

COUNCIL MEETING MINUTES (DRAFT)
VILLAGE OF TIMBERLAKE

Tuesday, August 15, 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, Nancy Marra, and Kevin Thompson.

Personnel in Attendance:

James O'Leary	Solicitor
John H. Roskos	Fiscal Officer
Masai Brown	Lieutenant, Police Department

Discussion:

- a. Review of Ordinance No. 5-2023 (Vacation and Sick Leave for Full-Time Employees)
 - Mayor noted that only a few changes were made.
 - Approximate cost is \$2,500 per employee according to Fiscal Officer
 - Discussion on related items
 - Definition of Full-time
 - Potential for other qualifying employees besides Chief
 - Swanson is working 41.5/hours per week
 - Additional discussion regarding meaning of full-time
 - Mr. O'Leary believes we should define full-time
 - Additional related discussion
 - If department is fully staffed, there would only be 1 full-time employee.
 - Many unpaid Specials in the past.
 - Mr. Konrad asked if the Ordinance could specify that benefits are only for the Chief.
 - This has been the past practice of the Village.
 - Idea of the Ordinance is to codify benefits.
 - Additional discussion of full-time and covering of shifts.
 - Mr. Joyce questions whether we can make decision without exact cost.
 - Mr. Joyce thinks we should consider pro-rating benefits for part-time employees.
 - Full-time as 36 hours per week?
 - Mr. O'Leary discussed Perry's structure of their police department; they have 12 hour shifts (many have moved to this)

- May not be appealing here, as most have other jobs.
 - At one time, Timberlake had 12 hour and 8 hour shifts; now only 8 hour shifts.
- Mr. Konrad think there's not enough information; thinks we need more information about cost
- Mr. Joyce cited benefits as a potential recruiting tool
 - Discussion with Lt. Brown regarding benefits
 - Would be attractive if retired and full-time in Timberlake
 - Additional discussion regarding Cleveland, and his experience working there.
- The Police Department probably needs two more part-time employees.
 - Required hours are around 16-20 hours per week
 - Would lighten hour load on others
 - Illness or turnover could cause issues as department is currently staffed.

b. Police Recruitment and Retention

- The Chief has received 4 resumes in the past week
- Resumes were emailed to her
 - Uncertain as to qualifications yet.
 - She followed up with our application and instructions.
- Mr. O'Leary recommends setting up a sub-committee meeting in a couple weeks.
 - Chief should be involved; also invite Swanson and perhaps Simone for additional input
 - Lt. Brown cited nationwide shortage of officers. Additional pay and benefits would help; Timberlake is a great community.
- Five officers have left in the last couple of years; either quit or let go.
- Additional discussion of attrition, pay rates in other communities and competing wages.
- Younger officers are looking wage rates, as well as benefits.
- Timberlake has raised hourly rate significantly in past couple of years; the increase in pay rate for Hall events has helped too.

c. NOPEC Energized Community Grant Funds (Proposals ?)

- NOPEC came out with a bulk LED light-bulb program that funds can be used for
- Approximately \$4,000 of these grant funds expire at the end of November
- Insulation is a possibility; what about outdoor lighting, upgrading lights to increase energy efficiency.
 - Street lights fall under a different program; no one likes the new bright white bulbs
- Can be upgrades or new equipment if it helps contribute to energy efficiency.
- Grant parameters are very broad
 - Additional ideas/discussion
 - New heater for police department (around \$2,000-\$3,000)

- Tiles in the Village Hall ceiling
- An attic exhaust fan
- Service could help install insulation
- Need to get quotes
- Light bulbs with remaining funds
 - a. Discussion of LED light bulbs, etc.

d. Discussion of Line Striping and Quotes

- Mr. Konrad reviewed the quotes and what work they would cover- parking stalls, playground, “no parking” lettering by the Hall, stop bars in the Village
 - Quote
 - Can do pickleball, tennis court striping too
- Flowers Quote
 - Completed work last time for the Village
 - Quote was a little higher than Jurcisin
- Was unable to obtain a third quote
- Jurcisin was \$1,500 for stop bars, \$650 for no parking zone and 8 parking spots at Village Hall; \$100 for 6 parking spots at playground, painting pickleball court lines would cost \$750 and would be \$1,500 to restripe basketball and tennis courts
- Flowers Quote noted that it would be extra to insert new glass beads in stop bars; most municipalities do not reinsert glass beads every time
 - Did not quote pickleball striping; Mr. Konrad unsure if we requested.
- There is enough funding available according to Fiscal Officer to do stop bars, parking spaces, and no parking zone
- Pickleball lining would be simple
- Existing tennis court net would remain
- Eastlake and Willowick just put in a pickleball court
- Restriping the entire tennis court, basketball courts would cost around \$25,000 to \$30,000
- Question was posed as to whether Jurcisin “no parking” work would be in red; not sure, could request it. Mr. Konrad will follow- up with them.
- Mayor asked where funds were taken from previously for line striping; Fiscal Officer would have to look up.
- Probably should wait on pickleball and tennis court striping.
- Ask Flowers about recreational line striping, get a more formal quote from Jurcisin
- Additional related discussion; there are people that play tennis on our courts.

e. Feeding of Animals in Village

- Mrs. Marra has received complaints regarding feeding of skunks, raccoons, and cats
- Discussion of feral cat community and related problems
- Food is left out too long

- Residents took pictures of skunks feeding
- Mayor believes there should be guidelines for feeding animals
- Discussion of details of feral cat communities, spading, neutering, traps, baiting, etc.
- Has been a problem the last few years
 - Some claim to have registered feral cat colonies (feed once per day)
 - Additional details provided
- Discussion of sponsoring a cat
- Mrs. Marra does not believe residents should be feeding wild animals.
- Possibly, the Village should put together a committee
- Mr. O'Leary recommends putting guidelines for feeding animals in the Timberlake Times, as opposed to an Ordinance.
- Discussion of rats living near CEI plant.
- Mrs. Marra believes legislation is necessary.
- How would this apply to bird feeders?
 - Has not received any complaints yet on birds and squirrels.
- There was a discussion about feeding animals before; Timberlake Times would be a great start.

f. Other Topics

- More details provided about police recruitment by Lt. Brown
 - Chief printed out some news articles to share
 - Candidates should be the right quality, not just making sure you get the right quantity of officers.

Adjournment

Mr. Joyce made a motion to adjourn the meeting. Mr. Konrad seconded the motion. Roll call: all were in favor. Meeting adjourned at 6:23 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
Masai Brown	Lieutenant, Police Department

Public Comment, Good & Welfare:

- Linda Kolasinski, 61 Shawondassee Dr
 - Would like to know the status of the grant for sidewalks on Lake Shore Blvd?
 - There would be a financial impact on every resident.
 - Spoke also about service department and maintenance of sidewalks.
 - Has the Village completed a survey, as to whether residents want sidewalks on Lake Shore?
 - Will residents inside the Village use the sidewalks?
 - Who would be responsible for maintenance?
 - Would likely impact landscaping/trees
 - Thinks there should be a vote or survey.
- Jane Shaveyco, 14 East Shore Blvd.
 - Spoke regarding Ordinance 7-2023 Permitting Chickens
 - Most people are unaware that Ordinance is on third reading.
 - People want to know who has or will have chickens; what would submit for registration, and what about enforcement.
 - Some people think there should be 15 feet required (chickens from property line)
 - There are questions about the enclosures; who will check gates, and enforcement guidelines for coops.
 - People don't think it's a priority
 - What about the feral cat communities? (no one's patrolling that)
 - Need patrolling for speeding on Lake Shore
- Brent Wassum, 34821 Lake Shore Blvd.
 - He is against sidewalks
 - Hasn't been asked about it; thinks that is a failure on the Village's part.
 - Additional costs would be divvied up between all Timberlake residents
 - What about money for telephone poles, moving water meters, removing trees, etc.?
 - Feels like residents haven't been involved in the process. What about maintenance? Could be multiple times per day.
- Bill Jones, 34843 Lake Shore Blvd.
 - He is 82 years old. Noted that during the winter his driveway is solid ice. Worried about maintaining sidewalks and possible fines.
- Mayor
 - Noticed speeding on Lake Shore Blvd
 - Looking into speed traps/radar detector Signs on Lake Shore
 - Where to locate?
 - Possibly have 1 on each end of Village; would not be in front of residences
 - There would be no sidewalk assessment to residents; the process started through NOACA meetings
 - Mayor spoke about connectivity projects discussed at NOACA

- Noted Laketran stops we have, speeding, safety for those using public transport
 - We have 4 bus stops
 - Village needs to get on TIP list first
 - Mayor and Mr. Konrad went to NOACA, and has also met with Laketran and the Ohio Department of Transportation
 - Believes the sidewalk is necessary for safety (same with the Laketran stops)
 - Grant would be 90/10 split
 - Village has submitted preliminary drawings
 - Cost of project is approximately \$1 million plus
 - Laketran has verbally committed approximately \$100,000
 - Application would be submitted this year; next year funding would be arranged, construction would not begin until 2025 or 2026.
 - Reiterated safety issue and interest from Laketran
 - Gives credit to Mr. Konrad for his efforts
 - A lot of residents do want sidewalks too (residents on Lake Shore Blvd also)
 - Concerns from young families walking to the Park and the Beach
 - People are driving, instead of walking due to safety reasons
 - More that wanted than didn't last time they asked; will survey residents again
 - Residents would not be required to maintain sidewalks (sidewalks would be behind telephone poles; approximately 4 feet in width)
 - Additional discussion and details followed related to sidewalks
 - Mr. Jones (a resident) noted that traffic is a concern and wondered whether the installation of sidewalks would cause a reduction in property values, due to the amount of usable property lost. Doesn't believe the installation of sidewalks is possible at his property (34843 Lake Shore Blvd)
 - Additional discussion followed on sidewalks, maintenance, liability, funding and planning
 - Mrs. Kolasinski inquired as to whether Laketran bus stops would be "box-like"; they would not be. There was a discussion about the accident that occurred near Mr. Jones's house, and a debate on safety.
- The Mayor thanked the Village Club for the help with the Parade and Family Fun Day; thank you to Cindy Hardwick for serving as President of Village Club and Village Council; thank you to Kim Widdersheim, the Vice President of the Village Club, Andrea Pollack, Secretary, and Missy Fraser, their new Treasurer. Thank you to Brent and Paula Gardner, and their grandson Logan for setting up tables, putting things together, and putting up structures. Thank you to those who donated their time to make donation baskets. The raffle raised \$1,700. Thank you to Laura Lavelle for organizing all the merchandise...and I'm sure I'm missing probably other people that were involved, but all those who were

involved. Thank you to our devoted former Miss Timberlake, Mary Beth Germano; without her, I don't think we would have had such a successful parade (She did fall that day; she broke her shoulder...and had to leave right when the parade was starting). Thank you to Jerry Joyce who donated the hot dogs, and Nancy Marra who donated the buns. I would also like to thank Councilman Kevin Thompson for helping clean up and managing the trash after the party. The Mayor also thanked Councilman Konrad for cooking on the grill, and Jeff Hanna who donated the Kielbasa, as well as those who brought all the side dishes. The Clam Bake is planned for September 9.

Reading & Disposition of the Minutes:

- a. Regular Council Meeting, June 20, 2023 – Mrs. Marra made a motion to approve the minutes of the June 2023 Regular Council Meeting.

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

- b. The Fiscal Officer noted that minutes needed to be approved for the July 25, 3:00 PM Village Hall Committee meeting; they were submitted to late for the agenda, but were included in Council's meeting packets.

Mr. Konrad made a motion to approve the minutes of the July 25 Village Hall Committee Meeting; Mrs. Marra seconded the motion. Roll call: all were in favor.

Legislation:

- a.) Resolution No. 2023-20 (Rules Suspended)

A Resolution to acknowledge the donation of One Thousand Dollars by Kevin Thompson for Playground Equipment 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.

Mrs. Marra made a motion to approve Resolution No. 2023-20: Mr. Joyce seconded the motion; The Council and Mayor thanked Mr. Thompson for his generous donation; Mr. Thompson noted that he really wanted to help and contribute to our playground and parks. He also thanked Mr. Konrad for doing a really good job, and the Mayor for making the Village Playground safer and better.

Roll call- all were in favor of Resolution No. 2023-20.

- b.) Resolution No. 2023-21 (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. Hardwick seconded the motion; roll call- all were in favor of suspending the rules.

Mrs. Marra made a motion to approve Resolution No. 2023-21; Mr. Joyce seconded the motion; the Fiscal Officer reviewed the purpose and reason for this Resolution.

Roll call- all were in favor of Resolution No. 2023-21.

c.) Ordinance No. 5-2023 (3rd Reading- Ordinance was tabled)

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).

Mr. Joyce made a motion to table Ordinance No. 5-2023; Mr. Konrad seconded the motion to table the Ordinance; roll call- all were in favor of tabling Ordinance No. 5-2023.

d.) Ordinance No. 6-2023 (3rd Reading)

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

Mrs. Marra made a motion to approve Ordinance No. 6-2023:

Mr. Thompson seconded the motion; Mr. Joyce inquired that if the Ordinance was amended, whether it would need to go through the three reading process again. Mr. O'Leary indicated that it did not, however, he believes the best policy is to have three readings. Mr. Joyce thinks that five feet may not be enough distance between chickens and neighbor's property. A discussion of parliamentary procedure followed. Mr. O'Leary does not like last minute amendments; related discussion followed.

Roll call- Mr. Joyce, NAY, Mrs. Joyce, NAY, Mrs. Hardwick, AYE, Mrs. Marra, AYE, Mr. Konrad, NAY, Mr. Thompson, AYE; Mayor John Marra cast the deciding vote, AYE. Ordinance No. 6-2023 was approved by a 4-3 margin.

e.) Ordinance No. 7-2023 (3rd Reading)

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

Mr. Joyce made a motion to approve Ordinance No. 7-2023; Mrs. Hardwick seconded the motion; Mrs. Hardwick asked what is the difference between having dogs and chickens and discussed other details. Mr. Konrad doesn't think five feet is enough distance, and discussed other concerns. Mr. O'Leary suggested a work session on the subject. Mr. Thompson shares concerns. There was a discussion about Council's meetings being publicized in various formats- News Herald Agenda, website, Timberlake Times, and YouTube.

Roll call- all were in favor of Ordinance No. 7-2023.

f.) Ordinance No. 9-2023 (Rules Suspended)

An Ordinance authorizing the Mayor and Fiscal Officer to make application to the Ohio Department of Transportation (ODOT) on behalf of the Village of Timberlake for 90/10 Funding for Planned Safety Improvements on Lake Shore Boulevard and to accept grant funding awarded pursuant to the application therefor, and declaring an emergency.

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

Mr. Konrad made a motion to approve Ordinance No. 9-2023: Mrs. Hardwick seconded the motion; Mr. Joyce asked if we apply, are we required to use the grant; must we do the project? Mr. O'Leary indicated the Village Council can make a Resolution to withdraw. Mr. Joyce and others would like to complete a survey to understand concerns, et cetera; thinks safety is important. It would change the property and complexion of the Village. Mr. Joyce suggested a Townhall meeting for residents. Mrs. Hardwick would like to see a sketch of sidewalks and impact on property. Mr. Konrad discussed right of way, culverts, stormwater runoff, and drainage as it relates to Lake Shore Blvd and potential sidewalks.

Roll call- all were in favor of Ordinance No. 9-2023.

Reports:

a. **Mayor:**

- Thanks again to all who helped with Family Day and he thanked Mr. Thompson for his donation for the Playground.
- Service Department is trying to keep up with the weeds; they are using an environmentally friendly spray and also pulling out by hand.
- Tic Tac Toe will be installed at Playground.
- Concrete Cornhole is to be installed at the Village Hall Park.
- There was a report of a broken stair going down to the Beach; this has been repaired.
- Please contact the Mayor or Council with problems.

b. **Solicitor:**

- No specific report. Thanks to all of you! Family Day was wonderful.

c. **Council Members:**

Cynthia Hardwick

- 4 Rentals so far for next year.
- Will look at new flooring for the Hall next year.
- Thank you to the Service Department for keeping the Hall spotless.
- Thanked the Mayor for his "Thank Yous" and also Mr. Thompson for his donation.

Ryan Konrad

- Family Fun Day
 - Thanks to Cindy, and Kim (who helped keep traffic flowing in Hall)
 - Thanked Bill, Jeff, and Julian for helping at the Grill.
 - Hopes to continue making it each year.

- Glad to see family and friends from outside the Village.
 - Additional details
- Sewers
 - No report
- Sidewalk Grant
 - Will submit the application, and defend application in a couple weeks at ODOT. Will keep us updated.
- ODNR NatureWorks Grant
 - Waiting to hear back
- Encouraged residents to use public comment at meetings and also suggested reading the Timberlake Times; Council's phone numbers are on website too. This is your Village; also discussed potential flaws of surveys. Related details and discussion followed.

Jerry Joyce

- Thanked people for coming to the meeting today.
 - Meetings are much better with a live crowd.
 - Better to hear directly from residents; additional related discussion.
- There was a great turnout for Family Fun Day
 - Nice time with friends and family outside
 - Ran a little short on side dishes; discussed at Village Club meeting.
 - Tree dedication to Ron Mona, barbershop quartet, foam maker was great.
 - Invited people to the clambake in September.
 - Much love to Mary Beth Germano, who helped organize, and then was unable to participate due to an injury right before the parade started.

Margaret Joyce

- Thanked the Village Club and volunteers; was also great for the Club to make some money.
- The catch basin near the park and the playground is full (Mayor noted this has been a long-term issue)

Nancy Marra

- Would like to go on a survey regarding sidewalks
- Discussed a situation where she believed freedom of speech was curtailed; a couple people were handing out pamphlets regarding Issue 1.
 - Soliciting Ordinance does not apply to political or religious issues.
 - There is a \$500 registration fee for soliciting (**editor's note:** fee amount needs to be confirmed).
 - Additional details and discussion; discussion of related Ordinance
 - Police will research further
 - Mr. O'Leary indicated that the Supreme Court has ruled on this issue
 - It is very difficult to restrict political or religious activity.
 - Additional discussion of passing out flyers.
 - Chief was friendly and orderly.

- Fiscal Officer indicated that we are still looking for a copy of Ordinance 2021-04 (related to Peddlers etc.)

Kevin Thompson

- There have been a couple of rough storms
 - Service Department put on cones; has done a great job. Appreciates that.
- Nothing else to report.

**d. Fiscal Officer:
Monthly Financials:**

General Fund- ending balance through July 31, 2023 is \$315,618.26. Month to date revenue was \$38,547.19 vs expenditures of \$43,058.47 for a net decrease of **-\$4,511.28**. Expenditures were around \$2,000 more than anticipated; this was primarily due to higher than expected operating supplies and materials cost for the Police Department for the month (IT expenses, and ordering of two sets of tires for the winter).

General Fund Revenue through July 31, 2023 is **\$8,868.76** less than last year. Revenues in July were approximately \$16,500 less than estimated; this is almost entirely due to less than expected Income Tax revenues. Property Tax and Income Tax also remain below estimated revenues for the year.

At this time, based on current estimated spending rates and revenue , we estimate a surplus for the General Fund this year of around \$69,373.98; this would not include any additions to the Village Hall or Police Cruiser Capital Funds. The change versus last month in this surplus estimate is due to higher than expected expenses and significantly lower than anticipated income in July. If the estimated surplus continues to decline, we may need to consider reducing or eliminating transfers to our Capital Funds at the end of this year. Also, the Village will need to maintain conservative spending versus total appropriations to achieve a 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: we paid our semi-annual loan payment out of Fund 3901 Sanitary Sewer for our OWDA loan in the amount of \$7,086.95, and also paid our semi-annual loan payment for our OPWC loan for the 2016 Street Improvements in the amount of \$1,415.52. Additionally, \$600 in refunds were issued from the 9901 Hall Rental Security Deposit Refund Fund.

The Fiscal Officer noted that the Village will need to request certification from the County Auditor of amount to be raised by three renewal levies; these Resolutions will be ready for the September meeting. He recommends placing Renewal Levies on the March Primary ballot.

e. Police Chief (presented by Lt. Brown)- Monthly Report-

- There were seven 911 calls, 3 accidents, 6 administrative calls, 1 alarm, 4 animal complaints, 5 calls for assistance, 60 community policing checks, 1 harassment, 34 house checks, 1 call for information, 5 investigations, 1 noise complaint, 1

phone call, 1 suicide, 3 suspicious persons, 3 suspicious vehicles, 3 traffic stops, 2 calls for trees, and 2 welfare checks.

f. Zoning/Property Maintenance-

- The Mayor presented Gary Gray's report- 1 fence permit, 3 garage sales, 1 shed permit, 1 garage permit, 1 interior remodel permit, 1 roof permit, and 1 window permit.

Purchases & Approvals:

a. **A motion to approve the June and July, 2023 Financial Reports-**

Mr. Joyce made a motion to approve the June and July, 2023 Financial Reports. Mr. Konrad seconded the motion; roll call, all were in favor of approving the monthly financial reports.

b. **Approval of Payment to Premier Tree Specialists in the amount of \$1,000 for Emergency Removal of Tree near 15 East Shore Blvd.**

Mrs. Marra made a motion to approve the payment to Premier Tree Specialists; Mrs. Joyce seconded the motion. There was discussion of what details of the situation; it was a significant limb. Roll call: 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):

- Jane Shaveyco, 14 East Shore Blvd.
 - It has been 1 year since discussion of flooding near fire lane at median strip; please take a look at again, it is flooding. Runs into street on the south side of the median.
 - Comments and Discussion
 - Is it ground under disrepair?
 - There is a storm drain at the end of the median strip; water not getting to the catch basin.
 - Will meet with the Mayor
 - Also spoke about potential chickens at large and who would address.

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

Executive Session

Mr. Joyce made a motion to adjourn to Executive Session to discuss possible litigation; Mrs. Marra seconded the motion. Roll call: all were in favor of adjourning to Executive Session. Council entered Executive Session at approximately 8:05 PM.

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

Adjournment

Mr. Konrad made a motion to adjourn the meeting. Mrs. Hardwick seconded the motion. Roll call: all were in favor. Meeting adjourned at 9:25 PM.

Called by: Mayor

Posted

Our next regular meeting is Tuesday, September 19, 2023 at 6:30 PM.

Fiscal Officer, John H. Roskos

Mayor, John Marra