

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 20, 2006

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, November 20, 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, Mrs. Carol Steiner, Mr. William Church, Mrs. Despina Mulrooney, Mr. Gerald Jones, and Mrs. Karen Fuller.

Roll call of Council – 6 members present

1 member absent

Mr. Church made a motion to excuse Mr. Adrian Achtermann, from this evening's Council meeting, seconded by Mr. Scott, and all of Council agreed.

Mrs. Steiner stated Mr. Achtermann would be arriving late to the meeting.

Mrs. Steiner asked if there were any additions or corrections to the minutes of the November 6, 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.: 113-2006 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE METRO SWAT FOR THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE ADMINISTRATIVE SUPPORT SERVICES FOR THE PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2007, AND DECLARING AN EMERGENCY.**

Resolution No.: 113-2006 was assigned to the Personnel and Public Affairs Committee.

**RESOLUTION NO.: 114-2006 A RESOLUTION RE-APPROPRIATING MONIES FROM CERTAIN DIVISIONS OF CERTAIN FUNDS TO OTHER DIVISIONS OF THE SAME FUND AND DECLARING AN EMERGENCY.**

Resolution No.: 114-2006 was assigned to the Finance and Appropriations Committee.

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**RESOLUTION NO.: 115-2006 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.: 115-2006 was assigned to the Finance and Appropriations Committee.

**RESOLUTION NO.: 116-2006 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 140,168.17**

Resolution No.: 116-2006 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 recessed to the Committee of the Whole Meeting at 7:33 p.m.

Council reconvened at 7:40 p.m.

Mr. Achtermann arrived at 7:35 p.m.

Mrs. Steiner continued with the agenda.

**Personnel and Public Affairs Committee — Mrs. Karen Fuller, Chairman**

Mrs. Fuller stated Resolution No.: 113-2006 was discussed in committee earlier this evening and is ready for adoption.

Mrs. Fuller moved to suspend the rule that legislation be read at three meetings for Resolution No.: 113-2006, seconded by Mrs. Mulrooney.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

**Finance and Appropriations Committee – Mr. William Church, Chairman**

Mr. Church stated Resolution No.: 114-2006 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.: 114-2006, seconded by Mr. Scott.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No

Mr. Church stated Resolution No.: 115-2006 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.: 115-2006, seconded by Mrs. Mulrooney.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Church stated Resolution No.: 116-2006, Payment of Claims, was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 7 No 0

Mrs. Steiner asked if there was any further discussion from any of the other Committees.

**Planning, Zoning and Insurance Committee – Mr. Gerald Jones, Chairman**

Mr. Jones would like his committee to meet regarding the trash hauler bids that were received. The meeting will be held on Monday, November 27, 2006, at 4:00 p.m. with Mr. Jones, Mr. Achtermann, and Mrs. Mulrooney.

Mr. Jones has looked at the medical insurance the Village is currently providing for its employees. It is costing the Village approximately \$184,000 a year for the 16 employees on the plan. Mr. Jones stated the average in the industry is about \$7000 a year per employee, whereas, the Village pays around \$11,000 a year per employee. Annual participation from the employees is approximately \$3600 per year or approximately \$225 per employee. Mr. Jones thinks the employees should be prepared to accept more participation on their part.

Mr. Jones stated he is not sure if the average rate of \$7000 per year is for private industry or government.

Mr. Church stated he would like to see how much money was actually paid out over the past year. Then, Council should look at higher deductibles, which the Village would then pay for the employee. He believes this will decrease rates.

Mr. Jones will schedule a meeting with the Village's current broker, Mr. John Friend from the Fedeli Group.

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Mr. Jones stated the gas well drilling will be discussed at a future meeting.

**Park and Recreation Board – Mr. Achtermann, Chairman**

Mr. Achtermann stated the Park Board has developed a plan on the Emerald Ash Borer (EAB). The Park Board would like to make a presentation to Council in the near future.

**REPORTS OF VILLAGE OFFICIALS**

**Mayor Bernie Hovey** had no report.

**Lieutenant Carl Harrison** distributed an example of a one week schedule to Council. The reason for the change in schedule was to add more shifts on the weekend.

Lieutenant Harrison stated the website for the NIMMS training is hard to access and he will distribute step by step directions on accessing it properly. When the training is complete, a copy of the certificate should be given to the Police Department.

**Service Director, Richard Fenwick**, reported Perrin Asphalt has completed the curbing of the islands.

Mr. Fenwick reported the last day for the leaf and limb program is November 22, 2006.

**Clerk-Treasurer, Teresa Spohn**, announced it is time to renew the memberships to BJ'S Wholesale Club for those interested in renewing or joining.

**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 after seeing the report presented by Ms. Kathy Metropulos, from the EPA, she is now petrified for the gas well drilling.

Mr. Tom Smith, a Village resident, stated he spent approximately 12 years in the oil and gas industry. There are some traps in the leases and should the Village proceed with the well drilling, he would like to volunteer his services.

Mr. Daniel Markowitz, 2822 Lakeland Parkway, stated he also has experience and will volunteer his services. He reminded those in attendance that during Ms. Metropulos' presentation she stated that she was biased.

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Mrs. VanSise stated about 10 years ago residents were told the holding tank in Cuyahoga Falls was safe, and there would be no odor or contamination. The tank located in Cuyahoga Falls is now being taken out. She does not really believe anything that she is told anymore. The well driller is going to walk out with a lot of money.

Mr. Markowitz stated from his understanding, if there is contamination with a well, the first person to get sued is the well driller. The driller is liable.

Mrs. VanSise stated if the driller is being sued then the damage has already been done.

Mr. Markowitz stated this is a misconception. Water can be contaminated more easily by someone spilling a gas can by the river than by contamination from a well.

Mr. Gary Kinsey, 3148 Highland Drive, speaking in regards to the preservation of the Cuyahoga Falls water field; stated "Silver Lake is in this too, this is the Village's water source also. It is not an issue of the Village against Cuyahoga Falls, Silver Lake is equally as dedicated."

Mrs. Lila Nissel, 2810 Outlook Drive, asked if the EPA would be present during the drilling of the well to insure that regulations are followed.

Mayor Hovey stated ODNR regulates the drilling.

Mrs. Nissel stated she has knowledge of a well where the brine was sprayed all over the field. Will there be someone making sure this does not happen in the Village and who is responsible for maintaining this?

Mr. Markowitz stated there is a much smaller amount of brine in gas well production.

Mr. Smith stated a brine hauler is required to state the amount of barrels taken from a tank and the disposal well. The brine hauler must also state the disposal well, where an equal amount of barrels is placed. As far as the Village is concerned, the full quantity of the tanks that exist at a well site can be contained with earth and diking around the well site.

Mr. Jack Wenrick, 2829 Hastings Road, asked if we are also assuming this is above the water table and above the flood stage. If there is a flood stage the dike around the tank would be gone.

Mrs. VanSise asked what it would look like.

Mr. Smith stated it is up to the Village to write this into the document.

Mrs. VanSise asked if there is odor from the well.

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Mr. Smith stated there is certainly no smell from the gas, because it is odorless. He does believe in certain conditions there can be an odor from an oil tank.

Mayor Hovey stated he spoke with ODNR and was told there can be an odor but there are charcoal filters that are required that no longer cause an issue like it might have ten years ago.

An unknown attendee questioned the amount of money the Village will receive if the gas well is drilled.

Mr. Church stated the estimated amount of revenue is \$30,000 per year.

Mr. Smith stated the Village will have to place provisions in the lease which will maximize the payments the Village will be receiving.

Mr. Kinsey stated Ms. Metropulos stated there will be an explosive fracturing of the well, whereas, the gentleman from last week stated there would not be.

Mr. Smith stated the fracturing is done 3700 feet below the earth's surface and it is really not explosive, it is pressurized water.

Mayor Hovey stated Council will weigh everything that has been heard and then make a decision. A discussion will be held in January of 2007.

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

There being none, Council adjourned at 8:28 p.m. until the next regularly scheduled Council meeting on Monday, December 4, 2006, at 7:30 p.m.

APPROVED:

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Carol Steiner, President of Council

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer