

**VILLAGE OF MARBLEHEAD REGULAR COUNCIL MEETING
HELD APRIL 11, 2018**

Mayor Bird called the meeting to order at 6:02 p.m. and opened with the Pledge of Allegiance.

ROLL CALL AND ATTENDANCE

Answering roll call were Lynn App, Dean Dorko, Angie Kukay, Duane Myers, Dave Redett and John Starcher.

Also present were Fiscal Officer Rhonda Sowers, Solicitor Jim Barney, Street Commissioner Bryan Lucas, Police Chief Casey Joy, Police Officer Chris Suppelsa and Zoning Administrator Bob Hruska.

Visitors in attendance were Dave Reed, Glenn Beachy, Fred Bode, Karyn Kovach, Rob Ross, Erin Shine and Steve Shine.

AMEND AGENDA

Mayor Bird amended the agenda as follows: approval of the March 28 public hearing; continue discussion on the issue of licensing golf carts on Johnson's Island to May 9 when Assistant Prosecutor Blake Skilliter will be present; appoint Jim Keys to the open BPA seat; information from Chief Joy regarding draft Police Policy; request to change LLC membership for a liquor permit holder.

MINUTES

Minutes of the March 28, 2018 regular meeting were approved as submitted. Minutes of the March 28, 2018 Public Hearing were approved as submitted.

APPOINTMENT OF STEVE BUNCH AND JUDY TORRES AS AUXILIARY POLICE OFFICERS

On the recommendation of Chief Joy and Mayor Bird, Mr. Starcher moved to appoint Steve Bunch and Judy Torres as officers with the Village of Marblehead police auxiliary. Second by Mrs. Kukay. Vote: Mr. App-yes; Mr. Dorko-yes; Mrs. Kukay-yes; Mr. Myers-yes; Mr. Redett-yes; Mr. Starcher-yes. Motion carried.

SWEARING IN OF POLICE OFFICERS

Mayor Bird administered the oath of office to Officers Bunch and Torres.

VISITOR COMMENTS

Johnson's Island property owners Steve Shine, Dave Reed, Rob Ross and Glenn Beachy who also serves on the island's Road Commission all presented information to support their belief that the roads on Johnson's Island are private and, as such, should be exempt from the licensing requirements of the village ordinance regulating golf carts. Mayor Bird stated that it is Council's intent to have a representative from the Ottawa County Prosecutor's office present to address these concerns because it was the Prosecutor who issued the opinion that the ordinance applies to roads on Johnson's Island. This topic will be on the agenda for discussion at the May 9 regular council meeting when Assistant Prosecutor, Blake Skilliter will be in attendance.

LEGISLATION

President Pro Tem John Starcher read the following legislation by title only:

- A. **RESOLUTION NO. 3-2018 – A Resolution Supporting the Establishment of the Lake Erie Islands Water Trails as a Designated Water Trail by the Ohio Department of Natural Resources.** This was the third reading.

Mr. Redett moved to adopt Resolution No. 3-2018. Second by Mrs. Kukay. Vote: Mr. App-yes; Mr. Dorko-yes; Mrs. Kukay-yes; Mr. Redett-yes; Mr. Starcher-yes. Motion carried. Mr. Myers abstained.

- B. **ORDINANCE NO. 3-2018 – An Ordinance to Change the Zoning Classification of Property Located in Marblehead, Ohio from “R-2 Residential” to “Business” and to Amend the Zoning Map Accordingly.** This was the second reading; third reading will be April 25, 2018.

Mr. Redett presented a brief explanation of the information the Planning Commission considered in recommending approval of the proposed zoning change. He said when zoning was enacted in the village in 1998 this was a vacant parcel. It is surrounded on two sides by the quarry and across the street by Bay Point, a business, as well as The Legends, a residential development which has court approval for a business use of short-term rentals. The only existing residential use are the Bay Point Condominiums which are adjacent to the east. The Commission also took into account the fact that in 2017 a similar request was approved to rezone a parcel on the south side of Bayshore Road from “R-2” to “Business”.

Mr. App said his concern about rezoning this property is what it can potentially be used for if the entire parcel is rezoned.

Mrs. Sowers explained that this parcel was first zoned residential in 1975 when it was part of the Township. Following annexation, the area remained under township zoning until the village enacted zoning in 1998 and continued the residential classification. While under township zoning, Bay Point developed the existing condominiums to the east and had plans for additional units extending all the way to Alexander Pike which includes the property now being considered for rezoning.

REPORTS

Solicitor

Mr. Barney stated that he recently contacted Emilia Wise, successful bidder on the downstairs of 414 W. Main St. because she had not yet returned her lease. Ms. Wise, who plans to put a small clock shop in the building, stated it was an oversight because she has not yet moved into the facility. Council agreed that the lease could start April 1, 2018 rather than January 1 but will expire at the same time as the other two leases at the end of December 2022.

Finance and Records Committee

Mr. Starcher had nothing to report.

Utilities/Ferries/Waterfront Committee

Mr. Dorko reported on the April 10 BPA meeting during which the Board discussed the new state requirement to complete an asset management plan by October 1, 2018. The Board received

a proposal from CT Consultants for assistance in developing the plan. Mr. Joyce will also contact RCAP to find out what assistance they may be able to offer.

Beautification/Parks/Cemetery Committee

Mr. App said he would meet at 1:30 pm April 16 with representatives of CT Consultants to obtain cost estimates for Clemons Park improvements. A Parks Committee meeting will be scheduled after that date to review the information.

Streets/Sidewalks/Sewer Committee

Mr. Myers reported he and Street Commissioner Lucas recently toured the village to assess the condition of streets and signs. Julie Thomas of CT Consulting will meet with Mr. Lucas on April 16 to review this assessment and update cost estimates for road projects.

Annexation/Subdivision/Planning Commission Committee

Mr. Redett advised that the Planning Commission approved a setback variance following a hearing at its April 4th meeting.

Safety/Insurance Committee

Mrs. Kukay had nothing to report.

Fiscal Officer

Mrs. Sowers informed Council that the Community Development Implementation Strategy meeting for the Community Development Block Grant program will be held April 20 at 9:30 a.m. at the Ottawa County Courthouse. Purpose of this meeting will be to review various CDBG programs, review rules and regulations and discuss eligible activities.

Council members initialed receipt of the March financial reports distributed by Mrs. Sowers prior to the meeting.

Street Commissioner

Mr. Lucas advised that ODOT officials have done test borings along Main Street (SR 163) at Cottage Cove to determine how best to repair the area where the road partially washed out during recent northeast storms.

Police Department

Chief Joy had nothing new to report.

Zoning Administrator

Mr. Hruska had nothing to report.

Board of Public Affairs

No report.

OLD BUSINESS

A. Golf Cart Ordinance/Johnsons Island Private vs Public Roadways and Enforcement

Mayor Bird reminded all that Assistant Prosecutor Blake Skilliter will attend the May 9 council meeting to address concerns of Johnsons Island golf cart owners regarding implementation of the village's golf cart ordinance.

- B. **Update on Venting of Maintenance Garage** – Mr. Starcher said he and Mr. Lucas recently inspected the Town Hall boiler and discovered that while the boiler is operating correctly, the gas valve was intermittently malfunctioning which could have caused improper combustion resulting in the smell in the second floor offices. The gas valve was replaced and everything has been operating correctly. Mrs. Sowers added there have not been any fumes in the office since the valve was replaced.
- C. **ODOT SR 163 near Cottage Cove/Lake Point Motel** – Mayor Bird contacted ODOT representatives regarding repairs to SR 163 in the area of Cottage Cove where a section of road was damaged during recent northeast storms. She added that the Governor has declared a disaster which will make the storm damage repairs eligible for emergency financial assistance. The Mayor will stay in contact with ODOT officials and keep Council apprised of the situation.
- D. **Council Approval of Mayor Bird’s Recommendation to Appoint Jim Keys to the Open BPA Position** – Based on the recommendation of Mayor Bird, Mr. Dorko moved to appoint Jim Keys to fill the remainder of the term for the BPA seat previously held by George Danchisen. The term will expire December 31, 2019. Second by Mr. App. Vote: Mr. App-yes; Mr. Dorko-yes; Mrs. Kukay-yes; Mr. Myers-yes; Mr. Redett-yes; Mr. Starcher-yes. Motion carried.
- E. **Update on Police Department Policies & Procedures from Lexipol for Statewide Unity** – Chief Joy said the draft police policy, which is compliant with the Ohio Collaborative, has been completed with the assistance of Lexipol. Copies were distributed to council members and the solicitor for review before the final version is adopted by council.
- F. **Marblehead Merchants Flower Planter Project** – Mr. Starcher stated the Merchants Group is working with local master gardeners Linda Twarek and Gwen Funderwhite on the planter project. The group would like to focus on the area of Main Street between Frances Street and the conveyor belt because they feel it would have the best visual impact. One problem with placing pots in that area, though, is the lack of level ground adjacent to the sidewalk. For that reason, the group is looking into the possibility of mounting hanging baskets on the light poles. Council was supportive of this change.

NEW BUSINESS

- A. **Memorial Day Parade and Service May 28, 2018** – Mayor Bird stated the village will host this year’s Memorial Day Service on Monday, May 28, 2018 in James Park. The Police Dept. will coordinate this parade and service.
- B. **Change of LLC Membership for Liquor Permit Holder Steinbrick LLC dba Wee Willys & Patio** – Council had no objections and did not request a hearing on an application by liquor permit holder Steinbrick LLC dba Wee Willys & Patio to change LLC membership from William Steinbrick and Norman J. Welser, Jr. to William Steinbrick, Brandi Acord, Jason Steinbrick and Trudi Lucas.

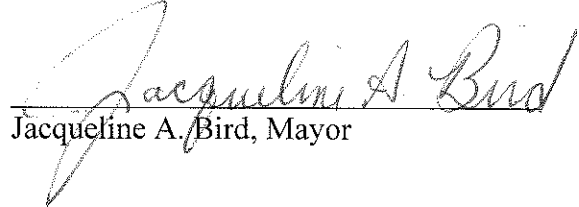
AUTHORIZE PAYMENT OF BILLS

Motion to authorize payment of bills totaling \$44,903.68 including March payroll made by Mr. Starcher and seconded by Mr. Dorko. Vote: Mr. App-yes; Mr. Dorko-yes; Mrs. Kukay-yes; Mr. Myers-yes; Redett-yes; Mr. Starcher-yes. Motion carried.

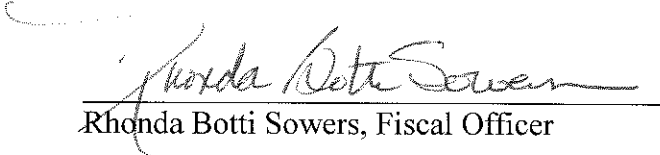
ADJOURNMENT

Motion to adjourn made by Mrs. Kukay and seconded by Mr. Starcher. Meeting adjourned by unanimous vote at 7:02 p.m.

APPROVED:


Jacqueline A. Bird, Mayor

Attest:


Rhonda Botti Sowers, Fiscal Officer