

Village of Timberlake

John Marra, Mayor
MEMBERS OF COUNCIL

JoAnne Clapp, Fiscal Officer

Cindy Hardwick Krista Kanuch Nancy Marra
Ritu Sharma Shannon Sharma Stanley Roediger

TIMBERLAKE COUNCIL MEETING May 18th, 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 Solicitor was also present along with Sue Scofield.

The Mayor asked for a motion to approve the Minutes for the special meeting held on April 30th, 2021.
Motion to approve: R. Sharma
Seconded: Marra
Motion carried; Minutes approved.

The Mayor presented Resolution No. 2021-11: A 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.
Motion to approve: Marra
Seconded: R. Sharma
Motion carried; Resolution approved.

The Mayor presented Resolution No. 2021-12: 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.
Motion to approve: Roediger
Seconded: R. Sharma
Motion carried; Resolution approved.

The Mayor presented Resolution No. 2021-13: 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.
Motion to approve: R. Sharma
Seconded: Kanuch
Motion carried; Resolution approved.

The Mayor presented Ordinance No. 2021-02: An ordinance amending section 1062.02, residency required; guests, of the Codified Ordinances of the Village of Timberlake and declaring an emergency. Per Mrs. Marra, this is in regard to protecting Parcel A. The past solicitor was renewing everything and updating it, including this ordinance. Work sessions will have to be greater than one due to the new council members. The village park and recreation lands are defined on this ordinance. Mr. Roediger moved to table this as the new council members are not aware about this.
Motion to table: Roediger
Seconded: R. Sharma
Motion carried; Ordinance tabled.

The Mayor presented Ordinance No. 2021-04: An ordinance repealing and replacing chapter 820 of the Codified Ordinances of the Village of Timberlake and declaring an emergency. This topic was tabled.

Motion to table: Marra

Seconded: R. Sharma

Motion carried; Ordinance tabled.

The Mayor presented Ordinance No. 2021-05: An ordinance repealing and replacing various sections of the Codified Ordinances of the Village of Timberlake and declaring an emergency. This topic was tabled. Jason is not available tonight as he received his second vaccine and is not feeling well.

Motion to table: Roediger

Seconded: R. Sharma

Motion carried; Ordinance tabled.

The Mayor presented Resolution No. 2021-14: A resolution expressing approval and support of ODOT bicycle route on Lake Shore Boulevard and declaring an emergency. There is already a bike route there; this doesn't make any changes or modifications to Lake Shore Blvd. It doesn't cost any money, either, per Mrs. Marra. This is critical, so it must be approved, per the Mayor.

Motion to approve: R. Sharma

Seconded: Marra

Motion carried; Resolution approved.

The Mayor presented Ordinance No. 2021-17 (2nd Reading): An ordinance repealing and replacing chapter 1466, flood damage reduction, of the codified ordinances of the Village of Timberlake and declaring an emergency.

The Mayor presented Ordinance No. 2021-18 (2nd Reading): An ordinance amending section 470.06, prohibition against parking on streets or highways, of the codified ordinances of the Village of Timberlake and declaring an emergency.

The Mayor presented Ordinance No. 2021-19 (2nd Reading): An ordinance amending sections 1062.01, park and recreations lands defined, and 1062.02, residency required; guests, of the codified ordinances of the Village of Timberlake and declaring an emergency.

The Mayor presented Ordinance No. 2021-20 (2nd reading): An ordinance repealing and replacing chapter 1486, swimming pools, of the codified ordinances of the Village of Timberlake and declaring an emergency.

The Mayor presented Ordinance No. 2021-21 (2nd reading): An ordinance repealing chapter 244, records clerk, of the codified ordinances of the Village of Timberlake and declaring an emergency. Is this considered the police department the Chief is asking? Jason noted this is different.

The Mayor presented Ordinance No. 2021-22 (2nd reading): An ordinance repealing section 240-19, cellular phone policy for police department, of the codified ordinances of the Village of Timberlake and declaring an emergency.

