

COUNCIL MEETING MINUTES (DRAFT)
VILLAGE OF TIMBERLAKE

Tuesday, May 16, 2023

Work Session 5:30 PM

Meeting 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 (arrived late), Nancy Marra, and Kevin Thompson.

Personnel in Attendance:

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

1. Discussion of Vacation/Sick Leave Policy- Proposed Ordinance
 - Review of the Proposed Ordinance No. 5-2023
 - i. Some language was borrowed from the Village of Grand River, and some came from other municipalities.
 - ii. This Ordinance would only apply to full-time employees.
 - iii. Det. Sgt. Swanson is working full-time hours currently but has not reached full-time status yet according to the Chief.
 1. Discussion followed about the definition of full-time.
 - iv. Mr. Joyce is not against offering benefits for full-time.
 1. Believes it is a good HR practice.
 - a. Timberlake has not had a policy in the past.
 - b. Mr. Joyce does not believe there is a requirement in the ORC; he believes these requirements only apply to County employees.
 - c. We do not have to offer benefits, but he thinks it is the right thing to do.
 - i. Additional related discussion occurred.
 - d. The Chief believes that while the private sector is not obligated to offer based on of ORC and Federal Law, she believes this is different for public employees; she disagrees with Mr. Joyce's assessment.
 - e. Mr. O'Leary noted that he did not want Council to get sidetracked by nuances of ORC and legal arguments regarding a requirement to offer benefits.
 - Mayor discussed full-time employees.
 - i. We already have a verbal agreement with the Chief.
 - ii. Doesn't think we need this Ordinance.
 - iii. Doesn't believe it is in our budget.

- Additional discussion related to Det. Sgt. Swanson's current status.
- Mr. Joyce inquired about why we are having a hard time hiring police officers.
 - i. The Chief noted that Eastlake currently pays part-time officers \$24/hour.
 - ii. We currently have 0 applicants according to the Chief.
 - iii. We ran an ad on Indeed for a large part of last year; the Chief will not hire anyone with a criminal record.
 1. There is a nationwide shortage of police officers.
- Additional details and discussion occurred.
 - i. Swanson currently works full-time hours, because no other officers can fill. He is looking for another position, but it takes a while for application process.
 - ii. Discussion of records of potential applicants, expungement of records, et cetera.
 - iii. All other current officers have full-time jobs elsewhere or off-duty jobs.
 1. We no longer have any unpaid Special Officers.
 - iv. Ad is currently running on Indeed again for new part-time officers.
 - v. Discussion of filling shifts when Chief was off earlier this year.
 - vi. Discussion of hours worked by various officers.
 - vii. Officers must work 1 day per week with exceptions.
 - viii. According to Mr. Joyce, the threshold for determining full-time status is an average over a course of a year.
- Discussion of history of benefits for Chief of Police and lack of discussions concerning this issue with Mayor and Council
 - i. Related details and opinions shared by Mr. Joyce
 - ii. Additional discussion of scheduling
 1. Chief would prefer Monday through Friday schedule, and explained why this isn't currently possible
- Discussion regarding staff issues, of history of hiring of Chief, and past officers on staff, and difficulties that occurred when officers quit the department
- Discussion of what the Chief would like to see for vacation, and sick leave.
 - i. 2 weeks of vacation
 - ii. Discussed meeting on March 11 with Mayor, Fiscal Officer, Solicitor (and Chief) and how vacation time was accumulated; additional details were given regarding time off, vacation and sick leave.
- Mayor prefers a Monday through Friday schedule too.
- Discussion of approval of funds for vacation days in budget
- The Chief does not expect Det. Sgt. Swanson to stay long-term.
- Discussion of officers working full-time hours in the past.

- Additional extensive discussion followed on related items that were already discussed earlier in the meeting.
 - Discussion of accrual of sick leave hours.
 - Mr. O’Leary believes we should focus on the future, not past events.
 - i. Either we need to commit to our Police Department or should consider negotiations with Eastlake.
 - ii. Need to look at how to retain officers.
 - iii. Mr. O’Leary sees the benefits of hiring full-time officers; cited success in North Perry and Perry Village- costs similar or less than having part-time officers.
 - Mr. Joyce noted that Grand River currently has 21 officers on staff.
 - i. Discussion of history of Special Officers.
 - ii. Discussion of number of graduates from the Police Academy.
 - Additional discussion, details given, that relate to subjects previously covered.
 - Mr. Joyce asked Mr. O’Leary what our obligations might be for full-time employees.
 - i. He will reach out to a colleague who has more experience in this area.
 - ii. He noted that ORC Section 124 covers State Government.
 - The Fiscal Officer indicated that he received feedback and revisions from the Chief and inquired whether Council or the Mayor had any other revisions to the proposed Ordinance at this time; there was no feedback provided at this time.
2. Discussion of Allowing Chickens/Fowl- Proposed Ordinance (No Discussion)
 3. Sprinkler Credits for Residents (No Discussion)
 4. Parks Ordinance (No Discussion)
 5. Other Topics
 - Mrs. Hardwick noted that a new resident is moving into the Village, who has an emotional therapy pig.
 - i. Discussion of details of the pig; is about 135 pounds.
 - ii. Service Animals may be exempt from Ordinance; Solicitor may need to look into.
 - iii. Mrs. Hardwick noted that the resident does have a certificate from the State of Pennsylvania.

Adjournment of Work Session

Mr. Joyce made a motion to adjourn the Work Session; Mr. Konrad seconded the motion. All members were in favor. Work Session adjourned at 6:28 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, 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

Public Comment, Good & Welfare:

- Debbie King, 43 East Shore Blvd.
 - Inquired about what steps we are taking to repair the streets.
 - Mayor indicated we will look at a crack sealing program and other repairs.
 - He will follow-up with Surface Engineering for a quote.

Reading & Disposition of the Minutes:

- a. Council Work Session, April 18, 2023 – Mrs. Marra made a motion to approve the minutes of the April, 2023 Council Work Session. Mr. Joyce seconded the motion. Roll call: all were in favor of approving the minutes.
- b. Regular Council Meeting, April 18, 2023 – Mr. Konrad made a motion to approve the minutes of the April 2023 Regular Council Meeting. Mrs. Marra seconded the motion. Roll call: all were in favor of approving the minutes.

Legislation:

- a.) Resolution No. 2023-10 (Rules Suspended)

A Resolution authorizing reimbursement to resident Robert Hurley for tree work completed in the Village right of way and declaring an emergency.

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

Mr. Joyce made a motion to approve Resolution No. 2023-10: Mr. Thompson seconded the motion. Mr. Thompson reviewed the details of what occurred; a fair price was obtained by the resident. He does not encourage residents to do; the Village should be aware. Don't want residents to take action on own; trees falling on public lands (streets, etc.) will be handled by the Village.

Roll call- all were in favor of Resolution No. 2023-10.

b.) Resolution No. 2023-11 (Rules Suspended)

A Resolution establishing the 4201 Playground Construction Fund of Timberlake Village, Ohio, and declaring an emergency.

Mr. Joyce 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. Konrad made a motion to approve Resolution No. 2023-11: Mrs. Hardwick seconded the motion. The Fiscal Officer noted that ODNR prefers to have a separate line-item or fund designated for the NatureWorks Grant.

Roll call- all were in favor of Resolution No. 2023-11.

c.) Resolution No. 2023-12 (Rules Suspended)

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. 2023-12: Mr. Thompson seconded the motion. Mr. Roskos reviewed Exhibit A and the various changes to appropriations necessary to apply for the NatureWorks grant. The net additional cost to the General Fund is around \$2,818.

Roll call- all were in favor of Resolution No. 2023-12.

d.) Resolution No. 2023-13 (Rules Suspended)

A Resolution authorizing the Fiscal Officer to transfer of eight thousand dollars and fifteen-cents (\$8,000.15) from the General Fund (1000) to 4201 Playground Construction Fund for the Current Fiscal Year 2023, and declaring an emergency.

Mrs. Joyce 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. Joyce made a motion to approve Resolution No. 2023-13: Mrs. Joyce seconded the motion; roll call- all were in favor of Resolution No. 2023-13.

e.) Resolution No. 2023-14 (Rules Suspended)

A Resolution authorizing the Fiscal Officer to advance twenty-four thousand dollars and forty-two cents (\$24,000.42) from the General Fund (1000) to the Playground Construction Fund (4201), 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. 2023-14: Mr. Joyce seconded the motion; the funds advanced will cover the 75% match from ODNR that will be reimbursed. Funds will be returned to the General Fund when ODNR reimburses the Village (if the grant is approved) or at the end of the year at the latest.

Roll call- all were in favor of Resolution No. 2023-14.

f.) Resolution No. 2023-15 (Rules Suspended)

A Resolution the Mayor and Fiscal Officer to apply for Grant Funding through the Ohio Department of Natural Resources NatureWorks Grant Program, and declaring an emergency.

Mr. Thompson 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. Joyce made a motion to approve Resolution No. 2023-15: Mrs. Marra seconded the motion; roll call- all were in favor of Resolution No. 2023-15.

g.) Ordinance No. 5-2023 (1st Reading)

An Ordinance amending Section 10 of the Village of Timberlake Personnel Policies and Procedures (includes the establishment of a Vacation and Sick Leave policy for full-time employees and several corrections/clarifications to Section 10).

Ordinance No. 5-2023 was presented for First Reading.

h.) Ordinance No. 6-2023 (1st Reading)

An Ordinance amending Section 700.03 Prohibited Animals of the Codified Ordinances of the Village of Timberlake.

Ordinance No. 6-2023 was presented for First Reading.

i.) Ordinance No. 7-2023 (1st Reading)

An Ordinance permitting the keeping and raising of chickens in the Village of Timberlake.

Ordinance No. 7-2023 was presented for First Reading.

j.) Council Motion to Appoint Regional Council of Governments Delegate

A motion to appoint Fiscal Officer John H. Roskos as delegate for Timberlake Village for the Regional Council of Governments.

Mr. Joyce made a motion to appoint John H. Roskos as delegate for the Regional Council of Governments. Mr. Konrad seconded the motion; all were in favor.

Reports:

a. **Mayor:**

- (Service) has been working around the Village to clean-up
- We will work on some catch basins, as well as Keewaydin Sanitary Sewers
- Pretty quiet otherwise, encourage your neighbors to clean-up.

b. **Solicitor:** Nothing new to report

c. Council Members:

Cynthia Hardwick

- Everything is going well at the Hall.
- All weekends are booked next month
- Service is keeping the Hall clean
- Called Lifetime about the tables; tables have been paid for, will get a delivery date soon.

Ryan Konrad

- Lake County Sewer will be doing some work at Storm Sewer near 58 Shawondassee; sewer is just holding water, not draining
 - Sanitary Sewer flush will happen (on Keewaydin)
- 85 Shawondassee
 - Issue with catch basin and a hole nearby; the catch basin is on private property. Resident would have to speak with neighbor about issue.
 - Discussion of who installed the basin
 - Mayor indicated that the basin was installed privately; blueprints show that it is not public
- Mr. Konrad indicated that 3 quotes were obtained for the sewer work
 - Chose Lake County Sewer for 2 reasons: they are available immediately; United Survey was higher in cost and Ciro's was similar in price, but not available for a couple of weeks.
- NatureWorks Grant
 - Thanked Mr. O'Leary and the Fiscal Officer for background work.
 - Grant application is due June 1.
 - Has a call out to Tim Robinson at ODNR
 - Mr. O'Leary inquired whether ODNR could review application before submitted.
 - Mr. Konrad will meet with Fiscal Officer prior to submitting.
 - If grant approved, new equipment could be installed by October, but not may be useable till next year (weatherwise).
- Gametime is set to ship (slide, new playground equipment) on June 5.
- Gives kudos to his neighbors for cleaning up sticks; he and 5 other residents helped a neighbor move a pile of sticks to backyard.
- Gives kudos to the Chief for helping with crossing at the school bus on Lake Shore; additional related discussion.
- Thanked Cindy Hardwick and the Village Club

- Sidebar discussion on Timberlake night at the Captain's
 - Mrs. Hardwick indicated they will be going with ticket-only plan; they are \$12 each and we will have our own section. There is a handicap area.
 - It is a group rate; still can sign the National Anthem. Likely will be performed by a quartet with former resident Brian Noda.
 - Discussion followed about other groups singing at Captains games
 - Maybe can throw out 1st pitch
 - Date is June 30; bring your own money for food (please note that Captains Stadium is “cashless”; cards only)
 - Can only bring purses or bags that are clear
- Thanked the Mayor for technical guidance on the sewers.

Jerry Joyce

- Discussed Captains Game tickets and pricing
 - Can you negotiate with Captains to be able to buy all you can eat
 - Expect to spend a minimum of \$5 at the concession stand (example, for a beer, diet coke, and pretzels, the cost was \$27)
 - You can bring “label-less” water
- Mrs. Hardwick noted that a minimum of 30 people would be needed to be able to use the pavilion there; additional related discussion. Would this include all you can eat?
 - Mrs. Hardwick will follow-up again
- Discussion of cashless policy at Captains Stadium and whether this is legal; Mr. Joyce intends to call them.
- Explanation of process to get food credits at Captains
- Mrs. Hardwick will buy 20 tickets and these will be available (after purchase) in a box by her driveway. She will take check only.

Margaret Joyce

- Noted that the Village Hall looks terrific.
- Mrs. Joyce said they moved in about 4 years ago, and she noted many dead trees at the time when she walked around. She said many of these trees have since been removed.
- Received a second letter from NOPEC regarding electric
 - Offering is 16 cents less than CEI
 - Suggested residents call NOPEC if they didn't receive a letter

Nancy Marra

- Discussed people having trouble cleaning up their yards
 - Partly this is due to residents having moved out and left stuff behind
 - Does receive complaints about people's yards

- Discussed related scenarios and situations
 - Council keeps an eye on property maintenance currently
 - The approach "how can I help?" seems to work better
 - Recommends Council members go together when following up on a complaint (bring the Ordinance too)
 - Service Department also watches for maintenance issues.

