

**VILLAGE OF CHIPPEWA LAKE
REGULAR MEETING MINUTES – AUGUST 9, 2021**

Mayor Joanne Dodaro called the meeting to order at 7:03 P.M.

A roll call was taken with the following officials present: Lowell (Bud) Hardesty, Barbara Hunter, Tamitha Sorgi, Keith Riedel, Ken Demeter, Allan Michelson – Solicitor, Jim Brandenburg – Zoning Inspector, Gary Harris – Fiscal Officer; visitors Mark & Lisa Krosse, Mark Reuter, Ed Nagy, Howard Wolff, Pam & Bob Williams, Bill Glasenapp, Laura Gushue, Leslie Burns, Grace Kazek, Ann Bednarski, Kelly Schmetzer, Chuck Armbruster, Robert Frechette, Robert Meats, Carla Thomas, Billy Schnurr, Jo & Ty Fullerton, Jose Delgado, Chris O’Neil, Chief Winkler, Deputy Harhay.

Mayor Dodaro introduced Jose Delgado, representing NOPEC, and asked if he wanted to address the community – Jose is the new NOPEC Representative for Chippewa Lake and expressed his pleasure in being assigned to our Village as our representative to answer any questions or resolve any issue while working closely with Alan Robbins - he reviewed NOPEC’s involvement with our Village and then opened it up for questions – Mayor Dodaro stated that the recent letter issued by NOPEC to NOPEC customer’s was confusing in that the tear-off portion needed to be returned if a resident wants to remain with NOPEC – a resident asked just how much money does NOPEC save a customer and Jose responded that it varies per household – Jose confirmed that the Village is signed up for the Green Ribbon Award and our application is under review – Mayor Dodaro stated that NOPEC makes an annual contribution towards the July 4th Parade to The Lions Club in addition to the Grant monies that we are awarded each year that we apply – Mayor Dodaro thanked Jose for being here tonight and speaking to all in attendance

Mayor Dodaro asked if everyone read and agreed with the July Regular Meeting Minutes and asked if there were any corrections, questions or comments – Mayor Dodaro pointed out one correction for “Tyler Saffle” and the spelling of his name on page one

**Keith made the motion to accept the corrected July 9th Minutes, and it was seconded by Ken.
Vote: 5 ayes, 0 nays**

Mayor Dodaro asked if everyone read the August Bill’s for Approval and asked if there were any changes, questions or comments – Gary confirmed that there are no additions to the \$59,168.53 submitted for approval

Bud made a motion to approve the August Bill’s for payment in the amount of \$59,168.53 seconded by Keith. Vote: 5 ayes, 0 nays

Council Reports:

Safety

Mayor Dodaro reporting:

1. read the Sheriff’s Monthly Hours Report with 123 of the 120 hours requested having been worked in July and confirmed that Deputy Harhay had to leave in response to being dispatched – Mayor Dodaro asked if there were any questions or comments – Bill stated that parking on the streets is a problem and the Sheriff’s Department is not doing anything about this – Mayor Dodaro stated that she will contact the Sheriff on this matter and also reminded residents to contact dispatch when such parking is occurring – Ed stated that there are a number of cars

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driving “wrong-way” on one-way streets – Keith confirmed that signs are up and some drivers are just not paying attention – Lisa suggested painting arrows on the streets and Bill Glasenapp added it to his list of “to-do’s”

2. Chief Winkler read his report and confirmed that total responses this year are at 424 versus 375 in 2020 – confirmed staffing up for the Medina County Fair as they were in a support position – confirmed that “Night at the Races” is scheduled for September 25th at a cost of \$40 per person or \$70 per couple that includes dinner, drinks and races starting at 5:30 PM with Dinner at 6:00 – when asked for questions from the residents an issue surfaced about locks on our gate access, the problem as presented is that when the Fire Department, who is trying to standardize all locks so only 1 key for all communities served is needed, installs their lock with our lock which is causing “lock-outs” for residents and Fire Department personnel – Chief Winkler along with Alan and input from Mayor Dodaro will be addressing this issue further to arrive at a mutually agreeable solution

Zoning

Bud reporting:

1. Jim read the Zoning Report and reported that the last two items in his report are Hearings for a Variance as pertains to 87 Clover Cliff Drive and 249 Beachside Drive – Allan asked if all the property owners were present, they both were, and if any neighbor is there to also raise their hands and be sworn in – Allan swore in all participants – first up was 87 Clover Cliff and owner Ann Bednarski where Jim explained the issue is to install a paved driveway that does not fully meet set-back requirements – Ann stated that due to physical concerns she needs to change from a stone driveway to concrete as well as connecting it to her existing sidewalk – Jim indicated he was not aware of any neighbors having an issue with this and he did confirm that all neighbors did receive a notice about this Variance Hearing – Allan asked for a roll-call vote on whether Council should approve this Variance where yea will approve the permit and nay will disapprove the permit – **Roll-call vote; Bud –aye, Barb – aye, Tamitha – aye, Keith – aye, Ken - aye.** Allan stated that the Variance is approved – next was the Variance for 249 Beachside Drive and owner Carla Thomas along with her builder representative Billy Schnurr – Jim explained that due to the unique shape of her lot, the addition being proposed does not meet all set-back requirements – Carla explained that due to physical concerns she needs to have a bedroom and bathroom downstairs thus the new addition – Jim confirmed that all neighbors were sent a letter about tonight’s Hearing – one neighbor who was present stated that he has no problem with this addition - – Allan asked for a roll-call vote on whether Council should approve this Variance where yea will approve the permit and nay will disapprove the permit – **Roll-call vote; Bud –aye, Barb – aye, Tamitha – aye, Keith – aye, Ken - aye.** Allan stated that the Variance is approved
2. one resident living on Bungalow Bay asked if every property owner, without a driveway, has the right to park on the street – Allan stated that cars are to be parked in the driveway or side yard and acknowledged that there are homes without adequate space to add a driveway and that they, as has been done for years, must park elsewhere – Bud recommended giving this property owner two Parking Passes and Mayor Dodaro stated that the owner will not be able to park in those areas allowed by having the pass when those areas are already full of other parked cars and there is nothing to be done when this happens – **Keith made a motion to issue two parking passes to this home owner until another solution is found, seconded by Ken; Vote 5 ayes, 0 nays**

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3. a resident asked if generators are covered in the Zoning Code and Allan confirmed that they are not

Community Relations

Tamitha reporting:

1. confirmed that the Water Party is now set for August 21st starting at 1:00 PM and that she needs to purchase a new tarp for the “slip & slide”
2. announced that the Labor Day Dance is now going to be the Fall Festival and it is scheduled for September 25th starting at 2:00 PM is now in the planning stages and she hopes to have a wagon for hay rides along with a pumpkin patch, music, etc. and several residents offered to help her locate the wagon and towing vehicle – Mayor Dodaro stated that this gathering will also be focused on beach improvements
3. confirmed that she is still communicating with contractors for finding the best tree to plant at the beach and to nail-down costs – confirmed that she has received calls about planting a tree in remembrance of Tyler Saffle and she suggested perhaps the new tree at the beach can be so named
4. Mayor Dodaro thanked her for the recent movie night and Tamitha confirmed that she is planning for another one before the bad weather sets in
5. announced that the Book Mobile will return but will be stationary at Fayette and Shawnee Roads and she believes it will be there on Thursdays from 4:30-5:00 PM
6. announced that the Pride Party will be on August 22nd with games, prizes and activities for kids and adults
7. announced that the Labor Day ski show and cardboard boat race will be held again this year
8. Mark Krosse stated that on August 16th Friends of the Park will be meeting at the Yacht Club at 6:30 PM offering boat rides and a walk through the old amusement park for a fee and sign-up is required

Buildings & Utilities

Barbara reporting:

1. confirmed that the low wires were corrected when First Energy straightened out the pole
2. confirmed that a new key pad at the Community Center has been installed with a 10 year battery pack warranty and that a new code has been set-up for entry
3. confirmed that the baseboard heaters in the Community Center have been disconnected to avoid any future excessive electrical bills
4. confirmed that she met with Mark Krosse regarding the sodium lights at Point Park and forwarded a request to First Energy for new mast arm and 30 watt LED’s and also confirmed that the Village will need to pay to have the Breaker Box repaired along with consideration for raising the box to a higher level due to recent flooding – announced that she needs to speak with Mayor Dodaro and Keith about the lights at Point Park
5. announced that she will meet with Lisa Krosse about the software that previously permitted her to view the cameras at the Community Center from home to see if a solution is possible

Parks

Ken reporting:

1. thanked Bill for the anchor and platform at the beach and also confirmed that the clean-up at the beach took a lot of work

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2. confirmed that he is still waiting on the new gate and hopes to have that completed within the next two weeks – he plans on having the stump grinding completed after Labor Day along with the tree removed from Point Park
3. confirmed that the Bochy Ball playing field looks great and thanked Bob for his hardwork on the playing field
4. confirmed that new swing bucket seats and rubber coated chains have been ordered
5. confirmed that Mosquito Spraying is underway with twice weekly spraying
6. a resident asked about the Tennis Court repair status and Keith replied that they are doing their homework on this now and have come across two options – one option is to tear everything out, pour new concrete with an asphalt overlay and only get a 2 year commitment for warranty at a cost of about \$120,000 – the second option is to fill the cracks with a rubber cement, install a mesh over the cracks, bond it to the surface for a cost of about \$20,000 which seems to be the way to go now that the drainage of the court has been resolved

Streets

Keith reporting:

1. reported that G.E. Baker will not be starting Phase 8 until September or October as they are waiting until they receive all new catch basins and sewer grate covers, the work will take approximately 2-4 weeks to complete and all are hoping it can finish before winter weather sets in – confirmed that the Sanitary Engineers have been marking their areas of work in advance of starting any work and they did one repair with a “bump” in the road that will level out over time
2. a resident asked about sewer back-ups on Shadywood where 5 homes have been impacted – Keith stated that the main was inspected with a camera and found to be clear, now the laterals need to be checked but reminded everyone that any blockage from the home to the right-of-way is the responsibility of the home owner

Legal

Allan reporting:

1. confirmed that he is working on 5 cases – #1 for 9 Park Way Path where the resident did not show for the last trial date and now a new date is being set-up, #2 523 Lee Lore the owner did correct the property issues but now has new violations, #3 for 87 Longacre waiting for a Hearing date to be set, #4 161 Rockridge charges have been filed waiting on a court date, #5 484 Shorefield filing charges on high grass & other violations
2. confirmed that he heard back from the County Attorney on the break-wall and they are OK with owners making repairs by using qualified contractors
3. confirmed that the Auditor’s Office agreed with his filing to reduce property values on Village owned properties that are all unbuildable thus reducing Village property taxes by thousands of dollars each year
4. when asked if he has seen any lawsuits about Reese’s Pond he responded “no”, Keith stated that downstream property owners complained about basement flooding and that the county put in piping that is now crushed or blocked causing the problem – Allan advised any home owners in attendance about this issue to contact the County

Finance

Gary reporting:

1. confirmed that this past Saturday he distributed the July Bank Reconciliation Report to Council reporting that all accounts are “in balance” – he asked if there are any questions or comments –

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none were offered; he requested a **motion approving the July Bank Reconciliation Report as distributed and authorizing Council to sign the report – Barb made a motion to so move, and it was seconded by Keith. Vote: 5 ayes, 0 nays**

2. confirmed that this past Saturday he distributed the July Appropriations Report to Council through July 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 July 31st signifying Council's review and agreement with the expenditures, Keith made a motion to so move, and that it was seconded by Barb. Vote: 5 ayes, 0 nays**
3. confirmed that he did complete his research on the American Rescue Plan Act Project and it took him to the Federal Communications Commission where they listed providers who agreed to participate in the Emergency Broadband Benefit Program and who meet the minimum "transmission" requirements – he confirmed that Spectrum is one of those companies and Spectrum confirmed to him that all of Chippewa Lake has Broadband coverage already, thus no ARPA monies need be applied for – confirmed that he did provide our Government Officials with the brochure that can be distributed to every resident of Chippewa Lake that describes "how to" receive a monthly \$50 credit towards the costs of the Internet, if they are eligible, for as long as the program lasts – this brochure can also be posted to our webpage if Council so instructs – Lisa asked Gary to send her a PDF of the brochure which he agreed to do
4. confirmed that he completed his research on E-Mail Record Retention that included his visiting the Ohio Electronic Records Committee and it was there that the key information was found - per the Approved Ohio ERC document dated September 1, 2019 an email is considered "Transient" and/or a "Non-Record" if it "does not set policy, does not establish guidelines or procedures, does not certify a transaction or does not become a receipt" - Emails that are transient or non-records do not need to be retained and are not documents of "record" – he confirmed that he and Allan have reviewed the publication and are in agreement that every email issued on a particular subject, unless it does establish policy, it does establish a guideline or procedure, it does certify a transaction or it does become a receipt, is considered "transient" or a "non-record" if it does not meet this criteria – thus the vast majority of emails issued are not part of the public records unless we (Allan and/or myself) retain them as a part of the public record – he stated that the concept that many people have, incorrectly so, is that every email on every subject "is an official record" and must be retained - that is an incorrect understanding and going forward our policy will be to continue to meet State Record Retention requirements in line with this guideline – any questions or comments – Bud asked that this become a part of our Open Records Policy in the Code of Miscellaneous Ordinances manual
5. reported that the Checking Account is at \$313,000 as of July 31st; he wants to transfer \$85,000 from checking into our Money Market account to keep both accounts at or below the \$250,000 FDIC cap – he asked if there any objections or discussion needed on this matter – none were offered – he asked if he could **have a motion authorizing the Fiscal Officer to transfer \$85,000 from our checking account to our Money Market account which will leave a balance of \$228,884 in the checking account and the Money Market will be at \$250,000, Keith said so moved, seconded by Barb. Vote: 5 ayes, 0 nays**
6. reported that In preparation for receiving the \$117,000 endowment, he is considering setting up a new CD to deposit these monies into – the interest rates on such investments are low due to current economic conditions – a 13 month CD earns .40%, a 23 month earns .55% and a 48 month earns .75% - he recommended that we invest in the 13 month and if at the end of 13 months interest rates have not increased then consider a longer term CD with higher interest rates – he asked if there were any questions or comments – Bud asked about investing in other

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types of investments and Gary responded that the State of Ohio restricts what public funds can be invested in and that he will investigate and report back to Council

Old Business

Nothing reported.

Public Participation

1. Ed asked if the right-of-way in the beach area allows us to form a road over to The Oaks – the response was no due to private property in between
2. Laura asked if she can tie into the storm sewer drain on Shorefield – Keith asked that she give him a call and they will look at this together
3. Kelly thanked Council for all that they do for the Village
4. Ty Fullerton introduced himself and announced that he is running for Lafayette Township as a Trustee
5. Ed asked if the stump will be removed and cleaned up on the beach – Ken stated “yes”

New Business

1. Barb reported that the catch basin at Rustic Rook and Circle Crest is plugged – Keith will get with Barb on this – Barb also asked about the pylon near Clover Cliff and Beachside and Keith reported that gravel in the road “sunk” and the County is returning to repair this section - Bud confirmed calling the Sanitary Engineers to inspect and report on excessive water and flooding in/at this site
2. Bud reported that he and Ed visited with the Ashland Commissioners to discuss their teleconferencing, which is actually livestreaming, of meetings allowing residents to view the meetings from home but not as active participants and how surprised they were at the number of people participating in the livestream broadcast – Bud reported how Ed put together an overview of the details for Council to review and consider for adding to our options in how visitors can attend our meetings as Council considers cost and how to manage the interaction with the livestream audience – Bud acknowledged that the technology is available for this consideration – Allan stated that the rule-of-law is that a Council member must be present in order to vote – Mayor Dodaro asked Bud if he is going to distribute Ed’s overview to Council for their consideration and Bud responded “yes” he would

There being no further business Barb motioned to adjourn at 9:28 PM, seconded by Bud.

Mayor Joanne Dodaro

Fiscal Officer, Gary Harris