

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 15, 2004 7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, November 15, 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, Mr. William Church, and Mrs. Karen Fuller.

Roll call of Council – 7 members present

Mr. Scott asked if there were any additions or corrections to the minutes of the November 1, 2004, Council meeting.

Chief DeMoss stated on page 3, the second paragraph under his reports stated, “There were 18 OVI arrests made in a six hour period, which greatly exceeded the amount that was expected.”

The paragraph should be corrected to read, “There were 18 arrests made in a six hour period, which greatly exceeded the amount that was expected. Seven of these arrests were for OVI.”

Mr. Scott asked if there were any further corrections to the minutes.

There being no further corrections, the minutes were approved as corrected.

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

RESOLUTION NO.: 97-2004 A RESOLUTION RE-APPROPRIATING MONIES FROM CERTAIN DIVISIONS OF CERTAIN FUNDS TO OTHER DIVISIONS OF THE SAME FUND AND DECLARING AN EMERGENCY.

Mr. Scott assigned Resolution No.: 97-2004 to the Finance and Appropriations Committee.

RESOLUTION NO.: 98-2004 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, 2004, AND DECLARING AN EMERGENCY.

Mr. Scott assigned Resolution No.: 98-2004 to the Finance and Appropriations Committee.

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RESOLUTION NO.: 99-2004 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS, AND DECLARING AN EMERGENCY. \$96,074.76

Mr. Scott assigned Resolution No.: 99-2004 to the Finance and Appropriations Committee.

Mr. Scott stated there is no legislation up for a second reading.

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

ORDINANCE NO.: 50-2004 AN ORDINANCE ESTABLISHING CHAPTER 1134 OF THE ZONING CODE AND THEREBY PROVIDING REGULATIONS FOR A CLUSTER/TOWNHOUSE DISTRICT IN THE VILLAGE OF SILVER LAKE, OHIO.

ORDINANCE NO.: 52-2004 AN ORDINANCE RECLASSIFYING CERTAIN PROPERTIES IN THE VICINITY OF LODGE DRIVE AND CHURCH STREET, LOCATED SOUTH OF PROPERTIES ABUTTING KENT ROAD, AND CERTAIN PORTIONS OF VILLAGE LANDS ABUTTING THE ABOVE DESCRIBED PARCELS TO THE SOUTH AND EAST, FROM RESIDENTIAL, INSTITUTIONAL, AND PARKS AND RECREATIONAL DISTRICTS TO THE CLUSTER/TOWNHOUSE DISTRICT.

Mr. Scott stated Ordinance Nos.: 50-2004 and 52-2004 had been previously assigned to the Planning, Zoning, and Insurance 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.: 97-2004 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.: 97-2004, 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

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Mr. Ingram made a motion to suspend the rule that legislation be read at three meetings for Resolution No.: 98-2004, seconded by Mr. Church.

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.: 99-2004 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.: 99-2004, seconded by Mr. Church.

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

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

Mr. Hovey stated Ordinance No.: 50-2004 has been discussed in committee. Mr. Hovey stated Ordinance No.: 50-2004 will be brought forward for adoption with the recommendation that Council rejects this ordinance.

Mr. Hovey made a motion to bring forward Ordinance No.: 50-2004 for adoption, seconded by Mr. Gray.

Roll call on adoption: Yes 0 No 7

Mr. Hovey stated Ordinance No.: 52-2004 has been discussed in committee. Mr. Hovey stated Ordinance No.: 52-2004 will be brought forward for adoption with the recommendation that Council rejects this ordinance.

Mr. Hovey made a motion to bring forward Ordinance No.: 52-2004 for adoption, seconded by Mrs. Steiner.

Roll call on adoption: Yes 0 No 7

MAYOR’S REPORT

Mayor Mendenhall reported on the progress of the sewer meters in various locations in the Village. During the past month there were two 40-hour rainfalls, which means there was not enough rainfall to make a conclusion. The assumption now is there may be some information that will allow us to further localize the inflow and infiltration.

HB 594, which is the funds available for storm water and infiltration in the sewer system, is progressing through the proper channels.

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The Mayor then read a letter from a Silver Lake resident commending the Service Department on the wonderful job they are doing on the Leaf and Limb Program. Letter attached to original minutes.

Mr. Heydorn had no report.

Chief Gary DeMoss recognized Mr. David Harper for his dedication to the Silver Lake Police Department as a Reserve Officer. Mr. Harper has donated a total of 525 hours of service to the Village.

Mr. Fenwick stated he has distributed to each Council member an equipment list and ten year plan for purchases.

Mr. Fenwick has received a scope of services from Burgess and Niple Inc for replacing the waterline on Lodge Avenue. Mr. Fenwick requested a Public Improvements Committee meeting before the next meeting of Council to discuss the scope of services.

The Leaf and Limb Program is still in progress.

Mrs. Spohn stated the Finance and Appropriations Committee had an effective budget discussion this afternoon. An updated copy of the budget will be distributed at the next Council meeting.

Mrs. Fuller presented to Council the Excellence in Landscaping Award that the Silver Lake Garden Club received from the Stow Community Garden Club.

Mr. Scott asked for questions from the audience.

Mrs. Van Sise stated “she stepped in during the second reading. This was being ram rodded through. None of the people in Silver Lake knew anything about it.” Mrs. Van Sise stated she “cannot see how you (Council) can come up with this is the correct way to do all of this. A lot of people suffered.”

Mr. Hovey responded that he disagrees with those statements. There was a public hearing held with forty people in attendance. The second time there was another forty people. Mr. Hovey stated that it was publicized and clear. Sometimes the process is not pleasant, but the process was what was supposed to have been done.

Mrs. MaryLou Van Sise stated, “I would like you to pull up my website and go to the residents speak out page and read the latest letter posted over the weekend. It will be the first one you see. I hope by reading this letter, and it was not written by me, that such insensitivity and rudeness never happens again in this Village to anyone.

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Mr. John Wenrick thanked Council for defeating the rezoning legislation tonight.

Mr. Wenrick thanked Mrs. Carol Steiner for the support she showed for the residents living in District B. Mr. Wenrick stated Mrs. Steiner is an avid listener and has always shown support in any issues the residents have had. Mr. Wenrick stated Mrs. Steiner is his ideal type of person he would like to have representing the Village.

Mr. Wenrick presented to Mayor and Council the idea of permanently preserving the proposed rezoning area for wildlife habitat and continuing use as a picnic area and the Marcia Mandala Hiking Trail.

Mr. Wenrick stated if this idea comes to pass, he would like to be one of the first to volunteer as a “friends of Van Sise Reserve.”

Mrs. Joy Wilson signed in but declined to speak.

Mrs. Kim Goldsboro signed in but declined to speak.

Mr. Bruce Bergen thanked the Service Department for their excellent job on the Leaf and Limb Program.

Mr. Bergen stated he would also be happy to volunteer as a “friends of Van Sise Reserve.”

Mr. Paul Moskowitz thanked Council and the Mayor for rejecting the rezoning.

Mr. Moskowitz would also be happy to volunteer for anything involving a park area.

Mr. Doug Nissel signed in but declined to speak.

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

There being no further questions from the audience, Council adjourned at 7:53 p.m.

APPROVED:

Duane Scott, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer