



Metro

Brady Lake Village could vote itself out of existence on May 2 (photos, video)

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By Brian Albrecht, The Plain Dealer

BRADY LAKE, Ohio - The emerging colors of spring are as rich as the history of this small Portage County village that could vote itself out of existence on May 2.

On that date, voters among the 518 residents will decide whether to "disincorporate," officially ending a 90-year civic presence that started when the community, named for a famed 18th-century frontier Indian fighter Captain Samuel Brady, was incorporated.

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Brady Lake was named for famed 18th-century Indian fighter Captain Samuel Brady who used its waters as part of an escape.

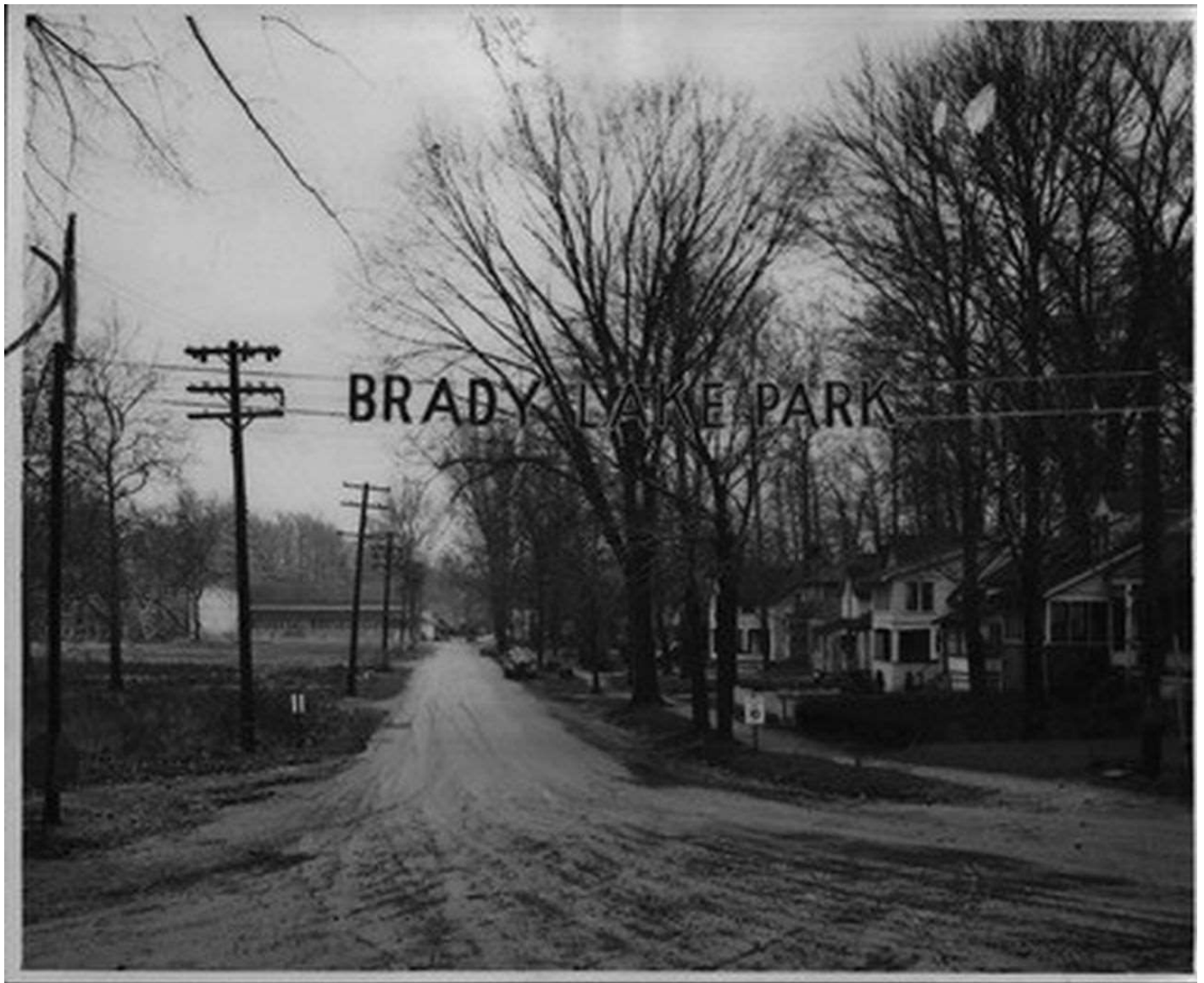
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The lake that bears his name was, according to legend, where Brady eluded a pursuing band of Indians by hiding underwater, breathing through a hollow reed, after making a spectacular leap across a 22-foot gorge in what is now nearby Kent.

The area later became the home of the Brady Lake Electric Park in 1891, with a dance pavilion, swimming and bath houses, a miniature railroad and steamboat to attract tourists. A group of Spiritualists ran it for several seasons, and by 1901 the attraction included a roller coaster, midway and pony track. The park had a single-day record attendance of 10,000.



The entrance to Brady Lake Park is shown in 1947. (Plain Dealer Historical Photograph Collection)

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Once billed as "Ohio's Most Perfect Playground," the park featured such national musical headliners as Cab Calloway and Rudy Vallee in the 1930s, but the addition of gambling and slot machines led to its downfall a decade later.

In recent years the village's woes have included deteriorating roads -- "travel at your own risk" signs are now posted - funding cuts and resident complaints regarding village services and spending.

The dissatisfaction prompted a disincorporation vote in 2013 that failed by a 135-63 margin.

Joe Becker, a seven-year Brady Lake resident, was involved in that unsuccessful effort, and blamed the defeat on the novelty of the idea and reluctance of residents to admit there were problems with the village.

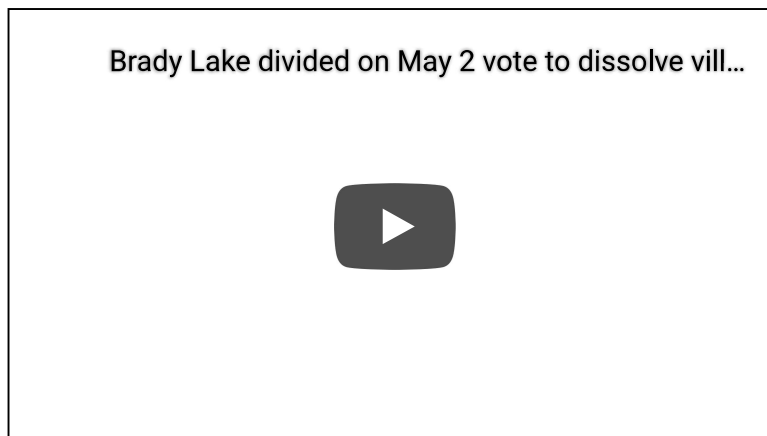
"There was immediate denial - no way, not my neighborhood," he said. "It was a fresh idea, that maybe things aren't going as well as they're telling us. It wasn't taken seriously."

Later, the concept gained supported as village finances and road conditions deteriorated, said Becker, who runs the Facebook site [Brady Lake Muskrats Community](#).

"Our property tax is the highest in all of the county, and people started going, 'Wait minute, what am I getting? Where is my money going?'" Becker added.

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(According to the Portage County Treasurer, Brady Lake has the highest total tax rate of 143.9 mills in the county.)



Signs supporting the latest disincorporation - *"It's time/ Vote Yes Issue 1/ Let it go"* -- now sprout like dandelions along the Brady Lake roads.

Becker expects a close battle in the upcoming vote between the "younger, more knowledgeable, socially active voters vs. the standard coffee-klatch traditionalists."

Yet he emphasized that, "We're not coming in vindictively or with any malice, saying let's burn down Rome. Actually, this is going to preserve our neighborhood and preserve our heritage.

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"It's still a true community, and you don't want to see that go away," he added. "But politically, it can't sustain itself. It's too damaged to be fixed."

A leaking, not sinking ship

Mayor Hal Lehman said the 2013 disincorporation campaign "was all started because people didn't think that we had enough money to operate, and things weren't going to get done and stuff. " The same reasoning applies to the current campaign, he added.

The mayor admitted that the village has been financially hit by the rising cost of EMS service provided by the city of Kent for Brady Lake residents, totaling more than \$120,000 in the past two years.

That issue would remain a challenge even if the disincorporation effort fails, according to Lehman, who noted that the village council has discussed doubling the village's one percent income tax to meet the EMS expenses.

He also said state funding cuts of \$100,000 have crippled the village's ability to repair roads, leaving many now looking like the aftermath of a mortar attack.

A road repair levy was narrowly approved last year but that effort has been put on hold until the disincorporation vote is held, according to Lehman.

"It's just the (state) funding cuts. It kills a small place," he said. "I see us as a leaking ship, a little bit, but not a sinking ship. But if they keep cutting and cutting and cutting, yes, it's sad, but I don't see us staying a village."



Hal Lehman will be out of a job as mayor of Brady Lake Village if the disincorporation issue is approved, but had planned to retire at the end of this year anyway. (Brian Albrecht/The Plain Dealer)

Lehman, who announced last year he would retire from his \$7,500-a-year job at the end of this year, views the upcoming disincorporation effort as troubling for its lack of information about what would happen after the village is dissolved.

If disincorporation is approved, Lehman said the village would have to sell its assets to meet current debts, and residents would lose the village police department, all services including snow plowing, a road repair levy and monthly contracts for fire and EMS services from Kent.

Otherwise, "everybody is speculating, 'Oh you're going to [Franklin Township](#)'" which surrounds Brady Lake, Lehman said. "But that's not for us to decide.

"If we knew what would happen if we dissolved, I think that would make a lot more people more comfortable, but we just don't know," he added. "If I knew the future, maybe I would change my mind. But right now, I can't.

"I just don't think it (the disincorporation effort) was thought out thoroughly."

Yet the uncertainty of the future is preferable to the certainty of the present and recent past to some Issue 1 backers.

Accepting some pain for greater rewards

During a recent meeting of disincorporation supporters, Paul Swigart, a lifetime Brady Lake resident, said even if villagers have to cope with some short-term sacrifices, the end result would be worth it.

"People have got to understand that you might have to suffer a little bit now, but in the end you're going to have a better situation," he said. "I love this village, but I can't see how, financially, they can heal it.

"People need to realize that maybe change would not be a bad thing, that there is a positive thing to it -- you're going to get better services," he added. "It's going to happen sooner or later. It's a sad thing, but I think in the long run, it's a good thing."

Laurel Archer commented, "We lost our fire department and EMS because of money problems. We can't keep going on."

To Linda Rothaermel, 44, who previously voted in 2013 to remain a village, remarked, "our little village is just in dire straits as far as finances. It's just mismanagement of funds. We don't get grants, and with state cutbacks, we're just in a bad spot. It's just to a point where it's time to let go."

When asked why critics of the village didn't offer their own slate of candidates for council or mayor, Rothaermel said, "At this point I think it's too late. The damage is done."

Nicole Atkinson, who also supported remaining a village during the last disincorporation vote, said she has switched sides now because "things have gotten worse . . . the roads have clearly gotten worse. I see a lot of the services that have declined or stopped altogether."



The roads of Brady Lake Village have become so riddled with potholes that warning signs were put up, advising motorists that they travel through the village at their own risk. (Brian Albrecht/The Plain Dealer)

"I'm supporting this in the hopes we can gain some of the services that Franklin Township offers," she added.

Atkinson and other Issue 1 supporters do not believe the heritage and community spirit of Brady Lake will change if the village is dissolved.

"I love the sense of community. I always tell people it's like a large campground," she said. "I don't fear any loss of a sense of community. I actually think it will only improve.

"I think that when we have a community we can take pride in again, we'll have even more strength," she said.

When villages dissolve

The process of disincorporation in Ohio is not "extremely common," but does happen a couple times a year, usually in very small, rural communities, according to Joshua Eck of the [Ohio Secretary of State's](#) office.

Columbus attorney Peter Griggs, co-author of a presentation, "When Villages Dissolve," for the Ohio Township Association's 2016 winter conference, also noted that disincorporation is "becoming more and more common.

"Everybody has their own reasons. It could be financial, it could be voter dissatisfaction. It just depends," he added.

Griggs said if Brady Lake approves disincorporation, varied options could result.

Mayor Lehman believes the village may have existed as Brady Lake Township before its incorporation.

If so, Griggs said the village would revert back to township status and new elections could be held to install trustees. Or, Portage County commissioners have the option to attach Brady Lake Township to another township.

If Brady Lake, before incorporation, was part of Franklin Township, the former village "then goes back to, becomes the township, whatever township existed prior to establishment of village," according to Griggs.

The new township, whether Brady Lake or Franklin, would wind-up the financial affairs of the village, "sort-of like a receivership," he said.

"Typically they (disincorporated villages) don't have a lot money," he added. "There may be property and utilities involved, outstanding debts, cash assets. All that stuff needs to be worked through."

Ohio statutes, however, "provide very little guidance how that happens once the village is dissolved and the property goes to the township," Griggs said.

"Often it's found that the debts far outweigh and exceed the assets," he added. "A lot of times we encourage people to contact the state auditor's office. They have people there that help guide you through the process."

According to Griggs, under the new township the property tax rate could remain the same for the duration of existing levies, the income tax would not transfer, and new zoning would have to be created.

He noted in his presentation that if the village territory is absorbed into a township, that township may be responsible for the village debt, "even if they had no decision in incurring that debt."

Scott Swan, one of three trustees of Franklin Township - the oft-mentioned possible future of Brady Lake -- said the trustees "will do what we are supposed to do if it comes to the point where Franklin Township does absorb the village of Brady Lake.

"I just don't know how this process will play out," he added. "This process will be initiated by someone other than Franklin Township, and we will work with those bodies to ensure a smooth transition."

A vote for the future

In the final days before the disincorporation vote, emotions and questions have rippled across Brady Lake.

Debra Wisniewski, 54, bought a house in Brady Lake about three years ago.

"Then I started realizing, why aren't they fixing anything?" she said. "They've raised taxes and nothing gets done."

She was disappointed when the village dropped its volunteer fire department, and particularly upset about deteriorating road conditions in recent years.

"They're not doing anything for us," she said. "They're taking away services, and nobody has roads that bad. Nobody."

If Issue 1 fails, "I will probably, eventually sell (her house) if I can," she said. "Nobody wants to buy here because of the condition of the town."

Bob Howard, a Brady Lake resident since 1983, opposed both the disincorporation effort in 2013 and the current effort.

But he conceded that the village may have gotten too small to cope with mounting problems.

"I think the village is not large enough to remain functional," he said. "I think everybody realizes we have major issues and we don't have a lot of ability to resolve them simply."

"We are not a poor or destitute village," he added. "We are just too small."



Brady Lake resident Bob Howard said the village is too small to keep up with the problems it faces. (Brian Albrecht/The Plain Dealer)

Howard believes that if the disincorporation is approved, merging with Franklin Township "makes the most sense."

"I used to live in Franklin Township, and I was very satisfied with its services," he added.

However, he is concerned about what would happen during the interim between when Brady Lake ceases to be a village and joins Franklin Township.

"Nobody knows. Nobody has an answer. We're not going to go through that without incurring some damage and some costs," Howard said.

"If we're going to end the village, we need to do it in a way that's thoughtful and systematic," he added. "Not chaotic and filled with unanswered questions."

For now, the fate of the village hangs on a vote.

And pass or fail, as Mayor Lehman noted, either way it's going to be a challenge for Brady Lake.

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