

# Village of Chippewa Lake

P.O. Box 25

Chippewa Lake, Ohio 44215-0025

Clerk's phone: 330-769-9600

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## Council Meeting Minutes

March 8, 2010

The Village of Chippewa Lake Council met in regular session on Monday, March 8, 2010 at the Church at the Lake United Methodist located at 7824 Lake Road. The Honorable Mayor Joanne Dodaro called the meeting to order at 7:30 pm.

All in attendance stood for the Pledge of Allegiance.

**Present:** Mayor Joanne Dodaro, Clerk-Treasurer Cathy Osborn, Law Director Allan M. Michelson, Council President Keith Riedel, Council Members Debbie Bican, Barb Hunter, Brent Osborn and Tom Melter.

**Absent:** Councilman Alan Robbins

Cathy said there is a correction that is needed on page 11 of the February 8, 2010 council minutes where Riedel made a motion and then seconded the motion. The motion being seconded should have been by Robbins, not Riedel.

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**Motion made by Melter to accept the corrected minutes from the February 8, 2010 council meeting. Osborn seconded. 5 Ayes. Motion approved.**

**The Clerk-Treasurer reported the following bills to Council:**

Jones Roll-Off Containers	280.00
Joanne Dodaro	218.45
Cathy Osborn	1,120.18
Allan M. Michelson	1,095.11
Robert Locher, Jr.	409.83
Columbia Gas	1,191.06
Ohio Edison	2,965.43
Medina County Sheriff's Office	3,906.24
Ohio Public Employees Retirement System	772.72
Time Warner Cable	89.38
Jenkins Maintenance	4,026.00
Medina County Engineer	1,992.40
Medina County Sheriff's Office (Dispatch)	2,486.00
Engineering Associates	499.64
TRW Construction	1,800.00
Tom Melter	130.08
Ron Pfaff Electric	8,119.00
Lexington Homes	3,099.00
Dynamerican	3,500.00
Lake Refrigeration	<u>5,737.50</u>

**Total Of All Bills \$43,438.02**

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**Motion made by Osborn to pay the bills from their proper funds. Melter seconded. 5 Ayes. Motion approved.**

Mayor Dodaro asked if any of the following people are present: Philip Matzelle or Martha Herbst-Matzelle or the current resident of 125 Rockridge; Clint English or the current resident of 37 Circle Crest; Scott Donaldson or the current resident of 542 Lee Lore; Benita Sorgi or the current resident of 473 Shorefield. No one who received a vehicle violation notice was present at the meeting. **Motion made by Riedel to give Benita Sorgi, Clint English and Scott Donaldson until Monday, March 22, 2010 to correct the violations or be cited. Osborn seconded. 5 Ayes. Motion approved.**

**Motion made by Osborn to give Philip Matzelle & Martha Herbst-Matzelle until Wednesday, March 10, 2010 to correct the violation or be cited. Riedel seconded. 5 Ayes. Motion approved.** They have not been given much time to comply because they are repeatedly being given notice about vehicle violations. Cathy will send an email tomorrow morning to Bob Locher advising him of Council's decision regarding these violations.

Mayor Dodaro said that she has announced every March since she has been mayor that she is wearing a sweatshirt that was given to her by Len English. Len English was the Mayor of Briarwood Beach and he did make St. Patrick's Day a legal holiday in Chippewa Lake which makes us the only community in the United States that sees it as a legal holiday.

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Mayor Dodaro said she thought we needed to think of Len English at our March meetings. When the villages merged in January of 1998, Len was on the new council and he gave all of us sweatshirts. Mayor Dodaro said that the Lions Club is selling St. Patrick's Day shirts that are similar to the one she is wearing.

Mayor Dodaro asks if there is anyone here that came here to get a zoning permit? No one was present for that purpose. She wanted to make sure because there was a couple that sat through the whole meeting last month for a zoning permit. They were sent to the Council meeting by someone in Medina.

Kim from the Medina County Auditor's office was in attendance. She informed Council that Jerry had been let go from the office. Mayor Dodaro asked Kim to let Jerry know that we will miss him. Kim said there wasn't a lot going on in the auditor's office right now. Kim did bring some informational pamphlets for anyone interested. She did mention that sadly one of the auditor's employees for the last 27 years, Sylvia, passed away over the weekend. Mayor Dodaro gave her condolences and thanked Kim for attending our meeting tonight.

### **Committee Reports**

**Safety:** Deputy Phillips is present tonight sitting in for Deputy Easterday who is out of town. Hunter read the patrol report for the month of February as follows: 6 calls assigned by dispatch,

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**Safety (Continued):** 6 self-initiated calls, 3 in person complaints, 41 citizen contacts, 7 assists to citizens, 3 traffic stops, 1 court citation, 1 village citation, 2 written warnings, 3 suspicious people, 1 suspicious vehicle, 7 assists to other police departments and 1 presence at a fire-rescue call. The deputies worked 61.5 hours for the month of February. They logged 336.6 miles on the cruiser using 31.8 gallons of gasoline. **(see attached report)**

The village had someone from the Drug Task Force attend our meeting a few months ago to talk to us about some things they were doing in the county without mentioning specifics. There is information on that on the village website at: [www.chippewalake.net](http://www.chippewalake.net). There are some active investigations going on. If you see suspicious activity contact the Drug Task Force to report this along with any license plate numbers. Bican said that the Task Force is putting their cards on the doors of suspicious people and neighboring houses to make them aware they are being watched.

Hunter said with the weather beginning to warm up again more and more people will be coming out of hibernation. The deputies will be advised when the spring break begins to add the extra patrol. Hunter asks all residents to keep their eyes and ears open and call the sheriff's department at 330-725-6631 if assistance is needed. Mayor Dodaro asks Hunter to contact Deputy Easterday to let him know it is OK to increase the police hours for April.

**Safety (Continued):** Mayor Dodaro has reviewed the dispatch bill for 2010 that she received from Cathy and she believes the figures are correct. Last year each call cost about \$22.00 and this year each call will cost \$28.60 which is billed to the village.

Fire Chief Jeff Hall distributes the February activity report. **(see attached report)** There were 3 fire calls and 5 EMS calls in the month of February. The year to date totals for the village are 3 fire calls and 6 EMS calls.

Fire Chief Hall gave his thanks to all the residents who attended their pancake breakfasts every Sunday in February. They served 1700 people this year which is the most they have ever done.

Chief Hall said that not many people know that the fire department has daytime staffing. Typically, they have three people that work on Mondays through Fridays. Odd days are staffed at the Lafayette Station and the even days are staffed at the Chippewa Lake Station on Heather Hedge. Mayor Dodaro asked which of the trustees oversees the fire department. Chief Hall answered Nancy Shanley.

**Motion made by Hunter to suspend the three reading requirement for Ordinance #695-10. Melter seconded. 5 Ayes. Motion approved. Ordinance#695-10 "An ordinance approving the agreement for dispatch services to the village from Medina County Sheriff's Office for the year 2010 and declaring the same an emergency." was read by title only. Motion made by Hunter to adopt Ordinance #695-10 as an emergency. 5 Ayes. Motion approved.**

**Zoning:** Osborn reports that the Zoning Board held a Work Session on February 24, 2010 at the Church. **(see attached minutes)** The Board had a discussion about deleting "industrial" in the village's comprehensive plan. The Board has decided to make this change.

In the past there has been discussion about making this village a "gated community". The Board discussed this and thought it would be difficult to implement and probably not a good idea.

The Board discussed the parking situation on Bungalow Bay. They discussed whether we would consider primary parking stickers or permit concrete parking pads in front of their houses. This idea was discarded and no further discussion was had. The Board said that some of the properties on Bungalow Bay were purchased knowing there wasn't any parking space.

Discussion was had about maximizing green space, for instance, the lakefront properties from the bridge on Beachside towards the beach. Naragon questioned whether the property owners can plant, cut down trees, build gazebos, etc. Naragon was directed to investigate the individual property deeds before engaging the Zoning Board in this issue.

Osborn said the Board discussed annexation of commercially zoned property in Lafayette Township that "appears" to be in the Village. This area includes Heather Hedge, Lake Street, First Street, among others. Wharton thought that since Chippewa Landing will becoming a reality, at least that is how it appears, that this area should be looked at since it surrounds Village properties. Lafayette Township's zoning is not as strict as the Village's zoning.

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**Zoning (Continued)**: That area, if developed commercially, could present a number of problems that could potentially affect the health, safety and welfare of Village residents. The problem that the Board talked about was that many properties in that area do not meet the village zoning codes. For the Village to bring the roads in that area up to the standard of the other roads in the Village would be very expensive. Riedel asked where the area is that is up for discussion. Osborn said that from Stop N Go all the way up to the corner of Longacre and all that area back to First Street. Riedel said the purpose of doing this would be to "square up" the boundary lines of the Village. Mayor Dodaro said this topic has come up many times before. She said one of the downsides to this is getting the roads up to standard. There isn't enough tax revenue that would come in to warrant the cost of upgrading the roads.

Someone contacted the Village about starting a Bed & Breakfast and they were questioning the rules. One of the rules pertaining to the Bed & Breakfast is one bathroom per bedroom that is available only to paying guests. The Board talked about this and decided they were not interested in revising the rules as they stand today. They said the rules were well thought out at the time they were implemented.

Osborn reports that the regular Zoning Board meeting was held on Tuesday, March 2, 2010 at the Church. **(see attached minutes)** Under old business, Hannahs: vehicle parking on grass. Deputy Easterday ticketed the vehicle after the last Zoning meeting.

**Zoning (Continued):** Mayor Dodaro reports that Hannahs has not paid the outstanding fines as agreed upon with Cathy. Cathy has turned this over to Michelson for a follow up phone call with Hannahs.

Osborn said that vehicle violations for Vincent Pribish and Lanny Lingenfelter were turned over to Michelson. The case against Vincent Pribish resulted in a \$132.00 fine. The case against Lanny Lingenfelter agreed to a one week continuance to get the truck titled to someone else and into a garage or out of the Village.

The property at 332 Lake Road is now owned by Sweetbriar Properties, LLC in Brunswick, Ohio. Brian Valore and Jason Zak are partners in this company. Brian has asked for an extension of time to install a fence that will go around the dumpster because the ground is frozen. He advised that since purchasing the property they have installed a new roof on the entire structure. They have also remodeled one of the apartments after a tenant moved out. Brian said they plan to continue to update the property including fixing the garage and using it to actually park vehicles in. They were given until April 15, 2010 to comply with the dumpster ordinance.

Under new business, Wharton has obtained a copy of the Lafayette Township Zoning Resolution at a cost of \$25.00. She has reviewed it and it is available to anyone wishing to review it.

Wharton brings up the continuing discussion of considering the annexation the portion of Lafayette Township that is surrounded by Village property.

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**Zoning (Continued)**: This was discussed at the Work Session meeting last week. She said since the Village has developed a Comprehensive Plan and are reviewing and revising the Zoning Book she would like Council to look at the pros and cons of annexing this area into the Village. The Board took a vote and recommended that Council should review and study the possibility of annexing the township properties that border the Village properties from Longacre to Circle Crest and bordered by Lake Road. The first step is to find out if the township would agree to it and if so then the easiest way to do this would be to get all property owners to agree to this and to sign off and then it would be automatic. The next option would be to get 51% of the owners to agree and then you file with the commissioners and you have a hearing. If you annex property you must maintain everything in it such as roads and infrastructure. The Village can't take away anything that is there and you can't make people change their property, but the Village can enforce the residential maintenance code. The Law Director said that the Village should take a look at what the cost would be versus the benefit. Mayor Dodaro said that some people with commercial property might think they will make a lot of money if Chippewa Landing is developed and may not want anything to do with being annexed into the Village. Cyndy said that area is mixed commercial/residential. She you would have to look at each lot separately to determine their use. Mayor Dodaro said she has a map from the Planning Commission that shows all of the area on First Street to be commercial land.

**Zoning (Continued):** The Law Director said that if most of the land owners in this area do not want annexation then the commissioners will probably not approve it. If this goes to the commissioners there will be a hearing and the commissioners will listen to everyone before making a decision. Mayor Dodaro said that the Zoning Board has asked Council to review the possibility of annexing the property discussed which would require forming a group to study this question. It was discussed that a committee with full council will study this topic of annexation, but it is tabled for now.

Osborn said that Michelson spoke with someone from the real estate company that has the Catholic Church property for sale. This property is advertised as 7+ acres of commercial land. This is incorrect as the only commercial portion is the driveway area and the rest is residential. Michelson advised the real estate company of these facts.

The Law Director told the Zoning Board that the Village does not have to rezone the "industrial" area on Lake Road at this time, however, the Board does plan to remove "industrial" as a permitted use from the zoning book.

Osborn said he has written down that the next Work Session will be on March 24<sup>th</sup> at the Church at 7 pm.

Osborn reports that Naragon has drafted the Comprehensive Plan for the Village and the Zoning Board has reviewed and edited it. The Board recommends approval by Council of this Comprehensive Plan. The Law Director suggests that if later the Zoning Board wants to make the Comprehensive Plan part of the Zoning Book you have to do that with a notice of a public hearing.

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**Zoning (Continued):** If you do this then he advises combining this with a couple other zoning amendments at the same public hearing. **Motion made by Osborn to adopt the Comprehensive Plan of the Village of Chippewa Lake. Riedel seconded. 5 Ayes. Motion approved.** Mayor Dodaro asked the Law Director to send a copy of this plan to the Medina County Planning Commission.

The next Zoning Board meeting will be held on Tuesday, April 6, 2010 at the Church at 7:30 pm.

**Finance:** Cathy passed out the bank statement ending February 26, 2010 along with a copy of the accounting reconciliation showing that all balances are reconciled for the month. She asks Council to please sign her copies.

The only other report that Cathy has tonight is the monthly Cash Summary by Fund. The figures on this report are from February 1<sup>st</sup> through March 8<sup>th</sup> before the approved bills are paid. The starting balance in all funds was \$183,048.78. The revenue collected was \$18,105.39 and the expenditures were \$37,909.67. The Star Ohio account has a balance of \$12,280.73. The checking balance is \$150,963.77.

Cathy will submit first quarter financial reports for Council's review at the April Council meeting.

Cathy is continuing working with Varney, Fink & Associates as the audit proceeds. Cathy has sent numerous reports by email already to the senior accountant. It is a constant back and forth with questions and Cathy giving them the answers.

**Finance (Continued):** Cathy is gathering all the necessary documentation and someone will pick up the 2008 and 2009 records in the next two weeks. The accountants will be doing compliance testing in many areas of accounting and making sure that proper procedure is being followed.

Cathy said she did receive a public records request by email from the Ohio Citizens Accounting Standards Board who requested three different documents. It took a lot of time and the help of Candy at Varney, Fink & Associates to learn how to copy reports from the UAN system and send them by email. Cathy has complied with the public records request.

Cathy tried at least six times to reach the Department of Public Safety to inquire about the village's \$10.00 license tax. Each time she called the line was busy. She will continue to find out the answer to her question.

**Buildings:** Melter said the status of the building as of today is that we are almost through Phase One. The old building has been demolished and removed. A PODS storage container has been delivered and the remaining items that the village wants to keep is stored there until the building is completed. All utilities have been disconnected. All new water and sewer lines have been installed to the building. The new gas line has been installed up to the building and we are waiting to have the meter installed. Melter said that Ohio Edison is still scheduled for March 22<sup>nd</sup>. All rough electrical, plumbing, framing and HVAC have been completed and the inspections have passed.

**Buildings:** Melter has a meeting with Securitec One in the morning to make upgrades to the security system. Melter said that insulation is scheduled to start late this week. That will depend on the security system and a couple changes by the electrician. Melter said that Phase One will be complete with insulation.

Melter reports that a Buildings Committee meeting was held on March 4<sup>th</sup>. **(See attached minutes)** Those in attendance at that meeting were: Keith Riedel, Brent Osborn, Cathy Osborn, Barb Hunter, Joanne Dodaro and Tom Melter. One of the things that were proposed at the meeting was the payment of progress invoices by the contractor even though the contracts state to be paid upon completion. All the members at the meeting recommended to Council to pay the partial invoices. There were additional issues brought up for the completion of the project.

1. No electrical outlets in the office. Tom said yes there were, but only two when they are needed on all four walls.
2. There are electrical outlets on the front of the building that are switched.
3. There are NO electrical outlets (outside) on the back of the building and that needs to be switched.
4. There are NO telephone jacks in the Office, Main Room & Equipment Room.
5. No electrical outlet for small refrigerator under the counter.
6. No light over new outside door on south side.
7. No cable wire in any room.

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**Buildings (Continued):**

8. No ceiling hole attic access for lobby section, but there is one for the rest room section.

Cathy will contact the village's insurance company to advise that the old building has been taken down. She will also find out what kind of insurance coverage is needed for the new building.

Cathy noticed that Ron Pfaff added \$175.00 for telephone lines which he added to his contract price.

Members at the meeting agreed to the up charge of \$275.00 to install Bryant furnaces, the additional charge of \$270.00 for extra shutters and the additional charge of \$250.00 to add to two outside faucets with shut-offs inside the building which will be done after all the finish items are put in. The members also discussed the need for phone and cable lines.

After discussion, the members at the meeting will recommend to Council to encumber up to \$28,000.00 from the General Fund to complete the building.

The committee will also recommend the acceptance of the Lexington Homes proposal and authorize Allan Michelson to make up contracts. This contract will be for dry walling, paint, install flooring and do finish work in the rest rooms.

The committee chose the finished items for the building. The lobby will have a gray tile with Arctic Cotton paint, the Main Room will have Cream tile with Prairie Wind paint, all wall paint will be an eggshell finish, and Joanne will contact Ron Modrik about possible special tile pricing.

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**Buildings (Continued):** The cove base should not be white and it will not be, it will be black. The door casing white sample was approved. Melter states that the finished project will NOT have a new parking lot. The finish work proposal for Lexington Homes is \$19,340.00 to be paid upon completion of the work as follows: \$7,000.00 for dry wall, \$3,000.00 for paint, \$3,300.00 for door installation, \$6,040.00 for floor install, finish and cleaning.

**Motion made by Melter to approve the contract for Lexington Homes to finish the work at \$19,340.00. Riedel seconded. 5 Ayes. Motion approved.**

**Motion made by Melter to approve the proposal submitted by Lexington Homes-Bill Lee for additional general contractor consulting on the finished items in the amount of \$1,000.00. Riedel seconded. 5 Ayes. Motion approved.** Tom will have the contracts signed and one copy returned to Cathy for the village's records.

Tom thanked Cathy for finding the original statement from Securitec when the security system was first installed. He said that was helpful and he also spoke with Terry Gray for additional information.

Cathy said that she did follow up on the couple of things from the meeting. She sent an email to Verizon to ask them to take their phone line down that was attached to the old building. It is just dangling from the pole now and she will stay on them until this wire has been removed.

Cathy did speak with Wendy French who is her contact at PEP (Public Entities Pool) who is the village's insurance company.

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**Buildings (Continued):** She advised them that the old building was taken down on February 17, 2010. She has removed the coverage on the old building and will send Cathy a confirmation on that cancellation. The new building is covered for two million dollars for the next 120 days. Cathy will call her around June 1<sup>st</sup> to give her an expected completion of the building. Cathy will call sooner if the building is completed before June 1<sup>st</sup>. Tom thanked Cathy for following up on these matters.

Melter is thanked for all of his work and dedication to this project.

**Community Relations:** Robbins has submitted his activity report in his absence. **(see attached report)** Mayor Dodaro gave his report. There is no new activity to report concerning the Village Pride, but they will have a meeting on April 26<sup>th</sup>.

The Lafayette Fire Department has CPR classes scheduled on March 11, March 25 and April 15.

The competition dates for the Ski Team are July 10 for the Regional and August 14 for the Nationals. They will hold their annual silent auction on March 19<sup>th</sup> at the Oaks.

The Lions Club has a new fundraiser where they are selling American flags for \$40.00. Mayor Dodaro is not sure that is correct. They are also selling St. Patrick's Day T-Shirts as a fundraiser. They will be available after St. Patrick's Day also. Mayor Dodaro said they are designed in such a way that they can be worn all year.

The 2010 Census is receiving a lot of marketing and media coverage. For more information: [www.2010census.gov](http://www.2010census.gov)

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**Community Relations (Continued):** There will be a meeting of the Upper Chippewa Creek Watershed, Balanced Growth Program on March 18, 2010. Robbins is not able to attend, but Mayor Dodaro knows that Robbins has been talking to Jeff VanLoon so he will report on this next month.

There is no new information to report concerning the Medina County Parks District or the Medina County Planning Department concerning the Chippewa Lake area.

Chippewa Landing: There is no new information other than the Port Authority Bond financing activities appear to be moving forward.

A marketing plan for promoting the First Energy Aggregation vote to the Village residents is underway. Contact has been made to First Energy's marketing department. They are preparing some written materials for us to use in our promotional activities. Robbins plans to have information on the Village's website and the Neighborhood Watch email list to get information out to the residents. Robbins plans to promote any and all meetings throughout the spring in advance of the vote on May 4<sup>th</sup>. Robbins suggests that should budget dollars be available....a yard sign to vote YES on this issue could be valuable.

This issue if approved by the voters will save residents 6% on their electric bill and also has a nice grant attached to it that will help the village tremendously. All residents have the option not to participate at the beginning of the agreement. After the agreement has take effect then residents can opt out every three years if they are not satisfied with the plan.

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**Streets:** Riedel said that the Phase Four-Craggy Creek project estimate is \$283,000.00. The Village's match is 11% which is \$31,130.00. On this project, they will be using a four foot wide fiber reinforcement in the center as some of the other roads previously done are showing some stress. This work is figured in the \$283,000.00 amount. The bids for this project will be opened on Monday, March 29, 2010 at noon. This will take place at the office of Engineering Associates located at 1935 Eagle Pass in Wooster, Ohio. Craggy Creek is being reconfigured at Chippewa Road and rounding it off to make it an easier access from the west. The other end of Craggy which goes into Beachside Blvd is being put back on Village property and removing it from a private residence. Construction is expected to begin on June 1<sup>st</sup>. Columbia Gas is decided do some work in that area, but they promise to be done by May. The Law Director is working on the easement and has identified the owners and plans to contact them.

Riedel has asked Bill Zweifel to go around and straighten up some stop, speed limit and parking signs within the village and replace some that are faded. Riedel has given Zweifel instruction on how he would like new signs installed.

**Ordinance #692-10 "An ordinance repealing Ordinance #355-86 and providing for permanent stop signs at the intersections of Rockridge Drive and Heather Hedge Drive and Longacre and Lazywood and declaring the same an emergency."**  
**Ordinance #692-10 had its second reading.**

**Parks:** Bican said the sun was shining so she was getting phone calls to put the tennis nets back up. The nets will be put up soon.

Bican has spoken to Mike Stallard of Pro Touch Lawn Care. He was hoping to attend tonight's meeting, but he is unable to be here. He is not changing his rates from last year and Bican suggests we approve a contract with him for lawn services for 2010 at the same rate as in 2009. **Motion made by Bican to waive the three reading requirement for Ordinance #696-10. Osborn seconded. 5 Ayes. Motion approved. Ordinance #696-10 "An ordinance approving a contract with Mike Stallard dba Pro Touch Lawn Care for lawn maintenance for the village for the 2010 season and declaring the same an emergency." was read by title only. Motion made by Melter to adopt Ordinance #696-10 as an emergency. Bican seconded. 5 Ayes. Motion approved.** The Law Director will prepare the ordinance and the contract and mailed it to Mike Stallard for his signature.

Mayor Dodaro asks Bican if she and Cyndy Naragon are working on mailing out letters for beach passes this year. Bican said they are planning to do that.

**Law Director:** The Law Director has three cases to report on. One of the vehicle violations went to court and was found guilty. He paid a fine and cost of \$132.00. The other vehicle violation case was given a continuance of one week to transfer title and get the vehicle into a garage or out of the village.

**Law Director (Continued):** The third case was for a barking dog. This was a habitual complaint and the defendant was given a fine and cost of \$193.00. This fine should send a message. Cathy asks how the case was proven. The Law Director said there was a recording of the dog barking for a long time, a history of complaints about this dog, and an officer happened to hear this barking and wrote a ticket.

The Law Director said he had to provide the court with a printed copy of the village's traffic and general codes which is almost 500 pages. It was an additional \$35.00 charge that has been added to his bill this month, but he wanted to explain why it is there.

**Old Business:** None

**New Business:** Mayor Dodaro goes to the audience for any questions from those in attendance. No one has any questions.

**At 9:05 pm, Riedel made a motion that the meeting be adjourned. Bican seconded. 5 Ayes. Motion approved.**

**Next Meeting: Monday, April 12, 2010 at 7:30 pm at the Church at the Lake United Methodist located at 7824 Lake Road.**

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**Joanne Dodaro, Mayor**

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**Cathy Osborn, Clerk-Treasurer**