

COUNCIL MEETING MINUTES (DRAFT)
VILLAGE OF TIMBERLAKE

Tuesday, September 19, 2023

Work Session 6:00 PM

Meeting began at 6:00 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

Discussion:

- a. Discussion of Amendments to Ordinance No. 7-2023 Permitting Chickens
 - Mr. O'Leary researched the Village's zoning code regarding outbuildings.
 - i. All must be a minimum of 5 feet from the property line
 - ii. Moving chicken coops to 15 feet would be different from all the other outbuilding regulations.
 - iii. Additional related comments.
 - The Village is requiring a permit and fee for those who would like to have chickens on their property.
 - Uncertain how many residents are interested in having chickens; there is 1 resident on Lake Shore who had chickens already (prior to Ordinance).
 - Chicken coops are supposed to be fully enclosed.
 - Discussion of potential issues with five feet distance.
 - i. Mr. Joyce understands residents concerns.
 - Ordinance does not allow roosters.
 - Discussion of enclosure and parameters of coop construction.
 - Discussion of chicken runs.
 - Mrs. Hardwick suggested taking a look at backyardchickens.com for information on enclosures and maintenance.
 - Mr. Thompson does believe that some oversight of chickens is required.
 - Gary Gray would oversee
 - i. Would someone actually go the residence to inspect the coop?
 - ii. A plan would likely need to be presented.
 - iii. Mr. O'Leary suggests incorporating coops within the definition of an accessory structure (for permit purposes).
 1. Accessory structures can't exceed a certain square footage without a variance.
 - a. Follow up with Gary Gray on this.

- b. Ms. Stefaniak noted that request for variances normally would be posted in the News-Herald.
- c. Additional related discussion.

b. Pat Flowers Line Striping

- Mr. Konrad said the Village originally got 2 quotes, Pat Flowers Inc and one other company.
- Flowers Inc uses the glass beads that are required by the State.
 - i. Gave a better price on glass bead restriping than other company.
 - ii. Pickleball striping is not included in this quote.
 - iii. Service Department may attempt to do striping for pickleball (may have access to a line striper)
- The Village was unable to obtain a third quote.
- Line striping is within the budget according to the Fiscal Officer.
- Mr. Konrad will follow up with to get on the schedule.
- Stop bars are approximately \$36 each.
- Discussion of having two companies each complete part of the work- probably not worth it.
- Work includes dressing up parking space stalls and painting of a red no parking zone at the Hall (red paint does cost a little more).

c. Village will pick an auction date for the dump truck soon

- Legislation was passed to dispose, sell or auction surplus property
- Tables are not required to be advertised, since they are below the minimum threshold in value; Truck would need to be advertised in the News-Herald.
 - i. Fiscal Officer will take a look at other communities for examples.
 - ii. Mr. Konrad inquired about publishing elsewhere.
 - iii. Could have sealed bids received by a certain date (maybe before Council Meeting)
 - iv. A minimum bid could be set
 - v. Could have a public auction
 - vi. Truck is from around 2002 with relatively low mileage (in the 60,000 area)
 - vii. Additional related discussion.

Adjournment

Mr. Joyce made a motion to adjourn the meeting. Mr. Konrad seconded the motion. Roll call: all were in favor. Meeting adjourned at 6:25 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

Public Comment, Good & Welfare:

- Jane Mona, 4 East Shore Blvd.
 - Comment on people speeding at entrance to Village on East Shore Blvd.
 - Would like police to take a look at
- Lisa Stefaniak, 19 Keewaydin
 - Related a close call (near accident) she had when turning onto Lake Shore Blvd recently, due to speeding cross traffic
 - Would like to know where our speed trap has gone
 - People were safer then
 - Discussed the feral cat communities within the Village, and trap, neuter, release program; there are nearly 12 families who feed cats.
 - Says that we need to respect our animals; it is their property too.
- Mayor
 - The Mayor described the torrential rain storm on August 23; almost all the streets were flooded to some extent.
 - Sewers are way undersized
 - Village will look at Storm Water Mitigation funding.
 - The next day the Village was hit with tornadoes; no storm like this in recent memory, perhaps 1969.
 - Every road was blocked and impassable
 - Mayor took a look after storm abated, and helped clean roads.
 - Service Department was able to get the roads cleaned by 12:00 PM
 - Most of the Village was cleaned up within 4 days.
 - Mr. Thompson and Mr. Konrad helped too, also drove around to look at damage
 - Neighbors helping neighbors
 - Flag at Village Hall got ripped up; we have purchased a new one
 - A tree did fall on one house; resident asked for fire truck, but road was impassable anyway
 - No one was injured during the Storm

Reading & Disposition of the Minutes:

- a. Council Work Session, August 15, 2023 – Mr. Joyce made a motion approve the minutes of the August 2023 Council Work Session.

Mrs. Marra seconded the motion. Roll call: all were in favor of approving the minutes.

- b. Regular Council Meeting, August 15, 2023 – Mrs. Joyce made a motion approve the minutes of the August 2023 Regular Council Meeting.

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

Legislation:

a.) Resolution No. 2023-22 (Rules Suspended)

A Resolution declaring it necessary to levy a renewal 3.6 mill tax levy and requesting the Lake County Auditor to certify the total current tax valuation of the Village of the dollar amount of revenue that would be generated by that renewal levy, 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. Mrs. Marra made a motion to approve Resolution No. 2023-22:

Mrs. Joyce seconded the motion; Mr. Roskos indicated that the 3.6 mill renewal levy raises approximately \$65,600, the 4.6 mill levy raises \$51,400 and the 5.8 mill renewal levy raises \$55,300 currently. This is the first set of Resolutions, which requests the County Auditor to certify the amount of revenue the renewal levies will raise. Once we receive the certifications, the Village will need to pass a second set of Resolutions to place on the Ballot; this would be for the March 19, 2024 primary or any other date the State Legislature chooses for the primary.

Roll call- all were in favor of Resolution No. 2023-22.

b.) Resolution No. 2023-23 (Rules Suspended)

A Resolution declaring it necessary to levy a renewal 4.6 mill tax levy and requesting the Lake County Auditor to certify the total current tax valuation of the Village of the dollar amount of revenue that would be generated by that renewal levy, 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. 2023-23: Mrs. Joyce seconded the motion; roll call- all were in favor of Resolution No. 2023-23.

c.) Resolution No. 2023-24 (Rules Suspended)

A Resolution declaring it necessary to levy a renewal 5.8 mill tax levy and requesting the Lake County Auditor to certify the total current tax valuation of the Village of the dollar amount of revenue that would be generated by that renewal levy, 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.

Mrs. Marra made a motion to approve Resolution No. 2023-24: Mrs. Hardwick seconded the motion; roll call- all were in favor of Resolution No. 2023-24.

d.) Resolution No. 2023-25 (Rules Suspended)

A Resolution authorizing the Mayor and Fiscal Officer to negotiate and execute an agreement with the City of Eastlake to provide road salt for the 2023-2024 winter season, and declaring an emergency.

Mr. Thompson 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. 2023-25: Mr. Konrad seconded the motion; the Fiscal Officer indicated that the pricing is uncertain and noted that Eastlake has not billed us the last couple of years for salt.

Roll call- all were in favor of Resolution No. 2023-25.

e.) Resolution No. 2023-26 (Rules Suspended)

A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

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. 2023-26: Mr. Joyce seconded the motion; the Fiscal Officer indicated that this goes along with the Tax Budget that was passed in June, and accepts the rates set by the County Auditor for both our inside and outside millage levies.

Roll call- all were in favor of Resolution No. 2023-26.

f.) Resolution No. 2023-27 (Rules Suspended)

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

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

Mr. Thompson made a motion to approve Resolution No. 2023-27: Mr. Konrad seconded the motion; the Fiscal Officer reviewed the line items and amounts to be amended- Village Hall Deposit Refunds, and Other Contractual Services for the Tree Department- fortunately, the insurance company is reimbursing \$11,000 of

the \$11,500 spent due to the August 25 Storm. Mr. Thompson elaborated on the need for additional appropriations for Trees, and indicated that he does not plan on spending all of it.

Roll call- all were in favor of Resolution No. 2023-27.

g.) Resolution No. 2023-28 (Rules Suspended)

A Resolution authorizing the Mayor to enter into a thirty-sixth month contract with NOPEC for Bypassable Generation for Street Lights within the Village of Timberlake, and declaring an emergency.

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

Mrs. Marra made a motion to approve Resolution No. 2023-28: Mr. Joyce seconded the motion; the 36 month contract provided the best price, there is no fee for early termination. The minimum commitment was for 12 months.

Roll call- all were in favor of Resolution No. 2023-28.

h.) Resolution No. 2023-29 (Rules Suspended)

A Resolution authorizing the Mayor to enter into a contract with Pat Flowers Inc for the purpose of providing line striping within the Village of Timberlake, and declaring an emergency.

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

Mr. Thompson made a motion to approve Resolution No. 2023-29: Mr. Konrad seconded the motion. Roll call- all were in favor of Resolution No. 2023-29.

Reports:

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

General Fund- ending balance through August 31, 2023 is \$392,826.00. Month to date revenue was \$136,063.37 vs expenditures of \$58,855.63 for a net surplus for the month of \$77,207.74; this included our 2nd Half Real Estate Settlement for 2022 of \$106,784.22, after tax collection fees and the Health Department deduction, which totaled **\$4,729.97**. Expenditures were \$12,855 more than anticipated; this was mostly due to costs associated with the unprecedented Storm Damage the Village experienced on the morning of August 25. Fortunately, the insurance company has indicated they will cover \$11,000 of the \$11,500 in expenses incurred by the Village.

General Fund Revenue through August 31, 2023 is **\$8,594.61** less than last year. Revenues in August were approximately \$1,500 less than estimated; this was due to lower than expected Property Tax Revenues. Income Tax also remains 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 \$55,081.72; 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 in August. If the estimated surplus continues to decline, we will 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: there was no other significant fund activity. \$500 in refunds were issued from the 9901 Hall Rental Security Deposit Refund Fund.

- Mr. Konrad inquired about the lower than expected Property Tax Revenues; the Fiscal Officer indicated this is due to vacant properties or those delinquent on taxes.

Editor's note: The Fiscal Officer left early due to another engagement; the remainder of the minutes were transcribed from the video recording.

a. **Mayor:**

- We survived the Storm; thinks we need to clear some more catch basins and lines. Believes tree roots may be the culprit.
 - i. Reminded residents to keep catch basins clear of leaves during the Fall. Service Department will also assist. This should help during heavy rains.

b. **Solicitor:**

- Indicated that Council discussed the Chicken Ordinance during the Work Session, particularly about whether there should be additional restrictions, and what the current zoning code says. Will talk to Gary Gray about side, and rear setbacks, and how the accessory structure described in the zoning code could be used for chicken coops.
 - i. Will be having further discussion on that; Council is not recommending any changes to the Ordinance at this point.
 - ii. No one has requested a permit for chickens yet, but we believe we are ready with what we have in the zoning code right now.
- Mr. O'Leary will not be available for the October 17 meeting, and will have someone else in his place.

c. **Council Members:**

Cynthia Hardwick

- Nothing to report

Ryan Konrad

- As Mayor mentioned, we are going to look at cleaning a few lines; he echoes the need to keep leaves away from catch basins, and noted that Service will be coming around to help.

- Mr. Konrad thanked the Mayor for his help during the Storm aftermath, and gratitude for what the Mayor does on a daily basis.
 - Mr. Konrad went on to describe the events of the Storm, particularly how there seems to be a 100-year rain every month.
 - He also noted how he, Mr. Thompson, and the Mayor went out to survey the damage and help clean up. He noted that the Village banded together to help one another. Additional details of the clean-up efforts and events were provided. He again thanked the Mayor for his efforts.
- The Village is looking at grants for sewer work; the cost to complete this work is a big number, however. They have been in touch with the Lake County Commissioners, Lake County Utilities, and NOACA; Timberlake will need to partner with outside agencies, or other local governments to have a better chance of receiving funding. Will start working on in the Fall and Winter.

Jerry Joyce

- Mr. Joyce thanked the Mayor and Kevin Thompson for their Storm clean-up efforts. Mr. Joyce agrees that this was a family affair in the sense of community coming together.
 - He noted additionally that his son normally parks his car in the driveway where a tree fell. Fortunately, he decided to stay at a friend's and not fight the Storm. They also only lost power for about 15 seconds. The Storm prompted him to purchase a real chain saw; he relayed additional details of the clean-up and helping neighbors.
- Mr. Joyce noted that just three weeks later we had our Clam Bake and had record turnout; he noted that it was a joyous occasion, and it was gratifying to see the community come together.

Margaret Joyce

- Mrs. Joyce related their positive experience at the Village Hall for their daughter's Wedding, and how everyone enjoyed the setting (particularly the sunsets for pictures).
- They began conducting a survey of Lake Shore residents regarding sidewalks, and left flyers for people that did not answer. Spoke to just less than half of them (18 residents); 13 were strongly opposed or had reservations, 5 were strongly in support of.

Nancy Marra

- Mrs. Marra thanked everyone for coming to the Clam Bake; thanked the Mayor for being DJ.
- She related the events of the Storm, and how their driveway and truck was covered in trees, and how the Mayor went out with a chainsaw right away to help clean up. She also noted the good job that Lucca Landscaping did cleaning up. Additional details of events were provided.
- Thanked Patty Palvich for the decorations for the Clam Bake and also Andrea Pollack.

- She indicated that the Village Club still needs to put together receipts to be reimbursed by the NOPEC Community Grant money

Kevin Thompson

- Noted the efforts of the Mayor and the Service Department after the Storm; he wrote a three page article about the Storm and aftermath, which you can find in the Timberlake Times.
- Is looking to get a day's worth of work from a tree company to trim limbs that the Service Department cannot reach, and possibly a couple trees.

e. Police Chief- Monthly Report-

- There were 4 911 calls, 2 accident calls, 2 administrative, 3 animal calls, 14 assists, 2 backups, 1 burglary call, 60 community policing checks, 1 harassment call, 2 hazard calls, 55 house checks, 3 calls for information, 9 investigations, 1 patrol call, 2 phone complaints, 2 property complaints, 1 suspicious person, 4 traffic, 3 tree complaints, 1 traffic report, for a total of 174 reports.
- The Mayor indicated that we will present the information to the Chief about the speeding problem, and have her look into that and have more patrol cars out there.
 - Mr. Konrad noted that Village is also looking at grant funding for speed signs on Lake Shore; there is not much funding out there, however. Police have been out on Lake Shore lately; is concerned about no ticketing; he related additional details of the speeding problem on Lake Shore, and noted kids are getting on the bus there in the morning. He did note that the police are out there during the morning watching for cars going around the bus.
 - There was additional discussion regarding the issue.

f. Zoning/Property Maintenance-

- Gary Gray attended via Zoom, but his microphone was not working. The Mayor presented his report- 2 new roof permits, 2 new driveway permits, 1 shed permit, 2 fence permits, and 2 garage sale permits.

Purchases & Approvals:

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

Mr. Joyce made a motion to approve the August, 2023 Financial Reports.

Mr. Konrad 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):

- Donna Picardini, 99 East Shore Blvd
 - She noted that people are speeding through the Village.
 - She discussed the Playground, and kids using it after dusk; there was discussion about the police checking to see, or asking if kids are doing

anything wrong (*Editor's note: some portions are inaudible*); related that for years it was called a private playground, but then a Mayor indicated that it is actually open to the public. The Mayor said to call Central Dispatch if there are any issues.

- Lisa Stefaniak, 19 Keewaydin
 - Mentioned speeding; there was then a discussion about mailboxes being hit or knocked over.
 - She noted that her number still seems to be tied to the Village electric bill for notifications. They attempted to remove before, but without success. There was additional related discussion. Mayor will ask Fiscal Officer to call the Illuminating Company.

Editor's Note: for additional details and discussion, please see our You Tube Page link for this meeting: <https://www.youtube.com/watch?v=gJ3niYz9vIM&t=61s>

Adjournment

Mr. Joyce made a motion to adjourn the meeting. Mr. Konrad seconded the motion. Roll call: all were in favor. Meeting adjourned at 7:26 PM.

Called by: Mayor

Posted

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

Fiscal Officer, John H. Roskos

Mayor, John Marra