

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – MARCH 9, 2020**

Mayor Dodaro called the meeting to order at 7:08 P.M.

A roll call was taken with the following officials present: Lowell (Bud) Hardesty, Barbara Hunter, Alan Robbins, Keith Riedel, Ken Demeter, Allan Michelson – Solicitor, Jim Brandenburg – Zoning Inspector, Gary Harris – Fiscal Officer; visitors Alison and Andy Weimer, Mark Reuter, Kelly Schmetzer, Mark Krosse, Donna Beheydt, Andy Vidra, Tom Copley, Tamitha and Matt Sorgi, Kathy Elias, Vanna Robbins, Carol Hanah, George Stanislanski, Joan and Chuck Armbruster, Laura Gushue and Deputy Harhay.

Mayor Dodaro announced the annual remembrance of Len English, who was the Mayor of Briarwood Beach and who declared St. Patrick's Day a Legal Holiday for Briarwood Beach which is the only community in the Country to have ever done so.

Mayor Dodaro invited Vanna Robbins to talk about her subject of interest first in case many of tonight's visitors are only here for this same reason and that way they will not have to stay for the entire meeting unless they care to do so; Vanna asked what is the intent of the proposed changes to the Zoning Code per Ordinance 847-20; Allan reported that 38 years ago when the Chippewa Lake was created they generated a Zoning Ordinance that incorrectly listed a segment of the lake front property as residential that should have been listed as "non-buildable" as well as his recommendation to strike sub-paragraph B of Section 406.2 dealing with trees, brush and visual obstructions; Allan further commented that the goal is to preserve the existing Deed Restrictions and Rights that are considered sacred to the community as they relate to Lake access; Vanna asked in the rewording of the Zoning Ordinance any reference to visual obstruction must be clarified as existing language is ambiguous and Andy questioned the term "abandoned" which also needs further clarification; Allan stated that the Park District is aware of his recommended changes and because they want the natural look there is some conflict with his intended language changes; Bud stated that Council is not tampering with any existing deeds rather, we want to maintain the same restrictions that the original deed restrictions intended this avoiding litter, blockage, etc. for the deeds and the restrictions therein are indeed sacred; Mayor Dodaro asked all those present to not pay any attention to rumors that might be circulating but rather, if you have a question, contact our Solicitor and don't listen to rumors and hearsay; Allan stated that he will resubmit the Zoning Ordinances with corrections and modifications based on tonight's public input and he will also rewrite the purpose to further clarify the intent; Bud acknowledged the Mayor in allowing this discussion to proceed was a favor to the community as the process is supposed to begin with the draft copy, which is what we have in front of us now, then Council makes recommendations for modifying the draft copy, then Council prepares to vote on the revised legislation with the recommended changes included then we notify the property owners – the entire purpose of this effort is to revise the Zoning Ordinance language to make it better and to treat all involved homeowners equally; Alan suggested changing the coloring of the 16 parcels involved from salmon to blue and Barb requested adding parcel numbers for those properties in Section A; Mark Krosse stated that the county tax assessor indicates that these properties are buildable and Council needs to send this change to them to reduce the overvalued property values; Allan confirmed that he will forward a copy of the finalized version to the Auditor's office

The Mayor asked if everyone read and agreed with the February 10th minutes delivered to Council this past Saturday and if there were any corrections, questions or comments – Mayor Dodaro stated that on page 5 under Old Business, "summer employees" needs to change to "summer residents"; Gary stated that he would correct this in the Minutes.

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Bud made a motion to accept the corrected February 10th minutes, seconded by Ken. 5 ayes, 0 nays.

The Mayor asked if everyone read the March Bill's for Approval and asked if there were any changes, questions or comments – no response was offered

Alan made a motion to approve the March Bill's for payment in the amount of \$12,665.75, seconded by Ken. 5 ayes, 0 nays

Council Reports:

Safety

Alan reporting:

1. read the Fire Department report for February and also reported that he asked about the Coronavirus and how they are to respond to any calls on this virus and he was told that they follow the Cleveland Clinic's guidelines; a question was raised by the audience about "open burns" and Alan reported that an open burn is one that is not contained and if you do such a burn in a fire pit, you should be OK; Barb reported that the Medina recycling center no longer offers free disposal of yard waste and that leaf pick-up has also stopped as there was not enough public participation and all such waste is now charged on a per ton basis for anyone wanting to remove yard waste which now may result in more burning of such debris in the Village
2. read the Police Report and stated that the biggest jump was in the number of Vacation Watches and reconfirmed that if residents call their vacations into dispatch, the Sheriff's Department does a very good job in keeping an eye on the property while the owners are away; Alan asked about the Coronavirus and how the Sheriff's department is proceeding – Deputy Harhay stated that they attended a meeting where the precautions were reviewed and at this point there is no reason for alarm
3. Barb reported that she did install the AED wall cabinet but without the unit inside as no one has yet been trained; she reported a problem with the company who sold the unit to us not wanting to do training – Gary stated that he will call that company and report back; Bud stated that if you read the directions inside the cabinet, no training is really necessary

Zoning

Bud reporting:

1. Jim read the Zoning Report to Council; he and Allan will get together to consider charging the owner of 81 Longacre for non-response to the posted Warning Notice; legal proceedings will be initiated against the home owner at 9 Parkway Path for non-action for an extended period of time to the Warning Notice; Alan is going to reach out to the owner of 505 Beachside Blvd. to get the tree inspected – Bud asked those present to let the Village know of any dead trees in the Village to identify those in the right-of-way to be removed by the Village and also to alert home owners when they need to remove dead trees on their properties – he also stated that if a tree is half-dead, the tree needs to be removed as it will not survive, Bud also confirmed that the trees identified for removal that are in the right-of-way are scheduled for removal March 16th or 23rd
2. confirmed that the right-of-way listing for all streets in the Village is now posted on the Village website along with information on Bryozones now appearing in our Lake that he confirmed are not harmful to humans and are a sign of a good healthy lake if they are present

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3. someone from the audience asked why is the right-of-way important – Bud responded it is so homeowners don't install a fence or stones, etc. in this section of roadway owned by the Village and he urges homeowners to call Zoning if they have any questions or hire a surveyor if the original property pins cannot be located; there was some confusion expressed that the property line can differ from where the right-of-way (ROW) begins – Allan stated that this is not true, the ROW does end at the property line as measured from the center of the road and the ROW is owned by the Village – Bud recommends that he be contacted if anyone in the Village has a question on the ROW and that he and Jim will get with Andy who questioned this as relates to his property; Bud stated that if a homeowner places fencing, trees, bushes, etc. in the ROW, they are responsible to remove such items at the homeowners expense
4. reported that after his meeting with Mark Reuter, he has modified the language related to storage of commercial vehicles and light duty trucks as relates to the Residential Property Maintenance Code and he made **“a motion to revise the language in Section 301.1(D), seconded by Ken. 5 ayes, 0 nays”**
5. Allan did the third reading of Ordinance 844-20 “An Ordinance amending section 301.1 (D)(5) and section 302.3.1 of the Residential Property Maintenance Code of the Village of Chippewa Lake, Ohio, Ordinance No. 473-98 and its amendments in order to revise language regarding the storage of maintenance equipment on residential or vacant lots in the Village and the condition of exterior walls of structures on residential lots in the Village” and he also read Section 302.3.1 thus confirming the removal of any reference to “moisture”
6. **Keith made a motion to adopt Ordinance 844-20, seconded by Ken. 5 ayes, 0 nays**
7. Allan did the third reading of Ordinance 845-20 “An Ordinance amending section 304(C) of the Village Zoning Code, Ordinance No. 498-00 and its amendments, in order to revise and restate the rules for visibility at intersections on roadways in the Village”
8. **Bud made a motion to adopt Ordinance 845-20, seconded by Keith. 5 ayes, 0 nays**

Community Relations

Ken Reporting:

1. confirmed that the Easter Egg Hunt is scheduled for Saturday, April 4th at 1:00 PM with egg decorating to follow after the hunt; he confirmed that the back-up location for the hunt will be the Community Center in the event of bad weather and Mayor Dodaro suggested the Fire Station be considered
2. Mayor Dodaro asked that the Mother's Day Plant Sale be included in the Spring Newsletter that will be published in April
3. Mayor Dodaro reported that Bud will be out of town and cannot be available for receiving or the picking-up of Voting booths; Barb volunteered to open and close the Community Center on Voting Day while Keith and Mayor Dodaro will be available for the delivery and pick-up of Voting booths – Gary is to advise the Board of Elections
4. Mayor Dodaro asked Mark Krosse if he has anything to report on Save the Lake; he confirmed that the Soil and Water District's new coordinator is making good progress on the 9-Point Solution Plan; he reported that he attended a seminar at OSU where Stone Laboratories made a presentation on the Bryozones in the Lake; Alan confirmed that he did see where Save the Lake did post their next meeting date and location but they did not include the time that the meeting is to start

Buildings & Utilities

Barbara reporting:

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1. confirmed that the fire extinguishers have been recertified
2. confirmed that she will get the backflow testing completed during Spring Break
3. reported that she replaced the furnace filters and is considering changing out the thermostat in an attempt to determine the cause of increased kwh usage at the Community Center; she is considering hiring an HVAC firm to check out the furnace – Gary stated that we will need copies of insurance certificates and Allan stated for this one-time service we will not need these documents
4. reported that the street lights at Shorefield and Heather Hedge have been replaced and that she is still working issues related to cut pole sections hanging from lines and Mayor Dodaro asked about a hanging wire in front of her house also needing attention – Barb confirmed that she is and will continue working on these issues
5. confirmed replacing one of the security cameras but asked Gary to not pay the invoice as they charged us as much for the service calls as the initial total installation costs due to the lack of knowledge of the servicing tech who had to make return trips and that she is still working this issue with the service company
6. Mark Krosse confirmed that he is waiting for the Ohio Edison quote on LED's

Parks

1. Bud confirmed that he has two bids for doing the mowing this year; Keith reported that he just heard about a local company that he can get a bid from; a discussion took place and it was decided to not wait for another bid as mowing will probably have to start in April; Bud stated that he prefers the quote from Kies and that our Zoning Inspector works for Kies – Allan reported that this is no conflict of interest and it would be OK to proceed; Alan made **“a motion to accept the Kies Knollbrook bid, seconded by Barb. 5 ayes, 0 nays”**
2. Allan did the first reading of Ordinance 850-20 “an Ordinance accepting the bid of Kies Knollbrook Lawn Care, LLC for landscaping, clean-up and maintenance for 2020 for the Village, authorizing a contract for the same and declaring the same an emergency”; **Bud made a motion to waive the 2nd and 3rd readings of Ordinance 850-20, seconded by Keith. 5 ayes, 0 nays**
3. **Barb made a motion to adopt Ordinance 850-20, seconded by Alan. 5 ayes, 0 nays**
4. Allan was asked to send a letter to the second bidder JTS announcing the award to another bidder

Streets

Keith reporting:

1. confirmed that the lowest bid price for Phase 7 was submitted by Dirt Dawg Excavating at \$393,784
2. Keith made **“a motion to encumber an additional \$25,000 for streets in case he needs to use this additional money for Phase 7”**; Gary stated that this is more than originally agreed to and could impact our ability to proceed with Phase 8 but he won't know for certain until he reviews the numbers; **“seconded by Bud. 5 ayes, 0 nays”**
3. Allan did the first reading of Ordinance 849-20 “an Ordinance accepting the bid of Dirt Dawg Excavating, LLC for the Phase 7 street improvement project of the Village, authorizing the Mayor to execute a contract for the same, and declaring the same an emergency”
4. **Keith made a motion to waive the 2nd and 3rd readings of Ordinance 849-20, seconded by Barb. 5 ayes, 0 nays**
5. **Keith made a motion to adopt Ordinance 849-20 as an emergency, seconded by Ken. 5 ayes, 0 nays**

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Legal

Allan reporting:

1. confirmed that he has two cases at this time; one case pertains to seal a record for a drug charge that happened 22 years ago and he is going to agree to do this; the second case deals with a disorderly conduct and drug paraphernalia charge where the defendant was found guilty and needs to pay a \$390 fine and court costs
2. asked if anyone received a copy of his proposed language for a policy on Zoning Hearings; Barb stated that she had but no one else on Council had seen it; he distributed a copy to Council and would like to pass this as a motion at next month's meeting after everyone has had a chance to review it

Finance

Gary reporting:

1. confirmed that last Saturday he distributed the February Bank Reconciliation Report to Council reflecting that all accounts are "in balance" – he asked if there are there any questions or comments – none were offered; he requested **a motion approving the February Bank Reconciliation Report as distributed and authorizing Council to sign the report – Bud made a motion to so move, seconded by Alan. 5 ayes, 0 nays**
2. confirmed that last Saturday he distributed the February Appropriations Report to Council through February 29, 2020; he asked if there were any questions – none were offered – he asked for **a motion approving Council to sign-off on the Appropriations Report through February 29th signifying Council's review and agreement with the expenditures, Alan made a motion to so move, seconded by Ken. 5 ayes, 0 nays**
3. confirmed that he distributed the 2020 Permanent Appropriations for Council to review in advance of voting on this Ordinance tonight, since he now has to adjust the appropriations to account for the additional \$25,000 requested for Road and Bridge, this brings total 2020 Appropriations to a revised amount of \$850,711.69 – he asked if there were any questions or comments – Mayor Dodaro stated that we do get all of our revenue for the new year and Gary responded that it takes up to 10 months for all annual revenues to be received – no other questions or comments were offered
4. Allan did the first reading of Ordinance 848-20 "an Ordinance to set Permanent Appropriations for the current expenses of the Village of Chippewa Lake, State of Ohio, during the year ending December 31, 2020 and declared to be an emergency for the public peace, health, safety and welfare"
5. **Keith made a motion to waive the 2nd and 3rd readings of Ordinance 848-20, seconded by Ken. 5 ayes, 0 nays**
6. **Keith made a motion to adopt Ordinance 848-20 as an emergency, seconded by Ken. 5 ayes, 0 nays**
7. confirmed that PEP responded to him that it is OK for the Village to keep the Grant check in the amount of \$1,000 intended for the 2019 purchase of the AED and use it towards a 2020 safety related purchase; Andy asked if this could be used for a new security camera and Gary responded "yes", it could be used for that purchase

Old Business

Noting to report.

New Business

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1. Donna Beheydt stood and introduced herself as a Democrat running for the 69th District House of Representatives and her support for the H2O – Ohio initiative

Public Participation

Nothing offered.

There being no further business, Alan motioned to adjourn at 9:12 PM, seconded by Keith. 5 ayes, 0 nays

Mayor Joanne Dodaro

Fiscal Officer, Gary Harris