



THE TIMBERLAKE TIMES

76th Year • 333rd Issue • February 2023



Timberlake Village Club is in need of some new faces and new workers if it is going to continue being a social club in Timberlake. The present officers are worn out! Two of the three have school age children with many school activities and all have demanding jobs. All involved with the club work hard to make the events nice. The Christmas dinner and party was delightful even though the caterer cancelled at the last minute. The luminaries were all set "to go" until we had 60 mph wind gusts and below freezing temps. Now, can you imagine people complaining about not having them! Ask me about wind gusts –

toppling a tree pulling the power box off the house, toppling wires to cut off spectrum TV, landline, internet and cell phone. And I am sure I am not the only one who experienced this. Village Club this year will have few events unless residents step-up and volunteer so we can move forward. Call Krista (440-567-4853) or Julie (216-235-6101).

Another great need is for a new Timberlake Village Directory for an individual or council to assemble and have printed.

Jane Mona

**February
Recycle Dates**
2/10, 2/24

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Timberlake Lunch Bunch

The February, March, and April lunches will be at the Croatian Lodge on the fourth Thursday of the month at 12:00 noon. All are invited.

Articles Needed for The Times

The Timberlake Times is still a little thin on content, folks. As we begin Timberlake's next 75 years, remember that this is your newsletter, FOR you and BY you, so we need to hear from you. Share a memory. Share a recipe. Write about what living here in the best kept secret in Lake County means to you.

The shaded box to the left has all of the submission information so be thinking about what you would like to contribute to next month's Timberlake Times.

Thanks. And I'll still be watching the inbox.

Keith Widdersheim

The Timberlake Times is a monthly publication staffed by volunteer villagers and sponsored by the Village of Timberlake. Please make article submissions **electronically** to the **email** below or **texted** to the number below by end of day Sunday before the last Saturday of each month.

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On the Web

villageoftimberlake.com/timberlake-times/

Social media

facebook.com/TimberlakeVillageClub

Follow the Village Club on Facebook to stay informed of current events, photos, and videos! We actively update it with announcements and reminders!

Memories of Timberlake

Hello, little neighbor

Many years ago (1959) my father received a call from our neighbor, Stan Anderson, who indicated he might have a surprise for the Transky kids. My dad hung up after the brief call and told us to brush our teeth, wash our faces and comb our hair since a special surprise was on hand for us. Several moments later into 35 Minnewawa walked Mr. Anderson followed by a man who we had seen hundreds of times on television minus a straw hat, pointed ears and a blazer. It



was none other than **Linn Sheldon**, otherwise known as **Barnaby**, the local mid-afternoon

Linn Sheldon celebrity who entertained kids of all ages for countless years in Cleveland.

The one person who may have been completely confused was my sister Lynne, who was only two years old. Mr. Sheldon was as kind in person as he was in front of the camera and asked each of us our names and made us very comfortable. Just by chance our household had a plastic ukulele bought at Federal Department store at Willowick shopping center. Barnaby always played a musical ditty in his TV show and offered to do so for us. He looked each one of us in the eye and made you feel like a million

bucks. The concert was over in a flash but the memory has lasted a life time.

Since Mr. Anderson was the drama and entertainment critic for the old Cleveland Press, he and Mr. Sheldon had become good friends because of their respective careers. Obviously, through this anecdote it's evident that they were very kind people who were willing to give up their time to entertain Stan's neighbor. I don't know who was more excited, either the kids or my parents. It is a cherished memory for the whole Transky family and a great legacy for Mr. Anderson and Mr. Sheldon.

The Water's fine

One of the first houses to have an inground swimming pool was located at 95 East Shore Blvd. and was the residence of Alice and Art Williams with 8-year-old Wayne. The young couple were extremely talented and built their dream house with Art and his father in the late 50s. Alice was very creative and hands on with the interior design. The Williams house was very unique for the neighborhood due to the sliding patio door and pool only feet from the kitchen. Also, the young couple incorporated many design features unique for the era. Always thought it could have been featured as the alternative to suburbia's standard bungalow with a nod to a California ranch. Perhaps the children of the village could care less about the

architectural style except for the swimming pool. Every Friday was open pool time with the provision you had to do a chore, mainly yard work, to enjoy the water. Alice and Wayne were the watchdogs of this rule. It might not be a big deal to kids nowadays but to swim in an inground pool in the neighborhood in the late 50s was exciting. Hell, we were spoiled brats and Lake Erie was taken for granted since it had been there all our lives. Alice was the reporter for the News Herald entertainment and fashion events, among other categories, so it was no surprise this Friday swim event was featured on the front of her paper. There was a photo with dozens of youngsters in the background while she spoke to a youngster named "Squeak" just before he jumped back into the pool. Wayne may have helped his father dig the soil for the future pool since it was all done by pick and shovel, no backhoe was used.

Alice and Art were an ambitious couple that resided in the Village for approximately 15 years. Alice eventually became a member of the WE School Board while Art followed his mechanical skills by rebuilding a classic MG for Wayne's high school years. At the far end of East Shore Blvd., mid-day Friday during the summer was a very special time for kids of all ages for years in the Village.

Gregg Transky

**COUNCIL MEETING MINUTES
VILLAGE OF TIMBERLAKE**

Tuesday, December 20, 2022

Regular Council Meeting 6:30 PM

Meeting began at 6:30 PM with the pledge of allegiance, and the Mayor's opening prayer.

Mayor John Marra presiding.

Roll Call of Council Members Present and Motion to Excuse:

Cindy Hardwick, Jerry Joyce, Ryan Konrad, Nancy Marra, Dr. Sharma, and Kevin Thompson.

Personnel in Attendance:

James O'Leary	Solicitor
John H. Roskos	Fiscal Officer
Susan Scofield	Chief, Police Department

Public Comment, Good & Welfare:

NONE

Reading & Disposition of the Minutes:

a) Regular Council Meeting, November 15, 2022 – Mr. Joyce made a motion approve the minutes of the September, Regular Council Meeting.

Mr. Thompson seconded the motion. Roll call: all were in favor of approving the minutes, except Mr. Konrad whom abstained.

Executive Session to Consider the Compensation of a Public Employee or Official

Dr. Sharma made a motion to enter executive session to consider the compensation of a public employee or official. Mr. Thompson seconded the motion. All were in favor of entering executive session.

Return to Regular Session

Dr. Sharma made a motion to return to Regular Session; Mr. Joyce seconded the motion. All were in favor of returning to Regular Session.

Legislation:

a) Resolution No. 2022-44 (3rd Reading)

A resolution approving the Permanent Appropriations Funds for the Village of Timberlake, Ohio for the Year 2023 as amended and declaring an emergency.

A motion was made by Mr. Joyce to approve Resolution No. 2022-44

Mr. Konrad seconded the motion. The Resolution has been amended to include appropriations for a \$1.00/hour increase for non-salaried employees, as well as taking into account funding for Holiday Shifts/Benefit Times (Vacation) for Salaried Employees.

Roll call: all were in favor of the Resolution.

b) Resolution No. 2022-45 (3rd Reading)

A resolution authorizing the Fiscal Officer to transfer sixty thousand dollars (\$60,000.00) from the General Fund

(1000) as follows: twenty-thousand (\$20,000.00) to the Police Cruiser Fund (4901); twenty-thousand (\$20,000.00) to the Service Truck Capital Fund (4902) and twenty-thousand (\$20,000.00) to the Village Hall Capital Fund (4903) for the Current Fiscal Year 2022 and declaring an emergency.

A motion was made by Mrs. Marra to approve Resolution No. 2022-45.

Mr. Joyce seconded the motion. Roll call; all were in favor of the Resolution.

c) Resolution No. 2022-46 (3rd Reading)

A resolution authorizing the Fiscal Officer to transfer forty-four thousand six hundred and twenty dollars (\$44,620.00) from the General Fund (1000) to the Paving Improvement OPWC Debt Service Fund (3902) for the Fiscal Year 2023 and declaring an emergency.

A motion was made by Mrs. Hardwick to approve Resolution No. 2022-46.

Mr. Joyce seconded the motion. Roll call; all were in favor of the Resolution.

d) Resolution No. 2022-48 (Suspend Rules)

A resolution authorizing the Mayor to adopt the 2022 Lake County Hazardous Mitigation Plan adopted by the State Emergency Management Agency, and Declaring an Emergency.

A motion was made by Mrs. Marra to suspend the three reading rule;

Mr. Joyce seconded the motion. Roll call; all were in favor of suspending the rules.

A motion was made by Mr. Konrad to approve Resolution No. 2022-48.

Dr. Sharma seconded the motion. Plan is already in place; this is just to put something formal on the books (according to Mr. O'Leary).

Roll call: all were in favor of the Resolution.

e) Resolution No. 2022-49 (Suspend Rules)

A resolution amending the permanent appropriations funds for the Village of Timberlake, Ohio for the Year 2022 and declaring an emergency.

A motion was made by Mrs. Marra to suspend the three reading rule;

Mr. Joyce seconded the motion. Roll call; all were in favor of suspending the rules.

A motion was made by Mr. Joyce to approve Resolution No. 2022-49.

Mr. Thompson seconded the motion. Roll call: all were in favor of the Resolution.

f) Resolution No. 2022-50 (Suspend Rules)

A resolution authorizing the Mayor to retroactively promote certain police officers of the Police Department and declaring an emergency.

A motion was made by Mr. Joyce to suspend the three reading rule;

Mr. Thompson seconded the motion. Roll call; all were in favor of suspending the rules.

A motion was made by Mrs. Marra to approve Resolution No. 2022-50.

Mrs. Hardwick seconded the motion. Mr. O'Leary summarized the situation related to this promotion; he suggests that the Village may want to look at allowing the Mayor to appoint on a preliminary basis between meetings, and then have Council confirm. He will write up a draft for the next Council Meeting.

Roll call; all were in favor of the Resolution.

g) Resolution No. 2022-51 (Suspend Rules)

A resolution authorizing the Mayor and Fiscal Officer to enter into an agreement with Love Insurance Agency to provide for the continuation of property and casualty insurance coverage for Village Property and declaring and emergency.

A motion was made by Dr. Sharma to suspend the three reading rule;

Mrs. Marra seconded the motion. Roll call; all were in favor of suspending the rules.

A motion was made by Mr. Joyce to approve Resolution No. 2022-51.

Dr. Sharma seconded the motion. Mr. Konrad inquired as to whether there has been a change in cost. The Fiscal Officer said that the premium went up about \$1,300 primarily due to claims from legal cases. Dr. Sharma inquired as to whether The Ohio Risk Plan is still the best option for the Village; yes, it has the lowest cost and offers the best coverages for the Village (according to Fiscal Officer). Mr. Konrad asked if we have a list of claims; Mr. Roskos said we can ask for a list from Love Insurance with more details.

Roll call: all were in favor of the Resolution.

h) Ordinance No. 13-2022 (Suspend Rules)

An ordinance granting approval and consent to the Director of the Ohio Department of Transportation Authority to apply, maintain, and repair standard longitudinal pavement markings and erect regulatory and warning signs on State Highways inside Village Corporation Limits, and giving consent of the Village for the Ohio Department of Transportation to remove snow and ice and use snow and ice control material on State Highways inside the Village Corporate Limits, and giving consent of the Village for the Ohio Department of Transportation to perform maintenance and/or repair on State Highways inside the Village Corporation.

A motion was made by Mr. Joyce to suspend the three reading rule;

Mrs. Marra seconded the motion. Roll call; all were in favor of suspending the rules.

A motion was made by Mr. Konrad to approve Ordinance No. 13-2022.

Mr. Joyce seconded the motion. There was some discussion

on what this covered, including whether ODOT would be responsible for the guardrail or potential signage (warning lights, reflective tape, et cetera. The Fiscal Officer read a paragraph from the Ordinance, indicating that the agreement would only cover "...the application, maintenance, and repair of standard longitudinal pavement markings and the erecting of regulatory and warning signs..."

Roll call: all were in favor of the Ordinance.

Reports:

a) Mayor:

- Received an email regarding the Lake County Emergency Notification system; residents can register online to receive notifications. The Mayor will place a link on the website.
- The Mayor reviewed the events related to the elimination of the Income Tax Credit: "In April of 2018, the Village Council after Three Readings, voted to remove the Income Tax Credit for tax paid to other municipalities as of January 1, 2018. Subsequently, the documentation was forwarded to CCA, our income tax collection agency at the time. CCA never implemented the removal of the tax credit, nor did the Village Administration follow-up with CCA to ensure implementation. The oversight was discovered by our Fiscal Officer earlier this year. After notifying the Mayor, and legal counsel, along with eventual discussions with the current Village Council at a Work Session over the summer, Mr. Roskos contacted CCA, RITA, and the Tax Commissioner of Ohio regarding the failure of the Village to implement the elimination of the Tax Credit and sought guidance on how to correct the situation. RITA followed up late this summer with the Fiscal Officer, Mayor, and Legal Counsel regarding options to correct the situation. Several options were presented, including collecting additional taxes that would have been owed for the period after January 1, 2018, collecting only a portion of the taxes (for instance, going back to the beginning of 2022), or defer the effective date of the elimination of the tax credit until January 1, 2023. The Village Council was presented with these options, and asked legal counsel to draft a Resolution that would defer the effective date until January 1, 2023. After three readings (September, October, November 2022), the Village Council voted to approve the Resolution to defer the effective date. As a result of this legislation, RITA will NOT go back to collect taxes that would have been owed as a result of the elimination of the income tax credit during the periods of 2018 through 2022. Further, effective January 1, 2023, no income tax credit will be given by Timberlake for income taxes paid or withheld for other cities."
- The Mayor noted there is additional information on the Village website regarding RITA.
- The Village is ready to put out luminaries.
- We are trying our best to keep the roads clean, and the service truck running.
- Village Club did a wonderful job on the Christmas Party; hope to get more people to attend next year. Merry Christmas and Happy New Year!

b) Solicitor:

- He will draft legislation on the Mayor taking action on police officers (in between Council Meetings).
- He thanked Mr. Roskos for all the work he does on behalf of the Village, the various issues he has helped uncover, and resolve for the Village, as well as being constantly in contact regarding legislation. Thank you for your faithful service!
- He also wished everyone a Merry Christmas.

c) Council Members:

Cynthia Hardwick

- Mrs. Hardwick spoke about the residential lockbox available from the Eastlake Fire Department for a cost of \$25; it takes about 5 minutes to install. This is a box for EMS to access your housekey. She will put information on the website, and in the Timberlake Times.
- Mrs. Hardwick mentioned that the Lake County Foster Parents Association inquired whether the Village would donate time at the Hall for a presentation. It would be an Open House; 2 hours on a week day from 6-8 PM, Tuesday, Wednesday, or Thursday.
 - o Council had no objections to allowing the group to use the Hall free of charge.
- We have a half dozen rentals booked so far for next year.

Ryan Konrad

- Mr. Konrad said there was not much to report, since the ground has started to freeze. Hopes that the sewers hold up.
- Asks for greater police presence at school bus pick-up times; cars are driving around stopped buses.
- Wishes everyone a Merry Christmas and Happy Holidays; it has been a good time on Council- hopes for additional progress in 2023.

Jerry Joyce

- Nothing to report; Fiscal Officer keeps him informed when needed.
- Mr. Joyce echoed the Mayor's comments on the Christmas Party; the Village Club had to change caterers. Small group, but still great, gift giving was more personable this time.
- Village looks festive this year with all the light displays.
- Wishes everyone a Merry Christmas and Happy New Year. It has been a fun half year on Council.

Nancy Marra

- Thanks the Village Club for organizing the Christmas Party.
- The Village Club will donate a tree for the Village Hall in honor of Ron Mona; they are no longer asking for

donation. The Mayor noted that they will relocate the Magnolia Tree and place there; this area should provide some protection from the wind. Ron Mona loved decorating for Christmas, and thinks this will be a great tree for that.

- Also, mentioned that the Village Club is low on membership and needs volunteers.

- Merry Christmas and Happy New Year!

Dr. Ritu Sharma

- Was sorry to miss the Christmas Party this year.
- Thanked everyone for supporting the Memorial she had for family that was kidnapped and killed.
- She received some information from Pete Formica regarding possible grants to restore our beach steps, as well as restore wildlife and vegetation (National Fish and Wildlife Foundation).
- Dr. Sharma would like to thank residents for their unwavering support, and the Council. She announced that she would like to step back now from Council, as she may be moving to the West Coast. Council and the Mayor thanked her for her service.
- She wished everyone a Merry Christmas and Happy New Year.

Kevin Thompson

- There was a tree incident last month next to Parcel A involving fallen branches on power lines, causing a power outage. First Energy took care of, and another contractor took the lumber. The Mayor and Officer Simone deserve credit for getting the situation handled safely.

Mrs. Hardwick had an addition to her report, commenting on how the generator helped keep the Village Hall and Police Department going during the power outage. She noted also that she received a request from a resident to revisit updating the Parks Ordinance; would like to take a look again with the Committee in March. Merry Christmas to Police, Council, and Residents here.

d) Fiscal Officer:

Monthly Financials - General Fund- ending balance through November 30, 2022 is \$378,607.15. Month to date revenue was \$29,386.31 vs expenditures of \$56,393.45 a net difference of **-\$27,007.14**. Expenditures were \$20,647.06 more than originally estimated and higher than most months due to a Third Payroll, American Legal Ordinance Update payment, and Worker's Compensation payment due for next year. Originally, the third payroll would have landed in December, but payroll dates were shifted two days earlier this year.

General Fund Revenue through November 30, 2022 is up \$148,122.21 versus last year, primarily due to increased income tax collection; property tax collection rates have also improved. Revenues in November exceeded projections by approximately \$9,657.14.

Estimated General Fund surplus based on current expenditure rates will be approximately \$57,427 with the

transfers to the Village Hall, Police Cruiser and Service Truck Capital Fund of \$20,000 each.

Other Fund Activity and Misc: Our bi-annual loan payment for our Street Improvement Loan was made to CNB Bank (parent company of Erie Bank) from Fund 3902 in the amount of \$21,177.78; this money was originally transferred from the General Fund. \$1,025 in refunds were issued from the 9901 Hall Rental Security Deposit Refund FUND. There was no other significant activity in other Funds.

e) Police Chief- Monthly Report

There was 1 911 call, 2 administrative referral calls, 1 alarm call, 1 animal complaint, 6 requests for assistance, 55 community policing events, 1 disturbance, 1 harassment complaint, 50 house checks 9 investigations, 1 juvenile complaint, 1 phone complaint, 1 parking violation, 1 property maintenance violation, 1 suspicious circumstance, 1 suspicious person, and 1 tree issue for a total of 134 events.

f) Zoning/Property Maintenance

Gary Gray reported that there were 7 permits issued, including 3 contractor registrations, 1 Furnace Permit, 2 Sewer Permits, and 1 permit for Interior Remodeling. He also reported that 5 Nokomis has been purchased, and will be renovated by an investor.

Purchases & Approvals:

a) A motion to approve the November, 2022 Financial Reports

Mrs. Marra made a motion to approve the November 2022 Financial Reports.

Mr. Joyce seconded the motion; roll call, all were in favor of approving the monthly financial reports, except Dr. Sharma whom abstained.

b) A motion to approve payment to Anderson Heating and Cooling-

Dr. Sharma made a motion to approve a payment of \$32,495 to Anderson Heating and Cooling; Mr. Konrad seconded the motion. Roll call: all present were in favor of approving the payment.

There was some discussion on the improvements garnered as a result of the new HVAC installation. Chief now has heat; Mayor noted that there are a few punch list items to take care of including the noise from the fan, otherwise good. Fixed the situation with duct work in the front of the Hall; added registers in front and in kitchen (they are adjustable). Better heat in the bathrooms; positive

comments from Officers. Air Conditioning also now available upfront. Hall will be better for Weddings, Events; thermostat is available remotely. There were additional related comments.

Public Comment and Questions (may be directed at the Mayor or Council members only; reserved for follow-up questions on topics discussed at today's meeting):

Gary Gray, Keewaydin Drive

- Had a question about the Guardrail that was just replaced.
 - o Commented that there is no reflective tape on the guardrail; cannot see it well. Maybe install blinking lights?
 - o The Mayor noted that a car actually hit the guardrail, while it was headed east on Lake Shore Blvd; driver walked away from wreck (without serious injuries).
 - o There was additional discussion regarding the guardrail and the house.
 - o Installation of a stone or brick wall would be unwise according to Mr. O'Leary; guardrail has some give to it.
 - Probably should ask ODOT about signs (O'Leary).
 - The Chief will look into it
 - o There was more related discussion on this topic.

Mrs. Marra asked residents that if you see luminaries that are not lit, please help out and also volunteer for the islands. Mr. Joyce also mentioned that some older residents may not be able to help this year, and encouraged people to help (and also help light the island luminaries).

Mayor said it has been a pleasure working with everyone this year, got a lot done, and saved money keeping on top of things; couldn't do it without all of your help. He also thanked Dr. Sharma for her service.

Editor's Note: for additional details and discussion, please see our You Tube Page link for this meeting:
<https://www.youtube.com/watch?v=rAjj6x2d5qA>

Adjournment

Mr. Konrad made a motion to adjourn the meeting. Mr. Joyce seconded the motion. Roll call: all were in favor. Meeting adjourned at 7:31 PM.

Called by: Mayor Posted

Our next regular meeting is Tuesday, January 17, 2023 at 6:30 PM.

Fiscal Officer, John H. Roskos Mayor, John Marra

COUNCIL MEETING MINUTES VILLAGE OF TIMBERLAKE

Tuesday, January 17, 2023

Service Committee 6:00 PM

Meeting began at 6:00 PM with the pledge of allegiance, and the Mayor's opening prayer.

Mayor John Marra presiding. All Council Members were present, as well as the Fiscal Officer, and Solicitor.

Discussion about Service Truck

- The Mayor called the meeting to discuss the condition of the Service Truck. It is 22 years old, we have gotten good use out of it. Researched several options, and obtained several quotes for replacement trucks.
 - Quote from Valley Ford was \$109,000 with equipment
 - Most government incentives are no longer available, thus the prices have increased significantly.
 - Quote from Classic Ford was \$65,000, plus cost for plow equipment.
 - 6-8 months to order; no guarantee of fulfillment
 - Delays blamed on production line issues
 - Only trucks current available are either Dodge Ram or Chevy Silverado; Dodge was estimated at \$75,000, plus \$10,000 for plow equipment; Chevy Silverado 3500HD is \$62,988 plus \$6,799 for Snow Dogg plow
 - The Mayor discussed additional details on retrieving quotes and needed specifications for truck (standard cab)
 - "Other goods and services" described in the quote from Classic Chevy is for the dump body
- Related discussion followed; Council members suggested getting "Village of Timberlake" decals for the truck.
- Discussion occurred on whether to trade in or auction off current service truck
- There was discussion regarding the usual bidding requirements that are typically followed for purchases exceeding \$50,000; based on emergency provisions this requirement may be waived. Truck has recently broken down twice while plowing this year. (see ORC 735.051).
 - Additional related discussion occurred.
- The Fiscal Officer recommends using \$20,000 in funding from the Service Truck Capital Fund, and \$50,000 from the Street Construction Maintenance and Repair Fund (2011). There is currently a \$137,000 balance in this fund.
 - Mr. Konrad inquired about Paving Loan. Currently, Paving Improvement loan is paid for via transfers from the General Fund.
- Further discussion occurred on availability and pricing of various options, and whether we would receive the order.
- Mayor noted additionally that it has been difficult to ask for assistance from Eastlake with plowing.

- No leases or rentals are really available either.
- Solicitor O'Leary also recommends beginning the process to replace the police cruiser as well; Fiscal Officer indicated that he is unsure of current order process for cruisers, and whether a down payment is required given current circumstances (where it is unknown whether cruiser would be received even if ordered)
- Insurance costs would likely go up somewhat with newer truck.
- Mr. Konrad asked if it makes sense to keep both trucks; probably not according to the Mayor; additional related discussion occurred.

Mr. Joyce made a motion to adjourn the Service Committee Meeting; Mr. Konrad seconded the motion. Roll call: all were in favor; meeting adjourned at 6:26 PM.

Regular Council Meeting 6:30 PM

Meeting began at 6:30 PM with the pledge of allegiance, and the Mayor's opening prayer.

Mayor John Marra presiding.

Roll Call of Council Members Present and Motion to Excuse:

Cindy Hardwick, Jerry Joyce, Ryan Konrad, Nancy Marra, and Kevin Thompson.

Personnel in Attendance:

James O'Leary	Solicitor
John H. Roskos	Fiscal Officer
Susan Scofield	Chief, Police Department

Public Comment, Good & Welfare:

- Debbie King, 43 East Shore Blvd
 - Inquired about the rules for the Playground and Beach
 - Any movement on that?
 - Will rules be ready in time for season, regarding curfew, et cetera?
 - Chief Scofield indicated we do have rules currently on the books; Ordinance and State Law
 - No alcohol is permitted.
 - No curfew for adults, no minors are allowed after dusk.
 - Mayor: probably should plan to revise, and take a look at again in March.
 - We can pass under emergency if necessary.
 - Mr. O'Leary indicated that currently rules are in place, and changes should be recommended by Committee and Council before Summer.
 - Currently property owner or guest with property owner are allowed there.
 - There was discussion about a non-owner being allowed at

the beach (discussion of domestic partner and whether they can use beach; Chief says yes they are).

3500HD with accessory package for the Service Department, and declaring an emergency.

Reading & Disposition of the Minutes:

- a) Regular Council Meeting, December 20, 2022 – Mrs. Marra made a motion approve the minutes of the December, Regular Council Meeting.

Mr. Joyce seconded the motion. Roll call: all were in favor of approving the minutes.

Legislation:

- a) Resolution No. 2023-1

A resolution designating and appointing Council Member Cynthia Hardwick as President Pro Tempore of the Council of the Village of Timberlake, Ohio and declaring an emergency.

Mrs. Marra made a motion to approve Resolution No. 2023-1: Mr. Thompson seconded the motion; roll call- all were in favor of Resolution No. 2023-1, except Mrs. Hardwick whom abstained.

- b) Resolution No. 2023-2 (Suspend the Rules)

A resolution confirming the appointment of James O’Leary as Legal Counsel, affirming his agreement, determining compensation and declaring an emergency.

Mrs. Marra made a motion to suspend the three reading rule: Mr. Konrad seconded the motion; roll call- all were in favor of suspending the rules. Mr. Thompson made a motion to approve Resolution No. 2023-2: Mr. Joyce seconded the motion; roll call- all were in favor of Resolution No. 2023-2.

- c) Resolution No. 2023-3 (Tabled, Resolution not needed)

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.

Mr. Konrad made a motion to table Resolution No. 2023-3; Mrs. Marra seconded the motion; currently contract runs through December, 2023, and thus this Resolution is not needed. Roll call: all were in favor of tabling the Resolution.

- d) Resolution No. 2023-4 (Suspend the Rules)

A resolution amending the permanent appropriations funds for the Village of Timberlake, Ohio for the Year 2023, and declaring an emergency.

Mr. Joyce made a motion to suspend the three reading rule: Mrs. Marra seconded the motion; roll call- all were in favor of suspending the rules. Mr. Joyce made a motion to approve Resolution No. 2023-4: Mrs. Hardwick seconded the motion; this Resolution allocates \$50,000 to motor vehicles line item in the SCMR fund. Roll call- all were in favor of Resolution No. 2023-4.

- e) Resolution No. 2023-5 (Suspend the Rules)

A resolution authorizing the Mayor and Fiscal Officer to contract with Classic Auto Group and Best Truck Equipment for the purchase of a 2022 Chevrolet Silverado

Mrs. Marra made a motion to suspend the three reading rule: Mr. Joyce seconded the motion; roll call- all were in favor of suspending the rules. Mrs. Marra made a motion to approve Resolution No. 2023-5: Mr. Joyce seconded the motion; we did have a work session prior to Council meeting to discuss. Mr. O’Leary reminded council that the emergency provisions, allow normal bidding requirements to be suspended in this case. Roll call- all were in favor of of Resolution 2023-5.

- f) Ordinance No. 1-2023 (Suspend the Rules)

An ordinance amending wages and salaries for the employees of the Village of Timberlake, Ohio and declaring an emergency.

Mrs. Marra made a motion to suspend the three reading rule: Mr. Konrad seconded the motion; roll call- all were in favor of suspending the rules.

Mr. Roskos indicated that this Ordinance establishes annual pay rates for Police Officers, Mayor, Fiscal Officer Council, Service Department, and Zoning. A provision has been included allowing the Mayor to make interim promotions (between Council meetings) to maintain the organization of the Police Department, and safety of the Village. Mr. Konrad inquired whether the permits we received each year cover Gary Gray’s monthly salary (yes, they do according to Fiscal Officer). Also, Holidays are included in the Ordinance by reference to the Employee Handbook; there is a separate Ordinance that covers these. \$16.00 per hour for Service Department does include the raise discussed and agreed upon at the December meeting (in 2023 Appropriation).

Mrs. Marra made a motion to approve Ordinance No. 1-2023: Mr. Joyce seconded the motion; roll call- all were in favor of Ordinance No. 1-2023.

- g) Ordinance No. 2-2023 (Suspend the Rules)

An ordinance authorizing and approving the appointment of Kevin Thompson 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.

Mrs. Marra made a motion to suspend the three reading rule: Mr. Joyce seconded the motion; roll call- all were in favor of suspending the rules. Mr. Joyce made a motion to approve Ordinance No. 2-2023: Mr. Konrad seconded the motion; roll call- all were in favor of Ordinance No. 2-2023, except Mr. Thompson whom abstained.

- h) Ordinance No. 3-2023 (Suspend the Rules)

An Ordinance amending Section 13.2 of the Village of Timberlake Personnel Policies and Procedures Manual, Holidays observed by the Village, and declaring an emergency.

Mr. Joyce made a motion to suspend the three reading rule: Mrs. Marra seconded the motion; roll call- all were in favor of suspending the rules. Mr. Thompson made a motion to approve Ordinance No. 3-2023: Mr. Konrad seconded the motion; Mr. Roskos noted that this includes Martin Luther King Day celebrated on January 16, 2023. Roll call- all were in favor of Ordinance No. 3-2023.

Reports:

a) Mayor:

- The Mayor read the Committee Assignments for this year: Finance/Public Records Retention and Ordinances will be chaired by Mr. Joyce, with members being Mr. Thompson, and Mrs. Hardwick. Safety/Service will be chaired by Mrs. Marra, with members being Mr. Joyce, and Mr. Konrad. Trees will be chaired by Mr. Thompson, with Mrs. Marra and Mr. Konrad as members. Village Hall/Parks will be chaired by President Pro Tempore Mrs. Hardwick, with members Mr. Joyce, and Mrs. Marra. Sewers and Grants will be chaired by Mr. Konrad, with members Mr. Thompson, and Mrs. Hardwick.
- The Mayor appreciates everyone's help in these areas.
- Mayor was disappointed about not being able to do the luminaries, but the weather prevented it.
- Plow broke down recently, and some residents lost power during the storm.
- Luminaries are still ready to go for next year (neatly stored).

b) Solicitor:

- Mr. O'Leary thanked Detective Sergeant Swanson regarding the guardrail DUI case with contested hearing. Det. Sgt. Swanson handled self well on the stand; we did prevail at evidence suppression hearing. Defendant ended up pleading to the charge, and received 5 days in jail. Mr. O'Leary also related additional details of the case.

c) Council Members:

Cynthia Hardwick

- Hall is starting to book up for the year with graduations, Baptism, First Communion parties. Showed hall to some residents the other day, and they were very pleased with the view. Has received 5 calls from non-residents this year inquiring about rental too.

Ryan Konrad

- All is quiet in sewers; asked about power outages, and wondered if Hall could be offered a shelter.
- Would like to have a Grant Committee meeting next month at 6:00 PM before the Regular Council Meeting.
- Received a request from Willoughby Eastlake Schools for feedback; yes, there is an interest amongst several members. Fiscal Officer indicated that in theory, 3 may attend so long as they don't discuss Village business; Mr. O'Leary cautioned about 3 attending for this reason.
- The Mayor noted that he did receive calls regarding water on Shawondassee. Sewers do need upgrades at some point. Encouraged residents to clean-up catch basins. Also noted property with leaves that has caused issues. Mayor also received another complaint about undersized sewers.
 - o There may be some funding available, will look into with Pete Formica.

o Additional related discussion.

- Mr. Konrad noted that residents can call him with concerns (contact info is on Village website).

Jerry Joyce

- Nothing to report regarding finance (thanks to Mr. Roskos).
- Thought Mayor's idea for luminaries on New Year's Eve was a good one, but Village Club did not pick up on.
- Has not received calls from anyone (needs contact information on the website).

Nancy Marra

- Thanked the Mayor for constantly fixing items, and plowing.
 - o Appreciates Service Department and all their work.
- Would be great if people read Timberlake Times for information. Encouraged people to read; it is also on the website.
- Wished everyone a Happy New Year!

Kevin Thompson

- Mr. Thompson discussed the tree taken down near main intersection on Owaissa on right of way.
 - o It was determined to be a safety hazard, and potentially hazardous to traffic, so it was decided that the Village would take care of.
 - o Cost to remove was \$750 by Supreme Tree; he also cut down pines that were damaged, and hauled away for free.
 - o Reminded residents of their responsibility for right of way tree maintenance, unless there is an imminent safety hazard.

Mayor reminded residents of a vacancy on Council; please send a letter of interest to the Mayor.

d) Fiscal Officer:

Monthly Financials and Annual Report:

General Fund- ending balance through December 31, 2022 is \$292,044.28. Month to date revenue was \$22,944.00 vs expenditures of \$49,506.87 a net difference of **-\$26,562.87**. Expenditures were \$8,766.48 more than originally estimated, primarily due to closing out PERS and Ohio Police and Fire Contributions for the year (payment due in January 2023, made in December 2022), as well as repairs to the Police Cruiser and Payroll costs.

General Fund Revenue through December 31, 2022 was \$154,814.77 higher than last year, primarily due to increased income tax collection; property tax collection rates have also improved. Revenues in December exceeded projections by approximately \$2,589.83.

General Fund surplus for the year, including \$20,000 transfers to the Village Hall, Police Cruiser and Service Truck Capital Fund was \$51,251.11.

Other Fund Activity and Misc: We paid Anderson Heating and Cooling for after the completion of the HVAC improvement project in the amount of \$32,495.00- this was paid out of the American Relief Plan Fund (2152). We also received our quarterly sewer infrastructure reimbursement from the Lake County Department of Utilities in the amount of \$6447.00; this benefits our Sanitary Sewer Funds (debt and maintenance). Only \$200 in refunds were issued from the 9901 Hall Rental Security Deposit Refund FUND. There was no other significant activity in other Funds.

The Fiscal Officer also provided an annual review of revenue, expenditures, beginning fund balances and ending fund balances for 2022 as required by ORC 733.43, 733.45, 733.47, and 733.14.

e) Police Chief- Monthly Report-

Chief Scofield read the monthly activity report: there were 7 911 calls, 1 accident report, 1 administrative referral, 1 animal complaint, 6 calls requesting assistance, 39 community policing events, 1 disabled vehicle, 1 disturbance, 2 harassment complaints, 73 house checks, 12 investigations, 1 litter complaint, 1 lockout, 2 telephone complaints, 2 parking violations, 3 suspicious circumstances, 1 tree call, and 3 welfare checks for a total of 157 events.

The Police Chief also spoke about the guardrail repair (question was posed by Gary Gray last month about using reflective materials), the reason for the difference in appearance of newer section on left side (non-reflective) versus old section on right side (reflective, shiny metal), and the reasoning for the change in materials used as recommended by the Ohio Department of Transportation. Impaired drivers are actually more attracted to reflective metal, and similar structures, particularly at T-Intersections. There was additional related discussion, and it was also noted that at one time there was no guardrail, but instead a line of pine trees.

f) Zoning/Property Maintenance

Gary Gray was absent, however, the Mayor indicated that 1 siding permit was issued.

Purchases & Approvals:

- a) A motion to approve the December, 2022 Financial Reports- Mr. Joyce made a motion to approve the December 2022 Financial Reports.

Mr. Konrad seconded the motion; roll call, all were in favor of approving the monthly financial reports.

b) Approval of Payment to Supreme Tree (Damian Mitchell)

Mr. Thompson made a motion to approve a payment of \$750 to Supreme Tree for removal of right of way tree on Owaissa; Mr. Joyce seconded the motion. All were in favor of approving the payment.

Public Comment and Questions (may be directed at the Mayor or Council members only; reserved for follow-up questions on topics discussed at today's meeting):

- There were no other comments from the public, however, a discussion about rental properties and renters being excluded from access to the beach.
 - o Renters are excluded; this goes back to Court Case.
 - o Also is specified in Village Ordinance.
 - o Restrictions go back to the original deed.
 - o Could Council act upon?
 - Discussion of whether it could be challenged.
 - Mayor read part of the Ordinance.
 - Mr. O'Leary indicated that the opportunity to appeal Judge Lucci's decision expired 30 days after the opinion was issued. A new action in Court would be required in order to bring it back up; he does not recommend that. He did note that Council could look at other areas in the Parks Ordinance that may need revision.

Editor's Note: for additional details and discussion, please see our You Tube Page link for this meeting:
<https://www.youtube.com/watch?v=j6v2i7pD5HE>

Adjournment

Mr. Joyce made a motion to adjourn the meeting. Mr. Konrad seconded the motion. Roll call: all were in favor. Meeting adjourned at 7:28 PM.

Called by: Mayor

Posted

Our next regular meeting is Tuesday, February 21, 2023 at 6:30 PM.

Fiscal Officer, John H. Roskos

Mayor, John Marra