Kevin Thompson

- Nothing to report

d. Fiscal Officer:

Monthly Financials and Annual Report:

General Fund- ending balance through April 30, 2023 is \$306,319.84. Month to date revenue was \$28,080.11 vs expenditures of \$41,965.26, a net difference of \$13,885.15. Please note that our first half Real Estate Homestead and Rollback payment from the State of Ohio was delayed, and not received until May 3; this occurred County-wide. There was no reason given for why this occurred. This receipt would have added \$21,339.39. However, it is important to note also that Income Tax Collections are down by \$4,000 year over year; a drop of around 5% versus last year's collections at this time. Expenditures were less than estimates by \$10,034.74, primarily due to the early arrival of the invoice for 80% of our Audit costs (paid in March).

General Fund Revenue through April 30, 2023 is \$17,328 less than last year. This is attributable to lower than expected property tax collection rates, not as robust income tax collection for the month as anticipated, and again the delay in the receipt of our First Half Homestead and Rollback payment.

At this time, based on current estimated spending rates and revenue (including adjustment for the late Homestead and Rollback Payment), we estimate a surplus for the General Fund this year, of around \$94,414; 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 Miscellaneous: \$400 in refunds were issued from the 9901 Hall Rental Security Deposit Refund FUND. There was no other significant activity in other Funds.

- Mr. Konrad inquired about the reason for lower income tax revenues, even though we eliminated the Income Tax Credit; Mr. Roskos indicated that a large tax refund of \$4,000 occurred, but he does not know the reason for the refund.
- e. Police Chief- Monthly Report-
- The Chief noted that the report is for April 1 to April 30; she then presented the monthly report- there were 2 911 calls, 3 administrative calls, 3 requests for assistance, 1 breaking and entering of a vehicle, 2 civil complaints, 32 community policing events, 2 disabled vehicles, 56 house checks, 9 investigations, 1 noise complaint, 5 phone complaints, 1 property complaint, 1 suspicious person, 1 traffic complaint, 4 tree complaints, and 1 warrant executed for a total of 124 events.
 - Discussion of commentary on social media regarding cars being broken into in Timberlake
 - Chief indicated that the State considers any car entered (illegally) as a breaking and entering regarding of whether unlocked.
 - The department is obligated to report these to the State
 - There were 5 complaints of people entering vehicles, all were unlocked and in 4 out of 5 instances, residents declined to file a police report. All 5 occurred on East Shore.
 - The Chief noted that crime tends to be up in warm months.
 - Please lock your car.
 - Mr. O’Leary noted that most of these break-ins are committed by teens.
 - Police use spotlight; sometimes receive complaints, but more residents in support. Related discussion followed.
 - Mr. Joyce noted that officers know people in the neighborhood and related that he received a knock on his door the first day they lived here. He noted that police remind people to close garage door, et cetera; he appreciates that.
 - The Chief said house checks can be startling, if the police don’t know you’re back home; additional discussion followed of officer walking through a yard looking for a dog and a related neighbor complaint.
- f. Zoning/Property Maintenance-
- Gary Gray was not present; the Mayor indicated that there was 1 roof permit, and 1 yard drain permit issued.

Purchases & Approvals:

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

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

The Mayor inquired about approval of the payment to Robert Hurley; the Fiscal Officer indicated that the Resolution was sufficient for this purpose.

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.
 - She inquired about whether we can increase font size of the Minutes in the Timberlake Times and also the monthly financial reports.
 - Mayor indicated that we were trying to condense, since some of the Minutes were very long; it was noted that you can blow up the font size if viewed online or you can print out larger at home.
 - The Fiscal Officer indicated that the font size of the financial reports is determined by the software program; if we print on legal size paper they might be slightly larger.

Editor's Note: for additional details and discussion, please see our You Tube Page link for this meeting: <https://www.youtube.com/watch?v=cLiVh4A5Yc8>

Adjournment

Mr. Konrad made a motion to adjourn the meeting. Mr. Thompson seconded the motion. Roll call: all were in favor. Meeting adjourned at 7:36 PM.

Called by: Mayor

Posted

Our next regular meeting is Tuesday, June 20, 2023 at 6:30 PM (Tax Budget Hearing to be held at 6:15 PM before Regular Meeting).

Fiscal Officer, John H. Roskos

Mayor, John Marra