

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

The Village of Silver Lake Council met in a regular session on Monday, May 17, 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, Mrs. Carol Steiner, and Mr. Gerald Budrevich.

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

Mr. Jones asked if there were any additions or corrections to the minutes of the May 3, 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.: 32-2010 A RESOLUTION AWARDED A CONTRACT TO PERRIN ASPHALT COMPANY FOR THE 2010 COLD MILLING AND RESURFACING OF VARIOUS STREETS IN THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY. (Public Improvements)

Mr. Jones assigned Resolution No.: 32-2010 to the Public Improvements Committee.

RESOLUTION NO.: 33-2010 A RESOLUTION AUTHORIZING THE PAYMENT OF CERTAIN CLAIMS. \$ 98,836.31 (Finance & Appropriations)

Mr. Jones assigned Resolution No.: 33-2010 to the Finance and Appropriations Committee.

RESOLUTION NO.: 34-2010 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 LIABILITY INSURANCE COVERAGE FOR THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

Mr. Jones assigned Resolution No.: 34-2010 to the Planning, Zoning and Insurance Committee.

Mr. Jones asked for the reading of any pending legislation that is up for a third reading.

ORDINANCE NO.: 27-2010 AN ORDINANCE GRANTING A COST-OF-LIVING WAGE ADJUSTMENT FOR FULL-TIME EMPLOYEES OF THE VILLAGE OF SILVER LAKE, AND DECLARING AN EMERGENCY.

Ordinance No.: 27-2010 was previously assigned 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. Carol Steiner, Chairman of the Public Improvement Committee, to lead discussion on the agenda pertinent to her committee.

PUBLIC IMPROVEMENTS COMMITTEE

Mrs. Steiner stated Resolution No.: 32-2010 is for the cold milling and resurfacing of various streets throughout the Village.

Mr. Fenwick stated he estimated the project would cost \$105,000 and the lowest bid was for \$102,800 from Perrin Asphalt.

The roads are Vincent Road, from Millboro Road to Lee Road, a small part of South Dover Road, from Highland Drive to Graham Road, and Silver Lake Boulevard, from Highland Drive to 3067 Silver Lake Boulevard.

Mrs. Steiner asked if this keeps us on our rotating schedule that Mr. Fenwick has set up.

Mr. Fenwick replied yes and the reason he does Silver Lake Boulevard in two sections is because the one end would cost approximately \$180,000.

Mr. Scott asked how these prices are comparing to last year's.

Mr. Fenwick stated it almost stayed the same.

Mr. Budrevich suggested taking the \$100,000 and putting it towards the sewer fund money instead of paving the roads. There's no doubt the roads need some attention, but we may be able to squeak by one more year. This would increase our sewer fund by a half.

Mr. Fenwick stated he can look at a street and tell if it can last a couple more years. We are very lucky because other communities have a lot of base repair built into their bid packages and that costs quite a bit more. Unfortunately, that is because the roads get so bad because they don't

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

have the money to take care of them. The Village is fortunate that we can stay above that. If we let roads go then we'd have bigger base repairs and right now we hardly have any.

Mrs. Geis stated our roads last longer because we have less traffic than Cuyahoga Falls and Akron.

Mrs. Geis reported there is a big hole next to the sewer grade on the corner of Highland Drive and Silver Lake Boulevard.

Mr. Fenwick stated road maintenance is preventative maintenance.

Mr. Scott's concern is that if we keep pushing this off, then next year it may double the cost because then both years projects will need to be done. Mr. Scott stated at this point, he recommends just staying with the current program.

Mrs. Fuller asked if there was any more cost savings of doing more roads at one time.

Mr. Fenwick stated everyone gets the same price for a ton of asphalt, so probably not.

Mr. Budrevich stated we are looking at something that is going to last 50 years and we are going to have a tough time funding it, if we can even fund it. The lake is getting sewer water in it. \$100,000 is a lot to spend towards a 50 year project as opposed to a 10 year project.

Mrs. Steiner and Mrs. Fuller think it's a point worth discussing.

Mrs. Geis asked Mr. Fenwick if he feels it's something that could be allocated towards a different time.

Mr. Fenwick stated you're basically robbing Peter to pay Paul. If we don't keep up, then eventually we are going to get behind and then will we have the money to catch up?

Mrs. Steiner stated if we raised sewer rates then that would be dedicated money to the sewer fund.

Mr. Budrevich stated he is talking about transferring \$100,000 from the general fund to the sewer fund.

Mr. Scott stated this would be under sewer improvement, not sewer operations.

Mrs. Spohn stated everything is under sewer operations because the auditor's don't like us using the sewer capital fund.

Mrs. Geis stated if we did the \$100,000, you would still have to borrow money and still raise

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

sewer rates.

Mrs. Geis asked how long the sewer project can be put off.

Mr. Fenwick stated the money isn't available until July of 2011.

Mrs. Geis asked if sewer rates would be raised this year or immediately.

Mrs. Spohn said we could wait until next year.

Mrs. Fuller said the sewer project isn't really as critical as we think.

Mr. Fenwick replied no, Summit County found sewage in the storm sewer when they tested it. They did not turn us into the Ohio EPA. This needs to be done.

Mrs. Steiner said this was number two priority on our list so this is not out of nowhere.

Mrs. Geis stated she agrees with Mr. Budrevich that this is a priority over the roads.

Mr. Budrevich stated there's no doubt that there's work that needs to be done. But we are talking about a 30 year loan and \$300,000.

Mrs. Spohn stated that South Dover Road is pretty bad too.

Mr. Jones stated if we put it off, we are still going to have to borrow money for the sewer project and still raise rates. We've already put off purchasing vehicles and that might come back to bite us. The roads are driven on every day.

Mr. Jones goes down Vincent Road two or three times a day and the street is in terrible shape.

Mrs. Steiner asked everyone what their feeling is.

Everyone agreed that we should stick with the original plan.

There being no further discussion or questions, Mrs. Steiner stated the Committee will recommend the adoption of Resolution No.: 32-2010 this evening.

Mr. Jones called up Mrs. Carol Steiner, Vice-Chairman of the Planning, Zoning and Insurance Committee, to lead discussion on items on the agenda pertinent to her committee.

PLANNING, ZONING AND INSURNANCE COMMITTEE

Mrs. Steiner asked someone to explain Resolution No.: 34-2010.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

Mrs. Spohn stated she sent the breakdown of premiums to all the Council members.

Mr. Jones asked Mrs. Spohn to read the premiums.

Mrs. Spohn stated the following:

Property is \$2,561
Inland Marine is \$540
General Liability is \$1,974
Automobile is \$4,340
Law Enforcement is \$5,183
Public Officials is \$2,939
Umbrella is \$5,392
Total is \$ 22,930

This total is \$58 less than last year.

Mrs. Fuller asked if we go out and ask for other bids on this.

Mrs. Spohn stated basically bidding this kind of insurance is very different for the insurance companies because once they go out into the market, if they get a quote from one company, the next guy can't get a quote.

Mr. Jones stated that price is not a lot of money for how much time they spend on this for us.

Mr. Heydorn stated the market is very specialized and it's just an item that hasn't been subject to a strict bidding procedure in the past.

Mr. Jones feel Wichert Insurance has always done a good job and they specialize in municipalities.

Chief DeMoss stated when he was on the board for the Metro SWAT, most of the municipalities are with the same company and hold the same belief.

Mr. Budrevich stated he agrees.

Mrs. Spohn stated she has always had great service when we had a claim or something needed to be done. It's been a pleasure working with this company.

There being no further discussion or questions, Mrs. Steiner stated the Committee will recommend the adoption of Resolution No.: 34-2010 this evening.

Mr. Jones called up Mr. Christopher Scott, Chairman of the Finance and Appropriations

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

Committee, to lead discussion on items on the agenda pertinent to his committee.

FINANCE AND APPROPRIATIONS COMMITTEE

Mr. Scott stated Resolution No.: 33-2010 is for payment of certain claims in the amount of \$98,836.31.

Mr. Scott asked if there were any questions or comments.

There being none, Mr. Scott stated the Committee will recommend the adoption of Resolution No.: 33-2010 this evening.

Mr. Scott stated Ordinance No.: 27-2010 is for the possibility of granting a cost-of-living wage adjustment for Village employees and is up for a third reading this evening.

Mr. Scott stated the proposal is for \$750 per employee. At the last meeting, it was decided to have a second reading to see if anyone would have anymore feedback from Village residents.

Mr. Budrevich stated he heard the same opinion from additional people.

Mrs. Fuller stated Mrs. Betsy Tausch said she is 100 percent behind giving the employees increases. It doesn't matter if she is taxed a little more, we have wonderful employees.

Mrs. Fuller talked to a couple other people and one was a "no", the other was an "I don't know, go with the Clerk-Treasurer's recommendation".

Mr. Budrevich stated he doesn't think anybody likes to say no. "Realistically, nobody is feeling like there's a reward around the corner. Whether it is real or imagined, we are in a lockdown mode where we're glad we have a job and we're getting by. Things aren't looking good. They aren't looking terrible, but they aren't looking any brighter than they did six months ago. Staying on a path is a good thing, it's not deeming any punishment. It's a prudent move to stand pat, keep everybody working and be diligent with the budget."

Mrs. Steiner stated she likes what Mr. Scott said at the last meeting about it not being profit money, this is tax dollars. "We have to be prudent with tax dollars. We have tried very hard not to lay anybody off or cut hours. We are trying to be good stewards and represent the Village to the best of our ability. Not that they don't deserve it, but granting a raise would not be a good steward."

Mrs. Geis stated part of her is all about rewarding employees for good work; however we are dealing with tax dollars. She wishes there would have been more options to look at. She's not a big fan of the flat \$750 and it did not make much sense to her. Mrs. Geis is all about rewarding employees, but at this time it doesn't seem fair and responsible.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

Mr. Scott stated we also have to figure out how we are going to raise enough money for the sewer project.

Mr. Jones stated he agrees with the rest of Council. He has conversations with some residents and he feels we are doing the right thing. "It's not that we don't appreciate our employees, it's just the place we are today with the economy and our finances. It's the prudent thing to do to hold the money for now."

There being on further discussion or questions, Mr. Scott stated the Committee will bring out Resolution No.: 33-2010 this evening.

Mr. Jones continued with the agenda.

Public Improvements Committee - Mrs. Carol Steiner, Chairman

Mrs. Steiner stated Resolution No.: 32-2010 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.: 32-2010, seconded by Mr. Budrevich.
Roll call on suspension: Yes 7 No 0
Motion to adopt by Mrs. Steiner, seconded by Mr. Scott.
Roll call on adoption: Yes 7 No 0

Mrs. Steiner stated Resolution No.: 34-2010 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.: 34-2010, seconded by Mrs. Fuller.
Roll call on suspension: Yes 5 Abstain 1 (Mrs. Geis)
Motion to adopt by Mrs. Steiner, seconded by Mr. Scott.
Roll call on adoption: Yes 5 Abstain 1 (Mrs. Geis)
Mrs. Geis abstained due to a conflict of interest.

Finance and Appropriations Committee - Mr. Christopher Scott, Chairman

Mr. Scott stated Resolution No.: 33-2010 was discussed in Committee earlier this evening and is ready for adoption.

Mr. Scott made a motion to adopt Resolution No.: 33-2010, seconded by Mrs. Steiner.
Roll call on adoption: Yes 7 No 0

Mr. Scott stated Resolution No.: 27-2010 was discussed in Committee earlier this evening and is

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

ready for adoption.

Mr. Scott moved to adopt Resolution No.: 27-2010, seconded by Mr. Budrevich.

Roll call on adoption: Yes 0 No 6

REPORTS OF VILLAGE OFFICIALS

Mayor Hovey reported AT&T U-verse will be available throughout the Village by December 2010. AT&T will begin to extend the range of coverage from their output boxes.

Mayor stated there will be legislation introduced at the next Council meeting to enter into a contract with Light Gov which is the online company option used by other Summit County communities.

Last year the Village passed a job preservation agreement and we have been asked to adopt legislation again. This protects municipalities if jobs go from one city to another, they will still retain some of the tax money that the community would have had.

Mr. Robert Heydorn, Village Solicitor, had no report.

Chief Gary DeMoss reported that we now have a supply of signs for vicious dogs and dangerous dogs. We have five of each sign and hopefully they will last us a long time. The situation with the current party is proceeding well and there is complete cooperation.

Chief DeMoss gave everyone a copy from the Parade Magazine regarding Redflex.

Mr. Richard Fenwick, Service Director, reported all the water break holes have been repaired.

As of today, hydrant flushing is now completed.

A resident has complained about loose boards on the walk bridge, which is now approximately 10-12 years old. It is probably time to get a structural engineer to inspect it to make sure it's holding up okay.

Mrs. Teresa Spohn, Clerk-Treasurer, reported she would like to go ahead to prepare legislation for the grant from Ohio Public Works Commission. We can decide next year on the amount we will want. We are applying for the zero percent grant for half of the project.

Mrs. Spohn will go ahead and prepare legislation for the next Council meeting. The application deadline is the end of June.

Mr. Budrevich asked if we get the money, we are committed to the other half.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

Mrs. Spohn replied yes, you usually don't turn down zero percent loans. You find the money some way because it's just the cheapest way to go.

Mrs. Steiner stated so passing legislation next time would mean we are committing to the project.

Mr. Budrevich said no, we are committing to applying for the loan.

Mrs. Spohn stated it is a commitment that if we submit this application and get approved, then we will go ahead with the project. It says "commitment" in the ordinance.

Mr. Jones said if they say they are going to give us the money, that doesn't mean we have to go through with the project.

Mrs. Spohn stated no, of course not, but who would turn down a zero percent loan for \$319,000.

Mr. Budrevich asked what the Village would have to do to install a couple more fences upstream from the Gillette's property to act as baffles.

Mr. Fenwick stated he spoke with the Mayor regarding this issue and they are going to talk to Mr. Heydorn. Going on private property and putting a fence up that stops all the debris on that property means someone will have to go and clean it out.

Mr. Budrevich would like to be a part of that conversation. He understands that it's nobody's fault that they live at the bottom of a water course. But at the same time, they are not only protecting their property, they are protecting other people's property. The whole water course is flowing over a bunch of different properties. The Gillette's asked if we could send out a letter reminding residents in that area to not throw yard debris back there.

Mr. Budrevich was there when they were removing the debris. In the course of a week, they had a 10 x 10 tarp full of leaves, a dozen beer cans, and a mound of sticks and broken branches. The Gillette's weren't the ones who gave permission for an easement there, but yet it's definitely hurting them.

Mrs. Fuller asked what the time frame is for looking at replacements for Chief DeMoss.

Mayor stated applications are being accepted until the end of June and interviews will be conducted after that.

Mrs. Geis stated a resident brought to her attention that people are dumping yard debris on the path to Silver Lake Boulevard next to the Durr's property.

Mr. Fenwick will go out and look at it tomorrow.

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF SILVER LAKE

Monday, May 17, 2010 7:30 p.m.

Mr. Heydorn stated that property belongs to the Silver Lake Board of Trustees. It is there private property and if someone is dumping on it then that is their responsibility.

There being no further questions or comments, Council adjourned at 7:52 p.m. until the next regularly scheduled Council meeting on Monday, June 8, 2010 at 7:00 p.m.

APPROVED:

Mr. Gerald Jones, President of Council

ATTEST:

Teresa M. Spohn, Clerk-Treasurer

s:/council/2010 minutes/05-17-2010 council minutes.docx
prepared by: Heather Reiheld