

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

**Tuesday, January 20, 2009 7:00 p.m.**

The Village of Silver Lake Council met in a regular session on Tuesday, January 20, 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 1 member absent

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.

Mayor Hovey administered the oath of office to Mrs. Fuller as Vice-President of Council.

Mr. Jones stated Mr. Beck of Beck Energy Corporation will be addressing Council this evening to discuss working with the Village to drill a gas well behind the Village Hall complex.

Mr. Beck handed out a packet of information to Council members. (A copy is attached to the original minutes.)

Mr. Beck stated since he last met with Village Council, Beck Energy has continued to drill in very sensitive areas throughout Northeast Ohio, including Cuyahoga Falls, Ravenna and Munroe Falls.

For the last 30 years, Beck Energy has been working with landowners to drill responsibly in an area where geology supports the chance of drilling a successful well.

In order to drill a well, a minimum of 20 acres is required. Anyone within 300 feet of that well must participate. Beck Energy would like the opportunity to drill in the area behind Village Hall.

Mr. Beck stated the basic drilling information is as follows:

- 20 acre spacing required
- 300' minimum distance from property line
- 600' minimum distance from existing well
- 100' minimum distance from occupied structure
- 4-6 days of continuous drilling
- Additional time for fracturing, pipeline installation and tank battery construction

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Mr. Beck stated in order to protect the water table, there would be an extra conductor pipe surrounded by two other pipes surrounded by two layers of cement. The drilling itself is safe.

On the proposed Village property, there is really only room for one well. The lease would be written so that the Village would have final approval of the well's location. The best time to start drilling would be in the summer.

Mr. Beck stated the following would be benefits for the Village:

- 12.5 percent landowner royalty
- Use of natural gas for Village structures
- Monthly disbursement for landowner revenue
- No drilling or maintenance cost involved

Beck Energy would also provide 200 Mcf of gas annually for one building on the property, along with the equipment and installation of the gas line. Any gas used beyond the 200 Mcf will be at the well-head price of \$5.00 per Mcf.

The Village would also receive a one-time spud fee of \$1,000, prior to drilling.

Drilling would take approximately four to six days. Restoration would be done according to the state plan.

Mr. Jones asked what the Village could expect in revenue from a well. At the last meeting with Beck Energy, it was mentioned that the Village could realize \$30,000 to \$35,000 per year.

Mr. Beck said this is the hardest question to answer because the royalty is based on the following three things:

- The percentage of ownership in the well.
- The success of the well.
- What the price of gas will be.

Mr. Beck said it really depends on what kind of well we get.

Mr. Beck stated Silver Lake's potential is as follows:

- Unproven area with good potential.
- Acreage will allow for 1 -2 well program.
- Increase in landowner royalty from higher crude and natural gas prices.

Mr. Jones asked what 200 Mcf is worth today.

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The well head price is \$5.00 per Mcf. 200 Mcf would be \$1,000.

Mrs. Geis asked what happens if a bad well is drilled. How long does it stay there.

Mr. Beck said they are responsible to plug the well and remove the equipment.

Mrs. Fuller asked, for a successful well, what amount of activity can the Village expect?

Mr. Beck said there would be a pickup truck coming in and out daily to check the well. There will be no tankers.

Mrs. Fuller asked who is responsible for restoration of the land.

Mr. Beck said Beck Energy is responsible for the restoration.

Mr. Jones said if you remember, there were residents who were opposed to the Village drilling and the City of Cuyahoga Falls had concerns about drilling a well so close to their water fields.

Mr. Beck said our first job is to protect the water in the State of Ohio. This is first and foremost our number one issue.

Mrs. Fuller asked if there was any noise.

Mr. Beck said there is no motor or other devise that would create a noise. The tank can be no higher than 10 feet high and has a carbon filter and a spark arrestor on it.

Mr. Jones asked Mr. Heydorn if Council wanted to pursue this issue, does this have to go out for a bid.

Mr. Heydorn said when you lease land you are not obligated to go through a bidding process.

Mrs. Fuller asked if the soccer field would continue to be available.

Mr. Beck said the well would not interfere with any activity.

Mr. Hite stated he knew the Beck family very well and he has a lot of faith in Beck Energy Corporation.

Mr. Hite asked if the well will bubble up.

Mr. Beck said there is always some residual fluid, which could be brine or crude. There will not be a pump. There is one pipeline leading to the well, called a flow line, which is connected to the tank battery. All of Dominion East Ohio Gas' equipment is placed in this area.

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Mrs. Steiner asked if there would be a smell.

Mr. Beck stated there is a carbon filter on the tank and there will not be a smell.

Mr. Beck stated the Village has final approval for the placement of the well.

Mr. Jones thanked Mr. Beck for his presentation and said Council will review the information that has been given to them for their consideration.

Mr. Jones asked if there were any additions or corrections to the minutes of the January 5, 2009, Organizational Council meeting.

Mrs. Geis stated on Page 6 under PUBLIC IMPROVEMENTS COMMITTEE the first sentence should read as follows:

*Mrs. Geis stated Resolution No.: 4-2009 . . . . .*

Mr. Jones stated on Page 2 the second paragraph should read as follows:

*Mr. Jones asked Mrs. Steiner and Mr. Scott to accompany . . . . .*

There being no further 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.: 6-2009 A RESOLUTION CONFIRMING THE MAYORAL RE-APPOINTMENTS OF JEFFREY HEINTZ, DENNIS STOIBER AND ALEX ALEXANDER AS MEMBERS OF THE PLANNING COMMISSION OF THE VILLAGE OF SILVER LAKE FOR THE TERM ENDING DECEMBER 31, 2012, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 6-2009 to the Personnel & Public Affairs Committee.

**RESOLUTION NO.: 7-2009 A RESOLUTION CONFIRMING THE MAYORAL RE-APPOINTMENTS OF DENNIS SPOHN AND BECKY RYBA AS MEMBERS OF THE BOARD OF ZONING APPEALS OF THE VILLAGE OF SILVER LAKE FOR A FOUR YEAR TERM ENDING DECEMBER 31, 2012, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 7-2009 to the Personnel & Public Affairs Committee.

**RESOLUTION NO.: 8-2009 A RESOLUTION IN SUPPORT OF 2009 YEAR OF THE RIVER, PROMOTING STEWARDSHIP OF OUR WATERSHED AND**

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**ENCOURAGING RESIDENTS, INSTITUTIONS AND BUSINESSES TO BECOME PARTNERS IN CONSERVATION, RESTORATION AND PROTECTION OF OUR NATURAL RESOURCES.**

Mr. Jones assigned Resolution No.: 8-2009 to the Personnel & Public Affairs Committee.

**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.**

Mr. Jones assigned Ordinance No.: 9-2009 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.**

Mr. Jones assigned Ordinance No.: 10-2009 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 11-2009 A RESOLUTION IN AUTHORIZING THE MAYOR TO EXECUTE A PURCHASE ORDER TO BUSY BEE SERVICES FOR AIR EXCAVATING TREES IN THE VILLAGE OF SILVER LAKE FOR AN AMOUNT NOT TO EXCEED SIX THOUSAND DOLLARS (\$6,000), AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 11-2009 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 12-2009 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 186,367.16**

Mr. Jones assigned Resolution No.: 12-2009 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, Chairman of the Personnel & Public Affairs Committee, to lead discussion on items on the agenda pertinent to her committee.

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**PERSONNEL AND PUBLIC AFFAIRS COMMITTEE**

Mrs. Fuller stated Resolution No.: 6-2009 reappoints Mr. Jeffrey Heintz, Mr. Dennis Stoiber, and Mr. Alex Alexander as members of the Planning and Zoning Commission each for four years terms ending December 31, 2012.

Mrs. Fuller asked Mayor Hovey to comment on Resolution No.: 6-2009.

Mayor Hovey stated Mr. Heintz, Mr. Stoiber and Mr. Alexander are excellent public servants. They all do a great job and are willing to continue as members of the Planning and Zoning Commission.

Mayor Hovey stated he strongly recommends their reappointment.

Mr. Hite stated each member does a terrific job and he is thankful they will continue to serve.

Mr. Hite stated on behalf of Council he would like to thank these members for their service to the Village.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 6-2009 this evening.

Mrs. Fuller stated Resolution No.: 7-2009 reappoints Mr. Dennis Spohn, and Mrs. Becky Ryba as members of the Board of Zoning Appeals for a four year term ending December 31, 2012.

Mrs. Fuller asked Mayor Hovey to comment on Resolution No.: 7-2009.

Mayor Hovey said he would make the exact same comment for Mr. Spohn and Mrs. Ryba as previously stated for the members of the Planning Commission.

Mayor Hovey stated he strongly recommends their reappointment.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 7-2009 this evening.

Mrs. Fuller stated Resolution No.: 8-2009 is in support of the Year of the River, which promotes stewardship of our watershed and encourages residents, institutions and businesses to become partners in conservation, restoration and protection of our natural resources.

Mayor Hovey stated the Village is working with other communities to recognize that the health of our own streams determine the health of the Cuyahoga River and Lake Erie.

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Mayor Hovey stated the fire that occurred on the Cuyahoga River on June 22, 1969, sparked the creation of the Clean Water Act and today's environmental movement. 2009 is the 40<sup>th</sup> anniversary of this event and communities throughout the region will commemorate this anniversary.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 8-2009 this evening.

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 Ordinance No.: 9-2009 amends various sections of Chapter 937 pertaining to utility billing, payments and disconnection policy.

Mrs. Fuller called on Mrs. Spohn for her comments in reference to Ordinance No.: 9-2009.

Mrs. Spohn stated Ordinance No.: 9-2009 updates some of the language that is currently in the code. This section of the code has not been reviewed since 1998.

Some of the changes are as follows:

The Service Department will conduct an inside water meter reading program at least once per year during the meter reading process.

Utility bills are generated monthly. Some of the language in the existing ordinance still makes reference to quarterly billing.

NSF fees will be increased from \$25 to \$35.

No extended terms of payment shall be granted in the case of a tenant occupied property unless the property owner has consented in writing to such payment plan will be moved from Section 934.04 WAIVER IN CASES OF UNDUE HARDSHIP to Section 937.02 DELINQUENT PAYMENTS.

Tenant occupied properties in the Village tend to take up a lot of time due to non-payment. The utility trust deposit for a tenant-occupied property will increase to \$250 regardless of the type of service. Currently the fee structure is \$50 water only, \$100 sewer only, \$50 fire protection, \$150 sewer/fire protection and \$150 water/sewer.

If the deposit is not paid within 30 days of the initial date of service, the deposit will be added to the next monthly utility bill.

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Currently the water trust deposit is refunded after 5 years of good paying service. It will now be returned after 2 years of good paying service.

We have always assisted a resident with a payment plan if it is deemed necessary under Section 937.04 WAIVER IN CASES OF UNDUE HARDSHIP. The new ordinance officially allows the Clerk-Treasurer to do this.

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

Mrs. Fuller stated Ordinance No.: 10-2009 establishes regulations in the administrative code for returned item fees for non-sufficient funds checks or items returned for other reasons.

Mrs. Spohn stated under the existing ordinance the only time we can collect on a returned check is if it is for a utility payment. We have received NSF checks for parking citations as well as other payment items.

Mrs. Fuller asked if we should state a specific figure or charge exactly what the bank charges for the item.

Mrs. Spohn asked for a first reading on Ordinance No.: 9-2009 and Ordinance No.: 10-2009 so that she could check with the bank to find out exactly what the charges for returned items would be.

Mrs. Fuller stated Ordinance No.: 9-2009 and Ordinance No.: 10-2009 will be treated as first readings this evening.

Mrs. Fuller stated Resolution No.: 11-2009 authorizes the Mayor to execute a purchase order to Busy Bee Services for air excavating trees in the Village.

Mrs. Fuller called on Mr. Fenwick for his comments.

Mr. Fenwick stated air excavating blows away the dirt around the tree to allow us to replenish the soil around the tree with amended soil and create a larger mulch bed.

Busy Bee will be working in the area of Highland Drive for five days. Air excavating will be done on the trees that haven't been done yet.

Mrs. Fuller asked if this \$6,000 would complete the project.

Mr. Fenwick said no. It will be an ongoing program, as long as there is money in the budget.

Mr. Jones asked if Mr. Fenwick was referring to the \$20,000.

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Mr. Fenwick said yes.

Mr. Jones said he likes trees but felt we should be very conscientious about what we do with our money. Just because it is in the budget doesn't mean we have to spend it.

Mr. Jones asked why Council is being asked to approve this ordinance at this time.

Mr. Fenwick said because when the weather breaks, Busy Bee will be able to start.

Mr. Jones suggested Resolution No.: 11-2009 be treated as a first reading.

Mayor Hovey stated he agrees with all of Mr. Jones's comments; however, since the program started, there has been a marked decrease in the number of trees that the Village has lost. If we do get in a position where we are losing a lot of trees, it will be very expensive to replace them.

Mayor stated as long as we can manage this process at a reasonable expense, I believe the residents would want us to do everything we can to preserve the trees in the Village.

Mr. Jones stated since Mrs. Geis will be attending the Park Board meeting tomorrow evening, he would like to hear the Park Board's comments on this issue.

Mrs. Fuller stated this process is part of a master plan and she is in favor of the air excavating program to preserve the trees.

Mrs. Fuller stated Resolution No.: 11-2009 will be treated as a first reading this evening.

Mrs. Fuller stated Resolution No: 12-2009 is for Payment of Claims in the amount of \$186,367.16.

Mrs. Fuller asked about the Ameritas Life Insurance Corp. payment for the dental insurance premium in the amount of \$1,448.88. Why are the amounts more in some accounts and less in others?

Mrs. Spohn stated the amounts are different because the Police Department has more employees than the other departments so a larger amount is taken out of that line item. The Police Department's allocation is from the General Fund. The other department's charges are allocated to several different funds.

Mrs. Fuller asked about the overtime items on the payment to JP Morgan Chase Bank.

Mrs. Spohn stated this is for the most recent payroll. There was a lot of overtime in the Service Department due to snow plowing.

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There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Resolution No.: 12-2009 this evening.

Mr. Jones continued with the agenda.

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

Mrs. Fuller stated Resolution No.: 6-2009 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.: 6-2009, seconded by Mrs. Steiner.

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.: 7-2009 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.: 7-2009, 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.: 8-2009 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.: 8-2009, 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

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

Mrs. Fuller stated Ordinance No.: 9-2009, Ordinance No.: 10-2009, and Resolution No.: 11-2009 will be treated as first readings.

Mrs. Fuller stated Resolution No.: 12-2009, Payment of Claims, was discussed in Committee earlier this evening and is ready for adoption.

Mrs. Fuller made a motion to adopt Resolution No.: 12-2009, seconded by Mrs. Geis.

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Roll call on adoption: Yes 6 No 0

Mrs. Steiner asked Mr. Jones if there could be a brief discussion on the 2009 Capital Budget from Mr. Fenwick.

Mr. Jones said to proceed.

Mr. Fenwick asked Council to refer to the 2009 Capital Budget sheet that Council has before them. The corrections are as follows:

10-Year Sidewalk Program	General Capital	\$135,000 reduce to \$ 4,000
Replace Storm Sewer-Kent Road	General Capital	\$ 20,000 reduce to \$15,000
Water Pump House Control Upgrade	Water Capital	\$ 15,000 reduce to \$0
Radio Read Meter Replacement	Water Capital	\$ 3,000 reduce to \$0
Harriett-Boring for Street Lights	General Capital	\$ 30,000 reduce to \$0
Lake Road-Boring for Street Lights	General Capital	\$ 3,200 reduce to \$0
Utility Truck w/boom (Remove boom)	General Capital	\$ 42,500 reduce to \$32,500
Utility Truck w/boom (Remove boom)	Water Capital	\$ 21,250 reduce to \$16,250
Utility Truck w/boom (Remove boom)	Sewer Capital	\$ 21,250 reduce to \$0

Mrs. Spohn asked what the total price for the utility truck will be.

Mr. Fenwick stated \$48,000.

Mr. Fenwick stated these changes bring us under the allotted money that we have to spend.

Mr. Jones asked Mr. Fenwick if we should spend it all.

Mr. Fenwick said he's not saying that.

Mrs. Spohn stated she would redo the figures on the 2009 Capital Budget.

Mrs. Spohn stated there isn't going to be any money in 2010 for capital projects, including equipment purchases.

The money that is being put in the Water Capital Fund is being used to pay for the debt service for the Graham Road Water Line Project.

Mr. Jones stated we have to be very careful with our money.

Mrs. Steiner stated she and Mr. Fenwick put together an inventory of the Service Department's equipment and how each unit is used. A copy was distributed to members of Council. (A copy is attached to the original minutes.)

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Mrs. Geis stated she researched 10 Villages north of Mansfield that cover similar areas (streets and roads) that the Village covers to see how many vehicles are utilized in these communities.

Mrs. Geis distributed her findings to members of Council. (A copy is attached to the original minutes.)

Mrs. Geis stated the Village is not out of line with the other communities and the number of vehicles they have.

Council thanked Mrs. Geis for her research.

Mrs. Steiner stated Mr. Fenwick is not trying to indulge himself by buying new equipment. He is trying to do what is best for the Village.

**REPORTS OF VILLAGE OFFICIALS**

**Mayor Hovey** stated there are now 20 residents that are utilizing the Senior Snow Plow Program.

Mayor asked everyone to be very watchful on the use of overtime.

Mayor stated any conferences and/or workshops must be approved by him beforehand.

Mayor stated he is also looking into changing the figure for mileage reimbursement. Currently we are reimbursing gas mileage at the Federal rate of \$0.550.

Mayor stated he has been told that the Village does not have to pay mileage reimbursement at the Federal rate.

Mayor Hovey stated he has asked Department heads to look into curbing expenses. Mr. Fenwick has come up with two suggestions to save money. One is in the way overtime hours are figured for weekend service when the employee is called back. The second suggestion is to eliminate the current cleaning crew and hire two of the Village's seasonal workers to clean the buildings at a much lower cost.

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

**Chief Gary DeMoss** stated the City of Cuyahoga Falls responded last week to a sagging flasher light at Kent Road and Harriett Road.

The light at the intersection of Silver Lake Boulevard and Church Street was found to be cycling too often. There was an improper install in a conduit box that was trapping water.

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Cuyahoga Falls fixed both problems at no charge to the Village.

Chief DeMoss stated he has asked the City of Cuyahoga Falls to look into the traffic signal issue on Graham Road. It may be that the light is synchronized with the Graham Road corridor from Route 91 to Route 8. This does affect how the light is tripped. Cuyahoga Falls is going to look at the timing issue and give us a report.

Chief DeMoss stated the Village can purchase the smoke detectors at the Cuyahoga Falls' price. The new First Alert detector, which retails for \$40 each, will cost the Village \$21 each. We can buy directly from First Alert because we are serviced by the Cuyahoga Falls Fire Department.

Mr. Jones asked how we are going to get the word out to the residents about the smoke detectors.

Mrs. Spohn stated there will be an article in the Resident's Review, a notice on the Village's website, and featured on the cable access channel.

Mrs. Fuller suggested distributing a flyer to students at the Silver Lake Elementary School.

Mrs. Spohn stated she would prepare legislation to purchase the smoke detectors.

Chief DeMoss stated at the last Council meeting there was discussion on our legal defenders for indigent individuals. Our research shows, since 1996, we have had 8 cases. Five in 1996, one in 2005, and two in 2008.

Chief DeMoss commented on the officer that was struck and killed at 5:20 a.m. on Monday in Boston Heights. The truck driver just didn't see the officer who was picking up debris in the roadway. This is one of our biggest fears for all of us that work in the streets. The County Crash Team, which the Village is a part of, was activated. Our officers spent much of the day at the scene.

**Mr. Richard Fenwick, Service Director**, stated United Survey has removed all of the inferior saddle liners that were installed by AAA Pipe Cleaning. The temperature has to be 25 to 35 degrees before the new saddle liners can be reinstalled. The sewer project should be completed in a month or so.

There was an accident on Harriett Road involving the Village's large dump truck that has a snow blade on it. Assistant Service Director, Mr. Kevin Salmon, was driving the truck when a resident backed out of her driveway without looking.

When Mr. Salmon saw she was not stopping and turned the truck away from a direct impact. The van hit the side of the dump truck. The van was destroyed. The dump truck was not damaged; however, the impact bent the strap that holds the fuel tank.

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Mr. Salmon and the driver of the van were not injured. A police report was filed. The driver's insurance company contacted the Village within an hour of the incident.

Mr. Hite said he felt it is a good idea not to use a lot of salt on the streets.

Mayor Hovey said he spoke to the Director of ODOT and they are paying \$60 to \$90 per ton for salt. The Village is paying \$45 per ton.

Mayor Hovey stated he has received a few calls about the streets not being salted. Residents understand once he explains the need to conserve the salt due to the rising cost as well as not using a lot of salt on the roadways will help our streets last longer.

**Mrs. Teresa Spohn, Clerk-Treasurer**, stated at the end of 2007 and the beginning of 2008, we owed banking fees totaling \$3,900.

Mrs. Spohn stated she has contacted the bank to see if we can roll the fees over again in 2009. If we can't, we will have to pay this amount.

Mr. Jones asked what this is for.

Mrs. Spohn stated this is for checking fees, which includes deposits, checks, ACH deposits, NSF fees.

Mrs. Fuller asked if the Village could get free checking.

Mr. Jones asked how long we have been with Chase Bank and why wouldn't we look into going with a bank that offers free checking to municipalities.

Mrs. Spohn said we have been with Chase a long time and will be checking with other banks to see if we can get free checking.

Mr. Jones asked Mrs. Spohn if she has spoken to Mr. Friend from the Fideli Group reference employee health care.

Mrs. Spohn stated she has not spoken to Mr. Friend. The figures for healthcare will not be available until the middle of February.

Mr. Jones asked Mrs. Spohn to call Mr. Friend.

Mr. Hite said he would like to get on Mr. Friend's calendar as soon as possible.

Mrs. Spohn stated she has asked Mr. Heydorn to make a determination on whether or not we can stay with Wichert Insurance.

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Mr. Jones said he would like to stay with Wichert Insurance because they have done a great job for the Village.

Mrs. Fuller stated she has a copy of the 2005 Summit/Portage County AMATS Land Use map if anyone would like to review it.

Mr. Jones stated today we have all witnessed something historic in regards to the inauguration of President Barack Obama. I am sure we would all like to wish the new President well and hopefully he can make things better for everyone in the next four years. I wish him all the best.

Mr. Jones asked if there was any miscellaneous business.

There being no further questions, Council adjourned at 8:53 p.m. until the next regularly scheduled Council meeting on Monday, February 2, 2009, at 7:00 p.m.

APPROVED:

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President of Council  
Mr. Gerald Jones

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer

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