

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 17, 2008

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, March 17, 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, and Mrs. Carol Steiner.

Roll call of Council – 4 members present    3 members absent

Mrs. Fuller made a motion to excuse Mr. Richard Hite, Mr. Donald Alexander, and Mr. Gerald Jones 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 March 3, 2008, Council meeting.

Mr. Scott stated on Page 2, second paragraph, in the last sentence there is an extra "end".

The sentence should read: Mr. Jones stated this format will save time between the ending of one meeting and the beginning of the next meeting and will move things along more efficiently.

Mrs. Fuller stated on Page 2 the last sentence of the fourth paragraph, the time should be three minutes not five.

There being no further additions or corrections, the minutes were approved as corrected.

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

**RESOLUTION NO.: 27-2008 A RESOLUTION RATIFYING AND CONFIRMING AN AGREEMENT WITH BURGESS & NIPLE, INC. FOR THE PROVISION OF PROFESSIONAL ENGINEERING SERVICES DURING CONSTRUCTION OF THE EAST EDGERTON ROAD WATER TANK REHABILITATION PROJECT IN THE VILLAGE OF SILVER LAKE, RATIFYING ANY SERVICES PROVIDED HERETOFORE, AND DECLARING AN EMERGENCY.**

Mrs. Steiner assigned Resolution No.: 27-2008 to the Public Improvements Committee.

**RESOLUTION NO.: 28-2008 A RESOLUTION RE-APPROPRIATING MONIES FROM CERTAIN DIVISIONS OF CERTAIN FUNDS TO OTHER DIVISIONS OF THE SAME FUND AND DECLARING AN EMERGENCY.**

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 17, 2008

7:30 p.m.

Mrs. Steiner assigned Resolution No.: 28-2008 to the Finance and Appropriations Committee.

**ORDINANCE NO.: 29-2008 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF CUYAHOGA FALLS, OHIO FOR THE PROVISION OF BUILDING INSPECTIONS SERVICES TO THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.**

Mrs. Steiner assigned Ordinance No.: 29-2008 to the Planning, Zoning, and Insurance Committee.

**ORDINANCE NO.: 30-2008 AN ORDINANCE AMENDING SECTION 1313.02 OF THE BUILDING CODE OF THE VILLAGE OF SILVER LAKE PROVIDING A NEW SYSTEM OF BUILDING FEES, AND DECLARING AN EMERGENCY.**

Mrs. Steiner assigned Ordinance No.: 30-2008 to the Planning, Zoning, and Insurance Committee.

**RESOLUTION NO.: 31-2008 A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO PAY TO THE CITY OF CUYAHOGA FALLS, SILVER LAKE'S PROPORTIONATE SHARE OF THE 2007 OPERATING DEFICIT OF THE CUYAHOGA FALLS MUNICIPAL COURT, AND DECLARING AN EMERGENCY.**

Mrs. Steiner assigned Resolution No.: 31-2008 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 32-2008 A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE FEDELI GROUP FOR GROUP HEALTH INSURANCE WITH SUMMA CARE (5420 Rx TR PLAN), GROUP DENTAL AND VISION CARE INSURANCE WITH THE AMERITAS GROUP, AND LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE WITH FORT DEARBORN LIFE, ALL IN ACCORDANCE WITH THE RATES SET FORTH EFFECTIVE APRIL 1, 2008 AND PURSUANT TO CONTRACT DOCUMENTS ON FILE IN THE OFFICE OF THE CLERK-TREASURER, AND DECLARING AN EMERGENCY.**

Mrs. Steiner assigned Resolution No.: 32-2008 to the Planning, Zoning, and Insurance Committee.

**RESOLUTION NO.: 33-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 219,740.28**

Mrs. Steiner assigned Resolution No.: 33-2008 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 34-2008 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A 2008 INTERNATIONAL 5-TON CAB AND CHASSIS UNDER THE STATE OF OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES GROUP PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.**

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 17, 2008

7:30 p.m.

Mrs. Steiner assigned Resolution No.: 34-2008 to the Finance and Appropriations Committee.

Mrs. Steiner stated Ordinance No.: 5-2008 and 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.: 33-2008 was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption:            Yes    4            No    0

Mrs. Steiner commented that because this was not an emergency measure it can be brought out for adoption with a vote of four.

Mrs. Fuller stated the other three resolutions will be brought out for adoption on Wednesday, March 19, 2008.

**Public Improvements Committee – Mr. Adrian Achtermann, Member**

Mr. Achtermann stated the resolution in his committee will be brought out for adoption on Wednesday, March 19, 2008.

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

Mr. Scott stated the legislation in his committee will be brought out for adoption on Wednesday, March 19, 2008.

Mr. Scott stated there is one correction that has been noted on Resolution No.: 32-2008. It should read .....declaring **an** emergency. **An** has replaced the word **and**.

**REPORTS OF COUNCIL STANDING COMMITTEES:**

**Mayor Hovey** asked for comments from Council regarding the following items that have been brought to his attention.

A resident asked about the Village having a community garden. The mayor stated some of the empty lots that belong to the Village could be future sites.

Mrs. Steiner asked if the Village currently maintains the land.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 17, 2008

7:30 p.m.

Mayor stated yes.

Mrs. Fuller stated there might be an issue with traffic.

Mayor stated these are not large lots of land so they would only be able to hold approximately three gardens. There would have to be a lottery system as to who would get the garden.

Mr. Scott stated his concern is whether or not the garden will be maintained or will it become overgrown and then the resident will lose interest in it, which will then cause it to become an eyesore to the neighborhood.

Mrs. Steiner stated she thinks it is a great idea but it would be one more thing that would have to be policed.

The general consensus was to not pursue the community garden.

Mayor stated several residents that live by the bridge on Vincent Road have questioned him about the sound wall. He would like to meet with the Ohio Department of Transportation (ODOT) to get some direction as to what, if anything, can be done to improve this situation. He would like to find out if this will be something that ODOT would cover financially, or if the Village will be responsible, or if it will be a partnership.

Mrs. Fuller stated she thinks an exploratory meeting with ODOT is a good idea.

Mr. Scott stated there is also some signage on Route 8 that cannot be read at night so if you don't know where you are going the signs won't help you because they cannot be read.

Mayor stated he will set up an exploratory meeting with ODOT.

Mayor presented the smoke alarm that the City of Cuyahoga Falls provides to their residents. Silver Lake is not in the position to buy the smoke alarms for the residents but a system could be set up where the resident could buy the alarm from Village Hall and Cuyahoga Falls Fire Department staff would come out and install them. The Village would have to buy a certain quantity.

Mr. Scott stated his committee did discuss the smoke alarms. Their feeling was that they don't mind the idea of putting the money upfront to purchase the alarms, but the resident would have to then buy the alarm from Village Hall, then the fire department could install it. Chief Snyder had mentioned that the alarms do have a ten year life battery.

Mrs. Steiner asked if the Village would order around 100 smoke alarms.

Mrs. Spohn answered that she contacted the vendor for the smoke alarms and they will not sell to the Village because we are not a fire department. She tried another route where the City of Cuyahoga Falls would purchase the alarms and then Silver Lake could pay the invoice. She is

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

**Monday, March 17, 2008**

**7:30 p.m.**

still waiting on a reply. Cuyahoga Falls will not install the normal battery smoke detectors in homes, but they will install this smoke alarm.

Mr. Scott stated another concern was that the recommendation is to have one alarm installed in every room.

Mrs. Spohn replied they will tell you where you need them installed, but if you only want one or two they will probably install it in the best possible place.

Mrs. Fuller stated sending a letter out to the school would be a good way to inform the public.

Mayor reported for Chief DeMoss.

The Fugitive Task Force is up and running very well. They have had 15,000 arrests over the last five years compared to the 200 they used to catch per year. Police Officer Jeff Samaco is on this task force.

Sergeant Nivens graduated from the Police Executive Leadership College.

During the recent storm there was only three hours of police overtime. He credits this to the excellent job the Service Department did on the streets.

There is an open invitation to attend a speech at the Ocasek Building on Tuesday, March 18, 2008 at 9 a.m. Mrs. Beth Halloway, mother of Natalie Halloway, will be speaking about her daughter's case in Aruba.

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

**Mr. Kevin Salmon, Assistant Service-Director**, reported the item sitting in the middle of Council chambers is a piece of 6" water main from the Graham Road water break on March 14, 2008. There is a large hole in it and several cracks. This has been the fourth break on Graham Road from the section of East Edgerton to West Edgerton. The approximate cost to replace the main from Harriett Road to Englewood Drive is \$120,000 - \$140,000.

Kenmore Construction replaced and repaired that section of the main. They had to come in and saw cut the pavement because it is almost 14 inches thick.

Due to the shutting down of the valves to replace the main there is now a valve leaking at Englewood Drive and Graham Road.

Nothing broke down during the snowstorm. Thank you to the Chief and the Police Department for keeping cars off the road.

The International Cab and Chassis is on the State Term Schedule (STS) which expires at the end of this month. The state bids on the truck and there is a huge cost savings doing this. The other

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 17, 2008

7:30 p.m.

manufacturers they have spoken to cannot meet this price. The deadline is March 31, 2008, which is why this has come up right now.

Mrs. Steiner asked how much had been budgeted.

Mrs. Spohn replied about \$120,000.

Mr. Salmon stated this is just for the cab and chassis. The price they see does not include the equipment.

Mr. Scott asked what they believed the final price would be.

Mr. Salmon stated it would be around the \$120,000. The price of steel has increased greatly over the past few years.

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

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

Mr. Eldon Motz, 2986 Millboro Road, asked if he missed the discussion on the additional holidays.

Mrs. Steiner stated this has not been brought out yet. It is still being discussed in Committee.

Mr. Motz asked what this is about. What holidays do the employees have now and what are they talking about adding?

Mr. Achtermann stated the employees get Christmas Eve and Christmas Day off. They are asking that if the employee were to have to come in and work on the actual day that they would like to receive double time for it.

Mrs. Steiner stated it is not a matter of adding an additional holiday.

Mrs. Spohn stated the other issue was regarding paying part-time police officers a premium for working a holiday. They are currently not getting a premium.

Mr. Motz asked if there was a quorum tonight.

Mrs. Spohn replied there is a quorum, but five members need to be present to pass emergency legislation.

Mr. Motz stated in the last week or two there were very few sidewalks, particularly around the school, that were shoveled. They were piled up so high there was no way for children to walk on the sidewalks except to walk on the street. Is there an ordinance regarding clearing the sidewalk and is it enforced?

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 17, 2008

7:30 p.m.

Mrs. Steiner stated yes there is an ordinance, and no, it is not enforced.

Mr. Motz asked why it is not enforced.

Mayor replied it is very difficult to enforce. If there is a hazard there we can ask the residents to clear their sidewalk. Some residents are much more diligent and aware of doing this. Everyone should clear their sidewalks, but at this point no one has asked for it to be enforced.

Mr. Motz stated most of the time this is not a big deal but when it is impossible for the children to walk on the sidewalks and they have to walk on the street there is a safety issue.

Mr. Heydorn stated the way it would be enforced is by fining a resident.

Mr. Motz asked if the Village has any liability.

Mr. Heydorn stated it is the responsibility of the resident. The Village has no liability.

Mrs. Steiner stated the three minutes have ended and asked for questions from anyone else in the audience.

Mr. Motz asked if persons wishing to speak are now limited to three minutes and if this is for all questions or just one.

Mrs. Steiner answered there is a limit of three minutes per person.

There being no further questions or comments, Council adjourned at 8:05 p.m. until time certain on Wednesday, March 19, 2008, at 5:00 p.m.

APPROVED:

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Carol Steiner, President of Council

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer