

# Village of Chippewa Lake

P.O. Box 25

Chippewa Lake, Ohio 44215-0025

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## Council Meeting Minutes

February 8, 2010

The Village of Chippewa Lake Council met in regular session on Monday, February 8, 2010. The Honorable Mayor Joanne Dodaro called the meeting to order at 7:30 pm. The meeting was held at the Church at the Lake United Methodist at 7824 Lake Road.

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, Members of Council Debbie Bican, Barb Hunter, Alan Robbins, Brent Osborn and Tom Melter.

**Motion made by Robbins that the minutes from the Monday, January 11, 2010 Council meeting be approved. Osborn seconded. 6 Ayes. Motion approved.**

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

Joanne Dodaro	218.45
Cathy Osborn	1,120.18
Allan M. Michelson	1,004.01
Robert Locher, Jr.	332.52
John Burke, County Treasurer	3,384.80

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**Bills (Continued):**

Time Warner Cable	89.38
Ohio Edison	1,205.65
Columbia Gas	67.85
Medina County Engineer	2,381.11
Medina County Emergency Management	650.00
Katrina Sommers	155.40
Ohio Public Employees Retirement System	608.56
Postmaster	56.00
Jenkins Maintenance	3,388.00
Medina County Sanitary Engineers	68.70
Bill Zweifel	<u>500.00</u>
<b>Total Of All Bills</b>	<b>\$15,230.61</b>

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

Mayor Dodaro asks if Billie or Becky Ellison of 88 Clover Cliff is here tonight. No one was in attendance to answer a vehicle violation notice issued by the Zoning Inspector Bob Locher. The Inspector has cited them for two vehicles with expired registration and in the back of their property is a vehicle frame with a motor that needs to be removed. Mr. Ellison has requested until the end of February of get the two vehicles licensed.

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Inspector Locher will also advise Mr. Ellison that he must remove the frame and motor from his back yard. **Motion made by Riedel to give the Ellisons until February 28, 2010 to bring two vehicles, car frame and motor into compliance or remove them. Osborn seconded. 6 Ayes. Motion approved.** Cathy will advise Zoning Inspector Bob Locher of Council's decision.

Jerry from the Medina County Auditor's office is present tonight. He said that the auditor's office has been administering the Homestead Act for a lot of years. A couple of years ago the state made it so that everybody who is 65 years and older and lives in the home that they own they can shelter \$25,000.00 in value of that home. People who are eligible have until June 1<sup>st</sup> to sign up.

Jerry said that there was a contest to design a new county auditor seal that goes on gas pumps and scales. The winners were from the Cloverleaf school system.

**Committee Reports**

**Safety:** Fire Chief Jeff Hall distributed the December of 2009 and the January of 2010 activity reports. For December, the department had two EMS calls and no fire calls. For the entire year in the village the department had 20 fire calls and 48 EMS calls. The village has only had one EMS call so far this year.  
**(See attached reports)**

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**Safety (Continued):** Chief Hall hopes that everyone will attend their "All-You-Can-Eat Breakfast" that is served every Sunday in February from 8:30 am to 1:00 pm at the Chippewa Lake station.

**Happy Birthday to Assistant Fire Chief Brad Winter!**

Barb Hunter read the patrol report for the month of January. The deputies worked a total of 76 hours for the month. The report continues as follows: .5 hour working on reports, 1 written report taken, 2 calls assigned by dispatch, 22 self-initiated calls, 58 citizen contacts, 7 assists to citizens, 1 traffic stop, 1 written warning, 1 suspicious vehicle and 4 presences at fire-rescue calls. The deputies logged 347.5 miles on the cruiser using 33.3 gallons of gasoline. **(See attached report)**

Hunter said she knows that the lake belongs to the Parks District now, but asks Deputy Easterday to clarify if snowmobiles and/or ATVs are allowed on streets. Deputy Easterday said that the village is a municipality and snowmobiles and/or ATVs are NOT allowed on village streets. Mayor Dodaro encourages those that see snowmobiles and/or ATVs on the village streets to please call the Sheriff's Department at 330-725-6631.

Hunter said that with the snow we have been getting when clearing your driveway and around your mailbox, please don't forget to clear the snow away from nearby fire hydrants.

**Zoning:** Brent Osborn reports that the Zoning Board met on Tuesday, February 2, 2010 at the Church at the Lake. **(See attached minutes)** The minutes from the January 5, 2010 Zoning Board meeting were approved.

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**Zoning (Continued)**: Osborn reported that Jeff Schmitt had requested a copy of the zoning minutes from the previous month and he did receive those.

The property on Lake Road that has a dumpster is now owned by Sweetbriar. They have requested until April 15, 2010 to move the dumpster and place a fence around it. The Zoning Board approved that request. They also asked for guidance as to where to place the dumpster on the property. It was suggested that there may be room behind the building (driveway) as long as it is reachable by truck. Locher to investigate and advise.

117 Clover Cliff: Locher provided photos and license plate numbers to Deputy Easterday of vehicles that are parking in that driveway when the house is vacant. The Zoning Board is not sure if there is anything they can do because the owner of the property has not complained and it is not a zoning violation.

Osborn reports that the vehicle violations against Billie and Becky Ellison have already been addressed. Council has given them until February 28, 2010 to bring the vehicles into compliance or remove them.

Osborn said that there was a red vehicle parked on the grass at the Sherry Hannahs property located at 155 Brookshore. It was reported that this vehicle has been there since the weekend. Deputy Easterday will check to see if the vehicle is still parked there after the meeting and if it is he will cite them. Sherry Hannahs did contact Cathy to make a payment arrangement for an outstanding ticket. Cathy said she has until February 10, 2010 to make this payment.

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**Zoning (Continued):** 273 Rustic Rook and 258 Rustic Rook:  
They were both cited for vehicle violations and have not responded. The Law Director has filed charges against both of the property owners for the vehicles that are in violation.

Osborn checked into a report that in Fairview Park a potential buyer was not able to obtain a loan because the house was zoned commercial. Osborn said he checked with three of the area banks and two (Third Federal and National City-PNC) said that they would not have a problem making a loan like that. The one bank (First Merit) said they follow the Fannie Mae rules and they would not be able to make that kind of a loan. Osborn asked about changing our zoning laws so the village could make all properties a "mulit-use district". They said that wouldn't help because the Fannie Mae rules say that you have to go by "best use". The property could be financed, but not as a residential loan. The Law Director said that the banks he talked to didn't have a problem with making a residential loan on commercial property.

Mayor Dodaro asks the Law Director to contact MC Real Estate about their sign advertising 7½ acres of commercial land. This is for the church property near the intersection of Lake and Chippewa Roads. Mayor Dodaro said that only the property that is towards the front of Lake Road is commercial, but the rest is residential. The Law Director will contact MC Real Estate to clarify this.

Osborn reported that the utility trailer on Beachside Blvd has non-commercial plates on it so it is not in violation of zoning.

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**Zoning (Continued):** The Law Director is checking into that it may be a possible deed restriction violation for that property.

Osborn said that the January Work Session was cancelled. The next **Work Session** is scheduled for February 24, 2010 at 7 pm at the Church at the Lake. The next **Zoning Board** meeting will be held on Tuesday, March 2, 2010 at 7:30 pm at the Church at the Lake.

**Finance:** Cathy said she submitted the 2010 Village Appropriations to the County Auditor's office. She has submitted the Village's annual financial report to the State Auditor. All fourth quarter and end of year reports have been completed along with W-2s that were mailed before the deadline.

Cathy said she was very busy in January and did not get a chance to call the Department of Safety to inquire about the \$10.00 license tax in the village, but hopes to get the chance before the next Council meeting.

Cathy has just received a list of about thirty-five documents requested to begin the state audit.

Cathy has received the new 2010 W4 forms and asks if anyone on Council wants to change what they have on file. No one wishes to change and she gives Tom Melter a form to fill out for her records. Tom wishes to participate in Social Security instead of OPERS.

Cathy distributes the bank statement ending January 29, 2010 showing all balances are reconciled. She asks Council for their signatures on her copy.

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**Finance (Continued):** Cathy reviewed the Cash Summary by Fund monthly report with Council. The starting balance as of January 1, 2010 in all funds was \$195,153.40. The funds are General, Streets, Permissive, Pochedley Trust Fund and Parking Violations Bureau. The total receipts from January 1<sup>st</sup> to February 8<sup>th</sup> before the approved bills are paid were \$8,846.88. The expenditures were \$22,155.95. The Star Ohio account presently has a balance of \$12,280.39. The ending balance was \$181,844.33 with a checking balance of \$169,563.94.

Cathy said she doesn't have anything further at this time.

**Buildings:** Tom Melter distributes his monthly report to all members of Council and Mayor Dodaro. This report summarizes what was done over the past month. Melter has sent frequent email updates on the progress throughout the month. There was a Buildings Committee meeting on January 13<sup>th</sup> where he reviewed the plans and the changes with the committee. **(See attached minutes)** The committee decided to add back in the record and the sign room which will actually become the police office. One outside office window will be made into a door for an additional cost. The plans do not call for full ceilings in the three rooms. The committee thought for security purposes that the village should put in full ceilings in all three rooms. The committee discussed the obstacles to starting work on the building. The committee decided that the Lexington Homes quotes can be used to start. The committee decided to see how far we can go using the Pochedley Trust fund money.

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**Buildings (Continued):** The committee directed Melter to contact the Law Director to have contracts drawn up for this meeting using Pochedley Trust Fund money. The committee agreed to hire Bill Lee as our consulting general contractor. Brent Osborn advised that we have already agreed with the plumber to use a 40 gallon hot water tank in the south furnace room to feed the hot water for the restrooms and also the utility room. This means the south furnace room will have to be made larger and the framer said that was not a problem.

Tear down and removal of the old building was the next topic. Melter received a quote from TRW Construction out of Richfield, Ohio in the amount of \$1,800.00 to demolish the building and remove the materials. The village will need a PODS container on site to store all records and other belongings that the village wishes to retain. Melter has arranged for an 8 ft x 8 ft x 16 ft container to be delivered on site on Friday, February 12, 2010. He is planning that all utilities should be disconnected by Thursday, February 11, 2010. The committee discussed parking lot considerations. Melter spoke to Charles Huber who is the building inspector for Medina County. He said there is no required number of parking spaces. The state code only regulates handicapped parking spaces. The village needs one van accessible handicapped parking space (which is 8 feet wide) for every 1-25 parking spaces put in. According to Don Bican who is a member of the Zoning Board, the zoning requires the village needs to concrete or asphalt the parking lot. The village will decide how many parking spaces to put in depending on dollars we have to work with.

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**Buildings:** Melter believes that the current parking lot lighting will be sufficient for now. Melter said that Columbia Gas advised it would be \$1,150.00 hook up to reconnect the new building. Ohio Edison today gave Melter an estimate of \$1,250.00 to reconnect. Melter has organized a moving party on Saturday, February 13, 2010 at 9 am to move all belongings in the old building and the new building into the PODS container in preparation for the demolition of the old building. Melter has put this PODS container on his credit card at a cost of \$69.00 per month. The village will issue him a check each month for this expense. Melter said that using the Pochedley funds will get us to the drywall phase of the project. The building will be insulated, but no drywall will be installed and restrooms cannot be completed. The contractors for this work would be: tear down and removal of old building; TRW Construction, \$1,800.00; framing walls, outside door and new ceiling with insulation; Lexington Homes-\$6,700.00; install the electric; Ron Pfaff Electric-\$13,240.00; and install the HVAC; Lake Refrigeration-\$12,750.00; and general contracting services with Bill Lee of Lexington Homes; \$1,000.00. Councilman Osborn asks Melter if the quote for electric and HVAC is for the job complete meaning both the rough and the finish work. Melter said yes it is for the complete job. The Law Director has prepared five contracts as requested by Melter. The contract provides that the work will be paid for on completion and approval of an appropriate representative of the village.

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**Buildings (Continued):** The contracts are in typical format where they declare they are independent contractors, they are responsible for all damages and injuries that might occur, they will comply with the law, and they will have an insurance liability policy of no less than one million dollars which will be submitted to the village and proof of worker's compensation.

**Motion made by Riedel to approve the contract with TRW Construction for tear down and removal of the old building in the amount of \$1,800.00. Riedel seconded. 6 Ayes. Motion approved.** Cathy said she has received their certificate of insurance, but still needs their proof of workers' compensation.

**Motion made by Robbins to approve the contract with Lexington Homes for rough framing of the walls with ceiling and insulation work in the amount of \$6,700.00. Osborn seconded. 6 Ayes. Motion approved.** Cathy has received their certificate of insurance, but still needs their workers' compensation.

**Motion made by Riedel to approve the contract with Ron Pfaff Electric for the installation of electrical equipment in the amount of \$13,240.00. Osborn seconded. 6 Ayes. Motion approved.** Cathy has their proof of workers' compensation but it will expire on February 28, 2010. Cathy is waiting to receive their certificate of insurance.

**Motion made by Robbins to approve the contract with Lake Refrigeration for the installation of heating, ventilation and air conditioning in the amount of \$12,750.00. Bican seconded. 6 Ayes. Motion approved.** Cathy has their certificate of insurance, but waiting on workers' compensation.

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**Buildings (Continued):** Motion made by Bican to approve the contract for general contracting consulting services with Bill Lee of Lexington Homes in the amount of \$1,000.00. Riedel seconded. 6 Ayes. Motion approved.

The Law Director has a comment he wants to make which is that the Pochedley Trust funds can be used for acquiring properties and developing and maintaining the park. The Pochedley funds were used to buy the Reese's Pond property. He suggests that a sign be erected on the Reese's Pond property and also near the new building stating that this is dedicated to the memory of Elizabeth Pochedley. Council will give this idea further thought, but will erect signs in the near future. **Motion made by Riedel to put up signs at Reese's Pond and near the new building pending the decided language. Melter seconded. 6 Ayes. Motion approved.**

Melter said that in order to hook up gas and electric he still needs \$2,400.00. **Motion made by Robbins to encumber up to \$1,568.52 from the General Fund to hook up Columbia Gas and Ohio Edison. Riedel seconded. 6 Ayes. Motion approved.**

**Community Relations:** The Village Pride Committee had a meeting on January 17, 2010. They had a good planning meeting and it was stated that their treasury has \$2,097.93. There is still \$232.00 in village funds designated for **permanent** improvements for village lands and or buildings that was donated by Lloyd Naragon. Their next meeting will be on April 26<sup>th</sup>; Village Clean Up Day will be on May 15;

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**Community Relations (Continued):** May 24<sup>th</sup> will be flower planting day; July 4<sup>th</sup> is of course the annual Lions Club Fourth of July parade. Keith Riedel has presented an idea for a cardboard boat race held at the waterfront; July 17<sup>th</sup> is the Christmas in July boat parade; somewhere around July 19<sup>th</sup> they will start judging for the Village Pride awards; August 22<sup>nd</sup> will be the Village Pride party; August 28<sup>th</sup> will be the Farmer's Market and on December 19<sup>th</sup> is scheduled for the Christmas caroling.

They talked about the need for people to maintain village flower beds. They also discussed the judging of Christmas decorating which everyone thought was a good idea.

Neighborhood Watch has no new activities to report.

The competition dates for the Ski Team are July 10<sup>th</sup> for regionals and August 14<sup>th</sup> for nationals. Melter mentions that the Ski Team will hold its annual dinner-silent auction at the Oaks Lodge on March 19<sup>th</sup>.

No new activities to report for the Lions Club. Mayor Dodaro said that more new members were sworn in last month.

The Bureau of the Census is working on how people with post office boxes can obtain their census packets. Those locations have not been announced yet. Their website has a lot of additional information at: [www.2010census.gov](http://www.2010census.gov)

The Upper Chippewa Creek Watershed, the Balanced Growth Program has not had any new meetings. They did receive funding to proceed with that, but no actions taken at this point.

Robbins said he was at a trade show about a week ago and he had the opportunity to talk with Tom James of the Medina County Parks District.

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**Community Relations (Continued)**: He said the Parks District has received a grant from the ODNR (Ohio Department of Natural Resources) Watercraft in the amount of \$495,000.00. He will have to match approximately \$130,000.00 to that \$495,000.00. This will be for a boat ramp that is targeted for Westfield Landing where the road comes down and joins at the water. Robbins said he expressed his concerns about that location to Mr. James. It's the prime real estate of the lake, it is a wind protected area and it's a sandy beach and a lot of people like to go there. He still has to go through EPA, Army Corp of Engineers and probably Watercraft so he still has some hoops to jump through.

Tom James did not anticipate any rules changes in 2010, but was going to focus on dock issues. The data work that he had done on inventory of the boats and the docks has not been completed yet.

The last topic Robbins has on his agenda is the Medina County Planning Department's Chippewa Lake area planning meeting. Mayor Dodaro and Robbins attended the introductory meeting at the Oaks. There was to be another meeting on January 18, 2010, but that meeting did not take place. The Planning Department was requesting verbally through Patrice Thieken for the village to join would be around a \$750.00 funding request. Robbins said he sent an email to Patrice last week, but never received a reply back. There are no new activities to report.

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**Streets:** Riedel said that by the end of this week he should hear something from Columbia Gas about what they are going to do on Craggy Creek. He said that up until about a month ago Columbia Gas did not want involved in this project, but they have decided to put in new lines on Craggy Creek.

Riedel said he spoke with Engineering Associates and the village will be able to get a reissue for our schedule for Phase Four. He is hoping that the bids will be opened at the end of February for this project. The projected start dates for Phase Four are from April 15-May 1, 2010. The highway department is fine with the way we will be changing Craggy Creek on the Beachside and Chippewa Road ends. Medina County Sanitary Engineers have marked off their plumbing and they are OK with the Phase Four plans. The road will be inverted just like the others with the storms going down the middle. Riedel said that some of the previously done roads have some separation in the middle of the road. It is being discussed to use a new material which would provide for a four foot overlap down the middle of the road which would correct the separation issue.

Riedel said that the snow plowing has been going on schedule and he is doing a good job. He hasn't heard any complaints. Riedel said he is putting down enough salt to do the job, but not excessive amounts. Riedel has told him that between the hours of 1 am and 5 am it is alright to let the snow build up to four inches before it is necessary to treat the roads. The village does want the roads serviceable by 6 am.

Riedel said he brought this topic up at the last Council meeting and he thinks the Law Director may have an ordinance prepared.

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**Streets (Continued):** Riedel would like to see an ordinance passed that keeps the stop signs up at the intersections of Longacre and Lazywood and also Heather Hedge and Rockridge all year. Mayor Dodaro said she has been watching cars going up Longacre all winter and she doesn't think they will be able to stop if the signs are kept up in the winter months. The stop signs going up and down seasonally began a long time ago when a guy on a farm tractor was plowing the roads. Riedel said that our roads are serviced professionally now and that stopping at the signs should not be a problem. **Ordinance #692-10 "AN ORDINANCE REPEALING ORDINANCE #355-86 AND PROVIDING FOR PERMANENT STOP SIGNS AT THE INTERSECTIONS OF ROCKRIDGE DRIVE AND HEATHER HEDGE DRIVE AND LONGACRE AND LAZYWOOD AND DECLARING THE SAME AN EMERGENCY."** Ordinance #692-10 had its first reading. The Law Director said in the body of this ordinance it will state that the stop signs at Lazywood and Rockridge were permanent and will remain permanent. The stop signs at Longacre and Heather Hedge now become permanent. This ordinance would become effective on April 15, 2010.

**Parks:** Bican said she doesn't have anything to report as her parks are a frozen tundra. She is talking with past beach attendants to try to determine who is interested in coming back for this year. Mayor Dodaro said that Cyndy Naragon is working on things to mail out for lake access passes this year.

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**Law Director:** The Law Director said that he has just two pending cases that are in Medina Municipal Court with no court dates yet.

The Law Director has prepared two ordinances pertaining to the electric aggregate issue. The first ordinance would approve the agreement with FirstEnergy Solutions to form an aggregation contract with them. That agreement would have no effect if the validation doesn't pass. This nine year agreement would only go into effect if the issue is passed by the voters.

The second ordinance is to put the question on the ballot. This has to be filed by next Thursday, February 18, 2010 and will appear on the May 4, 2010 ballot. If this issue passes the village will receive a grant and the residents will receive a six percent savings on the transmission part of their electric bill.

Robbins has done some checking and said this is a good program and has been done for a number of years. Robbins asked if Medina County is proceeding with this also. The Law Director said yes they are, but they only cover the unincorporated territories. The Law Director said that the county does not govern the village because we are a separate entity and we are incorporated. The village is free to make our own arrangement with First Energy. It will be important to get the word out what this aggregation issue is before they read the confusing language on the ballot.

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Law Director (Continued): The Law Director reads the language as it will appear on the ballot as follows: **"Shall the Village of Chippewa Lake have the authority to aggregate the retail electric loads located in the village and for that purpose enter into service agreements to facilitate for those loads sale and purchase of electricity; such aggregation to go automatically except for when a person elects to opt out."** This is good for the village and good for the residents and it is important for them to completely understand what we are asking them to vote on. **Motion made by Riedel to waive the three reading requirement for Ordinance #693-10. Bican seconded. 6 Ayes. Ordinance #693-10 "AN ORDINANCE APPROVING THE MASTER AGREEMENT TO PROVIDE SERVICES TO AN AGGREGATED GROUP BETWEEN THE VILLAGE OF CHIPPEWA LAKE, OHIO AND FIRSTENERGY SOLUTIONS, CORP., AND AUTHORIZING THE MAYOR OF THE VILLAGE TO EXECUTE THE AGREEMENT ON BEHALF OF THE VILLAGE AND DECLARING THE SAME AN EMERGENCY."** was read by title only. **Motion made by Bican to adopt Ordinance #693-10 as an emergency. Melter seconded. 6 Ayes. Motion approved.** This allows Mayor Dodaro to sign this agreement and will only go into effect if the ballot passes.

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Law Director (Continued): Motion made by Robbins to waive the three reading requirement for Ordinance #694-10. Melter seconded. 6 Ayes. Motion approved. Ordinance #694-10 "AN ORDINANCE AUTHORIZING A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS, PURSUANT TO SECTION 4928.20, OHIO REVISED CODE, DIRECTING THE MEDINA COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS, AND DECLARING THE SAME AN EMERGENCY." was read by title only. Motion made by Riedel to adopt Ordinance #694-10 as an emergency. Bican seconded. 6 Ayes. Motion approved. The Law Director needs Mayor Dodaro's signature on several documents and he will then file this with the Board of Elections.

Cathy reminds Council that the village's agreement with C Martin Trucking will expire on July 31, 2010. This was a five year agreement. The Law Director will put together bid specifications and a map and then place the ad in the newspaper advertising for bids. The Law Director sends the specifications to everyone who has bid in the past. The Law Director will plan to advertise for bids in the beginning of April and in the beginning of May and have all sealed bids opened at the June 14, 2010 Council meeting.

New Business: Dee Dee Duecker said that she heard that the movie that was made at the old amusement park will preview in New Jersey.

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**New Business (Continued):** Medina County sent a couple who owns vacant land on Rustic Rook to our Council meeting for a zoning permit. They were instructed to contact Bob Locher to obtain the zoning information they were looking for. Mayor Dodaro apologized for having them sit through a council meeting without getting the information they were looking for. Cathy will also send Inspector Locher an email to advise him about the couple who needs to speak with him.

Mayor Dodaro received a letter from the Medina County Commissioners and they are looking for someone to serve on a committee pertaining to senior citizen's services levy.

Mayor Dodaro said that she has received a letter from Judith Cross who is involved with the Society for the Prevention of Cruelty to Animals. In her letter she is asking for a donation of \$400.00 to help this organization. Council has decided not to make a donation at this time. Cathy will send her a letter to advise her of council's decision.

**At 9:45 pm, Riedel made a motion that the meeting be adjourned. Bican seconded. 6 Ayes. Motion approved.**

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**Next Meeting: Monday, March 8, 2010 at 7:30 pm at the  
Church at the Lake United Methodist located at 7824 Lake  
Road.**

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**Joanne Dodaro, Mayor**

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**Cathy Osborn, Clerk-Treasurer**