

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, October 20, 2008 7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, October 20, 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: Mrs. Janie Geis, Mr. Christopher Scott, Mrs. Karen Fuller, Mrs. Carol Steiner, and Mr. Richard Hite.

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. Hite and all of Council agreed.

Mrs. Steiner asked if there were any additions or corrections to the minutes of the September 15, 2008, 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.: 88-2008 A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE "SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING," AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 88-2008 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 89-2008 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 89-2008 to the Finance and Appropriations Committee.

RESOLUTION NO.: 90-2008 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.

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Mrs. Steiner assigned Resolution No.: 90-2008 to the Finance and Appropriations Committee.

RESOLUTION NO.: 91-2008 A RESOLUTION APPROVING A CHANGE ORDER TO AMERICAN SUNCRAFT CONSTRUCTION FOR THE EAST EDGERTON ROAD WATER TANK REHABILITATION PROJECT IN THE AMOUNT OF NINE THOUSAND FIVE HUNDRED FIFTY-SIX DOLLARS AND NO CENTS (\$9,556.00), AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 91-2008 to the Public Improvements Committee.

RESOLUTION NO.: 92-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 327,758.49

Mrs. Steiner assigned Resolution No.: 92-2008 to the Finance and Appropriations Committee.

RESOLUTION NO.: 93-2008 A RESOLUTION DECLARING A REAL AND PRESENT EMERGENCY AND RATIFYING AN AGREEMENT WITH IGS ENERGY SERVICES FOR THE PROVISION OF NATURAL GAS SERVICE TO THE VILLAGE ADMINISTRATION BUILDINGS, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 93-2008 to the Finance and Appropriations Committee.

RESOLUTION NO.: 94-2008 A RESOLUTION APPROVING AN IDENTITY THEFT PREVENTION PROGRAM IN COMPLIANCE WITH THE FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 94-2008 to the Planning, Zoning and Insurance Committee.

RESOLUTION NO.: 95-2008 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH BURGESS AND NIPLE, INC. TO PROVIDE ENGINEERING SERVICES DURING CONSTRUCTION OF THE GRAHAM ROAD WATERLINE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 95-2008 to the Public Improvements Committee.

RESOLUTION NO.: 96-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 163,760.93

Mrs. Steiner assigned Resolution No.: 96-2008 to the Finance and Appropriations Committee.

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RESOLUTION NO.: 97-2008 A RESOLUTION AWARDING A CONTRACT TO EFB CONSTRUCTION, INC., FOR CONSTRUCTION OF THE GRAHAM ROAD WATERLINE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 97-2008 to the Public Improvements Committee.

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

ORDINANCE NO.: 85-2008 AN ORDINANCE AMENDING SECTION 1345.04 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROTECT TREES SIX INCHES IN DIAMETER OR GREATER FROM DESTRUCTION DURING BUILDING DEMOLITION.

Ordinance No.: 85-2008 was previously assigned to the Planning, Zoning and Insurance Committee

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

Mrs. Spohn stated the third reading for Ordinance No.: 63-2008 will be deferred until the November 3, 2008, Council meeting.

Mrs. Steiner stated Mr. Don Alexander has submitted his resignation. Council will be interviewing candidates next week.

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

Mr. Sweitzer, 2986 Silverview Drive, discussed the dangers of the sewer pipe that is located on his property.

Mr. Sweitzer stated Mr. Fenwick sent him a letter that said the pipe was fine and the erosion around the pipe was the homeowner's problem because of the rainwater coming off the lawn.

Mr. Sweitzer felt this was not an adequate comment.

Mr. Sweitzer said Mr. Fenwick's letter stated if he didn't have the situation corrected and there was damage to the pipe, then he was responsible for all the repairs.

Mr. Sweitzer stated he hired Campbell and Associates to review the situation. Campbell and Associates indicated it is not due to rainwater on his lawn. The joints in the pipe are dislodged and the water is causing the dirt to wash out going into the lake.

Mr. Sweitzer asked what does it take for the Village of Silver Lake to come out and do corrective repair action on your pipe as you are deemed to do. What does it take?

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Mayor Hovey stated over a year ago the Village was willing to do the repairs; however, we ran into snags when the Sweitzer's made unreasonable financial demands.

Mayor Hovey stated the Village is investigating this situation further. There is a question as to whether or not the Village even owns the pipe.

Mr. Sweitzer stated the Village doesn't have to do the \$50,000 answer. He has a wheel barrel and the Village workers can wheel dirt down the hill. They can show up with long handled shovels.

Mayor Hovey stated Mr. Sweitzer has turned this issue into an impossible situation. We have a fiduciary responsibility to the entire Village.

Mr. Sweitzer has rights as a private citizen and as a landowner.

Mr. Sweitzer said we all know the value of the property on the lake and he is not willing to give up 625 feet of his property just because of something the Village wants.

Mr. Sweitzer said you are saying we own the pipe.

Mayor Hovey said we don't know. We are investigating the situation.

Mr. Heydorn stated if no easement was taken and there was no dedication or acceptance by the Village or the developer who may have put the pipe in when the subdivision was created then it is not Village property. We are researching the county records in depth in order to make a determination.

Mr. Sweitzer asked if it is possible that the pipe belongs to him.

Mr. Heydorn said that is a possibility.

Mr. Sweitzer stated he would have his pipe taken out.

Mr. Heydorn said go ahead and explain that to your neighbors.

There being no further questions, Mrs. Steiner continued with the agenda.

Due to interference, the Committee of the Whole meeting was not audible using the regular headphones. The Committee of the Whole meeting was transcribed by using acoustic noise cancelling headphones.

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COMMITTEE HEARINGS TO DISCUSS PENDING LEGISLATION

Mr. Steiner called upon Mr. Christopher Scott, Vice-Chairman of the Planning, Zoning and Insurance Committee to lead the discussion on the items on the agenda that are pertinent to his committees.

PLANNING, ZONING AND INSURANCE—Mr. Christopher Scott, Vice-Chairman

RESOLUTION NO.: 94-2008 A RESOLUTION APPROVING AN IDENTITY THEFT PREVENTION PROGRAM IN COMPLIANCE WITH THE FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003, AND DECLARING AN EMERGENCY.

Mr. Scott called on Mrs. Spohn to discuss Resolution No.: 94-2008.

Mrs. Spohn stated the Village's software company, Software Solution, Inc., notified the Village that we have to comply with the "Red Flag Rules" in reference to our utility accounts.

Under the Red Flags Rules, financial institutions and creditors must develop a written program that identifies and detects the relevant warning signs, "red flags", of identity theft.

The Red Flag Rules provide all financial institutions and creditors the opportunity to design and implement a program that is appropriate to their size and complexity, as well as the nature of the operations.

Mrs. Spohn stated she reviewed the current signup procedures with Mrs. Lipan and what we would need to do to comply with the Red Flag Rules.

The State Rural Water Association Identity Theft Prevention Program Compliance Model was used as a template for creating Resolution No.: 94-2008.

Mr. Heydorn reviewed Resolution No.: 94-2008. Everything appears to be in order.

Mrs. Spohn stated residents will now have to come into the office to make application for utility services so that we can ask for proof of identification.

There being no further questions or comments, Mr. Scott indicated the Committee will recommend the adoption of Resolution No. : 94-2008 this evening.

PUBLIC IMPROVEMENTS COMMITTEE

Mr. Christopher Scott spoke on the following legislation on behalf of the Public Improvements Committee.

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Mr. Scott asked if there were any questions.

There being no questions or comments, Mr. Scott indicated the Committee will recommend the adoption of Resolution No. : 95-2008 this evening.

RESOLUTION NO.: 97-2008 A RESOLUTION AWARDDING A CONTRACT TO EFB CONSTRUCTION, INC., FOR CONSTRUCTION OF THE GRAHAM ROAD WATERLINE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

Mr. Scott asked if EFB Construction, Inc. is the lowest bidder.

Mr. Fenwick said yes, EFB Construction, Inc. is the lowest bidder. They were at least \$11,000 less than the next bidder.

Mr. Fenwick reported EFB Construction, Inc. has been thoroughly checked out. EFB Construction, Inc. did a job in the Village 20 years ago. We put more stringent requirements for the contractors in the bid proposal. EFB Construction, Inc. bond's are all in order.

Mr. Scott said the amount of the contract is \$192,270.

Mr. Scott asked if there were any further questions.

There being no further questions or comments, Mr. Scott indicated the Committee will recommend the adoption of Resolution No. : 97-2008 this evening.

Mrs. Janie Geis finished the legislation on behalf of the Public Improvements Committee.

RESOLUTION NO.: 91-2008 A RESOLUTION APPROVING A CHANGE ORDER TO AMERICAN SUNCRAFT CONSTRUCTION FOR THE EAST EDGERTON ROAD WATER TANK REHABILITATION PROJECT IN THE AMOUNT OF NINE THOUSAND FIVE HUNDRED FIFTY-SIX DOLLARS AND NO CENTS (\$9,556.00), AND DECLARING AN EMERGENCY.

Mr. Fenwick said he informed Council that change orders were coming.

Mr. Fenwick stated the change orders are for extra work items to replace the roof vent on the water tower, including safety hooks at the top of the tank for workers to attach their harnesses to for safety.

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Mrs. Geis asked if there were any further questions.

There being no further questions or comments, Mrs. Geis indicated the Committee will recommend the adoption of Resolution No. : 91-2008 this evening.

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

FINANCE AND APPROPRIATIONS COMMITTEE—Mr. Christopher Scott, Chairman

RESOLUTION NO.: 89-2008 A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY.

Mr. Scott stated Resolution No.: 89-2008 is pretty straight forward. This is all charter millage that is being re-approved. The provisions of the law require Council to authorize the necessary tax levies and certify them to the County Fiscal Officer.

Mrs. Spohn stated Resolution No.: 89-2008 is standard legislation. The amount we are going to get is a little less than last year.

Mr. Scott asked if there were any further questions.

There being no further questions or comments, Mr. Scott indicated the Committee will recommend the adoption of Resolution No. : 89-2008 this evening.

RESOLUTION NO.: 90-2008 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.

Mr. Scott stated the additional appropriations are for retirees' health benefits and a change in health benefit status for an employee.

Mrs. Spohn stated the amount for the retirees' health benefits were under budgeted. Health benefits for the retirees went up just like current employees. Because of the lawsuit, we can only charge the retirees up to \$25 as part of their participation. Originally the retirees were going to pay the same as our employees up to \$25 a month. Now the employees pay 5 percent for participation, which is greater than \$25.

The other expenditure is for an Administrative Office employee who needed to add a new family member.

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Mrs. Spohn said the \$30,000 from the interest income is first placed in the General Fund, and then transferred into the different funds based on past resolutions. Some goes into the General Capital Fund, the Water Fund and the Sewer Fund.

Mr. Scott asked if there were any further questions.

There being no questions or comments, Mr. Scott indicated the Committee will recommend the adoption of Resolution No. : 90-2008 this evening.

RESOLUTION NO.: 92-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 327,758.49

Mr. Scott asked if there were any question on Resolution No.: 92-2008.

Mrs. Fuller asked about the \$1,000 expenditure for Russell Township Police Department.

Chief DeMoss said it was for a brand new radar unit. The radar unit lists for \$1,500. We were going to purchase the radar unit next year. The radar unit did not match any of the equipment Russell Township had.

Mrs. Fuller asked about the \$3,025 expenditure for USA Blue Book.

Mr. Fenwick said this is for a check valve that goes inside the water stand pipe. The original check valve was 50 years old and needed to be replaced.

Mr. Scott asked about the \$4,525.85 expenditure for Kelly-Creswell.

Mr. Fenwick said it was for the paint machine that was budgeted last year.

Mrs. Geis asked about the \$244.45 expenditure for Swift FirstAid Service. (This appears on Resolution No.: 96-2008.)

Mr. Fenwick stated this is for replenishing the internal first aid cabinets for the Service Department, the Police Department, and the Administrative Office.

Mr. Scott asked if there were any further questions.

There being no further questions or comments, Mr. Scott indicated the Committee will recommend the adoption of Resolution No. : 92-2008 this evening.

RESOLUTION NO.: 93-2008 A RESOLUTION DECLARING A REAL AND PRESENT EMERGENCY AND RATIFYING AN AGREEMENT WITH IGS ENERGY SERVICES

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FOR THE PROVISION OF NATURAL GAS SERVICE TO THE VILLAGE ADMINISTRATION BUILDINGS, AND DECLARING AN EMERGENCY.

Mayor Hovey stated the Village opted out of the Vectren Source Aggregation Program as the natural gas supplier for Village Hall and the Pump House on Vincent Road. The Village signed up for natural gas with IGS Energy Service (Interstate Gas Supply).

Mayor Hovey stated Vectren Source's price per Mcf for natural gas is \$15.128. IGS Energy's price per Mcf is \$10.85.

Mayor Hovey stated because this is an expenditure over \$5,000, which is outside of the Mayor's limits, we need the approval of Council.

Mayor Hovey stated by making the switch, the Village will have a cost savings of approximately \$3,300.

Mr. Scott asked about the wording "a real and present emergency".

Mr. Heydorn said the real and present emergency statement means Council does not have to go out for bid as long as Council passes the legislation by a two-thirds vote.

Mr. Scott asked if there was a contractual agreement with Vectren Source.

Mayor Hovey stated the Village can change suppliers just like the residents can.

Mr. Scott asked if there were any further questions.

There being no further questions or comments, Mr. Scott indicated the Committee will recommend the adoption of Resolution No. : 93-2008 this evening.

RESOLUTION NO.: 96-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 163,760.93

Mrs. Steiner asked about the \$14,300 expenditure for Dave Thomas and Son.

Mr. Fenwick said Dave Thomas and Son did the handicap entrance for Village Hall.

Mrs. Geis said the door is hard to open.

Mr. Fenwick said it is harder to open due to the mechanics of the door. We will be putting up a sign to let people know to push the button.

Mr. Scott asked about the \$564.92 expenditure for Baker Vehicle Systems.

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Mrs. Spohn stated it was a gear box for a SWAT team vehicle.

Mr. Scott asked about the \$25 expenditure for the Petroleum UST Release Compensation Board.

Mrs. Spohn stated the Compensation Board went back to 1989 to reconcile their records and said that we owed them \$325 for 1993.

Mrs. Spohn said the Compensation Board member she spoke to said there were no statute of limitations on this matter. At that time the Board member stated we only owed \$25.

Mrs. Fuller commented on the Akron Beacon Journal payment of \$1,033.02 and the Record Publishing payment of \$85.50.

Mrs. Fuller asked if the Village is required to publish in the Akron Beacon Journal.

Mrs. Spohn said when there is a big project to bid we need to advertise in a paper with a larger circulation.

Mrs. Fuller asked if we have every tried to just publish in the smaller circulation paper.

Mrs. Spohn said she wouldn't even try it.

Mr. Fenwick stated it would make it harder to get a variety of companies to bid.

Mr. Heydorn said it comes down to a publication of general circulation in the County, not just in the municipality.

Mr. Scott asked if there were any further questions.

There being no further questions or comments, Mr. Scott indicated the Committee will recommend the adoption of Resolution No. : 96-2008 this evening.

Mrs. Steiner asked Mr. Scott to lead the discussion on items on the agenda for the Planning, Zoning and Insurance Committee.

PLANNING, ZONING AND INSURANCE COMMITTEE—Mr. Christopher Scott—Vice-Chairman

ORDINANCE NO.: 85-2008 AN ORDINANCE AMENDING SECTION 1345.04 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, OHIO, TO PROTECT TREES SIX INCHES IN DIAMETER OR GREATER FROM DESTRUCTION DURING BUILDING DEMOLITION.

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Mr. Scott stated Ordinance No.: 85-2008 will be treated as a second reading this evening.

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.

Mr. Scott stated discussion on Ordinance No.: 63-2008 will be deferred until the November 3, 2008, Council meeting.

Mrs. Steiner called upon Mrs. Karen Fuller, Chairman of the Personnel and Public Affairs Committee to lead the discussion on the items on the agenda that are pertinent to her committee.

PERSONNEL AND PUBLIC AFFAIRS—Mrs. Karen Fuller—Chairman

RESOLUTION NO.: 88-2008 A RESOLUTION AUTHORIZING THE MAYOR TO SIGN THE “SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX REVENUE SHARING,” AND DECLARING AN EMERGENCY.

Mrs. Fuller said Resolution No.: 88-2008 is in the best interest of the Village to cooperate with Summit County and local communities for regional prosperity and economic development.

Mrs. Fuller asked if there were any further questions.

There being no further questions or comments, Mrs. Fuller indicated the Committee will recommend the adoption of Resolution No. : 88-2008 this evening.

Mrs. Steiner stated this concludes the Committee Hearings to discuss pending legislation.

Mrs. Steiner continued with the agenda.

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

Mrs. Fuller stated Resolution No.: 88-2008 was discussed 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.: 88-2008, seconded by Mr. Scott.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

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Finance and Appropriations Committee -- Mr. Christopher Scott

Mr. Scott stated Resolution No.: 89-2008 was discussed earlier this evening and is ready for adoption.

Mr. Scott moved to suspend the rule that legislation be read at three meetings for Resolution No.: 89-2008, seconded by Mrs. Fuller.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mr. Scott stated Resolution No.: 90-2008 was discussed earlier this evening and is ready for adoption.

Mr. Scott moved to suspend the rule that legislation be read at three meetings for Resolution No.: 90-2008, seconded by Mrs. Fuller.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mr. Scott stated Resolution No.: 92-2008 was discussed earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 5 No 0

Mr. Scott stated Resolution No.: 93-2008 was discussed earlier this evening and is ready for adoption.

Mr. Scott moved to suspend the rule that legislation be read at three meetings for Resolution No.: 93-2008, seconded by Mr. Hite.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mr. Scott stated Resolution No.: 96-2008 was discussed earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 5 No 0

Planning, Zoning and Insurance Committee -- Mr. Christopher Scott, Vice-Chairman

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Mr. Scott stated Resolution No.: 94-2008 was discussed earlier this evening and is ready for adoption.

Mr. Scott moved to suspend the rule that legislation be read at three meetings for Resolution No.: 94-2008, seconded by Mr. Hite.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mr. Scott stated Ordinance No.: 85-2008 will be treated as a second reading.

Public Improvements Committee -- Mrs. Janie Geis, Vice-Chairman

Mrs. Geis stated Resolution No.: 91-2008 was discussed earlier this evening and is ready for adoption.

Mrs. Geis moved to suspend the rule that legislation be read at three meetings for Resolution No.: 91-2008, seconded by Mr. Scott.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mrs. Geis stated Resolution No.: 95-2008 was discussed earlier this evening and is ready for adoption.

Mrs. Geis moved to suspend the rule that legislation be read at three meetings for Resolution No.: 95-2008, seconded by Mr. Scott.

Roll call on suspension: Yes 5 No 0

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

Roll call on adoption: Yes 5 No 0

Mrs. Geis stated Resolution No.: 97-2008 was discussed earlier this evening and is ready for adoption.

Mrs. Geis moved to suspend the rule that legislation be read at three meetings for Resolution No.: 97-2008, seconded by Mr. Hite.

Roll call on suspension: Yes 5 No 0

Motion to adopt by Mrs. Geis, seconded by Mrs. Fuller.

Roll call on adoption: Yes 5 No 0

REPORTS OF VILLAGE OFFICIALS

Mayor Bernie Hovey reported he received a letter from Ohio Edison stating they deeply

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appreciated the efforts of the Village employees following the high winds on September 14. A copy of the letter is attached to the original minutes.

The monthly service charge from Dominion East Ohio Gas has increased from \$5.70 to \$12.50. This is the first rate increase in 14 years.

The Summit County Health District has given us a flu vaccine schedule. The information is posted on the Village's website and on Cable channel 15.

Mayor Hovey stated the natural gas supplier for the Village's buildings has changed from Vectren Source to IGS Energy Services. Vectren Source's price for natural gas for the winter months is \$15.128 per Mcf. IGS Energy Service's price is \$10.85 per Mcf fixed for 12 months. This is a cost savings for the Village of approximately \$3,294.

Mayor Hovey stated Time Warner Cable will start billing the Village for cable services. For the next 12 months, the fee will be \$22.95 per month. After the first 12 months, the fee will be \$45.95.

Mayor Hovey stated the audit is nearly complete.

Mayor Hovey stated he and Mr. Fenwick met with Crystal Lake and Silver Lake officials to discuss the turn around on Crystal Lake's property and the well pump on Lakeland Parkway.

Mayor Hovey encouraged Council members to allow the Village to create a hotmail account for them so that residents could stay more connected with Council members via e-mail.

Mr. Robert Heydorn, Solicitor, had no report.

Chief Gary DeMoss reported the Village has received a 1999 Chevy pickup truck in a forfeiture connected with an OVI arrest. There is a loan on the truck. We are trying to determine how to proceed on this issue.

The Police Association will be having a Halloween Bash on Friday, October 24, from 6:00 p.m. to 9:00 p.m.

Trick or Treat will be held on Friday, October 31, 2008, from 6:00 p.m. until 8:00 p.m.

Mr. Richard Fenwick, Service Director, stated the lowest price he has received for the turnaround at Crystal Lake is \$7,500.

Mr. Fenwick stated he would like to keep the price to around \$3,000 to \$4,000.

The price for the well pump on Lakeland Parkway is approximately \$16,000.

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There will be a salt shortage this year. The salt companies will be limiting the tonnage. We have a full salt barn at this time.

Mr. Fenwick stated he has submitted to the Emergency Management Authority approximately \$4,000 in receipts in reference to the September 14, 2008, high wind storm. We are waiting to see if the Village will be reimbursed for the expenses incurred during the storm.

Mr. Fenwick stated he and Chief DeMoss will be discussing the fuel budget. We are currently out of money in the fuel accounts.

Mr. Fenwick handed out the Silver Lake Capital Plan for 2009 through 2018. A work session will need to be scheduled.

Mr. Fenwick stated the chipper that was rented by the Village to assist in the debris clean-up after the storm was damaged. Service workers were on Graham Road picking up branches. There was a piece of metal, perhaps from a motor mount, in the pile of branches. When the branches were put into the chipper, the piece of metal destroyed the chipper blade.

Mr. Fenwick stated he will get a cost for the repairs of the rental chipper.

Mr. Fenwick stated a large Village tree fell during the wind storm and damaged a 40 year old fence at 3153 Mayfield Road.

Mr. Heydorn stated this is determined as an act of God. If the tree was in good condition, and not in a state of dying, there would be no liability on the Village's part.

Mr. Fenwick said the tree was in good condition.

Mrs. Steiner stated Council would meet with Council candidates next week. We are hoping to have a new member in place for the November 3, 2008, Council meeting.

Mrs. Fuller scheduled a Personal and Public Affairs Committee meeting at 5:30 p.m. on Monday, November 3 to discuss salaries.

A Planning, Zoning & Insurance Committee meeting is scheduled for Monday, November 3, at 6:30 p.m. to discuss the political sign ordinance.

Mrs. Teresa Spohn, Clerk-Treasurer, stated there is a nice balance in the Streets Construction and Maintenance Fund that could cover the cost of the turnaround.

Legislation for additional appropriations for the Water Capital Fund for the Graham Road Project will be presented at the next Council meeting.

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Mrs. Steiner stated she attended the Audit Committee meeting. Village finances are good and we got a good report from the auditors.

Mrs. Steiner asked if there was any miscellaneous business.

There being no further business, Council adjourned at 8:38 pm. until the next regularly scheduled Council meeting on Monday, November 3, 2008, at 7:00 p.m.

APPROVED:

Carol Steiner, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer

s:council/2008 minutes/10-20-08 council meeting.doc
prepared by: Suzanne Lipan