

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007 7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, November 19, 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, Mr. Don Alexander, Mr. Gerald Jones, and Mrs. Karen Fuller.

Roll call of Council – 7 members present

Mrs. Steiner asked if there were any additions or corrections to the minutes of the November 5, 2007, Council meeting.

There being none, the minutes were approved as sent.

Mrs. Steiner asked if there were any additions or corrections to the minutes of the November 8, 2007, Special Council meeting.

There being none, the minutes were approved as sent.

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

RESOLUTION NO.: 91-2007 A RESOLUTION AUTHORIZING THE TRANSFER OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) FROM THE GENERAL FUND (A01) TO THE SEWER FUND (E02), AND DECLARING AN EMERGENCY.

Resolution No.: 91-2007 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 92-2007 A RESOLUTION RE-APPROPRIATING MONIES FROM CERTAIN DIVISIONS OF CERTAIN FUNDS TO OTHER DIVISIONS OF THE SAME FUND AND DECLARING AN EMERGENCY.

Resolution No.: 92-2007 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 93-2007 A RESOLUTION RATIFYING FOR THE RECORD THE AUTHORIZATION OF COUNCIL TO DESIGNATE THE CLERK-TREASURER, ON BEHALF OF ALL ELECTED OFFICIALS OF THE VILLAGE OF SILVER LAKE, TO

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007 7:30 p.m.

ATTEND CERTIFIED TRAINING ON PUBLIC RECORDS LAW AS REQUIRED BY HOUSE BILL 9.

Resolution No.: 93-2007 was assigned to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 94-2007 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CITY OF CUYAHOGA FALLS, OHIO, FOR THE PROVISION OF FIRE, EMS, AND DISPATCH SERVICES TO THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.

Resolution No.: 94-2007 was assigned to the Planning, Zoning and Insurance Committee.

RESOLUTION NO.: 95-2007 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$249,855.48

Resolution No.: 95-2007 was assigned to the Finance and Appropriations Committee.

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

ORDINANCE NO.: 81-2007 AN ORDINANCE ENACTING EROSION AND SEDIMENT CONTROL REGULATIONS FOR THE VILLAGE OF SILVER LAKE, OHIO.

Ordinance No.: 81-2007 was previously assigned to the Planning, Zoning and Insurance Committee.

ORDINANCE NO.: 82-2007 AN ORDINANCE ENACTING REGULATIONS TO CONTROL ILLICIT DISCHARGE AND ILLEGAL CONNECTIONS TO THE MUNICIPAL STORM SEWER SYSTEM IN THE VILLAGE OF SILVER LAKE, OHIO.

Ordinance No.: 82-2007 was previously assigned to the Planning, Zoning and Insurance Committee.

ORDINANCE NO.: 83-2007 AN ORDINANCE ESTABLISHING ZONING REGULATIONS TO EFFECTUATE RIPARIAN SETBACK DEVELOPMENT STANDARDS IN THE VILLAGE OF SILVER LAKE, OHIO.

Ordinance No.: 83-2007 was previously assigned to the Planning, Zoning and Insurance Committee.

REPORTS OF COUNCIL STANDING COMMITTEES

Finance and Appropriations Committee – Mr. William Church, Chairman

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007 7:30 p.m.

Mr. Church stated Resolution No.: 91-2007 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.: 91-2007, seconded by Mr. Alexander.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Church stated Resolution No.: 92-2007 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.: 92-2007, seconded by Mrs. Fuller.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Church stated Resolution No.: 95-2007 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 7 No 0

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

Mrs. Fuller stated Resolution No.: 93-2007 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.: 93-2007, seconded by Mr. Achtermann.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

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

Mr. Jones stated Ordinance No.: 81-2007 was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 7 No 0

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007 7:30 p.m.

Mr. Jones stated Ordinance No.: 82-2007 was discussed in committee earlier this evening and is ready for adoption.

Motion to adopt by Mr. Jones, seconded by Mr. Church.
Roll call on adoption: Yes 7 No 0

Mr. Jones stated Ordinance No.: 83-2007 was discussed in committee earlier this evening and is ready for adoption after it is amended.

Motion to adopt by Mr. Jones, seconded by Mr. Scott.
Mr. Jones made a motion to amend Ordinance No.: 83-2007 per the legislation that was presented to Council at this evenings meeting (Copy attached to original minutes), seconded by Mr. Achtermann.
Roll call on amendments: Yes 7 No 0

Mr. Jones stated Ordinance No.: 83-2007 also needs to be amended as follows:

VI. USES PROHIBITED IN THE RIPARIAN SETBACK Section D which formerly read:

Motorized Vehicles. There shall be no use of motorized vehicles of any kind, except as permitted under these regulations.

Should read as follows:

Motorized Vehicles. There shall be no use of motorized vehicles of any kind, except *those related to necessary maintenance functions on the property.*

Motion to amend Ordinance No.: 83-2007 by Mr. Jones, seconded by Mr. Church.
Roll call on amendments: Yes 7 No 0
Roll call on adoption as amended: Yes 7 No 0

Council recessed at 7:40 p.m. into a Planning, Zoning, and Insurance Committee meeting to discuss pending legislation.

Mr. Jones asked if any residents had any questions or comments regarding Resolution No.: 94-2007.

Mrs. Esther Underwood, 1764 Graham Road, stated she has lived in the Village for forty years and wants to stay with the City of Stow. Mrs. Underwood cannot understand the financial issue.

Dr. Pamela McAllister, 2986 Harriett Road, stated as a physician she is concerned from a different perspective. She understands the importance of time because minutes can count in situations where the heart, brain, oxygenation, etc. is involved. The City of Stow right now can

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

provide us with a faster service, which they have been doing for many years. She is afraid that when it comes to somebody's life, those minutes are going to make a difference in terms of outcome even if it's just a few minutes.

Mr. Jones commented that both cities gave response times. The City of Stow is 3.38 minutes and the City of Cuyahoga Falls is 3.40 minutes. The response time for the City of Stow did not include the turnout time because turnout time is not tracked. With an estimate on turnout time, the City of Stow would be on average 5.15 - 5.20 minutes.

Mr. Scott commented that the City of Cuyahoga Falls includes their turnout time.

Mr. Paul Moskowitz, 2953 Overlook Road, wants to be sure that Council is comparing apples to apples. If the difference is really only the cost, then Council is making the right decision. If Council is having any hesitations, they should postpone their vote and take time to review the legislation. This is a 15 year commitment, so a few weeks will not make a difference.

Mr. Moskowitz heard some discussion about a drug that helps heart and stroke victims. Could someone answer if this drug has been administered by the City of Stow at any point in the last five years and if it has saved any lives? What is the probability that a Silver Lake resident would need this medication with the aging population?

What is the learning curve for the City of Cuyahoga Falls to learn our streets?

If a contract is signed with Cuyahoga Falls, is there any way the Village can get out of the agreement?

Council needs to make sure any quality of services is not being sacrificed.

Mr. Moskowitz will be happy with either Stow or Cuyahoga Falls if the services are equal.

Mr. Church commented that the contract is for 15 years and there is a performance section written in the contract. Whichever community is awarded the contract, if they do not perform up to standards, then the Village can back out of the contract.

Both Stow and Cuyahoga Falls have told Council that they work off of a GPS and finding streets is not nearly as difficult as it used to be.

Mrs. Anne Ratcliff, 2946 Silver Lake Boulevard, has a couple concerns; the location of the services that will be rendered, the politics, and the length of the contract. To make a 15 year commitment to an organization seems huge.

Mr. Jones stated that there is an option to opt out of the contract with either community.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

Mrs. Ratcliff asked if Council reviews the contract that the Mayor signs.

Mrs. Steiner stated that Mr. Heydorn reviews the contract.

Mrs. Ratcliff stated this is a question for Mayor Fritschel, why this service would be so much. Mrs. Ratcliff would ask the same of Cuyahoga Falls, why is their service so much less? We are all seduced by the savings, but what are we really not getting for 1.5 million dollars worth of savings?

Mr. Church stated there was a very good explanation in the Sunday, November 18, 2007, Falls News Press about why Cuyahoga Falls is less than Stow.

Mrs. Steiner then read the article from the Falls News Press (Copy is attached to original minutes).

Mrs. Bobbie Christman, 2942 Overlook Road, stated everyone was satisfied with Stow. What prompted the change?

Mayor replied the cost prompted the change.

Mrs. Leslie Pickard, 3112 Highland Drive, stated about five days ago she really started paying attention to the EMS issue. She read about it prior to that and felt that the Village was going to stay with the City of Stow and then she found out it was turning in the other direction. In five days, Mrs. Pickard researched several issues that she has concerns about.

Mrs. Pickard spoke with several Council members, the Akron Beacon Journal, employees of the Stow Fire Department and eliminated most of her concerns, except for two. One is the response time. She does not get a good grasp on how the Cuyahoga Falls response time was determined. Cuyahoga Falls does not run those routes now and she would like to know the method that was used to determine the response time. She heard it was a method called "Fire Chief Methodology."

Mrs. Pickard is thinking the number Cuyahoga Falls came up with has something to do with mileage and would like to know what that average mileage is.

The trains and traffic are issues. There are cameras, but where are they located and who dispatches the trucks. If a truck is dispatched and a train is coming, does it have to re-dispatch to another station because that is a factor. If it goes to another station, there's another minute or more lost in response time.

Mrs. Pickard feels she does not have a good grasp on the response time and how accurate it really is.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

The other concern Mrs. Pickard has is about the 15 year contract. She understands if we are not happy with the performance, the Village can terminate the contract. But the Village needs to make sure there is not a penalty involved with terminating the contract early.

Mrs. Pickard also has some concerns about the different levels of care that we receive from Cuyahoga Falls and Stow. Stow practices more of an aggressive care. There are two series of thought on that and Stow works with Akron General Medical Center, which is nationally accredited as a stroke provider for Summit County. Mrs. Pickard feels that if she was on that gurney going to the hospital and needed something, she would want it if they had it.

Mrs. Pickard appreciates how helpful everyone she has spoken with has been in addressing her concerns.

Mr. Jones stated Chief Snyder from the City of Cuyahoga Falls is here and will help her with her concerns. He will address each concern after everyone in the audience has spoken.

Stow Mayor Karen Fritschel stated the City of Stow also has representatives present who would like to address concerns.

Mrs. Kathryn Schlosser, 3035 Kingston Circle, stated she read the PowerPoint presentations from the City of Stow and the City of Cuyahoga Falls. To her it doesn't matter which city the service is from, Mrs. Schlosser is concerned about what less the Village is getting for such a lower price. When you're reading the PowerPoint presentation, you're wondering why the switch. If it's apples to apples and the Village is saving money, then she is all for it. But, if it's not apples to apples and the Village is getting something less, then she's not. If the Village was getting the best before, then that should continue. If Stow had six personnel at their station available compared to three from Cuyahoga Falls, there are some cuts there that are being avoided. We expect these costs and know that we are going to get hit with that when we are being provided with quality care.

Mrs. Schlosser drives a Lexus that has a GPS system in it and it has failed in little streets that turn and wind like the Village.

Has anyone asked the Cuyahoga Falls Safety Department that maybe they should step it up a notch and get the same aggressive training to provide the same service that the Village residents are used to getting?

Mrs. Steiner commented that from September 23 through November 18, there have been seven articles in the Falls News Press about the EMS issue.

Mr. Paul Bloom, 3025 Silver Lake Boulevard, asked the following question:

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

As related to non-performance of the contract, how specific are the terms as relates to how is non-performance defined? Just a matter of “are they doing well” is not enough and cannot be a judge of it.

From violations or rating standpoints, are there certain ratings that are given to the various response units and departments and cities? Are there any violations that the Village needs to be aware of with Stow or Cuyahoga Falls?

Where are the savings going and how will they be applied?

Dr. Dave Schlosser, 3035 Kingston Circle, spoke to several Council members on the phone. They all mentioned it was a very difficult decision to make. Dr. Schlosser thinks that a lot of the citizens are not aware of this issue and thinks it is an extremely important issue and it should go up to vote next year in November.

Mr. Jones asked Mr. Heydorn to address the Village “getting out” of the contract.

Mr. Heydorn stated the provision that the Village would be seeking would be an absolute termination clause and it does not have to be justified or produce cause. The Village could simply terminate for any reason with a 180 day notice. But if the contract is terminated, there has to be something to replace it with otherwise the Village will have no EMS service at all.

Dr. Schlosser asked who makes the determination of terminating the contract.

Mr. Heydorn stated under the Silver Lake Charter, Council makes that decision.

Mr. Jones then called on Chief Mark Snyder to speak on behalf of the City of Cuyahoga Falls.

Chief Snyder stated over the past five meetings, himself and Chief Kalbaugh from the City of Stow have addressed a lot of questions. How can Cuyahoga Falls say that they will get to the Village’s calls as rapidly as they possibly can? Because they measure every single one of their responses. They are written down from the time they are announced from dispatch, to the time the personnel announces they are in the vehicle enroute to the call, when they are on scene of the call and how long they are on the call. Dr. Beeson holds 19 minutes being the maximum time it took to get the patient stabilized and enroute to the hospital.

Cuyahoga Falls measures each of these and that is how they can tell us that their average response time is 3.40 minutes within the entire City of Cuyahoga Falls, which is 27 square miles.

Chief Snyder stated Cuyahoga Falls is going to give the Village the same service from three fire stations located at the Village’s perimeter and get out the door in 60 seconds or less and be on the way to a Village emergency.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

Chief Snyder stated Dr. Beeson has been the Medical Director for the City of Cuyahoga Falls for 20 years. As Chief, he thinks there is no finer organization or better paramedics in the world than the paramedics that will be coming to Village homes from the Cuyahoga Falls Fire Department.

Chief Snyder stated all their vehicles will be getting new mobile computer terminals with GPS units. All Cuyahoga Falls Firefighters have been charged with learning over 600 streets in the City of Cuyahoga Falls. Chief Snyder guarantees that trucks and squads will be going up and down the streets for the six months prior to taking over the EMS contract.

The farthest point from Fire Stations 1, 2, & 5 was approximately the midpoint of Englewood Drive, which is 2.6 - 2.7 miles. If you are on Vincent Road and go to Stow Station 1, which is the only station from Stow that they will give the Village a good response time on, it is 2.7 miles. It really depends on what side of the Village you live on for how strongly you feel about the EMS issue.

Chief Snyder stated the Village is getting nothing less from Cuyahoga Falls and believes we will get far superior service.

Cuyahoga Falls Fire Department is currently rated ISO Number 3 out of 10 and Stow is rated ISO Number 4, with Number 1 being the highest rank.

Mrs. Pickard asked when a call comes in to dispatch, how is it determined which station goes out to the call.

Chief Snyder stated currently, the Village 911 goes into the Stow Dispatch Center. Cuyahoga Falls is building a new state of the art Dispatch Center that was planned with the development of Fire Station 5 on Wyoga Lake Road. When the service is switched to Cuyahoga Falls Fire and EMS, the 911 call will go into the new Dispatch Center. The dispatcher sees where the caller is and puts the call out over the radio. Everyone in the Fire Department knows which addresses are in their district.

The cameras on the train tracks are currently positioned in Munroe Falls and Route 91, all through Waterworks Park, Bailey Road, the Portage Trail Bridge, Broad Boulevard, and all the way into Akron. If there is a train approaching Cuyahoga Falls from any direction, they know about it. When there is a train on the tracks on Bailey Road, Station 1 can be sent because they do not cross the tracks. Cuyahoga Falls has also committed to paying for the installation of cameras on Graham Road and Front Street if those tracks ever become active.

Mrs. Pickard stated she drove all the routes from each Fire Station in Cuyahoga Falls and saw two trains within a half hour.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

A member of the audience, who did not identify herself, stated it sounds like the main issue is response time regardless of who gets the contract. She asked if Silver Lake police officers will still respond to every single call that comes through.

Chief DeMoss replied that is the protocol. The Silver Lake Police Department will respond to a call and start the AED or CPR, but does not replace the paramedics.

Mayor Fritschel then called upon Dr. Christ Kyriakedes, the City of Stow Medical Director, to answer questions asked by the audience.

Dr. Kyriakedes stated he has been the Medical Director for the City of Stow since 1993. He lives in North Canton and he took the volunteer job as Medical Director because he loves to teach. There are different philosophies in Akron in terms of what the hospitals do. There are pluses and minuses to everything. Dr. Kyriakedes does what he does because there are certain drugs that he administers in the hospital that he knows physiologically and the background behind them.

Dr. Kyriakedes carries a drug called Lopresor that he administers, but most emergency departments and cardiologists administer it within the first 24 hours. So they are not giving a drug that has to be given in the first hour because there's no proof that it's going to work. The studies did not look at that, the studies simply looked at decreasing morbidity and loss of heart muscle within the first 24 hours.

Lopresor is the only drug the City of Stow uses that decreases the hearts demand of oxygen. Other drugs that other cities carry supply more oxygen, but none decrease the need for oxygen. On the 12 minute ride into the hospital, the patient's pain usually goes away.

Dr. Kyriakedes also administers Labetolol to treat stroke victims and decrease blood pressure. The idea is to decrease it safely without decreasing brain profusion. The goal is to save brain tissue within 19 to 20 minutes before they arrive at the emergency room.

In the past, Nitro Glycerin was administered and it hurt people. Their blood pressure dropped too low and it caused their brain to profuse.

The other drugs that Dr. Kyriakedes administers are aggressive. The drugs can have some side effects, but he does it because he wants people to be comfortable. If someone is in congestive heart failure and they can't breathe and are starving for oxygen, he can make them comfortable within 20 minutes.

Mr. Jones then called upon the Medical Director for the City of Cuyahoga Falls, Dr. Mike Beeson.

Dr. Beeson stated he has been the Medical Director for the City of Cuyahoga Falls for approximately 20 years and is also a Silver Lake resident. The quality and care of Cuyahoga

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

Falls is equal or better than the City of Stow. There are philosophical differences, but Dr. Beeson likes to decrease the scene time and get to the hospital faster.

Dr. Beeson talked about a drug that helps patients who are suffering from a heart attack. This medication slows the heart rate down and is extremely useful in slowing a heart attack. In the emergency departments, this is one of the first drugs he gives within 20 to 30 minutes.

Dr. Beeson stated when a patient is having a heart attack, you don't know what direction they are going as far as their heart rate and blood pressure. He does not want to add to the patient's problem. By decreasing the on-scene point and focusing on getting the patient to the hospital, it allows an emergency room physician to evaluate a patient to decide whether or not to use the drug and how quickly to use it.

When you have hospitals less than 10 minutes away, Dr. Beeson's philosophy is the paramedics need to identify the life threat, address the life threat, and get the patient to the hospital as quickly as possible.

Dr. Beeson does not carry Labetolol for a number of reasons. When a patient is having a stroke and they have high blood pressure, you do not want to precipitously bring the blood pressure down. In the field, you will be giving primarily injections of this medication. You do not have as good of control of the amount of medication that is being delivered as if you mix it up in a bag of fluid and administer it as a drip.

Silver Lake will not be downgraded with the quality of care if they go with the City of Cuyahoga Falls.

Mrs. Ratcliff stated she still does not feel like it is apples to apples. Why is there such a huge difference in price? To her, it's suspect and doesn't make sense.

Mr. Jones replied that it has been commented on over the past five meetings. There was a comment in the Falls News Press that Cuyahoga Falls is subsidizing Silver Lake because they are charging so much less. Mr. Jones turned that around and said he thinks Silver Lake is subsidizing the City of Stow by paying too much.

Dr. Beeson commented that he has heard residents saying if the change is made from Stow to Cuyahoga Falls and there is an adverse event, then it falls on the shoulders of Village Council members. Dr. Beeson stated it is on his own shoulders, not Council's. Every patient that is cared for by Cuyahoga Falls is run under his drug and medical license. It is a tremendous responsibility and he does not take it lightly.

Mayor Fritschel stated the City of Stow's price is based on the operating budget and not any capital costs. If you take the operating budget numbers of Cuyahoga Falls and divide them by the population of Silver Lake and then by the population of Cuyahoga Falls, Silver Lake residents

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

will pay \$52 per capita for this service. On the other hand, Cuyahoga Falls residents will pay \$177 per capita. This is what Mayor Fritschel meant by “subsidizing”; because Cuyahoga Falls is subsidizing the costs and Silver Lake residents will be getting a great savings. The reason that Stow did not go down to that level is because Stow decided not to subsidize the cost because it is not fair to Stow residents and taxpayers.

Mayor Fritschel called upon Mrs. Lou Ann Metz, City of Stow Assistant Fire Chief.

Assistant Chief Metz stated the City of Stow has served Silver Lake for the 17 years she has been with Stow and they have proven performance in the Village of Silver Lake. Chief Snyder stated the City of Cuyahoga Falls has a 4.0 minute response time to River Estates, which isn’t even to the Silver Lake border yet. That can speak for itself.

The City of Stow monitors their performance and station as well as the City of Cuyahoga Falls. The City of Stow does not keep turn out times for several reasons. The current computer systems are more difficult to track accurately. The new system at the Dispatch Center will have touch screen computers, GPS location and wireless 911.

Company officers make sure they are out the door in 1 to 1.5 minutes. The City of Stow abides by the speed limits and drives safely. In 17 years, the City of Stow has never received one complaint about the time it took to get to a scene or their performance. Customer Satisfactory Surveys are sent out to every single person that is seen by the City of Stow. The surveys come back overwhelmingly positive. They have never received one written complaint from any person in the Village.

Assistant Chief Metz stated the trains are logistically an issue and cameras do not magically put your truck on the other side of the tracks.

Cuyahoga Falls Police Chief John Connelly asked if Stow had to cross the same tracks as the City of Cuyahoga Falls.

Assistant Chief Metz replied they can go up Route 91 to Route 303. Stow has alternate routes just like Cuyahoga Falls does and they can get to the hospitals a variety of ways.

Mr. Mark Hatfield stated he is the Information Services Coordinator for the City of Stow. A presentation was given a month ago by both the City of Stow and the City of Cuyahoga Falls. Mr. Hatfield encouraged all Council members to review those presentations. Every Cuyahoga Falls Fire Station is twice as far away from the Silver Lake border as the City of Stow Fire Station. The closest Fire Station in Cuyahoga Falls is cut-off by a very busy rail line.

Mrs. Underwood asked why Council gets to vote on this issue, but the residents do not get to vote?

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

Mrs. Ratcliff asked what the next step is for Council on this issue.

Mr. Jones replied it is up to the committee to decide on whether or not to bring this out for adoption this evening.

Mrs. Ratcliff asked if the decision has already been made.

Mr. Jones stated at the last meeting, it was pretty much decided that the services are very comparable. Mr. Jones spent almost three hours with Chief Snyder three weeks ago, going through all the Fire Stations and new facilities and looking at the equipment. He was very impressed with what he saw. The PowerPoint presentations were read and reviewed more than once. Mr. Jones read all the notes and Council minutes of all the meetings. For those who only read the presentation, and did not read the Council minutes, they missed a lot of discussion on this whole EMS issue.

Mr. Jones stated the next step is for Council to vote on this issue.

Dr. Pamela Novak, 3093 Highland Drive, stated she sees the number of runs being a positive rather than a negative in terms of experience of the paramedics. The newspaper said Cuyahoga Falls is down to 16.9 staff members, but is going to go back up to 19. Does this mean there is a staffing difference?

Chief Snyder stated the staffing was 19.6 average firefighters on duty per day for 2006. In 2007, Cuyahoga Falls experienced a number of retirements and several unforeseen resignations. They were not prepared to hire and there was a dip in staffing. They have hired 6 more employees and plan on hiring two more. By the end of the year, they would like to average 19 on shift per duty.

Mr. Bloom stated the question wasn't answered of where the savings would be applied.

Mr. Jones stated that can not be answered at this time. A lot of needs in the Village were cut out of the budget and the money could be used in a lot of different places. It is yet to be determined where the savings will be applied.

Mrs. Schlosser said it was stated the Village can get out of this contract at any time. If funds from the money we are saving are being appropriated to different areas, will the Village be able to instantly come up with the money that was appropriated somewhere else if it wants to return to Stow for these services?

Mrs. Schlosser asked if this is such an important decision, should it be left to the Mayor and seven Council members or should it be left to the Village residents to vote on.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

Mrs. Schlosser stated it is important for everyone to get to hear this information because what is redundant to you may not be to the rest of us. This is an important issue and Mrs. Schlosser thinks the time needs to be taken to measure what is appropriate in this case.

Mr. Heydorn stated the Supreme Court always said that Council was supposed to do the job they were elected to do. They could not delegate that down to the people because there would be no criteria to use to say what decision they could or could not make. The Supreme Court said it is appropriate to submit a question to the people when the process itself had public input by way of some formal public input, such as a public hearing. In this particular situation, there is some similarity between this issue and granting a franchise in that it is not speedy.

Mr. Jones stated everyone on Council is in favor of going with Cuyahoga Falls.

Mr. Heydorn stated usually three readings are involved, unless Council suspends that rule. In certain kinds of things, three readings are essentially mandatory.

Dr. Schlosser stated that they can get a petition for referendum and get 10 percent of the voters within 30 days. It will not be hard to get 10 percent of the voters. Then it can be put up to vote.

Mr. Jones told Dr. Schlosser that if he wanted to do that, it's his call.

Mr. Heydorn stated if it's passed as an emergency measure, there is no right of referendum. There is a right of initiative, which the people can initiate an ordinance to repeal Resolution No.: 94-2007. But the theoretical difference is, once you file a referendum it suspends the operation of the ordinance until it's voted upon. If you file an initiative, the ordinance stays in effect until the repeal is passed by the people at the next voting session.

Mrs. Ratcliff asked Mr. Heydorn how you define an emergency.

Mr. Heydorn stated it is absolutely subjective. The courts have granted almost total discretion to Councils to make that determination of whether or not there is an emergency. This has probably been overturned only in situations where there is no reason at all for the emergency. Otherwise the Courts will stand back and let Council make that decision.

Mrs. Fuller asked if we declare an emergency tonight, what the options are.

Mr. Heydorn stated the reading of legislation and declaring an emergency are not the same. You have three readings formally on legislation unless you suspend the rules, then you can have as many readings as you want. That has nothing to do with whether or not it is an emergency. If you put in the words "declaring an emergency", the only thing that does is put that ordinance into effect immediately upon the signature of the Mayor. If it is not "declaring an emergency", regardless of how many readings it has, 30 days after passage and signature by the Mayor the ordinance takes effect. That is the 30 days where a referendum can be filed.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007

7:30 p.m.

Dr. Novak stated she is a little bit concerned on whether Cuyahoga Falls is not as fast to respond as Stow; however, she feels comfortable that they are comparable and thinks it's worth a try.

Mrs. Steiner stated she is having a hard time understanding why the response time is an issue when we've all heard that Cuyahoga Falls response time is under 4 minutes and Chief Kalbaugh from Stow says their response time is 5 minutes and 20 seconds. That's the testimony that everyone has heard.

Mrs. Steiner appreciates the fact that residents want to put it to the vote of the people, but her concern is that a flyer was placed in the front door of many homes saying , "While you watch your loved ones life slip away...." Now if that is the kind of thing that will be used to sway voters, that is baloney.

Mrs. Pickard stated she passed out the flyers and feels that the response time is not accurate. The train issue is there and she feels that Council is ignoring it. Mrs. Pickard did not feel that many residents did not know what was going on and passed the flyer out for awareness.

Mrs. Steiner stated she asked Chief Snyder to provide Silver Lake with a report on the response time once a month. He assured Mrs. Steiner that he would do that so we can have that information.

Mr. Achtermann stated he had not seen a flyer until this evening. Two residents called him due to the flyer and stated they would be interested in going with the City of Cuyahoga Falls.

The Planning, Zoning, and Insurance Committee adjourned and the Council meeting re-adjourned at 9:21 p.m.

Planning, Zoning, and Insurance Committee – Mr. Jerry Jones, Chairman

Mr. Jones stated Resolution No.: 94-2007 has been discussed and is ready for adoption.

Mr. Jones moved to suspend the rule that legislation be read at three meetings for Resolution No.: 94-2007, seconded by Mrs. Fuller.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Jones commented that he knows there are some disagreements on this legislation, but Council has reviewed this in every way possible and hope the residents will respect their decision. Mr. Jones thinks the Village will receive great service from the City of Cuyahoga Falls.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007 7:30 p.m.

REPORTS OF SPECIAL COUNCIL COMMITTEES

Park Board Liaison, Mr. Adrian Achtermann

Mr. Achtermann stated he handed out a report to all of Council regarding the Silver Lake Park and Recreation Board. (A copy is attached to the original minutes)

REPORTS OF VILLAGE OFFICIALS

Mayor Bernie Hovey reported he gave a letter to Mr. Heydorn from AT&T stating the video services contract is now null and void because of House Bill 117.

Mayor stated with the Thanksgiving holiday here, he thought it would be appropriate to make a few remarks about what he is thankful for as Mayor.

At the top of his list, Mayor Hovey is thankful for a thoughtful and deliberative Council, one who makes decisions based on what is in the best interest of the community and does not act on any kind of a personal agenda. He is also thankful for the opportunity to be the Mayor of this Village. One he accepts gladly and one he accepts with equal amounts of pride and humility. He is thankful that we live in a community where we can come together and discuss issues, discuss our differences, probably not agreeing with everything and still making decisions accordingly. He is thankful for good friends and neighbors. Many of you know that this has been a very difficult time in his life. It is very helpful to know that there are many people in this Village and in this room who he can always turn to for advice, love and support. Finally, Mayor Hovey said he is thankful that he has a loving wife, loving children, that he lives in a free country and that he lives in a safe, stable, nurturing Village called Silver Lake.

Mrs. Steiner spoke for all of Council and said, "We are thankful for you Mayor".

Chief DeMoss stated raffle tickets for Shop with a Cop are available. The drawing is on December 20th and tickets are \$1 a piece or six for \$5.

Mr. Richard Fenwick, Service Director, reported the Christmas Tree Lighting Ceremony will be held on Sunday, December 2, at 4:30 p.m.

The wreaths will be decorated on Saturday, November 24, 2007, at the pole barn if anyone is interested in helping.

The sewer project is still being televised and the laterals are being cleaned.

The Leaf and Limb Program will be extended one week and end on Wednesday, November 28, 2007.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, November 19, 2007 7:30 p.m.

The Village is having a problem again with sub-contractors from Dominion East Ohio working in the right-of-way without a permit. Mr. Fenwick will be meeting with Dominion East Ohio to discuss this issue.

Mr. Fenwick did not make the resident on Markle Drive repair their sidewalk. There is some question from the Park Board on how the Village is going to proceed with repairing sidewalks that need replaced because of the tree roots.

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

Mr. Jones thanked Council for the unified vote on the EMS legislation.

Chief DeMoss also commended Council because this was probably one of the hardest decisions Council has ever had to make.

Mr. Achtermann also commended the Falls News Press for the articles that covered the issue well.

Mrs. Teresa Spohn, Clerk-Treasurer, reported that if anyone would like a membership to BJ's Wholesale Club, the fee is \$20.

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

Ms. Karen Greenlee, 2825 Hastings Road, stated she enrolled in the Village Gas Aggregation Program with Vectren Source. The program was supposed to start on October 1, 2007, at \$9.59 per Mcf, but when she received her bill it was \$11.70 per Mcf.

Mayor stated the Village office will contact our representative to find out more information.

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

There being none, Council adjourned at 9:36 p.m. until the next regularly scheduled Council meeting on Monday, December 3, 2007, at 7:30 p.m.

APPROVED:

Carol Steiner, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer