

Smile! Summer Isn't Over Yet - Is it?



The Perchie Press 35cents

Volume II, Number 12

Covering the World from Kelleys Island, Ohio ©

August 21, 1992

Civil Air Patrol Assists in Search and Rescue Attempt

By LT. PAUL BUESCHER

Members from seven of Ohio's Civil Air Patrol (CAP) squadrons began arriving on Kelleys Island Friday night August 7 for a second annual weekend of search and recovery (exercises) and ground school. Shortly after the troops were settled in for the night, disaster struck on Lake Erie.

Kelleys Island police officers Ron Covert and Javier Melendez arrived at a private residence on Huntington Land at 2:07 a.m. The home was serving as mission base and housed CAP staff personnel. Knowing that the CAP had experienced search and recovery scuba divers, two of which were also members of the Ohio Underwater Research Association based on the Island, the officers woke the staff and advised them that a salvage diver was trapped on a sunken boat in 53 feet of water about one mile north of Long Point. Lieutenants Paul Buescher and Jack Wade began gathering their scuba gear while the police officers proceeded to the State Park campground to bring fellow CAP diver Lt. Skip Cross who was camping with the rest of the CAP group. While diving preparations were underway, mission coordinator Lt. Dave Houpt was conducting logistical preparations including establishment of radio communications with the divers and police. Since the CAP is an auxiliary of the US Air Force, official mission status was secured from Scott Air Base in Illinois. At 2:27 a.m., the divers boarded the Marblehead Coast Guard's 19 foot rigid hull inflatable and made way from Seaway Marina to the disaster scene. The three divers, Buescher, Wade and Cross were now committed to the challenging task ahead.

When the divers reached the search scene, many other boats were in the vicinity attempting to locate the three boats that had gone down - the 28 foot *Steel Ray*, which went down Friday afternoon, and two salvage vessels attempting to retrieve the downed boat. The two salvage vessels were the 36 foot *Reliance* and the 40 ft *Theresa*.

At 3:15 a.m., the three divers were transferred to another salvage vessel, the *Retriever*, where they spent the next several hours waiting for the underwater disaster scene to be located. The darkness and four to five foot waves made the search difficult for the seasoned seamen and quite trying for the not-so-seasoned divers. Around 4:30 a.m., the wreckage was located about 30 yards west of the *Retriever*. Just as the CAP and divers from the Huron Fire Department were preparing to enter the water, CAP mission base radioed that Cleveland flight service had advised that level 3 (strong) thunderstorms were only 15 minutes away. Lightening was already visible on the dark horizon and the wind and waves

continued on Page 3

Dubious Duplex Dilemma Drones On Malice in Blunderland?

The battle over the duplex on Woodford Rd. continued unabated over the past month. Several recent meetings have contributed more to the confusion over the matter than to clarifying the situation.

This story has taken many unexpected turns. The controversy seems to have started in earnest when Planning Commissioner Chuck Herndon advised Jake Martin that his (Herndon's) reading of the regulations on duplexes was that a duplex structure had to have 960 sq. ft. of living area measured at the foundation. Herndon later felt he had misinterpreted the meaning of the section of 303, but thought he might have opened himself and the Village to a lawsuit because of "detrimental reliance" on his interpretation by Martin. (Martin allegedly ordered a pre-constructed duplex based on Herndon's views. Village Zoning Inspector Jack Terry asserts, however, that he visited Martin within several hours of Herndon's statements and informed Martin that Herndon's interpretations were wrong, and that a duplex had to be 1920 sq. ft. of living area measured at the foundation.)

In an attempt to avoid a potential problem, the Planning Commission quickly recommended to the Council that the square footage be reduced to accommodate Martin's duplex and a special meeting of Council was called to ratify the change in the requirements. At the special meeting, Councilman Yoscovits pointed out that the change to the minimum size was a change to the zoning ordinance that required a public hearing prior to consideration and

CONTINUED ON PAGE 9



Duplexed - legged race at Homecoming festivities?

July Was Busy Month for Police, EMT's

The Police and EMT's handled over 90 calls during the month of July and early August.

Capt. Ron Covert reported that the KIPD responded to 51 calls and made 82 arrests during July. Leading the list of citations issued were parking tickets with 47. Seven arrests were made for open containers, which put that offense second on the list. The remainder of the offenses included disorderly conduct, disorderly while intoxicated, fireworks, and criminal damage all of which had three offenses tallied. There were two assaults, including one on an

Continued on page 7



Why are they arresting Street Commissioner John Kuyoth? Did they run out of Councilmen? No, just Jail and Bail fun.

Charter Fishing on SEATRADER I



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August 20, 21, 22
Paradise Island

August 27, 28, 29
Cruisin'

Sept. 3, 4, 5, 6 (Sunday)

Eddie and the Edsel's

Sept. 10, 11, 12

Eddie and the Edsel's

Sunday Brunch

10:30 - 2:30



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OFFER GOOD FOR ENTIRE 1992 SEASON WHEN PRESENTED WITH THIS AD.

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were building rapidly. Both dive teams quickly consulted each other and very reluctantly decided to terminate the dive for obvious safety reasons. At 4:45 a.m. all search vessels were heading for safe harbor. The CAP and Huron divers arrived at the State Park dock in the north bay of Kelleys and ended the mission at 5:21 a.m.

What the CAP Really Came For...

The CAP's regular schedule of activities commenced with a flag raising ceremony in the Village Park at 9:00 a.m., followed with ground school at the Village pavilion. The ground school consisted of instructions to the 56 participants that included radio direction finding techniques and equipment used to locate downed aircraft, missing person searches and aerial search techniques for the attending pilots. The school lasted until 4 p.m. when all personnel returned to the State Park for a break. The break was short lived - this time by a "planned disaster," involving the KIPD and Lifelight helicopter.

Police Chief Ron Schnittker and officer Melendez arrived at the group campsite at 5:30 p.m. and informed CAP that there was a lost child on the island and the Police needed some assistance with a search. The child was a three year old diabetic named Seth and he had wandered off from his mother near the Glacial grooves. He had been missing nearly an hour and was overdue for his insulin. A ground search was immediately launched and by 6:45 p.m. Seth had been found along the north loop hiking trail. In reality, Seth (Chief Schnittker's son) was fine but for simulation purposes, the rescuers were informed that Seth was experiencing a full diabetic coma - a life threatening situation. Lifelight was requested by the rescuers and Seth was then rushed on foot to an awaiting KIPD cruiser and taken to the municipal ball field to await arrival of Lifelight. CAP personnel cleared the area of loose debris and then secured the perimeter.

Lifelight Number 4 landed at 7:21 p.m. Seth was immediately taken aboard thus ending the simulated emergency. During the next half hour, CAP members together with Island residents and visitors toured Lifelight's facilities and chatted with the crew. By 8:00 p.m. Lifelight was flying off into the sunset and the Civil Air Patrol personnel were dismissed for a well- deserved night on the town.

THE FAMILY EATERY

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Lunch 12:00 N - 2:00 PM
Dinner 5:00 PM - 8:00 PM

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Last	New	First	Full
			
August 21 5:01 AM	August 27 9:42 PM	September 3 5:39 PM	September 11 9:17 PM

Phases and Seasons

Happy 17th anniversary to Laurie James on Sept. 13. - from the only person who would pass that top secret information along to the Perchie Enquirer.

Lori and Pat Hayes hosted their annual Victorian Lawn Party at the Inn last Sunday. A crowd of about 100 enjoyed a piano recital and thousands of cookies. The Sweet Valley Inn provided carriage rides, the donations for which went to "Wheels for Brad." Guests also enjoyed badminton and croquet. Seventeen people entered the costume contest and taking the prizes were Paul Johnson, Wes Otten, and Rachel Kurz.

Geraldine Betzenheimer will be off work for the next few weeks for surgery for carpal tunnel syndrome. Get Well Soon.

KI Volunteer Police Department held very successful "Jail & Bail" fund-raisers at Homecoming and Islandfest, raising more than \$1,500 for the department. Deputies Jean Kuyoth, Beth Naufel, and Vicki Sullivan took a lot of folks to jail, including George Koshko (whose crime was lying about his wife's age), and a couple of cooks from a downtown establishment, under tow of Officer Melendez, promising never to serve cold French fries again. Dean DiLuciano led the jail house choir (we use that term charitably) in such pitiful selections as "She'll be Coming Around the Mountain" and "Michael, Row The Boat Ashore."

Richie Fujita is leaving the Island in late August - he's heading to Wyoming to finish his education. And Jennifer Ulisse will be leaving about the same time to return to school in Akron. Artie Mader, on the other hand, just returned from school. She spent a month in Massachusetts at a writer's workshop.

Ted Blatt had a scare recently when his granddaughter was missing for several hours. After a frantic search of the Island, she was discovered playing games at Bag The Moon.

Chris and Frank Yako are happy to report that their daughter Lisa will be working at Stone Lab on Gibraltar Island for the next couple of months. Among other things, she will be giving tours to school kids and introducing them to marine research.

Dave Phinney is reportedly planning another epic excursion to Sarnia. The I-team will station itself on the Blue Water bridge and give reports.

Talk about expensive trips - Matt Hill went on one recently that cost him \$2954 - and he only went to Sandusky. That was aboard the Lifeflight helicopter. We're glad to report he is doing fine except for the pain in the pocket...

Letters To The Editor

Dear Editor:

I would like to share out insight on the successful tour of Governor and Mrs. Voinovich, eight travel writers and staff of the Ohio Division of Travel and Tourism.

The purpose of this viable familiarization tour was to share our area's diversity with travel writers, encouraging valuable publicity. In no way did the governor's staff attempt to make the tour politically involved.

The entire group was thrilled with their Kelleys Island visit, remarking it was at the top of the list of places visited. The Kelleys Island Chamber of Commerce was very fortunate to be represented by Gary Finger who extended the best of Kelleys Island hospitality to everyone. The cooperation of the Kelleys Island businesses involved was excellent and we felt fortunate and thankful for the tremendous assistance provided.

This tour was a valuable opportunity and we would like to publicly commend all those involved. They assured an educational and memorable visit to our important guests.

Sincerely,
Joan VanOfferen
Executive Director
Erie County Visitors and Convention Bureau, Inc.

The Perchie Press:

We would like to thank all parents and friends for making it possible to have out magician, Hawaiian dancer and all the special activities for the storytime children. The donations have been greatly appreciated. It means so much to know the community supports and cares for the children.

We had wonderful turnouts. The children, parents - and even people passing by - have enjoyed the entertainment and fun. It has been a special time for the children to make new friends. Storytime has touched so many "little ones" lives. It is because of precious caring friends like you on Kelleys Island.

Thank you so very much,
Cindra Ella Meilke

We give special thanks to:

- + Jeni Mack - my special friend
- + The Parents and Friends of the Storytime Kids
- + Sandy and Don Alexander of Kelleys Cove
- + Joann and Ken Neuffer of Fly-Inn B & B
- + Ed and Sandy Ward of Eagle's Nest
- + Pat and Laurie Hayes of the Inn
- + Bev and Paul Johnson of Sweet Valley Inn
- + Frank and Chris Yako of Cricket Lodge
- + The Kryznowics
- + Danny Ahner of The Caddy Shack
- + Kathy and Ken Reddinger of Bag the Moon Saloon
- + Rob and Kim Watkins
- + Jackie and Gary Finger of the Pump
- + John and Virginia Neuman for bringing our guests over
- + Ken and Donna Singer of The Country Store

Letters To The Editor

"Jake vs. Council and Some Uninformed Citizens:"

In an effort to clear some of the fog surrounding an important issue, I submit the following letter to the Editor.

Today, July 28, 1992 I attended a special council meeting at 9 a.m. on Kelleys Island. The agenda was to discuss amending zoning ordinance number 303 specifically regarding the minimum square footage requirement of 960 sq. ft. per dwelling measured at the foundation as it would relate to duplex type units.

It had been previously proposed at council to change the minimum square footage to 750 or 720 sq. ft. for each half of a duplex which would be a net minimum building size of 1500 or 1440 respectively. These sizes would more than meet the 960 sq. ft. minimum size requirement measured at the foundation. This sudden attention to zoning ordinance number 303 was precipitated by the installation and construction of a 1520 sq. ft. building on Woodford Road by Jake Martin, the contractor hired by the owner, Ed Kuchar. When the building was ordered it was the largest duplex available from the manufacturer, Randall Homes. Jake Martin is their sales representative on the Island.

My purpose in writing this letter to the Editor is to describe some of the events leading up to the council meeting. What started out as a sincere approach to correct an ordinance that overlooked the duplex issue when the square footage was changed from 750 to 960 sq. ft. on December 6, 1979, turned into an all out attack on an individual and not the ordinance issue.

After checking the old records, I found this increase in 1979 to 960 sq. ft. from the previous 750 sq. ft. was proposed to eliminate mobile homes from being brought to the Island, but the duplex or multiple dwelling issue escaped the thoughts of council at the time as the current ordinance is not clear on the square footage wording.

Now let me address why I put a home on my lot in the first place and why a duplex. The Randall representative, Jake Martin, needed a model home for showing prospective customers, so I agreed to have one built. Why a duplex? I read the Poggemeyer Study and on Page VI-3 I quote the last paragraph, "The future demand for multi-family housing in a vacation home market of the size of Kelleys Island will most likely be met by the planned units and the quarry and by duplexes available on the Island." The village spent approximately \$50,000.00 to obtain that information and I took the Poggemeyer suggestion and ordered a duplex.

Recently, when the change to 750 sq. ft. per half of a duplex was first suggested to council it appeared that a large portion of council thought the change would be acceptable. Later a group of people carrying personal grudges against the builder, passed out posters and wrong information and it appeared to the public the change was to make free standing houses 750 sq. ft at the foundation; that was not the proposal. Some people lost sight of the subject and automatically were against the suggested change.

We must all realize the duplex issue as well as motel units, apartments, bed and breakfasts, renal rooms and other related zoning issues will have to be addressed and conformance for

some, if the changes affect them negatively, may be a hard pill to swallow.

Let me quote another paragraph from VI-3. "There are a number of lodging establishments in both the commercial and residential areas. Those in the residential areas tend to 'bed and breakfast' operations and cottage rentals. There are currently no regulations in the zoning code that addresses either type of lodging." Does that mean we should launch an attack on owners of B & B's and cottage rentals? Certainly not! We should address those issues just like we must do for the multi-family units.

As for the dwelling issue, I am absolutely for the proposal to make each living area of a duplex or a quadplex a minimum of 720 sq. ft. It will allow future development on the Island using current state of the art preconstructed housing (that's also suggested in the study) and each structure will conform to more than the 960 sq. ft. requirement measured at the foundation. And by the way, preconstructed homes are not trailers or mobile homes without wheels!

Now for one last but important bit of information. For those of you who were rushing the Frankenstein Castle, you can lay down your clubs and torches. I stayed after the council meeting with several people including two attorneys who attended the meeting and listened to the tape of the previous council meeting. We clearly heard the KI council give Jake Martin permission to bring over the duplex without a permit. This was obviously due to the unclear wording of the ordinance and they decided not to stop delivery of the home.

Lets get together and resolve this issue for the benefit of Kelleys Island.

Sincerely
Edward R. Kuchar.

Perchie Press:

25 yrs ago. Wasn't it nice. We could drive on the roads without dodging the visiting people. We had the best of roads and other services with one man doing all the road work including the repair of the machines and grass cutting.

Also the people, our officials, worked for the good of the Island and now it appears they work for themselves.

I lost the first "round" but will keep trying. Some will be glad when we leave for Florida the last of September. It will give them a rest for the winter.

Keep up the good work as its the only thing to keep tabs on the news.

Franklin J. Clark

Dear Perchie Press,

Before I say another word, if you haven't fired "Rhonduh" by the time you receive this, please do yourself a favor and get rid of her at once.

There's nothing more aggravating than coming home from a long, hard Monday at work and sitting down in an attempt to do the "Perchie Puzzler," such as the one in your July 24, 1992 edition. Not only were there two words in your list of clues that didn't exist in your puzzle (e.g. Adams and Agnew) but several were not spelled correctly! I have enclosed a copy of the finished puzzle for your viewing enjoyment. I have highlighted the errors.

Keep up the good work and have a nice day.

Sincerely,
Renee Greenway

Historical Association Butterfly Festival Set for Sept. 19

The Kelleys Island Historical Association will be holding their annual Butterfly Festival on Saturday, September 19, 1992 at the Old Stone Church on Division Street from 10:00 a.m. to 4:00 p.m. Featured will be many different craft booths, a flea market and various baked goods for sale. Hot dogs and Sloppy Joes will be sold along with ice tea and lemonade. There will be a raffle drawing, the prize being a "Bed and Breakfast Weekend for Two," winner's choice (space permitting) at the Sweet Valley Inn on the Island. Tickets are \$1:00 each or 6 for \$5.00. An Old Fashion Auction will also be held.

At 2:00 p.m., Dr. David Horn, Entomologist from Ohio State University will speak on the subject of "Butterflies and Moths of the Lake Erie Islands." Weather permitting, a field project will follow the presentation. The Monarch Butterfly is well known on Kelleys Island as a stop-over visitor as they journey to Mexico for the winter. The Gypsy Moth brings concern as it spreads from New England to Northern Ohio and is becoming a serious menace.

The Historical Association has also just published a delightful tour guide of historic Island structures. The book, with photographs by Mike Mielke, is priced at \$5.00 and available from Association members.

Membership in the Historical Association is a modest \$5.00 per year.

For further information, call the Kelleys Island Historical Association at (419) 746-2577 or (419) 746-2224.

Recent Building Permits Issued

The listing below indicates those building permits issued through the end of July, 1992. Building permits are required prior to erection of any structure. They are also needed for additions of decks and docks. Applications for building permits can be submitted most Saturday mornings to Jack Terry, Village Zoning Inspector, between 9 a.m. and 11 a.m. at the Municipal Building. Deviations from this schedule will be posted.

No.	Date	Issued To	Address	Description of Work	Fee
1230	06/05/92	Thomas Terry		Trailer 50 x 10	195.00
1231	06/09/92	Sandra Bokerman	216 Cameron Rd.	add non-living area under existing deck	30.40
1232	06/09/92	Richard Sennish	833 Division St.	Pole Barn	1143.69
1233	06/18/92	Frank and Karen Baker	125 Seeholzer Lane	Summer Home - Stick Frame	1028.44
1234	06/20/92	Florence Block/Robert Howley	801 Monagan Rd.	Addition to home and garage 20 X 30	707.74
1235	06/23/92	Julius Ferlack/Stan Greene,	44116	2 bedroom summer cottage	603.12
1236	06/23/92	VFW Post 9908	611 Division St.	6 X 14 Bathroom - outside	40.08
1237	06/23/92	Alex Kovacs	104 Johanna Ln.	8 X 14 Bathroom	51.44
1238	06/23/92	Louis Wilson	92 W. Lakeshore Dr.	10 X 12 Storage Shed	30.40
1239	06/23/92	Charles and Patricia Smith	132 Trailer Lane	12 x 33 House Trailer	156.52
1240	06/23/92	Lee Verlinger		2 br modular with pole barn & 8 x 24 deck	600.02
1241	06/23/92	James and Karen Erne	141 Chappel St.	8 x 24 front deck 15 x 24 rear deck	103.84
1242	06/30/92	Peter Byrne	126 Edgewood Lane	6 x 12 and 16 x 30 deck	103.84
1243	06/30/92	Danny Artino	116 Lakeview Dr.	18 x 12 wood deck	46.72
1244	06/30/92	Robert Myers	115 W. Lakeshore Dr.	8 x 8 deck & porch w/stairs	20.88
1245	06/30/92	Ted Terry	515 E. Lakeshore Dr.	3 x 10 addition to laundry room	21.10
1246	07/07/92	Clark and Eleanor Schnieder	220 E. Lakeshore Dr.	Metal storage shed 20 x 30	112.00
1247	07/14/92	Duane Arndt	Navorska Trailer Park	8 x 10 deck	23.60
1248	07/14/92	Kuchar Enterprise/Jake Martin	231 Woodford Rd.	12 x 24 wood chicken coop	58.96
1249	07/22/92	Chris & Cathie Wise	808 W. Lakeshore Dr.	284 sq. ft. deck by pool	52.28
1250	07/25/92	Marv Byer	733 W. Lakeshore Dr.	Shorewall Deck 12 x 24	58.96



MARBLEHEAD SERVICE JUNE 29 - AUG 30

MONDAY - THURSDAY

Leave Marblehead 7:30 AM Leave Kelleys Island 7:00am

8:30 am thru 6:30 pm EVERY 1/2 HOUR 8:00 am thru 6:00 pm

FRIDAY

Leave Marblehead 7:30 am Leave Kelleys Island 7:00 am

8:30 am thru 5:00 pm EVERY 1/2 HOUR 8:00 am thru 5:30 pm

5:20 pm thru 9:40 pm EVERY 20 Minutes 5:50 pm thru 9:10 pm

SATURDAY

Leave Marblehead 7:30 am 8:30 am Leave Kelleys Island 7:00 am 8:30 am
8:00 am 9:00 am 8:00am

9:20 am thru 3:00 pm EVERY 20 Minutes 8:50 am thru 3:30 pm

3:30 pm thru 6:30 pm EVERY 1/2 Hour 4:00 pm thru 6:00 pm

7:30 pm 8:30 pm 7:00 pm 8:00 pm

SUNDAY

Leave Marblehead 7:30 am Leave Kelleys Island 7:00am

8:30 am thru 10:00 am EVERY 1/2 HOUR 8:00 am thru 9:30 am

10:20 am thru 9:40 EVERY 20 MINUTES 9:50 pm thru 9:10 pm

July 4th and Labor Day schedule same as Sunday

FOOT OF FRANCES STREET - MARBLEHEAD, OH 43440 - 419-798-5800

Continued from Page 3

THE PERCHIE PUZZLER

E S S A P M I A C C O R D Y
 C O U W A L K C O L D A E D
 R T E K C I P N N E S I A R
 O C V A A R B I T R A T O R
 F N I Y F I T A R J O B B A
 K L T N E M E G A N A M G T
 R T C A P A M R C L E R T I
 O N E G O T I A T E E O W F
 W E L R N H N B T E C I O Y
 E M L O G O A U M Y L N R D
 T E O U I C P E O D H F K O
 A L C N S S N B C O L A E T
 I T U R I T H A E P U O R G
 D T E D R R T E K I R T S O
 E E M P L O V E E L L A E D
 M S R S E S I M O R P M O C

Contract Wording

This Labor Day puzzle should be easy work compared to some of our other puzzles. We have doubled our effort to make sure all the words were included and the spelling is correct. As usual words can be forwards, backwards, diagonal, backwards diagonal, etc. (Next months puzzle will be completed by the subscriber who complained of our last one. Others are encouraged to participate.)

- | | |
|----------------|----------------|
| 1. Negotiate | 18. Collective |
| 2. Bargain | 19. Dispute |
| 3. Contract | 20. Agreement |
| 4. Strike | 21. Scab |
| 5. Wildcat | 22. Cola |
| 6. Impasse | 23. Raise |
| 7. Group | 24. Boycott |
| 8. Workers | 25. Deal |
| 9. Management | 26. Pact |
| 10. Labor | 27. Settlement |
| 11. Walk | 28. Deadlock |
| 12. Union | 29. Accord |
| 13. Arbitrator | 30. Job |
| 14. Mediate | 31. Workforce |
| 15. Picket | 32. Compromise |
| 16. Ratify | 33. Employees |
| 17. Sign | 34. Ratify |

Tax Renewals To Be on November Ballot

The Village Council voted to put two tax levy issues on the November ballot. Both issues are renewal requests for existing taxes. The first issue is a 5 mil renewal of general operating levy. The second issue is a request to renew the 1.5 mil levy for the benefit of the medical fund.

officer, two for underage consumption and two criminal trespass. The remainder of the offenses included one of resisting arrest and a DUI.

The Police Department also assisted other agencies, including the Coast Guard and State Park, on 12 occasions.

The EMT's made 43 runs during the six week period from July 1 through August 13, according to Laurie James. Fifteen of those runs required the victims to be transported off the Island. Lifeflight was used seven times, while the Coast Guard and the ferries were used four times each.

Laurie also reports that the new pagers have been received, and that each EMT now has one assigned to them full time. Four individuals are on-call everyday to respond to medical emergencies.

TEASERS FROM TRAM TOURONS

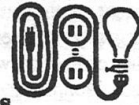
This is not one of David Letterman's list - this is a compendium of vapid questions from riders of the trams on the Island. Thanks to Jennifer Ulisse for showing one more moment of patience in compiling the list.

10. Where's the monument?
9. Where's the road off the Island?
8. Is there a bridge to Pelee?
7. Where's Lake Erie?
6. Where do you get your water?
5. Is there water on all sides of the Island?
4. How did they move the glacial grooves here?
3. How do you cook on the Island?
2. Do people really live on the Island?
1. Is there gambling at the Casino?

ISLAND ELECTRIC & PLUMBING

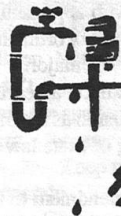
LICENSED MASTER ELECTRICIAN

- Base Board Heat
- Antennas
- Phone Jacks
- Electrical Service Upgrades
- Landscape Lighting - Tree Lighting
- Creative Track, Recessed, Sconce and Ceiling Lighting Design
- Hot Water Heaters - Repair or Replace
- Plugs, Lights, Switches Anywhere



You Want Them

- Custom Kitchens and Baths
- New Plastic Drain Lines
- New Copper Feed Lines for Easy Drainage in Winter



TERRY KRANYAK
746-2236

CONTINUED FROM PAGE 1

that a 30 day notice of that hearing had to be given. Consequently no action could be taken at that meeting, although there was an agreement among the Council members (in spite of later denials by some) that it would be OK for Martin to bring the structure to the Island, but that it could not be occupied. The duplex arrived that day and is in place. It was later pointed out that the erection of a building without a permit, which Terry steadfastly refused to issue, was itself a violation of Ordinance 303.

The public hearing was scheduled for July 27 and an ordinance was prepared lowering the floor space to 1500 sq. ft and modifying the wording of that section of 303 to make it more precise. Also included on the agenda was another change to the zoning ordinance that modified the process of appealing an adverse ruling by the Planning Commission.

The original special meeting to change the square footage requirements in late June drew no spectators. This meeting was different, and an overflow crowd packed the Municipal building. Mayor Haas was off the island, so Council president pro tem Russ Matso conducted the public hearing and Council meeting. The ordinance to change the appeal process produced no discussion in the public hearing and passed unanimously in the subsequent meeting of Council (with Matso voting for the change). The change in the square footage requirements drew heated and passionate comments from the audience. The most often asked question, and the one which went consistently unanswered, was why a zoning citation had not been issued for building a structure without a permit.

When the duplex change came up in the Council meeting, Herndon made a motion to amend the ordinance as written (which set the total duplex foundation size at 1500 sq. ft.) back to the 1920 sq. ft. At this point, Matso asked Village Solicitor Strickler if he was allowed to vote as acting mayor (never mind he had just done so on the previous ordinance). Strickler's opinion was that he could not, in spite of numerous protests from those in attendance (Strickler later confirmed he had been mistaken). After the amendment passed, Yoscovits moved, again over objections, that the ordinance (which would have kept the larger living area requirement, but clarify the wording) be passed as an emergency. The vote was four in favor, with Matso and Martin abstaining. The passage as an emergency was deemed to have failed since five votes were needed, so the ordinance was given its first reading (three readings are required for passage unless it is advanced to an emergency measure later).

There is reason to question this interpretation of the voting. As a matter of fact, there is good reason to believe that the ordinance did pass as an emergency at the special meeting, and the Perchie Press will be instituting action to certify those results. The Perchie Press's argument goes as follows:

At the heart of the issue is how the abstaining votes by Martin and Matso counted in the voting. A 1970 opinion of the Ohio Attorney General states a "village councilman who is present at council meeting but abstains from voting on resolution or ordinance is deemed to have acquiesced in action taken by majority of councilmen who do vote." This opinion is based upon an earlier Appeals Court decision which reached that conclusion as the only workable method of complying with the wording of State law on passage of legislation.

That 1958 case involved voting on an amendment to the

Avon zoning ordinance, which, curiously, was Ordinance 301. All councilmen were present at the meeting and the voting resulted in one abstention, three "yea's" and two "no's." The court noted that the requirement for passage of an ordinance or resolution is for it to receive a "vote of at least a majority of all the members of the legislative authority." Note it does not say "those present" or "those voting." The court concluded the only logical solution to the problems this requirement could impose would be to count those refusing to vote with the majority of those who do vote. The court made no distinction on what the issue being considered was, or the reason for refusing to vote. Thus, the fact the vote was to move an ordinance to an emergency should not escape this ruling. Nor does the fact the refusal to vote was due to a conflict of interest seem to defeat the logic of the rule.

As a consequence of the foregoing, Martin's "no vote" at the special meeting counted with the majority of four who did vote (as Matso's probably did too). This gave the requisite three-quarters needed to advance the amended ordinance to emergency status, which was then passed with the ensuing vote.

The ordinance in question may have been passed at its third reading by the time this issue is distributed. A special meeting of Council had been called to consider the assessed water project, and the third reading was added to the agenda. At the regular monthly Council meeting on August 13, the second reading of the measure was passed by a 5-1 vote (Matso voting "no," Martin abstaining and counting with the four who voted yes). Once again an overflow crowd was in attendance.

Community Bulletin Board

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Monday, Wednesday, Friday, Saturday, Sunday
9:00 AM - NOON 1:00 PM - 4:00 PM

Kelleys Island Branch of Sandusky Library

Summer Hours
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Tuesday, Wednesday and Saturday
10:30 a.m. - 12:30 p.m.
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Altar and Rosary Society Meets the Last Tuesday of Each Month.
Rosary is Recited at 7:00 p.m. in Church - Everyone is Welcome
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Sidewalk Suit About to Crack

An agreement is near in the suit against the Village over the installation of sidewalks in 1987. The suit involves over 40 individuals, three of which are current Village Councilmen.

Village Solicitor Strickler and former solicitor Lee McDermond were authorized by half of Council to enter into an agreement to settle the dispute. The other half of Council - Curilla, Martin and Matso - abstained from voting because they are principles in the suit. As a precautionary measure, the Mayor was called upon to vote in case the council vote was deemed to be a tie. No details of the settlement were revealed.

Outside Prosecutor Hired

An outside prosecutor has been engaged to pursue the Village's case against Councilman Ed Curilla. Curilla has been cited on three occasions for allowing stone to be removed from his property on Huntington Lane. The infraction has been specified as the zoning violation of engaging in an activity not allowed in a residential district.

Village Solicitor Strickler says the action

was necessary because it would place him in a position of a conflict of interest by prosecuting a member of a body he represents. He says this is standard procedure in matters of this nature, and says the same action will be taken when the current situations with Jake Martin (also accused of a zoning violation) and Russ Matso (accused of cutting trees on private property) reach the court action stage.

Two Birds with One Stone

The first steps in the process of vacating Shannon Road were taken when a resolution of intent was passed by Council. Shannon is the road at the airport that runs from Monagan Rd. parallel to the east/west runway to the Celeste property. The intent is to vacate, that is to abandon its use as a thoroughfare, the portion from Monagan to the north/south runway.

Access to the remainder of Shannon will be gained off of Lincoln road along the east side of the north/south runway. This will eliminate the hazard of vehicles crossing the runway in order to access the properties east of the runway. This will also tidy up another unpublished zoning violation involving the Village itself. The construction of the new airport building was not done with the approbation of the Planning Commission, nor in conformance with zoning regulations.

Joseph Onders

Joseph M. Onders, 79, died unexpectedly at his home on Sunday, August 9.

Joe was Commander of Kelleys Island VFW Post 9908 and a member of St. Michael's Church.

He is survived by his wife, Martha, two daughters, Carolyn Murphy of Myrtle Beach, SC, and Marylyn Diaz of New Orleans. He also is survived by his two sons, Louis of Independence, OH, and Joseph of Bedford, OH. There are 17 grandchildren and 19 great-grandchildren.

Waterline Project Questioned

Acting Water Superintendent Bruce Korenko may have pulled his thumb from the proverbial dike when he reported to the Village Council that he has uncovered (literally) some irregularities in the new water line construction.

Korenko said that none of the three holes he has dug for tapping into the new waterline have had the contractually required amount of gravel around the pipe. The contract specified there be six inches of gravel over, under and on the sides of the pipe. The gravel serves several purposes. First it is similar to the warning track in a baseball arena in that it alerts the person digging the hole that they are within six inches of the pipe. Since the new line is plastic, this is important to prevent rupturing by a back hoe or similar equipment.

Another function the gravel serves is to provide a mechanically simple method of clearing fill from around the sides and bottom of the pipe. This is necessary to allow clearance for the collar used to tap-in new service to the pipe. In some locations, the new line is resting on bedrock, and the underlying material must be chiseled out to allow the needed clearance.

Poggemeyer Engineering of Bowling Green was the project engineer and was also the inspector of the project to insure compliance. Underground Utilities did the actual work.

Poggemeyer has had many previous Island contracts including the recently completed Port Master Plan, and were the only bidder on the grant project to rewrite the Village Zoning Ordinance.

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