

**VILLAGE OF MARBLEHEAD REGULAR COUNCIL MEETING
HELD AUGUST 14, 2019**

Mayor Bird called the meeting to order at 6:00 p.m. and opened with the Pledge of Allegiance.

ROLL CALL AND ATTENDANCE

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

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

Visitors in attendance were Paul Hasselbach, Robert Cailor, Jerry Thompson, Scott Witter and Jennifer Shepherd.

VOTE TO EXCUSE COUNCILMAN REDETT FROM CURRENT MEETING

Mr. Myers moved to excuse Dave Redett from the August 14, 2019 regular meeting. Second by Mrs. Kukay. Vote: Mr. App-yes, Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes. Motion carried.

VOTE TO EXCUSE MAYOR BIRD FROM THE OCTOBER 9, 2019 MEETING

Mrs. Kukay moved to excuse Mayor Bird from the October 9, 2019 regular meeting. Second by Mr. Dorko. Vote: Mr. App-yes, Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes. Motion carried.

MINUTES

Council approved minutes of the July 24, 2019 meeting as submitted.

VISITOR COMMENTS

There were no visitor comments.

LEGISLATION

There was no legislation.

REPORTS

Mayor

Mayor Bird extended thanks to Casey Joy, Brian Zimmer, Tim Feller, Andy Kukay, Joe Hudak, Tod Kelly and Jim Keys who volunteered their time to remove weeds that had grown up around the Candy Junction property following the death of the business owner earlier this year.

Solicitor

Mr. Barney had nothing to report.

Finance and Records Committee

No report.

Utilities/Ferries/Waterfront Committee

Mr. Dorko reported on the August 13 Board of Public Affairs meeting. He said the plant superintendent is closely monitoring for HABs (harmful algae bloom) but it has not affected the village's treated water supply.

Beautification/Parks/Cemetery Committee

Mr. App said there is no update yet on the status of the NatureWorks Grant application for Radar Park; the community development group will have its first meeting August 20; Ron and Jane Crandall are continuing the headstone cleaning/repair in Clemons Cemetery. Mr. App advised there are some trees that have sprung up in the cemetery which are damaging grave markers. Mr. Lucas said the trees are small enough that he can remove them.

Streets/Sidewalks/Sewer Committee

Mr. Myers had nothing to report.

Annexation/Subdivision/Planning Commission Committee

Mr. Redett submitted a written report of the Planning Commission's August 7 meeting. The Commission held four informal hearings and voted to change meetings for the remainder of 2019 from the first Wednesday of the month to the first Thursday at 6:00 pm.

Safety/Insurance Committee

Mrs. Kukay had nothing to report.

Fiscal Officer

Council members initialed receipt of the July financial reports distributed prior to the meeting.

Street Commissioner

Mr. Lucas advised he will be on vacation and not able to attend the August 28 meeting.

Police Department

Chief Joy had nothing to report.

Zoning Administrator

Mr. Hruska had nothing to report for zoning but informed council that he submitted an application for the next round of FEMA funding which, if awarded, would help repair the storm damaged break wall at Clemons Park.

OLD BUSINESS

- A. **Update on Hiring Policy Ordinance** – Mayor Bird distributed copies of a proposed hiring policy she and Solicitor Barney prepared. The Mayor asked that elected officials and department heads review the draft and let her know if there are any questions, comments, or proposed changes. The mayor would like to have the hiring policy ordinance ready for a first reading in September.

- B. **Update on Witter Property & 2 Vehicles** – Solicitor Barney stated 30 day notice was sent by certified mail July 25 to owners of the properties at 110 and 106 Perry Street informing them of the village's intent to demolish the structures. Mr. Lucas is obtaining bids for the work. Scott Witter was present on behalf of his wife's family, the heirs of Tom and Rosemary Ashby, who own the lots, to question the process followed by council. Mr. Witter said he met with Chief Joy and the Fire Chief when the buildings were inspected. Mr. Witter agreed the house at 110 Perry was beyond repair and he began getting demolition quotes. Beyond that, Mr. Witter said there has been no contact from the village regarding this issue until the letter from Mr. Barney arrived. Mr. Witter

disputed the statement that the fire chief inspected and recommended demolishing the structure at 106 Perry also. Mr. Witter said he would still like to arrange for demolition of the house at 110 Perry rather than have the village do the work. Mr. Witter added that he will seek legal recourse, if necessary, to keep the house at 106 Perry from being torn down. Mayor Bird stated her belief that Chief Joy has been very generous working with the property owners since last September and it is council's intention to demolish the structures at the end of the 30-day period.

- C. **Insurance Inspection of Clemons Park** – Mrs. Sowers reported that Wendy Jaqua of the Ohio Plan Risk Management office inspected Clemons Park for liability issues at council's request. Mrs. Jaqua recommended the following: erect identification signs which can be used to list hours of operation; clearly mark parking areas and provide some parking on the same side of the street as the park; move the floating dock behind the temporary fence to further restrict access to the damaged part of the breakwall; clear overgrowth and debris from the stairs leading to the kayak launch; plant shrubs as indicated on the park master plan to mark the western edge of the park property. Because water is an obvious hazard, no additional warnings are needed unless council chooses to post a sign stating "no lifeguard on duty" or "swim at your own risk."
- D. **Update on Alexander Pike** – Mr. Myers and Mrs. Sowers had nothing additional to report. Once the paving change order is received, Council will be able to approve final payment for the project.
- E. **Perch Festival and Parade August 24, 2019** – Mayor Bird reminded all that the annual Lion's Club Perch Festival will be held Saturday, August 24 in James Park with the parade down Main Street beginning at 10 a.m. Village officials will participate in the parade riding on the antique Dodge fire engine.

NEW BUSINESS

- A. **Johnson Island Street & Traffic Signs** – Solicitor Barney stated a driver recently ran off the road on Johnson's Island, destroying a number of traffic signs. After reviewing the 1998 annexation agreement, Mr. Barney determined it is the village's responsibility to maintain street signs that he feels include stop signs as well. The village will replace the signs and ask that the court order restitution from the driver who was cited. Island resident Jerry Thompson thanked the village for addressing the sign issue and for the fine job the village crew does plowing the streets. Referencing the annexation agreement, he noted that the village agreed to undertake ditch maintenance on the island and said there is a need for this to be done.
- B. **Establish date for Halloween/Trick or Treat** – Brief discussion was held on whether to set trick or treat hours on Halloween, October 31 or whether to set them on the Saturday before Halloween. Mayor Bird said it has caused confusion in the past when trick or treat is not on the 31st. Mr. Myers said the village merchants would prefer it be on October 31. Mr. Dorko moved to set Trick or Treat time in the Village from 6:00 to 8:00 p.m. on Thursday, October 31, 2019. Second by Mr. Myers. Vote: Mr. App-yes, Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes. Motion carried.

- C. **Councilman Redett – Meeting attendance from August 14 through December 11, 2019** – Mayor Bird said a change in Councilman Redett’s teaching schedule for the fall semester will prevent his attendance at regular council meetings from August 14 through December 11, 2019. Mr. App moved to excuse Dave Redett from regular council meetings from August 14, 2019 and December 11, 2019. Second by Mrs. Kukay. Vote: Mr. App-yes, Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes. Motion carried.
- D. **Rental Property at 414 W. Main Street** – Paul Hasselbach, owner of Pottery Perfection in Fremont would like to lease both the upstairs and down of the village’s now vacant rental property at 414 W. Main Street. Solicitor Barney stated that if council wishes to continue leasing the building they will need to advertise for bids again since both of the previous leases were terminated and cannot be assigned by the former tenants to a new tenant. Mr. Myers moved to advertise to accept bids for lease of 414 W. Main Street. Second by Mr. App. Vote: Mr. App-yes, Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes. Motion carried.
- E. **Request to block Barclay Street for an event September 15** – Jennifer Shepherd of St. Joseph Catholic Church asked permission to close Barclay Street for a youth activity on September 15. Mr. Dorko moved to authorize closing of Barclay Street from 3:00 to 6:00 pm on Sunday, September 15, 2019. Vote: Mr. App-yes, Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes. Motion carried.

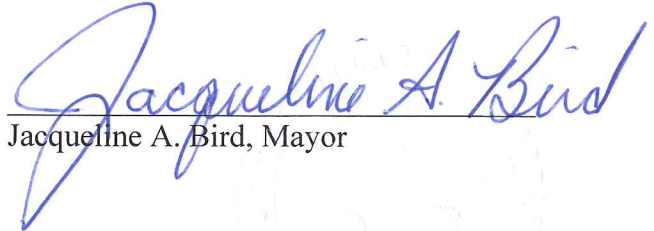
AUTHORIZE PAYMENT OF BILLS

Motion to authorize payment of bills totaling \$47,940.20 including July payroll made by Mr. Dorko and seconded by Mr. App. Vote: Mr. App-yes, Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes. Motion carried.

ADJOURNMENT

Motion to adjourn made by Mrs. Kukay and seconded by Mr. Dorko. Meeting adjourned by unanimous vote at 6:53 p.m.

APPROVED:



Handwritten signature of Jacqueline A. Bird in blue ink.

Jacqueline A. Bird, Mayor

Attest:



Handwritten signature of Rhonda Botti Sowers in blue ink.

Rhonda Botti Sowers, Fiscal Officer