

*Village of Timberlake*

John Marra, Mayor

JoAnne Clapp, Fiscal Officer

MEMBERS OF COUNCIL

Sherri Falkenberg      Vince Cronin      Nancy Marra  
Ritu Sharma              Shannon Sharma      Kimberly Saba

TIMBERLAKE COUNCIL MEETING

January 19<sup>th</sup>, 2020

The Mayor opened the meeting with the pledge of allegiance followed by the prayer at 7:30 PM. He asked for roll call of the officers. All council members were present along with the Fiscal Officer, JoAnne Clapp. The Solicitor, Jason Hartzell, was also present.

The Mayor swore in Police Chief Christopher Pattie into his new role as interim Chief.

The Mayor asked for a motion to approve the Minutes for December 15, 2020.

Motion to approve: Saba

Seconded: Falkenberg

Motion carried; Minutes approved.

The Mayor asked for a motion to approve the Minutes for December 15, 2020 special council meeting.

Motion to approve: Cronin

Seconded: R. Sharma

Motion carried; Minutes approved.

The Mayor requested nominations for Council Pro Tempore. Mrs. Marra nominated Dr. Sharma. Ms. Saba nominated Mr. Cronin.

Votes for Dr. Sharma: Falkenberg, Marra, R. Sharma, S. Sharma

Votes for Mr. Cronin: Cronin, Saba

The Mayor announced Dr. Sharma as the new Council Pro Tempore and closed the nomination.

The Mayor presented Resolution 2021-01: A resolution designating and appointing Dr. Ritu Sharma President Pro Tempore of the Council of the Village of Timberlake, Ohio and declaring an emergency.

Motion to suspend the rules: S. Sharma

Seconded: Falkenberg

Motion to approve: Falkenberg

Seconded: Marra

All were in favor of the Resolution; Motion approved.

The Mayor presented the 2021 Council Members Committee assignments:

Safety - Vince Cronin (Saba, Marra)

Recreation/Trees/Environment – Nancy Marra (Falkenberg, Saba)

Finance/Ordances/Public Records Retention – Kim Saba (R. Sharma, S. Sharma)

Grants – Dr. Sharma (Cronin, Falkenberg)

Sanitary Sewer and Sewers - Shannon Sharma (Cronin, R. Sharma)

Village Hall - Sherri Falkenberg (Marra, S. Sharma)

Service and Parks - Mayor (Marra (chair), Falkenberg, S. Sharma)

The Mayor presented Ordinance No. 2020-08 and placed it on 2nd Reading (Tabled on 11/17/2020): An ordinance authorizing and approving the appointment of Police Chief as Street Commissioner of the Village of Timberlake, Ohio, pursuant to the provisions of section 735.31 of the Ohio Revised Code, setting compensation of one dollar per year and declaring an emergency.

The Mayor presented Resolution No. 2020-29 and placed on 2<sup>nd</sup> Reading: A resolution authorizing and directing the Mayor to enter into an agreement with CT Consultants to provide for professional engineering advice, consultation, assistance, and services to the Village, establishing the terms and conditions of same and declaring an emergency. Ms. Clapp recommended to not do a three-year term. They will revise it and resend it for a one-year term with an option to renew. After the contract is sent out, the council will review and discuss at next meeting.

The Mayor presented Ordinance No. 2020-09 and placed it on 2nd Reading: An ordinance adopting an Interim Disaster Recovery Plan for the Village of Timberlake Offices and declaring an emergency.

The Mayor presented Ordinance No. 2021-01, an ordinance amending wage and salaries for the employees of the Village of Timberlake, Ohio and declaring an emergency. Ms. Clapp only changed the interim Chief's fees and maintenance personnel fees as passed last month.

Motion to suspend the rules: Cronin

Seconded: R. Sharma

Motion to approve: Falkenberg

Seconded: Cronin

All were in favor of the Ordinance; Motion approved

### **Mayor**

The Mayor presented the following Mayor's report:

"Dear Council and Residences,

I would like to thank each and every one of you this year that helped with all that we accomplished.

We were able to secure the beach for our residences and make available keys for the residences that wanted to obtain one. Thank you specifically to Gary Saba and the volunteers that helped me personally install it and get the project done. Thank you to service that helped maintain that security.

I forgot to mention at the last council meeting, the beach steps have been repaired and are ready for spring.

Let's hope we have a hot summer and can use the steps safely now.

We were able to get stop signs posted and from what I understand from past years, was absolutely impossible.

Thank you to certain council members and service people that helped me personally install them and finally make this project a reality and make our village safer.

Council was able to knock on doors and get a levy passed that failed before. Thank you to council who designed the flyer and produced it. Thank you again council members who rallied the troops and canvassed the neighborhood and got it done.

With the help of Covid money and certain council members physical leg work, we were able to purchase complimentary Covid kits (thanks to Miss Clapp) and personally distribute them to each and every resident. In the hall with our Covid money we were able to install automatic door openers, touchless switches, and sanitizers. We did this under the watchful eye of Miss Clapp.

Thank you also for keeping the village under budget.

We were able to get some of the residents to clean up their properties of weeds, tall grass, hide trash cans and comply with our Boat, trailer, and RV ordinance. I am hoping this year we can get everyone to comply to help us beautify our village.

Finally...we have assigned an interim police chief. He will make his introduction later in the meeting."

### **Solicitor**

Mr. Iosue mentioned the hiring process for the Village. He noted the three different resolutions and ordinances where hiring process is mentioned. He hopes to clarify this for the future. Mr. Cronin said that as the law has changed, the police departments are no longer able to do background checks for municipal workers. Chief Pattie noted he will send Mr. Iosue the ORC number.

### **Fiscal Officer**

Ms. Clapp presented the following report:

“Mayor, I would like to start off by informing you that I have contact the State Auditors about you and following procedures/expenditures. When I was hired here, I took on the responsibility to assure the taxpayers that their money would be spent correctly. I’m held personally responsible for the Village finances. In other words, if the State Auditors find any problems with misspent money, I personally must repay it. There were several times throughout last year I told you about an expenditure problem and you would tell me “Sorry-I won’t do it again”. Well just this month you entered into a contract with Spectrum without Council approval (even after I told you not to wait until you have council approval) and you sent me a text back “Sorry, I really messed up now because he came early.” Yes, they are less than AT&T, however, council did not approve it prior to entering into the contract and also, we do not know if we can get out of the AT&T contract. So council, I’m requesting you to a make a motion limiting the expenditures to \$100 and below without having the notify me before the expenditures occur unless it has already be approved by you on the budget worksheets. Just so council is aware our current general fund balance is \$71,713.12.

Now for the two CT Consultants past due invoices. I talked to Pete from CT today and he told me that you called him requesting that these invoices be voided because you would personnel have to pay them, so he voided them for that reason. I had them on the agenda tonight for council approval.

Next – no invoices, contracts, zoning applications/permits or cash/checks are to be sent to employee homes; everything must be mailed to the Village Hall Officer.

So now I’m going to explain how the State Audit works. The Auditors come in or request the council to submit the minutes, ordinances, and resolutions. They read them, take notes, and compare that information to the financial reports. They also send a questionnaire to you Mayor, all of council, Village Solicitor, and myself. The questions are all the same, we do not see each other’s responses; however ,one person can make a comment that they feel something is being done wrong and they will look into it closer.

Finally, I would like to clear up something in reference to the hiring of employees; back in October, councilperson Saba and I met with you because you had questions and wanting job descriptions; we offer our time to come up with job descriptions to present to Council for their approval. You were ok with it; so we proceeded, now that council approved everything and gave you a directive, you are not happy with it.

Another thing I think that looks bad and I don’t know who posted the zoning permit fees on the website, but they are very hard to follow.

Last, I’m not perfect, I make mistakes; that is why I email you and all of council the financial reports each month to review because I’m trying to open and transparent.”

Ms. Clapp noted that there is about \$19000 left of the COVID money. Ms. Clapp wants to confirm with council if they want to use that for the EMS contract. Council agreed with this.

NOPEC has given the Community Event Sponsorship Award for \$500. Council will need to decide what community event they would like that to go toward. It must be in by June 30th, 2021. Ms. Saba asked if it can be used for a council-sponsored event. Ms. Clapp will look into this.

### **Interim Police Chief**

The Chief does not have stats as of yet. He will get that and send it out. He noted he cannot wait to meet everyone in person. He is retired from the City of Mentor; he retired with 25 years of experience. He came here as a Sergeant. He said he felt honored about this role and appreciate the faith everyone has in him. He noted he is new here and has seen the way things are run. He has spoken to the officers and tried to meet with Village members. He was pulled over by a golden retriever recently. There will be a departmental meeting for police officers this Friday. He would like to discuss changes and continuation of policies. Having worked in Mentor for 23 years, he has a depth of experience. His idea of policing in the Village of Timberlake is community-based policing. This is centered on patrolling and getting to know the community. He noted that it is important to survey the community and be vigilante. It is important to pay attention to what is going on. He would like to ask everyone to stop the officers and talk to them. Introduce yourselves. This way the residents know who they are speaking to. He believes in being transparent and hopes people will bring their questions to him. If he doesn't know the answer, he will find the answer for them. Ms. Clapp asked if he has appointments for tonight; he noted that he did.

### **Finance/Ordinances/Record Retention**

Ms. Saba noted that she was concerned about a few things. She said that it is important to have granular transparency with CT Consultants, so everyone knows the charges being made. She hopes there will be better communication amongst the team. She is concerned about the stop signs at the triangle on Owaissa and Shawondassee. The people that back out of the driveway there see it at the very end of their driveway. She would like this reviewed. Ms. Saba noted that the zoning fees are hard to read and they need to be reviewed. The fees that are being charged should be reconsidered. She'd like to create a meeting to see how we can remedy this. The Mayor agreed it needs to be revised. Ms. Saba stated that the Village is charging for fees that other communities do not charge for, so it needs to be reviewed. She would like residents to be able to do beautification projects without worrying about paying exorbitant fees. Her next question is, will the job descriptions for the two positions be posted online? The Mayor noted that he needs council approval to revise the dates. He asked who will be taking applications for that? The way the resolution is now, it notes that all employees must be appointed and approved by council. Mr. Iosue noted that there isn't a procedure, so we need to figure it out. The other ordinance and policy says that the Mayor can appoint with council approval. So, there are contradicting facts as the way it is written is council must hire the individual before the Mayor does. The other resolution notes the Mayor interviews and hires a person and the Council approve it. By next meeting, Mr. Iosue hopes to create a process draft. With other communities Mr. Iosue works with, most of the time the Mayor chooses an individual and the Council approves them. Ms. Clapp noted that it would be better to have council members sit on the hiring committee. Ms. Saba asked if the Mayor is comfortable with getting all of the emails. He noted he is comfortable doing whatever the council decides. Mr. Cronin noted that he'd like to do it the way it was passed last October. He hopes that the Mayor can post the jobs, select 2 or 3 individuals, and then present it to council. Mr. Iosue noted that it is better to select one employee that way the council has one individual to consider and approve, as that is a smoother process. Ms. Saba asked if the Council wants to hire a sub-contractor as a sub-contractor, does the Mayor need to present this individual? Mr. Iosue noted that the contract should be written up, presented to council, and approved. Workers' compensation

will still need to be provided. The Mayor noted there is less liability with independent contractors. It's preferred if they have their own liability insurance. However, with an employee, there is more control over their schedule as compared to an independent contractor. Ms. Clapp asked when can the job posting be posted? He noted that as soon as the revised dates are sent back, he can post it tomorrow. Ms. Clapp will publish them in the newspaper on 1/24 and ask for applications to be returned by February 1st. This way the Mayor can interview before the February 16th council date. Mrs. Marra asked about the interviewing process. Mr. Iosue recommends that the Mayor and someone on the Service Committee select an applicant to present to council. Mr. Cronin asked for all applications to be sent out to council.

### **Safety**

Mr. Cronin had nothing to report for the past month. He wished Dr. Sharma the best of luck on her new role. He noted that there is one public request that has not been fully fulfilled yet. There are some vendors that have to be switched over. He has updated bank records from Erie Bank and Star Ohio Bank. He is looking forward give over this information to Dr. Sharma. Ms. Clapp agreed everything must be signed over to her. Mr. Iosue noted that the police department handles the public records request. Per Mr. Cronin, any requests beyond police are tracked by him and sent to him. The requests must be fulfilled within a reasonable amount of time. Dr. Sharma asked for clarification in regard to that time frame. The "reasonable amount of time" is up for interpretation. Mr. Cronin noted that it'll take 2-3 months to finish the last public records request. Mr. Iosue stated that we should fill it as quickly as we can and if we can't fill it, to contact the individuals in regard to this. Sergeant Claridge is responsible for public records request; as he is part time, at times, it must wait till the Sergeant is available. The Chief is hoping to find a way to expedite this. Part of the analysis of what is reasonable is based on the Village's resources, as well, especially if some employees are part time. Ms. Clapp suggested that everyone should watch the Sunshine Law seminar. Dr. Sharma and Ms. Sharma attended this at Lakeland Community College and submitted the certificate for this.

### **Village Hall**

Ms. Falkenberg noted that the Village Hall is starting to pick up in May and beyond. She needs council approval to order multi-fold paper towels. The pricing is not available now as the size is unknown.

### **Recreation/Trees/Environment**

Mrs. Marra had two trees reviewed the last 2 days. One of the trees looks bad but is healthy. It's three trees growing into one tree. It is creaky, but healthy. There is also one on East Shore that is hollow.

### **Grants**

Dr. Sharma is reviewing grants for 2021 and hopes to present a list to Council in the upcoming months. The Mayor noted there is a NOPEC grant for streetlights he will forward over.

### **Sewers**

The Mayor thanked Ms. Sharma for coming in way under budget. She had nothing to report this past month.

The Mayor asked for a motion to approve the December 2020 Financial Reports.

Motion to approve: Falkenberg

Seconded: R. Sharma

All were in favor.

Motion carried; Report approved.

Ms. Saba asked to implement spending limits, which Mr. Cronin agreed to, as well. The Mayor noted it is \$100 now, what would the Council like it to be reduced to? Ms. Saba wants to keep a close eye on this, which Mr. Cronin agreed to. He would like to save money for a rainy day. He says it is important to be frugal with

the spending. The Mayor stated that everyone did a great job last year and everyone came in way under budget. Any spending has to be reviewed by council; this process will be solidified.

The main refrigerator in the kitchen is unplugged. The Mayor wanted to buy a small fridge for the police department. He asked if the council would be okay with purchasing a small refrigerator for the police department. Ms. Falkenberg asked if that refrigerator can be sold. The Mayor noted that the fridge is needed for an event. This way, the village can unplug the large fridge and only run the small fridge for the police department. The Mayor noted that he needs approval for about \$100 to order seals for the large fridge, so that it doesn't have to run 24/7. He will send an email out to council in regard to this. He noted it is not detrimental to unplug a refrigerator. The Chief stated that he'd like a fridge for his midnight police officers, who bring lunch to work. Ms. Saba said she can lend one until a new one is bought. She will clean it and lend it to the police department.

The Mayor asked for a motion to accept a donation of gator bags from the Eagle Scout Project. The trees are looking good and seem to still be surviving. Everything looks good at this time. The residents donated this.

Motion to approve: Cronin

Seconded: R. Sharma

All were in favor; Motion carried.

The Mayor asked for a motion to authorize the Mayor and Fiscal Officer to enter into a contract with Spectrum. It can be cancelled anytime with no fees or penalties. Mr. Cronin will call AT&T and cancel the service through them. They will send a list of equipment that must be sent back. Switching to Spectrum would save \$150 a month with eight times the speed per the Mayor.

Motion to approve: R. Sharma

Seconded: Marra

All were in favor; Motion carried.

The Mayor asked for a motion to appoint Sarah Bittner and Jason Mazzaro.

Motion to approve: R. Sharma

Seconded: Falkenberg

All were in favor; Motion carried.

The Chief noted these positions are replacing two sergeants, including the interim Chief. The Chief is looking to ask council to create a fourth sergeant position. He is hoping to have two sergeants responsible for the same list of items; that way, if someone is ill, there is a backup. Currently all three sergeants serve their own role. If two sergeants are responsible for the same job, there is a backup. Furthermore, if someone chooses to leave, the Chief will still have an individual trained in that role. This way he is not scrambling to find someone else to fill the role. The Chief believes this will provide a better service to the community. Currently, there are three sergeants on service. Mrs. Marra asked who holds what rank in setting of a catastrophe. The Chief noted that this is determined by him. Currently, Sergeant Bittner would take the lead. He stated that if they are not at the same level of sergeant, then everyone will have to be paid a different amount. He knows with the current sergeants, there won't be any issues with rank. If this was a full-time department, everyone would be here five days a week. That is not the case with the Village. The Chief has to look at having a sergeant do ancillary duties while working a shift or paying a patrolman to work the shift; that causes the issue of paying two people at the same time. Sergeants are responsible for their ancillary duties in addition to answering calls. The benefit for being a sergeant is \$1/hr more and an accolade of being a sergeant. The Chief noted he will take over the role of Chief Tryon. He will work once a week. Outside of that, he begins working first thing in the morning at 4 or 5 am. He lives one street away from the Village. So, lately he spends his time doing Village work in the morning. He hopes as time goes on, the Village will see more of him than they saw Chief Tryon. Chief Tryon didn't have the time as he had a business; Chief Pattie has another business, but it requires very little time

away. Knowing that the Chief can stop in to check in keeps the police department on track. The Chief plans on being on the police bikes and driving throughout the Village. Mrs. Marra noted that was one of the complaints of residents is that there was no relationship. The Chief stated that he hopes to build relationships with the Village.

Mr. Cronin noted he thinks there needs to be a lot of discussions, so it should be done in another meeting on February 9th, 2021.

The Mayor said if anyone would like to sign up for the Reverse 911 program, please sign up on the Village website.

The Mayor asked for a motion to adjourn the meeting at 9:30 PM.

Motion to adjourn: Cronin

Seconded: S. Sharma

All were in favor.

Next Council Meeting 2/16/21@ 7:30 PM

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JoAnne Clapp, Fiscal Officer

The complete text of each ordinance or resolution can be obtained from the Fiscal Officer or viewed at the Village Hall.

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John Marra, Mayor

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