

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Tuesday, February 17, 2009

7:30 p.m.

The Village of Silver Lake Council met in a regular session on Tuesday, February 17, 2009, at Silver Lake Village Hall, 2961 Kent Road, Silver Lake, Ohio.

With President of Council, Mr. Gerald Jones, presiding, the meeting was called to order at 7:00 p.m.

Mr. Jones led the Pledge of Allegiance.

The following members were present and responded to roll call: Mrs. Janie Geis, Mr. Christopher Scott, Mrs. Karen Fuller, Mr. Gerald Jones, Mr. Richard Hite, Mrs. Carol Steiner, and Mr. James Richardson.

Roll call of Council - 7 members present

Mr. Jones asked if there were any additions or corrections to the minutes of the February 2, 2009, Council meeting.

There being none, 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.: 16-2009 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, 2009, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 16-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 17-2009 A RESOLUTION AUTHORIZING THE MAYOR TO FILE, ON BEHALF OF THE VILLAGE OF SILVER LAKE, OHIO, AN APPLICATION TO THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY (THE AUTHORITY) FOR A COMMUNITY RECYCLING ACCESS GRANT, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 17-2009 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 18-2009 A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE FEDELI GROUP FOR GROUP HEALTH INSURANCE WITH SUMMA CARE (5820 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, 2009 AND PURSUANT TO CONTRACT DOCUMENTS ON FILE IN THE OFFICE OF THE CLERK-TREASURER, AND DECLARING AN EMERGENCY.

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Mr. Jones assigned Resolution No.: 18-2009 to the Planning, Zoning and Insurance Committee.

RESOLUTION NO.: 19-2009 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 2009, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 19-2009 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 20-2009 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 112,504.42

Mr. Jones assigned Resolution No.: 20-2009 to the Finance and Appropriations Committee.

Mr. Jones asked for the reading of any pending legislation that is up for a third reading.

ORDINANCE NO.: 9-2009 AN ORDINANCE AMENDING SECTION 937.01 (a), (d) and (e) -BILLING AND PAYMENTS; 937.02-DELINQUENT PAYMENTS; SECTION 937.03 (c) – DEPOSITS AND RESPONSIBILITY FOR PAYMENT OF BILLS; AND SECTION 937.04-WAIVER IN CASES OF UNDUE HARDSHIP OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE VILLAGE OF SILVER LAKE PROVIDING NEW POLICIES FOR UTILITY PAYMENTS, DEPOSITS REQUIRED FOR TENANT OCCUPIED PROPERTY AND UPDATED PROCESSING FEES FOR RETURNED ITEMS OR PAYMENT REVERSALS BY THE BANK, AND DECLARING AN EMERGENCY.

Ordinance No.: 9-2009 was previously assigned to the Finance and Appropriations Committee.

ORDINANCE NO.: 10-2009 AN ORDINANCE ESTABLISHING REGULATIONS IN THE ADMINISTRATIVE CODE OF THE VILLAGE OF SILVER LAKE FOR RETURNED ITEM FEES FOR NON-SUFFICIENT FUNDS CHECKS OR ITEMS RETURNED FOR OTHER REASONS, AND DECLARING AN EMERGENCY.

Ordinance No.: 10-2009 was previously assigned to the Finance and Appropriations Committee.

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

There being none, Mr. Jones called upon Mr. Christopher Scott, Chairman of the Finance and Appropriations Committee, to lead discussion on items on the agenda pertinent to his committee.

FINANCE AND APPROPRIATIONS COMMITTEE

Mr. Scott stated Resolution No.: 16-2009 is to make additional appropriations for current expenses.

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Mr. Scott stated this includes the leaf picker, utility truck and Christmas Tree Island.

Mrs. Spohn stated anything with an asterisk is included in the total.

Mr. Jones asked if anybody found out anything from Garden Club about them contributing more money.

Mr. Fenwick stated the Garden Club already had their budget meeting, but they will ask to see if it can be revisited.

There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 16-2009 this evening.

Mr. Scott stated Resolution No.: 20-2009 is for Payment of Claims in the amount of \$112,504.42.

Mrs. Fuller asked what the payment was for to Ray Bertolini Trucking.

Mr. Fenwick stated it was for bank run, which is gravel and dirt.

There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 20-2009 this evening.

Mr. Scott stated Ordinance No.: 9-2009 is a third reading this evening.

Mrs. Spohn stated Ordinance No.: 9-2009 increases NSF fees.

There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Ordinance No.: 9-2009 this evening.

Mr. Scott stated Ordinance No.: 10-2009 is a third reading this evening.

Mr. Scott stated there were a couple of spelling corrections that were made to Section 1 at the previous meeting.

Mrs. Spohn stated Ordinance No.: 10-2009 increases the deposits for renters and gives the Clerk-Treasurer authority to make set payment plans for residents if needed.

