

**VILLAGE OF MARBLEHEAD REGULAR COUNCIL MEETING  
HELD JULY 14, 2021**

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, Angie Kukay, Duane Myers, Dave Redett and John Starcher.

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

Guests present were Delite Biro Vogley, Mike Biro and Tom Biro. There were no additional visitors.

**VOTE TO EXCUSE COUNCILMAN DORKO FROM CURRENT MEETING**

Mr. Redett moved to excuse Dean Dorko from the July 14, 2021 regular council meeting. Second by Mrs. Kukay. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.

**MINUTES**

Council approved minutes of the June 23, 2021 regular meeting as submitted.

**VISITOR COMMENTS**

There were no visitor comments

**MAYOR'S PROCLAMATION FOR THE 100<sup>TH</sup> ANNIVERSARY OF THE BIRO MANUFACTURING COMPANY**

Mayor Bird presented Delite Biro Vogley, Mike Biro and Tom Biro with a proclamation honoring the 100<sup>th</sup> anniversary of the Biro Manufacturing Company founded in 1921 by their grandfather, Carl Biro, Sr. Over the past century the business evolved into an international company still headquartered in Marblehead.

**LEGISLATION**

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

- A. **RESOLUTION NO. 5-2021** – A Resolution of Necessity Pursuant to Section 5705.03 of the Revised Code Requesting the Ottawa County Auditor to Certify to the Council of the Village of Marblehead, Ottawa County, Ohio, the Total Current Tax Valuation of the Village of Marblehead, Ohio and the Dollar Amount of Revenue that Would be Generated by a New Two (2.0) Mill Tax Levy for the Purpose of General Construction, Reconstruction, Resurfacing, and Repair of Streets, Roads, and Bridges in the Municipal Corporation and for Constructing, Rehabilitating, Repairing, or Maintaining Sidewalks, Walkways, Trails, Bicycle Pathways or Similar Improvements, or Acquiring Ownership Interests in Land Necessary for the Foregoing Improvements and Declaring an Emergency.

Motion to waive three readings on three separate occasions made by Mr. Myers and seconded by Mr. Redett. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.

Motion to retain the emergency clause made by Mr. Redett and seconded by Mrs. Kukay. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.

Motion to adopt Resolution No. 5-2021 made by Mrs. Kukay and seconded by Mr. Starcher. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.

B. **RESOLUTION NO. 6-2021** – A Resolution Authorizing the Mayor to Apply for, Accept, and Enter into a Water Supply Revolving Loan Account (WSRLA) Agreement on Behalf of the Village of Marblehead for Planning and Design of Water Facilities; and Designating a Dedicated Repayment Source for the Loan. First reading; second reading will be July 28, 2021.

C. **RESOLUTION NO. 7-2021** – A Resolution Authorizing the Mayor to Contract with CT Consultants for the Final Design of the Elevated Water Tank Project and Declaring an Emergency.

Motion to waive three readings on three separate occasions made by Mr. Myers and seconded by Mr. Redett. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.

Motion to retain the emergency clause made by Mr. App and seconded by Mr. Redett. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.

Motion to adopt Resolution No. 7-2021 made by Mr. App and seconded by Mrs. Kukay. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.

## **REPORTS**

### **Mayor**

Mayor Bird stated Marblehead VFW Post 7572 observes its 75<sup>th</sup> anniversary this year and she will present a proclamation in recognition of this event during the Post's summer feather party on July 24.

The Mayor reported that Chief Thellmann contacted ODOT about the possibility of reducing the speed limit on Main Street during special events but was told the speed limit is set by the Ohio Revised Code and cannot be arbitrarily changed.

Mayor Bird received a complaint just prior to the start of the meeting about high weeds on a Johnson's Island property. Chief Thellmann said he, too, received complaints about this property and has already sent notice to the owner.

Discussion on who is responsible for removing vegetation led Mr. App to ask about two trees along Harsh Road that came down during a recent storm. The trees appear to be on private property but have fallen on the road right-of-way. That led to further discussion about whether

Lakeside or the Village is responsible for the Harsh Road right-of-way. Mr. Barney agreed to research the plat records in the County Recorder's office for an answer to this question.

**Safety/Insurance Committee**

Mrs. Kukay reported briefly on the activity of the Lighthouse Bicentennial committee.

**Beautification/Parks/Cemetery Committee**

Mr. App had nothing to report.

**Streets/Sidewalks/Sewer Committee**

Mr. Myers had nothing to report.

**Street Commissioner**

Mr. Lucas had nothing to report.

**Police**

Chief Thellmann submitted a written report of recent activity.

**Zoning Administrator**

Mr. Hruska reported on the July 7 Planning Commission meeting where final approval was given to the 121-unit Waterview at Bay Point development.

**Utilities/Ferries/Waterfront Committee**

No report.

**Annexation/Subdivision/Planning Commission Committee**

Mr. Redett had nothing additional to report.

**Finance Committee**

Mr. Starcher had nothing to report.

