

COUNCIL MEETING MINUTES (DRAFT)  
VILLAGE OF TIMBERLAKE

Tuesday, March 21, 2023

**Work Session 5:30 PM**

Work Session began at 5:30 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, Margaret Joyce, Ryan Konrad, Nancy Marra, and Kevin Thompson.

**Personnel in Attendance:**

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

**1. Village Hall Repairs and Improvements**

- Current tables have chunks out of them
- Mrs. Hardwick is looking at 8-foot tables from Lifetime Products; white granite in color. Weigh 39 pounds and carry a 10-year limited warranty. Looking at purchasing 21 tables; will receive a price break at that level. Approximate cost is \$2,900.
- Lighter than current tables, but still heavy duty. Council asked whether they are good for outside use; related discussion followed.
- Our round tables are still in pretty good condition.
- Delivery would be free and would take approximately 5-7 days.
- In order to get rid of old tables, we would have to declare them surplus by Resolution (per Fiscal Officer); formal notice would be required for any related sale, also.
- Chief inquired about the current capacity of the Village Hall for events; it is 120 for events, and 150 for meetings. There was a sign on the wall; we will need to put back up.
- Additional discussion related to Surplus Resolution; can be prepared for next Council Meeting; it is a detailed, and very specific Resolution.

**2. Playground Equipment Repairs and Grants (and Cornhole Boards)**

- Mr. Konrad believes the Village is ready to move forward with replacement, and repair, which was detailed in Revision 1 quote from GameTime. Approximate cost for repairs would be \$4,800. This would not include mulch; Village will get a quote from Demilta (estimated at \$25 per cubic yard vs \$28 per cubic yard from GameTime).
- Revision 2 was discussed, minus Jazz A Minor module; this is too costly at this time.
- A quote to completely redo the swing sets was reviewed; this would be a bigger structure than currently in place. There would be an ability to tie in a ADA compliant ramp

structure. There would be 2 expression swings, and 4 standard swings. The saddle swings would be removed. Maybe this could be included in the ODNR grant. Quote includes engineered wood fiber mulch.

- Did get a pickleball brochure, but no prices yet (try for Natureworks also).
- Discussion regarding a high capacity adaptive swing from Playground World; could this be retrofitted in current structure? This purchase would not qualify under American Rescue Plan Act; this was an error in the News-Herald regarding Perry Village's purchase.
- Mr. Joyce did some reconnaissance regarding the concrete cornhole games at Osborne Park; they would slide like regular wood boards; could also our Village logo.
  - They are installed on a sidewalk block of poured concrete; 2 x 3 foot base. Concrete cornhole "boards" would sit on that and substrate.
  - They weigh 628 pounds each.
  - Service Department might be able to pour concrete; additional related discussion.
  - Proposed for installation near Bocce Ball courts.
  - Cost would be around \$1,300 for 2; probably would be "bring your own bags". This would not include installation costs.
    - Could try to get a Cornhole Club together.
  - Discussion of installation of 4 cornhole boards; this would be around \$3,000 with concrete pouring.
  - Could install on stone, instead of concrete.
- Mayor recommends going with Revision 1 for playground.

### **3. Fallen Tree Cleared at Keewaydin Drive**

- Discussion of storms, and heavy winds that occurred on April 1
  - Service Department did a nice job cleaning up.
  - During the early morning hours, a large tree fell across Keewaydin.
    - Mr. Thompson contacted 2 contractors to clear the tree.
    - By the time contractor arrived, the tree had already been removed Acorn Tree Service
      - The tree was in the Village right of way, and therefore the Village would have taken care of.
      - Village has preferred contractors that would have potentially been \$300 to \$400 less.
      - Contractor was hired by a new resident.
      - Tree (from 4 Keewaydin tree lawn) also hit another tree on the Village island; 2 trees were removed.
      - A discussion regarding a Resolution to reimburse the resident Robert Hurley occurred; or would Village pay Acorn Tree directly?
      - Short discussion regarding tree contractors.
      - Related discussion on how to frame Resolution and reimbursement.
      - Mr. O'Leary will work on a formal Resolution for next month with an explanation of events that occurred.
      - In the meantime, Mr. Thompson will contact the resident.

#### **4. Discussion of Allowing Chickens/Fowl**

- Opinions were given by Council members regarding chickens, and other related items.
- Discussion of raising chickens and related issues.
  - Perching on cars, crossing property lines
  - Whether an enclosure would be required; generally, it was agreed that this would be the case.
  - Mr. O’Leary indicated that experience with chickens in Concord Township is ok, so long as there are boundaries and enclosures.
  - Additional discussion of chicken coops.
    - Details of chicken coops, types of enclosures (et cetera).
  - Mrs. Germano says that she does not recall anyone in the Village having chickens.
  - There was a discussion regarding roosters and dogs barking (current Ordinance for dogs barking is 15 minutes of continuous barking).
    - Chief says she receives many calls from Central Dispatch regarding this; morning throughout the night.
  - Chief indicated that a lady purchased a house in the Village and was requiring about keeping a pet pig.
    - Current Ordinance contained in Section 700.03 forbids keeping swine on any lot within a pen or stable.
  - Discussion of “no roosters” being permitted.
  - Related discussion about other fowl (ducks, geese...).
  - Under draft Ordinance, enclosure would be required by section (4).

#### **5. Sprinkler Credits for Residents**

- A resident inquired about a credit for the use of sprinklers during the Summer.
- Lake County Department of Utilities currently has 2 programs according to the Mayor
  - 1 requires a separate meter (cost of \$150 plus a backflow preventer)
  - Another involves a deduction based on the difference used in the summer; LCDU has a software program to calculate.
  - LCDU is currently revising the number of months included (or time frame) according to the Fiscal Officer. Fiscal Officer also inquiring whether there is an additional cost to the Village to utilize the software needed.
- Mr. Joyce spoke about the issue with capping an old sprinkler system on his property (regarding backflow preventer letter he received from LCDU).
  - Mrs. Hardwick inquired what the basic usage fees are for water; it is about \$80 per quarter without any water use, according to the Fiscal Officer.
- Credit for filling pools is a separate issue; additional related discussion occurred. There is a 1-time credit only for filling pools (not yearly). Discussion of a separate water meter.
- Additional discussion of backflow preventers.
- If we did offer a sprinkler credit program, there would be a one-time application fee.

#### **6. Other Topics**

- There were no other items Council wanted to discuss at the Work Session.

Mr. Thompson made a motion to adjourn the Work Session at 6:25 PM; Mr. Joyce seconded the motion. All were in favor.

### **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, Margaret 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
Gary Gray	Building Inspector

#### **Public Comment, Good & Welfare:**

- David Heffner, 34965 Lake Shore Blvd.
  - Spoke regarding the proposal for sidewalks on Lake Shore
  - Believes it opens the owner to liability for maintenance and safety.
  - In the winter, sidewalks would need to be kept clear of snow; hard to keep clear if you're out of town for the winter.
  - Where would the sidewalk lead to? Makes sense to have on the south side of the Street.
  - Personally, thinks it is a bad idea, along with some neighbors he's spoken with.
  
- Debbie King, 43 East Shore Blvd.
  - Spoke regarding sidewalks; cited an article in the News-Herald regarding the high cost of sidewalk repairs; approximately \$380 for 4 inch thick block of concrete; \$500 for 5 inches, and \$600+ for 8 inches.
  - Noted that the homeowner would be responsible for cost of the apron.
  - Said that resident George Frech doesn't like the idea, and he thinks it would ruin the "rural" feel of the Village, and would attract more people from outside the Village to our playground, parks, and beach, along with additional costs to residents.
  - She will leave a copy of the article with the Council.
  
- Bob Hurley, 4 Keewaydin Drive
  - Talked regarding the tree that fell across the roadway and the situation
  - He is seeking reimbursement for tree work minus the taxes paid.
  - He will get information to the Village (will send to Mr. Thompson).
    - Discussion occurred regarding preferred contractors, right of way (Village responsibility).
    - Council thanked Mr. Hurley for his quick action.

- There was related discussion about work performed elsewhere by Acorn Tree Service.
- Debbie King, 43 East Shore Blvd (additional comments)
  - Appreciates the Village fixing the street sign at Waban and East Shore
  - She noted that the Waban/Keewaydin Drive sign is still missing; only a post is there
    - Mayor said we need to have a new one made.
- Maureen Munera, 34327 Lake Shore Blvd
  - Thanked some members of Council for supporting small campfires on the Beach.
  - Mrs. Munera read a letter regarding her experiences on the beach, and a driftwood structure she created that was burned down.
    - Noted (among other items) that she thinks the stairs should be replaced, alcohol should be allowed, and noted that the Army Corp of Engineers does not have an issue with temporary structures.
    - Thinks Village has sided with the “bullies” in the Village, and asked if Village would consider an easement, so residents could walk all the way along the Beach.

**Reading & Disposition of the Minutes:**

- a. Council Work Session, March 21, 2023 – Mr. Joyce made a motion approve the minutes of the March 2023 Council Work Session. Mrs. Marra seconded the motion. Roll call: all were in favor of approving the minutes.
- b. Regular Council Meeting, March 21, 2023 – Mr. Konrad made a motion to approve the minutes of the March 2023 Regular Council Meeting. Mrs. Joyce seconded the motion. Roll call: all were in favor of approving the minutes.

**Legislation:**

a.) Resolution No. 2023-9

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.

Mrs. Marra made a motion to approve Resolution No. 2023-9: Mr. Joyce seconded the motion; the Fiscal Officer indicated that Council did not appropriate money in the original appropriation for ARPA (American Rescue Plan Act) projects; funds would be allocated to capital outlay (the category most of our projects have fallen under recently). These monies can never be allocated to other funds. Roll call- all were in favor of Resolution No. 2023-9.

**Reports:**

- a. **Mayor:**

- Village Club has all new officers; noted that they are always in need of volunteers.
- Service Department did a spring clean-up; reminded residents that yard waste pick-up is every two weeks (please tie sticks in bundles).
- Continue to help clean the catch basins.

b. **Solicitor:**

- Nothing new to report.

c. Council Members:

**Cynthia Hardwick**

- The Village Hall is booking up nicely; people enjoy the Hall and the view.
- Next Village Club meeting will be on May 8; meeting will be the second Monday of every month.
- A new regime is in place.
- June 30 will be Captains Day for Timberlake; Family Day will be on August 6. They are also planning a Clambake, and some type of holiday event.

**Ryan Konrad**

- Still looking at Ohio Department of Resources Natureworks Grant
  - Will need help from Council, Solicitor, CT Consultants, and Fiscal Officer
  - Deadline is in June; application is in-depth and very lengthy.
  - It is an annual grant, and we can table if it is not ready.
  - There is no limit on how many times you can apply, however, we may receive more points for a first time proposal.
- Put in for Community Project Funding via Dave Joyce's office; unfortunately, we did not make the list.
- CT Consultants shared a Roadway Safety Grant with us regarding potential sidewalks
  - Mr. Konrad does think there is value in having sidewalks on the north side of Lake Shore; doesn't feel safe walking on "extra" strip of asphalt on the side of the road.
  - Spoke about maintaining sidewalks, regarding snow, et cetera.
    - Does not believe it would be strictly enforced; more so envisions sidewalk use during Spring, Summer, and Fall.
  - One of goals of sidewalks, is to connect with Route 91 path and provide access to the rest of the Village.
  - Appreciates residents sharing their opinions.
  - Talked about pricing; this would likely increase
    - Village is focused on grant funding for this project; minimize the financial impact to the Village.
  - Mr. O'Leary noted there would be some liability to the resident, but the level of liability is in the eye of the beholder; there will be more opportunity to discuss in the future.
- Asked residents to keep Maple tree pinwheels, debris, and other items out of the catch basins; help keep the drainage going.

### **Jerry Joyce**

- Commended Mrs. Hardwick for helping with the Village Club and taking leadership.
- Thanked for painting and redecorating choices for the Village Hall.
- Council has been working on improvements to the Village Playground
- Went to Osborne Park to see concrete cornhole games
- Thanked Mr. Hurley for taking care of the tree right away.
  - Cautions residents not to do exactly the same way, however, since they are at the mercy of Council
  - Working towards a Resolution; additional related discussion.

### **Margaret Joyce**

- Received a letter from NOPEC regarding electrical rates
- Residents are automatically enrolled, unless they opt out; the deadline is May 2
- Letter regarding natural gas rates will be coming in the next couple weeks
- There will be a community NOPEC meeting on April 25 at 6:30 PM in Concord
  - NOPEC customer service is very busy right now; NOPEC cautioned people looking at Apples to Apples site. Make sure you check fees involved first.
- A fixed rate is being provided by NOPEC (if you don't opt out) through December; there are no fees for shifting back and forth from fixed to variable through NOPEC.
- Phone number for NOPEC is on the Village website; Mayor said dates for NOPEC meetings are also listed, as well as other helpful information such as Lake County Water Department number to call for water main breaks.
- Mr. Joyce noted that electrical rates are usually up for change (or opt-out) every three years, natural gas is every two years; call NOPEC if you didn't receive a letter.

### **Nancy Marra**

- More people are asking for Beach keys; we check the Lake County Auditor to make sure they are residents.
- Currently rules allow for use of hibachi grills on the Beach (has to go with you).
- Apologized to Mrs. Munera for her experience with the destruction of her structure on the Beach
- Adults are still allowed on Beach after 10 PM (kids are allowed also, as long as they are accompanied by adults)
- Additional related comments from Mrs. Munera regarding having fires on Beach, using Beach, et cetera.

### **Kevin Thompson**

- Thanked Mr. Joyce for clarifying the issue with the tree on Keewaydin
- Also noted a tree went down on the center of East Shore Blvd
  - Residents helped out; Chief was busy during storm, Service Department did a good job.
- Additional discussion regarding reimbursement to Mr. Hurley

- The Village will need an invoiced with a breakdown of work completed
- Probably a one month turn around, as a Resolution needs to be drafted, and Council needs to vote on.

Mr. Konrad had additional comments, and noted that the Chief has been out on Lake Shore watching for issues with cars passing stopped school buses; he appreciates that.

**d. Fiscal Officer:  
Monthly Financials and Annual Report:**

General Fund- ending balance through March 31, 2023 is \$320,204.99. Month to date revenue was \$153,821.12 vs expenditures of \$62,090.27 a net surplus of \$91,730.85. Note that we received our 1<sup>st</sup> Half 2022 Real Estate Settlement from the Lake County Auditor in the net amount of \$119,205.49, after tax collection fees and contributions to the Lake County General Health District. Expenditures were higher than estimates (by \$11,090.27) primarily due to the earlier than anticipated invoice for 80% of our 2021-2022 audit expenses; payroll was also higher than expected due to more hours worked by hourly police employees. This trend in payroll will revert to normal levels as the year progresses.

General Fund Revenue through March 31, 2023 is \$11,789.82 higher than last year. On the other hand, revenues in March fell short of projections by \$5,178.88; this is attributable to lower than expected property tax collection rates, and not as robust income tax collection for the month as anticipated.

Although, it is early in the year, based on current estimated spending rates and revenue, we estimate a surplus for the General Fund this year, of around \$94,961; this would not include any additions to the Village Hall or Police Cruiser Capital Funds. The Village will need to maintain conservative spending versus total appropriations to achieve this level of surplus; for example, total spending in the General Fund in 2022 was \$647,712 versus total permitted appropriations of \$761,708.

Other Significant Fund Activity and Misc: The Sanitary Sewer Maintenance Fund (2901) received \$10,200.98 in revenue; this was from a quarterly reimbursement check for infrastructure fees from the Lake County Department of Utilities, as well as the Special Assessment received in the 1<sup>st</sup> Half 2022 Real Estate Settlement . \$500 in refunds were issued from the 9901 Hall Rental Security Deposit Refund FUND. There was no other significant activity in other Funds.

Mrs. Hardwick inquired about delinquent Real Estate Taxes; Mr. Roskos indicated that the Lake County Auditor is responsible for collection. Ultimately, the Lake County Auditor would move to file foreclosure proceedings if necessary. The Village does receive delinquent tax payments from time to time and noted that Mrs. Hardwick could review the Real Estate Settlement, if she is interested.

**e. Police Chief- Monthly Report-**



Chief provided the monthly report. There was 1 accident, 1 administrative referral call, 1 alarm, 1 animal complaint, 2 requests for assistance, 1 burglary report, 1 civil complaint, 38 community policing calls, 1 disabled vehicle, 2 disturbances, 1 domestic violence complaint, 129 house checks, 12 investigations, 1 phone complaint, 2 calls regarding suicide, 1 suspicious circumstance, 1 suspicious person, 1 suspicious vehicle, 1 call regarding a downed tree, 1 vandalism complaint, and 2 welfare checks for a total of 201 events.

#### **f. Zoning/Property Maintenance**

Mr. Gray indicated that there were 2 window permits, 1 siding permit, 2 new drain lines installed, and a contractor registration for installation of solar panels on the fifth property within the Village.

#### **Purchases & Approvals:**

##### **a. A motion to approve the March, 2023 Financial Reports-**

Mrs. Marra made a motion to approve the March, 2023 Financial Reports. Mr. Joyce seconded the motion; roll call, all were in favor of approving the monthly financial reports.

#### **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):

- Debbie King, 43 East Shore Blvd.
  - Inquired about when the streets were redone; this was in late 2015, and 2016 according to the Fiscal Officer. She also inquired about sealing the streets; this was completed when recommended by CT Consultants according to Fiscal Officer.
  - Discussion of issues with reconditioning now (Mayor)
  - She is concerned about the conditions of the streets; Mayor discussed additional details and difficulties involved.
    - Would cause slipperiness; there would also be issues with oil and pollution getting into catch basins. The Mayor noted that he spoke with NOACA about water quality, and suggesting catching contaminants at the catch basins.
    - The Mayor noted additionally that NOACA does a lot of planning, but not much in terms of actual results.
    - There are \$42 million in grants available, but no plans as of now.
    - Applications for NOACA funding is due May 5, but no money would be received until 2029; the focus is on air quality and the climate. Additional related discussion occurred. Mayor does not see the benefit in additional public transportation. There was additional discussion of grant processes involved.
  - Mr. Konrad and the Mayor said that the Village will look at sealing cracks in the streets, and will look at grants for repairs if possible. We still have 3 more years to pay on the road loan (according to Fiscal Officer).

- Mrs. King inquired about smaller garbage cans (it was noted later that there are smaller recycling containers available, but not sure on garbage cans)
  - Some residents have very little trash; also thought the green garbage cans would look better. Mayor noted that this is Republic's standard color
    - Village has not received complaints about garbage service.
    - Price has been the same for 5 years.
    - They do a great job with yard waste.
    - Mr. Konrad indicated that you could ask Republic if you can use your own containers.
- Maureen Munera, 34327 Lake Shore Blvd.
  - Asked again if Village would consider easement on the Beach; Mr. O'Leary noted that all parties involved, including beach owners would have to sign off on. Mrs. Munera criticized beach property owners.
  - Mr. O'Leary noted that Council has attempted to address Parks Ordinance at probably half the meetings during his tenure, but has not taken action yet. Additional related discussion occurred.
  - Mayor noted that safety on the Beach is important, thus the installation of the gate; same applies to alcohol use and fires. These items were in the Ordinance prior to him taking office.

Mr. Konrad inquired about the proposed improvements to the playground and whether Council needed to approve. Council indicated they would like to go ahead with the Revision 1 proposal, as well as the concrete cornhole; the Fiscal Officer will issue purchase orders (same with the tables). Council can approve payment when the work is completed.

**Editor's Note:** for additional details and discussion, please see our You Tube Page link for this meeting: <https://www.youtube.com/watch?v=-sJp820hbto>

### **Adjournment**

Mr. Joyce made a motion to adjourn the meeting. Mr. Konrad seconded the motion. Roll call: all were in favor. Meeting adjourned at 7:29 PM.

Called by: Mayor

Posted

**Our next regular meeting is Tuesday, May 16, 2023 at 6:30 PM.**

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**Fiscal Officer, John H. Roskos**

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**Mayor, John Marra**