There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Ordinance No.: 10-2009 this evening.

PERSONNEL AND PUBLIC AFFAIRS COMMITTEE

Mrs. Fuller stated Resolution No.: 19-2009 is to authorize the Mayor to enter into a contract with Oriana House for community corrections services.

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Mrs. Fuller stated this is something the Village does every year. Anytime someone is admitted to Oriana there is a cost. The Village agrees to pay these fees on a reimbursement basis. The person who is incarcerated is charged for their stay and then reimburses the Village.

Chief DeMoss stated unless they don't pay or can't pay, then the Village gets charged.

Mrs. Fuller asked, "If we arrest somebody, we are also responsible for paying for their incarceration?"

Chief DeMoss stated yes, in certain cases but in most cases they pay their costs.

Mr. Jones asked if the Village paid anything last year.

Chief DeMoss stated the Village is invoiced several times a year. The past invoice was a minimal charge.

Typically the people at Oriana House are first and multiple OVI offender cases, which is a minimum of three days in Oriana House. Most of these offenders pay their costs.

Mr. Jones asked what the charge is per day.

Chief DeMoss stated the charges vary.

Mr. Jones asked if the rates were increased this year.

Mr. Heydorn stated there are minor increases, but the charge is almost the same as last year.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 19-2009 this evening.

Mrs. Fuller stated Resolution No.: 17-2009 is for the Mayor to file an application to the Summit/Akron Solid Waste Management Authority for a community recycling access grant.

Mrs. Spohn stated the Village is entitled to approximately \$2,500 in grant money. SASWMA encourages the Village to apply for the money and receive it. The Village has to propose what we will do with the money. The Village will do recycling education in the newsletters, print the newsletters on recycled paper, and post information on the website and the cable access channel.

Mrs. Fuller asked about the Recycling Camp.

Mrs. Spohn stated that \$500 has been set aside for Recycle Camp if needed.

The Village has received this grant the past four years.

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There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 17-2009 this evening.

PLANNING, ZONING AND INSURANCE COMMITTEE

Mr. Hite stated Resolution No.: 18-2009 is for group health insurance with Summa Care, group dental and vision care with The Ameritas Group, and life and accidental insurance with Fort Dearborn Life.

Mr. Hite stated the Committee met and discussed the various plans. Mr. John Friend from Fedeli Group was in attendance. The alternatives were weighed and the initial conclusion was to increase the employee contribution from 5 percent to 8 percent, including the dental and vision premium.

There are concerns expressed by the employees through the Committee members and the Mayor.

Mr. Hite is open to more analysis about the information and the costs.

Resolution No.: 18-2009 will be considered a first reading this evening and a Committee meeting will be scheduled to continue to review the information.

Mr. Hite stated, "The general inclination of the Committee is to increase the participation by the employees. It is a burden on the employees, but we are in this together. Everything is relative to the operation of the Village and we have to keep costs under control. All the expenses in the Village are connected. There is a limited revenue and increasing costs. The benefit plan seems to not be in alignment with the market place substantially. At sometime the Village is going to do incremental adjustments to the benefit plan and this is an effort to do that."

Mr. Hite stated the Committee is open to more understanding, communication and analysis to make sure it's reasonable.

Mr. Hite tentatively scheduled a Planning, Zoning and Insurance Committee meeting for Wednesday, March 9th at 3:30 p.m.

There being no further discussion or questions, Mr. Hite stated Resolution No.: 18-2009 will be treated as a first reading.

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

Mr. Mark Lipan asked if the employees can have a representative attend the Planning, Zoning, and Insurance Committee meeting.

Mr. Hite stated absolutely.

Mr. Scott stated Mr. Fenwick would like to comment on the Capital Budget.

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Mr. Fenwick stated he was misinformed regarding the information for the stabilization of the river bank. The engineering was not included in the proposal. The \$5,000 is for the assessment of the river bank, preparing of a conceptual plan, development of a conceptual cost estimate for engineering and construction, and preparation of the grant application to the Clean Ohio Conservation Fund.

Mr. Jones continued with the agenda.

Finance and Appropriations Committee - Mr. Christopher Scott, Chairman

Mr. Scott stated Resolution No.: 16-2009 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.: 16-2009, seconded by Mrs. Fuller.

Roll call on suspension: Yes 7 No 0

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

Roll call on adoption: Yes 7 No 0

Mr. Scott stated Resolution No.: 20-2009, Payment of Claims, was discussed in Committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 7 No 0

Mr. Scott stated Ordinance No.: 9-2009 was discussed in Committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 7 No 0

Mr. Scott stated Ordinance No.: 10-2009 was discussed in Committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 7 No 0

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

Mrs. Fuller stated Resolution No.: 17-2009 was discussed in Committee 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.: 17-2009, seconded by Mr. Scott.

Roll call on suspension: Yes 7 No 0

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Motion to adopt by Mrs. Fuller, seconded by Mr. Hite.
Roll call on adoption: Yes 7 No 0

Mrs. Fuller stated Resolution No.: 19-2009 was discussed in Committee 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.: 19-2009, seconded by Mr. Richardson.
Roll call on suspension: Yes 7 No 0
Motion to adopt by Mrs. Fuller, seconded by Mrs. Steiner.
Roll call on adoption: Yes 7 No 0

Planning, Zoning and Insurance Committee - Mr. Richard Hite, Chairman

Mr. Hite stated Resolution No.: 18-2009 was discussed in committee earlier this evening and will be treated as a first reading.

REPORTS OF VILLAGE OFFICIALS

Mrs. Teresa Spohn, Clerk-Treasurer, gave the Mayor’s report in his absence. (A copy is attached to the original minutes.)

Mayor regrets not being able to attend tonight’s meeting. A previous commitment requires his attendance.

Mayor has reconsidered and has decided not to sell the administrative car at this time. Recent repairs seem to have put the car in acceptable driving condition.

Silver Lake has once again been named a Tree City USA for 2008.

Mayor is in consultation with our energy consultant, Mr. Mark Burns. It appears a price for natural gas will be struck very soon. Mayor is hopeful we can set a fixed price well below \$8 per Mcf. The price will be in effect through April 2010.

Community Day will be held on Saturday, May 30th. More information will be forthcoming.

Mr. Richard Fenwick, Service Director, reported the Park Board met last Tuesday and they want to form a Tree Commission. Currently there are Tree Commission volunteers, but nobody is appointed.

Mr. Fenwick stated the City of Cuyahoga Falls suggested the Village uses eBay for the Village to sell miscellaneous old items. Cuyahoga Falls has had extremely good luck with eBay.

Mrs. Fuller asked if the Village could have a Community Garage Sale during Community Day.

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Chief DeMoss stated by the law, everything has to be sold at public auction.

Assets Auctions is another company that meets the criteria for public auctions. They have a much larger bidding market.

Mrs. Steiner stated she thinks this is a great idea.

Mr. Fenwick stated he and Mrs. Margaret Tussey worked on the stimulus package to give the Ohio EPA information on the Village's projects. If anyone can think of other projects, let Mr. Fenwick know.

Mrs. Fuller reported she attended the AMATS meeting. There is grant money available for trucks to be retrofitted to diesel for less pollution.

Mr. Fenwick stated all the Service Department trucks are already diesel.

Mr. Fenwick has decided to not purchase a four wheel drive truck for the next utility truck purchase. The cost will decrease approximately \$4,000.

Mrs. Geis reported she went on the walkabout of the Village with Mr. Paul Theiss. Mrs. Geis agrees that a Tree Commission is greatly needed for Silver Lake.

Mrs. Fuller and Mrs. Steiner previously went on the walkabout and they also agree that a Tree Commission is needed.

Mr. Jones asked if Busy Bee will be able to finish 75 trees in five days.

Mr. Fenwick replied yes. Busy Bee estimated their time by the hours they were in the Village last year.

Chief Gary DeMoss reported the smoke detectors arrived at the Village today. Mrs. Spohn has created a form and the word will be going out to all Village residents.

Chief DeMoss stated that on behalf of the Police Department employees, he appreciates Council taking a careful look at the health care legislation.

Mr. Robert Heydorn, Village Solicitor, had no report.

Mrs. Fuller reported on the AMATS meeting she attended before the stimulus package came out. ODOT was expecting they would get one billion dollars and Summit County was hoping for 66 million. AMATS usually get 20 million a year. There will be a lot of projects being done.

A study was completed from 2000-2005. While there was scant population growth, they found a 25 square mile area that was consumed by new residential development. We only had an increase

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of population of around 6,000, but enough houses were built to cover an area the size of Hudson. This is a major issue.

A congestion study was completed and our area roadway congestion dropped for the first time in decades. This was probably due to the high cost of gas prices.

Akron Canton Airport is a major asset to our county. Over the last ten years, they did more non-stop flights by carriers.

Mr. Hite thanked the Police Department and Cuyahoga Falls EMS for their quick response to his house this past weekend.

Chief DeMoss announced that he will be retiring at the end of 2010.

Mrs. Fuller reported the Personnel Placement Committee met for Mrs. Teresa Spohn's annual review. The Committee did not complete the review because they got involved in discussing other issues. The next Personnel Placement Committee will be held on Thursday, February 19, 2009, at 5:00 p.m.

Mrs. Steiner reported she will not be in attendance at the next two Council meetings.

Mr. Jones asked if there was any miscellaneous business.

There being no further questions, Council adjourned at 7:55 p.m. until the next regularly scheduled Council meeting on Monday, March 2, 2009, at 7:00 p.m.

APPROVED:

Mr. Gerald Jones, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer