

# Village of Chippewa Lake

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## Council Meeting Minutes

June 12, 2017

The Village of Chippewa Lake Council met in regular session on Monday, June 12, 2017 in the Community Center-Pochedley Hall located at 24 Circle Crest. The Honorable Joanne Dodaro called the meeting to order at 7 pm.

All in attendance stood for the Pledge of Allegiance.

**Present:** Mayor Joanne Dodaro, Clerk-Treasurer Cathy Osborn, Law Director Allan M. Michelson, Council President Keith Riedel, Barb Hunter, Alan Robbins, Brad Schleiter, Tim Karhan, Ken Demeter and Zoning Inspector Jim Brandenburg.

**Motion made by Robbins to approve the May 8, 2017 Council minutes. Riedel seconded. 6 Ayes. Motion approved.**

**The Clerk-Treasurer reported the following bills to Council:**

Joanne Dodaro	218.61
Cathy Osborn	1,846.76
Allan M. Michelson	845.38
Jim Brandenburg	545.37
Ohio Edison	1,198.01
Columbia Gas	43.91

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Tim Karhan	556.06
Keith Riedel	136.13
Barb Hunter	130.13
Alan Robbins	130.13
Brad Schleter	130.13
Ken Demeter	448.43
Albright Security Center, Inc.	1,391.50
Camelot Printing, Inc.	264.43
The Lake Doctors, Inc.	159.00
Spectrum	103.57
Eve Conley	48.00
Pro Touch Lawn Care	1,150.00
Medina County Sanitary Engineers	114.30
Treasurer of State of Ohio	420.00
Bureau of Workers Compensation	38.54
AJ Tree Service LLC	<u>700.00</u>
<b>Total</b>	<b>\$10,618.39</b>

**Motion made by Robbins to pay the bills from their proper funds. Hunter seconded. 6 Ayes. Motion approved.**

Pat McNamara who is a representative from NOPEC said he invited Councilman Robbins to a focus group about six weeks ago. The meeting was in Independence and he was gracious enough to give of his time to attend. He thanked him personally for attending.

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He said the real reason he is here is to honor the Clerk-Treasurer, Cathy Osborn. Cathy was surprised and said "What did I do?" He said she was nominated by Mayor Dodaro. He read a certificate that said "Thank you, Cathy for your many years of dedicated service as Clerk-Treasurer of the Village of Chippewa Lake. You are the glue that held us all together all these years and you have our eternal gratitude and thanks for all you do." Cathy gave her thanks and said what a nice surprise. She received a round of applause. Pat asked if he could take a picture of Cathy and Mayor Dodaro and he did. Mayor Dodaro said she thought the Clerk-Treasurer should be honored.

**Committee Reports**

**Safety:** Robbins read the deputy report for the month of May as follows: Unit patrolling area-2, alarm activated-1, burglary-1, damage to property-1, domestic-1, fire-utility pole/transformer-1, fraud-1, missing juvenile-1, juvenile-1, parking complaint-1, squad or ambulance-7, threats-1, traffic stops-8, unruly juvenile-1, extra patrol-41, suspicious vehicle-1, assist-1, consensual encounter-1, disturbance-1, drugs-1, fire-vehicle-1, golf cart inspection-3, mental-2, open door business/home-1, reckless operation-1, suspicious circumstances-1, traffic problems-2, trespassers-1 and water problem-1. (Report is attached)

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**Safety:** Deputy Harhay just celebrated 20 years of service as a policeman. He received a round of applause. Robbins said he had a chance to sit down with Deputy Harhay who is the village liaison between the Sheriff's Department and the village. Robbins said the village appreciates all the work the deputies do for the village.

Robbins gave the fire report for May since Chief Hall had another meeting. There were 7 EMS calls in the village this month and zero fire calls. Lafayette Township has 12 fire calls and 38 EMS calls this month and Gloria Glens had 3 EMS calls and zero fire calls for May. (Report is attached)

Lafayette Fire Department is a volunteer department. Anyone wishing to join the department is welcome. They also give fire safety tips to keep everyone in the family safe by devising an exit plan in case of fire.

The community had not had any kind of drug recovery program. The Cross Pointe Community Church had launched a recovery program in early May. It's held at 7 pm every Friday at the church on Lake Road. It's run by Chuck Lemmon who is a former addict. If you know of anyone who could be helped by this Program, please have them contact Chuck Lemmon or Pastor Randy K'Meyer.

Mayor Dodaro said she had a question for Deputy Harhay. She said Victoria Macron, Bryon's widow, was at the Family Movie Night on Saturday at Point Park. She was talking to people and her sister was passing out flyers. They just want to find out whatever they can and who may know something about Bryon's death.

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**Safety:** Mayor Dodaro asked if the FBI has been brought in on the case. Deputy Harhay answered, yes. Detective Cartwright is the lead investigator with the FBI assisting him. They have confiscated Bryon's computer. Deputy Harhay said he is friends with Bryon's brother so Bryon's death is on a personal level with Deputy Harhay.

Mayor Dodaro reports about an email she received from County Parks Director, Tom James stating that two weeks ago they received a notice from the EPA that a widespread harmful algae bloom had been detected on Chippewa Lake through satellite images. He said after consultation with the EPA they drew their first samples for testing last Thursday, June 8, 2017. The first test conducted was to determine if the algae present had the genes to produce toxins. It was confirmed indeed that it does have the genes so a toxin level test was also conducted. The first results indicate a level of 10.5 PPB (parts per billion). This is significantly higher than the test conducted last July when the results were 0.315. It is not known what has caused this early algae bloom, the heavy spring rains and the warm winter are contributing factors. The public advisory signs are posted and will remain up while weekly testing continues. If the levels reach 20 PPB we will be required to close the lake to human contact. They will be sending out an email to all registered boaters at some point tomorrow to update them on the status of the lake. A sign is on the beach fence that says they don't recommend swimming for pregnant women and small children.

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**Safety:** Bill Glasenapp said he doesn't see the police cruiser drive down his road. He said as far as he is concerned the police visibility is zero. There have been no parking tickets issued and we have gone to great lengths to give everybody a parking sticker. He said there were two cars parked on his road all day Saturday and Sunday when there is no parking permitted on that street. He said there were people parked in the Point Park parking lot with no permit and they were out fishing. No officer approached them until Mr. Glasenapp did. Robbins told Mr. Glasenapp that there is no reason for him to approach anyone. Robbins asked Mr. Glasenapp if he called dispatch. He said no, is it my job to call dispatch? Robbins said yes if you see something going on that is not correct. They will send a deputy out, they have to it's mandatory and Deputy Harhay will tell you that. Robbins said he runs a committee he is not a policeman. Mr. Glasenapp said alright I will call them.

Mr. Glasenapp also voiced his concern about drivers on golf carts that are underage. They are to be driven by licensed drivers only. He sees kids that 12 and 14 years old should not be driving golf carts. Mayor Dodaro said that is very common here in the summer. Robbins added that it was clearly stated in the recent newsletter that they are to be driven by licensed drivers. If they get stopped they get arrested and the parents are contributing to the delinquency of a juvenile. If there is an accident it gets even uglier.

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**Safety:** The Law Director said there is no representative from ACD.net here tonight. Earlier on June 2<sup>nd</sup> a court in Franklin County in Columbus ruled that this law was invalid for procedural reasons. There were fifteen municipalities that were in support of that. The law won't be enforced until the legislature corrects that. We have the second reading of the ordinance but as long as it remains invalid Council is not compelled to do this. **This is the second reading of Ordinance #813-17 "An ordinance approving the application for a permit submitted by ACD.net to install a cellular utility pole on the right of way adjacent to Lot #227 in the village."** The Law Director will watch for any update on this state law. Connie Glasenapp said she has done some research on utility poles that are near residential properties. She submits print outs of her research for Council to review. She is opposed to this installation in the village. Robbins said none of her descriptors are of the unit that is being considered. He said her data work doesn't detail to the unit being talked about. She is not against the need for enhanced cellular coverage but she doesn't think it should be placed so close to where children and the elderly live. Karhan asked if Council should have a third reading of this ordinance because the legislature is still working on it. The Law Director said yes, he thinks Council should have a third reading because it's already in the legislative hopper. If this lawsuit is not resolved and a new law hasn't been adopted by the time Council has the third reading, it would be legitimate to table it. Unless someone moves to adopt it and it's seconded, Council doesn't have to vote.

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**Zoning:** The Zoning Inspector gave his report for June as follows: **121 Clover Cliff:** She said as soon as the weather permits she will purchase the paint and have someone begin painting the garage. **196 Beachside:** The firewood properly stacked is completed, other issues will be worked on as weather permits. **221 Shadow Shore:** a warning notice for high grass and weeds was issued. This has been corrected. **206 Rustic Rook:** a warning notice was issued for an unlicensed vehicle. Attorney is preparing a citation and fines. **87 Longacre:** An order to correct was issued for property maintenance issues. The Zoning Inspector has been in contact with the owner and repairs and clean up are to begin this week and continue throughout the year.

**Permits**

17-008—333 Lake Road  
PN#048-28A-04-110  
Conditional Use-Hearing for Flea Market

17-010—56 Bungalow Bay  
PN#048-28A-05-55/054  
Permit—Gazebo

17-011—260 Rustic Rook  
PN#048-28A-04-023/024  
Permit—Deck

17-012—221 Shadow Shore  
PN#048-28A-04-265  
Permit—Dumpster

17-013—156 Heather Hedge  
PN#048-28A-04-207  
Permit—Driveway

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**Zoning:** The Zoning Inspector said that Jon Overholt would like to hold the first Flea Market on July 30<sup>th</sup> and possibly one or two more later on. **Motion made by Riedel to approve the Conditional Use permit for the Flea Markets held by Jon Overholt. Schleiter seconded. 6 Ayes. Motion approved.** Robbins asked if he plans to abide by the parking rules already established by Council for no parking on the median strip on Briarwood Blvd. Brandenburg answered, yes.

Dennis Mohn has submitted a letter from a clinical social worker concerning his medical need for raising chickens. Council takes no action at this time. If there is a complaint in the future, Mr. Mohn can apply for a variance.

Brandenburg has scheduled Friday, June 30<sup>th</sup> as the scheduled date to have Lot #227 on Briarwood Blvd cleared. A J Tree Service will clear the trees on that property then. He has proposed to do this for the amount of \$500.00. Anyone who can help assist A J Tree and Inspector Brandenburg, the help is welcomed.

The Law Director reported that concerning 258 Rustic Rook, the county prosecutor has finally done something we have been trying to get him to do for a long time. He has filed a tax foreclosure case against the owner, Lanny Lingenfelter. They filed it on June 1<sup>st</sup> and it's against two properties they he owns. One is a residence in Lodi and the other is 258 Rustic Rook in Chippewa Lake. What this means is that hopefully in a few months this property will go up for a tax sale. The taxes on it are \$4,179.09.

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**Zoning:** There is also an IRS lien against this individual so the IRS is notified that there are State of Ohio tax liens on this property.

The Law Director said that when Council approved the lot split on Lake Road, the condition was that they file an easement. The easement was filed on May 11, 2017.

**Finance:** Cathy said next month she will submit reports for the first half of 2017 for Council to review. Cathy has the bank statement ending March 31, 2017. She has filed a dispute with PNC for a transaction in March and they are reviewing it. The rest of the mistakes have been hers unfortunately and she is correcting those. She is going to go back to the first of the year and review all bank statements so she can understand why she is having trouble reconciling them. She is hoping to have April and May's statements to review and obtain Council's signatures in July. She asked for Council's signatures on the March bank statement.

Cathy said she did accomplish something she has been working on since the beginning of the year. During the 2014-2015 State Audit, Cathy received permission to transfer the FEMA Reimbursement and the Parking Violation Bureau Fund into the General Fund since they had no activity in quite a while. She had assistance with UAN to direct her how to properly transfer the FEMA Reimbursement and Parking Violation Bureau balances to the General Fund.

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**Finance:** This has been completed and it is shown on the Cash Summary Fund report that she submits to Council tonight.

The Law Director said he prepared an ordinance to create the appointed office of Village Fiscal Officer. This ordinance would be effective at the end of Cathy's term which is April 1, 2018 and after that point it becomes an appointed position. The ordinance has to be filed at the Board of Elections by July 10<sup>th</sup>. More and more village are changing over to Fiscal Officers because it allows them to go outside the village to hire for this position, but it also means anyone can apply for the position whether they are qualified or not. This means that Council can get rid of the fiscal officer by a vote of Council if they are deemed to be incompetent. Council sets the term and the pay. Mayor Dodaro said this is not an attempt to get rid of Cathy. She said when Cathy was ill this year they realized they could be totally lost without her. The unique job she has takes a lot of training and none of us could go in and do her job. Robbins said it's a great opportunity to get a control issue in this position. The fiscal officer is appointed by the Mayor and approved by Council.

**Ordinance #815-17 "An ordinance of the Village of Chippewa Lake, Ohio, creating the appointed office of Village Fiscal Officer in accordance with the provisions of section 733.262 of the Ohio Revised Code." was read by title only. Motion made by Riedel to waive the three reading requirement for Ordinance #815-17. Robbins seconded. 6 Ayes. Motion approved. Motion made by Riedel to adopt Ordinance #815-17 as an emergency. Robbins seconded. 6 Ayes. Motion approved.**

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**Finance:** Mayor Dodaro said that four council people and her are up for re-election in November of 2017. Those petitions must be filed by August 9, 2017. Those Council positions are currently held by Alan Robbins, Barb Hunter, Brad Schleiter and Sarah Arend who is joining our council this evening. Keith Riedel and Ken Demeter will retain their seats. The Law Director tells Cathy that the agreements he has put together for a fiscal office are open ended. This means either resignation by the fiscal officer or removal by Council. The Law Director said the term is usually indefinite.

**Building & Utilities:** Cathy had mentioned that whoever is scheduling the paving to be done at the village hall should check with Barb to make sure no one will be using the building during that time. Hunter said everything is running fine with scheduling of groups using the building for their meetings.

**Parks:** Karhan reported that the village has issued 113 gates keys, 168 boat stickers and 151 lake access passes. \$7,620.00 has been collected. **Karhan motioned to encumber \$200.00 for additional beach supplies. Hunter seconded. 6 Ayes. Motion approved.**

The minimum wage has increased for 2017 to \$8.15 per hour. Karhan said we have four of our park attendants that have been with us for over four years.

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**Parks:** They have graduated and it's possible this will be their last year. He would like to give them the title of senior park attendant and they are Riley Braun, Chase Demeter and Kaitlyn Young. Kris Thompson has been our park supervisor for four years also. The only time they have gotten a raise is when the minimum wage went up. **Schleter made a motion to increase the park attendants that have worked the beach for three years a title of senior beach attendant with an hourly increase to \$9.00 per hour. Karhan seconded. 5 Ayes, 1 Abstain. Motion approved. Schleter motioned to increase the beach supervisor an hourly increase to \$10.00 per hour. Karhan seconded. 6 Ayes. Motion approved.** These increases are beginning with the first pay period of the 2017 season.

Karhan said the Lake Doctor came out and really hit Reese's Pond with the herbicide. It killed about 2/3 of the duck weed and the pond is not green anymore.

Pam Williams asked if the village was getting any mulch this year. Pam said she tried to flag him down. Karhan said he was going to have a talk with him.

Mayor Dodaro said that she was talking to the beach supervisor and they think instead of getting new sand this to have Chris Wodzak move around some of the sand that is down there for this year. Schleter said he would call Chris to have him do this work.

Bob Williams said there is a dead ash tree south of the Point Park near the parking lot. If the village could have someone drop it, there is a guy that would be more than happy to cut it up. Karhan will talk to someone about taking that tree down.

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**Community Relations:** Demeter said the Family Movie Night went very well. There must have been about 100 people there. A special thanks to Lafayette Township Fire Department and Lafayette Township for all their help and hard work. Thanks to Bob and Pam Williams for allowing him to use their popcorn machine for that evening.

The fishing derby will be held on Saturday, June 17 at 12:30 pm. There will be a contest for biggest fish, smallest fish and most fish. They have a prize wheel this year with a bunch of small prizes.

Mayor Dodaro reminds everyone that after the ski show there will be the popular cardboard boat race. The Chippewa Lake Lions Club sponsors the Fourth of July parade that will begin at 1 pm.

**Streets:** Riedel said a couple of broken catch basin/storm sewers have been replaced. The repair of about 300 pot holes is scheduled to be repaired within the next two weeks. The village hall parking lot extension is also being scheduled for asphalt. Brent Osborn reminded Riedel that there is a manhole and a valve in that parking lot. Riedel will check on that before they come in to asphalt.

**Law Director:** He said he has two cases in court. One case the defendant was convicted of operating a motor vehicle under the influence of alcohol. The sentencing is June 26, 2017. The other case is a domestic violence charge which is set for trial on June 30<sup>th</sup>.

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Mayor Dodaro went to the audience for any questions, comments or concerns. Bob and Pam Williams thanked Tim and Sharon Karhan for all they did to help the community. Tim thanked everyone who helped because he couldn't have accomplished anything without them. Mayor Dodaro thanked Tim and Sharon Karhan for their contribution to Council and the community. They will be missed by many. Mayor Dodaro accepted Tim Karhan's resignation. This will be Tim Karhan's last meeting as they are moving out the area to be with their family.

**Motion made by Riedel to nominate Sarah Arend to the open seat on Council. Robbins seconded. 5 Ayes. Motion approved.** The Law Director swore in Sarah Arend to the open council seat vacated by Karhan. She received a round of applause. Sarah will be the chairperson of the Zoning Committee and Brad Schleter will move to chair the Parks Committee.

**At 9:10 pm, Riedel made a motion that the meeting be adjourned. Schleter seconded. 6 Ayes. Motion approved.**

**Next Meeting: Monday, July 10, 2017, 7 pm, in the Community Center-Pochedley Hall, 24 Circle Crest.**

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**Joanne Dodaro, Mayor**

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**Cathy Osborn, Clerk-Treasurer**