

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, March 15, 2010

7:00 p.m.

The Village of Silver Lake Council met in a regular session on Monday, March 15, 2010, 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, Mr. Richard Hite, Mrs. Carol Steiner, and Mr. Gerald Budrevich.

Roll call of Council - 7 members present

Mr. Jones asked if there were any additions or corrections to the minutes of the March 1, 2010, 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.: 19-2010 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE MISCELLANEOUS WATERLINE SUPPLY PARTS FROM TRUMBULL SUPPLY FOR THE VILLAGE OF SILVER LAKE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 19-2010 to the Finance and Appropriations Committee.

**RESOLUTION NO.: 20-2010 A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE AN EQUIPMENT LIFT FROM C&C SERVICE OF NORWALK, LLC FOR THE VILLAGE OF SILVER LAKE SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Resolution No.: 20-2010 to the Finance and Appropriations Committee.

Mrs. Spohn stated in Ordinance No.: 21-2010, on page 3, three lines up from the bottom, the word *messed* needs to be changed to *missed*.

**ORDINANCE NO.: 21-2010 AN ORDINANCE AMENDING PART ONE-ADMINISTRATIVE CODE, CHAPTER 139-EMPLOYMENT PROVISIONS, BY DEFINING "RETIREMENT" FOR PURPOSES OF ADMINISTERING CHAPTER 139; AMENDING SECTION 139.02(a) TO PROVIDE A NEW SCHEDULING OF**

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**VACATION ACCRUAL FOR EMPLOYEES; AMENDING SECTION 139.02(E) TO PROVIDE SERVICE TIME FROM PREVIOUS GOVERNMENTAL SERVICE FOR VACATION PURPOSES; AMENDING SECTIONS 139.12(G) AND (R) PROVIDING FOR CASH PAYMENT OF UNUSED SICK LEAVE AT RETIREMENT OR UPON DEATH OF AN EMPLOYEE AND TO ESTABLISH A BUY-OUT PROGRAM FOR ACCUMULATED SICK LEAVE; AMENDING SECTION 139.12 (T) PROVIDING FOR THE USE OF SICK TIME FOR MEDICAL APPOINTMENTS RELATED TO ON THE JOB INJURY; AND AMENDING SECTION 139.02(B) TO CLARIFY THE PROVISION OF OVERTIME FOR ON-CALL AND CALL BACK HOURS, AND DECLARING AN EMERGENCY.**

Mr. Jones assigned Ordinance No.: 21-2010 to the Personnel and Public Affairs Committee.

**RESOLUTION NO.: 22-2010 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 116,529.80**

Mr. Jones assigned Resolution No.: 22-2010 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.: 19-2010 is for purchasing additional supplies for waterline repairs.

Mr. Fenwick stated they are restocking their inventory.

There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 19-2010 this evening.

Mr. Scott stated Resolution No.: 20-2010 is for the equipment lift that was in the budget for this year. Is this just for the equipment?

Mr. Fenwick replied it is for the equipment and installation.

Mr. Budrevich asked if they are taking the old lift.

Mr. Fenwick replied yes.

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There being no further discussion or questions, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 20-2010 this evening.

Mr. Scott stated Resolution No.: 22-2010 is for the payment of claims in the amount of \$ 116,529.80.

Mr. Scott asked for comments and questions.

There being none, Mr. Scott stated the Committee will recommend that adoption of Resolution No.: 22-2010.

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.: 21-2010 changes various items to the employee's benefits effective January 1, 2010.

Mr. Heydorn stated at the top of page 3, where it states, *if said employee falls below the established level*, should read: ***if an employee falls below the established level***.

Mrs. Spohn stated page four of the Council packets, clarifies on-call and call-back pay.

There being no further discussion or questions, Mrs. Fuller stated the Committee will recommend the adoption of Ordinance No.: 21-2010 this evening.

Mr. Scott stated when the committee met they were trying to make it a little better by letting the employees buy back some unused sick time. It makes it a little cheaper for the Village by paying out at the current salary instead of the retirement salary.

Mrs. Geis stated they started at a low percentage because if no one uses it then the percentage can be bumped up. If no one uses it then that defeats the whole purpose.

Mr. Jones asked Chief DeMoss, Mr. Fenwick, and Mrs. Spohn if they were overall satisfied with this new policy.

Chief DeMoss stated he was not at the meeting, but for himself, he feels this is a reasonable resolution. As far as the younger employees and future employees, he was hoping for a little stronger disposition, maybe something a little more in the middle. This is Council's decision and he respects that.

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Mr. Fenwick stated he has concerns about current employees and future employees. He told the committee during the meeting that the option of buying back the sick time will cause hardship for our younger employees. They may choose to do the buy back for extra money at Christmas, etc., but then if someone were to become ill, they may not have the sick time to cover their time off because they bought back their sick time. He thinks employees should have to be at 960 hours before they should have the option to buy back.

Mrs. Spohn stated she is happy.

Mrs. Steiner stated she believes Mr. Fenwick makes a good point. She has always felt good knowing that in her later years if she were to have a heart attack she has a year banked. You don't think about that when you are thirty-five.

Mrs. Steiner asked if this is new because she has never heard of it before.

Mrs. Geis replied it is something that other Village's have done. They were trying to think of something a little extra to give.

Mr. Budrevich stated the Committee is trying to be a little forward thinking without breaking the bank down the road.

Mrs. Steiner stated if it were her, she would not buy back any until she reached the maximum of 960 hours. Therefore, it will end up costing the Village more money.

Mayor stated he thinks the thought was also once an employee reached the 960 hours they may just take the time off. This was just an incentive to not take off.

Mr. Scott stated when it was originally discussed they weren't going to put any restrictions on the buyback. They made the restrictions so that an employee wouldn't end up with no sick time.

Mr. Budrevich stated some guidance from the supervisors is not out of the question. They are trying to do something a little more than the minimum.

Chief DeMoss stated traditionally our employees have been very careful about their sick time.

Mrs. Steiner stated she is going to abide by the Committee's recommendation.

Mr. Jones asked if they wanted another committee meeting.

Mrs. Fuller stated she planned on bringing it out for adoption tonight.

Mr. Jones continued with the agenda.

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**Finance and Appropriations Committee—Mr. Christopher Scott, Vice-Chairman**

Mr. Scott stated Resolution No.: 19-2010 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.: 19-2010, seconded by Mr. Budrevich.

Roll call on suspension:      Yes    7      No    0

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

Roll call on adoption:      Yes    7      No    0

Mr. Scott stated Resolution No.: 20-2010 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.: 20-2010, seconded by Mrs. Steiner.

Roll call on suspension:      Yes    7      No    0

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

Roll call on adoption:      Yes    7      No    0

Mr. Scott stated Resolution No.: 22-2010 was discussed in Committee earlier this evening and is ready for adoption.

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

Roll call on adoption:      Yes    7      No    0

**Personnel and Public Affairs—Mrs. Karen Fuller, Chairman**

Mrs. Fuller stated Ordinance No.: 21-2010 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.: 21-2010, seconded by Mr. Budrevich.

Roll call on suspension:      Yes    7      No    0

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

Roll call on adoption:      Yes    7      No    0

**REPORTS OF VILLAGE OFFICIALS**

**Mayor Hovey** reported last year the flood insurance map legislation was passed. In their letter it states there have been no significant changes in the map. It turns out some of our residents are being charged by their mortgage lender because they are now in a flood plain. Mayor contacted

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Mr. Rouse, GBC Engineer, to have him review the map to see if those houses are in the flood plain now.

Mr. Scott commented these are residents who have never needed flood insurance in the past, some have been there for 15 years. Because of these changes in the map they now have this issue, plus they are concerned about the value of their homes for resale. They aren't asking for the Village to do anything other than try to assist them by getting the map changed or a special assessment so the money doesn't have to be paid up front.

**Mr. Heydorn, Solicitor**, stated he would suggest relying on the engineer's recommendation after he has reviewed the flood map.

Mr. Jones asked about the issue on the Silverview Drive property.

Mr. Heydorn replied he has not received anything back.

Mrs. Fuller asked what is happening with the Tree Commission Ordinance that has been postponed indefinitely.

Mr. Heydorn replied there seems to be less interest in moving forward with this. Does the Park and Recreation Board still want this?

Mrs. Geis answered yes.

Mr. Heydorn stated he will continue working on this then.

Mr. Jones asked the purpose of the Tree Commission.

Mr. Fenwick stated they would look at the condition of the trees, recommend trees and sites, etc. Almost all communities have a Tree Commission. The Village currently has a volunteer Tree Commission.

Mr. Budrevich asked if there is a reason this is not under Parks and Recreation.

Mrs. Fuller replied the Park Board has many things to do, they are volunteers. This would focus on trees which are very important to Silver Lake. She believes it would be funded through Park Board.

Mr. Fenwick stated there are three people on the Commission, and a service worker, Ben Gregory, who have been trained and completed courses.

**Chief Gary DeMoss** reported next week, March 22 – 26, 2010, is severe weather awareness week. There will be a state wide drill on Wednesday, March 14, 2010, at 9:50 a.m.

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All of the Village's early warning systems have been inspected. All batteries have been replaced. There is a network between our sirens and dispatch. There is a two-way signaling that tells if the sirens are working.

Chief and Mrs. Spohn are attending the Sky Spotters training in Akron on Thursday, March 25, 2010. It is a free class and anyone is welcome to attend.

Chief stated April is Child and Family Awareness month. It is a great program and the department supports it.

Mr. Jones asked where we are on the red light issue.

Mr. Heydorn stated he is working on the ordinance.

Mr. Jones asked when it will be ready.

Mr. Heydorn replied he can have it ready for the next meeting if Mr. Jones would like.

Mr. Budrevich asked if there is a reasonable alternative other than the cameras.

Chief stated we do have a radar that the police department places on the back of cruiser. This is a question of speed versus running a red light though. However, the two do go hand in hand. The police department certainly enforces by sitting and watching the lights. It is important to note that the intersections are pretty wide, what appears to be a red light violation may not actually be a violation.

Mayor stated in regards to an alternative method, he received an email from Chief DeMoss stating that the officers had been asked to be at the lights for an extended period of time during their shift. Mayor thinks this is the answer to the problem. The police officers need to be there and write tickets in person.

Mrs. Steiner stated this originated in Arizona. The company gets 25% and the Village receives 75%. They are having trouble with people paying. The Council enacted that after so many violations the police would go out and put a bar on the wheel until they came and paid.

Chief stated in the Village's case, we are receiving the larger end of the money. Once they would come, they would set some temporary equipment up. Then come to us and let us know if there are problems there or not. There is nothing saying that we have to proceed. The police department is putting more time on the two intersections to provide feedback to Council.

Mr. Jones asked what they are doing at the lights.

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Chief stated they are watching for red light violations.

Mrs. Steiner asked how Chief feels about people who would just take the violation and throw it away.

Chief stated this would be a serious problem until the legislation is changed.

**Mr. Richard Fenwick, Service Director**, had no report.

Mr. Budrevich asked about the Season's Greetings banner that went up today.

Mr. Fenwick stated it was put up for Garden Clubs sake, so they could drive past it and see if they would like something like that.

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

Mr. Hite asked if Council wants to spend \$500 and get an underwriting on the Summit County Health Insurance plan? What is the expiration date?

Mrs. Spohn stated the expiration date is April 1, 2010, and it will never get done by then. We can go month to month with the current carrier.

Mr. Budrevich asked if anyone has had negative experiences with Medical Mutual because he has. Doctors have dropped out of the network and other similar situations.

Mr. Fenwick stated the Village used them previously.

Mrs. Steiner would like to know the percentage it has gone up.

Mr. Fenwick stated it seems to be rising 10 – 12 percent.

Mr. Jones asked if anyone wants a quote.

Mrs. Spohn replied she thinks the Village should wait.

After many multiple overlapping discussions, Mr. Jones stated they would wait a year to get a quote.

There being no further questions or comments, Council adjourned at 8:02 p.m. until the next regularly scheduled Council meeting on Monday, April 5, 2010, at 7:00 p.m.

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APPROVED:

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Mr. Gerald Jones, President of Council

ATTEST:

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Teresa M. Spohn, Clerk-Treasurer

s:council/2009 minutes/03-15-10 Council minutes.docx  
prepared by: Margaret Tussey