

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, September 20, 2004 7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, September 20, 2004, 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. Bill Church from this evening's Council meeting, seconded by Mrs. Fuller, and all of Council agreed.

Mr. Scott asked if there were any additions or corrections to the minutes of the September 7, 2004, Council meeting.

There being none, 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.

ORDINANCE NO.: 77-2004 AN ORDINANCE AMENDING CHAPTER 129.02 OF THE ADMINISTRATIVE CODE OF THE VILLAGE OF SILVER LAKE, OHIO, HEREBY ESTABLISHING LEVELS OF APPOINTMENT TO THE AUXILIARY POLICE FORCE FO THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Ordinance No.: 77-2004 to the Personnel and Public Affairs Committee.

ORDINANCE NO.: 78-2004 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH REGIONAL INCOME TAX AGENCY ("R.I.T.A.") FOR NETWORK SERVICES INTERNET EDITION AND HEREBY AUTHORIZING THE VILLAGE TAX ADMINISTRATOR ACCESS TO SAID NETWORK SERVICES, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Ordinance No.: 78-2004 to the Finance and Appropriations Committee.

RESOLUTION NO.: 79 -2004 A RESOLUTION RE-APPROPRIATING MONIES FROM CERTAIN DIVISIONS OF CERTAIN FUNDS TO OTHER DIVISIONS OF THE SAME FUND AND DECLARING AN EMERGENCY.

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Mr. Scott assigned Resolution No.: 79-2004 to the Finance and Appropriations Committee.

RESOLUTION NO.: 80-2004 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COMPUTER SOFTWARE SUPPORT SERVICE CONTRACT WITH SOFTWARE SOLUTIONS, INC. FOR THE SERVICE DEPARTMENT, POLICE DEPARTMENT AND ADMINISTRATIVE OFFICES OF THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Resolution No.: 80-2004 to the Finance and Appropriations Committee.

ORDINANCE NO.: 81-2004 AN ORDINANCE ACCEPTING A STORM SEWER EASEMENT ON PROPERTY LOCATED AT 2966 SILVERVIEW DRIVE IN THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Ordinance No.: 81-2004 to the Public Improvements Committee.

RESOLUTION NO.: 82-2004 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY.

Mr. Scott assigned Resolution No.: 82-2004 to the Finance and Appropriations Committee.

RESOLUTION NO.: 83-2004 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS, AND DECLARING AN EMERGENCY. \$148,271.35

Mr. Scott assigned Resolution No.: 83-2004 to the Finance and Appropriations Committee.

RESOLUTION NO.: 84-2004 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE SHELLY COMPANY FOR IMPROVEMENTS AT CRYSTAL LAKE DRIVE AND GRAHAM ROAD IN THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Resolution No.: 84-2004 to the Public Improvements Committee.

ORDINANCE NO.: 85-2004 AN ORDINANCE ACCEPTING A STORM SEWER EASEMENT ON PROPERTY LOCATED AT 2970 SILVERVIEW DRIVE IN THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Ordinance No.: 85-2004 to the Public Improvements Committee.

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RESOLUTION NO.: 86-2004 A RESOLUTION AUTHORIZING MEMBERSHIP AND PARTICIPATION IN METRO SWAT TO PROVIDE FOR SPECIALLY TRAINED POLICE PROTECTION , AND DECLARING AN EMERGENCY.

Mr. Scott assigned Resolution No.: 86-2004 to the Personnel and Public Affairs Committee.

Mr. Scott asked if there were any questions or comments 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 Ordinance No.: 78-2004 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.: 78-2004, 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.: 79-2004 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.: 79-2004, seconded by Mr. Hovey.
Roll call on suspension: Yes 6 No 0
Motion to adopt by Mr. Ingram, seconded by Mrs. Steiner.
Roll call on adoption: Yes 6 No 0

Mr. Ingram stated Resolution No.: 80-2004 was discussed in committee earlier this evening and is ready for adoption.

Mr. Ingram asked Mrs. Spohn why there were two different amounts for the contract with Software Solutions, Inc.

Mrs. Spohn stated the correct amount for the contract is \$5772.20 and that the amount needs to be changed in Section 1 of Resolution No.: 80-2004.

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Mr. Ingram stated an amendment needs to be made to Resolution No.: 80-2004 so that Section 1 of Resolution No.: 80-2004, which formerly read:

Section 1. That the Mayor is hereby authorized to enter into a computer software support service contract with Software Solutions, Inc. at a total price of Five Thousand Four Hundred Ninety-Nine Dollars and Fifty-Five Cents (\$5,499.55) for the Service Department, Police Department and Administrative Offices of the Village of Silver Lake, Ohio.

will now read as follows:

Section 1. That the Mayor is hereby authorized to enter into a computer software support service contract with Software Solutions, Inc. at a total price of **Five Thousand Seven Hundred Seventy-Two Dollars and Twenty Cents (\$5,772.20)** for the Service Department, Police Department and Administrative Offices of the Village of Silver Lake, Ohio.

