

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

**Monday, March 7, 2005**

**7:30 p.m.**

The Village of Silver Lake Council met in a regular session on Monday, March 7, 2005, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio.

With President of Council, Mr. Duane Scott, presiding, the meeting was called to order at 7:30 p.m.

Mr. Scott led the Pledge of Allegiance.

The following members were present and responded to roll call: Mr. Jack Ingram, Mr. Robert Gray, Mr. Duane Scott, Mrs. Carol Steiner, Mr. Bernie Hovey, and Mrs. Karen Fuller.

Roll call of Council – 6 members present    1 member absent

Mr. Hovey made a motion to excuse Mr. William Church from this evening's Council meeting, seconded by Mr. Gray, and all of Council agreed.

Mr. Scott asked if there were any additions or corrections to the minutes of the February 22, 2005, Council meeting.

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

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

**RESOLUTION NO.: 33-2005 A RESOLUTION REJECTING ALL BIDS TAKEN FOR THE SILVERVIEW STORM SEWER IMPROVEMENTS PROJECT AND AUTHORIZING AND DIRECTING THE CLERK-TREASURER TO ADVERTISE AND TAKE NEW BIDS FOR THE SILVERVIEW DRIVE STORM SEWER IMPROVEMENTS PROJECT IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Resolution No.: 33-2005 to the Public Improvements Committee.

**RESOLUTION NO.: 34-2005 A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES FOR PURCHASES AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Resolution No.: 34-2005 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 35-2005 A RESOLUTION CONFIRMING THE MAYORAL APPOINTMENT OF LOUIS CIRALDO TO FILL THE UNEXPIRED TERM OF JAMES GINN ON THE PLANNING COMMISSION OF THE VILLAGE OF SILVER LAKE FOR THE TERM ENDING DECEMBER 31, 2005, AND DECLARING AN EMERGENCY.**

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Monday, March 7, 2005

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Mr. Scott assigned Resolution No.: 35-2005 to the Planning, Zoning and Insurance Committee.

**RESOLUTION NO.: 36-2005 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS, AND DECLARING AN EMERGENCY. \$ 98,352.32**

Mr. Scott assigned Resolution No.: 36-2005 to the Finance and Appropriations Committee.

Mr. Scott asked for the reading of any pending legislation that is up for a third reading.

**ORDINANCE NO.: 19-2005 AN ORDINANCE TO APPROVE, ADOPT AND ENACT POLICIES, RULES, AND REGULATIONS DESIGNED BY THE VILLAGE PARK BOARD AS WORKING GUIDELINES FOR PUBLIC TREES IN THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.**

Mr. Scott stated Ordinance No.: 19-2005 was previously assigned to the Personnel and Public Affairs Committee.

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

There being no questions, Mr. Scott continued with the agenda.

**REPORTS OF COUNCIL STANDING COMMITTEES**

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

Mr. Ingram stated Resolution No.: 34-2005 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.: 34-2005, seconded by Mr. Gray.

Roll call on suspension:      Yes    6      No    0

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

Roll call on adoption:      Yes    6      No    0

Mr. Ingram stated Resolution No.: 36-2005 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.: 36-2005, seconded by Mrs. Steiner.

Roll call on suspension:      Yes    6      No    0

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

Roll call on adoption:      Yes    6      No    0

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Mr. Ingram stated the Administration has prepared additional work for the Finance Committee to discuss before the next Council meeting.

**Planning, Zoning and Insurance Committee – Mr. Bernie Hovey, Chairman**

Mr. Hovey stated Resolution No.: 35-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Hovey made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 35-2005, seconded by Mrs. Steiner.

Roll call on suspension:      Yes    6      No    0

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

Roll call on adoption:      Yes    6      No    0

**Public Improvements Committee – Mr. Bernie Hovey, Vice-Chairman**

Mr. Hovey stated Resolution No.: 33-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Hovey made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 33-2005, seconded by Mr. Gray.

Roll call on suspension:      Yes    6      No    0

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

Roll call on adoption:      Yes    6      No    0

**Personnel and Public Affairs Committee – Mrs. Carol Steiner, Chairman**

Mrs. Steiner stated Ordinance No.: 19-2005 had its third reading this evening. The Park and Recreation Board needs to work more on this ordinance before it can be adopted by Council.

Mrs. Steiner made a motion to table Ordinance No.: 19-2005 until the next Council meeting, seconded by Mr. Hovey, and all of Council agreed.

**MAYOR'S REPORT**

**Mayor Mendenhall** had no report.

**Lieutenant Harrison** had no report.

**Mr. Richard Fenwick** had no report.

**Mrs. Teresa Spohn** had no report.

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**Solicitor Heydorn** reported the oral argument on the State Train Case was held last week.

Mr. Heydorn called for an Executive Session of Council to discuss personnel issues.

Mrs. Steiner made a motion to adjourn into executive session, seconded by Mr. Gray.

Roll call on Executive Session:      Yes    6      No    0

Mr. Scott asked if there were any questions from the audience before adjourning into Executive Session.

Mrs. Cari Taylor, 3133 Silver Lake Blvd., stated that she is concerned about the Silver Lake Elementary School. There are rumors that Silver Lake Elementary School will be closed whether the levy passes or not. Mrs. Taylor asked if there are any plans or will action be taken in case the school closes.

Mr. Scott replied that Village Council can pass legislation for or against anything. If the time comes when the decisions are being made and Council can oppose closing the school, then Council will take action. Until that time, there really is nothing that Council can do because it is in the hands of the Cuyahoga Falls School Board.

Mrs. Taylor stated there is a group of parents who are trying to be a positive influence on what needs to be done for the entire school district. Mrs. Taylor would appreciate any information Council might have that would be useful to this group.

Mr. Ingram stated that he has not heard the rumor that the school will be closing.

Mr. Hovey stated he has heard the rumor.

Mr. Paul Moskowitz, 2953 Overlook Road, stated there is a meeting at Silver Lake Elementary School tomorrow, Tuesday, March 8, 2005, at 7:00 p.m. Anyone can attend the meeting to share any information they might have.

Mr. Moskowitz asked the Mayor if he had any information that he would like to share regarding Silver Lake Elementary School.

Mayor replied that one of the items that has been brought to his attention is the issue of charter schools. The law states that if any school building becomes vacant, it can be made into a charter school. The Mayor appreciates citizens making the Village aware of issues that need to be addressed.

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At this point, the main requirement is to see that the Cuyahoga Falls Board of Education stays in control of the schools. The issue has been discussed that if the school budget is at 15 percent of the deficit, this gives the control of the school to the State.

The Mayor went on to say it is not in the Village's interest for this to happen because when the State comes in, they have different criteria for deciding what schools close and which ones stay open. The government has the authority to reassign a school system at the 10 percent deficit. At the 15 percent deficit, it becomes mandatory for the State to take over the school. Currently, Silver Lake Elementary is very close to the 10 percent deficit.

Mr. Moskowitz asked who owns Silver Lake Elementary School.

Mr. Heydorn replied that it is his understanding that the Cuyahoga Falls School District owns it.

A lady in the audience (no name given) stated she heard that if the Cuyahoga Falls School District loses the school, it reverts back to the Village for a dollar.

Mr. Heydorn said he does not believe that is a true statement. Silver Lake Elementary School went to the Cuyahoga Falls School District in 1964 as a result of a state law passing that said no school district can exist without a public high school.

Mrs. Taylor stated her concern is the Cuyahoga Falls School District will have access to the Silver Lake Elementary School building to turn it into offices.

Mr. Moskowitz asked Mr. Heydorn if he will be researching the ownership of the school.

Mr. Heydorn replied that he will be researching the ownership of the school.

Mr. Scott stated that Boy Scout Troop 182 is in attendance this evening.

Mr. Kim Franks, Troop Leader, stated that in order to receive their Citizenship of the World merit badge, one of the requirements is to participate in a government action. The entire troop was in attendance this evening. The Boy Scouts are 14 years of age and up, with two of the boys working on their Eagle Scout award.

There being no further questions from the audience, Council adjourned into an Executive Session of Council at 7:53 p.m.

Executive Session of Council adjourned at 8:15 p.m., until the next Council meeting, Monday, March 21, 2005, at 7:30 p.m.

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**7:30 p.m.**

APPROVED:

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Duane N. Scott, President of Council

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer