

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, October 2, 2006

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, October 2, 2006, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio.

With President of Council, Mrs. Carol Steiner, presiding, the meeting was called to order at 7:30 p.m.

Mrs. Steiner led the Pledge of Allegiance.

The following members were present and responded to roll call: Mr. Christopher Scott, Mr. Adrian Achtermann, Mrs. Carol Steiner, Mr. William Church, Mr. Gerald Jones, and Mrs. Karen Fuller.

Roll call of Council – 6 members present 1 member absent

Mr. Jones made a motion to excuse Mrs. Mulrooney from this evening's Council meeting, seconded by Mrs. Fuller, and all of Council agreed.

Mrs. Steiner asked if there were any additions or corrections to the minutes of the September 18, 2006, Council meeting.

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

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

RESOLUTION NO.: 96-2006 A RESOLUTION AWARDING A CONTRACT TO BARBICAS CONSTRUCTION COMPANY, INC., FOR THE COLD MILLING, REPAIR AND RESURFACING OF VARIOUS VILLAGE PARKING LOTS PROJECT, AND DECLARING AN EMERGENCY.

Resolution No.: 96-2006 was assigned to the Public Improvements Committee.

RESOLUTION NO.: 97-2006 A RESOLUTION TO MAKE ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2006, AND DECLARING AN EMERGENCY.

Resolution No.: 97-2006 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 98-2006 A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO PAY THE SUM OF TWENTY-TWO THOUSAND FIVE HUNDRED SEVENTY-SIX DOLLARS AND TWENTY-SIX CENTS (\$22,576.26) TO JOHN A.

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DONOFRIO, SUMMIT COUNTY FISCAL OFFICER, UNDER REQUIREMENTS OF THE ESTATE TAX SECTION 5731.49 O.R.C. FOR MONEY ALREADY REFUNDED TO CERTAIN ESTATES UNDER THE TAX COMMISSIONER’S ORDER, AND DECLARING AN EMERGENCY.

Resolution No.: 98-2006 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 99-2006 A RESOLUTION RE-APPROPRIATING MONIES FROM CERTAIN DIVISIONS OF CERTAIN FUNDS TO OTHER DIVISIONS OF THE SAME FUND AND DECLARING AN EMERGENCY.

Resolution No.: 99-2006 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 100-2006 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.

Resolution No.: 100-2006 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 101-2006 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 165,683.53.

Resolution No.: 101-2006 was assigned to the Finance and Appropriations Committee.

Mrs. Steiner asked if there were any questions or comments from the audience regarding pending legislation.

There being none, Mrs. Steiner continued with the agenda.

Public Improvements Committee – Mr. William Church, Chairman

Mr. Church stated Resolution No.: 96-2006 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church moved to suspend the rule that legislation be read at three meetings for Resolution No.: 96-2006, seconded by Mr. Scott.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

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Finance and Appropriations Committee – Mr. William Church, Chairman

Mr. Church stated Resolution No.: 97-2006 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church moved to suspend the rule that legislation be read at three meetings for Resolution No.: 97-2006, seconded by Mr. Scott.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Church stated Resolution No.: 98-2006 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church moved to suspend the rule that legislation be read at three meetings for Resolution No.: 98-2006, seconded by Mr. Jones.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Church stated Resolution No.: 99-2006 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church moved to suspend the rule that legislation be read at three meetings for Resolution No.: 99-2006, seconded by Mr. Jones.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Church stated Resolution No.: 100-2006 was discussed in committee earlier this evening and is ready for adoption.

Mr. Church moved to suspend the rule that legislation be read at three meetings for Resolution No.: 100-2006, seconded by Mrs. Fuller.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Church stated Resolution No.: 101-2006, Payment of Claims, was discussed in committee earlier this evening and is ready for adoption.

Mr. Church made a motion to adopt Resolution No.:101-1006, seconded by Mr. Jones.

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Roll call on adoption: Yes 6 No 0

Mrs. Steiner asked Council if there were any other Committees that would like to make a report.

Mrs. Fuller reported on the AMATS meetings that she has been attending.

Mrs. Fuller stated that eight counties do not meet the Federal emission's guidelines. Sixty to 65 percent of the emissions do not come from Ohio. The emissions come from Michigan and Indiana.

Mrs. Fuller stated that E-check is here to stay.

Mrs. Steiner thanked Mrs. Fuller for serving on the AMATS Committee.

Mrs. Steiner asked where we are with the gas well issue.

Mayor Hovey stated we have received one call from a firm that expressed an interest. Beck Energy called to ask where the Village stood on the gas well issue since his presentation.

Mayor Hovey went on to say that drillers prefer to drill in the winter months.

Mr. Fenwick stated the City of Cuyahoga Falls sent the Village a map of their one year and five year water well zones.

Mr. Church asked Mr. Heydorn if Beck Energy contacted Crystal Lake.

Mr. Heydorn said that Beck Energy has contacted Crystal Lake.

Mrs. Steiner stated the next agenda for Council to discuss is the solid waste haulers.

Mr. Jones stated he had a discussion with the Clerk-Treasurer, Mrs. Spohn, reference the issues Council needs to discuss for the solid waste contract, which is due to expire March 31, 2007.

Mr. Jones stated 166 households out of the 1,067 households in the Village responded to the solid waste haulers survey that appeared in the March 2006 Residents Review.

Mr. Jones stated two-thirds of the 166 responders were in favor of curb-side pickup.

Mr. Jones asked for a meeting of the Planning, Zoning & Insurance Committee on Monday, October 9, 2006, at 5:00 p.m. to discuss the solid waste contract.

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REPORTS OF VILLAGE OFFICIALS

Mayor Bernie Hovey stated he received a letter from the Summit County Health Department reference the places to go to receive a flu shot. This information will be posted on the Village's website and on cable channel 15.

Mayor Hovey reported the Picnic Shelter dedication on Sunday, September 24, 2006, went very well.

Mayor Hovey said when the Cities of Stow and Munroe Falls, as well as the Village, struck the natural gas price in September of \$11.70/Mcf we were pleased with that price. Less than two weeks later we learn that Vectren Source, our natural gas supplier, has published a price to the general public of \$10.30/Mcf fixed for one year.

Mayor Hovey stated he called Mr. Tom Bellish of Buckeye Energy to say he was not pleased and did not understand why the aggregation price could not be changed to \$10.30.

Mayor Hovey said Mr. Bellish will contact Vectren Source and get back to him.

Mayor Hovey asked Council how they felt about residents using Village Hall for personal events.

Mrs. Spohn asked Mr. Fenwick if he had any issues about breaking down the microphones and the wiring in the tables.

Mrs. Steiner stated she did not have any fundamental problem with renting Village Hall so long as there were guidelines.

Mrs. Spohn stated this issue is addressed in the Codified Ordinances in Section 107.04.

Chief Gary DeMoss stated the CPR & AED training went very well last week. Almost all the employees became certified. The employees who were unable to attend will be attending the January 2007 class.

Chief DeMoss stated he, along with Mayor Hovey, will be attending the COG meeting on Thursday, October 5, 2006.

Service Director, Richard Fenwick, stated the tennis courts have been striped.

The furnace in the Police Department has been replaced.

Mr. Fenwick stated the Fall Leaf and Limb pickup program will begin on October 16, 2006.

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Mrs. Steiner complimented the Service Department on the nice job that was done with picnic shelter, the picnic tables and the area surrounding the shelter.

Clerk-Treasurer, Teresa Spohn, stated there will need to be a Personnel Placement meeting before the start of the October 16, 2006, Council meeting.

Mrs. Spohn received a correspondence from the Akron Zoo requesting Silver Lake Council to endorse their Issue 20 for a .8 mill levy.

Mrs. Spohn stated Mrs. Lipan gave her a report of the total water/sewer billing for October 1, 2006. The amount for the October 1, 2006, billing was \$83,000. Last year at this time, the total billing was \$115,800, a difference of \$32,000.

Mrs. Spohn stated there was no time prior to this Council meeting for her to review the situation, but will have a report for the next Council meeting.

Our water revenues to date are \$8,000 over the year to date revenues for water last year and \$30,000 ahead of where they were two years ago.

Mrs. Spohn stated she would do further research on the issue and report to Council her findings.

Mrs. Spohn stated she would be at the Association of Public Treasurer's Conference at Mohican Lodge October 4, 5 and 6.

Village Solicitor, Robert Heydorn, had no report.

Mrs. Steiner asked if there were any questions or comments from anyone in the audience.

Mrs. Mary Lou VanSise, 2821 Church Street, stated she had received an e-mail from a Silver Lake resident who had talked to several people about the gas well.

Mrs. VanSise stated the residents in the Village are very misinformed about the gas wells.

These people (did not say who "these" people were) are very much for the gas well and they think their gas bills are going to be reduced.

Mrs. Steiner said that is the wrong perception.

Mrs. VanSise stated Council has said the gas well will on be on 40 acres of Village owned land.

The people need to know that the gas well will be in the VanSise nature reserve next to the picnic area. A lot of people don't have a clue. Also the Village is using the nature reserve as a

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major dumping ground now, and with the well drilling, this will be the end of the beautiful nature reserve.

Mayor Hovey asked what is being dumped there.

Mrs. VanSise stated there are a lot of pipes and concrete.

Mayor Hovey asked Mr. Fenwick what is being dumped there.

Mr. Fenwick stated the Service Department stores their maintenance material in the maintenance yard in the back area of Village owned property. The site is out of public view. The materials have been stored there for at least 15 years.

Mrs. VanSise stated there are questions and answers the people should know about.

Who assumes the liability if something goes wrong?

Mrs. Steiner stated that Council has not even reviewed those issues at this time. Council is still in the early stage of inquiry.

Mrs. VanSise asked what else will be torn up and how badly?

How will the equipment access the area where the gas well will be?

Will the drilling be just during daylight hours?

Mrs. Steiner stated she appreciated Mrs. VanSise's questions but these are questions that Council does not have the answers for at this time.

Mrs. Steiner said the site for the gas well was reported in the paper.

Mrs. VanSise said it was reported in the paper where it was only because she came to the last meeting and said where it would be.

Mayor Hovey said he begged to differ with Mrs. VanSise. From the very beginning, Council stated where the proposed site was for the gas well. It had nothing to do with Mrs. VanSise's presence at the meeting.

Mayor Hovey said he and Council report to the public what is going on in the Village and we will continue to report to the public and we will continue to have articles in the paper for people who want to be informed. Residents will call us and ask us or come to these meetings and that is exactly what the residents should do.

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Mayor Hovey stated he has had many people who come to him and tell him that they want the gas well in and how do they get a gas well on their property.

The residents will come to us and talk to us because we make the decisions because the residents elected Council to represent them.

Mrs. VanSise said there are no answers to any of these questions.

Mrs. Steiner said that Council is not to that point yet. We are in the discussion phase of the gas well issue.

Mrs. Steiner stated the gas well is a possible revenue stream for the Village, for all the residents' not just individual residents.

Mrs. Steiner thanked Mrs. VanSise for her comments.

Mrs. Steiner asked if there were any further questions or comments.

There being none, Council adjourned at 8:30 p.m. until the next regularly scheduled Council meeting on Monday, October 16, 2006, at 7:30 p.m.

APPROVED:

Carol Steiner, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer

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