

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 21, 2006 7:30 p.m.

The Village of Silver Lake Council met in a regular session on Tuesday, February 21, 2006, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio.

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

Mr. Hovey led the Pledge of Allegiance.

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

Roll call of Council – 7 members present

Mr. Hovey asked if there were any additions or corrections to the minutes of the Monday, February 6, 2006, Council meeting.

Mr. Scott affirmed an error in the last sentence on page 1. The Ordinance number should read 23-2006, not 22-2006.

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

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

RESOLUTION NO.: 25-2006 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.

Mr. Hovey assigned Resolution No.: 25-2006 to the Finance and Appropriations Committee.

ORDINANCE NO.: 26-2006 AN ORDINANCE ACCEPTING APPLICATION, DESIGNATING DEPOSITORIES FOR ACTIVE AND INTERIM VILLAGE FUNDS OR MONIES AND AUTHORIZING THE MAYOR AND CLERK-TREASURER OF THE VILLAGE OF SILVER LAKE TO SIGN AND EXECUTE A DEPOSITORY CONTRACT WITH CHARTER ONE BANK FOR SAME AND DECLARING AN EMERGENCY.

Mr. Hovey assigned Ordinance No.: 26-2006 to the Finance and Appropriations Committee.

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RESOLUTION NO.: 27-2006 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ODB COMPANY FOR THE PURCHASE OF A 2006 VACUUM LEAF LOADER UNDER THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES STATE COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Mr. Hovey assigned Resolution No.: 27-2006 to the Finance and Appropriations Committee.

RESOLUTION NO.: 28-2006 A RESOLUTION TO APPROVE THEN AND NOW CERTIFICATES FOR PURCHASES AND DECLARING AN EMERGENCY.

Mr. Hovey assigned Resolution No.: 28-2006 to the Finance and Appropriations Committee.

RESOLUTION NO.: 29-2006 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS, AND DECLARING AN EMERGENCY. \$ 91,851.03

Mr. Hovey assigned Resolution No.: 29-2006 to the Finance and Appropriations Committee.

Second Reading:

ORDINANCE NO.: 23-2006 AN ORDINANCE AMENDING SECTION 933.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE FOR MONTHLY BILLING PROCEDURES AND ESTABLISH NEW RATES FOR WATER UTILITY SERVICES IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Mr. Hovey previously assigned Ordinance No.: 23-2006 to the Finance and Appropriations Committee.

Third Reading:

RESOLUTION NO.: 15-2006 A RESOLUTION AWARDED CONTRACTS AND THEREBY LICENSING FRUTH SANITATION, INC. , J&J REFUSE, INC., AND WASTE MANAGEMENT OF OHIO TO IMPLEMENT THE VILLAGE OF SILVER LAKE SOLID WASTE PROGRAM FOR THE TERM APRIL 1, 2006 THROUGH MARCH 31, 2007.

Mr. Hovey previously assigned Resolution No.: 15-2006 to the Personnel and Public Affairs Committee.

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

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Mrs. Lila Nissel, 2810 Outlook Drive asked Council why the Village would consider staying with these companies who are increasing their rates 100 percent.

Mr. Hovey replied these three solid waste haulers are the only companies who submitted bids. Residents can choose any one of the three haulers.

Mrs. Nissel asked if she was allowed to bring in a solid waste hauler that was not licensed with the Village.

Mr. Hovey answered no. Residents must choose one of the three solid waste haulers who bid.

Mrs. Nissel questioned whether the Village has higher stipulations than other communities causing solid waste haulers to refrain from bidding.

Mr. Hovey responded the Village has setback pickup instead of curbside pickup. The companies do not want to do setback pickup. The haulers want to do curbside pickup because it is less expensive and quicker for them.

Mrs. Nissel stated for a 100 percent increase, she would be more than happy to take her trash to the curb.

Mr. Hovey stated before the next solid waste contract, April 1, 2007, Council is going to try and discern from the residents their thoughts on setback and curbside pick up.

Mrs. Nissel asked if something is going to be done about the Canada geese down at the Cuyahoga River by Outlook Drive.

Mr. Fenwick stated the fence that helped keep the geese out has fallen down. The Service Department will be working on repairing the fence. He also affirmed Officer Jeff Phillips has let out a few cracker shots when there has been a complaint about the geese.

Mr. Hovey asked for other comments or questions from the audience. There being none, Mr. Hovey recessed the Council meeting at 7:38 p.m. to resume the Committee of the Whole meeting.

Mr. Hovey reconvened the Council meeting at 7:47 p.m.

REPORTS OF COUNCIL STANDING COMMITTEES

Finance and Appropriations Committee – Mr. William Church, Chairman

Mr. Church stated Resolution No.: 25-2006 was discussed in committee earlier this evening and is ready for adoption.

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Mr. Church moved to suspend the rule that legislation be read at three meetings for Resolution No.: 25-2006, seconded by Mrs. Steiner.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Church stated Ordinance No.: 26-2006 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 Ordinance No.: 26-2006, seconded by Mrs. Steiner.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Church stated Resolution No.: 27-2006 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.: 27-2006, seconded by Mr. Achtermann.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Church stated Resolution No.: 28-2006 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.: 28-2006, seconded by Mrs. Steiner.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Church stated Resolution No.: 29-2006 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.: 29-2006, seconded by Mrs. Mulrooney.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Church stated Ordinance No.: 23-2006 will be treated as a second reading.

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

Mrs. Steiner stated this is the third reading for Resolution No.: 15-2006 and is ready for a vote of Council.

Motion to adopt by Mrs. Steiner, seconded by Mrs. Mulrooney.

Roll call on adoption: Yes 6 No 1

Councilman Adrian Achtermann voted no.

REPORTS OF VILLAGE OFFICIALS

MAYOR’S REPORT

Mayor Mendenhall had no report.

Village Solicitor, Mr. Robert Heydorn, had no report.

Chief Gary DeMoss stated the Silver Lake Police Department is conducting an investigation of a missing person. There has been no credit card activity and the subject has not attended his classes at Kent State University. It has been brought to the attention of the Police Department that the person has disappeared in the past.

Chief DeMoss had the honor of representing Silver Lake in Maryland for a FEMA training course. Approximately 75 other people from Summit County attended as well. All participants received instruction from individuals from across the nation with experience in national disaster.

Mayor Mendenhall informed Council this was by invitation only. Chief DeMoss was one of the three police chiefs in Summit County that qualified to attend.

Service Director, Mr. Richard Fenwick, stated the repair on Kent Road completed by Kenmore Construction Company cost a little over \$6,500.

Mr. Fenwick would like a meeting with the Personnel and Public Affairs Committee to discuss the sidewalk repair program that is scheduled to take place this year. The meeting was scheduled for half an hour before the next Committee of the Whole meeting on Monday, March 6th.

On March 15, 2006, Mr. Terry Tuttle from the Summit County Health Department is coming to the Village to discuss mosquito control with staff members.

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Clerk-Treasurer, Mrs. Teresa Spohn, gave copies to Council of the unaudited 2005 financial statement to Council for them to review and introduce any suggestions. The 2004 unaudited financial statement is also complete and available for anyone interested in reviewing it.

Mr. Hovey asked if there were any other questions from the audience.

Mrs. Steiner moved for an Executive Session to discuss the Audit Committee, seconded by Mr. Scott.

Roll call Yes 7 No 0

Mr. Church asked Mayor Mendenhall if he has any idea of how much money was involved in the 11 properties on Graham Road that were paying sewer charges to the Summit County Department of Environmental Services (DOES) instead of the Village.

Mayor Mendenhall replied we currently do not have an exact amount. Once there is more information obtained from DOES, we will have a better idea.

There being no further comments or questions, Council recessed at 8:09 p.m. into Executive Session.

Mr. Hovey reconvened the Council at 8:52 p.m.

Council adjourned at 8:52 p.m. until the next regularly scheduled Council meeting on Monday, March 6, 2006, at 7:30 p.m.

APPROVED:

Bernie Hovey, President of Council

ATTEST:

Teresa Spohn, Clerk-Treasurer