

**ORGANIZATIONAL MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE**

**Monday, January 3, 2005**

**8:00 p.m.**

The organizational meeting of Council was called to order by Mayor Warner Mendenhall at 8:00 p.m.

Mayor Mendenhall led the Pledge of Allegiance.

Mayor Mendenhall then asked for a roll call of Council.

The following members were present: Mr. Jack Ingram, Mr. Robert Gray, Mr. Duane Scott, Mrs. Carol Steiner, Mr. Bernie Hovey, Mr. William Church, and Mrs. Karen Fuller.

Roll call of Council – 7 members present

Mayor Mendenhall asked for nominations for Council president.

Mrs. Steiner made a motion to nominate Mr. Duane Scott as President of Council, seconded by Mr. Gray.

Roll call on the nomination of Mr. Scott as President of Council: Yes 7 No 0

Council unanimously approved the nomination of Mr. Scott as President of Council.

Mr. Scott wanted to thank all of the Council members for their confidence in him as President of Council.

Mayor Mendenhall asked for nominations for Vice-President of Council.

Mr. Church made a motion to nominate Mrs. Carol Steiner as Vice-President of Council, seconded by Mrs. Fuller.

Roll call on the nomination of Mrs. Steiner as Vice-President of Council.

Council unanimously approved the nomination of Mrs. Steiner as Vice-President of Council.

Mayor Mendenhall administered the oaths of office to Mr. Scott and Mrs. Steiner.

Mayor Mendenhall then turned the Council meeting over to Council President, Mr. Duane Scott.

Mr. Scott asked for a roll call of Council.

The following members were present: Mr. Jack Ingram, Mr. Robert Gray, Mr. Duane Scott, Mrs. Carol Steiner, Mr. Bernie Hovey, Mr. William Church, and Mrs. Karen Fuller.

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Roll call of Council – 7 members present

Mr. Scott asked if there were any additions or corrections to the minutes of the December 20, 2004, Council meeting.

There being no corrections, the minutes were approved as sent out.

Mr. Scott asked Council members if they would like to remain with the committees they currently serve on.

Council unanimously stated they would like to remain on the committees that they currently serve on.

The committees for 2005 are as follows:

Mr. Ingram, Mr. Church, and Mrs. Fuller are assigned to the Finance and Appropriations Committee. Mr. Ingram will remain the Chairman and Mr. Church will remain Vice-Chairman of the Committee.

Mr. Church, Mr. Hovey, and Mr. Ingram are assigned to the Public Improvements Committee. Mr. Church will be Chairman and Mr. Hovey will remain Vice-Chairman of the Committee.

Mrs. Steiner, Mr. Gray, and Mrs. Fuller are assigned to the Personnel and Public Affairs Committee. Mrs. Steiner will remain Chairman. Mr. Gray will be Vice-Chairman.

Mr. Hovey, Mr. Gray, and Mrs. Steiner are assigned to the Planning, Zoning and Insurance Committee. Mr. Hovey will remain Chairman. Mr. Gray will be Vice-Chairman.

The representative to the Silver Lake Board of Trustees will be Mr. Church and Mrs. Fuller will be Council's liaison to the Park and Recreation Board.

Mr. Scott asked Council if anyone would like to change the seating arrangement.

Council responded unanimously to keep the current seating arrangements the same.

Mr. Scott asked Mrs. Teresa Spohn, Clerk-Treasurer, for the reading of any pending legislation that is up for a first reading.

**ORDINANCE NO.: 1-2005 AN ORDINANCE ESTABLISHING A GENERAL CLASSIFICATION PLAN FOR EMPLOYEES OF THE VILLAGE OF SILVER LAKE INCLUDING A SCHEDULE OF PAY GRADES AND RANGES FOR VARIOUS**

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**POSITIONS WITHIN THE MUNICIPAL CORPORATION OF THE VILLAGE OF SILVER LAKE, ESTABLISHING RULES FOR THE ADMINISTRATION OF SUCH SCHEDULES AND RANGES, REPEALING ORDINANCE NO.: 1-2004 PASSED JANUARY 6, 2004, AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Ordinance No.: 1-2005 to the Personnel and Public Affairs Committee.

**ORDINANCE NO.: 2-2005 AN ORDINANCE RE-APPOINTING TERESA M. SPOHN TO THE OFFICE OF CLERK-TREASURER FOR THE VILLAGE OF SILVER LAKE, EFFECTIVE JANUARY 1, 2005, PROVIDING COMPENSATION THEREFORE, AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Ordinance No.: 2-2005 to the Personnel and Public Affairs Committee.

**ORDINANCE NO.: 3-2005 AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDED CONTRACT WITH ROBERT W. HEYDORN AS SOLICITOR OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Ordinance No.: 3-2005 to the Personnel and Public Affairs Committee.

**RESOLUTION NO.: 4-2005 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CARGILL, INC., SALT DIVISION, FOR THE PURCHASE OF BULK ROCK SALT IN ACCORDANCE WITH THE COMMUNITY UNIVERSITY EDUCATION (CUE) PURCHASING ASSOCIATION, AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Resolution No.: 4-2005 to the Finance and Appropriations Committee.

**ORDINANCE NO.: 5-2005 AN ORDINANCE REPEALING ORDINANCE NO.: 42-2002 ADOPTED MAY 6, 2002, AND ENTITLED "AN ORDINANCE AUTHORIZING AND DIRECTING THE CLERK-TREASURER TO TRANSFER, UPON RECEIPT, FIFTY PERCENT (50%) OF NET INCOME TAXES RECEIPTED IN THE INCOME TAX FUND (G03) TO THE GENERAL FUND COMMENCING JANUARY 1, 2002 AND CONTINUING THEREAFTER UNTIL MODIFIED BY COUNCIL, AND DECLARING AN EMERGENCY."**

Mr. Scott assigned Ordinance No.: 5-2005 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 6-2005 A RESOLUTION AUTHORIZING THE TRANSFER OF ELEVEN THOUSAND EIGHTY FIVE DOLLARS AND SIXTY-EIGHT CENTS (\$11,085.68) FROM THE GENERAL FUND (A01) TO THE ACCRUED BENEFITS PAYMENTS FUND (B11), AND DECLARING AN EMERGENCY.**

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Monday, January 3, 2005

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Mr. Scott assigned Resolution No.: 6-2005 to the Finance and Appropriations Committee.

**ORDINANCE NO.: 7-2005 AN ORDINANCE AMENDING PART NINE-STREETS, UTILITIES AND PUBLIC SERVICES CODE, CHAPTER 941-WATER WELLS, AT SECTION 941.03-DRILLING PERMIT OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, OHIO HEREBY ESTABLISHING A FEE FOR SAID PERMIT, AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Ordinance No.: 7-2005 to the Finance and Appropriations Committee.

**RESOLUTION NO.:8-2005 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS, AND DECLARING AN EMERGENCY. \$148,383.42**

Mr. Scott assigned Resolution No.: 8-2005 to the Finance and Appropriations Committee.

Mr. Scott asked if there were any questions from the audience regarding pending legislation.

There being none, Mr. Scott continued with the agenda.

**REPORTS OF COUNCIL STANDING COMMITTEES**

**Finance and Appropriations Committee – Mr. Jack Ingram, Chairman**

Mr. Ingram stated Resolution No.: 4-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Ingram made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 4-2005, seconded by Mrs. Steiner.

Roll call on suspension: Yes 7 No 0

Motion to adopt by Mr. Ingram, seconded by Mr. Gray.

Roll call on adoption: Yes 7 No 0

Mr. Ingram stated Ordinance No.: 5-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Ingram made a motion to suspend the rule that legislation be read at three meetings for Ordinance No.: 5-2005, seconded by Mr. Gray.

Roll call on suspension: Yes 7 No 0

Motion to adopt by Mr. Ingram, seconded by Mr. Hovey.

Roll call on adoption: Yes 7 No 0

Mr. Ingram stated Resolution No.: 6-2005 was discussed in committee earlier this evening and is ready for adoption.

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**Monday, January 3, 2005**

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Mr. Ingram made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 6-2005, seconded by Mr. Gray.

Roll call on suspension:      Yes    7      No    0

Motion to adopt by Mr. Ingram, seconded by Mrs. Steiner.

Roll call on adoption:      Yes    7      No    0

Mr. Ingram stated Ordinance No.: 7-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Ingram made a motion to suspend the rule that legislation be read at three meetings for Ordinance No.: 7-2005, seconded by Mr. Hovey.

Roll call on suspension:      Yes    7      No    0

Motion to adopt by Mr. Ingram, seconded by Mr. Church.

Roll call on adoption:      Yes    7      No    0

Mr. Ingram stated Resolution No.: 8-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Ingram made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 8-2005, seconded by Mrs. Steiner.

Roll call on suspension:      Yes    7      No    0

Motion to adopt by Mr. Ingram, seconded by Mrs. Fuller.

Roll call on adoption:      Yes    7      No    0

**Personnel & Public Affairs – Mrs. Carol Steiner**

Mrs. Steiner stated Ordinance No.: 1-2005 was discussed in committee earlier this evening and is ready for adoption.

Mrs. Steiner made a motion to suspend the rule that legislation be read at three meetings for Ordinance No.: 1-2005, seconded by Mr. Hovey.

Roll call on suspension:      Yes    7      No    0

Motion to adopt by Mrs. Steiner, seconded by Mr. Gray.

Roll call on adoption:      Yes    7      No    0

Mrs. Steiner stated Ordinance No.: 2-2005 was discussed in committee earlier this evening and is ready for adoption.

Mrs. Steiner made a motion to suspend the rule that legislation be read at three meetings for Ordinance No.: 2-2005, seconded by Mr. Church.

Roll call on suspension:      Yes    7      No    0

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Motion to adopt by Mrs. Steiner, seconded by Mr. Hovey.

Roll call on adoption:            Yes    7            No    0

Mrs. Steiner stated Ordinance No.: 3-2005 was discussed in committee earlier this evening and is ready for adoption.

Mrs. Steiner made a motion to suspend the rule that legislation be read at three meetings for Ordinance No.: 3-2005, seconded by Mr. Church.

Roll call on suspension:        Yes    7            No    0

Motion to adopt by Mrs. Steiner, seconded by Mr. Gray.

Roll call on adoption:            Yes    7            No    0

**MAYOR'S REPORT**

**Mayor Mendenhall** reported to Council that a message would be on the Village's government channel, Time Warner Cable Channel 15, reference coyotes.

There has been a visual sighting of a coyote in the areas behind the homes on Silver Lake Boulevard abutting Crystal Lake and around Silver Lake Elementary School.

The Village's animal control individual, Ms. Cathy Schultz, has been in these areas to try to track the coyote(s). One of the coyotes that have been sighted appears to be of a hybrid nature. In this case, the coyote may be a cross between a German Shepard and a coyote.

We are asking residents to be watchful and conscious of their surrounding as they are walking their dogs. Small animals should not be left unattended.

Mayor Mendenhall stated he had the opportunity today to thank the Mayor of the City of Stow, Mrs. Karen Fritschel, for the City's assistance during the December 23<sup>rd</sup> snow storm. The Village's Service Department's salt truck was out of commission and the City of Stow's Service Department kept Route 59 and Graham Road salted. Their assistance during this time was greatly appreciated.

The Englewood Drive project with the City of Stow is on the City of Stow's Service Director's "short list". We still do not have a timeline yet as to when the project will get underway; however, Mayor Fritschel's cooperation has been greatly appreciated.

Mayor reported to Council that the Village's beginning budget balance is a healthy one. Several events have made this possible. The County's sewer bill came in today and the amount averaged over a four month period was under \$10,000 per month. Normally, \$16,800 a month is set aside to pay the sewer bill. A new police cruiser was not purchased in 2004. The Village has also been notified that we will be receiving inheritance tax on one estate in the amount of \$248,000.

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The Mayor of Akron, Mr. Don Plusquellic, was on the radio today discussing what appears to be an attempt to take our local government funds even lower. Currently, 15 percent of the Village's revenue comes from local government funds.

Due to the weather conditions, smoke testing the sewers has not started yet. Our hope is to smoke test before spring.

Mrs. Amy Riechman, who is in the audience tonight, has been working on the grant for the Village's picnic shelter. The program for the grant is based on a point system. The Village would have to have more points than anyone else applying for the same grant. We have found that if we add a restroom to the pavilion, the Village would get 15 more points.

There is still no word from Ohio Edison as to when the street lights would be in operation on Vincent Road.

The Village is still in the planning and approval stage with ODOT reference the sound wall on Route 8.

Mr. Scott gave a letter to the Mayor jointly signed by Mr. Steve Hambley, Medina County Commissioner, and Mr. Peter Lawson Jones, Cuyahoga County Commissioner, reference the Northeast Ohio League for Leadership and Advocacy (NOLLA). NOLLA is a joint, cooperative lobbying organization to advance the interests of Northeast Ohio. (A copy of the letter is attached to the original minutes.)

Mr. Scott reported that he has received a moral claim from an individual who hit what he thought was a temporary street sign that had fallen in the street and damaged two tires on his vehicle.

Mrs. Steiner asked Mr. Fenwick if he would like to comment.

Mr. Fenwick stated the sign was a permanent yield sign and it appeared that the sign had rotted off.

**Mr. Robert Heydorn** had no report.

Mr. Heydorn thanked Council for the renewal of his contract.

**Chief DeMoss** reported Ms. Schultz and her assistance will be monitoring the activities of the coyotes in the area Mayor Mendenhall referenced in his report.

Chief DeMoss stated there are police cruisers that are in need of repairs.

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Mr. James Miller, 3057 Kent Road, who was known in the Village as “Mr. Pumpkin Control” passed away over the weekend. Mr. Miller organized the safety patrol for Beggar’s night in the Village. Mr. Miller’s help was invaluable to the Police Department. Mr. Miller will be missed.

Chief DeMoss reported the Christmas and New Year’s weekends went very well for the Police Department.

Chief DeMoss said the Service Department did a great job during the snow events.

**Mr. Fenwick** reported 200 tons of salt was used during the snow storms on December 22<sup>nd</sup> and 23<sup>rd</sup>. The Service Department had an enormous amount of overtime due to the snow storms and the water break on December 24th on Graham Road.

Mr. Fenwick thanked Mr. Jim Megenhardt, the City of Stow’s Road Superintendent, for his assistance during the snow storms.

Mr. Fenwick reported that the Service Department did a great job during the snow storms and the water break on Graham Road.

The water break occurred at 9:00 a.m. on Christmas Eve and the last man went home around 11:30 p.m. that evening. Kenmore Construction had to be called in to cut the roadway with a Vermeer saw. The valve would not shut down and therefore had to be repaired under pressure, which means the Service Department men got very wet and it was an extremely cold day.

Mr. Fenwick stated in all his years with the Village, this was the second worst water break that he has seen.

Mrs. Spohn reported the financial report has been passed out to Council. The Village’s ending balance in the General Fund was predicted to be about \$850,000 and our unencumbered balance is \$956,000. This is due to the cooperation of the Departments in that they did not spend everything that was appropriated. Money was spent wisely and as was needed.

Mrs. Spohn thanked Council for her reappointment.

Mr. Scott asked if there were any other questions from the audience.

Mr. Ted Mumma, 2794 Cranbrooke Drive, asked if there has been any word from FEMA reference his property.

Mayor Mendenhall reported FEMA did not mail the request to the Federal Government when they said they did. FEMA mailed the request a month after they told us they did.

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Mrs. Spohn reported she has called FEMA and they have been extremely busy with other weather events that have been occurring, which calls them away from the office for months at a time.

Mr. Church suggested we call Congressman LaTourette.

Mrs. Joy Wilson, 3099 Athens, asked Mayor Mendenhall if a Charter Review Commission has been appointed.

Mayor Mendenhall stated a Charter Review Commission has not been appointed. Many residents have expressed an interest to serve.

There being no further questions from the audience, Council adjourned at 8:42 p.m., until the next Council meeting, Tuesday, January 18, 2005, at 7:30 p.m.

APPROVED:

\_\_\_\_\_  
Duane N. Scott, President of Council

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer

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