Mr. Ingram made a motion to amend Resolution No.: 80-2004, seconded by Mr. Gray.

Roll call on amendment: Yes 6 No 0

Mr. Ingram made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 80-2004 as amended, seconded by Mr. Hovey.

Roll call on suspension: Yes 6 No 0

Motion to adopt Resolution No.: 80-2004 as amended by Mr. Ingram, seconded by Mr. Hovey.

Roll call on adoption: Yes 6 No 0

Mr. Ingram stated Resolution No.: 82-2004 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.: 82-2004, seconded by Mr. Gray.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Ingram stated Resolution No.: 83-2004 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.: 83-2004, seconded by Mrs. Steiner.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

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Personnel and Public Affairs – Mrs. Carol Steiner, Chairman

Mrs. Steiner stated Ordinance No.: 77-2004 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.: 77-2004, seconded by Mr. Gray.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mrs. Steiner stated Resolution No.: 86-2004 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.: 86-2004, seconded by Mr. Hovey.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

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

Mr. Hovey stated that Resolution No.: 84-2004 will be treated as a first reading.

Mr. Hovey stated Ordinance No.: 81-2004 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 Ordinance No.: 81-2004, 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

Mr. Hovey stated Ordinance No.: 85-2004 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 Ordinance No.: 85-2004, 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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Mrs. Fuller gave a brief report about the September 14, 2004, Park Board meeting. The Park Board is currently discussing establishment of a four-tiered level of tree care and maintenance for Village trees. The Village is now at the first tier. Trees that are old and diseased will be scheduled for removal. There will be no replanting of these trees at this time. The second tier will be the replanting of these trees as the budget allows.

MAYOR'S REPORT

The engineers from CTI Environmental Inc. were here earlier this evening to discuss the results of the meter readings from the sanitary sewer. The meters measure the inflow and infiltration into the sanitary sewer system.

The concern is that the Village would like to get answers quickly about the cause of infiltration in the sanitary sewer system. Unfortunately, sediment got into the meters. The readings that were taken from the meters were inaccurate.

The Village should try to meter the flow again in October. If the reading is not successful, the metering process will begin again in April.

The Mayor stated he would be interested in any comments regarding this issue.

Mr. Ingram stated he believes there is no downside to continuing the metering process. Mr. Ingram told the Mayor he has the support of Council on this issue.

The Mayor stated that meter readings were taken on the 22nd day of each month for the past three months. The first month, 161,000 gallons of sewage were measured, the second month 285,000 gallons were measured, and the third month 797,000 gallons were measured. The reason for the high reading is that it rained and this would generally indicate that storm water infiltrated the sanitary sewer at a certain point.

The winter price has been struck with Vectren Source. This price will be in effect from October 1, 2004, until March 31, 2005. The price is \$8.44 per mcf. The price was struck the Friday before Labor Day. In comparison to other communities, the Village negotiated a good price for the winter months. The price per mcf for the following communities is as follows:

The City of Akron	\$8.92
The City of Tallmadge	\$8.59
The City of Fairlawn	\$8.59
The City of Green	\$8.38

The EMS contract has not arrived yet from the City of Stow.

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Discussion is ongoing reference a joint agreement with the City of Stow for the Englewood Drive curb project.

The Mayor reported that in direct conflict to the Policy Committee of AMATS, there has been a request for 1.2 million dollars to do another study for commuter rail. The Mayor stated lobbying must be done to determine the position of other communities on this issue.

Mr. Heydorn stated that the brief from METRO on the dinner train issue has been received today.

Chief DeMoss had no report.

Mr. Fenwick stated that in addition to the storm sewer project being constructed on Silverview Drive, there is a 42" main storm sewer that drains into Silver Lake that needs to be elevated. During normal lake levels approximately 1/3 of the pipe is submerged. The problem is during heavy rainfall events the lake level rises and the flow is restricted.

Mr. Fenwick's proposal is to raise the pipe out of the lake. For aesthetic and safety reasons, this needs to be engineered.

Two weeks before the first hurricane, the Village opened the lake valve and started to drain the lake. After the two rain events, there was no problem with storm water flooding because the lake level was low.

The Village residents did not have any sewer backups because Mudbrook did not back up. If Mudbrook does not backup, the Village does not have any backups on Harriett Road and Chautauqua Drive.

Mrs. Spohn had no report.

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

There being no further questions from the audience, Council adjourned at 8:05 p.m.

APPROVED:

Duane Scott, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer

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