

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, April 21, 2008

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, April 21, 2008, 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. Adrian Achtermann, Mr. Christopher Scott, Mrs. Karen Fuller, Mrs. Carol Steiner, Mr. Don Alexander and Mr. Gerald Jones.

Roll call of Council – 6 members present 1 member absent

Mr. Jones made a motion to excuse Mr. Richard Hite from this evening's Council meeting, seconded by Mr. Alexander, and all of Council agreed.

Mrs. Steiner asked if there were any additions or corrections to the minutes of the April 7, 2008, Council meeting.

There being none, the minutes were approved as sent.

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

RESOLUTION NO.: 42-2008 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, 2008, AND DECLARING AN EMERGENCY.

Resolution No.: 42-2008 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 43-2008 A RESOLUTION DECLARING A REAL AND PRESENT EMERGENCY AND PROVIDING FOR THE REPAIR, IN THE DEPARTMENT OF PUBLIC SERVICE, OF A RUPTURED WATER LINE ON GRAHAM ROAD AND A COLLAPSED CATCH BASIN ON KENT ROAD BY KENMORE CONSTRUCTION COMPANY, INC., AND DECLARING AN EMERGENCY.

Resolution No.: 43-2008 was assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 44-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 254,890.14

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Resolution No.: 44-2008 was assigned to the Finance and Appropriations Committee.

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

RESOLUTION NO.: 35-2008 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BUCKEYE SWEEPING, AND DECLARING AN EMERGENCY.

Resolution No.: 35-2008 was previously assigned to the Finance and Appropriations Committee.

RESOLUTION NO.: 36-2008 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MITCHELL COMMUNICATIONS, INC. FOR THE UPGRADE OF THE EARLY WARNING SYSTEM SIRENS IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Resolution No.: 36-2008 was previously assigned to the Public Improvements Committee.

ORDINANCE NO.: 37-2008 AN ORDINANCE AMENDING SECTION 10 (A) AND SECTION 10(B)(1) OF ORDINANCE NO.: 1-2008 HEREBY ESTABLISHING HOURS WORKED FOR OVERTIME PURPOSES FOR FULL-TIME EMPLOYEES AND FULL-TIME LAW ENFORCEMENT OFFICERS, AND DECLARING AN EMERGENCY.

Ordinance No.: 37-2008 was previously assigned to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 38-2008 A RESOLUTION AMENDING RESOLUTION NO.: 5-2000 (aka COUNCIL RULES) HEREBY ESTABLISHING A NEW TIME AND ORDER OF BUSINESS FOR REGULAR MEETINGS FOR THE COUNCIL OF THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.

Resolution No.: 38-2008 was previously assigned to the Planning, Zoning, and Insurance Committee.

RESOLUTION NO.: 39-2008 A 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 2008, AND DECLARING AN EMERGENCY.

Resolution No.: 39-2008 was previously assigned to the Personnel and Public Affairs Committee.

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ORDINANCE NO.: 40-2008 AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2008 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Ordinance No.: 40-2008 was previously assigned to the Personnel and Public Affairs Committee.

Mrs. Steiner stated Ordinance No.: 5-2008 and Ordinance No.: 11-2008 are still in Committee.

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

There being none, Mrs. Steiner continued with the agenda.

Finance and Appropriations Committee – Mrs. Karen Fuller, Chairman

Mrs. Fuller stated Resolution No.: 42-2008 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.: 42-2008, seconded by Mr. Scott.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mrs. Fuller stated Resolution No.: 43-2008 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.: 43-2008, seconded by Mr. Alexander.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mrs. Fuller stated Resolution No.: 44-2008 was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 6 No 0

Mrs. Fuller stated Resolution No.: 35-2008 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.: 35-2008, seconded by Mr. Jones.

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| Roll call on suspension: | Yes | 6 | No | 0 |
| Motion to adopt by Mrs. Fuller, seconded by Mr. Alexander. | | | | |
| Roll call on adoption: | Yes | 6 | No | 0 |

Public Improvements Committee—Mr. Gerald Jones, Chairman

Mr. Jones stated Resolution No.: 36-2008 was discussed in committee earlier this evening and is ready for adoption.

Mr. Jones moved to suspend the rule that legislation be read at three meetings for Resolution No.: 36-2008, seconded by Mr. Alexander.

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|--|-----|---|----|---|
| Roll call on suspension: | Yes | 6 | No | 0 |
| Motion to adopt by Mr. Jones, seconded by Mr. Scott. | | | | |
| Roll call on adoption: | Yes | 6 | No | 0 |

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

Mr. Jones stated Resolution No.: 38-2008 was discussed in committee earlier this evening and is ready for adoption.

Mrs. Steiner asked if (7) and (8) on Page 2 of Resolution 38-2008 should be reversed.

Mr. Heydorn said the order should be as follows:

(7) Introduction of new Ordinance and Resolutions. All readings shall be by title only and read by the clerk of Council. (A) (B) (C) (D)

(8) Comments from the audience (3-minute maximum per person).

(9) Council Standing Committee Hearings: (A) (B) (C) (D)

Mr. Jones stated he would make a motion to amend 4.0 ORDER OF BUSINESS 4.1. so that (7) will become (9), (8) will become (7) and (9) will become (8).

Mr. Jones moved to suspend the rule that legislation be read at three meetings for Resolution No.: 38-2008, seconded by Mr. Alexander.

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|---|-----|---|----|---|
| Roll call on suspension: | Yes | 6 | No | 0 |
| Motion to adopt by Mr. Jones, seconded by Mr. Scott. | | | | |
| Mr. Jones moved to amend Resolution No.: 38-2008, seconded by Mr. Achtermann. | | | | |
| Roll call on adoption as amended: | Yes | 6 | No | 0 |

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Personnel and Public Affairs Committee – Mr. Adrian Achtermann, Chairman

Mr. Achtermann stated Ordinance No.: 37-2008 was discussed in committee earlier this evening and will remain in Committee for further discussion.

Mr. Achtermann stated Resolution No.: 39-2008 was discussed in committee earlier this evening and is ready for adoption.

Mr. Achtermann moved to suspend the rule that legislation be read at three meetings for Resolution No.: 39-2008, seconded by Mrs. Fuller.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Achtermann stated Ordinance No.: 40-2008 was discussed in committee earlier this evening and is ready for adoption.

Mr. Achtermann moved to suspend the rule that legislation be read at three meetings for Ordinance No.: 40-2008, seconded by Mr. Scott.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Achtermann stated Ordinance No.: 5-2008 will remain in Committee for further discussion.

Mr. Achtermann stated Ordinance No.: 11-2008 will be postponed indefinitely.

Mr. Achtermann moved to postpone indefinitely Ordinance No.: 11-2008, seconded by Mr. Scott.

Roll call to postpone indefinitely Ordinance No.: 11-2008: Yes 6 No 0

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey stated he had the pleasure of attending the Arbor Day celebration. Mr. Paul Theiss, who is a former teacher, spoke to the children. The tree that was planted this year was dedicated to Mrs. Michele Burgess, former chairman of the Park and Recreation Board.

Mayor Hovey stated on Monday, April 28, he will be attending a meeting with Mayor Fristchel, Mayor Larson, and Mr. Mark Burns, from Independent Energy Consultants, to discuss gas and electric aggregation.

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Mayor Hovey stated on Wednesday, April 23, 2008, he will be speaking at the Daimler-Chrysler Awards Dinner, which honors two students from each school in Summit County on scholarship recognition. Mayor will be representing the mayors of Summit County.

Mayor Hovey stated the City of Cuyahoga Falls will be raising the water rates for the Village. It will be impossible for the Village to absorb the additional cost, and will have to be passed on to the residents.

Mayor Hovey said he feels the water rates Cuyahoga Falls charges the Village are fair. It is a service that we need and Cuyahoga Falls provides that service well. We could look around for other providers, but it is doubtful that we could find a better price than what Cuyahoga Falls provides.

Mr. Richard Fenwick, Service Director, stated a contractor pulled a permit to repair a driveway. What we didn't know at that time was that the Village's storm sewer collapsed underneath the driveway. The homeowner felt the Village should pay for the entire driveway repair not just the approach.

Mr. Fenwick stated he told the homeowner that once the project was done, to submit a moral claim to the Village.

Mr. Fenwick stated at that time, he will recommend to Council what portion the Village should pay for the driveway repair.

The root crown excavating has been completed on 80 trees throughout the Village. This procedure will help to stop the early demise of the trees.

Mr. Fenwick stated the Service Department gets a lot of use out of the tires that are on Village vehicles. (Several tread bare tires were on display for the Council to see.) There are 29 pieces of equipment in the Village's fleet and 114 tires to maintain.

Hydrant flushing started today. Spring clean-up continues. Due to other projects, the Service Department is a little behind schedule.

Mrs. Fuller asked if the spring clean-up program would be extended.

Mr. Fenwick said no.

Lieutenant Carl Harrison, stated Chief DeMoss was attending an in-service training class.

Lieutenant Harrison stated he and Chief DeMoss attended a meeting in Cuyahoga Falls on Friday with Interim Fire Chief Paul Moledor and the command staff to discuss the July changeover for the dispatch, fire and EMS.

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The City of Cuyahoga Falls Fire Department will be in the Village to get familiar with our streets. Mobile data terminals will be installed in the fire trucks in the near future.

Discussion will resume the middle of May reference dispatching.

Mr. Jones asked if the smoke detector program was discussed.

Lieutenant Harrison stated Chief DeMoss will be talking with Mrs. Spohn about what was discussed reference the smoke detector program.

Mr. Robert Heydorn, Solicitor, had no report.

Mrs. Teresa M. Spohn, Clerk-Treasurer, stated she and Mr. Fenwick attended a FEMA meeting in the City of Cuyahoga Falls reference flood map revisions. FEMA has taken the flood plain map and superimposed it over a GIS map. The new map will be more accurate than the previous flood plain maps.

Software Solutions Inc., will be here on Thursday and Friday to install the new computer hardware. Training on the new e-Gov Professional Software will start the first full week in May.

The state auditors will start their audit the 3rd week in May.

Mr. Achtermann stated he would not be at the next Council meeting.

Mayor Hovey stated he attended a Community Day meeting on April 10 reference the upcoming Community Day event which will be held on Saturday, May 31, 2008, from 10:00 a.m. until 1:00 p.m. It would be great if Council members could be in attendance.

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

There being none, Council adjourned at 8:17 p.m. until the next regularly scheduled Council meeting on Monday, May 5, 2008, at 7:00 p.m.

APPROVED:

Mrs. Steiner, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer