

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, July 5, 2005

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, July 5, 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. Bob Gray, Mr. Duane Scott, Mrs. Carol Steiner, and Mr. William Church.

Roll call of Council – 5 members present    2 members absent

Mr. Gray made a motion to excuse Mr. Bernie Hovey and Mrs. Karen Fuller from this evening's Council meeting, seconded by Mrs. Steiner, and all of Council agreed.

Mr. Scott asked if there were any additions or corrections to the minutes of the June 20, 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.: 73-2005 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CTI ENVIRONMENTAL, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR SMOKE TESTING AND MANHOLE INSPECTION FOR THE SANITARY SEWERS IN THE MARKLE / ORCHARD / KINGSTON / SILVER LAKE BOULEVARD AND THE IVANHOE / HASTINGS / OVERLOOK / LEE / CIRCLE / MAIDEN / LODGE / N. PARK / SILVER LAKE BOULEVARD AREAS OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Resolution No.: 73-2005 to the Public Improvements Committee.

**RESOLUTION NO.: 74-2005 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE SILVER LAKE POLICE DEPARTMENT-SUMMIT COUNTY MUTUAL AID AGREEMENT FOR THE SILVER LAKE POLICE DEPARTMENT TO PARTICIPATE IN THE ACTIVITIES OF THE SUMMIT METRO ACCIDENT RESPONSE TEAM AND, AND DECLARING AN EMERGENCY.**

Mr. Scott assigned Resolution No.: 74-2005 to the Personnel & Public Affairs Committee.

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RESOLUTION NO.: 75-2005 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS, AND DECLARING AN EMERGENCY. \$ 132,034.63

Mr. Scott assigned Resolution No.: 75-2005 to the Finance and Appropriations 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.: 75-2005 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.: 75-2005, seconded by Mr. Gray.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

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

Mrs. Steiner stated Resolution No.: 74-2005 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 Resolution No.: 74-2005, seconded by Mr. Church.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

**Public Improvements Committee – Mr. Bill Church, Chairman**

Mr. Church stated Resolution No.: 73-2005 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 73-2005, seconded by Mr. Gray.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

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**MAYOR'S REPORT**

**Mayor Mendenhall** gave a presentation on TABOR, which stands for Taxpayer Bill of Rights. A copy of the Mayor's presentation is attached to the original minutes.

Mayor stated the Citizens for Tax Repel have been circulating petitions and will need to obtain 323,000 signatures in order to get this issue on the ballot for November's election.

Mrs. Spohn asked what are the goals of the authors of this issue?

Mr. Scott stated it was to keep the cost of government from going any higher than 3.5 percent per year.

Mayor Mendenhall stated the access road to the proposed picnic shelter is not a dedicated street. If the Village is successful in receiving the grant, the Village will have to make the facility available to the general public. The Village will manage the facility.

Mr. Gray asked if the Village wants to build a "public" facility.

Mr. Scott stated that if we want the grant, the proposed picnic shelter will have to be made available to the general public. If we want to forgo the grant and build the picnic shelter on our own, this could be at a considerable cost to the Village.

Mayor Mendenhall stated that having the picnic shelter open to the general public was never part of any requirements when we applied for the grant.

**Mr. Robert Heydorn, Village Solicitor**, stated the Court of Appeals held against the Village's motion to reconsider in the train case and is now at the Supreme Court level.

**Lieutenant Carl Harrison** stated the 4<sup>th</sup> of July holiday weekend was quiet. There was extra patrol in the Village and the OVI (Operating a Vehicle while under the Influence) Task Force, also known as the "saturation patrol", was in the Village.

There were 49 traffic citations and 44 warnings written. Tickets were written for speed, left of center, DUI, and window tint. Most of the tickets were written by the OVI Task Force.

Mr. Church stated he has had calls from residents about the necessity of the stop sign at the corner to North Dover Road and Highland Drive.

Mr. Church said he asked Chief DeMoss if the stop sign could be changed to a yield sign.

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**Mr. Richard Fenwick, Service Director**, stated he is awaiting word from the Summit County Department of Environmental Services about the houses on Graham Road that may be connected to the Village's sewer system.

Mr. Fenwick said that Mrs. Spohn is checking previous ordinances to see if anything was written about this situation.

The Boy Scouts have finished their summer project, which was marking the storm drains throughout the Village.

The storm sewer improvement project on Silverview Drive is progressing nicely. Both residents are very pleased with the project.

The Lodge Avenue water line project is underway. Perrin Asphalt will be starting in two weeks.

**Mrs. Spohn, Clerk-Treasurer**, had no report.

Mr. Scott stated he received a packet from the Department of Health and Human Services. September is National Alcohol and Drug Addition recovery month.

Mrs. Steiner asked where we are on the employee healthcare coverage.

Mayor Mendenhall stated the review of the healthcare coverage is still in progress.

Mr. Scott asked if there were any questions or comments from anyone in the audience.

There being no further questions from the audience, Mr. Scott requested an Executive Session to discuss pending litigation.

Mrs. Steiner made a motion to adjourn into Executive Session, seconded by Mr. Church, and all of Council agreed.

Roll call on the Executive Session:            Yes    5            No    0

There being no further comments from the audience, Council adjourned at 8:08 p.m. to the Executive Session.

Mr. Scott reconvened Council at 8:45 p.m.

Mr. Scott stated Mrs. Spohn will prepare a revised offer letter to be presented to Mr. Mumma, and Mr. and Mrs. Dann Nivens.

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**Tuesday, July 5, 2005**

**7:30 p.m.**

There being no further discussion, Council adjourned at 8:47 p.m. until the next regular Council meeting on Monday, July 18, 2005.

APPROVED:

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Duane N. Scott, President of Council

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer

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prepared by: Suzanne Lipan