

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – JUNE 11, 2018**

Mayor Dodaro called the meeting to order at 7:06 PM.

A roll call was taken with the following officials present: Ken Demeter, Keith Riedel, Sarah Arend, Alan Robbins, Barbara Hunter, Lowell (Bud) Hardesty, Allan Michelson – Solicitor, Gary Harris – Fiscal Officer and Jim Brandenburg – Zoning Inspector; visitors Bill and Connie Glasenapp, Kelly Schmotzer, Al Junke, Pam Williams, Carol Hannon, Tamitha Sorgi, Nancy Carr, Shelly Baltic, Scott Holtschulte, Mark Chapman, Ed Brisbane, Diana and Tim Komjati, Dawn Hennie, Andy Weimer and Chief Hall.

The Mayor thanked Ken for doing such a great job in releasing the Newsletter.

The Mayor announced that tonight we are starting something new by asking all visitors to “sign-in” to better assist the Fiscal Officer who does not yet know all the residents by sight.

Council Reports:

Safety

Alan reporting:

1. Chief Hall presented the fire department report; he invited everyone to attend the groundbreaking ceremony for the new Fire Station taking place on June 16th at 11:00 AM at the intersection of Technology Drive and S.R. 162
2. Alan read the Medina County Sheriff’s Office Incident Report to Council
3. Alan reminded home owners that they can contact the Sheriff dispatch to report leaving on vacation and they will advise the officers to watch such homes more closely while citizens are on vacation

Zoning

Bud and Jim reporting:

1. Jim read the Zoning Report to Council after which he opened the Variance Hearing, with home owner Shelly Baltic in attendance, relating to 168 Brookshore Drive pertaining to a temporary swimming pool and a request for a variance since it is not 10’ from the property line but actually 3.5’; neighbor Scott Holtschulte spoke in support of the variance and saw no problem with it; Allan asked if any other neighbors were present and no one responded; Allan asked Jim if he sent notifications to all the neighbors about tonight’s hearing and Jim confirmed that he did; Bud raised a concern about draining the pool at the end of the season and Shelly responded that she has a valve and drain hose attached to the pool to drain the 4200 gallons and she does a “slow release”, so as to not overburden the area into which she drains allowing the ground to “soak up” the water; Jim confirmed that the Village is looking into Zoning Pool regulations
2. **Bud made a motion for a roll-call vote on the variance, seconded by Keith. 6 ayes, 0 nays the Variance Passed**
3. Jim then did a brief review on the revised Zoning Permit Application (18-023) for 388 Craggy Creek and how the changes now positions the proposed structure with a 20’ setback, 10’ from one property line on one side and 11’ from the property line on the other side; he confirmed that a driveway permit will be required if the owner ever wants to add a driveway; Bud then opened it up for public comment and also stated that the revised plans comply with Zoning and that there is no longer a need for a variance; resident Nancy Carr voiced concerns that if a driveway were ever constructed that there would be three driveways in close proximity she also

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questioned the location of a bathroom in this proposed structure and that this might become an apartment which is not allowed (dual family unit) in our Zoning; Bud responded that a bathroom on the first floor and a driveway, if the owner desires to install one, does not go against the existing Zoning Code; Al Junke raised concerns about how the sketch shows Northvale as a straight road when in reality it is a curving road and voiced a concern about the impact on a curved road and not as sketched; the Mayor asked about “pass thru lots” and perceived restrictions which Al Junke confirmed he has a similar situation on his property; Bud stated that we are talking about the Craggy Creek property and not any other property at this moment and that if a proposed structure will straddle property lines a variance is required but this property at 388 Craggy Creek does not meet this requirement for a variance; Diana Komjati stated that this property does not meet code and she distributed her notes on this point to Council citing that the code does talk about preserving green-space and that the proposed structure is not green-space friendly; Bud stated that the proposed structure is within code and that no variance is required to which Diana referred Council to page 34, section 704 and how this structure does not meet all of the language contained in the code under this section as relates to green-space; Tim Komjati asked about the Community Center’s footprint and how the proposed structure is about the same size as our Center which is too large for the lot in question; Allan responded that the proposed structure meets code and Council cannot arbitrarily decide to go against code to which Tim voiced his concerns on the resulting impact to property values; Allan stated that the Village would not be in a good legal position if we did not grant a permit for a structure that is in full compliance with code and reminded all that property owners also have rights that one must recognize and suggested a motion to approve or disapprove the permit by Council; Ed Brisbine stated that he intends to list his property and the size of the structure going up and the loss of green space are concerns for him; Bud questioned those present if a home were going up instead of this building what arguments would there be; when a home or building are within code Council cannot vote against it; Bud appreciated those attending and voicing their concerns but there is no mechanism to deny this permit and we cannot argue the emotional aspects of this permit; Nancy Carr stated that this is most sad about building a structure that is not a home to be this large and also sad that they had not thought about the community and that this will happen again and again once this is passed; the Mayor reminded everyone that last month Council “denied” the permit because it did not meet code and the concerns raised by those in attendance – Council had and does listen to the concerns of the citizens

4. **Keith made a motion for a roll-call vote on Permit 18-023, seconded by Barb. 4 ayes, 2 nays the Permit is granted**
5. Barb mentioned that when there is a building located on a rental property, originally intended for a boat storage, but then becomes storage for a personal business that this then becomes an issue since it is against the zoning code; if this were to happen anywhere in the Village this would be a code violation that Council can take action against
6. Bill Glasenapp questioned maintaining property while it is undergoing rehab at 258 Rustic Rook; Jim confirmed that he has sent the owner an e-mail and left a voice message about this issue at this location and if he issues a warning the owner will have 5 days to correct the issue

Finance

Gary reporting:

1. Opened the Public Hearing for the 2019 Operating Budget that was advertised in The Gazette on May 31, 2018; he asked if any of the visitors had any questions or if anyone on Council had any questions about the budget distributed to Council on April 18th – no

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- questions or comments were offered by the visitors or Council; he confirmed that the budget will be released to the Medina County Auditor as authorized by Council at the May 14th Council Meeting
2. confirmed that he distributed the corrected May Council Meeting Minutes to government officials on June 1st and asked if there were any questions or comments – none were offered
 3. **Alan made a motion to accept the corrected May Minutes as released on June 1st, seconded by Keith. 6 ayes, 0 nays**
 4. confirmed that he distributed June's Bills needing approval earlier today and that two late additions for Park Supplies and Beach Attendant Shirts brings up the total for bills to be approved to \$9,827.95; he asked if there were any questions or comments – none were offered
 5. **Alan made a motion approving the June Bills for payment and distribution, seconded by Ken. 6 ayes, 0 nays**
 6. confirmed that on June 9th he sent all government officials the May Bank Reconciliation Report reflecting that all accounts are "in balance"; he asked if there were any questions or comments – none were offered
 7. **Alan made a motion approving the May Bank Reconciliation Report, as distributed, and authorizing Council to sign the report, seconded by Ken. 6 ayes, 0 nays**
 8. indicated a need to revise Ordinance 740-12 (Door to Door Solicitations) replacing Village Clerk with Village Fiscal Officer; Allan indicated that since the two positions have similar duties and responsibilities this change is not necessary
 9. asked if there was a need to retain the 2016 and 2017 Council Meeting packets located on the table in Village Hall and he was advised by the Mayor that they are not necessary
 10. the Mayor wants to consider acquiring a new printer and Bud offered to locate one
 11. **Barb made a motion to authorize the purchase of a new Community Center printer and authorizing up to \$500 for this expense, seconded by Alan. 6 ayes, 0 nays**
 12. confirmed that he has been contacted by the State Auditor's Office who wants to begin the 2016/2017 audit of the Chippewa Lake financial operations and that they are targeting an end-of-June date to pick-up all records; he confirmed that just today he opened the 2017 file box to begin sorting and organizing files and that he is not certain if he can meet the end of June targeted date and confirmed that he will continue working on the files in preparation of the audit

Community Relations

Ken Reporting:

1. expressed his appreciation to Camelot Printing for the fine job they did in printing the Newsletter
2. announced the Fish Derby that is scheduled to take place on June 23rd beginning at 1:00 PM
3. announced that he is putting the Cardboard Boat activity on hold this year; the Mayor asked him to reconsider and suggested including other recreational activities be included

Buildings & Utilities

Barbara reporting:

1. confirmed that the siding that blew off the Community Center has been replaced
2. confirmed Spectrum had been expected to install the WIFI for the Community Center as well as monitoring capabilities, via camera, but determined at the time of the install that there is no cable connection in the Community Center; discussed the options of running the cable through

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a trench that would have to be dug in the parking lot or run it overhead; the overhead option was selected and Allan confirmed that the tech to plug the equipment into the modem, once installed, will not need to provide proof of liability or workers comp insurance

3. confirmed that once WIFI is installed in the Community Center the password will be changed monthly and issued before each meeting
4. confirmed that some of the children are taking the new gravel from the playground, just recently delivered, and dumping it into drains; Council recommended contacting the Sheriff's department to have them speak to the parents of these children about this issue

Parks

Sarah reporting:

1. expressed her gratitude to Bill Glasenapp for his ongoing efforts and great job collecting and reporting on the various Park and Lake passes
2. confirmed that the sand was delivered to the beach area and that Joshua Khalil and Morgan Hallock did a great job in spreading all of that sand and stuck with it until completed
3. confirmed that the beach is remaining open while the lake remains closed
4. confirmed that the volley ball nets have been purchased and that the shuffle board area is open
5. confirmed that mulch and gravel were also delivered and spread
6. confirmed that next week the Bocce Ball court will be ready
7. confirmed as of tonight that 8 Free Park, 153 Lake, 16 Boat and 9 Ramp Passes/Stickers have been issued for a total of \$5,460
8. the Mayor recommended that she contact Buckeye Seal Coat to quote repairs on the Tennis Court
9. confirmed that mosquito spraying is underway and that she has purchased a Dog Waste Station and bags and has located them in the Lakeside area

Streets

Keith reporting:

1. confirmed that the request for bids for road repair are underway and results are expected back within the next two weeks
2. confirmed that a couple of storm sewers are plugged and that he has contacted Dynamerican to "blow-out" those needing to be cleared
3. he was asked about Clover Cliff road repairs and confirmed that this gets top priority and will be done first

Legal

Allan reporting:

1. confirmed no cases in court at this time
2. confirmed that he received a letter from the Prosecutor's Office regarding 585 Lake Road, next to Cross Point Church, that the property will be going into foreclosure due to \$29,000 in back taxes and asked if Council is interested in this property; Council stated that they would like him to look into this for the Village for possible acquisition
3. confirmed that AC Dot Net paid \$35 and applied for a conditional Zoning Permit allowing them to run a fiber optic cable above ground and underground

Old Business

No one had any old business to discuss

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Public Participation

1. a question was raised about Save the Lake and any support that can be offered by the Village; it was reconfirmed that the Village can pay for sampling on Village properties and that this is the extent of what can be offered as stated at last month's meeting
2. Kelly Schmotzer asked if anyone had a contact at Frontier about moving a pole; she was advised that the contact the Village once had has retired and no one is aware of any new contact person

New Business

1. Alan stated that he wants to go into Executive Session to discuss further the Electric Aggregation matter
2. Bud also wants to discuss the Sheriff's Contract and Temporary Construction access in the Village during the Executive Session
3. **Bud made a motion to spend up to \$1,000 to remove trees on Beachside Blvd., seconded by Ken. 6 ayes, 0 nays**

Alan made a motion to go into Executive Session at 8:55 PM, seconded by Bud. 6 ayes, 0 nays

Allan made a motion to return to General Session at 9:35 PM, seconded by Bud. 6 ayes, 0 nays

Alan made a motion to pay Lafayette Township \$3,000 for July's contracted Sheriff's services, seconded by Bud, 6 ayes, 0 nays

Bud made a motion to authorize temporary construction access for Permit 18-020 for H. Wolf, seconded by Ken. 6 ayes, 0 nays

Bud motioned to adjourn at 9:38 PM, seconded by Alan. 6 ayes, 0 nays

Mayor Joanne Dodaro

Fiscal Officer, Gary Harris