe reports there have been weekly meetings in regards as to what we can and cannot do with the Monaghan road project. National Park System is now involved. Mayor Ehrbar mentions that he has been working with Airport Manager Rob Quinn regarding current airport fees; landing fees and so forth.

7.I. **Planning Commission** – J. Wolfe: No Applications.

Mayor Ehrbar introduces Rob Quinn, Zoning Inspector.

Rob Quinn; thank you for appointing me. Over the winter I worked with the Mayor doing onsite inspections, learning the process and filling holes in the process. 80% of the locations visited were not as proposed. I have worked with them to tighten things up and tighten up the process in moving forward. 80% of my job has been dealing with non-conforming issues that arose from recent applications. There will be an uptake in BZA until all is resolved.

7.J. **Design Review Board** – R. Maust: 3 Applications. 3 Applications Approved.

7.K. **Board of Zoning Appeals** – Gary Finger reports one application submitted; one application denied.

7.L. **Transfer Station** – S. Smith, M. Gaither: No Report.

7.M. **Village Administrator** – Andy Federle reports that Park ground prep has been completed for the playground. Three streets have been paved: Lincoln, Lakeview, Crestview. Submitted PTI for turbidity at the Water Department.

7.N. **Streets & Sidewalks**- S. Stevenson, S. Smith: No Report.

7.O. **Park Board** – Lisa M Klonaris: M. Gaither reports: The Playground Equipment was delivered on Wednesday, May 8. The crew will probably return next week to begin installation of the equipment. When this is complete, the turf surfacing will arrive. There is still a lot of work to be done; landscaping, fencing, etc... Donations are still being accepted to help in completing the project. On the agenda is a Resolution to apply to Nature Works (Ohio Division of Natural Resources). This is a 75% match grant for up to \$150,000. Project being submitted is a replacement of the pavilion in Community Park.

The Park Board is asking to apply for this grant on behalf of the Village and accept funds if awarded. Motion to allow Park Board to apply and accept funds from Nature Works (ODNR) made by A.M. Eaton; second by G. Finger. All in Favor. Motion Passed.

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

Mayor's Court report submitted by Rosalyn Ahner

May 6, 2024: For the month of April 2024 the court collected a total of \$0.00: 0.00 Computer Fund, \$20.00 Court Improvement Fund, \$20.00 Library Fund, \$6.00 Other Costs. \$422.00 General Fund. All funds collected were from payment plans and fines. State was paid \$ 66.50: \$18.00 Victims of Crime, \$45.00 HB1 (state indigent support fund), \$0.00 State Bond Surcharge, \$3.50 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 service fee). Court has paid a total of \$422.00 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.

2024-- 0 tickets issued

2023 - 60 tickets issued

2022 -- 49 tickets issued

2021 -- 98 tickets issued

2020 -- 37 tickets issued

2019 -- 120 tickets issued

~~ORDINANCE NO. 2014-0148~~ - \_\_\_\_\_ : AN ORDINANCE ENACTING A NEW SECTION ENTITLED  
**TRANSIENT RENTAL PROPERTY.**  
 Held \_\_\_\_\_ 20\_\_\_\_\_

(INTRODUCED BY: COUNCILPERSONS EATON, GAITHER , WOLFE)

A.M. Eaton makes a motion to table legislation 10.2; second by S. Stevenson. All in Favor. Motion Passed.

Motion to suspend the three reading rule,

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

Motion to pass:

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

**11.0 Third Readings & Emergencies:**

**12. Items from the Mayor: N/A**

**13. Items from Council:**

S. Smith: No issues with Rob. I'm sure he's doing an adequate job. Just think that the job should have been posted. People interested should have been interviewed.

I voted no last month on roads and sidewalks. Since then, Andy has done a great job putting together the priority list & costing for the new levy. How far the new levy will get us.

Regarding transient rentals, I couldn't appreciate the process more. I think it was open & transparent. I personally have an issue; I think we give more power to the village than the home owner.

A.M. Eaton: I would like to make everybody aware that if you are conducting business on the island; you need to have a business license. Right now only 54 registered. That's not O.K.

**14. Old Business:**

**15. Public Comment:**

David T.: While not opposed to fair and smart regulations...if we are subject to additional proposed licenses, inspections and fees it will hurt many of us who just want to make a little extra money.

I suggest making inspections a one time requirement. Reinspection upon additions or permits issued or change. Licensing should be reasonable not a punishment. All pay property tax and rental owners collect and submit lodging tax. Let's find fair compromise.

D. Hazard: People had questions based on last version of this ordinance and we are just receiving this version today. Does the \$600 new fee listed cover safety inspection? No

Want to know if Council has a reckoning of what the 6% tax of which Kelleys Island is supposed to get 2%? What are we receiving? How many rentals are paying? Want to know what that is bringing in and why that wouldn't be used for inspections & such.

Each Councilman should have an email address.

R. Ahner: Letter from J. Finger: Transient is a lot to digest but, has needed to be addressed for many years and regulate it's rental fees, rules and regulations. KI rentals are not supporting the chamber or community; only themselves. Due to the amount of rentals over the season; they overwhelm our safety emergency services, our roads, water and more. Time has come for legislation. Many resort communities have such legislation. These rentals are run and promoted as businesses; no reason they should not be governed and adhere to like fees and regulations as any other business. Island renters are not permanent residents or island voters for the most part.

Katherine Oesch: Welcome responsible legislation. This is our family home. Hope to sometime in future not have to rent it and be able to afford it.

Brandon Davis: Stakeholder on Kelleys Island and short term rental owner. KI needs responsible regulation for not just short term rental properties but for properties in general.

Workshop was posted on Wednesday at 3:30 and meeting was Friday. Need more information and notifications.

Rachel O'Connor: I rent my house to pay for property. I have a business license, pay tax, member of the chamber and KILA. Not here to make a ton of money, just pay bills.

D. Algase: Request for waive of pavilion rental fee \$250 for Homecoming. August 9 & 10

RECORD OF PROCEEDINGS

016

Minutes of

Meeting

Motion made by J. Wolfe to waive \$250 rental fee; second by A.M. Eaton. All in Favor. Motion passed.

BEAR GRAPHICS 800 325-8094 FORM NO 10148

Held \_\_\_\_\_ 20\_\_\_\_

16. New Business:

17. Correspondence:

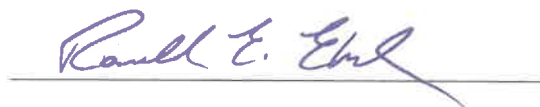
18. Motion to adjourn,

RC: J.Wolfe Y, G. Finger 1, A.M. Eaton Y, S. Stevenson 2, S. Smith Y, M. Gaither Y

Meeting Adjourned At: 10:34 am



Lisa M Klonaris, Clerk-Treasurer



Mayor Ronald E. Ehrbar