The Mayor presented Ordinance No. 2021-23 (2nd reading): An ordinance repealing section 260.14 sexual harassment policy of the codified ordinances of the Village of Timberlake, adopting a new sexual harassment policy, and declaring an emergency.

The Mayor presented Ordinance No. 2021-24 (2nd reading): An ordinance repealing section 1442.18, septic tank permit required, of the codified ordinances of the Village of Timberlake and declaring an emergency.

The Mayor presented Resolution No. 2021-18 (2nd reading): A resolution establishing the fee for a Timberlake beach access key and declaring an emergency.

The Mayor presented Resolution No. 2021-17 (2nd Reading): A resolution approving the proposed alternative tax budget in the form attached hereto for the Village of Timberlake, Ohio for fiscal year 2022, and declaring an emergency.

The Mayor presented Resolution No. 2021-19 (2nd Reading): A resolution authorizing the Fiscal Office to amend the certificate of estimated resources for the year 2021 and declaring an emergency. This will continue to be tabled until it can be discussed with the finance committee.

The Mayor presented Resolution No. 2021-20 (2nd Reading): A resolution amending the permanent appropriations funds for the Village of Timberlake, OH for the Year 2021 and declaring an emergency. This will continue to be tabled until it can be discussed with the finance committee.

The Mayor presented Resolution No. 2021-27 amending 2021-03: amending wages and salaries for the employees of Timberlake. This is for the police officer wages.

Motion to suspend the rules: Marra

Seconded: Roediger

Motion to amend: Marra

Seconded: Roediger

Motion carried; Resolution approved.

Mayor

The Mayor stated the service department was able to install new mulch at the playground by Waban. They are diligently working to beautify the Village. He would like to plant some flowers; if anyone can donate some time and flowers, it will be much appreciated. If anyone would like to adopt an island, please contact the Mayor or council. He would like to welcome the new council members.

Solicitor

There is nothing to report.

Fiscal Officer

Ms. Clapp reached out to the auditors and is following their recommendations. She reached out to RITA for their projection on income tax for this year and next year. The preliminary numbers are around \$140,000 for 2021-2022. This year's budget was set at \$170,000. This is \$30,000 less than expected, so the budget has to be amended. The appropriations should be adjusted, as well. Ms. Clapp is working with the auditors. They suggested doing an extended budget projected out for the next 5 years with estimated tax levy money and income. If the levy passes, at the end of year 2024, the Village will be deficit spending. If the levies fail, there will be deficit spending in 2023 in the general fund. Mr. Roediger asked how much it was for 2020. At the 1%, it was about \$87,000. The fund summary balances for April was discussed. HERE??? The income tax bulk has been collected.

Ms. Clapp said she knows there are new members on council who are not aware of the state auditors' questions, but she is looking for some items. They are asking for an Amazon receipt from November 2020 for \$296. They are missing two public requests. They are also asking for brief description of how the Village spent the CARES Act money and how the decision was made. The minutes were sent over and this is what

was returned. Mrs. Marra clarified this. The Mayor asked for what department the amazon receipt was for; Ms. Joanne noted it was paid November 24th, 2020, but they emailed it, so she is unaware of the department. She believes it may have been associated with the CARES money. Mr. Roediger asked what are they asking for in regard to the CARES Act. They are asking for a brief description on how the money was spent and the decision process. This is a very common question per the solicitor; this is so that the information is supported. Ms. Clapp sent them the minutes, and this was the rebuttal. The Solicitor noted in North Perry, he had to do a Solicitor's memo; this may have to be done with the Village too. They are also looking for the beach key information and how the figure was created, including the charge/price and the legislation act that was taken for it. Mrs. Marra said it was discussed with the Solicitor. The Mayor said it was a deposit of \$10 with a replacement costing \$100.

Ms. Clapp said from June 14th through 18th, she will be attending the Ohio Treasurer Association training in Sandusky. The RITA income tax offers what they call a nonfiling subpoena program. They take the information from the federal government and compare it to see if the RITA income tax was filed. If not, the resident is considered delinquent. They start by sending a letter, then an administrative subpoena that costs the Village \$1 per subpoena. Some residents will get a letter followed by the subpoena. For example, if Ms. Clapp did not file Village taxes, they will send a letter asking to provide information. If she still doesn't pay, then they will go to the subpoena program.

The auditor information has been sent out several times to different members of council and the Mayor.

Police Chief

The Chief has nothing to report.

Zoning Property

Mr. Gray is not here.

Sewers

There was a walk through with Lake County and the Village passed.

Village Hall

Ms. Kanuch has nothing to report.

Recreation/Trees/Environment

Mrs. Marra said if anyone needs a beach key, please drop off forms in the black box by the Village Hall. The keys will be verified for only property/lot owners, and then they will be called to pick up the key. With the new finance committee, they will look into taking down dead trees.

Safety

Mr. Roediger asked Ms. Clapp about the two ordinances that were tabled. He said that she needs to issue a refund for a bond. Can she still do that even though the ordinances were tabled? Ms. Clapp said she cannot; the money was not received until this year, and it has to go into a Fiduciary fund, and she cannot refund it back until council takes action. It has to be received as a revenue and sent out as an expenditure. It was slated for May 10th for \$13000 approximately. The project has been completed and accepted per the email from Gary Gray. Mr. Roediger asked how did they do that in 2 weeks. Ms. Clapp said she doesn't know what the project was. The Mayor asked did we receive a check, we deposited it, and now we have to issue it to the resident? Ms. Clapp said yes. The check has to be approved, then deposited, then sent to the resident. She needs the Council to verify this before she can do this. It was sent out on the 10th; the Mayor asked why have we not taken care of this? Ms. Clapp said she is following the Mayor's agenda. The new agenda was sent out this afternoon and she doesn't have access to it. She noted this was on the agenda she sent to the Mayor, but not on

the agenda the Mayor sent. The council said that an ordinance needs to be submitted to amend the money and then approve it.

Grants

Dr. Sharma said some residents sent in their kudos; she did not get any complaints.

Finance/Ordinances/Record Retention

Mrs. Hardwick asked going back to the CARES Act money, when did the money come in and was it a lump sum? Ms. Clapp said the Village received some in end of June followed by another sum in October. Originally it was to be spent by November 2020, then was extended to December 31st, 2021

Ms. Clapp noted the special meeting minutes from 5/10/21 have yet to be completed.

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

Motion to approve: Roediger

Seconded: R. Sharma

All were in favor.

Motion carried; Report approved.

The Mayor asked for a motion to move Corporal George Daher up from the Corporal position to the Lieutenant position at the Lieutenant rate.

Motion to approve: Marra

Seconded: Roediger

All were in favor.

Motion carried

The Mayor asked for a motion to move Police Officer Matt Gorse up from special police officer to paid status at patrolman's rate.

Motion to approve: Kanuch

Seconded: Marra

All were in favor.

Motion carried

The Mayor asked for a motion to approve John Lundy for hire as a special police officer.

Motion to approve: Marra

Seconded: Roediger

All were in favor.

Motion carried

Mr. Roediger has a question for Ms. Clapp. He wanted to know if the everyday bills had been paid. Ms. Clapp said they are all paid updated until last week. He says he was told Spectrum and Verizon are outstanding. Ms. Clapp affirmed they have both been paid. Ms. Clapp said she emails out all of the bills via a detailed report.

The Mayor asked for a motion to approve Nicholas Santora for hire as a special police officer pending fingerprinting and drug test.

Motion to approve: R. Sharma

Seconded: Marra

All were in favor.

Motion carried

The fiscal officer asked about a motion to refund the bond. A motion to approve the Fiscal Officer to refund bond to resident at 48 Shawondassee Dr in the amount of \$13,503.17. The estimated resources and appropriations have to be amended prior to this. This has to go through the finance committee per Mrs. Marra. Ms. Clapp said it can be discussed during the committee, but not acted on. It also has to be advertised.

Public Portion

Per the Mayor, as far as the agenda goes, somehow, it was deleted. It should not have been and the Mayor said it was his mistake. He will take care of the issue at the finance meeting. The bike trail is just basically about a bike trail going through Lakeshore Blvd. There is already a bike trail there with the lines painted; this is not for any improvements or widening the road. They are just utilizing the road they have now. It doesn't cost the Village any money.

The Solicitor was present at last month's special meet on May 10th. Mrs. Marra said they were here. Ms. Clapp noted she was not there as it was a special council meeting. No money was spent at that meeting.

A resident asked: "how can we justify giving a raise to Police Officers when we are in financial ruins?" Mr. O'Leary noted that most cities ask for a name and give their address.

A resident noted "My name is Clayton Roulhac-Carr and I am the resident at 83 east shore Blvd who was told I was too black to go to the beach. Then I was told I'm in trump town, look out, and the color of my skin don't help. I provided a audio recording of the ethnic intimidation and my home was vandalized by my security system camera and mention detection system was stolen. Why haven't justice been served and why am I as an African American am I being treated different in the justice procedures by Timberlake PD. If I stole or done anything to somebody home, I'll be in jail. Why is justice different?" Mr. O'Leary noted it would be inappropriate to discuss an active investigation at the council meeting.

A resident asked, "Council Woman Marra has already read anonymous emails in the past, so please answer the anonymous question about Police pay before you change guidelines." Mrs. Marra said she will not do that in the future.

Mr. Roediger asked weren't the rates determined in April? Mrs. Marra agreed. This just put a name, identification, and title behind it. Ms. Clapp said that in April, they moved the part timers up to \$9.5/hr and approved the corporal and lieutenant's pay. Today, raises were given; part timers were raised to \$12/hr. The big raise was given today.

Mr. O'Leary noted that he cleared the individuals at the public part of the meeting before the executive session; when the session ended, those that were on were kicked off. He tried to send Mr. Cronin another link, but he was not able to get in. The issue is his.

Ms. Laub asked if she can expect everyone to be here in the subsequent meeting as CDC guidelines have changed. Mr. O'Leary said that as it is helpful for residents, zoom will likely continue. The mandate for the masks is done on June 2nd.

Ms. Sharma was under the impression that all council members and residents can zoom in. She doesn't believe it is a requirement to be here. Ms. Laub said that changes were made to the itinerary and agenda were changed right up to the meeting. It would be great for Timberlake for everyone to be here if they are capable of being there.

Dr. A. Sharma noted the following: "I would like to thank everyone on council, the Mayor, and the residents for their diligence this past year. I have volunteered in the Village in some capacity, whether as Editor of the

Timberlake Times or Council Secretary, since I was 16 years old. It has been a pleasure to work with all of the administrations and learn from these roles. However, with my schedule as a physician becoming more demanding along with the birth of my son in July, I will need to step down from my role as Council Secretary. I will be happy to write the minutes in June if necessary and would like to thank everyone for all of their support this past decade. I hope to continue to participate in the Village as a resident. It has truly been an honor and a privilege to work alongside you all. Thank you so much for your time!”

Mr. Roediger will call a meeting with the finance meeting. He would like some dates with when Ms. Clapp is available. She noted that Tuesdays at 6 PM would work for her. She will advertise the meeting.

The Mayor asked for a motion to adjourn the meeting.

Motion to adjourn: S. Sharma

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.

Timberlake Committee Chair Assignments 2021

Finance/Public Records Retention – Stanley Roediger (Nancy M., Cynthia H.)

Safety – Dr. Sharma (President Pro Tempore) (Nancy M., Stanley R.)

Streets Service Trees - Nancy Marra (Stanley R., Shannon S.)

Grants – Cynthia Hardwick (Dr. Sharma, Krista K.)

Village Hall – Krista Kanuch (Dr. Sharma, Shannon S.)

Sanitary Sewer and Sewers - Shannon Sharma, (Krista K., Cynthia H.)

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