

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 18, 2009

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, May 18, 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. Steiner, and all of Council agreed.

Mr. Jones asked if there were any additions or corrections to the minutes of the May 4, 2009, Council meeting.

There being none, the minutes were approved as sent.

Chief DeMoss then introduced the new Reserve Officer, Mr. Drake Oldham.

Mr. Oldham is a former Cuyahoga Falls Police Officer and currently a part-time Canal Fulton Police Officer. Mr. Oldham left Cuyahoga Falls to take a position at OPOTA, which governs all police agencies and training in the State of Ohio.

Mayor then administered the Oath of Office to Mr. Drake Oldham as a Silver Lake Reserve Police Officer.

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

RESOLUTION NO.: 43-2009 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND SELL AT PUBLIC AUCTION A 1994 GMC C-3500 HD TRUCK, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 43-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 44-2009 A RESOLUTION RATIFYING AND CONFIRMING AN AGREEMENT WITH WICHERT INSURANCE SERVICES, INC. FOR THE PURCHASE OF GENERAL LIABILITY, PROPERTY/INLAND MARINE, AUTOMOBILE LIABILITY & PHYSICAL DAMAGE, PUBLIC OFFICIALS LIABILITY, POLICE PROFESSIONAL LIABILITY INSURANCE, AND UMBRELLA

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LIABILITY INSURANCE COVERAGE FOR THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 44-2009 to the Planning, Zoning and Insurance Committee.

RESOLUTION NO.: 45-2009 A RESOLUTION AUTHORIZING AND DIRECTING THE CLERK-TREASURER TO ADVERTISE AND TAKE BIDS FOR THE COLD MILLING AND RESURFACING OF VARIOUS STREETS IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 45-2009 to the Public Improvements Committee.

RESOLUTION NO.: 46-2009 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.: 46-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 47-2009 A RESOLUTION APPROVING A CHANGE ORDER TO EFB CONSTRUCTION, INC. FOR THE GRAHAM ROAD WATER MAIN REPLACEMENT PROJECT IN THE AMOUNT OF TWENTY-FOUR THOUSAND NINETY-EIGHT DOLLARS AND FIFTY CENTS (\$24,098.50), AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 47-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 48-2009 A RESOLUTION CONFIRMING THE MAYORAL RE-APPOINTMENTS OF BARBARA LUBINSKI AND VICTORIA SCOTT TO THE CITIZENS HOUSING COMMITTEE OF THE VILLAGE OF SILVER LAKE FOR THE TERM ENDING DECEMBER 31, 2012, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 48-2009 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 49-2009 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ \$235,047.01

Mr. Jones assigned Resolution No.: 49-2009 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 Mrs. Karen Fuller, Vice-Chairman of the Finance and Appropriations Committee, to lead discussion on items on the agenda pertinent to her committee.

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FINANCE AND APPROPRIATIONS COMMITTEE

Mrs. Fuller stated Resolution No.: 43-2009 authorizes the Village to sell the 1994 GMC truck at a public auction.

Mr. Fenwick stated it will be taken to an auction where bigger equipment is sold. Hopefully the sale will net \$4,000 to \$5,000.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 43-2009 this evening.

Mrs. Fuller stated Resolution No.: 46-2009 is for additional appropriations to pay EFB Construction.

Mr. Fenwick stated the work has been completed and this legislation will pay for the change orders (see Resolution No.: 47-2009).

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 46-2009 this evening.

Mrs. Fuller stated Resolution No.: 49-2009 is for the payment of claims in the amount of \$235,047.01.

Mrs. Steiner asked what the utility deposit refunds payment is for.

Mrs. Spohn stated the legislation regarding utility deposit refunds was changed this year from holding the deposits for five years to holding them for two years with good paying service.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 49-2009 this evening.

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 COMMITTEE

Mrs. Fuller stated Resolution No.: 48-2009 reappoints Mrs. Barb Lubinski and Mrs. Victoria Scott to the Citizens' Housing Committee for the term ending December 31, 2012.

Mayor stated both members have served in the past and have agreed to serve another four year term. A meeting was held last week and the Citizen's Housing Committee is active again this year. There have been two properties in the Village this year that needed to be looked at.

There is still a vacant position in District C for the Citizens' Housing Committee.

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There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 48-2009 this evening.

Mr. Jones called upon Mrs. Carol Steiner, Chairman of the Public Improvements Committee to lead discussion on items on the agenda pertinent to her committee.

PUBLIC IMPROVEMENTS COMMITTEE

Mrs. Steiner stated Resolution No.: 45-2009 is to advertise and take bids for the cold milling and resurfacing of various streets in the Village.

Mr. Fenwick stated the streets are Overlook Road, North Oakhill Road, Parkwood Drive, Lakewood Drive and Mayfield Road.

The average age of resurfaced streets is fifteen years. Next year Vincent Road and the east side of Silver Lake Boulevard will be completed. In 2011, Silver Lake Boulevard will be paved.

Mrs. Spohn stated the estimated cost for the project is \$120,850.00.

There being no further discussion or questions, Mrs. Steiner stated the Committee will recommend the adoption of Resolution No.: 45-2009 this evening.

Mr. Jones called upon Mr. Richard 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 Resolution No.: 44-2009 is to purchase various property and casualty insurance coverage through Wichert Insurance.

Mr. Hite stated Wichert Insurance is an expert in the field and the Village has been well satisfied with their service over the past years.

There being no further discussion or questions, Mr. Hite stated the Committee will recommend the adoption of Resolution No.: 44-2009 this evening.

Mr. Jones continued with the agenda.

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

Mrs. Fuller stated Resolution No.: 43-2009 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.: 43-2009, seconded by Mr. Richardson.

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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

Mrs. Fuller stated Resolution No.: 46-2009 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.: 46-2009, seconded by Mrs. Geis.
 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

Mrs. Fuller stated Resolution No.: 47-2009 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.: 47-2009, seconded by Mrs. Steiner.
 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

Mrs. Fuller stated Resolution No.: 49-2009 was discussed in Committee earlier this evening and is ready for adoption.

Motion to adopt by Mrs. Fuller, seconded by Mrs. Steiner.
 Roll call on adoption: Yes 6 No 0

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

Mrs. Fuller stated Resolution No.: 48-2009 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.: 48-2009, 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

Public Improvements Committee - Mrs. Carol Steiner, Chairman

Mrs. Steiner stated Resolution No.: 45-2009 was discussed in Committee earlier this evening and is ready for adoption.

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Mrs. Steiner moved to suspend the rule that legislation be read at three meetings for Resolution No.: 45-2009, seconded by Mrs. Geis.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

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

Mr. Hite stated Resolution No.: 44-2009 was discussed in Committee earlier this evening and is ready for adoption.

Mr. Hite moved to suspend the rule that legislation be read at three meetings for Resolution No.: 44-2009, seconded by Mr. Richardson.

Roll call on suspension: Yes 5 No 0 Abstain 1 (Mrs. Geis)

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

Roll call on adoption: Yes 5 No 0 Abstain 1 (Mrs. Geis)

Mrs. Geis abstained due to a family connection to Wichert Insurance.

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey reported Mr. Heydorn was called out of town for this evening and will return next week.

The rate for the electric aggregation program was much less than anticipated at 6.1 cent per kWh. This is a 16 percent reduction in electricity prices. In addition to that reduction, residents will receive an additional 10 percent reduction.

Mayor spoke to our energy broker, Mr. Mark Burns, and he stated, in retrospect it was a very wise decision the Village made because there's a very good chance we would not have received another offer because of the size of the aggregate.

Mayor received a phone call from a resident regarding the electricity price for houses that are all electric. There are a few homes in Silver Lake that are like this and in the past were offered a special rate because they use so much electricity. This special rate has ended; however, those residents were grandfathered in.

The resident asked if they will receive the additional 10 percent off the grandfathered rate.

Mayor finds it hard to believe that First Energy would offer them a special rate and then an additional discount. These residents will probably have to choose between the grandfathered rate and the new aggregation rate.

Community Day is Saturday, May 30, 2009, from 9:30 a.m. to 1:00 p.m. All of Council is encouraged to attend.

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Mayor stated he has talked to Chief DeMoss and told him the intent of Council is to hire a police officer to replace Officer Samaco. The new officer would start around the beginning of June 2009.

Mayor received a letter from the Summit County Mayors Association (SCMA) regarding the delegation that went to India on a trade mission in December. The SCMA would like to continue to develop those lines with India and bring Indian business to America. It is one of the fastest growing economies in the world.

In order to keep the line of communication open, the SCMA has hired SGI Global to develop those lines of communication at a cost of \$50,000. The SCMA will cover \$25,000 and the rest will be solicited by contacting possible donors and asking neighboring communities to donate as much as they would like up to \$1,000. Council should consider whether they would like to do this.

Chief Gary DeMoss thanked Council for their support in deciding to replace the full-time police officer position.

Last Thursday there was a house fire at 3108 Mayfield Road. The response from the Cuyahoga Falls Fire Department was remarkable and they arrived in less than four minutes.

Mayor stated he received two calls last week from residents commending the Cuyahoga Falls Fire Department and Paramedics. There were two deaths in the Village and they responded quickly and were very professional, kind and compassionate. We have been receiving very positive feedback about our relationship with Cuyahoga Falls.

Mayor also reported there was an incident a few weeks ago where the paramedics did not get to the residents house as fast as they should have because they were lost. Chief Moledar called the Mayor and stated it was a mistake on their part and never should have happened and apologized profusely. Chief Moledar then had everyone driving around the Village again to make sure they know where every house and every address is located.

Officer Steve Justice has been selected by the Mothers Against Drunk Driving organization to be honored at a ceremony on May 28, 2009, for the Top Cop Award for DUI enforcement in 2008. Officer Justice accomplished 27 DUI arrests and he assisted on six others.

Mr. Richard Fenwick, Service Director, stated he thinks they are getting ready to complete the renovation project at the Morrison property.

There is a problem with the Lakeland Parkway pump. When Industrial Pump & Valve Repair (IPVR) came to remove the pump and take it apart, they could not get the pump out of the well case. The next step is to cut the sleeve off and try to prop it up so the pump doesn't drop in. If they can't get the pump out, then there won't be a well down there anymore. If the Village wants another one, we'd have to drill it.

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Mrs. Geis asked what the pump goes to.

Mr. Fenwick stated it feeds Crystal Lake and Silver Lake.

Mr. Jones asked how much it would cost to drill it.

Mr. Fenwick stated he wasn't sure of the cost for that large of a pump. A home well is approximately \$4,000.

IPVR is still hopeful and is coming back to try to get it out again.

Mr. Fenwick is waiting on a return call from Mrs. Valerie Wax-Carr regarding the automatic meter read system with Johnson Controls.

The Service Department is attempting to install a wall of rocks on the south end of the Silver Lake Boulevard main island just like the contractor did on the north end.

Mr. Jones asked who is paying for this.

Mr. Fenwick stated the Garden Club paid for all the material and stone and there are plants that have gotten too big that are being moved there. The Garden Club still has money left to buy additional items that are needed.

Mr. Hite asked about the letter some of the Council members received from Mr. Dante D'Avello, 2878 Silver Lake Boulevard.

Mayor stated the letter is just clarification on his part. There is an area on his property that is an electric right-of-way. There was a bunch of stuff back there and it basically had turned into a dumping zone. Mr. D'Avello cleaned it all up and started treating it as his own property. A neighbor complained to Council about something that was back there and Mr. D'Avello was upset they didn't come to him directly.

Mr. D'Avello contacted the utility company and has made an agreement with them to take care of the property as if it were his own. The letter to Council was just clarification that he has gone through the proper legal steps with the utility company to take care of this land.

Mrs. Teresa Spohn, Clerk-Treasurer, stated the Village income tax revenue is ahead \$18,000 over this time last year. (Later corrected that revenues were indeed down \$71,000, not ahead \$18,000).

Mr. Jones stated as a reminder, it was the feeling of Council to make sure it is on the ballot to change the time for the January organizational meeting of Council from 8:00 p.m. to 7:00 p.m.

Mrs. Spohn stated it will cost a lot of money, probably around \$2,000.

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Mr. Jones stated he didn't think it would be a big cost since there are Council members up for election next year.

Mrs. Steiner asked if it has to go through the Charter Review Commission.

Mrs. Spohn replied it does not.

Mayor asked when there would be another Charter Review Commission.

Mrs. Spohn replied in 2013.

Mr. Jones stated this has been discussed for the last few years.

Mrs. Steiner stated if the Village is trying to save money, she doesn't know if this is what we'd want to spend our money on.

Mr. Jones stated we need to get a better idea of what the cost would be.

Mrs. Spohn stated she would have to send a letter to every registered voter, which means there would be costs for paper, envelopes and postage. She will research the cost and get the information to Mr. Jones.

Mrs. Fuller stated she will not be at the Monday, June 1, 2009, Council meeting.

There being no further business, Council adjourned at 7:50 p.m. until the next regularly scheduled Council meeting on Monday, June 1, 2009.

APPROVED:

Mr. Gerald Jones, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer