

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, July 7, 2008

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, July 7, 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. Christopher Scott, Mrs. Carol Steiner, Mr. Richard Hite, Mr. Donald Alexander, and Mr. Gerald Jones.

Roll call of Council - 5 members present 1 member absent

Mr. Jones made a motion to excuse Mrs. Fuller 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 June 16, 2008, Council meeting.

There being none, the minutes were approved as sent out.

Mrs. Steiner asked if there were any additions or corrections to the minutes of the Special Council meeting June 30, 2008.

There being none, the minutes were approved as sent out.

Mrs. Steiner asked the Village's new reserve officer, Mr. Thomas Myers, to step forward so the Mayor could administer the Oath of Office.

Chief DeMoss stated Officer Myers comes to the Village with a family history of law enforcement. Mr. Myers' father is in attendance this evening. Mr. Myers and his wife were Ohio State Troopers.

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

ORDINANCE NO.: 63-2008 AN ORDINANCE REPEALING SECTION 1155.09(d) – POLITICAL SIGNS - OF THE PLANNING AND ZONING CODE OF THE VILLAGE OF SILVER LAKE. (*Planning, Zoning & Insurance*) First Reading Only

Mrs. Steiner assigned Ordinance No.: 63-2008 to the Planning, Zoning & Insurance.

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ORDINANCE NO.: 64-2008 AN ORDINANCE AMENDING SECTION 123.07(b)(2) OF THE ADMINISTRATIVE CODE OF THE VILLAGE OF SILVER LAKE HEREBY ESTABLISHING A NEW THRESHOLD FOR THE ISSUE OF PURCHASE ORDERS IN AN EMERGENCY SITUATION, AND DECLARING AN EMERGENCY. (*Finance & Appropriations*)

Mrs. Steiner assigned Ordinance No.: 64-2008 to the Finance and Appropriations Committee.

RESOLUTION NO.: 65-2008 A RESOLUTION APPOINTING MRS. JANIE GEIS AS A MEMBER OF SILVER LAKE VILLAGE COUNCIL REPRESENTING DISTRICT D, TO SERVE THE UNEXPIRED TERM OF ADRIAN ACHTERMANN WHOSE TERM EXPIRES DECEMBER 31, 2009, AND DECLARING AN EMERGENCY. (*Personnel & Public Affairs*)

Mrs. Steiner assigned Resolution No.: 65-2008 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 66-2008 A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A PURCHASE ORDER FOR PERRIN ASPHALT PAVING COMPANY FOR THE COMPLETION OF MISCELLANEOUS PROJECTS IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 66-2008 to the Public Improvements Committee.

RESOLUTION NO.: 67-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$141,069.15 (*Finance & Appropriations*)

Mrs. Steiner assigned Resolution No.: 67-2008 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 Mr. Don Alexander of the Personnel and Public Affairs Committee, to lead discussion on items on the agenda pertinent to his committee.

Personnel and Public Affairs—Mr. Don Alexander

Mr. Alexander stated Resolution No.: 65-2008 appoints Mrs. Janie Geis as a member of the Silver Lake Village Council representing District D.

Mr. Alexander stated Council members met with candidates on Monday, June 30, 2008, and selected Mrs. Geis for the position.

Resolution No.: 65-2008 is ready for adoption.

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Mr. Alexander moved to suspend the rule that legislation be read at three meetings for Resolution No.: 65-2008, seconded by Mr. Jones.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mrs. Steiner asked Mrs. Janie Geis to step forward so that the Mayor could administer the Oath of Office.

Mrs. Steiner reviewed the changes on the 2008 Council Committees with members of Council. They are as follows: (Bold denotes changes)

Finance and Appropriations Committee	Mr. Chris Scott	Chairman
	Mr. Karen Fuller	Vice-Chairman
	Mr. Rich Hite	

Public Improvements Committee	Mr. Jerry Jones	Chairman
	Mr. Don Alexander	Vice-Chairman
	Mrs. Janie Geis	

Personnel and Public Affairs Committee	Mrs. Karen Fuller	Chairman
	Mr. Don Alexander	Vice-Chairman
	Mrs. Janie Geis	

Planning, Zoning and Insurance Committee	No changes
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Mrs. Geis will now be Council’s liaison to the Park and Recreation Board.

Mrs. Steiner called upon Mr. Jones, Chairman of the Planning, Zoning and Insurance Committee, and the Public Improvements Committee to lead discussion on items on the agenda pertinent to his committees.

PLANNING, ZONING AND INSURANCE

Ordinance No.: 63-2008 repeals Section 1155.09(d)-Political Signs of the Planning and Zoning Code of the Village of Silver Lake.

Mr. Jones stated the ACLU has indicated the Village’s ordinances reference political signs is unconstitutional. Ordinance No.: 63-2008 requires three readings and will have to go before the Planning and Zoning Commission for their recommendation and approval.

Mr. Jones stated Mr. Heydorn has submitted amendments for Ordinance No.: 63-2008. A copy of the proposed amendments has been attached to the original minutes.

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Mr. Jones would like to schedule a Committee meeting before the next Council meeting to discuss Ordinance No.: 63-2008. The date and time will be announced at a later date.

PUBLIC IMPROVEMENTS COMMITTEE

Resolution No.: 66-2008 authorizes the Mayor to sign a purchase order for Perrin Asphalt Paving Company for the completion of miscellaneous projects in the Village.

Mr. Jones called on Mr. Fenwick for his comments.

Mr. Fenwick stated these are projects that were discussed last year and were in the budget to do. Perrin Asphalt gave all the best prices for the following projects:

Curbing	\$4,900
Stoop in front of Village Hall	\$1,200

Perrin will do the sidewalks on Graham Road and will seal the upper parking lot.

The total for these projects will be \$10,300.

There being no further comments or questions, Mr. Jones indicated the committee will recommend the adoption of Resolution No.: 66-2008 this evening.

Mrs. Steiner called upon Mr. Scott, Chairman of the Finance and Appropriations Committee to lead discussion on items on the agenda pertinent to his committee.

FINANCE AND APPROPRIATIONS

Ordinance No.: 64-2008 amends Section 123.07(b)(2) of the Administrative Code establishing a new threshold for the issue of purchase orders in an emergency situation.

Mr. Scott stated Ordinance No.: 64-2008 is a bookkeeping change to match the Ohio Revised Code. The Village threshold was \$1,000. The ORC's threshold is \$3,000.

There being no further comments or questions, Mr. Scott indicated the committee will recommend the adoption of Ordinance No.: 64-2008 this evening.

Mr. Scott asked for questions on Resolution No.: 67-2008, payment of claims. The amount is \$141,069.15.

Mr. Scott asked about the lunch reimbursement to Officer Steve Justice.

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Chief DeMoss stated Officer Justice was at school for training.

Mrs. Spohn stated this is a taxable fringe benefit and will show on his W-2 at the end of the year.

Mr. Scott asked about the sniper rifle.

Chief DeMoss stated the sniper rifle belongs to the SWAT team. This is a SWAT item and does not involve Village funds. Mrs. Spohn is the Treasurer for the SWAT team.

Mr. Alexander asked about the rain barrels.

Mr. Fenwick stated the Service Department purchased two 55 gallon drums connected together. The barrels will be attached to the downspouts and the water gathered from the rains will be used in the water wagon for watering flowers on the islands throughout the Village.

Mr. Scott asked about Pitney Bowes.

Mrs. Spohn stated the Village has one postage meter and the fees are allocated among the departments.

There being no further comments or questions, Mr. Scott indicated the committee will recommend the adoption of Resolution No.: 67-2008 this evening.

Mrs. Steiner called on Mr. Alexander to report on the Personnel Placement Committee meeting.

Mr. Alexander reported the Personnel Placement Committee met this evening to discuss a step increase for Officer Steve Justice.

Mr. Alexander stated Officer Justice successfully completed his one year probationary period. After a positive performance evaluation by Chief DeMoss, the Committee recommends Officer Justice be moved from Patrol Officer I Step A to Patrol Officer I Step B.

Mr. Alexander made a motion to move Officer Justice from Patrol Officer I Step A to Patrol Officer I Step B, seconded by Mr. Scott. Council members signified their approval by saying aye.

Mrs. Steiner continued with the agenda.

Public Improvements Committee—Mr. Jerry Jones, Chairman

Mr. Jones stated Resolution No.: 66-2008 was discussed in committee earlier this evening and is ready for adoption.

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Mr. Jones moved to suspend the rule that legislation be read at three meetings for Resolution No.: 66-2008, seconded by Mr. Hite.

Roll call on suspension: Yes 6 No 0

Mayor Hovey asked for a clarification on the first page of Resolution No.: 66-2008. **Section 2.** indicates not to exceed \$10,300. The General Fund amount indicates \$3,000 and the General Capital Fund indicates \$10,300, this totals \$13,300.

Mrs. Spohn stated the General Capital Fund should be \$7,300.

Mr. Heydorn stated a motion needs to be made to amend Resolution No.: 66-2008 since it has already been read.

Mr. Jones made a motion to amend Resolution No.: 66-2008 which currently reads

Section 2. That the Clerk-Treasurer is hereby authorized to pay Perrin Asphalt Paving Company for an amount not to exceed Ten Thousand Three Hundred Dollars (\$10,300) from the General Fund (\$3,000) and General Capital Fund (\$10,300) upon approval by the Service Director.

to be changed to read

Section 2. That the Clerk-Treasurer is hereby authorized to pay Perrin Asphalt Paving Company for an amount not to exceed Ten Thousand Three Hundred Dollars (\$10,300) from the General Fund (\$3,000) and General Capital Fund (**\$7,300**) upon approval by the Service Director.

Seconded by Mr. Alexander.

Roll call on the amendment: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Planning, Zoning and Insurance—Mr. Jerry Jones, Chairman

Mr. Jones stated Ordinance No.: 63-2008 will be treated as first reading.

Finance and Appropriations Committee—Mr. Chris Scott, Chairman

Mr. Scott stated Ordinance No.: 64-2008 was discussed in committee earlier this evening and is ready for adoption.

Mr. Scott moved to suspend the rule that legislation be read at three meetings for Ordinance No.: 64-2008, seconded by Mr. Jones.

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

Mr. Scott stated Resolution No.: 67-2008, Payment of Claims, was discussed in committee earlier this evening and is ready for adoption.

Motion to adopt by Mr. Scott, seconded by Mr. Hite.				
Roll call on adoption:	Yes	6	No	0

Mr. Scott stated Council received the Statement of Cash Position from the Clerk-Treasurer, Mrs. Spohn.

Mr. Scott made a motion to approve the Statement of Cash Position, seconded by Mr. Alexander. Council signified their approval by saying aye.

Mr. Scott stated Council received the 2009 Salaries Budget Worksheet.

Mrs. Spohn said Council will need to schedule a meeting to review the worksheet.

Mrs. Spohn stated Mrs. Fuller requested that salaries not be included in the budget. The worksheet is separated into each individual fund and goes from .50 percent up to 4 percent.

Mrs. Spohn went on to report it is not going to be possible to hold the line in the estimated expenditures. With the rising cost of natural gas, utility costs and fuel, among other items, holding the line to last year's spending levels is just not going to be possible.

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey welcomed Mr. Hank Gulich, a resident new to the Village. Mr. Gulich is in attendance this evening. Mr. Gulich is the Service Director with the City of Euclid.

Mayor Hovey stated the natural gas price for July, which is a variable rate, is \$14.59 per Mcf. The Dominion East Ohio rate is \$14.55.

The natural gas price for winter, November through April, which is a fixed rate, is \$15.128 per Mcf. winter rate

Residents who are in the Vectren Source Aggregation Program can opt out at anytime at no charge.

Mayor stated Silver Lake Festival will be Saturday, July 19, 2008. If anyone wants to help Mrs. Hovey with one of the booths, please give her a call.

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Mayor stated the mayor of Munroe Falls, Mr. Frank Larson, called him to discuss taking part in a feasibility study. More information will be forthcoming.

Chief Gary DeMoss stated on Tuesday, June 17 the Police Department experienced a very serious problem concerning water in the fuel tanks of three of the police cruisers.

That morning Ports Petroleum delivered fuel. There is a lot more ethanol in the fuel today which allows the water to separate.

The Village's fuel tank does have a water alarm and it did go off.

The cost to repair the cars was roughly \$800 each.

Chief DeMoss stated Mr. Fenwick is looking into the possibility of recourse against Ports Petroleum.

Ports Petroleum did come out and pumped the gas out of the tank. It was very ugly. Ports Petroleum treated the gas. The fuel is fine now.

Mr. Fenwick stated all the bills are being compiled and we are talking to Ports Petroleum.

Mrs. Spohn asked if any other community experienced problems.

Mr. Fenwick stated the mechanic, Mr. Mike Anderson, was to call around to find out who had deliveries from Ports Petroleum.

Mr. Jones asked how much the gas tank holds.

Mr. Fenwick said 2,000 gallons. We usually get a delivery of 1,200 gallons. Ports Petroleum brought in several 55 gallon drums and treated the gasoline.

Mr. Fenwick stated he feels there is liability on Ports Petroleum end.

Chief DeMoss stated on July 15, 2008, at 10:00 a.m., the City of Cuyahoga Falls will take over Fire, EMS and Dispatch services for the Village.

The non emergency phone number, 330-688-8771, will no longer be in effect. The new number will be 330-929-8771.

Mrs. Steiner asked if new Police Department magnets could be given out at the Silver Lake Festival.

Chief DeMoss stated he would check on the magnets to see if we could get them by the Festival.

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Chief DeMoss stated 24 children and some moms and dads attended the Bike Camp. Mr. Theiss put a lot of energy into the program. On Wednesday of Bike Camp week, the group rode to the Cuyahoga Valley and put the bikes on the train and brought them back. Everyone had a good time.

Chief DeMoss stated the City of Cuyahoga Falls Police and Fire will be in attendance at the Festival.

Mr. Richard Fenwick, Service Director, stated the sewer project will restart next week.

The water tower is a couple weeks behind schedule.

Mr. Jones asked about the ruts on Vincent Road.

Mr. Fenwick stated curbs and sidewalks would be the solution. There are about a dozen spots where cars have pulled off to the side and rutted the sides of the street.

Mr. Jones thought he noticed a slab of sidewalk was missing on Vincent Road.

Mr. Jones asked if there was anything the Village could do to fill in the ruts.

Mr. Fenwick said he could take a backhoe bucket and level it out, but it will happen again.

Mr. Jones asked if there is anything we can throw in there that would create a hard surface.

Mr. Fenwick said all the mud would have to be taken out.

Mr. Fenwick stated 20 years ago the residents on Vincent Road did not want the road widened or curbs and sidewalks. The Service Department made a "20 year" fix and the 20 years are long over.

Mr. Robert Heydorn, Solicitor, had no report.

Mrs. Teresa Spohn, Clerk-Treasurer, had no report.

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

Mr. Jones stated he would like to have the three ordinances which are still in committee discussed and acted upon in the near future.

There being no further business, Council adjourned at 8:00 p.m. until the next regularly scheduled Council meeting on Monday, July 21, 2008, at 7:00 p.m.

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Monday, July 7, 2008

7:00 p.m.

APPROVED:

Carol Steiner, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer

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prepared by: Suzanne Lipan