

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, February 4, 2008

7:30 P.M.

The Village of Silver Lake Council met in a regular session on Monday, February 4, 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. Carol Steiner, Mr. Richard Hite, Mr. Don Alexander, and Mr. Gerald Jones.

Roll call of Council – 6 members present 1 member absent

Mr. Jones made a motion to excuse Mrs. Karen Fuller from this evening's Council meeting, seconded by Mr. Achtermann, and all of Council agreed.

Mrs. Steiner asked if there were any additions or corrections to the minutes of the January 22, 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.: 14-2008 A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH METRO SWAT FOR THE VILLAGE OF SILVER LAKE, OHIO, TO PROVIDE ADMINISTRATIVE SUPPORT SERVICES FOR THE PERIOD JANUARY 1, 2008 THROUGH DECEMBER 31, 2010, RATIFYING ANY SERVICES PROVIDED HERETOFORE, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 14-2008 to the Planning, Zoning, and Insurance Committee.

RESOLUTION NO.: 15-2008 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A 2008 FORD F-250, 4-WHEEL DRIVE PICK-UP TRUCK WITH TRADE-IN IN ACCORDANCE WITH THE COMMUNITY, UNIVERSITY AND EDUCATION (CUE) GROUP PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 15-2008 to the Finance and Appropriations Committee.

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RESOLUTION NO.: 16-2008 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.

Mrs. Steiner assigned Resolution No.: 16-2008 to the Finance and Appropriations Committee.

RESOLUTION NO.: 17-2008 A RESOLUTION AUTHORIZING AND DIRECTING THE CLERK-TREASURER TO ADVERTISE AND TAKE BIDS FOR THE SILVER LAKE VILLAGE WATER STANDPIPE REHABILITATION PROJECT, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 17-2008 to the Public Improvements Committee.

RESOLUTION NO.: 18-2008 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A 2008 FORD CROWN VICTORIA POLICE INTERCEPTOR FROM PARK FORD, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 18-2008 to the Finance and Appropriations Committee.

RESOLUTION NO.: 19-2008 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A 2006 CHEVROLET IMPALA SEDAN WITH TRADE-INS FROM DON SITTS AUTO SALES, AND DECLARING AN EMERGENCY.

Mrs. Steiner assigned Resolution No.: 19-2008 to the Finance and Appropriations Committee.

RESOLUTION NO.: 20-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 93,110.11

Mrs. Steiner assigned Resolution No.: 20-2008 to the Finance and Appropriations Committee.

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

ORDINANCE NO.: 11-2008 AN ORDINANCE ESTABLISHING ADDITIONAL HOLIDAY TIME PROVISIONS FOR FULL-TIME EMPLOYEES (EXCEPT LAW ENFORCEMENT).

Mrs. Steiner previously assigned Ordinance No.: 11-2008 to the Personnel & Public Affairs Committee.

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RESOLUTION NO.: 12-2008 A RESOLUTION AUTHORIZING THE PURCHASE OF e-GOV PROFESSIONAL SOFTWARE FOR FINANCIAL MANAGEMENT AND UTILITY BILLING AND ANY NECESSARY LICENSES PERTINENT THERETO FROM SOFTWARE SOLUTIONS, INCORPORATED, AND DECLARING AN EMERGENCY.

Mrs. Steiner previously assigned Resolution No.: 12-2008 to the Finance & Appropriations Committee.

RESOLUTION NO.: 13-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 119,856.12

Mrs. Steiner previously assigned Resolution No.: 13-2008 to the Finance & Appropriations Committee.

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

RESOLUTION NO.: 5-2008 AN ORDINANCE ESTABLISHING ADDITIONAL HOLIDAY TIME PROVISIONS FOR FULL-TIME AND INTERMITTENT LAW ENFORCEMENT PERSONNEL.

Mrs. Steiner previously assigned Resolution No.: 5-2008 to the Personnel & Public Affairs Committee.

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

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

Mrs. Steiner recessed the regular Council meeting at 7:35 p.m. to reconvene the Committee of the Whole meeting.

Mrs. Steiner reconvened the regular Council meeting at 7:49 p.m.

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

Mr. Jones stated Resolution No.: 14-2008 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.: 14-2008, seconded by Mr. Alexander.

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

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Public Improvements Committee – Mr. Gerald Jones, Chairman

Mr. Jones stated Resolution No.: 17-2008 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.: 17-2008, seconded by Mr. Alexander.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Finance and Appropriations Committee – Mr. Christopher Scott, Vice Chairman

Mr. Scott stated Resolution No.: 15-2008 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 Resolution No.: 15-2008, seconded by Mr. Jones.

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.: 16-2008 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 Resolution No.: 16-2008, seconded by Mr. Alexander.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Scott stated Resolution No.: 18-2008 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 Resolution No.: 18-2008, seconded by Mr. Jones.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Scott stated Resolution No.: 19-2008 will be treated as a first reading.

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Mr. Scott stated Resolution No.: 20-2008 was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 6 No 0

Mr. Scott stated Resolution No.: 12-2008 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 Resolution No.: 12-2008, seconded by Mr. Jones.

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

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

Mr. Achtermann stated Ordinance No.: 11-2008 was discussed in committee earlier this evening and will be treated as a second reading.

Mr. Achtermann stated Ordinance No.: 5-2008 was discussed in committee earlier this evening and will be treated as a third reading.

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey was not in attendance.

Chief DeMoss stated two of the four part time police officer positions have been filled. Mrs. Amy Brauning should be working by spring. Mr. Dave Childers is a reserve officer and he is training to fill a position.

The Police Department has begun inventory of Silver Lake residences that do not have house numbers. Those without house numbers will be required to have them installed.

Chief stated the dispatch center on Wyoga Lake Road went online last week. It did not go very smoothly, however; it is functioning and hopefully all the problems will be worked out by the time the Silver Lake contract begins. The target date to get online with Wyoga Lake is July 15, 2008.

Mrs. Steiner asked Chief if there is an ordinance regarding reflective clothing when a person is walking in the street.

Chief stated there is no ordinance that pertains to reflective clothing. There is an ordinance regarding walking close to the curb.

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Mr. Richard Fenwick, Service Director, stated something that hadn't been thought about in reference to curbside rubbish pick-up is putting trash cans out by the street with heavy snow. There have been several complaints about trash cans being knocked over when the snowplows go by. This is caused from the weight of the snow. The driver is not aware if a can gets knocked over. Residents will need to pull their trash cans back a few feet so this does not happen.

Mr. Fenwick stated he previously reported that there were concerns with the pace of the sewer project. There was a meeting with AAA Pipe Cleaning and they said they would put another crew on the project and it should get better. It has actually slowed down.

He met with the inspector from CTI Environmental and they figured that at the rate AAA Pipe Cleaning is going they won't be done until May. AAA Pipe Cleaning was given an extension until March 1st. The problem is that CTI bid their engineering fees based on the schedule of the contract for their inspector to be here. The budget for the engineering on the inspection part of the project is going to run out in a few weeks and CTI is going to want more money.

Mr. Fenwick stated he would like to meet with Mrs. Spohn, Mr. Heydorn, and the Mayor to discuss what is going to be done.

Mr. Jones asked if there was a performance bond.

Mr. Fenwick stated there is a performance bond, but there is no penalty for going over the scheduled completion date.

Mr. Jones asked if it was stated in the contract when the project would be completed.

Mr. Fenwick replied the initial completion date was January 15, 2008, which was changed to January 31, 2008.

Mr. Heydorn stated there was a meeting regarding the timely completion of the project with AAA Pipe Cleaning and the possible outcome of this meeting was that each time they go beyond their scheduled time to be done they have to request a change order from the Village. It was strongly intimated to them that if they come back for another change order there is a possibility that the Village will base the change order conditionally on them paying the additional inspection fees.

Mr. Hite asked why there was not a penalty.

Mr. Fenwick stated he has never had a penalty in any of the projects that he has overseen. He would rather have a company go over the time period and do a good job than rush to get the project completed on time and not to a good job.

Mr. Heydorn stated as they look over contracts in the future they will keep these issues in mind.

Mr. Alexander asked if anyone is being inconvenienced at this point.

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Mr. Fenwick stated only the people driving in those areas.

Mrs. Teresa Spohn, Clerk-Treasurer, stated she has provided Council with a Statement of Cash Position and asked for Council's approval. All of Council approved.

Mr. Heydorn, Solicitor, had no report.

Mr. Achtermann stated he would be attending the Mud Brook seminar and will report back to Council.

Mr. Scott asked if Council is able to begin the Council meeting and then recess to the Committee of the Whole meeting and then back to Council. This came about because there are times when they have to wait 10 or 15 minutes before the Council meeting can begin.

Mr. Heydorn stated it is just a matter of amending the rules.

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

There being none, Council recessed into Executive Session at 8:24 p.m. to discuss potential litigation.

Council adjourned at 8:50 p.m. until the next regularly scheduled Council meeting on Tuesday, February 19, 2008, at 7:30 p.m.

APPROVED:

Carol Steiner, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer