

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – APRIL 12, 2021**

NOTE – THIS MEETING WAS CONDUCTED VIA “ZOOM MEETINGS” DUE TO COVID-19 RESTRICTIONS

Mayor Joanne Dodaro called the meeting to order at 7:01 P.M.

A roll call was taken with the following officials present: Lowell (Bud) Hardesty, Barbara Hunter, Alan Robbins, Tamitha Sorgi, Keith Riedel, Ken Demeter, Allan Michelson – Solicitor, Jim Brandenburg – Zoning Inspector, Gary Harris – Fiscal Officer; visitors Mark & Lisa Krosse, Mark Reuter, Bill Glasenapp, Ed Nagy, Andy Weimer, Laura Gushue, Jeff & Jennifer Schmitt, Mary Perrea, Thomas Clarkson, Janet Schmock, M. Savetski, Joan Armbruster, Diana Komjati, Jon Overholt, Scott Walchi, Doug Ribley, Sandra Desandras, Bill Heck, Elizabeth Vereb, Matt Sorgi, Bob Williams and Deputy Harhay.

Mayor Dodaro invited Scott Walchi, President, and Doug Ribley, Vice-President, representing the Chippewa Lake Water Ski Show Team (the Team), to present the 2021 season agenda – Scott confirmed that the Medina County Park District has approved the Special Use Permit for the 2021 season which did not reflect any significant changes and contained the “typical” set-up for the Team – Scott also thanked the Village of Chippewa Lake for the use of the lake and confirmed their efforts and work to help to keep the beach clean as well as providing the Port-o-Let for Team and public use along with a list of other activities and support offered to the Village by the Team – Doug confirmed that the Team has all of their planned activities sanctioned by USA Water Ski, the National Governing Body for the Sport of Water Skiing which Mayor Dodaro stated a copy of this certification will be included in the monthly Minutes report and also reported that practice sessions will be held 4:30 – 9:00 on Thursdays and 7 until noon on Saturdays and a Learn to Ski session will be held on June 13th – Keith reviewed the efforts, made by the Village, to move the build-up of sand in the area around the boat ramp which resulted in reducing nearly 12” of sand build-up and the Team also offered to assist in the ongoing efforts to reduce sand build-up in this area – Scott and Doug thanked the Village for allowing them to present to Council and for working with them for many years and Mayor Dodaro reported that they are the pride of Chippewa Lake community

Gary confirmed that Keith made a motion to accept the Ski Team proposal for the 2021 season, and that it was seconded by Alan. Roll-call vote: Bud aye, Barb – aye, Alan – aye, Tamitha – aye, Keith – aye, Ken - aye

Mayor Dodaro asked if everyone read and agreed with the revised March 8th Regular Meeting Minutes delivered to Council this past Saturday and if there were any corrections, questions or comments – none were offered

Gary confirmed that Alan made the motion to accept the revised March 8th Minutes, and that it was seconded by Keith. Roll-call vote; Bud –aye, Barb – aye, Alan – aye, Tamitha – aye, Keith – aye, Ken - aye.

Mayor Dodaro asked if everyone read the revised April Bill’s for Approval that were sent out earlier today and asked if there were any other changes, questions or comments – Gary confirmed that no other changes were made and the total revised payments amount to \$13,895.02

Gary confirmed that Barb made a motion to approve the revised April Bill’s for payment in the amount of \$13,895.02 and that it was seconded by Ken. Roll-call vote; Bud –aye, Barb – aye, Alan – aye, Tamitha – aye, Keith – aye, Ken - aye.

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Council Reports:

Safety

Alan reporting:

1. read the Sheriff's Monthly Hours Report with 78 of 80 hours requested having been worked in March and asked, Deputy Harhay if they are OK to begin working 100 hours per month in May and 120 hours per month June through September and Deputy Harhay reported everything looks good – Alan proceeded to read the Activity Log and when finished asked Deputy Harhay if there is anything of significance to report and Deputy Harhay reported “no” – Barb asked if Deputy Harhay has a direct phone number for emergency calls, he suggested that she contact Dispatch who can provide that number to her – Mayor Dodaro asked about trucks being on Lake Road and Deputy Harhay indicated that one truck received a traffic citation and that this is being monitored – Alan stated that with the resurfacing of SR 3, trucks may be routed down Lake Road – Keith suggested directing truck traffic down to Route 42 versus Lake Road - Deputy Harhay asked about the house next to the Mini-Mart and if clean-up work has been started – Jim confirmed “yes” the owner has begun work with some temporary “boarding-up” – Keith asked if this house is in Village limits and Jim responded “yes”
2. Alan confirmed receiving a complaint about Rumpke driving too fast in the Village and that he did not receive a call back, Mayor Dodaro reported calling Rumpke about this issue and how dangerous it is for all concerned and she was told they will contact the Garage Foreman at the C. Martin shop to pass along these concerns – Alan asked that anyone seeing more of this to let him know and Ken reported they also leave any knocked down empty trash containers while driving through and Alan stated that he will let Rumpke now about this as well
3. Alan reported that Chief Winkler is out of town and that he spoke with the Assistant Chief Savetski – reported that there have been two recent promotions adding two Lieutenant's, Jenkins and Kodiak, to the department, a grant has been filed to be able to purchase a new tanker, new radios and add three full-time medics – he also received an update from Emergency Management Director Fazio who reported that they are working on remodeling Station 2, working with the Health Department on COVID-19 matters, applying for Homeland Security Grants and are soon to have two new interns – the siren remains an open issue and they are working on obtaining a grant to replace this unit

Zoning

Bud reporting:

1. Jim read the Zoning Report and confirmed a court date has been set for the owner of 523 Lee Lore Lane to appear in court on April 16th
2. Allan called the Hearing to order on the matter of a Conditional Use Permit at 333 Lake Road operated by Cycles R Us he then swore in those who would be speaking during this hearing - Jon Overholt, owner of Cycles R Us, opened by saying that they are applying for this permit to add a structure at the rear of the property to store boats – Jim indicated it would be a “Hoop” style roof along the lines of a Quonset hut, 65' x 96' and 29' high (versus code which allows up to a 35' height) and one issue is the proposed distance from the property line now planned to be 20' versus the 30' code requirement on the west end of the property line – Allan asked if Jon could move the proposed structure and maintain the 30' code requirement and Joh indicated he would do that – Jon also stated that he is willing to consider a variety of colors for the structure and was thinking about a tan color and the roof will be fabric with a canvas top – residents

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Perrea stated agreement with the tan color and thanked Jon for his mowing along the fence line along Reid Road – Jon stated that there will only be one overhead door – Allan asked if there were any other comments or discussion – none was brought forward so he asked for a roll-call vote on approving the Permit Application – Bud- aye, Barb – aye, Alan – aye, Tamitha – aye, Keith – aye, Ken – aye – Allan asked Jim to generate the notice of passage with the one condition of maintaining the 30’ distance from the west property line – this concluded the Hearing

3. Jeff and Jennifer Schmitt asked Council to remove the trees near 5 Bungalow Bay that are in the right-of-way (ROW) because they can grow to a height of 70’ and he keeps trimming them to keep them lower so as to not block his view of the Lake and that he paid \$1,500 to have the property surveyed and has proven that the trees are indeed in the ROW – Jim confirmed that they are in the ROW and that the survey pins had been located– Allan stated that it is then up to the Village if they decide to remove the trees or not – Mayor Dodaro stated that the Village will not remove the trees – Jennifer asked what is the purpose in keeping the trees that are obstructing their view of the Lake – Tamitha asked if the trees are diseased and the answer was “no” and Jeff commented how every year these trees produce a lot of pollen – Ken asked if the other neighbors want the trees removed and if not this could become an issue for other neighbors – Jeff offered to pay to remove the trees that he claims were planted years ago for spite and asked how considerate is it of the Village to leave these trees as is – Mayor Dodaro asked Council members to look into this matter and present findings at the May meeting – Barb suggested that our lawn maintenance contractor maintain the ROW and Jim responded that when offered, Jeff always has the grass mowed before they arrive
4. Elizabeth Vareb asked Jim if he received the letter of complaint pertaining to 388 Craggy Creek that has an excess of vehicles in and out during the day and is adding a significant amount of traffic on North Vale – Jim responded “yes” he did receive the letter – Mayor Dodaro responded that some of the items listed are not controlled by our code – Diana Komjati and Elizabeth both voiced displeasure with the situation and stated that the owner appears to be running a business out of this residence and reminded Council that the owner stated that he wanted to build the garage with living space above to only store his “toys” and again stated that it appears he is operating a business from this location – Diana and Elizabeth stated that there is a constant flow of vans/trucks pulling tools and materials from the building and asked how is it that they all have the code to enter the building and also suggested that the Village officials drive past this site to see for themselves this level of activity - Allan stated that it would be illegal to operate a business from this location unless it was a “home occupation” and that proving a business is operating out of this site is hard to prove – Bud stated that facts must be presented and not just opinions - Elizabeth and Diana stated that they have photos and are willing to meet with Allan to begin building a case and requested a Conditional Zoning Permit (CZP) stating what the use of the building is for – Jim stated that a CZP is only used for commercial properties and that he looked into it and feels that there is only normal garage level activity out of this site – Bud offered to talk to the owner about this – Allan suggested that he and Jim ask the owner to look inside the garage – Allan stated that in order to take this to court he will need photos, proof that a business is operating out of this site and that he needs evidence and proof and not opinions and the need for someone, like a contractor, to testify – Allan confirmed that he and Jim should look into it if a crime is being committed and if the owner is going beyond the original permit allowances as this would be a violation

Community Relations

Tamitha reporting:

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1. reported that she and Ken are working on having a Capture the Flag event for this Saturday at Pointe Park along with beverages and food – signs have been made and posted as well as being on Facebook inviting kids of all ages and parents and asked that any resident who would allow a flag to be put in their yard to let them know – Mayor Dodaro, Alan and Keith offered their yards for flags – Tamitha reported that another event is under consideration for May, that she is targeting the release of the Newsletter in the first week of May as well as planning other future events
2. reported having spoken with the Health Department who did confirm that they are planning to continue with the mosquito control just as they did last year
3. Mayor Dodaro asked Alan to report on the Annual Polar Bear Jump – Alan thanked the community for its support and reported collecting \$50,600, versus the usual \$36-37,000 and the proceeds were divided between the Society for Handicapped Citizens, Cross Pointe Church and the Lions Club – Mayor Dodaro thanked Alan for all of his work with this program
4. Mayor Dodaro asked Mark Krosse if he had anything to report on Save-The- Lake and he reported that there is a meeting this coming Wednesday

Buildings & Utilities

Barbara reporting:

1. confirmed she installed a lock on the breaker box by the beach and to contact her for the combination
2. confirmed that the Backflow Test was completed by J & P Swingle contractors
3. updated last months comments as pertain to the lights, photocell and breaker box along Beachside Blvd and for the flag pole at the Beach Parking Lot – reported that one contractor advised her against having a private contractor do this work and it would be best to have First Energy do this work to save us money in the long run – she reached out to Amy Hopkins with First Energy and they are preparing a quote for her to do this work – the question was asked if the NOPEC Grant could be used for this work – Gary asked Barb to put together a “Plan” so he can submit this to NOPEC to see if this project can get approved – Barb stated that she would like to meet with Mayor Dodaro and Keith to talk about the floodlights and options
4. updated the status of the pole on Park Lake discussed at the February Council Meeting – First Energy did remove the old pole as Spectrum and Frontier returned and removed their equipment from that old pole – she will call Spectrum and Frontier to return as the lines are too low and need to be elevated – the new pole installed by First Energy is now leaning towards the property as two of the support cables have slack, one support cable is very tight and beginning to pull the anchor rod out of the ground – she will call First Energy to correct
5. confirmed that the power usage at the Community Center has significantly dropped since turning off the baseboard heaters – Gary confirmed a 60-70% drop in power usage since those heaters have been shut down – Barb asked for the OK to mark the breaker for these heaters to remain off and Mayor Dodaro gave the OK

Parks

Ken reporting:

1. reported that he has received the Mosquito Control Agreement from Valley View Spraying with the same rates charged in 2020 and spraying each Monday and Thursday evening
2. **Ken made a motion to approve the Valley View Mosquito Control Agreement, seconded by Keith. Roll-call vote - Roll-call vote; Bud –aye, Barb – aye, Alan – aye, Tamitha – aye, Keith – aye, Ken - aye.**

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3. reported that AJ Tree Service will be inspecting the “downed” tree at Point Park to determine if it can be saved or if it must be removed
4. announced that Applications for Boat stickers, Parking and Beach passes are now available on the website as well as being available at the Post Office
5. announced that Employment Applications for Beach Attendants are available on the Village website as well as on Facebook and they are being accepted through May 7th
6. thanked Bill for the train repairs made at Point Park and Katrina and Lisa for the website work in getting the Beach Applications on Facebook and the website
7. Mayor Dodaro announced the need for assistance to care for the Water Fountain once the meters are installed as well as adding antifreeze when the fountain is closed at the end of the season as Brent Osborn had previously done until his passing – Bill offered to look into this to see if he can assist – Mayor Dodaro asked Bill to let her or Ken know if he cannot so they can locate someone else to assist – Bob Williams said he will work with Bill when he returns on the 13th or 14th of May to see what they can put together

Streets

Keith reporting:

1. reported that Phase 8 will be 4-5 weeks behind the preferred schedule due to extended engineering time with the involvement of the Medina County Sanitary Engineers and incorporating their work into the design drawings as the water mains must be 20' from any sanitary sewer line thus requiring modifications to the drawings
2. Allan reported that he has received the revised Memorandum of Understanding from Medina County Sanitary Engineers as pertains to the cooperative agreement on the Phase 8 Project
3. **Keith made a motion to approve the Memorandum of Understanding Agreement between the County and the Village, seconded by Bud. Roll-call vote; Bud –aye, Barb – aye, Alan – aye, Tamitha – aye, Keith – aye, Ken - aye.**
4. confirmed that he plans to go out for construction bids the last week in April and then open bids and award the work on or around May 27th
5. asked Gary if Phase 9 will require any loan financing – Gary responded “no”, there are adequate reserves to cover our Matching Funds for Phase 9
6. asked Gary to reconfirm how much additional funding he has in 2021 for pot hole repairs as well as the repair on Park Lake that he may need to do in addition to the work discussed at the March Meeting - Gary advised him that he will contact him tomorrow

Legal

Allan reporting:

1. confirmed that he is working on 7 cases – #1 9 Park Way Path Civil Suit, #2 a disorderly conduct trial set for April 19th, #3 a hearing on a change of plea to guilty on a disorderly conduct charge on April 21st with sentencing to follow, #4 Lee Lore property code violations going to court this Friday, #5 the resisting arrest defendant was sentenced to 45 days in jail + court costs and was also convicted of disorderly conduct with a 30 day jail sentence both to be served consecutively, #6 a threatening domestic violence hearing to be held on Friday to determine if the defendant is competent to stand trial, #7 a conviction on an obstruction of official business and resisting arrest to perform 50 hours of community service and pay court costs
2. reported that he has applied to have the property valuations reduced on 11 properties and gave a couple of examples where on an unbuildable lot the value shot up from a few

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hundred dollars to that of \$36,460 and another lot that went from \$500 in value up to \$15,000

3. confirmed that he has the legislation for adding the L-1 Lakefront District – Ken reported being contacted by several residents concerned with this legislation – Allan recommended that we do all three readings of the legislation thereby giving Council and residents three months to bring forward any concerns – Allan did the 1st reading of Ordinance 860-21, “an Ordinance amending the Village Zoning Code, Ordinance No. 498-00 in order to add the L-1 Lakefront district contained in new Article 4, District Regulations, Section 406
4. provided an overview of the legislation – the area covered along the lake just north of the creek and down to the end of Village limits there are 19 properties, these properties back in 1982 when the Village was formed were accidentally zoned residential even though they had deed restrictions of non-build – he was asked to generate a new zoning district for these 19 properties incorporating the deed restrictions and he has letters explaining the new Zoning District going out to the 19 residents tomorrow – Mark Krosse, one of the property owners, explained why this is important – this zoning error has caused the homeowners to pay outrageous property taxes and their past challenges to the County officials were all denied – this new Zoning District will finally allow these homeowners some significant tax relief – Alan stated that since his wife is one of the property owners, he will recuse himself from any discussion and voting
5. confirmed that he has spoken with the County Attorney regarding the Lake Break Wall and stated that he now needs to speak with Nate at the Park District as this may require a joint effort to be able to obtain a mutually agreeable resolution

Finance

Gary reporting:

1. confirmed that this past Saturday he distributed the March Bank Reconciliation Report to Council reporting that all accounts are “in balance” – he asked if there are any questions or comments – none were offered; he requested **a motion approving the March Bank Reconciliation Report as distributed and authorizing Council to sign the report – he confirmed that Alan made a motion to so move, and that it was seconded by Keith. Roll-Call vote: Bud – aye, Barb – aye, Alan – aye, Tamitha – aye, Keith – aye, Ken – aye.**
2. confirmed that this past Saturday he distributed the March Appropriations Report to Council through March 31st; he asked if there were any questions – none were offered – Gary asked for a **motion approving Council to sign-off on the Appropriations Report through March 31st signifying Council’s review and agreement with the expenditures, he confirmed that Alan made a motion to so move, and that it was seconded by Ken. Roll-Call vote: Bud – aye, Barb – aye, Alan – aye, Tamitha – aye, Keith – aye, Ken – aye.**
3. confirmed that on March 24th he sent the Record Retention Committee members the draft copy of RC-2 for review in preparation for approval – confirmed that on April 6th an Open Meeting was held and the RC-2 was approved for submittal to the State and that document was electronically submitted on April 6th and we are now waiting on approval from the Ohio Historical Society and the Auditor of State’s office
4. reported that he signed-up to attend a webinar for the American Rescue Plan Act entitled Project Funding Strategies to be held on April 27th – this presentation will hopefully have the final listing of approved project types that these ARPA funds can be used for as well as what restrictions will apply and how extensive the documentation requirements will be – the initial estimate of funds to be made available to Chippewa Lake amount to \$146,069.34

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Old Business

Nothing reported.

Public Participation

1. Bill Glasenapp reported that the flag on the circle is in very bad shape and needs replacement
2. Ed thanked Council for looking into the break-wall issue as these walls are near the end of their useful lives and perhaps the Village can help out financially with any maintenance costs
3. Mark Reuter raised concerns about no license plates on golf carts, road repair needed near 281 Park Lane or 281 Briarwood (the old Hannah place) and believes the Village should allow the Schmitt's to cut down the trees in the ROW – Barb asked if the road repair was along the creek and Mark responded yes and Barb reported that standing on the side of the road at that point is hazardous as it has all been washed-out – Mayor Dodaro asked Keith to look at that tomorrow along with Mark – Alan stated that the licensing for golf carts appears on the Website on the Safety page and explained how having an unlicensed cart involved in an accident and driven by a minor could lead to some serious legal issues and he stated he will mention this to Deputy Harhay to be on the lookout for such vehicles
4. Bob thanked Tamitha for Capture the Flag that was his favorite game
5. Janet and Joan offered their properties as sites to have a flag for the game

New Business

There being no further business, Gary confirmed that Keith motioned to adjourn at 9:37 PM, and that it was seconded by Alan.

Mayor Joanne Dodaro

Fiscal Officer, Gary Harris