

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – SEPTEMBER 10, 2018**

Mayor Dodaro called the meeting to order at 7:02 PM.

A roll call was taken with the following officials present: Lowell (Bud) Hardesty, Barb Hunter, Alan Robbins, Sarah Arend, Keith Riedel, Ken Demeter, Allan Michelson – Solicitor, Jim Brandenburg – Zoning Inspector, Gary Harris – Fiscal Officer; residents Bill and Connie Glasenapp, Doug and Kelly Schmotzer, Mark Krosse, Bob Williams, Pam Williams, Carl Hannah, Andy and Lynn Vidra, Tom and Sarah Copley, Brent Osborn, Mark Rodgers, Cynthia Ryner, Mark Reuter, Rose Collier and Al Junke; visitors Chief Hall – Lafayette Fire District, Bill Lee and Sheriff Deputies Harhay and Cornelius.

The Mayor asked if everyone read and agreed with the August 13th revised minutes and if there were any questions or comments – the Mayor asked where the changes were at and Gary responded that they could be found on page 6, under Legal, drop “trail” replace with “trial” and on page 7 on the Executive Session line add “Pending Legal Matters”

Alan made a motion to accept the revised August minutes, seconded by Ken. 6 ayes, 0 nays.

The Mayor asked if everyone read the September Bill’s for Approval in the amount of \$14,492.34 and asked if there were any additions – Gary stated that there are none. **Ken made a motion to approve the September Bill’s for Approval totaling \$14,492.34, seconded by Barb. 6 ayes, 0 nays**

The Mayor thanked Cross Point Church for the Labor Day Party that raised funds for the Village and Fire Department and Mayor Dodaro also thanked all those who participated.

The Mayor informed everyone that Cathy Osborn is in Hospice Care at home and asked everyone to keep her in their prayers. The Mayor expressed her gratitude to Cathy for her years of service to the Village and for the excellent job that she did as the Clerk/Treasurer for the Village for over 23 years.

Council Reports:

Safety

Alan reporting:

1. Chief Hall was present and read the Lafayette Township Fire Department Report for the Chippewa Lake calls and asked how Council liked the new format; Alan responded that the format was reasonable and contains the same basic information; a discussion took place about the “Aid Type” and that the “automatic aid given” = a fire and the other “mutual aid’s” are not broken out by type; a question was asked who dispatches calls for medical emergencies – Alan stated that all 911 calls go to the Sheriff’s Office for dispatch and 95% of those are placed by cell phones
2. acknowledged the Sheriff Deputies present and confirmed that the Village has a new contract with the Sheriff’s Office which has been done previously about 8-9 years ago and reconfirmed that they are familiar with our streets and offer good response times to the Village; read the Medina County Sheriff’s Office Incident Report to Council and reported that we will now be billed directly by the Sheriff’s Office; announced that Deputy Girard is the third Deputy who will be working in our Village

Zoning

Bud & Jim reporting:

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – SEPTEMBER 10, 2018**

1. Jim read the Zoning Report to Council
2. Jim proceeded into the Variance Hearing pertaining to 494 Shorefield; Bud distributed 14 sets of documents related to this variance and asked those present to allow Council some time to review the documents and then to hold comments until Council has walked through the documents and discussed the details therein
3. Allan called to order the Hearing continuation and reviewed the specifics of the variance and explained that a variance asks the question is it practical or is the issue too difficult with too many variables or problems for the variance to be approved; per Section 713.15 of the Ohio Revised Code allows the Village to approve non-conforming uses upon reasonable requests; Allan referenced the letter from Attorney Skidmore and the seven points raised challenging this variance and stated that they needed to be considered as Council considers this request; Allan asked all those present who wanted to speak about this variance to stand and be sworn in and they did and he did swear them in
4. Tom Copley stated that a compromise has been reached with the Schmotzer's and he has agreed to not contest the variance in exchange for an agreement to reduce the footprint of the porch and to limit the landscaping such that there is no blockage of the view from his home towards the lake
5. Kelly Schmotzer spoke and gave a background summary of their 19 years in the Village on Clover Cliff Drive and the home they purchased on Shorefield along with the changes that they are seeking the variance for on this property and how progress was made by talking neighbor to neighbor and her desire to work with her new neighbors and their willingness to work with her; Kelly expressed her appreciation to Council and asked for their consideration for approving this variance
6. Mark Reuter spoke and reflected on how 100 years ago all residents were neighbors and each working together, neighbor to neighbor and how by working together the Schmotzer's and Copley's resolved this issue and the variance should be allowed
7. Pam Williams spoke and expressed how much she enjoyed having the Schmotzer's as neighbors on Clover Cliff and how she wants them to stay in the Village and that Council should consider granting the variance
8. Mark Krosse encouraged Council to approve the variance since a compromise has been reached, that Council should support renovation and growth and how the Schmotzer's are investing additional monies by installing a storm sewer extension across vacant property to help improve drainage and Council needs to approve the variance
9. Rose Collier stated that she will be a new neighbor to the Schmotzer's and she is in favor of the variance
10. Andy Vidra stated that the effect on the Village road maintenance and plowing by allowing this variance on this little used road is not an issue, there is more than enough room and he is in favor of the variance
11. Allan stated that with the existing foundation on this property and being built before there was a zoning code makes this a unique situation; Allan stated to the Copley's that if the variance is approved any future discussions about vegetation or other such matters is strictly between the Copley's and Schmotzer's and not with Council; Allan asked Keith about the storm sewer matter and Keith stated that with the new catch basin being installed by the Schmotzer's on their property and running it across the road to Rose Collier's this will now help in draining the empty lots along that street; Keith stated that the Schmotzer's need to submit drawings to Engineering Associates, at their expense, for an engineering review – the Schmotzer's agreed to do so
12. **Barb made a motion to approve the variance request, seconded by Ken. Allan asked for a roll-call vote. 6 ayes, 0 nays;** this concluded the Hearing

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – SEPTEMBER 10, 2018**

13. Mark Reuter cited Ordinance Numbers 498-00 and 473-98 as pertains to Public Nuisance as relates to unsanitary premises, weeds, etc.; he stated how in the past when a resident was cited for such conditions it was common practice for the Zoning Inspector to drive the Village and cite all others with similar violations versus today where it seems there is a “pick and choose” type of policy; he stated that 398 Craggy Creek has extensive overgrowth with no citations issued and asked why not; he stated that the Village needs to care for all Village properties including the trees that are down on Briarwood; Jim responded that he views the downed trees as a natural break; Mayor Dodaro instructed Jim to clean-up the property now and at least yearly until it is determined what to do with this property; Barb asked if we could donate this to the Historical Society or give it away; Allan stated that we cannot give Village property away, it would have to be up for public auction – insofar as donating this is possible by following set procedures
14. Mayor Dodaro instructed Jim to look at lots on Craggy Creek, put a list together of the Village properties that need attention and have Pro-Touch mow those properties; the Mayor thanked Mark for bringing this to the attention of Council

Finance

Gary reporting:

1. confirmed that on Saturday he distributed the August Reconciliation Report to Council reflecting that all accounts are “in balance” – he asked if there are there any questions or comments – none were offered; requested **a motion approving the August Bank Reconciliation Report as distributed and authorizing Council to sign the report – Barb made a motion to so move, seconded by Alan. 6 ayes, 0 nays**
2. updated Council on the Village Checkbook for the on-line reporting and public viewing in OpenGov and confirmed that he did receive a call back form the Treasurer’s Office and he is to conference with that office on October 2nd to finalize the set-up of this program– he asked if there were any questions or comments – none were offered
3. updated Council on the Star Ohio account: on August 31st he requested the transfer of all funds (to close the Star Ohio account) into the Westfield Bank checking account and on September 7th he transferred these funds from the checking account into the Money Market account; the total amount transferred was \$12,682.57 thus closing the Star Ohio account – he asked if there were any questions or comments – none were offered
4. updated Council on the Audit, reporting that on September 5th he delivered the Village Financial Records to the Auditor’s office and they have begun the Audit – he asked if there were any questions or comments –none were offered
5. expressed his surprise to see that it was determined to finance 2% of the new OPWC Grant with a loan versus the 20% he had recommended; Keith explained that it was felt that this was the way to go on this project as recommended by the engineering firm; Gary confirmed that by financing this as we have, we lost 2 points on the District 9 scoring and 2 points on the Small Government Scoring – these small point drops can make a difference in a win versus a loss when it comes down to the cut-off point where those at or above this determined score are financed and those below are not; in addition we will diminish our cash reserves by over \$50,000 as opposed to \$3240 per year over 30 years; from a Fiscal Officer perspective he disagrees with the way the Village has financed this project and he would hope that in the future greater consideration will be applied to the recommendations made by the Fiscal Officer

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – SEPTEMBER 10, 2018**

6. he reminded Council that he will be out of town from September 15th through the 28th and that his goal is to distribute the September Meeting Minutes before departing on the 15th; during his absence he can be reached by phone or text but he will not have access to his files or records

Community Relations

Ken Reporting:

1. Mayor Dodaro thanked Ken for the work done on the Water Party and Ken expressed his thanks to Jim Christensen for the water slide and for Contessas Pizza for the reduced pizza pricing
2. confirmed that Halloween will be held on October 31st between the hours of 6 to 7:30 PM
3. confirmed that the basketball hoop lock has been purchased
4. Barb stated that with the Halloween Party and the November election coming up she will contact the floor cleaners to obtain the bid to do the floors once these have completed
5. Alan reported that a Bike Tour “Lake to Lake” will be passing through Chippewa Lake this Saturday the 15th and asked if anyone could be at the booth on Beach Side between the hours of 10:00 to 11:30 AM to monitor this station where water will be handed out; Kelly Schmotzer offered to volunteer and Alan stated that he will put Century Cycle in touch with her
6. Mark Krosse gave an update on Save the Lake confirming that he and Alan attended the special event organized by Stone Labs presenting the science on lake management; stated that he wants to draft a Resolution for Council to approve to give some “teeth” in the efforts to get more action and response from the Muskingham Water District and he plans to approach Gloria Glenns and Westfield after approval of a Resolution by Chippewa Lake; he requested for a second time his request for a \$1,000 donation to the Medina County Park District towards Save the Lake and he researched Ohio Revised Code 715-211 which permits municipalities to donate money for expenses and improvements – since \$17,000 have been raised by residents it would be a show of support if Council were to donate the \$1,000; Mark stated that Friends of the Medina Parks agreed to do the financial accounting for any donations; Alan stated that historically this agency has been quiet in responding to the Village and now with the new Attorney Jeff Holland it would be good to begin to open communications with him to start a dialog; Allan asked Mark to obtain the details on the legal aspects of “filing” and report that information back to him and to also proceed with generating the Resolution for consideration and the response on any donation is up to the Village; Alan prefers more discussion with the Park District before making a commitment on any donation; Mark also stated that he has approached Judge Hambly about considering becoming a member of the Muskingham Water District representing Medina County

Buildings & Utilities

Barbara reporting:

1. announced that we are missing the Record Room key and asked all to be on the lookout for it
2. reported that she is looking at a second person to assist in resolving the software issues that are preventing the cameras from being activated
3. confirmed that she has the paint needed to repaint the door trim on the Community Center
4. reported that she has the quote to power wash the Community Center at a cost of \$513.00; someone stated that Cross Point Church is looking for a task to do in the Village and suggested that Barb contact Annie Dean about this possibility and all the Village would need to provide is the power washer unit

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – SEPTEMBER 10, 2018**

Parks

Sarah reporting:

1. thanked Cody Beshire for taking time to meet with Keith and her to discuss options for Reese's Pond; Cody has indicated he will assist with site planning for Reese's Pond and offered some budget friendly suggestions
2. expressed her sincere appreciation and reported a "job well done" by Kris Thompson and the Beach Attendants this summer
3. reviewed the statistics for this summer: 10 Resident Passes (36 in 2017), 174 Lake Access parking passes (155 in 2017), 20 boat stickers (190 in 2017) and 12 ramp keys (123 in 2017) for a total revenue of \$6,335
4. reported that the Ski Team will be cleaning up the beach next weekend and the swim ropes, toys and volleyball nets will be put away for the winter; in October she will have a count on the total number of visitors to the beach
5. reported that the train is on the agenda to paint in 2019
6. reported that this is the last week for Mosquito Spraying
7. reported that the Parks Committee will meet later in September to discuss stickers and keys as well as their distribution cycle and discuss ideas for Reese's Pond
8. Allan will be sending a notice to Pond Doctors regarding no payment due to failure to perform services
9. Bill Glasenapp volunteered to help with pond management if the Village discontinues the contract with the Pond Doctors

Streets

Keith reporting:

1. confirmed that he has submitted the OPWC Application valued at \$486,000.00 for Phase 7
2. confirmed that the "No Parking" signs are here; Barb asked what to do if she is contacted about a need to park where the signs are located and Mayor Dodaro told Barb to contact her and she will advise the Sheriff

Legal

Allan reporting:

1. confirmed the status of his 4 Court Cases: #1 Defendant found guilty and sentence is pending, #2 Defendant found guilty and sentence is pending, #3 Defendant found guilty and was fined \$253 + Court Costs, #4 Defendant found guilty and was fined \$519.50 + Court Costs
2. did the first reading of Ordinance 827-18 "An Ordinance authorizing all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) community grants"
3. **Bud made a motion to waive the 2nd and 3rd readings of Ordinance 827-18, seconded by Alan. 6 ayes, 0 nays**
4. **Bud made a motion to adopt Ordinance 827-18 as an emergency, seconded by Alan. 6 ayes, 0 nays**
5. confirmed that filed the Special Permission for the ramp with the County Recorder's Office and that he also confirmed with them that it does expire once the current owners of the property are no longer present; he recommended that the owner not proceed to build the ramp until it is approved by the County Building Department
6. confirmed that the property located at 227 Rustic Rook is in foreclosure with \$5,047.72 in delinquent property taxes

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – SEPTEMBER 10, 2018**

7. confirmed that the property located at 585 Lake Road is in foreclosure with \$29,000 in delinquent property taxes and it is not yet scheduled for sale through the County Auditor's Office

Old Business

Thanks offered by Kelly Schmotzer to Council for passing the variance and to Allan for clarifying all of the issues and specifics involved

New Business

Nothing offered

Public Participation

Concerns were raised by residents about the use of abusive comments and inappropriate photos listed on the Village Facebook page; Allan pointed out that this is not the official Village Facebook page nor is it sanctioned by the Village; Mark suggested to "unfriend" those posting such items and Katrina who monitors the page has listed that the page is not an "official Village page"

Alan motioned to adjourn at 9:23 PM, seconded by Keith. 6 ayes, 0 nays

Mayor Joanne Dodaro

Fiscal Officer, Gary Harris