

Village of Timberlake

John Marra, Mayor
MEMBERS OF COUNCIL

JoAnne Clapp, Fiscal Officer

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

TIMBERLAKE COUNCIL MEETING March 16th, 2021

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 Solicitors, Jeremy Iosue and Jason Hartzell, were also present along with Gary Grey and Sue Scofield. Mrs. Marra noted that a villager was very irate about not being able to come in for the meeting. Ms. Clapp clarified that Villagers could come in as long as they wear a mask and stay 6 feet apart.

Per the Mayor, the Yard Waste pickup will start on April 5th. Mayor reminded residents about the dog walking lease law within the Village. He would like to avoid any accidents.

The Mayor asked for a motion to approve the Minutes for February 16th, 2021.

Motion to approve as amended: Marra

Seconded: Falkenberg

Motion carried; Minutes approved.

The Mayor asked for a motion to approve the Minutes for the special meeting held on February 19th, 2021.

Motion to approve: Marra

Seconded: S. Sharma

Motion carried; Minutes approved.

The Mayor asked for a motion to approve the Minutes for the special meeting held on February 22nd, 2021.

Motion to approve: Falkenberg

Seconded: Marra

Motion carried; Minutes approved.

The special council meeting of March 3rd, 2021 will be presented at the April 20th meeting as the minutes were not sent out on those by Ms. Saba; she will send them shortly.

The Mayor presented Resolution No. 2020-29 (3rd 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.

Motion to approve: R. Sharma

Seconded: Marra

Motion carried; Resolution approved.

Pete Formica was available to answer questions. He noted that he tries to be frugal in not charging the Village and charging only under the retainer. He notes that if anything is under \$100,000, he puts the engineering fees in the grant amount, so it makes it cheaper. He notes the last project he did beyond the retainer was in 2015. A lot of that work was based on inspecting the job. He says he charged hourly for his inspectors; but, always

tries to work with the Village and help out as much as he can. The issue is for a lot of grants, the Village has to put up half the money. He spoke to EPA about a resolution that has to be passed by May 4th. It has to be mailed to them, then can be presented to council. He asked for council's permission to mail it. This is in regard to FEMA changing their coastal ordinance; Pete revised the model ordinance as per the guidelines. If it isn't passed by May 4th, the Village will be in violation. Pete said he emailed this to council in January.

Motion to allow CT Consultants to submit plans to ODNR. This is the updated Flood Damage Reduction Ordinance. This will be under the retainer, so no cost to the Village.

Motion to approve: R. Sharma

Seconded: Falkenberg

Motion carried.

The Mayor presented Resolution No. 2021-03 (2nd Reading): A resolution authorizing the Fiscal Officer to take all actions necessary to "Opt In" to Ohio Auditor of State eServices to assure fiscal responsibility and property auditing account and declaring an emergency. Ms. Clapp received an email from the state auditors. They want more transparency to eliminate fraud. So, this links to the UAN system. If it is not balanced, it will notify the council. This will help with future transparency.

The Mayor presented Resolution No. 2021-04 (2nd Reading): A resolution authorizing the Mayor to take all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) Energized Community Grant(s) and declaring an emergency. This is the grant application received by the Mayor per Ms. Clapp. It can be used for streetlights, insulation in the buildings, new windows, etc. It has to be filled out and submitted. The Village does this every year, but the engineers help with this project.

The Mayor presented Resolution No. 2021-07 (2nd Reading): A resolution implementing a hiring policy for the Village of Timberlake and rescinding the prior hiring policies and declaring an emergency. This will be placed in the work session agenda as recommended by Mr. Cronin. He does not like that the interviews are done by the Mayor and a relevant member of the committee. He doesn't want the Mayor to pick and choose who is on the committee. Dr. Sharma said she thought that all members could be present. Ms. Falkenberg agreed that it was revised to allow all council members to attend with optional attendance. Dr. Sharma agreed. It will be added to the Resolution and an updated policy will be sent out.

The Mayor presented Resolution No. 2021-11 (1st Reading): Resolution directing the Lake County Board of Elections to place a 1.4 mil, five years renewal tax levy for the police department, service department and general fund current expenditures within the village on the November 2, 2021 general election ballot. This is the renewal levy; no additional cost per Ms. Clapp.

The Mayor presented Resolution No. 2021-12 (1st Reading): Resolution directing the Lake County Board of Elections to place a 2.8 mil, five years renewal tax levy for the police department, service department and general fund current expenditures within the village on the November 2, 2021 general election ballot. Again, this is not a tax increase.

The Mayor presented Resolution No. 2021-13 (1st Reading): A resolution declaring surplus personal property and directing the fiscal officer and authorizing all actions necessary to affect the sale and/or credit value of same and declaring an emergency. This is for any equipment that needs to be disposed of; a list is being prepared by each department.

The Mayor presented Ordinance No. 2021-02 (1st Reading): An ordinance amending section 1062.02, residency required; guests, of the Codified Ordinances of the Village of Timberlake and declaring an emergency. Per Jason, this is to bring the ordinance in line with deed restrictions; he also prepared a resolution

for setting the fees for beach keys. He will send that out tomorrow. This does limit a resident to bring just 5 guests to the beach. It can be eliminated or changed per council.

The Mayor presented Ordinance No. 2021-04 (1st Reading): An ordinance repealing and replacing chapter 820 of the Codified Ordinances of the Village of Timberlake and declaring an emergency. The Village currently has a Solicitor's ordinance that is very outdated; this repeals that section and replaces it with updated information.

The Mayor presented Ordinance No. 2021-05 (1st Reading): An ordinance repealing and replacing various sections of the Codified Ordinances of the Village of Timberlake and declaring an emergency. This will be discussed in the next work session. Ms. Saba noted that this needs to be reviewed so they can be submitted online. It needs to be updated. On March 13th, Ms. Saba and Ms. Clapp reviewed through these as much as they could. The Mayor requested more time to review this for the Chief; Ms. Clapp said this need to be done as soon as possible. There is a \$3000 cost to do the codified sections. The Chief said she can do this, but she needs a few days to do it. Most of the ordinances are in conjunction with ORC per Mr. Cronin.

The Mayor presented Resolution No. 2021-14 (first reading): A resolution expressing approval and support of ODOT bicycle route on Lake Shore Boulevard and declaring an emergency. Jason said there is no issues with the resolution; it doesn't create any new responsibility for the Village. The Mayor noted that Timberlake may be the last city left to approve this. Eastlake passed it a few years ago. The Mayor requested to just pass this now. Jason emphasized this doesn't really create anything new for the Village.

Motion to suspend the rules: Falkenberg

Seconded: S. Sharma

Motion to approve: Falkenberg, N. Marra, Dr. Sharma and S. Sharma

Refused: Cronin and Saba.

Mayor

The Mayor presented the Mayor's report. The Service Department is cleaning up around the Village. All the catch basins on Shawondassee have been cleaned; the rest will be done in the upcoming weeks.

Solicitor

Mr. Hartzell is hoping to amend ordinance 470-06 and 470-07 as they contradict each other. He hopes council can review those and send him the thoughts. For the work session, he is happy to offer his assistance.

Fiscal Officer

Ms. Clapp presented the February General Fund Summary Report. Everyone received the monthly financial reports. There are no questions on that. The Fiscal Officer noted to Council that the NOPEC Sponsorship Money \$500.00 can be used for a safety town. She also presented Council NOPEC Street lighting agreement, which could save the Village money. The contract price is \$.0281 for 36 months and \$.0282 for 24 months. She also made the following statement:

Mayor –I'm going to start my report by first suggesting that you submitted your resignation as Mayor of Timberlake. I should have let you resign a few months backs when you said that you were considering it and I told you to hang in there. Well, here are my reasons: you just continue to do things your way, you do not want to follow rules or procedures. I've asked you several times to slow down and that I need to research or verify something. This is my own opinion you only think about what works best for you and not what will work best for this community.

Now I'm going to let the public and council know that at this time tonight. I may be resigning as your Fiscal Officer after the State Audit is completed, because I cannot allow my reputation to be ruined by you.

Residents I would like to let know it is very hard for me to continue my fight to protect how your taxpayer dollars are being spent. Just so the public is aware before I suggest making any change here, I research it to make sure it is working in other entities throughout the State of Ohio. In addition, Mayor and Council, I'm asking you to slow down because we are making too many mistakes.

By rushing things, the following mistakes have happened just since the last regular council meeting:

- 1.) The appointment of the new full time Police Chief was done by motion and it has to be done by a resolution or ordinance-you contacted me Wednesday Feb. 17 stating you wanted a Special Council meeting ASAP, well I work a full-time job and had other entities normally scheduled meeting to attend on Thursday evening, so you had it schedule for that Friday, Feb. 19. Your reason for this request is because you requested Interim Chief Pattie to turn in his badge when he actually gave his resignation notice of March 7th.*
- 2.) Then over the weekend you tried to schedule another Special Council meeting for Sunday when I told you couldn't be done because I could not give proper notice the News-Herald, so I agreed with to schedule for Monday Feb. 22nd at 7:30 PM because I had another entity already schedule Special Council Meeting earlier that evening and thankfully it ended early.*
- 3.) Then after that you continue to schedule Special Council meeting even after I told you that I was busy with 3 (2-year State Audits) and that I was not available for Special Council Meeting and that we could be handle at the March 16 council meeting. However, you still went ahead a schedule the Special Council meeting after I provide you with documentation for the State Auditors Village Official Handbook which state the following:*

Clerk - The clerk keeps permanent records of council proceedings and must attend all meetings of village council. The village council shall appoint one of its members to serve in the office when the clerk is absent. (Ohio Revised Code Sections 705.10 and 733.27)

The clerk is the chief fiscal officer of the village and the clerk for the village council.

Clerk of Council - The clerk shall attend all council meetings and keep a record of all proceedings, rules, bylaws, and legislation.

And then you proceed to leave me off the special meeting notice and you stated "that you didn't do intent ally" well I disagree with that statement because this is the first time since you took office that you left me off an email.

Yes, Sunny records the regular meeting, however she does not attend the Special Meeting in which I do.

- 4.) Now to hiring employees per our own Codified Codes it states that Officers must pass a background check before being appointed. This hasn't been happening. I'm the HR person and still didn't have any of the employee's applications or drug testing results, I do have some background checks. I have received only one background check and that is for the service department, however I have not received their drug testing results. Do you have them since I gave you the paperwork to complete? I feel reference and prior employers should be check before an employee is presented to council for their approval.*
- 5.) The officers at the March 3rd Special Council meeting in which I wasn't present where you requested and had council approved officers for paid positions what done wrong. No figure was stated for their wages. This leads into again why I asked for you to wait and I recommended to you that the Finance Committee should meet to review the police department because of all the unnecessary changes you created.*

- 6.) *Now I will explain why I decided to take everyone spending away with the exception of purchasing fuel and emergency towing of vehicles is because Mayor you cannot follow procedures –as stated to me you were only appointing Special Officer’s not paid officers at the March 3rd Special Council Meeting.*
- 7.) *Now I’m going to the issue in reference to the police cruise headlight replacement, back in January Council meeting I stated that I was unavailable between 7-3 because of my full-time job and that I would be answering my emails after 3:00 PM. The Village Solicitor doesn’t have anything to do with approving expenditures so there is no reason to contact him. I’m responsible for approving expenditures.*
- 8.) *If you want me to available between 7-3 then you need to pay me \$55,000 a year plus benefits. I know this Village cannot afford it, so I won’t do this to this Village. Since the Feb.16 the Council until now I put in over 100 hours. Besides the amount hours I put in I sure our Village Solicitors have put in a lot of hours well over what they are getting paid, I guess if they were charging us per hour, they have already met their contract for this year.*
- 9.) *You are not being transparent to the residents of this Village by calling all these quick special council meeting so the public would have hard time attending.*
- 10.) *In reference to your power point presentation where you used people names, address and phone numbers did you ask for their permission first?*
- 11.) *I can answer that question as No because I know a few of those people you had on there that they were not. And you put on the presentation what you wanted Council to see and hear so you can have the Chief approved. One item I can verify is in reference to the Thumbs up comment. That person never gave you thumbs up for the current chief, they gave you a thumb for if you could get someone to work as a full time Chief at \$35,000 with no benefits. I was present when that happened. My opinion you use people to get what you want. Example you were instructed the check references and have someone review whoever the Chief resume is and if that if these people were ok that Council would feel better on make their decision on hiring the Chief by what these people comments were. I’m not saying the Police Chief is right for the position I’m just saying you weren’t honest with everything you presented.*
- 12.) *Please answer this question, did Council approve the walls being built in the Police Department, how much is this costing us because I do have any correspondence from you about this expense and I did not approve it. You need to have council approval first because you are modifying a public building. Council back when the walls were removed was approved by Council. Are these people bond and license. Just because we a public entity we are still required the same rules as a resident, which is we must get all the required permits. Have anyone paid a contractor registration and building permit. Did you check with our insurance company to see if this could be done? Do you check the Finding for Recovery website and print off that there are not finding for these contractors? How much is the project costing the Village? If the cost is nothing, then Council must again accept it before it happens.*
- 13.) *I thought by now you would have figured this out about me I investigate things, I may only come to office once a week however I still know what is happening here. Another thing I know from working when someone gets upset with me for asking questions about their job, they are usually doing something wrong. Just so Council knows I have the State Auditors looking into something I found. I cannot disclose who’s all involved until the investigation is completed.*
- 14.) *Next item we need to know where the prior MTD’s are for the police department because it is my understanding that they were purchased under a grant, when something is done under a grant there are instructions on the procedure for disposing them.*
- 15.) *I’ve heard that there could be more money coming the Village from the Federal Government as a result from COVID19. I don’t know how much is will be or if it will happen however if we do receive money, I recommend having a work session if not will all of Council at least the Finance Committee to discuss how it should be spent.*

- 16.) *Next, I know the Chief has requested to have her bullet proof vest replaced. I think it should happen, however maybe we should check to see if there are any grants out there to help offset the cost and if so, what are the restrictions.*
- 17.) *I may not live in the Village, but information does gets to me. I heard Mayor that you already promised/told the Village Club they will be getting the NOPEC sponsorship money, just so everyone know if Council should decide the money can go to the Village Police Department to a Safety Town, and just some everyone know the way the sponsorship is submitted has changed this year, so whoever you decide to give the sponsorship money to will need to provide with information so I can submit.*
- 18.) *Next all zoning/building permits must in the files at village hall and not at employee's home. This must be fixed immediately because I have the State Auditors starting the audit and they have asked me to provide them information to my receipts not just the copy of the form permit application.*
- 19.) *I'm almost done, a few Wednesdays back we had a conference call with the Solicitor, and we discussed the Codified Code and reviewing it, well on Sat. March 13th I came in along with Council member Saba and we review what we could and provide you with what you and the Police Chief need to review, so we can have work session. Have you completed this or at least started it?*
- Again, Mayor I suggest to you to submit your resignation.*

Interim Police Chief

The Chief presented the following stats for last month: a total of 101 calls including 38 park checks and 11 investigations.

Safety

Mr. Cronin informed Council that in the past month, there were three special council meetings. At the February 22nd meeting, Council approved the hiring of eight special officers, which was dependent on their background and drug tests. He did a public records request and as of February 27th, five days after, only one of them actually applied for the job and that officer that did apply for the job, his application was signed February 22. The resume was 10 years old. We have to be more diligent on the background. There is no way that background check could have been completed because that officer was sworn in at the February 22 meeting. On March 3rd, a motion was made hire three more officers with the contingencies that they receive a background and drug test; when Mr. Cronin checked as of March 6th, he was told by the Mayor no application was received by any of those officers, but one was disqualified as he didn't pass the background. The police department stuff is getting out of control, there needs to be a better process. The process is to accept the application, do a thorough background check, and if there is a prospective candidate, bring it to Council to be approved. Out of the 11 approved, 2 withdrew their application and one was disqualified. Of the remaining 8, 3 are currently working per the Chief. He noted that he doesn't recall getting an email about swearing these officers in. He also felt that with all due respect, at the February 22nd meeting, he was opposed to three people getting sworn in because he didn't find it appropriate that they were used as references on the Chief's resume which was shown to the public on February 19. He made it quite clear and the Chief said that the resume was the same from what she submitted 2 years ago; Mr. Cronin said he reviewed that resume and the references were different. That resume was also sent to Dr. Sharma and Shannon Sharma in July 2018. In May 2020, the Chief sent a resume to Chief Tryon and Mr. Cronin for a promotion; the resume attached also had different references. Mr. Cronin questioned the Mayor on who did Chief Scofield's background check. Apparently, it was done very quickly. Mr. Cronin requested a no confidence vote on the Mayor. This was seconded by S. Sharma.

Ms. Saba noted she didn't know what to say about it. However, she did have some questions about a wall being built in the police department. She asked who built the wall? The Mayor said he did; he did not charge the Village anything and paid for it himself. The Chief said she wasn't aware that she needed a permit or Council approval to put the wall back up that was removed a few years ago. She doesn't want anyone to access the fcomputer or the files. Mrs. Saba said she is not opposed to the wall, but these things need to be

done the correct way. Even a desk cannot be thrown away without a motion. Her concern is when changes are made to a public building, the Council should be told about it. S. Sharma clarified that donations have to be approved. Mrs. Saba inquired about the MDTs. The Chief stated she has them in a file cabinet and she doesn't know if they came out of the cars. Mr. Cronin said yes, they are the two that came out of the cars and the hard drives have been removed by Lake County for disposal. Mrs. Saba noted she has thirteen emails with her name attached to replacing a light bulb in the police car; policies and procedures have to be reviewed by the council. The Chief stated she has no credit card or authority to buy anything; she has expenditures and doesn't know how to operate at this time. Mr. Cronin stated that Chief Pattie was going to stay here until March 7. Per Mr. Cronin, it would have been beneficial to have a nice transition period instead of him being forced out. Ms. Falkenberg said that the protection of documents in the police department is an issue and she doesn't think the Village is in compliance. The Village Club uses part of it and things are not being locked. The Chief stated the door at the top of stairs are locked and the evidence room is locked. Ms. Saba stated she wasn't opposed to the wall, just opposed to the lack of transparency. Mr. Cronin agreed. S. Sharma inquired about the police officers council approved and whether they are working. Chief stated only three are working. The evidence room was audited. Mr. Cronin asked the Chief if she applications for each officer Council has approved. The Chief stated yes, however some of them on the list have not reached out about the position. Mrs. Marra inquired about whether the special meetings were advertised and allowed to be had. The solicitors noted they were done in the correct, legal manner with an advertisement being posted for each. Ms. Clapp said that the Solicitors had said no money was being spent; however, the officers were being promoted to paid positions, so that means money was being spent. The Fiscal Officer was not present at that meeting. Mrs. Saba inquired about the March 3rd special meeting in reference to the paid officer, were the Village Solicitors aware that they were appointing paid officer. The Village Solicitors noted they could not recall; however, Solicitor Iosue does not believe anything illegal was done. The Fiscal Officer stated residents were complaining as they felt things were being done too fast. Mrs. Saba suggested leaving the Officers as specials and then retroactively paying them. The Chief said that could not be done as she needed them to cover shifts. The Chief stated she presented timesheets already. The Fiscal Officer stated she was correct; however, they were only approved by motion and not ordinance. Ms. Falkenberg noted that the meetings had to be held due to the prior Chief's resignation.

Ms. Sharma asked if the Mayor had anything to say. He said that he is doing what he can and he's trying to do everything right. He asked for light bulb at 8:30 AM and did not hear back by 3:30 PM. Ms. Clapp clarified she has a full-time job and is not available between 7-3. She received a call from the Finance Chairperson and she consented to the lightbulb, but the Mayor refused to take her word. The Mayor said that he was abiding by a prior email sent by Ms. Clapp about not making any purchases unless approved by the Fiscal Officer. Mrs. Marra asked if committees have any authority. She asked the solicitor about this. Mrs. Saba said this would be more appropriate in an executive session. Ms. Clapp clarified that Ms. Saba reached out to her about the lightbulb and she approved it. Mrs. Marra asked Ms. Sharma if she had any other questions. Ms. Sharma clarified that she was hoping the Mayor would comment, not Mrs. Marra. She said the council is in a very critical position where other have been hurt. If at the end of the day, if it's a decision between the Mayor or Ms. Clapp, Ms. Clapp is very valuable to the Village and an asset to the council, the Village, and the Mayor. The Chief said it is difficult for her to run the department without knowing how to hire officers. She is not sure how to get the department up off the ground; she struggles with buying small things. Ms. Clapp stated that she replied to her email. Ms. Clapp said the payment for the officers will be decided tonight. Ms. Sharma said that there has been a lack of transparency and that is on everyone, not just one person. Ms. Clapp said that its her fourth time doing the police budget and she does not have all of the information. The Chief said she gave a list of who left and who is still there. Mrs. Saba said there needs to be a list of all the officers that are available and what they are being paid. It's difficult to keep up with the list as the whole story is unclear. Ms. Clapp said just revise it as officers that are unpaid to paid. The Chief clarified that the police cruiser is now working as it was fixed by RTS. The MDTs don't shut off when the car is off; they had to be replaced, but were covered by warranty. Ms. Falkenberg said that the Mayor deserves credit for his time and his donations. Ms. Sharma said

that she agrees 100% and she has no confusions about his good intentions. However, she wants transparency as mistakes could come back to council. Mrs. Marra said that the Mayor does not do anything without contacting the solicitors. She asked them for clarification; they agreed he asks a lot of questions. Mrs. Saba asked if the wall was approved; Mrs. Marra said it wasn't. Ms. Falkenberg said the council has to follow procedures and that she does not want to lose Ms. Clapp. The Solicitors said that at the next meeting, the hiring policy should be in place. The Chief notes that she worked 137 hours thus far and has had one day off. Mr. Cronin said he applauds her for her hard work. She said she is diligently trying to recruit officers, pay them, and do her own administrative duties.

Motion of no confidence roll call on vote:

Yes: Cronin and S. Sharma;

No: Falkenberg, N. Marra and Dr. Sharma

Abstain: Saba.

Dr. Sharma indicated she needs more time to investigate.

Finance/Ordinances/Record Retention

Mrs. Saba reported they need to have work session to work on legislations and was going to have the Mayor a letter to read; however, decided to wait until April this way it can be reviewed, and all council can have an input. Gary Grey will be handling the enforcement of Ordinances and zoning fees updated. He will also be presenting a zoning inspector report.

Village Hall

Ms. Falkenberg reported that the rentals are going well. They don't have anyone to clean the hall between parties. She cleaned up trash this past weekend. Mrs. Saba suggested having Alex Coleman do it. Mrs. Saba recommended contacting the Mayor and have Alex do the cleaning. Ms. Falkenberg said Krista may be interested in the position; Dr. Sharma said Irene used to clean, as well. Mrs. Saba recommended Mr. Peterson. Mrs. Saba asked about how much it pays; it is \$11.65/hr for Class I and \$9.27/hr for Class II per Ms. Clapp.

Recreation/Trees/Environment

Mrs. Marra noted there was a tree on East Shore removed. In reference to Mr. Cronin's public records request about the tree across the street from his house, she looked into the files and found that the prior administration had look into it and found that the tree did not need to be removed; it is healthy. Mr. Cronin stated that he feels it is dangerous and may have fall on his property. Mrs. Marra said she will get someone to come see the tree. Ms. Clapp asked for that invoice; she said she will send it over.

Grants

Dr. Sharma said some residents have spoken to her and they are assured about the way things are going.

Sewers

Ms. Sharma said there was a break in the main water line and the County repaired it. She also read a letter that she received by a resident to be shared during the meeting:

Mayor Marra and Council Members:

We have been very diligent in the past month in our search for the truth about how this Timberlake beach key evolved.

- 1. When was the initial meeting/discussion about this?*
- 2. Who was in attendance (how many council members and how many residents)*
- 3. Who is the beach key really serving? Is it for a select few residents who have lakeside property and their friends?*

It continues to appear that this was not transparent, but a decision made by a select few people.

Interestingly enough, we own a house on the lake also, but have never been involved in any discussion about this.

Vance Hannon wrote a relevant, well-thought-out letter to the council re: the beach key and other issues (e.g., the cost, exclusion of residents who rent, a system that he would provide to prevent getting locked behind the gate, etc.). He also had a petition against the key signed by 126 residents. Our two names would have been added if we had known about it.

In the Timberlake Times, the council members' rationale for needing a key was as follows: mooning, there are pedophiles, people having sex, defecation (not sure it was determined where that came from), for a few examples. Isn't that why we have a police department? They couldn't be located closer to the beach.

If you read through the Timberlake Times, there are several instances where residents have spoken against it for a variety of reasons. It appears that they have been ignored because no one on council coherently responded.

This was done behind the residents' back without our approval. It was not a transparent action.

In our case, we rent to residents and they are excluded from receiving a beach key because of the councils' interpretation of Judge Lucci's statement about the Deed from 1920. It is hard for us to believe that Judge Lucci would want to exclude residents from key access to the beach only because they rent. It is archaic thinking in these times of inclusion.

Finally, we need to clarify several false assumptions that a council member stated in the past meeting.

- 1. No, we did not know that we could not acquire a beach key for someone who is a renting resident. We did not assume that Judge Lucci would exclude people from the beach because they rent. We assumed that would be considered discrimination.*
 - 2. No, the person renting is not satisfied with the refusal of Timberlake to provide a key and the discrimination toward renters. Timberlake will need to deal with the renter regarding this.*
 - 3. No, there was no discussion about the beach key and culture of the person renting. The renter was repeatedly told that the beach key refusal has nothing to do with culture. It is an issue of homeowners vs. renters. The renter has been told that there is beach access via an easement.*
 - 4. No, there has been no mistreatment of the renter. We have emails to demonstrate the contact that we have provided with the renter re: any concerns. The council member knows nothing about our relationship or supportive efforts with the renter.*
 - 5. Yes, we are embarrassed by the unprofessional behavior of the council member. Instead of contacting us directly the council member listened to the opinion of a stranger. A more professional, mature, responsible, enlightened approach would be to direct the person making the allegation back to the us. We have a substantial number of emails stating how grateful this person is to live in Timberlake. Unfortunately, false information was shared with council members by email and then at the council meeting. We were never contacted or consulted as residents of the village. Evidently, the council member was not interested in resolving the supposed concerns, but rather intended to smear the landlord resident.*
- Hopefully, the council will make changes regarding how they treat residents and renters.*
- Thank you, in advance, for your time and consideration.*
- Wear a mask and social distance, the Covid 19 Virus is still here.*

The Solicitor commented that the hands of the council are tied on this. Renters do not own a lot in Timberlake. This is not council's decision; it was made in the 1900s. The Chief said that she recently learned about this; the sign outside of the beach says, "residents only". How does she enforce who is allowed to be there when there is an address of Timberlake? Mrs. Saba said anyone with a key can go down. There is also an ordinance saying that residents can use the beach per the Solicitor. Once the ordinance is accepted, the sign will be amended.

The Mayor asked for a motion to approve the February 2021 Financial Reports.

Motion to approve: Marra

Seconded: Falkenberg
All were in favor.
Motion carried; Report approved.

A motion to accept a donation from John Kanuch (Eagle Scout) in the amount of \$169.25 for trees. The Tree Committee will look into it and see how they can plant trees with that donation.

Motion to approve: Marra
Seconded: S. Sharma
All were in favor; motion carried

A motion to accept a donation from the State of Ohio for a Dell Laptop computer. This laptop will have UAN on it; it will be the Village's property.

Motion to approve: R. Sharma
Seconded: Falkenberg
All were in favor; motion carried.

A motion for the Finance Chair to make decisions on purchases if the Fiscal Officer is not available.

Motion to approve: R. Sharma
Seconded: Falkenberg
All were in favor; motion carried.

Public Comment/Questions

- People driving dirt bikes, go carts, etc. are they regulated? The Solicitor said they are regulated, and ordinances are available online.
- A resident inquired why some Council members don't show their faces on zoom.
- A resident believed that Mrs. Marra should have abstained on the vote for no confidence as she is married to the Mayor. The Solicitor clarified that as a council member, she has a right to vote.

The Mayor asked for a motion to go into executive session to discuss employee hiring contracts and compensation and to discuss litigation. Ms. Clapp said it will be discussed in the ordinance; it does not need an executive session.

The Mayor presented Resolution No. 2021-10 (2nd reading): A resolution approving and appointing Sue Scofield as full-time Chief of the Village of Timberlake, Ohio, Police Department and declaring an emergency. This is retroactively covering February 19th, 2021.

Motion to suspend the rules: Marra
Seconded: Saba

Motion to approve: Saba
Seconded: Falkenberg

All were in favor of the Resolution, except Mr. Cronin, who voted no; Motion approved

The Mayor presented Ordinance No. 2021-03 (1st reading): An ordinance amending Ordinance no. 2021-01 wages and salaries for the employees of the Village of Timberlake, Ohio and declaring an emergency. This includes the Lieutenant, Sergeant, and Patrolman.

The Mayor presented Ordinance No. 2021-06 (1st reading): An ordinance appointing Rick Kimbrough as a paid Sergeant Officer with the Village of Timberlake Police Department effective February 22, 2021 pending background and drug testing and declaring an emergency. The background check is complete.

Motion to suspend the rules: Marra
Seconded: R. Sharma

Motion to approve: Marra

Seconded: Saba

All were in favor of the Ordinance; Motion approved

The Mayor presented Ordinance No. 2021-07 (2nd reading): An ordinance appointing George Daher as a paid Corporal Officer with the Village of Timberlake Police Department effective February 22, 2021 pending background and drug testing and declaring an emergency. Mr. Cronin clarified that everything had returned on this individual including finger printing, the Chief noted yes.

Motion to suspend the rules: Falkenberg

Seconded: R. Sharma

Motion to approve: Marra

Seconded: R. Sharma

All were in favor of the Ordinance; Motion approved

The Mayor presented Ordinance No. 2021-08 (2nd reading): An ordinance appointing Masai Brown as a paid Officer with the Village of Timberlake Police Department effective March 3, 2021. This individual is already working as a police officer, so this will count as an internal promotion.

Motion to amend: Marra

Seconded: R. Sharma

Motion to suspend the rules: Falkenberg

Seconded: R. Sharma

Motion to approve: Marra

Seconded: Falkenberg

All were in favor of the Ordinance; Motion approved

The Mayor presented Ordinance No. 2021-09 (2nd reading): An ordinance appointing Mansell Baker as a paid Officer with the Village of Timberlake Police Department effective March 3, 2021.

Motion to amend: Falkenberg

Seconded: Marra

Motion to suspend the rules: Marra

Seconded: R. Sharma

Motion to approve: R. Sharma

Seconded: Falkenberg

All were in favor of the Ordinance; Motion approved

The Mayor presented Ordinance No. 2021-10 (2nd reading): An ordinance appointing Felecia Conway as a Special Officer with the Village of Timberlake Police Department effective March 16, 2021 pending background and drug testing.

Motion to suspend the rules: Marra

Seconded: Falkenberg

Motion to approve: Marra

Seconded: R. Sharma

All were in favor of the Ordinance; Motion approved

The Mayor presented Ordinance No. 2021-11 (2nd reading): An ordinance appointing Jim Simone as a Special Officer with the Village of Timberlake Police Department effective February 22, 2021 pending background and drug testing.

Motion to suspend the rules: R. Sharma

Seconded: Falkenberg

Motion to approve: R. Sharma

Seconded: Falkenberg
All were in favor of the Ordinance; Motion approved

The Mayor presented Ordinance No. 2021-12 (2nd reading): An ordinance appointing Fred Swanson as a Special Officer with the Village of Timberlake Police Department effective February 22, 2021 pending background and drug testing.

Motion to suspend the rules: Falkenberg

Seconded: R. Sharma

Motion to approve: Marra

Seconded: R. Sharma

All were in favor of the Ordinance; Motion approved

The Mayor presented Ordinance No. 2021-13 (tabled as application has not been received): An ordinance appointing Ryan Gulliford as a Special Officer with the Village of Timberlake Police Department pending background and drug testing.

The Mayor presented Ordinance No. 2021-14 (tabled as application has not been received): An ordinance appointing Kyle Boone as a Special Officer with the Village of Timberlake Police Department pending background and drug testing

The Mayor presented Ordinance No. 2021-15 (2nd reading): An ordinance appointing Okey Wise-Roman as a Special Officer with the Village of Timberlake Police Department effective March 3, 2021 pending background and drug testing.

Motion to suspend the rules: R. Sharma

Seconded: S. Sharma

Motion to approve: Falkenberg

Seconded: Marra

All were in favor of the Ordinance; Motion approved

The Mayor presented Ordinance No. 2021-16 (2nd reading): An ordinance appointing Matt Gorse as a Special Officer with the Village of Timberlake Police Department effective March 3, 2021 pending background and drug testing.

Motion to suspend the rules: R. Sharma

Seconded: Marra

Motion to approve: Falkenberg

Seconded: R. Sharma

All were in favor of the Ordinance; Motion approved

The Mayor asked for a motion to adjourn the meeting at 10:17 PM.

Motion to adjourn: Saba

Seconded: R. Sharma

All were in favor.

JoAnne Clapp, Fiscal Officer

John Marra, Mayor

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