**Fiscal Officer**

Mrs. Sowers reported there is now a portal to be used to apply for funds allocated to the village by the American Rescue Plan Act. Mrs. Sowers learned that Marblehead's allocation, originally set at \$170,000.00 has been reduced to \$90,504.92 due to funds being directed to townships as well as municipalities. There is not yet guidance from the State Auditor regarding accounting for ARPA funds.

**OLD BUSINESS**

- A. **Johnson Island Roads/Tax District suggested by owners** – Mr. Barney was contacted by Gary Zdolshek of the Johnson's Island Investment Group (JIIG) owner of the island roads, proposing the creation of a separate taxing district to generate revenue for road improvements and maintenance. Mr. Barney said he is not familiar with creating taxing districts but will look into it further and report back to council.
  
- B. **DORA/501(c)(3) Information** – Following up on questions raised during discussion earlier this year, Mr. Barney said he can find no requirement that a non-profit organization with a 501(c)(3) designation be involved in the creation of a DORA. He

believes the Marblehead Peninsula Chamber of Commerce could prepare the plan and present it to council.

- C. **Storm damage to public access areas of Stone, James, Cherry & Erie Streets** – Mayor Bird noted there is public access to the lake at the foot of four streets in the village and has had reports of storm damage at several. Mr. Lucas said the end of Cherry Street has been cleaned up and the only damage at the foot of Erie Street was to a bench which has been repaired. Mr. Lucas questioned, though, whether there is actually public access at the foot of Stone and James Streets because the county auditor’s website lists those locations as common area for the subdivision. Mr. Barney will check the information in the county plat records.
- D. **Update on Clemons Park break wall** – Mr. App spoke with village engineer Julie Thomas about the process to obtain a US Army Corps permit for repair of the break wall at Clemons Park. Council asked Mr. App to obtain a proposal for CT Consultants for the engineering needed to apply for a Corps permit.
- E. **Update on Village Administrator feasibility study** – Council received copies of the Village Administrator Feasibility Project Report completed by students and staff of the University of Toledo. Dr. Daniel Boden, who headed the study, will attend the July 28 council meeting to discuss the report and answer questions.
- F. **Water Tower Update** – Mrs. Sowers reported the Board of Public Affairs voted at its July 13 meeting to proceed with an update of the Johnson’s Island water study provided Johnson’s Island pays the \$10,900 cost. Johnson’s Island resident Joe Gouker presented checks from the Johnson’s Island and Baycliffs homeowner associations totaling \$10,900. The BPA received the preliminary design report from CT Consultants for the proposed tower as well as a \$90,000 quote to proceed with the design phase. While Johnson’s Island is not included in the design it is possible the size will be large enough to accommodate the island if lines are extended.
- G. **Suggestions for renaming former Fire Station** – Discussion continued on potential names to identify the former fire station at 517 W, Main St. Possibilities included Municipal Services Building, Municipal Complex, Village Complex, Village Service Building. Discussion was continued.
- H. **Council recommendation regarding Heritage Ohio** – Mayor Bird asked Council’s feelings on participation with the Heritage Ohio/Main Street proposal presented by the Chamber and Merchants. Following discussion, council agreed to pay a portion of the \$5,000 DART assessment if the Chamber and Merchants choose to proceed but is not willing to commit money beyond that amount.

## **NEW BUSINESS**

- A. **Marblehead Lions Club Perchfest & Parade** – Mayor Bird stated the Marblehead Lions Perch Festival will be held in James Park on Saturday, August 28 beginning with a parade down Main Street at 10 a.m. Council members will participate in the parade.

- B. GovDeals** – Mrs. Sowers recently received contact information to obtain details on setting up an account through GovDeals. She reminded council they will need to follow ORC requirements regarding disposal of surplus property before offering items for sale.
- C. Council authorization to continue membership in the Ottawa Regional Planning Commission at a cost of \$541.80** – Mr. Starcher moved to continue membership in the Ottawa Regional Planning Commission and pay the annual assessment of \$541.80. Second by Mrs. Kukay. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.
- D. Set Trick or Treat** – Mr. Starcher moved to set trick or treat hours from 6:00-8:00 p.m. on Sunday, October 31, 2021. Second by Mrs. Kukay. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myer-yes, Mr. Redett-yes, Mr. Starcher-yes. Motion carried.

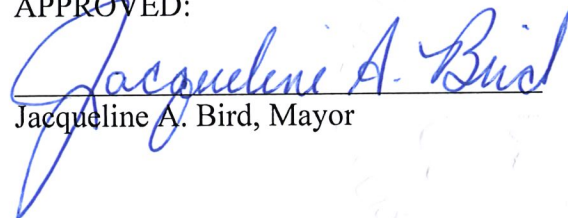
#### **AUTHORIZE PAYMENT OF BILLS**

Motion to authorize payment of bills totaling \$75,625.00 including June payroll made by Mr. App and seconded by Mr. Myers. Vote: Mr. App-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mr. Redett-yes. Motion carried. Mr. Starcher abstained.


#### **ADJOURNMENT**

Motion to adjourn made by Mrs. Kukay and seconded by Mr. Starcher. Meeting adjourned by unanimous vote at 7:18 p.m.

APPROVED:

  
Jacqueline A. Bird, Mayor

Attest:

  
Rhonda I. Sowers, Fiscal Officer