

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, April 6, 2009

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, April 6, 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, Mrs. Karen Fuller, Mr. Gerald Jones, Mr. Richard Hite, Mrs. Carol Steiner, and Mr. James Richardson.

Roll call of Council - 6 members present

Mrs. Fuller made a motion to excuse Mr. Christopher Scott from this evening's Council meeting, seconded by Mrs. Geis, and all of Council agreed.

Mr. Jones called on Mr. Rick Gleeson from Norlson, Inc. to give his presentation and demonstration of the proposed purchase of a new digital recording/transcription system.

Mr. Gleeson gave Council an informational sheet about the Olympus Digital Dictation System. (A copy is attached to the original minutes.)

Mr. Gleeson showed Council the digital voice recorder and reviewed the transcription software for transcribing the minutes.

Mr. Gleeson did a test recording on the digital voice recorder for Council to hear the sound quality and clarity of a digital recording as opposed to the existing microcassette recording.

Mr. Gleeson stated the microphone for the digital recorder will be plugged directly into the existing public address system the Village already has. All eight microphones will be utilized through the existing public address system, which is a vastly superior recording compared to using the microphone that is plugged into the microcassette recorder. This makes transcribing the minutes much easier.

The advanced transcription software comes with a headphone and foot control. All the transcriptions can be networked together. Recorded minutes can be burned to a CD and saved with the legislation.

Mrs. Fuller asked if the recording can be downloaded to multiple computers, why do we need more than one unit.

Mr. Gleeson said you don't need more than one recorder, but you do need more than one transcription package.

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The transcription package is licensed software. This system is much more flexible than what you have now.

Mr. Jones thanked Mr. Gleeson for his demonstration and presentation of the proposed digital recording system.

Mr. Jones asked if there were any additions or corrections to the minutes of the March 16, 2009, Council meeting.

There being none, the minutes were approved as sent.

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

ORDINANCE NO.: 29-2009 AN ORDINANCE AMENDING SECTION 139.08 OF THE CODIFIED ORDINANCES TO ESTABLISH A NEW RATE OF REIMBURSEMENT FOR VILLAGE EMPLOYEES USING THEIR OWN VEHICLES ON VILLAGE BUSINESS, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Ordinance No.: 29-2009 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 30-2009 A RESOLUTION AMENDING RESOLUTION NO.: 26-2009 TO PROVIDE FOR A DIFFERENT VENDOR AND COST FOR THE PURCHASE OF A UTILITY BODY WITH BUMPER AND HITCH TO BE INSTALLED ON THE NEW 2009 FORD 1-TON TRUCK (CAB & CHASSIS), AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 30-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 31-2009 A RESOLUTION AUTHORIZING THE CLERK-TREASURER TO PAY TO THE CITY OF CUYAHOGA FALLS, SILVER LAKE'S PROPORTIONATE SHARE OF THE 2008 OPERATING DEFICIT OF THE CUYAHOGA FALLS MUNICIPAL COURT, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 31-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 32-2009 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.: 32-2009 to the Finance and Appropriations Committee.

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RESOLUTION NO.: 33-2009 A RESOLUTION CONFIRMING AND RATIFYING THE EMERGENCY REPAIRS TO THE VILLAGE VACTOR USED BY THE DEPARTMENT OF PUBLIC SERVICE, AND FOR PAYMENT FOR SAID REPAIRS TO JACK DOHENY SUPPLIES IN THE AMOUNT OF EIGHT THOUSAND SEVEN HUNDRED FIVE DOLLARS AND TWENTY-NINE CENTS (\$8,705.29), AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 33-2009 to the Finance and Appropriations Committee.

ORDINANCE NO.: 34-2009 AN ORDINANCE ENACTING FLOOD DAMAGE REGULATIONS AND REPLACING TITLE EIGHT OF THE CODIFIED ORDINANCES OF THE VILLAGE OF SILVER LAKE, OHIO, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Ordinance No.: 34-2009 to the Planning, Zoning and Insurance Committee.

RESOLUTION NO.: 35-2009 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 229,518.33

Mr. Jones assigned Resolution No.: 35-2009 to the Finance and Appropriations Committee.

Second Reading:

RESOLUTION NO.: 27-2009 A RESOLUTION RE-APPROPRIATING MONIES FROM CERTAIN DIVISIONS OF CERTAIN FUNDS TO OTHER DIVISIONS OF THE SAME FUND AND DECLARING AN EMERGENCY.

Resolution No.: 27-2009 was previously assigned to the Finance and Appropriations Committee.

Third Reading: None

In Committee: None

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

There being none, Mr. Jones called upon Mrs. Karen Fuller, Vice-Chairman of the Finance and Appropriations Committee to lead discussion on items on the agenda pertinent to her committee.

FINANCE AND APPROPRIATIONS COMMITTEE

Mrs. Fuller stated Resolution No.: 30-2009 amends Resolution No.: 26-2009 to provide for a different vendor and cost for the purchase of a utility body with bumper and hitch to be installed on the new 2009 Ford 1-ton truck.

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Mr. Fenwick stated he found a utility body that he liked better that was \$400 cheaper.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 30-2009 this evening.

Mrs. Fuller stated Resolution No.: 31-2009 authorizes the Clerk-Treasurer to pay the City of Cuyahoga Falls, Silver Lake's proportionate share of the 2008 operating deficit of the Cuyahoga Falls Municipal Court.

Mrs. Fuller stated our portion to pay Cuyahoga Falls is \$7,579.07.

Mrs. Spohn said this year's proportionate share is much better than last year's share, which was approximately \$14,000.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 31-2009 this evening.

Mrs. Fuller stated Resolution No.: 32-2009 makes additional appropriations for current expenses and other expenditures of the Village during the fiscal year ending December 31, 2009.

Mrs. Fuller stated the appropriation of \$8,705.29 is needed to pay the cost of repairs to the Vactor used by the Service Department.

Mrs. Fuller said repairing the Vactor is a good reason to re-appropriate funds.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 32-2009 this evening.

Mrs. Fuller stated Resolution No.: 33-2009 confirms the emergency repairs to the Village's Vactor.

Mr. Fenwick stated we had to purchase a new fan for the Vactor that was \$3,000. During installation, the Service workers noticed some noise in the transmission. These transmissions are not rebuilt due to liability issues. We had to purchase a new transmission. The total repairs to the Vactor were \$12,300.

Mrs. Spohn stated Mr. Fenwick took \$4,000 from other operating accounts.

Mrs. Geis stated the Vactor is an old piece of equipment.

Mr. Fenwick said it was purchased in 1992.

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Mr. Fenwick stated several of the Service Department's workers assisted the mechanic in repairing the Vactor.

Mr. Fenwick stated if we had sent the Vactor to Jack Doheny Supply to be repaired, it would have cost the Village an additional \$27,000.

Mrs. Fuller said applause for your crew.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 33-2009 this evening.

Mrs. Fuller stated Resolution No.: 35-2009 is for Payment of Claims in the amount of \$229,518.33.

Mrs. Spohn stated there are two payrolls in this payment of claims as well as the payment to ODB for the leaf-picker.

Mrs. Geis said the last time Council met was March 16. Since March contained five Mondays, this payment of claims was for three weeks not the normal two week span.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 35-2009 this evening.

Mrs. Fuller stated this is the second reading for Resolution No.: 27-2009 which re-appropriates monies from the Worker's Compensation fund to the Administration Capital Equipment fund for the purpose of purchasing a digital voice recorder and transcription equipment.

Mr. Jones said he feels the new equipment is needed to move forward in today's technology.

Mr. Hite asked if the Village can dispense from transcribing the minutes with this new equipment.

Mrs. Spohn said she didn't think so. We need a hard copy of the minutes.

Mayor Hovey said he would check with Mr. Heydorn, but he felt that a hard copy of the minutes is required.

Mr. Hite said there seems to be a lot of time involved transcribing all the minutes.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 27-2009 this evening.

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

PERSONNEL AND PUBLIC AFFAIRS

Mrs. Fuller stated Ordinance No.: 29-2009 amends Section 139.08 to establish a new rate of reimbursement for Village employees using their own vehicles on Village business.

Mrs. Fuller stated this issue was discussed at the last Council meeting. The reimbursement fee is currently \$0.55 per mile. Ordinance No.: 29-2009 establishes a new rate of \$0.35 per mile.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Ordinance No.: 29-2009 this evening.

Mr. Jones called upon Mr. Rich Hite, Chairman of the Planning, Zoning and Insurance Committee to lead discussion on items on the agenda pertinent to his committee.

PLANNING, ZONING AND INSURANCE COMMITTEE

Mr. Hite stated Ordinance No.: 34-2009 is an ordinance enacting flood damage regulations and replacing Title Eight of the ordinances.

Mrs. Spohn stated this is a lengthy ordinance that was put together by the Village's engineer, Mr. Gary Rouse of GBC, Design, Inc. and Mr. Heydorn.

Council has to adopt these regulations as they are without changing anything so that people who are in need of flood insurance in the Village can get it.

Ordinance No.: 34-2009 replaces the existing Title Eight ordinance.

Mr. Hite stated Ordinance No.: 34-2009 will be treated as a first reading.

Mr. Jones continued with the agenda.

Finance and Appropriations Committee—Mrs. Karen Fuller, Vice-Chairman

Mrs. Fuller stated Resolution No.: 30-2009 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.: 30-2009, seconded by Mrs. Steiner.

Roll call on suspension: Yes 6 No 0

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

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Roll call on adoption: Yes 6 No 0

Mrs. Fuller stated Resolution No.: 31-2009 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.: 31-2009, seconded by Mrs. Geis.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mrs. Fuller stated Resolution No.: 32-2009 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.: 32-2009, seconded by Mrs. Steiner.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mrs. Fuller stated Resolution No.: 33-2009 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.: 33-2009, seconded by Mrs. Steiner.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mrs. Fuller made a motion to approve the Statement of Cash Position.

Mr. Jones asked all in favor of approving the Statement of Cash Position to signify their approval by saying aye.

All Council members signified their approval by saying aye.

Mr. Jones stated the Statement of Cash Position is approved.

Mrs. Fuller stated Resolution No.: 35-2009 was discussed in Committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 6 No 0

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Mrs. Fuller stated Resolution No.: 27-2009 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.: 27-2009, seconded by Mr. Richardson.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Personnel and Public Affairs—Mrs. Karen Fuller, Chairman

Mrs. Fuller stated Ordinance No.: 29-2009 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 Ordinance No.: 29-2009, seconded by Mrs. Geis.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Planning, Zoning and Insurance—Mr. Rich Hite, Chairman

Mr. Hite stated Ordinance No.: 34-2009 will be treated as a first reading.

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey had no report.

Mr. Heydorn, Solicitor, was not in attendance this evening.

Chief Gary DeMoss stated the Village obtained a court order from the Municipal Court to dispose of 35 unclaimed bicycles. The bicycles had to be sold at a public sale. We took them to the Kiko Public Auction in Dalton, Ohio on Thursday, April 9. All of the bicycles were sold.

Mr. Richard Fenwick, Service Director, stated the warranty on the new truck is three years/36,000 miles, which will cost \$1,400. This was the cheapest warranty that the Village could buy.

The chipper is only four years old and doesn't have that many hours on it. When a tree fell over this winter, we used the chipper and it started to blow white smoke.

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The fuel pump was bad and had to be replaced. In order to replace the fuel pump, the engine had to be taken out. The blade housing also had to be removed. The repair was \$5,600.

The Village has not paid this bill yet because Mr. Fenwick has voiced his displeasure to Ohio Cat who did the repairs and to Vermeer.

We do not use the chipper as much as contractors use a chipper. We use it in the spring and the fall. This piece of equipment is not in service every day.

Mr. Jones asked if the chipper had an hour meter on it.

Mr. Fenwick said yes.

Mr. Fenwick stated Ohio Cat said they made the repair and this is what the charge is. Vermeer is sympathetic towards us because the chipper is not that old. Mr. Fenwick is trying to get that bill reduced.

The chipper has been repaired and we do have it back.

Mr. Richardson asked if off-road fuel was used in the chipper.

Mr. Fenwick said no.

Mr. Richardson said he has found that there is some sort of lubrication in off-road fuel, also known as low-sulfur fuel. This fuel may be better to use on these types of equipment.

Mr. Fenwick stated spring cleanup has started and today it snowed. Hydrant flushing has also started.

Mr. Fenwick stated he has been hearing some communities are allowing comp time in lieu of overtime. I don't know if comp time is something that we would want to do. We may want to look into the comp time issue.

Mr. Fenwick stated he has put together some capital costs over the next ten years from the ten year plan that he does.

Mr. Fenwick gave Council a handout of the proposed capital costs. (A copy is attached to the original minutes.)

Mrs. Steiner asked if we have heard anything about the stimulus money.

Mr. Fenwick said no. He called the City of Cuyahoga Falls and they have received stimulus money. Summit County and ODOT have also received stimulus money.

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Mrs. Teresa Spohn, Clerk-Treasurer, said even though we have not received any stimulus money, Mr. Fenwick did a wonderful job putting together the information.

Mrs. Spohn said we have sold 36 smoke detectors. One failed but was replaced with a new one.

Mr. Jones asked if there was any miscellaneous business.

There being no further questions, Council adjourned at 7:53 p.m. until the next regularly scheduled Council meeting on Monday, April 20, 2009, at 7:00 p.m.

APPROVED:

Mr. Gerald Jones, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer