

ORGANIZATIONAL MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

MONDAY, JANUARY 5, 2009 8:00 P.M.

The Organizational Meeting of Council was called to order by Mayor Bernie Hovey at 8:00 p.m.

Mayor Hovey led the Pledge of Allegiance.

Mayor Hovey asked for a roll call of Council.

The following members were present: Mrs. Janie Geis, Mr. Christopher Scott, Mrs. Carol Steiner, Mr. Richard Hite, Mr. James Richardson, and Mr. Gerald Jones.

Roll call of Council – 6 members present

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

Mayor Hovey asked for nominations for Council President.

Mr. Scott made a motion to nominate Mr. Jones to serve as President of Council.

There being no other nominations, Mayor Hovey asked for an affirmation vote of Council.

Council members signified their approval by saying aye. No one opposed.

Council unanimously approved the nomination of Mr. Jones to serve as President of Council

Mayor Hovey then swore in Mr. Jones as President of Council.

Mrs. Steiner thanked Council for allowing her to serve as President of Council for almost three years.

Mayor Hovey turned the Council meeting over to Council President, Mr. Gerald Jones.

Mrs. Steiner congratulated Mr. Jones and wished him a good year.

Mr. Jones asked for nominations for Vice-President of Council.

Mr. Scott nominated Mrs. Karen Fuller for Vice-President of Council.

There being no other nominations, Mr. Jones asked for an affirmation vote of Council.

Council members signified their approval by saying aye. No one opposed.

Council unanimously approved the nomination of Mrs. Fuller to serve as Vice-President of Council.

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Due to Mrs. Fuller absence at this evening's meeting, she will be sworn in at the next Council meeting.

Mr. Jones asked Mrs. Steiner and Mr. Scott to accompany him into the Mayor's office to discuss Committee assignments and the seating order of Council members.

Mr. Jones recessed the Council meeting at 8:05 p.m.

Mr. Jones reconvened the Council meeting at 8:13 p.m.

Mr. Jones stated Council members will be seated in the following order: (Facing the Council tables the order will be from left to right.)

Mrs. Geis, Mr. Scott, Mrs. Fuller, Mr. Jones, Mr. Hite, Mrs. Steiner, and Mr. Richardson.

The 2009 Council Committees will be as follows:

Finance and Appropriations Committee:

Mr. Scott Chairman
Mrs. Fuller Vice-Chairman
Mr. Hite

Public Improvements Committee:

Mrs. Steiner Chairman
Mrs. Geis Vice-Chairman
Mr. Richardson

Planning, Zoning and Insurance Committee:

Mr. Hite Chairman
Mrs. Steiner Vice-Chairman
Mr. Scott

Personnel and Public Affairs Committee:

Mrs. Fuller Chairman
Mrs. Geis Vice-Chairman
Mr. Richardson

Mr. Jones stated Mrs. Geis will remain the Park & Recreation Board's liaison and the Silver Lake Board of Trustees liaison will be Mr. Hite.

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Mr. Jones asked Council members if anyone was opposed to serving on their assigned Committees.

There being no objections, Mr. Jones asked for an affirmation vote of Council members.

Council members signified their approval by saying aye. No one opposed.

Mr. Jones thanked Mrs. Steiner for her three years of service as Council President.

Mr. Jones thanked Council members for their vote of confidence and hopes to be able to do as good a job.

Mr. Jones asked if there were any additions or corrections to the minutes of the December 15, 2008, Council meeting.

There being none, the minutes were approved as submitted.

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

ORDINANCE NO.: 1-2009 AN ORDINANCE ESTABLISHING A GENERAL CLASSIFICATION PLAN FOR EMPLOYEES OF THE VILLAGE OF SILVER LAKE INCLUDING A SCHEDULE OF PAY GRADES AND RANGES FOR VARIOUS POSITIONS WITHIN THE MUNICIPAL CORPORATION OF THE VILLAGE OF SILVER LAKE, ESTABLISHING RULES FOR THE ADMINISTRATION OF SUCH SCHEDULES AND RANGES, REPEALING ORDINANCE NO.:1-2008 PASSED JANUARY 7, 2008, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Ordinance No.: 1-2009 to the Finance and Appropriations Committee.

RESOLUTION NO.: 2-2009 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CARGILL, INC., SALT DIVISION, FOR THE PURCHASE OF BULK ROCK SALT IN ACCORDANCE WITH THE COMMUNITY UNIVERSITY EDUCATION (CUE) PURCHASING ASSOCIATION, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 2-2009 to the Public Improvements Committee.

RESOLUTION NO.: 3-2009 A RESOLUTION AUTHORIZING THE TRANSFER OF ELEVEN THOUSAND FIVE HUNDRED EIGHTY DOLLARS AND TWENTY-TWO CENTS (\$11,580.22) FROM THE GENERAL FUND (A01) TO THE ACCRUED BENEFITS PAYMENTS FUND (B11), AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 3-2009 to the Finance and Appropriations Committee.

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RESOLUTION NO.: 4-2009 A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE LEGAL DEFENDER'S OFFICE OF SUMMIT COUNTY TO PROVIDE LEGAL COUNSEL TO INDIGENT PERSONS FOR THE PERIOD JANUARY 1, 2009 THROUGH DECEMBER 31, 2009, AND DECLARING AN EMERGENCY.

Mr. Jones assigned Resolution No.: 4-2009 to the Personnel and Public Affairs Committee.

RESOLUTION NO.: 5-2009 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 113,908.61

Mr. Jones assigned Resolution No.: 5-2009 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 Ordinance No.: 1-2009 establishes a schedule of pay grades and ranges for the Village's employees that include a 3 percent cost of living adjustment.

Mr. Scott stated in Section 9 Part-time Help, the beginning range in each classification is \$7.00 and should be change to \$7.30 to meet the Federal guidelines.

Mrs. Spohn also noted in Section 13 the effective date of Ordinance No.: 1-2009 should read January 4, 2009.

There being no further questions, Mr. Scott stated the Committee will ask for a motion to amend Ordinance No.: 1-2009 and will then recommend the adoption of Ordinance No. 1-2009 as amended this evening.

Mr. Scott stated Resolution No.: 3-2009 transfers funds into the accrued benefits fund to cover the cost of accrued sick time and vacation time for employees.

Mrs. Steiner asked what percentage amount is used to fund the account.

Mrs. Spohn stated the account is funded at 30 percent.

There being no further questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 3-2009 this evening.

Mr. Scott stated Resolution No.: 5-2009 is for Payment of Claims in the amount of \$113,908.61.

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Mr. Scott asked about the \$132 payment to AFLAC.

Mrs. Spohn stated the payment to AFLAC is for the monthly service fees that the Village pays for each employee that has signed up for the Flexible Spending Account. The service fee is \$6.00 per employee each month.

Mr. Scott asked about the \$400 payment to Robert Burch.

Mr. Fenwick stated the payment to Robert Burch is for all full-time and part-time employees to be trained on using and working around the chipper.

Mr. Scott asked about the \$11,883.53 payment to Summa Care.

Mrs. Spohn stated the payment to Summa Care is for the monthly healthcare premium.

Mr. Scott asked about the \$1,528.82 payment to Miller Uniforms & Emblems, Inc. for uniform patches.

Mrs. Spohn stated this payment is for the SWAT team.

There being no further questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 5-2009 this evening.

Mr. Jones called upon Mrs. 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.: 2-2009 is our annual bulk salt purchase in accordance with CUE purchasing.

Mrs. Steiner asked Mr. Fenwick to comment on the salt purchase.

Mr. Fenwick stated the price we pay for rock salt is \$45.37 per ton. This is a \$6.00 increase from last year's contract. Other communities have been paying \$190 per ton.

Mr. Fenwick stated this is our annual rock salt purchase to stay in the CUE program.

Mr. Scott asked if the availability of salt is affected.

Mr. Fenwick said not at this time, but we are watching the availability very closely.

Mrs. Steiner asked if the Village is conserving salt.

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Mr. Fenwick said yes, we are conserving salt. We salt the intersections, the hills, Kent Road and Graham Road.

Mr. Fenwick said we have to conserve the salt because the availability of salt could become an issue.

There being no further questions, Mrs. Steiner stated the Committee will recommend the adoption of Resolution No.: 2-2009 this evening.

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

PUBLIC IMPROVEMENTS COMMITTEE

Mrs. Geis stated Resolution No.: 4-2009 authorizes the Mayor to enter into a one year agreement with the legal defender’s office to provide legal counsel to indigent persons.

Mrs. Geis asked Solicitor Heydorn to speak on Resolution No.: 4-2009.

Mr. Heydorn stated the Village is obligated to provide defense to indigent individuals for certain types of crimes. Resolution No.: 4-2009 allows us to fulfill our duty at a reasonable rate and the Village is charged a fee every year for this service.

There being no further questions, Mrs. Geis stated the Committee will recommend the adoption of Resolution No.: 4-2009 this evening.

Mr. Jones continued with the agenda.

Finance and Appropriations Committee - Mr. Christopher Scott, Chairman

Mr. Scott stated Ordinance No.: 1-2009 was discussed in Committee earlier this evening and will need to be amended as follows:

Section 9 Part-time Help is to read \$7.30 in each of the classifications and the date in Section 13 is to read January 4, 2009.

Mr. Scott moved to amend Ordinance No.: 1-2009, seconded by Mrs. Steiner.

Roll call on amendments: Yes 6 No 0

Mr. Scott moved to suspend the rule that legislation be read at three meetings for Ordinance No.: 1-2009, seconded by Mr. Hite.

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

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Mr. Scott stated Resolution No.: 3-2009 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.: 3-2009, seconded by Mr. Hite.

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.: 5-2009, Payment of Claims, was discussed in Committee earlier this evening and is ready for adoption.

Mr. Scott made a motion to adopt Resolution No.: 5-2009, seconded by Mr. Hite.

Roll call on adoption: Yes 6 No 0

Mr. Jones asked Mr. Scott about the Statement of Cash Position.

Mr. Scott asked Mrs. Spohn for her comments on the Statement of Cash Position.

Mrs. Spohn stated the 2008 year end expense report indicates \$2,348,000 was allocated in the General Fund. Of that amount, \$139,000 was not spent. In the Water Fund, \$15,000 was not spent, and in the Sewer Fund, \$69,000 was not spent.

Mr. Scott made a motion to accept the Statement of Cash Position, seconded by Mr. Hite.

Mr. Jones asked for an affirmation vote of Council.

Council members signified their approval by saying aye. No one opposed.

Public Improvements Committee – Mrs. Carol Steiner, Chairman

Mrs. Steiner stated Resolution No.: 2-2009, 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.: 2-2009, seconded by Mrs. Geis.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

Personnel and Public Affairs Committee - Mrs. Janie Geis, Vice-Chairman

Mrs. Geis stated Resolution No.: 4-2009, was discussed in Committee earlier this evening and is ready for adoption.

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Mr. Geis moved to suspend the rule that legislation be read at three meetings for Resolution No.: 4-2009, seconded by Mrs. Steiner.

Roll call on suspension: Yes 6 No 0

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

Roll call on adoption: Yes 6 No 0

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey thanked Mrs. Steiner for her years of service as President of Council. Mrs. Steiner served faithfully, honestly, ethically and provided real leadership to the Village.

Mayor Hovey said it was nice to see that we have spent less than what we appropriated and hopes we can continue that trend in 2009.

Mayor Hovey stated he will be looking at ways to reduce overtime costs in 2009.

Chief Gary DeMoss congratulated Mr. Jones on his new position as President of Council.

Chief DeMoss said on December 29, our personnel toured the new Stow Municipal Courthouse. We learned how to conduct our business at the courthouse. The building is very impressive.

Chief DeMoss gave Council a 2009 calendar from the Prosecutor of Summit County. Children from all over Summit County submit drawings to be judged for the calendar.

Chief DeMoss stated for several years, he has been on the panel of judges that decides which entries are placed in the calendar. Each year it gets harder and harder to decide because the entries are so good.

Mayor Hovey asked Chief DeMoss if there were any apparent squabbles between the Mayors and the Judges.

Chief DeMoss said he has read in the paper what the Mayor has read and he did not see any evidence of any squabbles when he was at the courthouse. Everything was very positive. Former judges attended the tour and everything went very well.

Mr. Jones asked where we are on purchasing the smoke detectors.

Chief DeMoss stated there has been an upgrade in the smoke detectors and he will have that information for Council by the next meeting. The price has gone up slightly.

Mr. Richard Fenwick, Service Director, reported the Graham Road Waterline Project has been completed. EFB Construction will be back to clean up the area when the weather permits. The hydrant on Highland Drive will be back in service on Tuesday, January 6, 2009.

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Mr. Fenwick stated he needs a meeting with the Public Improvements Committee to talk about capital projects.

Mrs. Steiner, Chairman of the Public Improvements Committee, scheduled a meeting for Monday, January 12, 2009, at 4:00 p.m. The meeting will be held in the Service Department.

Mrs. Geis asked about the water break on Ardoon Way.

Mr. Fenwick stated the water break was repaired. The Service Department will have to go back, when weather permits, to repair the road.

Mr. Fenwick stated, during an ice storm, an employee coming into work, could not stop on the ice and slid into the Service Department's newest pickup truck that was parked in front of the building. No one was in the vehicle. Our employee was not injured.

The damage to the Village's vehicle was \$2,500. The employee's insurance covered the cost of the repairs.

Mr. Heydorn, Solicitor, had no report.

Mrs. Teresa Spohn, Clerk-Treasurer, stated in November, the Administration proposed a draft ordinance with changes to the utility billing ordinance as well as changing the fee for NSF checks.

Mrs. Spohn would like to prepare legislation for the Committee's review for the next Council meeting.

Mrs. Spohn showed Council the Ohio Village's Officer's Handbook that was updated in March 2008 and is on the Auditor of the State's website. This book has everything you need to know about public finance.

Mrs. Spohn stated this is the reference book she uses when she has a question . If Council would like a book, she will make them a copy.

Mr. Jones asked Mrs. Spohn to have a Charter amendment placed on the November ballot that changes the time of the Council's Organizational meeting from 8:00 p.m. to 7:00 p.m.

Mrs. Spohn stated it will cost a lot of money to put this on the ballot. A notice will have to be sent to every voter in the Village.

Mr. Jones asked Mrs. Spohn to put together some costs for this to be done so that Council can decide what they'd like to do.

Mr. Jones asked if there was any miscellaneous business.

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There being no further questions, Council adjourned at 9:02 p.m. until the next regularly scheduled Council meeting on Tuesday, January 20, 2009, at 7:00 p.m.

APPROVED:

President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer

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Prepared by: Suzanne Lipan