

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 4, 2009

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, May 4, 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, Mrs. Carol Steiner, and Mr. James Richardson.

Roll call of Council - 6 members present

Mr. Scott made a motion to excuse Mr. Richard Hite 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 April 20, 2009, Council meeting.

There being none, the minutes were approved as sent.

Mr. Jones asked if there were any additions or corrections to the minutes of the April 27, 2009, Special 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.

RESOLUTION NO.: 38-2009 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.: 38-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 39-2009 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH BUCKEYE SWEEPING, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 39-2009 to the Finance and Appropriations Committee.

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RESOLUTION NO.: 40-2009 A RESOLUTION CONFIRMING AND RATIFYING THE EMERGENCY REPAIRS TO THE VILLAGE CHIPPER USED BY THE DEPARTMENT OF PUBLIC SERVICE, AND FOR PAYMENT FOR SAID REPAIRS TO OHIO CAT IN THE AMOUNT OF FIVE THOUSAND SIX HUNDRED TWENTY-TWO DOLLARS AND TWENTY-NINE CENTS (\$5,622.29), AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 40-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 41-2009 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH INDUSTRIAL PUMP AND VALVE REPAIR FOR THE VILLAGE'S PORTION OF COST OF REPLACING THE LAKELAND PARKWAY WELL WATER PUMP AND MOTOR, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 41-2009 to the Public Improvements Committee.

RESOLUTION NO.: 42-2009 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$116,644.07

Mr. Jones assigned Resolution No.: 42-2009 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 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.: 38-2009 is for additional appropriations for the repair of the chipper, refunds for overpaid utility bills, and for the purchase of equipment for Silver Lake School Playground from the trust fund that was set up.

There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 38-2009 this evening.

Mr. Scott stated Resolution No.: 39-2009 authorizes the Mayor to enter into a contract with Buckeye Sweeping. Is this to take care of the streets throughout the summer?

Mr. Fenwick replied yes. They held the same price as last year.

Mr. Scott asked how many times they sweep the streets.

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Mr. Fenwick replied once a month, from May through October.

There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 39-2009 this evening.

Mr. Scott stated Resolution No.: 40-2009 confirms the repairs to the chipper and payment.

There being no discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 40-2009 this evening.

Mr. Scott stated Resolution No.: 42-2009 is for the payment of claims in the amount of \$116,644.07.

Mrs. Fuller asked if the money from the Silver Lake Playground Fund is being distributed.

Mrs. Spohn stated they will not receive anymore interest. They have a few hundred dollars left that will be used for painting and minor repairs.

Mr. Scott asked if the payment to Davey Tree for the removal/pruning of the trees is broken down.

Mr. Fenwick replied yes.

Mr. Scott asked how much was for each.

Mr. Fenwick stated the trees that were removed on Hastings Road were very large, so the bulk went towards that.

Mrs. Geis asked if they are going to grind out the stumps.

Mr. Fenwick stated the Service Department is going to try and remove those.

There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 42-2009 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.: 41-2009 is for payment of the Village's portion for replacing the Lakeland Parkway well water pump.

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Mr. Fenwick stated Industrial Pump and Valve Repair can't tell what they will be able to use off of the casing or how it's going to match up to the outflow pipe so there may be more expense.

There being no further discussion or questions, Mrs. Steiner stated the Committee will recommend the adoption of Resolution No.: 41-2009 this evening.

Mr. Jones continued with the agenda.

Finance and Appropriations Committee—Mr. Christopher Scott, Chairman

Mr. Scott stated Resolution No.: 38-2009 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.: 38-2009, seconded by Mrs. Fuller.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Scott stated Resolution No.: 39-2009 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.: 39-2009, seconded by Mrs. Fuller.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Scott stated Resolution No.: 40-2009 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.: 40-2009, seconded by Mrs. Fuller.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Mr. Scott stated Resolution No.: 42-2009 was discussed in Committee earlier this evening and is ready for adoption.

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

Roll call on adoption: Yes 6 No 0

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Mr. Scott asked for questions or comments on the Statement of Cash Position.

Mr. Jones asked the status of the income tax collections.

Mrs. Spohn responded the funds received are lower by about \$30,000 from this time last year. However, inheritance taxes are up. The Village will be receiving another \$50,000 on top of the \$98,000 that was already received.

Mr. Scott 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.

Public Improvements Committee – Mrs. Carol Steiner, Chairman

Mrs. Steiner stated Resolution No.: 41-2009 was discussed in Committee earlier this evening and is ready for adoption.

Mrs. Steiner moved to suspend the rule that legislation be read at three meetings for Resolution No.: 41-2009, seconded by Mr. Scott.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey asked for a council member to make a motion to go into executive session before the Council meeting adjourns to discuss personnel.

Mr. Heydorn, Solicitor, stated he spoke with Mr. Mark Burns regarding the Electric Aggregation Program the Village is being offered. The question Council members had was what kind of a discount is the Village going to receive by signing with First Energy Solutions for the aggregation offer of 10% off the rate. What is the rate, how is it determined and what does an auction have to do with this?

Ohio Edison who conducts the auction is not a provider of electricity. They own the lines and equipment. The associated energy generator is First Energy Solutions. They are in the market of selling bulk electric power over Ohio Edison’s transmission lines.

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The auction that is going to be held on May 13, is an auction to determine the Ohio Edison default rate. If someone never chooses a provider or opts out of an aggregation program then the law makes Ohio Edison the default provider of electricity. These customers will then receive electricity at the rate that Ohio Edison was able to purchase it for, the default rate.

The auction is to determine the rate that Ohio Edison will charge the person in default. Since they are not a generator of electricity, they are out there purchasing electricity like everyone else. They are holding an auction to see who will give them the best price so they can give the default customer the best price.

First Energy is stating that whatever the default rate comes in at, they will sell electricity at 10% below that. Mr. Mark Burns' opinion is that no one will beat that kind of a discount off the default rate. This is why he is encouraging the Village to sign the contract.

Mr. Jones asked if it stated "default" in the contract.

Mr. Heydorn stated it is in the attachment to the contract. It states that the percentage above will be taken off of the generation rate of Ohio Edison as set by the PUCO tariff. The PUCO tariff is the approval of the default rate.

The contract refers to Ohio Edison as the EDU, the Electric Distributing Unit. The provision about opting out at anytime during the course of the contract has been placed in another attachment. It will state the customer can opt out at any point for \$25.

Mr. Jones asked if the agreement was signed.

Mr. Heydorn replied no.

Mayor stated the sooner the agreement is signed, the sooner the Village will be in the pool of communities. The higher we are in the pool, the sooner the Village will receive the service.

Mr. Heydorn stated he feels confident we have enough information to sign the contract.

Mrs. Spohn stated the auction will set the default rate for the summer and the winter. There are also price breaks given to customers who are large consumers of electricity.

Mr. Scott asked when the opt out period would fall.

Mayor stated he believes it is around twenty days.

Mr. Heydorn stated that time frame is when there will be no charge to opt out. You can still opt out of the program at any time for \$25.

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Chief Gary DeMoss stated he received a notice of resignation from Officer Jeff Samaco stating Sunday, May 3, 2009, will be his last day working for the Village. He has moved on to the University of Akron. There is now a hole in the schedule. The Village does have a qualified part-time staff that could fill the position.

Officer Amy Brauning would be considered for this position and would be able to start full-time on June 1st. She would start at the lowest salary step for a full-time officer. In the past, the Village hasn't always been fortunate to have someone trained to immediately fill a position.

Chief stated he has officially asked Mayor Hovey to bring this forward to Council.

Mr. Richard Fenwick, Service Director, stated the Village did not receive any stimulus money. There were 69 drinking water projects in 52 communities in Ohio that received money. He has not looked to see what they were, but he heard one was for meters.

The Ohio EPA is having a meeting to explain the criteria on how their decisions were based. These were for water control projects.

Mr. Fenwick stated he has asked CTI Environmental, Burgess & Niple, and GBC, for their price on engineering to help the Village obtain stimulus money for the Orchard Road and Kingston Circle sewer project should it become available next year.

Mr. Fenwick stated he would like a committee meeting about the dump truck. If a dump truck is not going to be purchased this year, then a lot of money needs to be put into the old one. Another funding option that he obtained offers no payments for a year, once the truck is delivered in September, then you pay four years after that.

Mr. Jones stated he has noticed some communities have gone out for public bid on vehicles.

Mr. Fenwick stated the Village has done this in the past.

Discussion will be held during the next Council meeting.

Mr. Fenwick stated he would also like a committee meeting to discuss an Automatic Reading System. Johnson Controls gave a price of \$349,000. This could be assessed to the residents over two years at fifteen dollars a month. Cuyahoga Falls indicated they were willing to do the billing. There are less expensive systems, but then we would have to buy all the software and still do the billing.

Does Council want to go further with this?

Mrs. Fuller asked if long term this would be a big savings for the Village.

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Mr. Fenwick replied that long term is the only way to look at it for the Village.

Mrs. Spohn asked what Mr. Fenwick meant by billing.

Mr. Fenwick stated the utility bills. This was just a conversation with the City of Cuyahoga Falls Service Director, Mrs. Valerie Wax-Carr.

Mrs. Steiner asked why they would do the billing for us.

Mr. Fenwick stated they would probably charge the Village for this service.

Mrs. Fuller stated everything can be transmitted through Silver Lake Elementary.

Mr. Jones asked what would happen if the school was no longer there.

Mr. Fenwick stated they have back up systems.

Mrs. Steiner asked if we purchased the new meters, are residents going to be paying \$15 per month?

Mr. Fenwick stated they cost \$349 a piece. It is just a suggestion that the residents pick up the cost.

Mrs. Steiner asked the advantage for the Village.

Mr. Fenwick stated it would free up quite a few hours in the office. He does not know exactly how much.

Mr. Scott and Mrs. Fuller stated there could possibly be staff reduction in the office.

Mr. Fenwick stated it would free up 48 hours in the Service Department every three months.

Mrs. Steiner asked if we are just talking about saving time for billing.

Mr. Fenwick stated it would be more accurate and catch theft of water. It has a red flag system if someone tries to tamper with it. It will be an actual bill. There are less expensive systems.

Mrs. Steiner asked how old the current meters are.

Mr. Fenwick stated we have some brand new meters. They are all the same. Right now they are only removing the top part so they don't have to go in and turn the water off. The company would take care of everything. The Village would only become involved if someone wasn't cooperating.

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Mrs. Steiner asked what would happen with the outside readers.

Mr. Fenwick stated they would be removed.

Mr. Scott asked what the \$349 covers.

Mr. Fenwick replied everything. This is not for the billing with Cuyahoga Falls. The discussion with Mrs. Waxcar was just that. She stated it was a possibility but she has not run it by anyone.

Mr. Jones asked Mr. Heydorn if this would have to be bid out.

Mr. Heydorn stated he was under the impression that the meters would be purchased by the City of Cuyahoga Falls.

Mr. Fenwick replied no. The Village would just be piggybacking on the price that Cuyahoga Falls is paying.

Mr. Heydorn questioned if the Village would have to purchase the meters.

Mr. Fenwick answered yes.

Mrs. Fuller asked if we would get a lower price by going with all the Cuyahoga Falls residents.

Mr. Fenwick replied that was the idea.

Mrs. Geis asked if water and sewer prices would decrease in the Village.

Mr. Fenwick replied he does not think so.

Mrs. Spohn stated it depends on personnel salaries and what we would have to pay the City of Cuyahoga Falls to do the billing for us.

Mrs. Steiner stated this is the information Council needs before they can give an answer.

Mr. Fenwick stated he will contact Cuyahoga Falls for further discussion if Council would like.

Mr. Scott asked if it is 48 hours total time that Mr. Fenwick's department is saving.

Mr. Fenwick replied yes, every three months.

Mr. Jones asked for how long.

Mr. Fenwick replied four times a year.

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Mr. Fenwick stated for the Service Department it's not really that much of a savings.

Mr. Jones asked why not.

Mr. Fenwick replied because it's only 48 hours.

Mr. Jones stated this is every three months though, 200 hours a year. It has to be some savings.

Mr. Scott stated if the employee is still going to be here, then we aren't really saving. How much time is spent on billing in the office and if we are going to be able to eliminate a person in the office just by not doing the billing anymore, where is our savings coming in?

Mrs. Fuller asked how much time it takes in the office to do billing.

Mrs. Spohn replied it takes Mrs. Lipan and Mrs. Tussey a week. That's not just doing billing, that's answering the phone and everything else. Could she do it in one day, yeah, she probably could, if she dedicated it to billing and nothing else.

Mrs. Tussey stated entering the readings into the books and then into the computer takes her about two days.

Mr. Fenwick stated this is over a thousand entries by hand.

Mrs. Spohn stated we do have a feature in our software that can estimate the readings, but Mrs. Lipan would like the reading physically put in the book, so we do not use that feature.

Mr. Fenwick stated he has asked Mrs. Lipan for the amount of time spent doing utility billing, but she has not gotten back to him with the time yet.

Mrs. Steiner stated she is thinking the residents are going to pay for this and they are going to question why if they aren't getting anything out of it.

Mrs. Spohn stated if the Village is going to charge the residents then there could be a meter charge on the bill or it could be made a part of the fixed rate.

Mrs. Geis asked if residents would have to pay in full.

Mrs. Spohn stated it would be divided throughout the billing.

Mr. Jones stated he would like Mr. Fenwick to contact Cuyahoga Falls.

Mrs. Spohn stated there is another consideration. The Village does not have \$349,000. We would have to borrow it and then pass that cost onto the consumers also.

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Mrs. Teresa Spohn, Clerk-Treasurer, had no report.

Mr. Jones asked if there was any miscellaneous business.

Mrs. Fuller made a motion to move to Executive Session to discuss personnel, seconded by Mrs. Geis.

Roll call on Executive Session: Yes 6 No 0

Council adjourned into Executive Session at 7:55 p.m.

Council convened at 8:32 p.m.

There being no further business, Council adjourned at 8:32 p.m. until the next regularly scheduled Council meeting on Monday, May 18, 2009.

APPROVED:

Mr. Gerald Jones, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer