

**VILLAGE OF MARBLEHEAD REGULAR COUNCIL MEETING  
HELD OCTOBER 12, 2022**

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 Dean Dorko, Angie Kukay, Duane Myers, Maryann Sauvey and John Starcher. Lynn App was excused.

Also present were Fiscal Officer Rhonda Sowers, Village Administrator Jeff White, Solicitor Jim Barney, Police Chief Kenn Thellmann, Maintenance Supervisor Bryan Lucas and Zoning Administrator Bob Hruska.

Visitors in attendance were Dale Harwood, Karen Harwood, Joe Gouker, Patty Gouker, Al Mazzeo, Katy Mazzeo and Sue Marr.

**MINUTES**

Council approved minutes of the September 28, 2022 regular meeting as submitted.

**VISITOR COMMENTS**

Joe Gouker extended a welcome to Jeff White and commented that he looks forward to working with the administrator and utility committee on the Johnson's Island waterline project.

**INTRODUCTION OF VILLAGE ADMINISTRATOR JEFF WHITE**

Mayor Bird introduced administrator Jeff White who gave a brief overview of his background. Prior to coming to Marblehead, Mr. White spent several decades with ODOT and later as administrator for first, the Village of Bremen and then the Village of Galena.

**LEGISLATION**

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

- A. **ORDINANCE NO. 15-2022** – An Ordinance Amending the Village of Marblehead Zoning Ordinance Regarding Lot Size Requirements and the Lot Sizes of Conditionally Permitted Uses. This was the second reading.

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

Motion to adopt Ordinance No. 15-2022 made by Mrs. Kukay and seconded by Mr. Myers. Vote: Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mrs. Sauvey-yes, Mr. Starcher-yes. Motion carried.

- B. **ORDINANCE NO. 16-2022** – An Ordinance Restricting the Discharge, Ignition or Explosion of Fireworks Pursuant to Ohio Revised Code § 3743/45 (D)(2). This was the third and final reading.

Motion to adopt Ordinance No. 16-2022 made by Mr. Dorko and seconded by Mrs. Kukay. Vote: Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mrs. Sauvey-yes, Mr. Starcher-yes. Motion carried.

- C. **ORDINANCE NO. 17-2022** – An Ordinance Adopting Revised Flood Damage Reduction Regulations and Repealing any Previously Enacted Flood Damage Reduction Regulations. This was the third and final reading.

Motion to adopt Ordinance No. 17-2022 made by Mr. Myers and seconded by Mrs. Sauvey. Vote: Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mrs. Sauvey-yes, Mr. Starcher-yes. Motion carried.

- D. **RESOLUTION NO. 16-2022** – In the Matter of Application by Pleasant Pointe Condominium Association for Repair and Replacement of Revetment at 123 Glacial Lane. This was the first reading.

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

Motion to adopt Resolution No. 16-2022 made by Mr. Dorko and seconded by Mrs. Kukay. Vote: Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mrs. Sauvey-yes, Mr. Starcher-yes. Motion carried.

## **REPORTS**

### **Solicitor**

Mr. Barney has been working with Chief Thellmann to determine a way to have the Marblehead Police Association money transferred to the village. The group was disbanded several years ago. The former treasurer has been indicted for theft of funds from the association. Without a group, the court has no one to award a payment to and the bank which is holding the balance of the funds has no one to release the money to. Mr. Barney recommends forming a new police association for the purpose of receiving the funds.

### **Safety/Insurance Committee**

Mrs. Kukay had nothing to report.

### **Beautification/Parks/Cemetery Committee**

No report.

### **Streets/Sidewalks/Sewer Committee**

Mr. Myers had nothing to report.

### **Utilities/Ferries/Waterfront Committee**

Mr. Dorko met with Mr. White to show him around the village, especially areas where water projects are pending or in process.

### **Annexation/Subdivision/Planning Commission Committee**

Mrs. Sauvey reported on the October 5 Planning Commission meeting where a hearing was held on application by Pleasant Pointe Condominium Association for a waterfront development application and plans for a potential variance for Point of View condominiums was informally reviewed. Mrs. Sauvey also reported the zoning administrator issued a stop work order for the Waterview at Bay Point development. Mr. Hruska added that the solicitor recommends the developer post a bond ensuring work is completed in compliance with the zoning approval before lifting the stop work.

### **Finance Committee**

Mr. Starcher had nothing to report.

### **Fiscal Officer**

Mrs. Sowers had nothing to report.

### **Street Commissioner**

Mr. Lucas said the delivery date for the remaining playground equipment has been pushed back until later in the month.

### **Police**

Chief Thellmann submitted a written report of recent police activity.

### **Village Administrator**

Mr. White met with Craig Claar, village engineer, to inspect progress of the Elliott Street improvements.

### **Zoning Administrator**

Mr. Hruska had nothing to report.

### **OLD BUSINESS**

- A. **Update on rate study and south tower** – Mr. Dorko spoke with Dan Barr, engineer for the Johnson’s Island waterlines and asked him to consider the option of hanging the pipe under the bridge to see if it might be a more cost-effective method. Mr. Dorko also spoke with engineer Bob McNutt who said the rate study should be completed and ready for council review and consideration by the end of the month. The tower project is ready to bid whenever council decides to proceed.
- B. **Update on Radar Park welcome center** – Mrs. Sowers reported The JDI Group has completed the architectural drawings for the welcome center but the project is on hold until approval is given by the National Park Service.
- C. **Update on James Park playground improvements** – Mrs. Sowers said the last two pieces of playground equipment are now scheduled to ship on October 20. She also learned that these pieces do not require professional installation and has now received assembly directions for both. Dale Harwood offered to ask for volunteers from the Lions Club to help assemble the pieces.

D. **Update on possibility of cell tower at 214 E. Main St.** – Mr. Dorko said he has a contact number to report reception issues to Verizon. Mr. Myers stated his brother is the Verizon engineer for this area and may be able to help as well.

**NEW BUSINESS**

A. **Council action to cancel 11/23/22 regular meeting** – Mr. Dorko moved to cancel the November 23, 2022 regular council meeting which falls on the day before Thanksgiving. Second by Mrs. Kukay. Vote: Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mrs. Sauvey-yes, Mr. Starcher-yes. Motion carried.

**AUTHORIZE PAYMENT OF BPA BILLS**

Because the September 13 BPA meeting was canceled due to lack of a quorum and the board was subsequently abolished following appointment of an administrator, Mr. Myers moved to authorize payment of the September BPA bills which total \$51,234.06 including August payroll. Mr. Dorko seconded the motion. Vote: Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mrs. Sauvey-yes. Motion carried. Mr. Starcher abstained.

**AUTHORIZE PAYMENT OF BILLS**

Motion to authorize payment of bills totaling \$162,327.67 including September payroll was made by Mr. Dorko and seconded by Mr. Myers. Vote: Mr. Dorko-yes, Mrs. Kukay-yes, Mr. Myers-yes, Mrs. Sauvey-yes. Motion carried. Mr. Starcher abstained.

**EXECUTIVE SESSION**

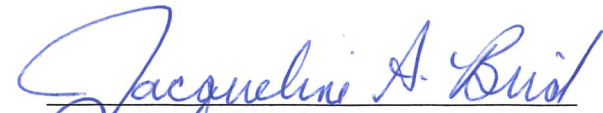
Before going into executive session, Mr. Myers recused himself and was excused from the meeting. Mrs. Kukay moved to go into executive session at 6:37 p.m. to confer with the solicitor on imminent court action. Second by Mr. Dorko. Vote: Mr. Dorko-yes, Mrs. Kukay-yes, Mrs. Sauvey-yes, Mr. Starcher-yes. Motion carried.

Mayor Bird reconvened the meeting at 6:58 pm.

**ADJOURNMENT**

Motion to adjourn made by Mrs. Kukay and seconded by Mr. Starcher. Meeting adjourned by unanimous vote at 6:58 p.m.

APPROVED:

  
Jacqueline A. Bird, Mayor

Attest:

  
Rhonda I. Sowers, Fiscal Officer