

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 21, 2007

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, May 21, 2007, 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, and Mrs. Karen Fuller.

Roll call of Council – 5 members present

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

Mrs. Steiner asked if there were any additions or corrections to the minutes of the April 16, 2007, Council meeting.

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

Mr. Heydorn administered the Oath of Office to Mr. Steve Justice as a full-time Silver Lake Police Officer.

Chief DeMoss reported Sergeant Mark Kennemuth broke his ankle and will be out of work for ten weeks.

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

RESOLUTION NO.: 34-2007 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE EQUIPMENT FOR THE 2007 IMPALA POLICE CRUISER FROM FOX INTERNATIONAL, LTD IN THE AMOUNT OF SIX THOUSAND SIX HUNDRED FORTY-EIGHT DOLLARS AND EIGHTY-THREE CENTS (\$6,648.83), AND DECLARING AN EMERGENCY.

Resolution No.: 34-2007 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 35-2007 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PERRIN ASPHALT FOR CONCRETE CURBING IMPROVEMENTS AT VARIOUS LOCATIONS IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Resolution No.: 35-2007 was assigned to the Public Improvements Committee.

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RESOLUTION NO.: 36-2007 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BUCKEYE SWEEPING, AND DECLARING AN EMERGENCY.

Resolution No.: 36-2007 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 37-2007 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO ASSIGN LAKE RIGHT PRIVILEGES OF VACANT SILVER LAKE ESTATES LOT #1 OWNED BY THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Resolution No.: 37-2007 was assigned to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 38-2007 A RESOLUTION AMENDING AN AGREEMENT WITH THE AMERICAN FAMILY LIFE ASSURANCE COMPANY (AFLAC) HEREBY INCLUDING FLEXIBLE SPENDING ACCOUNTS , FOR THE BENEFIT OF ELIGIBLE EMPLOYEES, UNDER A "CAFETERIA PLAN" PURSUANT TO SECTION 125 OF THE INTERNAL REVENUE CODE, AND DECLARING AN EMERGENCY.

Resolution No.: 38-2007 was assigned to the Personnel and Public Affairs Committee.

ORDINANCE NO.: 39-2007 AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE AND ENTER INTO AN AGREEMENT WITH THE OHIO MUNICIPAL LEAGUE FOR THE VILLAGE OF SILVER LAKE'S PARTICIPATION IN THE OHIO MUNICIPAL LEAGUE 2008 WORKERS' COMPENSATION VILLAGE GROUP RATING PLAN, AND DECLARING AN EMERGENCY.

Ordinance No.: 39-2007 was assigned to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 40-2007 A RESOLUTION RATIFYING AND CONFIRMING THE AUTHORIZATION OF THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF MACEDONIA, OHIO, FOR THE BOARDING OF PRISONERS, AND DECLARING AN EMERGENCY.

Resolution No.: 40-2007 was assigned to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 41-2007 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE TWO MOBILE DIGITAL VIDEO RECORDERS FROM SOUND COMMUNICATIONS, INC. IN THE AMOUNT OF SIX THOUSAND NINE HUNDRED NINETY DOLLARS AND NO CENTS (\$6,990.00), AND DECLARING AN EMERGENCY.

Resolution No.: 41-2007 was assigned to the Finance and Appropriations Committee.

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RESOLUTION NO.: 42-2007 RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ORIANA HOUSE, INC. FOR COMMUNITY CORRECTIONAL SERVICES FOR THE VILLAGE OF SILVER LAKE DURING THE YEAR 2007, AND DECLARING AN EMERGENCY.

Resolution No.: 42-2007 was assigned to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 43-2007 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BURGESS AND NIPLE, INC. TO PROVIDE ENGINEERING SERVICES RELATED TO THE REFURBISHMENT OF THE VILLAGE'S WATER STANDPIPE, AND DECLARING AN EMERGENCY.

Resolution No.: 43-2007 was assigned to the Public Improvements Committee.

RESOLUTION NO.: 44-2007 RESOLUTION APPROVING THE SITE PLAN FOR A POWER SUPPLY BOX TO BE CONSTRUCTED IN THE VILLAGE RIGHT-OF-WAY AT 2863 LAKEWOOD DRIVE BY AT&T, AND DECLARING AN EMERGENCY.

Resolution No.: 44-2007 was assigned to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 45-2007 A RESOLUTION RATIFYING AND CONFIRMING A VIDEO COMPETITION AGREEMENT BETWEEN THE VILLAGE OF SILVER LAKE AND AT&T OHIO.

Resolution No.: 45-2007 was assigned to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 46-2007 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$308,082.27

Resolution No.: 46-2007 was assigned to the Finance and Appropriations Committee.

Mrs. Steiner asked for the reading of any pending legislation that is up for a second reading.

RESOLUTION NO.: 27-2007 A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO PAY TO THE CITY OF CUYAHOGA FALLS, SILVER LAKE'S PROPORTIONATE SHARE OF THE 2006 OPERATING DEFICIT OF THE CUYAHOGA FALLS MUNICIPAL COURT, AND DECLARING AN EMERGENCY.

Resolution No.: 27-2007 was previously assigned to the Finance and Appropriations Committee.

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

There being none, Mrs. Steiner recessed the Council meeting at 7:40 p.m. to continue the Committee of the Whole meeting.

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Mrs. Steiner reconvened the Council meeting at 7:48 p.m.

Finance and Appropriations Committee – Mr. William Church, Chairman

Mr. Church stated Resolution No.: 27-2007 was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 5 No 0

Mr. Church stated Resolution No.: 34-2007 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.: 34-2007, seconded by Mr. Scott.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mr. Church stated Resolution No.: 36-2007 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.: 36-2007, seconded by Mrs. Fuller.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mr. Church stated Resolution No.: 41-2007 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.: 41-2007, seconded by Mr. Scott.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mr. Church stated Resolution No.: 46-2007 was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 5 No 0

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Public Improvements Committee – Mr. William Church, Chairman

Mr. Church stated Resolution No.: 35-2007 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.: 35-2007, seconded by Mr. Scott.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mr. Church stated Resolution No.: 43-2007 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.: 43-2007, seconded by Mrs. Fuller.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Personnel and Public Affairs Committee – Mrs. Karen Fuller, Chairman

Mrs. Fuller stated Resolution No.: 37-2007 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.: 37-2007, seconded by Mr. Church.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mrs. Fuller stated Resolution No.: 38-2007 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.: 38-2007, seconded by Mr. Church.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mrs. Fuller stated Ordinance No.: 39-2007 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 Ordinance No.: 39-2007, seconded by Mr. Church.

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| Roll call on suspension: | Yes | 5 | No | 0 |
| Motion to adopt by Mrs. Fuller, seconded by Mr. Scott. | | | | |
| Roll call on adoption: | Yes | 5 | No | 0 |

Mrs. Fuller stated Resolution No.: 40-2007 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.: 40-2007, seconded by Mr. Church.

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|--|-----|---|----|---|
| Roll call on suspension: | Yes | 5 | No | 0 |
| Motion to adopt by Mrs. Fuller, seconded by Mr. Scott. | | | | |
| Roll call on adoption: | Yes | 5 | No | 0 |

Mrs. Fuller stated Resolution No.: 42-2007 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.: 42-2007, seconded by Mr. Church.

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|--|-----|---|----|---|
| Roll call on suspension: | Yes | 5 | No | 0 |
| Motion to adopt by Mrs. Fuller, seconded by Mr. Scott. | | | | |
| Roll call on adoption: | Yes | 5 | No | 0 |

Mrs. Fuller stated Resolution No.: 44-2007 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.: 44-2007, seconded by Mr. Church.

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|--|-----|---|----|---|
| Roll call on suspension: | Yes | 5 | No | 0 |
| Motion to adopt by Mrs. Fuller, seconded by Mr. Scott. | | | | |
| Roll call on adoption: | Yes | 5 | No | 0 |

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey attended the Elected Officials Conference in Washington D.C. The Army Corp of Engineers also attended this conference. At this time, there is nothing moving forward in regards to the Chautauqua Drive flooding issue.

Mayor urged all Council members to attend Community Day on June 2, 2007, at 10:00 a.m. It is very important to show support to the Garden Club and all the other organizations that are working and/or volunteering their time on behalf of the Village.

Mrs. Steiner stated that Mr. Theiss has asked for the participation of Council to make a rocket for the rocket launch on Community Day. Mrs. Fuller will call Mr. Theiss to set up a time to do this.

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Mayor stated the Citizens Housing Committee is becoming more active since the weather is getting nice. Mayor urged the entire community to take proper care of their property. If there is a violation, it should be reported to the office and it will be investigated.

The Mayor has attended two different scholarship award ceremonies. Two Cuyahoga Falls High School students were honored at the Daimler Chrysler ceremony. Mr. David Zach, a Silver Lake resident, was one of the honored students. The Mayor was the guest speaker at the Rotary Club ceremony.

Chief Gary DeMoss stated the annual Youth Bike Safety Ride on Saturday, May 19, 2007, went very well. There were fifty participants and it was very nice to use the picnic shelter for this event.

The "Click It or Ticket" statewide enforcement program is from May 21, 2007, to June 3, 2007.

The item in payment of claims for the Greater Akron Chapter of Autism is for a training video and cards to help deal with autistic children.

Also, Lexus Nexus has changed their name to Matthew Bender.

Mr. Fenwick, Service Director, reported that conduit will be run to the picnic shelter so that electric can be added next year.

Hydrant flushing is almost complete.

Service Workers Mr. Ben Gregory and Mr. Greg Dornack will be taking their state exams for Class II Wastewater Collection on May 22, 2007, in Columbus.

The Ohio EPA audits the Village's water system every three years to make sure we are complying with every EPA regulation. The EPA completed the audit last week, but results will not be available for awhile.

Mr. Heydorn, Village Solicitor, thanked Council for handling the two pieces of legislation regarding AT &T.

Mrs. Spohn, Clerk-Treasurer, stated that water rates need to be reviewed for funding the standpipe refurbishing project.

The post audit with the state auditors will be on Wednesday, May 30, 2007, at 3:00 p.m. All Council members are invited to attend.

All departments will be working on the upcoming budget for 2008.

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

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Mrs. Patricia Given, 2970 Vincent Road, stated she has been a resident for 20 years and feels safe in Silver Lake. She purchased her current home on Vincent Road in August. In November, she noticed her neighbor at 2966 Vincent Road never had their trash collected. They let all their trash and junk pile up inside their house. Mrs. Givens feels this is not acceptable and does not want to look into their house and see that garbage. The Health Department was notified and the gas was turned off, but nobody can do anything.

Mayor stated that there is a hearing on May 31, 2007, with the Health Department and he will look into the outcome of the hearing.

Mayor stated the Englewood Drive residents will once again be starting the process of petitioning for curbs, sidewalk and sewers. If 75 percent of the residents sign the petition, Silver Lake will be required to go ahead with the project. The cost to the Village will be minimal.

Mrs. Steiner asked for a motion to adjourn into Executive Session to discuss personnel issues.

Mr. Church made a motion to adjourn into Executive Session, seconded by Mr. Achtermann at 8:35 p.m.

Roll call on Executive Session: Yes 5 No 0

Executive Session adjourned and Council reconvened at 8:45 p.m.

There being no further business, Council adjourned at 8:45 p.m. until the next regularly scheduled Council meeting on Monday, June 4, 2007, at 7:30 p.m.

APPROVED:

Carol A. Steiner, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer