

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, April 7, 2008

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, April 7, 2008, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio.

With Vice-President of Council, Mr. Gerald Jones, presiding, the meeting was called to order at 7:30 p.m.

Mr. Jones led the Pledge of Allegiance.

The following members were present and responded to roll call: Mr. Adrian Achtermann, Mr. Christopher Scott, Mr. Gerald Jones, and Mr. Richard Hite.

Roll call of Council – 4 members present    3 members absent

Mr. Scott made a motion to excuse Mrs. Carol Steiner, Mr. Donald Alexander, and Mrs. Karen Fuller from this evening's Council meeting, seconded by Mr. Hite, and all of Council agreed.

Mr. Jones asked if there were any additions or corrections to the minutes of the March 17, 2008, Council meeting.

Mr. Scott stated on Page 4, the sentence reads the following:

The general consensus was not to pursue the community garden.

The sentence should be changed to read the following:

Council felt the idea of the community garden was a good idea; however, not in the areas proposed. If property were available behind Village Hall, this would be a good place to have a community garden. The property behind Village Hall is currently being utilized for recreational purposes.

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

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

**RESOLUTION NO.: 35-2008 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BUCKEYE SWEEPING, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 35-2008 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 36-2008 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MITCHELL COMMUNICATIONS, INC. FOR**

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**THE UPGRADE OF THE EARLY WARNING SYSTEM SIRENS IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 36-2008 to the Public Improvements Committee.

**ORDINANCE NO.: 37-2008 AN ORDINANCE AMENDING SECTION 10 (A) AND SECTION 10(B)(1) OF ORDINANCE NO.: 1-2008 HEREBY ESTABLISHING HOURS WORKED FOR OVERTIME PURPOSES FOR FULL-TIME EMPLOYEES AND FULL-TIME LAW ENFORCEMENT OFFICERS, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Ordinance No.: 37-2008 to the Personnel and Public Affairs Committee.

**RESOLUTION NO.: 38-2008 A RESOLUTION AMENDING RESOLUTION NO.: 5-2000 (aka COUNCIL RULES) HEREBY ESTABLISHING A NEW TIME AND ORDER OF BUSINESS FOR REGULAR MEETINGS FOR THE COUNCIL OF THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 38-2008 to the Planning, Zoning and Insurance Committee.

**RESOLUTION NO.: 39-2008 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ORIANA HOUSE, INC. FOR COMMUNITY CORRECTIONAL SERVICES FOR THE VILLAGE OF SILVER LAKE DURING THE YEAR 2008, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 39-2008 to the Personnel and Public Affairs Committee.

**ORDINANCE NO.: 40-2008 AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE 2008 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Ordinance No.: 40-2008 to the Personnel and Public Affairs Committee.

**RESOLUTION NO.: 41-2008 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$148,539.86**

Mr. Jones assigned Resolution No.: 41-2008 to the Finance and Appropriations Committee.

Mr. Jones stated Ordinance No.: 5-2008 and 11-2008 are still in Committee.

Mr. Jones asked if there were any questions from the audience regarding pending legislation.

There being none, Mr. Jones continued with the agenda.

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

Mr. Scott stated Resolution No.: 41-2008 was discussed in committee earlier this evening and is ready for adoption.

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

Roll call on adoption:            Yes    4            No    0

Mr. Jones stated payment of claims is not an emergency measure; therefore can be brought out for adoption with a vote of four Council members.

Mr. Scott stated Council has reviewed the Statement of Cash Position.

Mr. Scott made a motion to accept the Statement of Cash Position, seconded by Mr. Achtermann. The remaining members of Council signified their approval by saying aye.

Mr. Jones stated since there were only four members of Council, and five are needed to pass emergency legislation, the remaining resolutions and ordinances will be brought out at the next regularly scheduled Council meeting on Monday, April 21, 2008.

**REPORTS OF VILLAGE OFFICIALS**

**Mayor Hovey** stated the Village of Silver Lake has once again received the Tree City U.S.A. Award.

Mayor reported that Chief Snyder of the Cuyahoga Falls Fire Department has retired. Chief Snyder's retirement does not affect our contract with the City of Cuyahoga Falls for Fire, EMS and Dispatch services.

Mayor stated there will be a Community Day organizational meeting at 4:00 p.m. on Thursday, April 10 in his office if anyone on Council would like to attend.

Mayor stated he sent a letter to ODOT reference the sound wall on the Silver Lake side of State Route 8. He has not received a response but does anticipate one.

Mayor commented on the copy of House Bill No. 521 that was given to Council members. House Bill No. 521 appears to be another attack on Home Rule.

**Chief Gary DeMoss** stated there was an auction at the Rongone residence, 3111 Silver Lake Boulevard, on Saturday April 5. The house sold for \$571,000 and may be torn down and rebuilt.

The new part-time police officer, Mr. David Childers, is ready to be sworn in at the first Council meeting in May.

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Chief DeMoss stated the generator that was installed several years ago has been a vital asset to the Village. During a recent snow storm, the generator ran for 23 hours. Had the Village not had the generator it would have seriously hindered the operations of all the departments.

Chief stated on Friday, April 11, 2008, he will be meeting with Chief Moledor, the interim Fire Chief from the City of Cuyahoga Falls. They will be discussing the transitional issues for the Fire, EMS and Dispatch that the City of Cuyahoga Falls will be providing the Village of Silver Lake.

**Richard Fenwick, Service Director**, stated the water valve on Englewood Drive and Graham Road will be replaced on Wednesday, April 9, 2008.

There was a water break on Fulmer Drive on Friday, April 4, 2008, that was reported by a J & J Refuse driver.

Spring Clean-Up started Monday, March 31, 2008. The Service Department may get behind because there are a lot of items out.

There are more issues developing with AAA Pipe Cleaning. The lateral linings are not progressing as planned. In two weeks, only 75 feet of lateral linings have been installed. Two yards had to be dug up twice and the street had to be dug up once because AAA Pipe Cleaning went in wrong.

Mr. Scott asked if the volume of leaves will affect the catch basins.

Mr. Fenwick stated the Service Department cleans out all the catch basins.

**Mrs. Teresa M. Spohn, Clerk-Treasurer**, reported on the issues facing the Village reference the smoke detectors from the City of Cuyahoga Falls. One caveat is that the City of Cuyahoga Falls must install the smoke detectors.

The Village would have to buy the smoke detectors from the City of Cuyahoga Falls then the residents would have to purchase them from the Village. However, the Village will not know how many are needed. If the resident buys three and five are needed, who will collect for the remaining smoke detectors that are needed.

Chief DeMoss said he will discuss the issue with the Cuyahoga Falls Fire Department at their meeting on Friday.

Mrs. Spohn stated there is a FEMA meeting on Thursday, April 10, from 1:30 p.m. until 3:30 p.m. for municipal officials at the Cuyahoga Falls Fire Department and 4:30 p.m. until 7:30 p.m. for residents to discuss the flooding issues.

Mr. Heydorn was not in attendance.

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Mr. Jones asked if there were any further questions or comments from anyone in the audience.

Mr. Achtermann said he discussed with the Mayor the dual wheel marks that were made off the pavement. (Mr. Achtermann did not indicate to Council what street.)

Mr. Achtermann asked if that had been investigated.

Mayor Hovey asked Mr. Fenwick to respond.

Mr. Fenwick stated he did go out to investigate and asked Mr. Achtermann if he saw who did it.

Mr. Fenwick went on to say that due to the recent snow storms, it is possible that the Service Department may have done it. Village vehicles have dual wheels.

Mr. Achtermann said the wheel marks appeared on Friday, which is trash day, leading him to believe that it may have been a J & J Refuse truck.

Mr. Achtermann asked if it is the Village's responsibility to make those needed repairs.

Mr. Fenwick stated that the Service Department workers are very good at reporting an incident when they go off the pavement. A work order is then created so that repairs can be made when the weather cooperates.

Mr. Fenwick stated if the Service Department damages anything they repair it. If the Village didn't create the damage, the Village doesn't repair it.

Mayor Hovey said unless we have proof there is nothing the Village can do.

Mr. Jones asked if there were any further questions or comments.

There being none, Council adjourned at 7:55 p.m. until the next regularly scheduled Council meeting on Monday, April 21, 2008, at 7:30 p.m.

APPROVED:

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Mr. Jones, Vice-President of Council

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer