

The Perchie Press 35cents

Volume III, Number 3

Covering the World from Kelleys Island, Ohio ©

March 26, 1993

New Zoning Ordinance Now in Effect

The potential problem of whether the new zoning ordinance had progressed to its second reading was obviated on March 13 when the Village Council passed the Ordinance as an emergency measure. That meant the new zoning regulations have immediate effect, and the old "303" no longer exists. The new law is officially known, since the new ordinance numbering scheme was introduced, as Ordinance 1993-O-2.

The only discussion on the Ordinance was a complaint by Mayor Haas about Council inserting language restricting mayoral appointments of members of the Planning Commission. Under the Ohio Revised Code, members of the Planning Commission must only be a "citizen" of the community and the appointments are made by the Mayor without consent of the Council. At the February meeting, the Council changed the wording in the zoning ordinance to require Council concurrence and require the members to be "electors" of the Village. Although the Village Solicitor saw no flaw in these amendments, others are of the opinion that the amendments are ineffective on several counts. First, the provision of the ORC have been held to prevail over home rule arguments in non-chartered municipal corporations on matters of "how" thing must be done, even in matters of substantive self-government. Second, a presumption of separation of powers would preclude the legislative authority of stripping the Mayor of any statutory provided privileges in a statutory provide form of government. Deviations from the "cookbook" plans of government require passage of a charter by the municipal corporation.

Several cracks in the new ordinance's boilerplate have already been discovered. One is the failure of the 125 foot "no-build" zone along the shoreline to transition from the old ordinance to the new ordinance. It has been asserted this was needed for compliance with eligibility requirements for participating in the Federal Flood Insurance Program. However, the Island apparently resigned membership in the flood insurance program as the result of a referendum held in the mid-1980's.

Although the text of the zoning ordinance has been approved, the zoning map which applies the zoning and overlay districts to real property has not been accepted. The map must be the subject of a public hearing and be available for public inspection for 30 days preceding the hearing.

To accommodate this public hearing, the April Council meeting has been rescheduled to April 17 and the public hearing will be part of the meeting. The new zoning map is available for inspection in the Municipal building. Since several errors have been discovered in the map, property owners are encouraged to inspect the map for accuracy.

Village Financial Future Uncertain

The Appropriations Ordinance for the 1993 year was passed by Council without question or comment on the figures. Each year the Village must pass such a resolution prior to April 1 to cover the anticipated expenditures for the remainder of the year.

The level of funding for the appropriations ordinance is generally set to approximate the amount certified by the County budget committee as the probable Village income based on allocations of revenue from state and county sources, augmented by the estimate of revenue generated at the Village level through various fees, fines and charges.

Finance Chairman Chuck Herndon said the numbers in the appropriation had been cut from the amount allocated last year to reflect the loss of the Island Excise Tax. The excise tax was declared unconstitutional by the Ohio Supreme Court in December.

Herndon said because of the loss of an expected \$108,000 from the excise tax, \$25,000 had been taken from the police department, \$20,000 from the Lands and Buildings account, the Fire Department was reduced by \$9,000, the amount allocated for the Solicitor was reduced by \$6,000 and the Street Fund by \$1,500.

Herndon indicated that if the levy for additional taxes to be voted on May 4 does not pass, the consequences for the Village could be unpleasant. As if to highlight the shape of things to come, Police Chief Schnittker, in a written communication to Council, said the cuts would so diminish the force that there would be "little or no" police protection for the businesses in the downtown area on summer weekends, and it would also mean the loss of a dispatcher to answer the radio phone.

Opponents of the tax increase say a lot of this is a smoke screen and a scare tactic to foster support for the levy. They claim the statement "little or no protection" in the downtown area would represent a complete reversal of the reality of last year. During last

CONTINUED ON PAGE 8



The Corp of Engineers has denied it is considering classifying Harbor Lane as a wetland, an erosion hazard area, or a tank training course.

Winter Clinic Coming to Island

Final negotiations are underway on a contract that will establish a health clinic on the Island during the winter months.

This service, to be provided by The Erie County Health Department, will be available at the EMT building behind the Old Town Hall. The clinic will only be open on Fridays, between the hours of 1:00 PM and 3:00 PM. It will be staffed by a nurse provided by the Erie County General Health District, with assistance provided by the Kelley Island EMT's.

Some of the services available to adults will be: vital sign checks, height and weight measurements, finger-stick glucose monitoring, hematocrit, urinalysis per Chemstrip 9, physical assessment, medication review/education, pregnancy testing, family planning, TB skin test (mantoux), flu and tetanus shots.

Infant and child services will include; vital signs, height and weight, head and chest circumference, Denver developmental screening, hearing, speech and vision screening, immunizations, hematocrit, lead screening, sickle cell testing and throat cultures.

If needed, in the absence of a family doctor, referrals will be made to the appropriate Health Department clinics in Sandusky.

The may be some charges for supplies needed for the above procedures.

Up To Our Axles in Mud

The winter has not been kind to Island roads. There are potholes in most areas, but some areas have become acute. The portion of East Lakeshore where it joins Harbor Lane has been officially "closed" several times during the winter because of craters and water and ice buildups which were causing car to become stuck.

One sign of coming relief is that surveyor has been working on the right-of-way for East Lakeshore Drive in preparation for its widening and resurfacing using Issue II funds. There is some concern about not being able to remain in the original easement as this widening takes place (up to four feet), since some of the original easement has been reduced through erosion.

No significant funds have been recently expended from the road levy fund, although the levy providing the funds was passed almost two years ago. Revenue from the 1991 levy was not received until 1992, but if a plan of road repair been developed it could have been funded, if needed, by tax anticipation loans.

There was an effort to get some of the roads on the Island recovered with tar and chips prior to the winter, by that did not happen, so the current balance of the road levy fund has risen to over \$66,000.

Harbor Lane is in the worst condition it has been in years. The conditions of the roads in the Sweetbriar subdivision, such as Cedar and Melody Lanes, are nearly impassable. This prompted the Mayor to request the Street and Sidewalks committee to hold a meeting with landowners in the subdivision to discuss options available to them for improving the road conditions. The Mayor said that the underlying problems in the area are poor drains, and they could be fixed through a drain assessment which would then make the drains a responsibility of the County. Landowners in the subdivision will receive notices by mail of a meeting to discuss various options including street and drain improvements through assessments.

State Auditor's Report Released

The Village came through the last audit with mostly a repeat of the comments from the prior year. The audit, conducted by the State Auditor's office and covered the period from December 1 through December 31, 1991.

The only audit comment on the financial records of the Village concerned the encumbrance of funds. The Village is required to use the encumbrance method of accounting whereby purchase orders, contracts and other commitments for the expenditure of funds are recorded to reserve the portion of the applicable appropriation. The auditors determined that if the funds had been properly encumbered, a decrease of \$22,600 in budgetary fund balances would have resulted.

The auditors repeated many of their prior year's criticisms which had to do with record keeping for the Mayor's Court, and other record keeping or review procedures, such as not maintaining a note payable record book, not having a committee of Council members review the monthly checking statement and other financial documents.

Some of the interesting numbers gleaned from the report include: a total of loan payments must be made, through the year 2029, of \$1,174,078 which includes \$729,078 of interest; real property valuation, for property tax purposes, was \$10,124,000 and tangible personal property was valued at \$1,170,000 of which \$651,000 belonged to public utilities; \$52,239 was collected for the Island excise tax; the Village picks up an employee's contribution to the retirement fund of 8.5% of gross wages and then matches that with 13.95% of gross wages.



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Developers Ready to Move Ahead

The group which has proposed the large development for the area west of Division Street and south of Titus is expected to ask for another special meeting of the Planning Commission in early April. Specific plans would be presented to the Commission and application would be made to proceed with the development.

If the Planning Commission approves the plan, it could be sent to the Village Council for their consideration at the regular April meeting, which has been rescheduled to April 17. If these two hurdles can be overcome, development could begin in the late spring on the condominium part of the development. The developer's are expected to have a rather comprehensive set of plans for the project at the meeting. Citizens are encouraged to attend.

In other Planning Commission actions, the request by Bob Gruly for a land split involving his house and the Portside Marina was turned down by the group. The Portside marina and the house Gruly resides in next to the Bag The Moon Saloon are on the same deeded parcel of land. He wanted to split the property so the house could be sold separate from the marina. The Planning Commission rejected the request because the new lot containing the marina would be less than the required 15,000 square feet. He plans to file for a variance from the Board of Zoning Appeals.

Dump to Make House Calls?

There may be a garbage truck in the Island's future. Councilman Ed Curilla is promoting the purchase of a truck to replace the rental equipment at the Transfer Station. The truck would initially remain at the Transfer Station and its use could replace the rented compactor and storage containers. Rentals of the equipment amount to approximately \$10,000 per year. He estimated a refurbished truck would cost about \$50,000.

The garbage truck would double as both a compactor and mobile storage container. There would also be a need for storage container for those times when the truck couldn't get off the Island, or in fact was off the Island, to allow for temporary storage.

Because the Transfer Station is funded by a levy, future collections could be used as a basis for borrowing to purchase the truck. The ongoing operational savings would then fund repayment of the loan.

Curilla indicated he hoped that after a year of operating the truck at the Transfer Station, it would be possible for it to start a collection route around the Island. He also hoped Transfer Station rates would go down next year, but any economies gained from operational efficiency might be offset by dumping fee increases at the County Landfill.

In other news about the Transfer Station, individuals who have not paid their fees for the 1992 year are now considered delinquent enough for collection actions to begin. The following individuals and businesses did not pay the Transfer Station availability fees: Gerald Alaburda, Ferne Archer, Geraldine Betzenheimer, Nick Bianchi, Paul Buescher, A. B. Cooper, Bryon Crabill, Carol A. Dodson, Ben H. Elfers, Paul Ferder, Kelen L. Fitzgerald, Carol Jorski, Richard Kormish, Terry Kranyak, O. Hugh Lang, John Ludu, Robert Miller, Jim St. Julian, Joseph Steinert, Joann Svihlek, Joseph Trainer, David Yeager, Barb Zorn, Craft's/Kyle Paine, and The Village Pump.



With Captain Don Cranmer

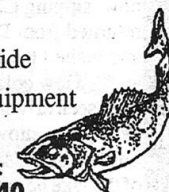
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Happy April Birthday to **Fritz Behlen** on the 1st (following closely after **Rob Behlen's** on March 23 and **Tom Behlen's** on March 28), **Jack Terry** and **Kit Moore** on the 8th, **Ralph Kunar** on the 11th, **John Sullivan (50!)**, **Ken Neuffer** and **Kim Davidson** on the 15th, **Pat Kunar** on the 17th, and **Barb Shadle** on the 22nd.

Jerry Bozic was off the island, visiting relatives in northern California and Oregon. Jerry spent some time with people he hasn't seen for more than 40 years, and visited a lot of places on his first trip to the West Coast. **Jack and Karen Terry** are making their annual trek to the Florida Keys right now, sipping ChiChi's and looking for derelicts. They just returned from Dallas, where they went to a family wedding and visited the North Texas Irish Festival at the same time.

How cold has it been around here? **Gary Finger** has been seen driving his golf cart, but he was wearing *long pants!* **Wally Kryznovek** has been taking his truck with him on the **Shirley Irene**, so he has transportation no matter which side of the lake he gets stuck on. Lakeshore Drive was closed near **Cooney's** house recently due to ice and high water over the road. And **Bud Minch** recently stayed in the apartment over the VFW, since he had no water at his house. Reportedly he smelled great—just like a lemon—after taking a shower with dish detergent.

This winter's weather has been great for the snowmobilers. **Lynn Holdren** spent a few extra days on the island lately, and reports that this is the first time in seven years that he's had his sled running. However, there have been a few mishaps. **Randy Holbrook** had some minor injuries from an accident at the Marina, and **Danny Ahner** broke his collarbone in a collision with a tree. Danny was especially upset with the response from the EMT's, though. Apparently **Laurie James** refused to give him mouth-to-mouth resuscitation for his injuries. Laurie promises a rebuttal in the next Perchie. This may not be the first time that Danny misunderstood the guidelines for mouth-to-mouth.

There are signs of spring around the island, though. **Ken and Kathy Reddinger** are back and getting ready to open Bag the Moon Saloon for breakfasts in April, starting Easter weekend. Water Street and West Bay will reportedly be opening in the next few weeks. **Uncle Dik's**, the new store across from the State Park, will be opening at the end of April, and **Penny Kyle's** Morning Glory Farm will be back in business again this year. **Pat and Lori Hayes** will be back soon to open up The Inn, and **Ken Neuffer** and **Joann Wilson** just returned from a winter in sunny Arizona. **Wally and Marion Shanko** are somewhere close (there's a trailer with a bumper sticker from Al's Pawn Shop—Wally can't be far away). But the real sign that spring is near? **Harbor Lane** is again a nearly-impassable mess, which is Kelleys Island's version of spotting the first robin in spring.

Special thanks to **Chief Schnittker**, who helped get

the last issue of the Perchie to the post office on time (kind of). **Tim Sullivan's** car was stuck at the airport, and **Ron** helped get it out. **Terri Schnittker** has been busy, too, hosting a craft demo and helping the Chamber out with the annual Easter Egg Hunt.

Congratulations to **Nancy Stoup**, the first to call with the correct answer to February's Perchie Puzzler. Nancy won \$25 for calling in with the correct answer. Keep watching for other contests in coming months. We sometimes wonder who reads this stuff—now we know.

Wally Kryznovek, Sr. was appointed to the KI School Board, to fill the vacancy created by the resignation of **Dick Knopf**.

The annual **Peirogi Sale** is coming up at St. Michael's on April 10. This event starts at 9 and lasts until the pierogis run out, so come early. Call **Carol Jorski** for more information.

Ken Reddinger recently treated his son and grandson to an aerial tour of the area. They chartered a plane from **Griffing's** and flew over Kelleys, Put-in-Bay, Lorain, and everywhere they wanted to see. It was a special treat for **Ken's** grandson, who had never been in a small plane before.

Terry Kranyak has been busy paying off his gambling debts. Terry was so confident that **George Bush** would win in November that he bet several people filet mignons. Fortunately for Terry, no one took him seriously on his claim that **Bush's** victory would be a 50-state landslide. Terry is also teaching an electrical course this winter at one of the General Motors plants in Detroit.

And, there are two new babies who we missed mentioning in earlier issues. **John and Annie Ludu** are delighted to announce the birth of their granddaughter, **Danna Martina Ludu**, born December 26 to **John Jr. and Kim Ludu**. **Katie and Michael Dwight's** son, **Daniel Michael**, arrived on New Year's Eve. Katie made it to the hospital in time thanks to **Ken Haig**.

Finally, **Jean and John Kuyoth** are pleased to announce that **Ginger** finally had her puppies.

FISH AND EGGS

Round up the baskets and the kids and come to the Easter Egg Hunt co-sponsored by the Chamber of Commerce and **Terri Schnittker**. Real and plastic eggs will be left by the Easter Bunny in the Village Park and the hunt opens at 1:00 PM. Donations for the event are welcome, as is a Easter Bunny Costume.

The Annual Fish Fry sponsored by the Kelleys Island Chamber of Commerce will be held on Saturday, April 24. The event is the chance for a good get-together for many residents and business owners prior to the "official" start of the season on May 1.

The menu for the fish fry will be walleye or perch, french fries, roll and slaw. Tickets will cost \$12 dollars in advance and can be purchased from either grocery store or the Village Pump. Tickets day of at door will be \$13. The dinner will be served from 5-8 PM at the old Town Hall.

The big weekend for business openings will be May 1 when the resort liquor licenses become effective. The West Bay has reopened under new management after being closed for a month and a half. It will be run by the owner of **Big Bopper's Bones** and **Cones** in Marblehead. The completely remodeled **Water Street** will also be re-opening soon. There are rumors of major changes for some Island businesses this year.

Letters To The Editor

Speaking of the Pot calling the Kettle black

During the entire summer of '92, I observed Ted Terry (AKA Muskrat) running around the town of Kelleys Island with a multitude of complaints, petitions and unsigned letter to the public directed toward Councilman Jake Martin over Martin getting special treatment by Council. Most of his concerns were focused toward a duplex brought over to the Island without a building permit being issued due to a misinterpretation of an ordinance square footage specification. Another concern was because Terry was restrained from starting a quarrying operation on his father-in-law's property (Ed Curilla) to obtain stone for his dock project at Sunrise Point. When that failed, he tried to get septic tank permits for other property nearby the stalled stone project which would allow him to get his stone there. Those permits were denied. Well, we all know Ted Terry is the brother of Zoning Inspector Jack Terry and son-in-law of Edward Curilla, Councilman of Kelleys Island, which in itself is most impressive.

You would not think that someone that led such important crusades throughout the summer to advise the Island people of the corruption threatening the fabric of local government would do anything out of order, would you? Well, it's too soon to tell, but you be the judge!

On Tuesday, December 2, 1992 the Village of Kelleys Island during routine cleaning of the storm sewers found the following:

The storm sewer in front of Muskrat's Gift Shop and Breakfast Nook contained a pipe which appeared to be depositing raw sewage into the storm sewer from Muskrat's building sewage system, according to the observations made by the Village people involved. This storm sewer discharges directly into the lake somewhere between the Casino and the water intake for the Island drinking water. When Muskrat was confronted with this most serious violation he said, "I was given permission to attach the pipe to the storm sewer by the previous mayor (Rob McCullagh)." Mayor Haas immediately called Karen Cote, R.S., who is the staff sanitarian from the Sandusky Health Department and she said she would not address the issue until the Spring of '93. I guess it was not important to Cote because the tourist season was over or maybe she was just too busy to run a dye test requested by the Mayor.

Mayor Haas told me a short story relayed to him by the divers that worked on the Island water intake last year. They told the mayor on several occasions they observed toilet paper on the lake bottom near the water intake but they could not tell where it came from. The divers said it could have been a passing boat. You don't suppose it came from the storm sewer, do you?

Now I don't know who or what to believe anymore.

Ed Kuchar

Misspelled Name

I would like to bring up the subject of the name of the artist, Arnold Scheele, once more, since it was spelled incorrectly in your February 26 issue. A. Scheele is the signature you will find if you check one of his oil paintings.

Ann Brown

Park Board Gets Grant

The Kelleys Island Park Board landed its first ever money from the Local Improvement Grant program of the Erie MetroParks Board. Kelleys Island has never applied for a grant under this program before. Previous park boards on the Island never got beyond a meeting or two, but the recently appointed members have aggressively pursued their new responsibilities.

The grant money, \$4,912, will be used to upgrade facilities at the downtown park. A fence will be installed at the rear of the park to provide a safety barrier at the driveway of the General Store. A large piece of climbing playground equipment will also be installed, along with benches through out the park.

The Park Board, composed of Leslie and Bruce Korenko and Paul and Vicky Finnegan, have begun formulating plans for future fund applications

Mary Jean Schwartz

Mary Jean (Whitcomb) Schwartz, 76, Detroit Road, Westlake, died February 26, 1993 following an illness of two months.

She was born February 1, 1917 in Friendship, NY, and was a homemaker. She lived most of her life in Lakewood, before moving to Westlake.

"Pixie" was the wife of former Kelleys Island Mayor Robert L. Schwartz, who preceded her in death.

She is survived by three sons, Robert L. Jr., Richard, and Peter; three daughters, Mary Joanne Gerrasch, Kathleen and Patti Cusick; eight grandchildren and a great-grandson. Pixie was able to hold the great-grandson when he was two days old and it was a happy occasion for her.

Services were held in Westlake and she will be buried on the Island.

The Perchie Press

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Three's Company - But not a Majority?

The March Council meeting got off to a turbulent start over what is often the most tranquil portion of the meeting - approval of the minutes of the prior meeting. Councilman Bud Yoscovits contended the minutes of the February meeting were inaccurate because they reported several items had been passed by the Council, which he argued was not the case.

His objection to the actions was based on that section of the Ohio Revised Code that says "Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of the legislative authority."

At the February meeting, two councilmen were absent so only four were present.

Yoscovits said "I voted a nay, and the motion is declared passed. A motion can only be passed on an ordinance that has a majority of council, and three is not a majority of Council." The Ordinances he was referring to were the rehiring of the Solicitor and the newly redrafted blasting ordinance.

Village Solicitor Strickler responded that, although Yoscovits was correct as to the wording of the statute, it was his opinion that a majority of a quorum was sufficient to pass an ordinance. He cited an opinion of the Ohio Supreme Court in support of his opinion. This answer did not appease Yoscovits (who had voted against rehiring Strickler) and he said he wanted a second opinion. Mayor Haas said "we have a solicitor here and I think we ought to take his advice."

But Ed Curilla made a formal motion to get a second opinion (from The Perchie Press!) -, which resulted in a 3-3 tie. The Mayor then cast a nay vote defeating the motion.

There seems to be no quarrel with the fact that four members of the Council constitute a quorum of the legislative authority. The central question is whether passage of ordinances or resolutions requires a majority of all the elected members of the legislative authority or merely a majority of those present.

The wording of the particular section of the Revised Code in question, 731.17(4) has been tinkered with at least three times by the legislature. On each occasion they have not been able to make a clear and precise wording for the passage of ordinances. It was last changed in 1975, but the choice of wording seems to indicate that there was some contemplation of addressing the problem raised by Yoscovits - what constitutes a majority of the legislative authority.

The wording of the section prior to 1975 was "No ordinance shall be passed without the concurrence of a majority of all members *elected* to the legislative authority." And the wording of the next earlier version said "No ordinance shall be passed by council without the concurrence of all members *elected* thereto." (emphasis added)

Under the previous versions, the use of the word "elected" would make a strong case for requiring at least four votes to be cast in favor to pass a resolution. By omitting this word from the current wording, it appears the lawmakers meant to infer a majority of a quorum, and not a majority of the full complement elected to the legislative authority.

This reading is given further credence if the next section

"THREE'S COMPANY" CONTINUED ON PAGE 6

THE PERCHIE PUZZLER

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SPRING CLEANING

This month's word search is could be about chores that have finally arrived. There is another message to be formed from the left over letters. Last month's message asked the solver to call the Perchie Press and win \$25 - which Nancy Stoup did in record time.

As usual, the words can be forward, backward or diagonal in the puzzle. This version was compiled and contributed by Rene Greenway.

- | | |
|------------------------|--------------------|
| 1. Sweep Floors | 23. Bucket |
| 2. Vacuum Carpet | 24. Broom |
| 3. Shake Rugs | 25. Dustpan |
| 4. Wash Windows | 26. Mop |
| 5. Wash Walls | 27. Toilet Brush |
| 6. Dust Furniture | 28. Garbage Can |
| 7. Scrub Toilets | 29. Open Doors |
| 8. Organize Closets | 30. Stereo Playing |
| 9. Clean Cupboards | 31. Water |
| 10. Dryclean Draperies | 32. Soap Scum |
| 11. Ammonia | 33. Wiper |
| 12. Toilet Cleaner | 34. Ability |
| 13. Rags | 35. Drano |
| 14. Dishsoap | 36. Action |
| 15. Window Washer | 37. Aim |
| 16. Newspapers | 38. Chore |
| 17. Laundry Soap | 39. Scour |
| 18. Paper Towels | 40. Soak |
| 19. Clean Garbage | 41. Anger |
| 20. Take Out Trash | 42. Goal |
| 21. Recycle | 43. Satisfy |
| 22. Rubber Gloves | 44. Shout |
| | 45. Help |

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 <p>S-47 - LAKE FRONT LOT! This in demand home has all the extras for the discriminating buyer. 4 bedrooms, 3 baths, family room, enclosed sun room, new kitchen and just remodeled. Large insulated garage. Priced at \$189,000! Call today!</p>	 <p>S-38 HISTORIC CENTURY HOME! Currently used as bed and breakfast; lake front lot with magnificent view. Ideal for the antique lover. Situated on 1 1/2 acres and included barn. Many bedrooms and a must to see!</p>	<p>Lot Zoned For Mobile Home</p> <p>This is one of the last areas zoned for Placement of a Mobile Home. Call for Location and Specifications.</p>
 <p>S-49 BRAND NEW AND READY FOR THE RETIREE... This 3 bedroom ranch located on a beautiful wooded lot has all the extras. Lower level set up for a summer rental for supplemental income. Call quick!</p>	<p>10 1/2 Acres On Main Road</p> <p>Owner says "SELL This 10 1/2 Acre Lot "NOW!" Located on Division Street and Large Enough for Many uses. Call Now.</p>	 <p>S-42 ISLAND HOME AND RENTAL COTTAGE! Nice family home for use all year round plus bonus cottage for rental to pay for it. Main home has 5 bedrooms, large kitchen, family room with furnace. Priced at \$139,900. CALL Now</p>

Auxilliary Police Force Proposed

A proposal to establish an Auxilliary Police agency was given it's first reading by the Council but they requested further study. The proposal would authorize the formation of a group whose mission would be to help the Police Department in the conduct of some of their business.

The Auxilliary force would not carry sidearms or batons, and would only have misdemeanor arrest powers. They would receive no compensation for their services.

Concerns were expressed about the liability this agency might expose the Village to, what training requirements were, and how it would impact the Village's insurance coverages and premium. There was also concern about the Village's liability of one of the auxilliary officers was injured on duty.

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THREE'S COMPANY - FROM PAGE 6
of the present code, 731.17(5) is read in concert with the one discussed above. That section says "Action by the legislative authority, not required by law to be by ordinance or resolution, may be taken by motion approved by at least a majority vote of the members present at the meeting when the action is taken." This wording specifically mentions a quorum majority on matters which do not require the three readings and other formalities of resolutions and ordinances.

Thus, it appears the motions were passed at the February meeting. This interpretation is in harmony with many scholarly opinions and case law opinions from a diversity of jurisdictions, which hold that a majority of a quorum may transact all business that the entire body might do.

Although, this interpretation clarifies some areas, it raises some other interesting questions which will be covered in the future.

1993 General Fund Appropriations

	Salaries/Wages		Employee Benefits		Travel/Transportation		Contractual Services		Supplies/Materials		Total		Variance	%
	1992	1993	1992	1993	1992	1993	1992	1993	1992	1993	1992	1993		
GENERAL FUNDS														
Police Law Enforcement	40,000	29,258	8,255	7,488	1,600	0	6,500	0	5,300	0	61,655	36,746	-24,909	-40%
Fire Fighting	1,300	1,300	0	0	150	150	3,500	5,000	10,500	0	15,450	6,450	-9,000	-58%
Provide and Maintain Parks	0	0	0	0	0	0	0	1,000	0	500	0	1,500	1,500	N/A
Planning and Zoning	2,150	0	0	0	0	0	570	4,400	150	400	2,870	4,800	1,930	67%
Street Maintenance	36,000	36,000	12,000	10,500	0	0	0	0	0	0	48,000	46,500	-1,500	-3%
Mayor/Administrative	2,400	2,400	0	175	500	200	175	175	100	100	3,175	3,050	-125	-4%
Legislative Activities	5,400	5,400	0	0	1,000	0	0	0	200	0	6,600	5,400	-1,200	-18%
Mayor's Court	2,000	7,000	200	500	0	0	0	350	100	0	2,300	7,850	5,550	241%
Clerk/Treasurer	23,000	27,000	2,289	3,000	600	1,000	6,800	5,500	2,500	2,500	35,189	39,000	3,811	11%
Lands and Buildings	0	0	0	0	100	400	40,000	22,000	5,000	3,000	45,100	25,400	-19,700	-44%
Boards /Commissions	0	0	0	0	100	50	0	140	0	0	100	190	90	90%
County Auditor/Treas.	0	0	0	0	0	0	6,000	9,000	0	0	6,000	9,000	3,000	50%
Solicitor	25,500	20,000	0	0	700	600	0	0	0	0	26,200	20,600	-5,600	-21%
Total General Fund	137,750	128,358	22,744	21,663	4,750	1,800	63,545	47,565	23,850	6,500	252,639	205,886	-46,753	-19%
Increase/(Decrease) and %	-9,392	-7%	-1,081	-5%	-2,950	-62%	-15,980	-25%	-17,350	-73%	-46,753	-19%		

1993 Special Fund Appropriations

	Salaries/Wages		Employee Benefits		Travel		Contract Services		Supplies		Capital/Misc.		Total	
	1992	1993	1992	1993	1992	1993	1992	1993	1992	1993	1992	1993	1992	1993
SPECIAL REVENUE														
TRANSPORTATION														
Street Construction	0	0	0	0	0	0	3,000	2,000	948	1,500	0	0	3,948	3,500
Street Repair/Maint.	0	0	0	0	1,108	1,000	12,000	6,000	3,000	3,000	3,600	8,816	19,708	18,816
Other Transportation	10,000	10,000	3,000	3,000	0	0	600	4,600	27,000	27,000	31,908	68,226	72,508	112,826
Airport	0	0	0	0	50	200	3,500	7,000	15,300	13,545	24,000	0	42,850	20,745
Total Transportation	10,000	10,000	3,000	3,000	1,158	1,200	19,100	19,600	46,248	45,045	59,508	77,042	139,014	155,887
PUBLIC HEALTH														
Cemetery	0	0	0	0	0	0	9,800	9,800	500	2,178	0	0	10,300	11,978
Medical Services	5,000	0	500	0	100	300	5,900	21,698	4,000	5,000	20,300	10,000	35,800	36,998
Total Public Health	5,000	0	500	0	100	300	15,700	31,498	4,500	7,178	20,300	10,000	46,100	48,976
MISCELLANEOUS														
Waterfront Grant	0	0	0	0	0	0	3,000	3,192	0	0	0	0	3,000	3,192
Police Levy	16,000	16,800	1,600	3,012	0	1,461	0	12,850	10,300	6,000	13,585	0	41,485	40,123
Fire Levy	0	0	0	0	0	0	0	7,000	0	0	0	0	0	7,000
Fire Levy	0	0	0	0	0	50	0	3,000	5,000	3,618	6,702	7,000	11,702	13,668
Total Miscellaneous	16,000	16,800	1,600	3,012	0	1,511	3,000	26,042	15,300	9,618	20,287	7,000	56,187	63,983
TOTAL SPECIAL FUNDS	31,000	26,800	5,100	6,012	1,258	3,011	37,800	77,140	66,048	61,841	100,095	94,042	241,301	268,846
ENTERPRISE FUNDS														
WATER FUND														
Office	27,000	35,000	2,700	8,000	2,000	2,000	3,800	5,000	275	1,000	0	0	35,775	51,000
Billing	0	0	0	0	0	0	300	300	400	1,000	0	0	700	1,300
Water Filtration	0	0	0	0	60	500	10,000	10,000	4,500	2,000	0	0	14,560	12,500
Water Pumping	0	0	0	0	0	500	0	4,000	0	10,000	0	5,000	0	19,500
Water Distribution	0	0	0	0	100	100	2,600	3,000	1,200	3,000	0	0	3,900	6,100
Water Meters	0	0	0	0	0	400	0	0	4,000	4,000	0	0	4,000	4,400
Water Automotive	0	0	0	0	0	0	0	2,000	400	500	0	0	400	2,500
Water Land/Buildings	0	0	0	0	100	100	4,000	5,000	250	1,000	0	0	4,350	6,100
Assessed Project	0	0	0	0	0	200	0	15,000	0	1,000	0	0	0	16,200
Water Transfers	0	0	0	0	0	0	0	0	0	0	92,600	39,105	92,600	39,105
Basic Utilities Services	0	0	0	0	0	0	0	0	0	0	0	12,587	0	12,587
Debt Service Reserve	0	0	0	0	0	0	0	0	0	0	4,000	4,482	4,000	4,482
Total Water Fund	27,000	35,000	2,700	8,000	2,260	3,800	20,700	44,300	11,025	23,500	96,600	61,174	160,285	175,774
TRANSFER STATION	14,000	14,000	2,500	2,500	0	0	50,750	34,901	600	3,000	0	20,000	67,850	74,401
TOTAL ENTERPRISE	41,000	49,000	5,200	10,500	2,260	3,800	71,450	79,201	11,625	26,500	96,600	81,174	228,135	250,175

CONTINUED FROM PAGE 1

summer, it is alledged, the police spent almost all of their time wandering in the downtown area, often in pairs, often sitting in establishments eating, leaving the rest of the Island without a presence. This, the opponents say, is evidenced by the high number of break-ins and the low percent of cases solved. As for the lack of a dispatcher, opponents point to the \$14,000 spent on radios and a telephone repeater last year, as well as the cellular phone also provided to the department.

Although the cuts in the general fund seem severe, a look at the total Appropriation Ordinance shows a somewhat different story. In addition to the general fund, there are a number of special funds which are also controlled by the appropriation ordinance.

Generally, budget discussions only mention the allocation of the general fund. The contention is that this is the only fund with discretionary spending choices since special fund amounts have to be spent on goods or services to further the fund's purpose. Thus, monies deposited in the Transfer Station fund have to be expended on actions or items related to the Transfer Station. However, selection of the what these designated funds are used for is still largely discretionary.

Examination of the entire budget, instead of just the general fund, reveals some interesting statistics. Funding from all sources for personnel related items - salary and benefits - decreased by less than \$500 for the year. Total budgeted funds from both the special and general funds decreased by only \$2,800.

CONTINUED ON PAGE 12

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PIGS IN A RUSTY BLANKET?

Several important things are happening this year that affect customers of the Kelleys Island Water Department.

This spring, the Water Department will be cleaning approximately 8,200 feet of water line along parts of Chappel Street, West Lakeshore Drive, and Addison Road. The project involves the propelling of cleaning "pigs" (scraping bullets) through the pipe until the pipe is scoured clean. This project will last approximately 4-10 days and during that time, users on these lines may experience limited disruptions of service or rusty/discolored water.

During this period customers are advised to let water run until it runs clear. This includes water used for washing clothes, since rusty water will stain clothes.

Water customers will be sent a notification with their April 1 bills with additional information on the project. In addition, customers on the three lines being cleaned will be notified individually by mail and/or personal visits. Cleaning of these lines should improve water flow and pressure and represents another effort by the Water Department to upgrade and improve the water service to its customers.

Also, the first phase of the Environmental Protection Agency's (EPA) Lead and Copper rule goes into effect this year. This program requires the checking of water as it leaves the user's tap for lead and copper levels.

The Kelleys Island Water Department is looking for volunteer customers to have their water checked in May and June.

If your house has copper plumbing (installed after 1982) or any lead water pipes, you are eligible for a free lead and copper test. At least 10 residences are needed to comply with Ohio EPA regulations.

For more information on the lead ban and the overall problem with lead contamination of drinking water, a booklet entitled Lead and Your Drinking Water is available from the US EPA by calling the Safe Drinking Water hotline at (800) 426-4791.

For further information on the water line cleaning project or the Lead and Copper program, contact Bruce Korenko, Superintendent, Kelleys Island Water Department (419) 746-2555.

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Now accepting applications for Sales Associate at Lighthouse Gifts, Kelleys Island. Must be available to work weekends. Please inquire Neuman Boat Line, 101 E. Shoreline Dr., Sandusky OH 44870.

application, call Rob Watkins at the Island Market.

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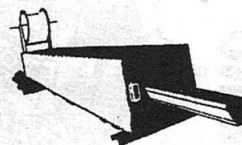
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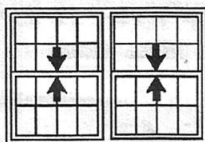
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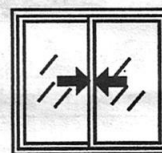


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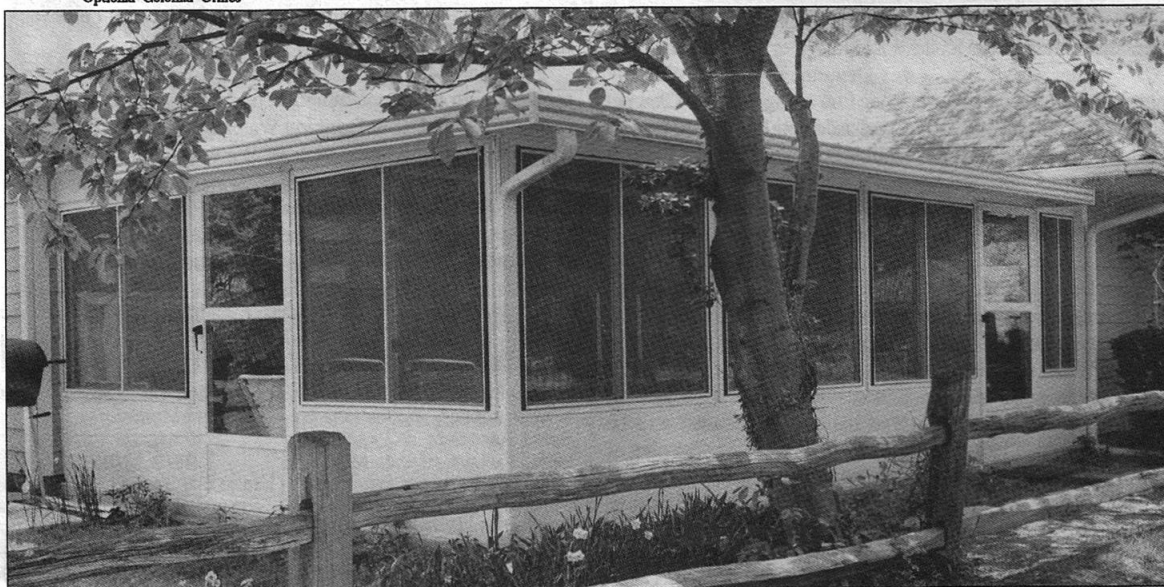
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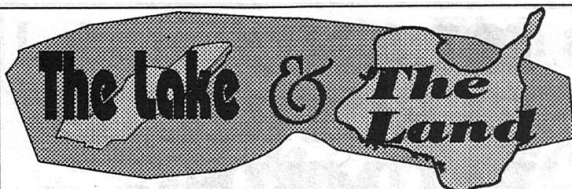


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Fishing Forecast is Good for This Year

Walleye fishing on the Maumee and Sandusky Rivers during the spring walleye runs and Lake Erie walleye angling throughout the spring and summer should be excellent, according to the Ohio Division of Wildlife.

"Depending on the stream flow and water temperature, may walleye will be spawning in the rivers beginning the middle of March," said Doug Johnson, aquatic biologist with the Division of Wildlife's Fisheries Research Unit in Sandusky. "Early warm temperatures could bring a number of fish to the rivers earlier, but most of the spawning run should occur between March 15 and April 15. Peak number of walleye should be in the rivers the first two weeks of April."

If walleye anglers get excited about the spring stream fishing forecasts, they will be doubly excited about Lake Erie's 1993 forecast.

Catches will be dominated by the large number of walleyes hatched in 1990 and 1991, now 14 to 18 inches in length. There should also be many fish from the large 1986 year class of walleye that are now 25 to 26 inches in size. In addition, a number of older, even larger walleye are available in Lake Erie waters.

"The 1990 and 1991 hatches of walleye were excellent," said Carl Baker, supervisor of the Sandusky Fisheries Research Unit. "The '90 and '91 hatches rank as the second and fourth largest hatches in the last 15 years. The spawning productivity was very similar to the third largest recorded hatch of 1986."

Peak walleye harvests should occur from May through June in the Western Basin, and June through August in the Central Basin. If the water temperatures stay lower than normal, as they did last year, anglers should have excellent fishing throughout the entire year.

In the Western Basin, anglers should expect exceptional walleye fishing near the Toledo Shipping Channel, the area north of the reefs and east of West Sister Island, and the area south of Middle Sister Island. Fishing should pick up again in August in the area bounded by Green Island, Rattlesnake Island, and the Niagara Reef. Walleye fishing should be excellent across the deeper Central Basin from Huron to Conneaut from June through August. That should position the Island for good catches most of the summer.

Although Lake Erie fishing remains great, walleye anglers should keep in mind that the lake's fishery is changing due to improved water clarity in the lake. Fish are concentrating more in deeper waters away from reefs, making trolling the most successful fishing tactic.

Fishing success is never guaranteed and is affected by such factors as weather, water clarity and angler know-how. But the fish are there ripe for the taking, and the Division of Wildlife expects an excellent harvest year on the Great Lake Erie.

Lake Level To Remain High

The only reported damages to the Island from the "Storm of the Century" which traveled up the eastern seaboard were several downed tree limbs and some blowing snow. It was the latest in a wave of storms that have dumped wind driven snow, freezing rain and rain on the Island.

An abundance of ice was in the Lake and patches of snow were still on the ground as spring arrived on Saturday, March 20. Moderately dense fog and light rain were the significant meteorologically significant events of the day. If the late winter has seemed harsh, it may be a portent of more serious problems to come, especially along the shoreline.

A threat for flooding and erosion exists for shoreline properties on the Island. The level of Lake Erie is still rather high, although it has receded from its above average levels of the past several months. During February the level was 24 1/2 inches above its long term average, down slightly from the 27 1/2 inch January mean. Its current level is about 15 inches under its all time high level for the month of March set in 1987. It is 51 inches above the all time low for March set in 1934.

The high percentage of ice coverage on the Lake, which minimizes wave action, has tended to mitigate any shore damages these high levels could have inflicted. But the runoff from the melt of the snowpack in the drainage basin and the melting of Lake ice could contribute to flooding and erosion conditions under high winds.

This year the Lake experienced none of its cyclical decline in level which normally happens from June to February. In fact the water levels have risen each month, with the exception of the last month. The melt of the snow pack along with the normal spring rain could cause the lake to rise more than its normal April to June increase of just under a foot. That would put it roughly a foot above normal and about a foot under records for the period.

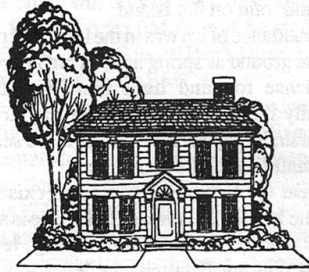
As the lake moves to a dangerously high level, the recommendations of the Levels Reference Task Force will be made to the International Joint Commission on March 31. The study group was formed in 1986 to make studies and prepare measures for alleviating the adverse effects of fluctuating water levels in the Great Lakes System.

The final draft of the report to be submitted recommends no further studies be done on either the five or three lake (Superior-Erie-Ontario) regulation measures (Lake Superior and Ontario are the only lakes which can be controlled at present). Instead, additional measures should be adopted, according to the study, in land use management and shore protection measures. Measures such as shoreline zoning restrictions, real estate disclosure, governmental land acquisition, hazard insurance and "well-engineered" shore protection structures rate high in the studies recommendations.

The study recommends that funding of \$10-20 million per year be devoted for planning and implementing land use and shoreline management measures. They are also suggesting a program for hazard insurance that would be similar to flood insurance, but be aimed at management of the erosion hazard area.

The flavor and teeth of these recommendations will undoubtedly filter down through the governmental processes and produce some effect on Island shoreline owners. A summary of the entire study will be featured in a future issue.

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CONTINUED FROM PAGE 8

Alternative methods for raising revenues, in lieu of a tax levy (which Yoscovits predicted will not pass because it is viewed as a subsidy for the businesses) were discussed at length throughout the meeting. Herndon reported that State Senator Betty Montgomery said replacement legislation has been drafted and was being reviewed, but its prospect for providing any short term relief is not good.

Other suggestions included imposing a Village income tax, adding a license plate fee, raising business license fee, and requiring a parking decal for all cars on the Island. Most of these measures would penalize the residents or people working on the Island, while extracting no revenue from the tourists. Two suggestions that would provide the Village some income off tourism are the quarterly parking fee for all cars (including tourists) on the Island and a bed tax imposed on the B&B's. There was also suggestions that the Chamber of Commerce might want to contribute for the hiring of a policeman

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