

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, June 16, 2008

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, June 16, 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 7:00 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. Richard Hite, Mr. Donald Alexander, and Mr. Gerald Jones.

Roll call of Council - 7 members present

Mrs. Steiner asked if there were any additions or corrections to the minutes of the June 2, 2008, Council meeting.

There being none, 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.: 59-2008 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A RIDING MOWER FOR USE BY THE VILLAGE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.**

Mrs. Steiner assigned Resolution No.: 59-2008 to the Finance and Appropriations Committee.

**RESOLUTION 60-2008 AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$244,000 OF GENERAL OBLIGATION BONDS BY THE VILLAGE OF SILVER LAKE, OHIO, FOR GRAHAM ROAD WATER MAIN IMPROVEMENTS, AUTHORIZING PARTICIPATION IN THE OHIO CAPITAL ASSET FINANCING PROGRAM, AND DECLARING AN EMERGENCY.**

Mrs. Steiner assigned Resolution No.: 60-2008 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 61-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 152,233,53**

Mrs. Steiner assigned Resolution No.: 61-2008 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 62-2008 A RESOLUTION TO MAKE ADDITIONAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF**

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**THE VILLAGE OF SILVER LAKE DURING THE FISCAL YEAR ENDING DECEMBER 31, 2008, AND DECLARING AN EMERGENCY.**

Mrs. Steiner assigned Resolution No.: 62-2008 to the Finance and Appropriations Committee.

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

There being none, Mrs. Steiner called upon Mrs. Karen Fuller, Chairman of the Finance and Appropriations Committee, to lead discussion on items on the agenda pertinent to her committee.

**FINANCE AND APPROPRIATIONS**

Resolution No.: 59-2008 authorizes the purchase of a riding mower.

Mr. Fenwick stated he reported at the last Council meeting the Service Department was going to look at a Scag mower instead of a John Deere. The Service Department employees like the Scag mower better than the John Deere and it is approximately \$900 cheaper than the John Deere.

The only problem is the Scag will not fit on the current trailer that was purchased for the push mowers and weed eaters in 1990 for \$575. If the Village trades in a trailer that is used for flowers and the trailer that is used for the push mowers and weed eaters, a new landscape trailer and a safety trailer will cost \$600.

Mr. Jones asked if it was an enclosed trailer.

Mr. Fenwick replied yes it is an enclosed trailer that will be storing all the safety gear.

Mr. Jones asked what kind of safety gear.

Mr. Fenwick listed confined space equipment, which is tripods, fall protection, rescue wench, gas meter tester, blower, ventilators, vent hoses, duct work, smoke tester, barricades, sewer camera and monitor, personal protective equipment (Tyvek suits, boots, gloves, hard hats, sanitizers, tools, sewer plugs), etc.

Mr. Fenwick stated that whenever an employee goes in a manhole, it has to be tested. Now the safety gear is all there when this needs to be done.

Mr. Alexander asked if there were additional charges for racks inside the trailer.

Mr. Fenwick stated there is a rack system that can be purchased, but it is not included in the price.

Mr. Jones asked if this purchase was budgeted.

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Mr. Fenwick replied it was budgeted to be purchased in 2010.

There being no further comments or questions, Mrs. Fuller indicated the committee will recommend the adoption of Resolution No.: 59-2008 this evening.

Resolution No.: 60-2008 provides the issuance of not to exceed \$244,000 of general obligation bonds for the Graham Road Water Main Improvements, authorizing participation in the Ohio Capital Asset Financing Program.

Mrs. Spohn stated this legislation has to be passed by June 20, 2008, for the Village to be included in the bond issue that will be at the end of July 2008.

Mrs. Spohn is hesitant that the amount is too high because the engineering is not yet complete. The Village will go in with other communities for this bond issue to save a lot of money. The interest rates are increasing, but this is for a 20 year term loan and as of June 16, the rate is 4.51 percent with a maximum of 6 percent. The Ohio Water Development Authority bonds are comparable, but they do not include the fees associated with going through the loan process.

If the legislation is passed, the \$244,000 would be available at the end of July 2008 and it has to be spent within 2 years on this project. It is a general obligation bond, not a revenue bond against the water fund.

Mrs. Spohn stated she thinks this is a good way to finance something that the Village needs and would like to try this program to see how well it works. If the Village issued these bonds itself, it would cost us dearly. By going with other communities and spreading the cost over everybody, this is the best deal.

Mr. Scott asked if the maximum 6 percent includes all the fees.

Mrs. Spohn replied as of June 16, 2008, the rate was 4.51 percent, but the maximum it can go to is 6 percent.

Mrs. Steiner asked how often the rate changes.

Mrs. Spohn stated every week.

Mr. Scott asked if it's a variable rate issue or fixed.

Mrs. Spohn stated it is a fixed rate once the bonds are sold.

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Mrs. Spohn stated if the engineering is done by the end of this week, the Village can apply for an Ohio Public Works Commission (OPWC) loan. but the project cannot be done until next year. Mr. Fenwick does not want to go through another winter of water main breaks on Graham Road.

Mrs. Steiner asked how this is paid back.

Mrs. Spohn stated the interest will be paid semi-annually and the principal is paid once.

Mr. Jones asked if the OPWC loan is cheaper.

Mrs. Spohn stated that we could try for a zero percent loan, but the Village would have to wait another year.

Mr. Jones stated if we do this and the engineer comes in and it is bid out, what is the start date.

Mr. Fenwick stated the project will be completed by this Christmas.

Mr. Scott stated his concern is if the bid comes in lower than the \$244,000 and the money has to be spent only on this project, what does the Village do with the extra money?

Mrs. Spohn replied it might be able to be put in a bond retirement fund for future payments, but she will ask our representative when she calls tomorrow.

There being no further comments or questions, Mrs. Fuller indicated the committee will recommend the adoption of Resolution No.: 60-2008 this evening.

Mrs. Fuller asked for questions on Resolution No.: 61-2008, payment of claims. The amount is \$152,233.53.

Mr. Scott asked what the payment was to Nancy K. Messmore.

Mrs. Spohn stated Mrs. Messmore edits the Residents Review.

Mrs. Steiner asked about the payment to Cintas for the shirts.

Mr. Fenwick stated every two years five shirts are purchased for the Service Department employees.

Mrs. Fuller asked about the payment to HM Miller Construction.

Mrs. Spohn stated this was for the manhole that was completed last year. HM Miller had never billed the Village for the project.

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Mrs. Steiner stated she is wondering who went to Grand Rapids.

Mrs. Spohn stated she will be going to Grand Rapids for the Association of Public Treasurer of the United States and Canada (APTUS&C). Mr. Jim Bell from Ohio will be installed as the President and the Ohio treasurers need to show their support.

There being no further comments or questions, Mrs. Fuller indicated the committee will recommend the adoption of Resolution No.: 61-2008 this evening.

Resolution No.: 62-2008 makes additional appropriations.

Mrs. Spohn stated the hardware and software maintenance contracts are renewed in October of every year. In the past, additional appropriations have been made at that time. This year a purchase order was created at the beginning of the year for the hardware and software maintenance so the money would not be spent. The offsite back-up service was included in this payment of claims. Everything costs money. If the Village wants to send out two more Residents Review newsletters this year, there needs to be funding.

There being no further comments or questions, Mrs. Fuller indicated the committee will recommend the adoption of Resolution No.: 62-2008 this evening.

Mrs. Steiner continued with the agenda.

**Finance and Appropriations Committee - Mrs. Karen Fuller, Chairman**

Mrs. Fuller stated Resolution No.: 59-2008 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.: 59-2008, seconded by Mr. Hite.

Roll call on suspension:    Yes    7        No    0

Mr. Heydorn stated there are amendments that need to be made to Resolution No.: 59-2008 before it is adopted this evening.

The amendments are as follows:

**A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A RIDING MOWER AND TWO TRAILERS FOR USE BY THE VILLAGE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Council of the Village of Silver Lake has agreed to purchase a riding mower *and trailers* to be used by the Silver Lake Service Department.

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**Section 1.** That the Mayor is hereby authorized to purchase a 61V, 25KOH CUB 8746C riding mower at a price not to exceed Six Thousand, Eight Hundred Twenty-Four and Fifteen Cents (\$6,824.15) for use by the Service Department of the Village of Silver Lake *and is further authorized to purchase a landscape trailer, 77"x10', and an enclosed trailer, 6'x10', for a price not to exceed \$600.00, trading in a medium duty, tandem axle trailer and a landscape utility trailer now in the Village inventory.*

**Section 2.** That the Clerk-Treasurer is hereby authorized to pay Sohar's All Season Mower Service, Inc. in accordance with said purchase in an amount not to exceed Six Thousand, Eight Hundred Twenty-Four Dollars and Fifteen Cents (\$6,824.15) *and to pay Majestic Trailer a sum not to exceed \$600.00, plus the trade-in described above* from the General Capital Fund upon approval by the Director of Public Service and the Mayor.

.....

**Section 4. WHEREFORE,** this Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the Village of Silver Lake and the inhabitants thereof, for the reason that it is immediately essential to purchase a riding mower *and trailer* for effective, efficient and .....

Mr. Hite moved to amend Resolution No.: 59-2008, seconded by Mr. Jones.

Roll call on amendments:    Yes    7        No    0

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

Roll call on adoptions as amended:    Yes    7        No    0

Mrs. Fuller stated Resolution No.: 60-2008 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.: 60-2008, seconded by Mr. Hite.

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

Mrs. Fuller stated Resolution No.: 61-2008 was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption:            Yes    7        No    0

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Mrs. Fuller stated Resolution No.: 62-2008 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.: 62-2008, seconded by Mr. Scott.

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

**REPORTS OF SPECIAL COUNCIL COMMITTEES**

Mr. Jones asked if any Council members had comments or suggestions regarding the sign ordinance.

No Council member had any comments or suggestions.

Mr. Jones asked Mr. Heydorn to take out the political sign portion of the ordinance and make any pertinent changes.

Mr. Jones asked what the outcome was for the Planning Commission meeting in May regarding the circular driveway on Lee Road.

Mrs. Lipan stated the circular driveway was approved on Monday, June 9, 2008. The resident has an application for a front porch, foyer and balcony, which has been referred to the Board of Zoning Appeals. However; the contractor stated that if this is not approved, they will not be doing the circular driveway.

**REPORTS OF VILLAGE OFFICIALS**

**Mayor Hovey** reported two residents have commented that Officer Childers is a nice, young man and a very good image for the Village.

The Citizen's Housing Committee is active again and doing an excellent job. Mrs. Gina Alexander is very thorough. There have been three complaints and a letter was sent to one of those residents.

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

**Chief Gary DeMoss** reported the Early Warning Siren test was successful last Thursday. The first Thursday of each month at 10:00 a.m. is now the official testing day.

The last day of school on Thursday, June 5, went well and there were no problems.

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Ohio Citizen's Action group will be soliciting in the Village starting Monday, June 2, 2008 and ending in August.

Chief DeMoss requested a Personnel Placement Committee meeting for Officer Steve Justice.

Mrs. Spohn stated a Personnel Placement Committee meeting will be held Monday, July 7, 2008, at 6:45 p.m.

Mrs. Fuller stated she will not be attending this meeting and appointed Mr. Alexander as her replacement.

Chief DeMoss reported in February there were 172 homes in the Village that did not have visible house numbers. Some of the residents have corrected this problem. A reminder postcard will be sent to the residents to ask for their cooperation.

**Mr. Richard Fenwick, Service Director**, reported the Consumer Confidence Report went out to Village residents. This report is one of the unfunded mandates from the Ohio EPA and costs approximately \$1,200 each year. Ms. Margaret Redford, Administrative Secretary, creates this report.

The Lead and Copper Testing is another unfunded mandate that is underway. There are 10 houses in the Village that have been tested each year since 1993. The cost for this testing is approximately \$400.

The sewer camera has a one year warranty.

The electric at the picnic shelter is complete.

The Service Department will be working ten hour days, four days a week starting next week. With gas prices increasing, this will save money for the Village and the employees.

The Service Department employees also used the Police Department bicycles to read meters, instead of driving the trucks around the Village to save money on gas.

Mayor Hovey reported the Village received a letter from Mr. Bob Henn, Ohio EPA, regarding the auxiliary water system and it states Mr. Morgan Stanley absolutely has an auxiliary water system and it needs a backflow device.

Mrs. Fuller commented the new break room and office in the Service Department looks very good.

Mr. Fenwick reported Mr. Paul Theiss has held some tree meetings in the new break room.

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**Mrs. Teresa Spohn, Clerk-Treasurer**, reported the State Auditors are at the Village and will be done by the end of July.

Mrs. Steiner asked if there was any miscellaneous business.

Mrs. Steiner thanked Mr. Adrian Achtermann for his service to the Village and Council.

There has been one application for the vacant Council position. Interviews will be conducted on Monday, June 30<sup>th</sup>. The new Council person will start Monday, July 7, 2008.

Mr. Jones stated Ordinance No.: 5-2008 and 37-2008 are still in Committee and need to be revisited soon.

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

There being no further business, Council adjourned at 8:10 p.m. until the next regularly scheduled Council meeting on Monday, July 7, 2008, at 7:00 p.m.

APPROVED:

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Carol Steiner, President of Council

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer